

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
AMENDING ARIZONA CODE OF)	
JUDICIAL ADMINISTRATION § 6-107:)	Administrative Order
SAFETY TRAINING)	<u>No. 2003 - 90</u>
)	(Affecting Administrative
)	Order No. 2002-55 & 2003-42)
)	

An amendment to the above captioned provision having come before the Arizona Judicial Council on June 16, 2003, and having been approved and recommended for adoption,

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the above captioned provision, attached hereto, is adopted as a section of the Arizona Code of Judicial Administration Amending Administrative Order No. 2002-55 and 2003-42. All other provisions of §6-107, as originally adopted, remain unchanged and in effect.

Dated this 18th day of September, 2003.

CHARLES E. JONES
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 6: Probation
Chapter 1: General Administration
Section 6-107: Safety Training

A. Definitions. In this section the following definitions apply:

“Certified firearms instructor” means an individual certified in accordance with law enforcement firearms training standards and approved by the Administrative Office of the Courts (AOC).

“Defensive tactics instructor” means an individual certified in accordance with law enforcement training standards and approved by the AOC.

“Nomenclature” means a system that defines firearm components and how the components interrelate to the safe workings of the weapon.

“Officer” means both adult and juvenile probation and surveillance officers.

"Safety sensitive duties" means duties that involve assigned responsibilities for the direct supervision of probationers within the community and/or that involve authorization to carry and to use a firearm in the performance of any other assigned responsibilities.

“Safety sensitive positions” means officers, community service coordinators and other employees as designated by the chief probation officer or director of juvenile court services who provide direct supervision or services to adult or juvenile offenders who are subject to the jurisdiction of the court.

B. Applicability. Article VI, Section 3 of the Arizona Constitution and A.R.S. §§ 12-251(c), and 8-203(c) authorizes the Supreme Court to establish standards for probation and surveillance officers.

C. Purpose. To establish minimum standards for safety training for probation departments.

D. General Policy. The safety training curriculum is subject to the approval of the Committee on Probation Education (COPE).

E. Officer Safety Orientation.

1. The chief probation officer or director of juvenile court services shall ensure, that within 30 days of appointment, an officer receives a minimum of eight hours of officer safety training. This training shall use:

a. Curriculum approved by COPE; and

- b. Instructors trained by the AOC Education Services Division in this subject matter.
2. Upon completion of this training, the trainer shall sign a departmental form verifying training completion by the officer. The trainer shall route the original to the officer's supervisor who shall place the form in the officer's departmental personnel file. The trainer shall maintain a copy for training records.
3. The chief probation officer or director of juvenile court services shall ensure that accurate training records for all probation employees are maintained.

F. Probation Certification Academies and Intensive Probation Institutes. COPE shall ensure the curriculum of the probation certification academy and intensive probation institute include COPE approved officer safety training that includes the following components:

1. Continuum of control;
2. Verbal intervention;
3. Office and field safety;
4. Use of weapons;
5. Search and seizure; and
6. Search and seizure practicums.

G. Defensive Tactics Training Academy.

1. All officers in safety sensitive positions and officers assigned to safety sensitive duties shall and all other officers may:
 - a. Certify, on a form approved by the AOC, that they have no knowledge of any condition that may render them medically or physically unable to participate in any aspect of the defensive tactics training academy.
 - b. Demonstrate, by proficiency testing, competency and understanding of the physical and verbal techniques and tactics presented at the defensive tactics training academy; and
 - c. Successfully complete a remedial course within 60 days for any subject area in which a demonstrated proficiency was not attained.
2. Temporary Medical Waiver.

- a. An officer may apply, at any time, for a temporary medical waiver of attendance at the defensive tactics training academy.
 - (1) An officer shall submit the request to the chief probation officer or director of juvenile court services.
 - (2) The request shall include a statement completed by a licensed physician that indicates the officer has a medical or physical condition that temporarily impairs the officer's ability to participate in the defensive tactics training academy.
 - b. Departments shall reschedule an officer for the defensive tactics training academy upon receiving written medical clearance that indicates the officer's temporary condition will no longer impair participation in the academy.
3. Accommodations for a Permanent Medical Condition.
- a. An officer may, at any time, request accommodations for a permanent medical condition that substantially impairs the officer's ability to perform any defensive tactic in the conventional manner taught in the training academy. The department or the AOC, for good cause and at any time, may initiate a medical accommodation review.
 - b. The department and the AOC shall review the need for accommodation and may consult any additional source of relevant information including, but not limited to;
 - (1) Training staff;
 - (2) The officer's physician; and
 - (3) A licensed physician employed by the department.
 - c. If the department and AOC decide an accommodation is medically advisable, practical and warranted, training staff shall make best efforts to design and teach the officer an alternative manner of performing defensive tactic consistent with the minimum requirements of the training and the officer's medical condition in order to enable the officer to successfully complete the defensive tactics training academy.
4. The chief probation officer or director of juvenile court services shall review the assignment of an officer who has been granted a temporary medical waiver or accommodation to determine whether the officer can perform the assigned job duties consistent with the safety of the officer, other officers and the public.
5. Based upon the review of assignment, the chief probation officer or director of juvenile court services shall take action consistent with ACJA, section 6-106: Personnel Practices (J)(2)(d).

6. The chief probation officer or director of juvenile court services shall ensure that an officer attends and successfully completes the following training in the order listed:
 - a. A new probation officer shall attend and successfully complete the probation certification academy;
 - b. A new intensive surveillance officer shall attend the intensive probation institute; and
 - c. The COPE approved defensive tactics safety training academy.
7. Only AOC approved defensive tactics instructors (DTI) shall instruct at defensive tactics training academies.
8. The DTI shall:
 - a. Only use curriculum approved by COPE; and
 - b. Prepare and submit a quarterly training report to the chief probation officer or director of juvenile court services and AOC, on a form approved by AOC.
9. The defensive tactics training academy shall include the following topics:
 - a. Verbal de-escalation;
 - b. Use of force and corresponding legal issues;
 - c. Parrying and redirection of force;
 - d. Personal weapons;
 - e. Control holds;
 - f. Pressure points;
 - g. Prone self-defense;
 - h. Oleoresin Capsicum (OC);
 - i. Impact weapons;
 - j. Knife attacks (close quarter management);
 - k. Handcuffing and pat search techniques;
 - l. Weapon disarming;

- m. Escape holds;
 - n. Simulation training; and
 - o. Other training as approved by COPE and the AOC probation safety specialist.
10. The chief probation officer and director of juvenile court services shall ensure that all officers attend a refresher defensive tactics course of not less than 8 hours every 12 months.

H. Firearms Training Academy.

1. The COPE approved firearms training academy shall include:
 - a. Only COPE approved curriculum;
 - b. Instruction to eligible officers in the safe and effective use of a firearm;
 - c. Emphasis that firearms are for defensive purposes only;
 - d. A firearms qualification course which shall, at a minimum, include:
 - (1) Classroom instruction on the following topics:
 - (a) Nomenclature of firearms;
 - (b) Weapons retention lecture and practicum;
 - (c) Understanding the effects of a critical incident;
 - (d) Legal issues; and
 - (e) Range safety.
 - (2) Range training including:
 - (a) Qualification;
 - (b) Low light conditions;
 - (c) Tactical training;
 - (d) Firearms automated training system or a judgmental shooting simulation; and
 - (e) Range safety.
2. Only AOC approved certified firearms instructors (CFI) shall instruct at firearms training academies.
3. The CFI shall:
 - a. Only use curriculum approved by COPE; and

- b. Prepare and submit a quarterly training report to the chief probation officer or director of juvenile court services and AOC in a format specified by AOC.
4. An officer requesting firearms authorization shall:
 - a. Satisfactorily complete a psychological evaluation, as outlined in ACJA Section 6-113: Firearms Standards code section;
 - b. Have completed and demonstrated proficiency in all courses of the defensive tactics training academy; and
 - c. Satisfactorily complete and pass a competency test in a training course on ACJA Section 6-112 Use of Force Code and Section 6-113 Firearms Standards Code.
5. The chief probation officer and director of juvenile court services shall ensure all screening requirements in H(4)(a-c) are satisfactorily completed and written documentation is placed in the officers' personnel file prior to attending firearms training.
6. An officer shall attain a minimum standard score of 80% on the firearm's course to qualify.
 - a. An officer shall be considered qualified for one year from qualification date, unless there is a reason to retest proficiency during that time.
 - b. The CFI shall provide an officer failing to qualify another opportunity to qualify the same day. The CFI shall make other arrangements as soon as practical, if this is not possible.
 - c. An officer failing to qualify at the second opportunity, and wishing for another attempt at qualification, shall successfully complete a remedial course.
 - (1) The remedial course shall contain 16 hours of training and use curriculum approved by COPE.
 - (2) The remedial course will be scheduled as soon as practical.
7. An officer shall re-qualify annually and attend practice sessions if wishing to maintain firearm authorization status.
 - a. CFIs shall only use a firearms re-qualification course and curriculum that is approved by COPE.
 - b. An officer, requesting to carry a firearm, shall attend the full firearms training academy if firearm certification lapses for more than one full year.
 - c. An officer, requesting to carry a firearm, shall successfully complete the annual re-qualification if certification has lapsed for less than a year.

8. The CFI shall ensure that all authorized officers receive 8 hours of COPE approved firearms practice per year. This practice shall include:
 - a. Low light conditions;
 - b. Tactical conditions;
 - c. Firearms automated training system or a judgmental shooting simulation; and
 - d. Range safety.

I. Waiver Requirements.

1. An officer previously employed in a position functioning in the capacity of a peace officer in another county, state or federal law enforcement agency whose training substantially conforms to this code section, may submit the supporting documentation and apply for a waiver of training requirements. Re-qualification standards shall apply.
2. The chief probation officer or director of juvenile court services shall forward all applications for waiver requests, with supporting documentation, on approved forms to AOC for COPE review.
3. COPE shall review all training requirement waiver requests and either approve, conditionally approve or deny each request.

Adopted by Administrative Order No. 2002-55, effective June 20, 2002
Amended by Administrative Order No. 2003-42, effective April 2, 2003
Amended by Administrative Order No. 2003-90, effective September 18, 2003