

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF ADULT PROBATION)
OFFICER ASSIGNMENTS AND CARRYING)
FIREARMS)
_____)

ADMINISTRATIVE ORDER
NO. 2020-087

The Adult Probation Department trains all officers in defensive tactics and, in accordance with the Arizona Code of Judicial Administration §6-113, provides an option of arming field officers in order to provide additional safety tools while performing their duties. Currently, Administrative Order No. 2012-110 limits the arming of officers to specific units within the Department. Over time, the Department has learned that this limits the flexibility of probation and surveillance officers who may suddenly find themselves involved in tasks in which being armed would enhance their safety, yet they are assigned to a unit where armed officers are not authorized. The Department has concluded that the arming of probation and surveillance officers should be tied to the tasks or functions being performed rather than unit assignment.

Additionally, A.R.S § 38-1102 authorizes the Presiding Judge to establish rules and policies relating to peace officers' ability to carry firearms in court buildings. Currently, Administrative Order 2013-165 prohibits armed probation officers from bringing weapons into a courthouse and instead requires them to check any weapons with security. Increasingly, probation officers are required to effect arrests within courthouses without the assistance of armed police officers. In addition, the Adult Probation Department's Fugitive Apprehension Unit is increasingly having to perform duties without the presence of armed police officers. These changes necessitate amending the Administrative Order regarding security in the courthouses as it relates to armed probation officers.

IT IS THEREFORE ORDERED that paragraph B (2) of Administrative Order 2013-165 is amended as follows: Armed Probation Officers shall not bring weapons into the Courthouse. Armed Probation Officers shall check their weapons upon entering a Courthouse. However, Adult Probation Department Officers of this Court entering the courthouse to effect an arrest or transport an arrestee to jail may enter the courthouse and retain their weapon for those purposes and the safety of the officer. In these instances, the officer shall follow the sign-in procedures established for Police Officers.

IT IS FURTHER ORDERED that Adult Probation Department probation officers and surveillance officers may be authorized to carry a firearm while on duty at the discretion of the Chief Adult Probation Officer based on the Chief's determination that the duties being performed by the probation or surveillance officer warrant the carrying of a firearm for the safety and protection of the officer. Examples of these duties may be those duties where officers are meeting with populations under Adult Probation supervision,

meeting with populations who are before the Court pending sentencing and sent to Adult Probation for services, or in meeting with members of the public while conducting official Judicial Branch business. Other examples include conducting fieldwork in the community; performing searches; effecting arrests; or other similar activities as determined by the Chief Probation Officer.

IT IS FURTHER ORDERED that the Chief Probation Officer may in the Chief's discretion require that certain assignments or activities be completed only by officers who are approved to be armed and therefore be required to carry firearms while on duty according to departmental policy.

IT IS FURTHER ORDERED rescinding Administrative Order No. 2012-110.

Dated this 26th day of June, 2020.

/s/ Joseph C. Welty
Hon. Joseph C. Welty
Presiding Judge

Original: Clerk of the Superior Court

Copies: Patricia Starr, Criminal Presiding Judge
Raymond Billotte, Judicial Branch Administrator
Michael Cimino, Chief Adult Probation Officer