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AMANDA STANFORD
CLERK OF SUPERIOR COURT
2020 FEB 25 PM 2:54
BY ____ DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF PINAL

In the Matter of:

AUTHORIZING RELEASE OF INFORMATION MAINTAINED IN THE ADULT PROBATION ENTERPRISE TRACKING SYSTEM AND PINAL COUNTY PRETRIAL SERVICES ACTIVITY RECORDS TO ARIZONA STATE UNIVERSITY	)	ADMINISTATIVE ORDER No. 2020- 000017

The Administrative Office of the Courts (AOC) maintains the Adult Probation Enterprise Tracking System (APETS). APETS is the statewide adult probation case management system and repository for records kept during the time an offender is on pretrial supervision, probation supervision, or had a Public Safety Assessment (PSA) completed after an arrest. In Arizona, Probation Departments, excluding Pima County, use and provide data and information to APETS for completing the PSA pretrial risk assessment and for pretrial supervision. These records, as well internal case tracking records of the pretrial services agencies, are the work product of probation officers and are closed from public inspection. [See Rule 123(d)(2)(A), Rules of the Supreme Court]

Rule 123 "govern[s] public access to the records of all courts and administrative offices of the judicial department of the State of Arizona." [See Rule 123(a)] This rule also contains specific authorization for employees of government agencies and private organizations serving a public purpose to be granted "such access to court records as required to serve that purpose according to this rule or as provided by any supplemental Supreme Court policies or court order." [See Rule 123(c)(6)]

The Arizona Code of Judicial Administration (ACJA) permits custodians of court or probation records to provide case records or data to federal, state, tribal and local government agencies and private organizations, the objective of which is to serve a public purpose, such as criminal justice, child welfare, licensing, mental health treatment, or research for scholarly or governmental purposes. [See *ACJA § 1-606: Providing Case Record Access to Public Agencies or to Serve a Public Purpose]*

Arizona State University School of Criminology and Criminal Justice has received grant funding from the Laura and John Arnold Foundation (Arnold Ventures, LLC) to be used to conduct research and evaluation of the impact of persons failing to appear for court during the pretrial phase in Coconino, Pima, Pinal and Yuma Counties. This evaluation will be helpful in the ongoing development of pretrial services in superior courts as well as to assist in the development of pretrial

services in the limited jurisdiction courts in Arizona. Data needed for this evaluation will come from APETS as well as internal case tracking records or other pretrial case information kept at the county level. This data and information are considered work product of probation officers and pretrial staff and are closed from public inspection. The sharing of information from the counties will be addressed by local administrative orders.

Additionally, the research project will include a survey to be mailed to a randomly selected group of approximately 443 persons who are included in the research sample. This survey will include questions to assess the person's reasons for failing to appear for court or why they chose to appear for all court hearings. The US Postal mailing address and electronic mail address for these persons, if available, will be provided to ASU for this limited purpose. The AOC will provide the US Postal mailing addresses and electronic mail address, if available, from APETS.

THEREFORE, pursuant to Article VI, Section 3, of the Arizona Constitution and Rule 123, Rules of the Supreme Court,

IT IS ORDERED that the data identified in Appendix A, specifically the work product derived from the Pinal County Adult Probation Department, may be provided to ASU for purposes of conducting the aforementioned analysis and in accordance with the terms of the party's agreement with the AOC. The data described in Attachment A will be provided for cases with a PSA completed in Pinal County between July 1, 2018 and June 30, 2019.

IT IS FURTHER ORDERED that the US Postal mailing addresses and electronic mail addresses of the persons selected for this research be provided to ASU, if available.

IT IS FURTHER ORDERED that the confidential Pinal County information provided by this order shall be maintained by ASU as confidential in compliance with all applicable confidentiality requirements of Supreme Court Rule 123, as well as the agreement of the parties.

Dated this 20 day of FEBRUARY, 2020.

[redacted]

Honorable Stephen F. McCarville
Presiding Judge

Appendix "A" - ASU Research Project Data Elements

APETS Data Elements for ASU Pretrial Research Project	
Include APETS data for all Pretrial Cases with a PSA initiated in Coconino, Pinal and Yuma Counties between July 1, 2018 and June 30, 2019. Include only those cases with at least one (1) "Charge Type" being a felony. (Exclude cases with ONLY misdemeanor "Charge Types"). Data reports to be separated by County.	
APETS Screen Sections	**Data Element (data to be provided based on availability)**
PTS Demographics	Last Name, First Name, Middle Name
	APETS Defendant ID #/labeled "PTS ID" in Demographics screen
	True DOB
	True SSN (or last 4 digits if restricted)
	Gender
	Ethnicity
PTS Address	Street
	Apt.
	City
	State
	Zip
	Transient (Y/N)
	Address Type
	E-mail (if available)
	Phone
	Msg. Phone
	(Note: May need updated Defendant Address details with APETS Defendant ID number to be used for mailing survey in Phase 2 in case address has changed. This data may need to be obtained from "Probation" APETS module.)
PTS Arrests	Arresting Agency
	Booking Number
	Arrest Date
	Release Date (If available)
PTS Reports	Date Initiated
	Recommended Release 1
	Court Ordered Release 1 (If available)
PTS Case Charges	ARS Charge for original booking (13-1204A, 13-1304, etc.)

	ARS Charge Description for original booking (Extreme DUI, Disorderly Conduct, etc.)
	Charge Type for original booking (Felony, Misdemeanor)
	Charge Class (1, 2, 3, 4, 5, 6)
	Case number (even if data is missing)
	ARS Charge for next or subsequent booking (13-1204A, 13-1304, etc.)
	ARS Charge Description for subsequent booking(s) (Extreme DUI, Disorderly Conduct, etc.)
	Charge Level for next or subsequent booking (F4, M1, etc.)
	Case number (even if data is missing)
	Include same data for any additional or subsequent bookings
PSA Assessment	PSA-FTA Score for original booking (1-6)
	PSA-NCA Score for original booking (1-6)
	PSA-NVCA Flag for original booking (Y/N - may be represented by 0=N, 1=Y)
	Assessment Date
	Include same data for any subsequent PSA Assessment(s)
PSA Questions Responses (included within PSA Assessment Screen)	1. Age at arrest (20 or younger, 21 or 22, 23 or older)
	2. Current violent offense (Y/N)
	2a. Current violent offense and 20 years old or younger (Y/N)
	3. Pending Charge at the time of the offense (Y/N)
	4. Prior misdemeanor (Y/N)
	5. Prior Felony (Y/N)
	6. Prior violent conviction (Y/N)
	7. Prior Failure to appear in past 2 years (0, 1, 2 or more)
	8. Prior failure to appear older than 2 years (Y/N)
	9. Prior sentence to incarceration (Y/N)
	Include same data for any subsequent PSA Assessment(s)
Release Type	OR, Pretrial, Bond, Non-Bondable (if available)
	Bond amount, if available
PTS Terminate Case	Termination Reason (if available)
	Outcome
	Effective Date
PTS Case Contacts	Maybe be required on a case by case basis if available

Appendix "A" - ASU Research Project Data Elements

CATS Data Elements for ASU Pretrial Research Project	
Include CATS (*Pima County PTS Case Management System*) data for all Pretrial Cases with a PSA initiated in Pima County between July 1, 2018 and June 30, 2019. Include only those cases with at least one (1) "Charge Type" being a felony. (Exclude cases with ONLY misdemeanor "Charge Types").	
CATS Screen Sections	**Data Element (data to be provided based on availability)**
Demographics	Last Name, First Name, Middle Name
	CATS ID Number (*Pima County PTS Case Management System*)
	Gender
	Ethnicity
Address	Street
	Apt.
	City
	State
	Zip
	Transient (Y/N)
	Address Type
	E-mail (if available)
	Phone
	Msg. Phone
Arrests	Arresting Agency
	Booking Number
	Arrest Date
	Offense Date
	Release Date
Reports	IA Date
	PTS Recommendation
Release Type	OR, Pretrial, Bond, Non-Bondable (if available)
	Bond amount, if available
Case Charges	ARS Charge for original booking (13-1204A, 13-1304, etc.)
	ARS Charge Description for original booking (Extreme DUI, Disorderly Conduct, etc.)
	Charge Type for original booking (Felony, Misdemeanor)
	Charge Class (1, 2, 3, 4, 5, 6)
	Case number (even if data is missing)

	ARS Charge for next or subsequent booking (13-1204A, 13-1304, etc.)
	ARS Charge Description for subsequent booking(s) (Extreme DUI, Disorderly Conduct, etc.)
	Charge Level for next or subsequent booking (F4, M1, etc.)
	Case number (even if data is missing)
	Include same data for any additional or subsequent bookings
PSA Assessment	PSA-FTA Score for original booking (1-6)
	PSA-NCA Score for original booking (1-6)
	PSA-NVCA Flag for original booking (Y/N - may be represented by 0=N, 1=Y)
	*Include same data for any additional or subsequent PSA Assessments
PSA Questions Responses (included within PSA Assessment Screen)	1. Age at arrest (20 or younger, 21 or 22, 23 or older)
	2. Current violent offense (Y/N)
	2a. Current violent offense and 20 years old or younger (Y/N)
	3. Pending Charge at the time of the offense (Y/N)
	4. Prior misdemeanor (Y/N)
	5. Prior Felony (Y/N)
	6. Prior violent conviction (Y/N)
	7. Prior Failure to appear in past 2 years (0, 1, 2 or more)
	8. Prior failure to appear older than 2 years (Y/N)
	9. Prior sentence to incarceration (Y/N)
	Include same data for any additional or subsequent PSA Assessments
Terminate Case	Termination Reason
	Outcome
	Effective Date
	Time to FTA (1-30 days; 31-60 days; more than 60 days)