



MARICOPA COUNTY ADULT PROBATION

OPERATIONS DURING PUBLIC HEALTH EMERGENCY



APD COVID-19 Responses for Staff and Public Safety and Corresponding Variations from Normal Operational Procedures

August 1, 2020



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Effective August 1, 2020

The following guidelines are provided to the Adult Probation Department regarding the operational posture of APD during the public health crisis involving COVID-19. Operations were first modified on March 16, 2020, through a department memorandum and were subsequently modified as needed pursuant to Administrative Orders and considering guidelines from Federal, State, and Local Government. Following the issuance of Administrative Orders from the Chief Justice of the Arizona Supreme Court and Presiding Judge of the Superior Court of Arizona in Maricopa County, the following outlines the operational modifications to APD's normal policy and procedure. APD will take its direction to move from one phase to the next based upon public health data and the direction provided by the Arizona Supreme and Superior Courts.

At the time of this writing, the two primary Administrative Orders impacting APD operations are linked below:

Arizona Supreme Court Administrative Order 2020-114 [2020-114](#)

Arizona Superior Court in and for Maricopa County Administrative Order [2020-098](#)

Adult Probation's goal during this time of disruption will be to maintain a commitment to public safety in our supervision of all the populations we serve and supervise. While there may be instances when we focus our resources in terms of face to face contacts, we intend to maintain contact and engagement with all populations we supervise. We recognize that as the availability of our workforce may temporarily change, we may need to adjust these practices. The changes are being made for public safety, specifically for the physical health of the community to include those under pretrial and probation supervision, community members, and staff. If a deviation from normal policy operations are not noted below, existing policy should be used to determine appropriate response.

Finally, this document is formatted to lay out the operational changes to normal policy in each phase. If modifications from current policy are not noted, then staff should be guided by the APD Policy Manual. For convenience, links to each phase are provided below and allow the reader to click and be taken to the corresponding phase.

[Phase I](#)

[Phase II](#)

[Phase III](#)

[Phase IV](#)

Phase I

This is the most restrictive and largest modification to APD operations.

Employee Wellness and Engagement:

As will be described in the following section, substantial disruption to social connections among staff will result from making necessary physical restrictions to in person contact and physical presence at APD and other Judicial Branch facilities. While this is necessary to enhance physical health of staff and the community, it is not without consequence or cost to employee wellness and engagement. One of the core strengths of APD is the extent to which employees care for and support one another. We benefit, not just personally but professionally, as an organization from our in-person interactions with one another. The modifications to our normal processes, in addition to the disruption in our personal lives, from this pandemic have the potential to impact us adversely both individually and collectively as well as personally and professionally. As a result, all staff are encouraged to take opportunities to use our business tools (Skype for business, Teams, and Face Time) to stay connected to supervisors and fellow unit/division team members. Specifically, staff should take the time to call a unit member they have not heard from recently and stay connected to see what he/she is doing to keep those under their supervision engaged, meeting service delivery challenges, or how they are doing generally. The public has made considerable investments in the work of APD, and the greatest resource of that investment is the staff of APD. As a result, all staff are encouraged to stay engaged with and support one another during this disruption. Finally, all staff are encouraged to utilize the resources provided around employee wellness which can be found on APD's COVID SharePoint site and through Judicial Branch Human Resources.

Office Usage and Working Remotely:

1. During this phase, all staff who have not been required by the Management Team to keep the buildings open and operational should work remotely. If staff need to come into the office to complete a work assignment, such as to obtain a file or other materials, they may do so but should return to working remotely once that activity is completed. Pursuant to Supreme Court Administrative Order, 2020-114, this means that we should not have more than 30 individuals in our facilities at one time.
2. Masks/face coverings will be worn in all Judicial Branch and County facilities pursuant to Superior Court Administrative Order 2020-098, and in compliance with local government requirements. Even if a locality does not require a mask/face covering, staff should be wearing them when conducting our work in public if others are present. Pursuant to AO 2020-098, members of the public and employees will be required to wear a mask/face covering and submit to health screenings including the taking of their temperature.
3. Officers and staff will only require individuals under pretrial or probation supervision to come into the office when we have no other alternatives. It is permitted to utilize the office for an interaction with someone we supervise if the officer believes this the best tactical choice/safest approach due to the conversation being a potentially volatile one. If seeing someone in the office is due to such a safety concern, then interview rooms (in buildings equipped with interview rooms) shall be utilized. It is noted other appropriate instances of an individual coming into the office would include someone being released from the Department of Corrections and Rehabilitation and Reentry, and APD has to sign for their release at an area office where they are dropped off by DOCRR. Another example could be someone who has a GPS device which needs to be replaced and they have no means to contact APD, so the individual reports to the office. These are not a comprehensive list of examples, but it should be the rare and highly unusual exception that someone should be required to come to an APD facility during this time.
4. Supervisors should work with staff to ensure they have what they need to be fully functional while working remotely including dealing with technology resources. While our operational posture may look different during this disruption, our results and productivity should continue despite those operational changes. The APD Management Team will ensure that staff have what they need to effectively accomplish their duties and assignments. If no other means are available to deliver essential services,

other than to bring select staff into the office to accomplish their job assignments, supervisors have discretion to allow it in consultation with their Division Director. This should be a last resort, however, and staff and managers should collaborate to avoid it to every extent possible.

5. During this phase there is no limitation as to the amount of time that can be approved for an employee to work remotely. Rather, the focus should be on ensuring adequate service delivery and accomplishing our mission instead of the location of where the employee performs that work.
6. These standards also apply to Management Team Members, meaning to every extent possible supervisors and managers should attempt to work remotely and away from the office while still ensuring we maintain effective managerial presence in the various APD locations throughout the County.
7. Judicial Branch employees are professionals and trusted to use public resources appropriately. Managers and staff are being given greater flexibility during this time of disruption in order to effectively navigate through this crisis. For example, restrictions described in APD Telework Policy 2.207, section IV, G notes that teleworking is not a substitute for care giver responsibilities. In normal times, this is commonly observed by staff having someone else provide care for minors or elders needing care whenever they are teleworking. Given the restrictions of stay at home orders and children not being allowed to physically attend school, this is not possible or practical. However, as professionals, if our work is disrupted due to the employee being the primary caregiver of a child who is at home, an employee may need to punch out to tend to the child's needs and then punch back in when they are again able to focus on their work. As a result, the employee may find they are working hours when they otherwise would not. This flexibility is being extended to the employee given the demands of the current disruption in our community; however, employees need to be compensated whenever working and work performed should be of the same level of productivity and quality as is the case in normal operations. While the child care provision in policy is being modified at this time as described above, all staff should have arrangements in place and available should they be required to respond in person to the office/courthouse.

Training and Staff Meetings:

- Staff should continue to meet and collaborate with the level of frequency they normally would, although the method of that collaboration will need to change. One of the most valuable tools in case management are the collaborations we make with one another staffing cases and situations. We are also one of the greatest support mechanisms. Phone and video conference should be used as alternatives to the traditional method of gathering into a conference room or in person.
- To every extent possible, in person training should be limited to less than 30 people when conducted in person. Only the initial forty-hour defensive tactics training academy or firearms training conducted outside with appropriate social distancing will be conducted in person. Exceptions to this can be made, but these exceptions require approval from an Executive Team Member.

Modifications to the Populations We Serve and Supervise:

Breathalyzer Testing: Please use Averhealth instead of our breathalyzer testing devices if you absolutely need to test an individual for alcohol. They will require a referral for a urinalysis with ETG. While breathalyzer testing should be avoided when possible, staff may conduct them when there are no alternatives and should refer to videos posted (and other direction given) by the department on how to conduct these tests in the safest manner possible.

Community Restitution: Generally, APD will largely not be conducting projects supervised by APD staff. Generally, APD led activities will be very minimal. Individuals required to do community restitution should do so through APD approved agencies. IPS and individuals eligible for early termination, will be given priority for assignment to these agencies. Staff should direct questions regarding Community Restitution to the Community Restitution Program Managers.

DNA Testing: Given this is a task required of APD staff in statute, it cannot be waived. Staff should follow department policy when collecting DNA samples as well as refer to the Contactless DNA Collection flyer for

additional safety guidelines that is posted on the [APD COVID site](#). Staff should wash their hands or use sanitizer after wearing gloves and clean any surfaces touched with alcohol wipes.

Individuals Reporting to the Office Sick: Judicial Branch Security will be conducting health checks, including taking of body temperature and will turn individuals away who are not well. Those on pretrial or probation supervision should be assured they will be given credit for reporting, and the officer will follow-up with the individual by phone.

Literacy Centers: Literacy Centers will operate in accordance with local guidelines for similar centers. Staff should direct questions regarding the centers to Literacy Center Program Mangers.

Performance Evaluations and Case File Reviews: Supervisors should take care to ensure that when completing case file reviews and performance evaluations, the established measurement criteria should be adapted to accommodate changes to the work as described below for the timeframe reviewed. Performance evaluations, case file reviews, document reviews and any other methods to assess staff performance should continue. This work should be completed in a timely fashion and in accordance to APD and Judicial Branch performance management standards and policy which exist during normal operations.

Risk Assessments: Risk assessments will be conducted within current policy time frames. During this phase, risk assessments will be conducted whenever possible by phone or video if the person is out of custody or by video visitation if in custody.

Treatment Groups Facilitated by APD: These groups should only take place if specialized therapeutic and compliance Courts are in session and conducting staffings and hearings and/or if there are alternative electronic/technology-based methods such as Microsoft Teams or WebEx to facilitate treatment and intervention groups. Staff who facilitate these groups should maintain phone contact with individuals who do not have the technology to participate in group to continue furthering of the individual's goals that led to attendance in the group.

T4C and Decision Points: Traditional in person *Thinking for a Change* and *Decision Points* groups facilitated by APD are suspended during this phase. The purpose for these actions is to limit bringing groups of individuals together to protect the health of all involved. Staff who facilitate these groups should use available online groups that have been established and should be considered as an alternative for individuals in need of a group.

Violation Behavior: As should be our practice during normal operations, staff should consider if there are appropriate interventions you can take to address violation behavior instead of returning someone to Court and placing them in custody. Searches should be limited to those instances where public safety is at risk such as someone under supervision with a firearm. However, if officers believe there are no other alternatives available (or other alternatives would not be appropriate given the serious threat of the behavior identified), officers should not hesitate to execute our duties in statute and Code, and in accordance with policy, to protect public safety be it through a petition to return someone to Court, a search, or warrantless arrest where appropriate.

Written Communication: Communication with individuals in writing typically takes place in the format of review and acknowledgements (R&A), behavior agreements, and behavior reports, where specific instruction is provided (e.g., related to reporting requirements, completion of specific Conditions of Probation, referrals to treatment, etc.). These communications must be signed or acknowledged by the individual receiving them. If in-person contact is being made, individuals should sign any documentation required; however, if virtual contact is being made, officers must:

- Provide the written documentation (via email, text, photograph, mail, etc.) to the individual.
- Confirm the individual received the document and was able to read and view it.

- Review the document during the virtual contact.
- Ensure any questions are answered.
- Obtain either a signature (electronic signature or the officer virtually witnesses the signature, that can be electronically sent back to the officer) or verbal acknowledgement from the individual that the written communication is understood.
- Document this interaction thoroughly in APETS in such a way that it is clear that the individual received and understood what was expected.

Contacts:

Definitions of Contact Types:

Phone Contact: Audio call that does not allow for visual contact with the individual under supervision.

Visual Contacts: Face-to-face communication with the individual on pretrial and/or probation at any place, including but not limited to the office, the individual’s residence, place of employment, treatment location or community restitution placement to discuss progress, issues of concern or other appropriate matters. Contacts with individuals are not ends in themselves but are opportunities for officers to achieve specific objectives. These objectives include establishing rapport, providing court date reminders, referrals to supportive services, inspecting GPS equipment, assessing the criminogenic factors and triggers, developing and, when needed, modifying a supervision plan, and using both subtle and overt incentives and sanctions to guide the individual toward positive change and compliance with court orders. There are two types of visual contacts as noted below, and officers must indicate in the body of the iCIS and/or APETS Contact/Case Note which type of contact was made or attempted.

In-person: Visual contact conducted in-person with the individual on pretrial and/or probation.

Virtual: Visual contact completed utilizing Department-approved technologies that allow two-way visual video contact with the individual on pretrial and/or probation in real time. Department-approved technologies are those applications that enable live video and are without cost to either party. (This should be noted in iCIS and/or APETS as a Face-to-face contact using the location “Other (see Note)” and identifying the individual with whom contact is being made).

Contact Standards:

Contacts Generally

Whether it’s with the individuals supervised by APD, victims, stakeholders, or others, it is important officers and staff remain supportive and service-oriented in all interactions and that we continue to complete our work to the fullest extent possible despite the challenges of the public health emergency.

As is in the case during normal operations, officers may exceed the minimum contact standards on the following pages if in the judgement of the officer, doing so would enhance public safety

Field Contacts:

Residential and field contact standards for pretrial¹ and probation caseloads established in policy should be

¹ Officers may meet field contact requirements for pretrial electronic monitoring cases through verifying the individual’s whereabouts using GPS monitoring software and virtual visual contacts.

satisfied. (This includes efforts to locate an individual who has absconded prior to filing a petition to revoke). However, officers should generally modify how those contacts take place unless there are public safety reasons to do otherwise. Consistent with Code and Administrative Orders², in certain limited instances, with the approval of the supervisor, visual in-person residential face to face in person contacts could be substituted with a virtual visual contact. An appropriate reason for such an approval would be the individual or a member of that household has tested positive for COVID-19 or is symptomatic. In these instances, the supervisor approval should be documented by the officer in the contact note. If the individual with whom the officer is making contact cannot participate in a contact due to technology not being available, a phone contact is permitted. When the individual/member of the household is no longer in need of quarantine (as defined by recommendations from public health including the United States Centers for Disease Control and Prevention), field contacts should resume unless there are further extenuating circumstances. (Examples of previous public health guidance of no longer needing quarantine has been when someone is no longer symptomatic, have tested negative, or fourteen days have passed since exposure).

In terms of how officers should vary from normal field contacts during this pandemic, the following guidelines are provided. When making a contact at the residence, officers should wear a mask and maintain at a distance of six feet or greater from others for the benefit of the officer and the person with whom the officer is interacting. As much as possible during the contact, the officer should remain outside the residence unless there is a mission critical reason for entering the residence, such as to conduct a necessary walk through, a search with police for a firearm, or to effect a necessary arrest. Officers can also begin that conversation by making initial contact at the residence to satisfy the contact requirement and finishing that conversation with a phone call.

The most significant resource of APD is its workforce. Therefore, if an arrest or search is needed, the officer, supervisor, and division director should staff the case to ensure there are no other reasonable alternatives. As a public safety division of the Judicial Branch, APD must continue to effect arrests when there are no other appropriate means of intervention based on the behavior identified. Further, APD needs to continue to do arrests related to actionable information that threatens public safety such as an individual under supervision with a firearm.

Other Contacts

On pretrial and on probation supervision caseloads, officers and staff should reduce to every extent possible bringing people into APD offices and reduce in person contacts whenever possible. Officers and staff should, however, maintain contact standards for non-field contacts using virtual visual contacts. If an individual would ordinarily be seen for an office appointment, to the greatest extent possible, that in person office visit should be substituted with a virtual visual contact to cover the same things would have covered during the office visit. A phone call may be used in instances when technology is not available to the individual under supervision.

If a client does not have or is not permitted to have a smart phone or other device to participate in the virtual visual contact, officers can work with the client to determine if a friend or family member could assist the individual in providing a device for a given contact. For sex offenders prohibited from having such a device, perhaps a spouse, authorized friend or family member, could call on the person's behalf and be present with him/her during the virtual contact just as they would during an in-person home visit.

² Arizona Supreme Court Administrative Order 2020-114, Page 8, General Section, Paragraph 3 and Arizona Code of Judicial Administration Section 6-201, Section K, 6.

Phase II

Employee Wellness and Engagement:

As will be described in the following section, substantial disruption to social connections among staff will result from making necessary physical restrictions to in person contact and physical presence at APD and other Judicial Branch facilities. While this is necessary to enhance physical health of staff and the community, it is not without consequence or cost to employee wellness and engagement. One of the core strengths of APD is the extent to which employees care for and support one another. We benefit, not just personally but professionally, as an organization from our in-person interactions with one another. The modifications to our normal processes, in addition to the disruption in our personal lives, from this pandemic have the potential to impact us adversely both individually and collectively as well as personally and professionally. As a result, all staff are encouraged to take opportunities to use our business tools (Skype for business, Teams, and Face Time) to stay connected to supervisors and fellow unit/division team members. Specifically, staff should take the time to call a unit member they have not heard from recently and stay connected to see what he/she is doing to keep those under their supervision engaged, meeting service delivery challenges, or how they are doing generally. The public has made considerable investments in the work of APD, and the greatest resource of that investment is the staff of APD. As a result, all staff are encouraged to stay engaged with and support one another during this disruption. Finally, all staff are encouraged to utilize the resources provided around employee wellness which can be found on APD's COVID SharePoint site and through Judicial Branch Human Resources.

Office Usage and Working Remotely:

1. During this phase, all staff who have not been required by the Management Team to keep the buildings open and operational should work remotely. If staff need to come into the office to complete a work assignment, such as to obtain a file or other materials, they may do so but should return to working remotely once that activity is completed. Pursuant to Supreme Court Administrative Order, 2020-114, this means that we should not have more than 30 individuals in our facilities at one time.
2. Masks/face coverings will be worn in all Judicial Branch and County facilities pursuant to Superior Court Administrative Order 2020-098, and in compliance with local government requirements. Even if a locality does not require a mask/face covering, staff should be wearing them when conducting our work in public if others are present. Pursuant to AO 2020-098, members of the public and employees will be required to wear a mask/face covering and submit to health screenings including the taking of their temperature.
3. Officers and staff will only require individuals under pretrial or probation supervision to come into the office when we have no other alternatives. It is permitted to utilize the office for an interaction with someone we supervise if the officer believes this the best tactical choice/safest approach due to the conversation being a potentially volatile one. If seeing someone in the office is due to such a safety concern, then interview rooms (in buildings equipped with interview rooms) shall be utilized. It is noted other appropriate instances of an individual coming into the office would include someone being released from the Department of Corrections and Rehabilitation and Reentry, and APD has to sign for their release at an area office where they are dropped off by DOCRR. Another example could be someone who has a GPS device which needs to be replaced and they have no means to contact APD, so the individual reports to the office. These are not a comprehensive list of examples, but it should be the rare and highly unusual exception that someone should be required to come to an APD facility during this time.
4. Supervisors should work with staff to ensure they have what they need to be fully functional while working remotely including dealing with technology resources. While our operational posture may look different during this disruption, our results and productivity should continue despite those operational changes. The APD Management Team will ensure that staff have what they need to effectively accomplish their duties and assignments. If no other means are available to deliver essential services, other than to bring select staff into the office to accomplish their job assignments, supervisors have

discretion to allow it in consultation with their Division Director. This should be a last resort, however, and staff and managers should collaborate to avoid it to every extent possible.

5. During this phase there is no limitation as to the amount of time that can be approved for an employee to work remotely. Rather, the focus should be on ensuring adequate service delivery and accomplishing our mission instead of the location of where the employee performs that work.
6. These standards also apply to Management Team Members, meaning to every extent possible supervisors and managers should attempt to work remotely and away from the office while still ensuring we maintain effective managerial presence in the various APD locations throughout the County.
7. Judicial Branch employees are professionals and trusted to use public resources appropriately. Managers and staff are being given greater flexibility during this time of disruption in order to effectively navigate through this crisis. For example, restrictions described in APD Telework Policy 2.207, section IV, G notes that teleworking is not a substitute for care giver responsibilities. In normal times, this is commonly observed by staff having someone else provide care for minors or elders needing care whenever they are teleworking. Given the restrictions of stay at home orders and children not being allowed to physically attend school, this is not possible or practical. However, as professionals, if our work is disrupted due to the employee being the primary caregiver of a child who is at home, an employee may need to punch out to tend to the child's needs and then punch back in when they are again able to focus on their work. As a result, the employee may find they are working hours when they otherwise would not. This flexibility is being extended to the employee given the demands of the current disruption in our community; however, employees need to be compensated whenever working and work performed should be of the same level of productivity and quality as is the case in normal operations. While the child care provision in policy is being modified at this time as described above, all staff should have arrangements in place and available should they be required to respond in person to the office/courthouse.

Training and Staff Meetings:

- Staff should continue to meet and collaborate with the level of frequency they normally would, although the method of that collaboration will need to change. One of the most valuable tools in case management are the collaborations we make with one another staffing cases and situations. We are also one of the greatest support mechanisms. Phone and video conference should be used as alternatives to the traditional method of gathering into a conference room or in person.
- Some in person trainings may resume during Phase II. Requests for in person training may resume with the approval of the Staff Development Supervisor who prior to authorizing additional training will consult with the Director of the Organizational Development and Support Division. To every extent possible, in person training should be limited to less than 50 people when conducted in person pursuant to Supreme Court AO 2020-114.

Modifications to the Populations We Serve and Supervise:

Breathalyzer Testing: Please use Averhealth instead of our breathalyzer testing devices if you absolutely need to test an individual for alcohol. They will require a referral for a urinalysis with ETG. While breathalyzer testing should be avoided when possible, staff may conduct them when there are no alternatives and should refer to videos posted (and other direction given) by the department on how to conduct these tests in the safest manner possible.

Community Restitution: Generally, APD will largely not be conducting projects supervised by APD staff. Generally, APD led activities will be very minimal. Individuals required to do community restitution should do so through APD approved agencies. IPS and individuals eligible for early termination, will be given priority for assignment to these agencies. Staff should direct questions regarding Community Restitution to the Community Restitution Program Managers.

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additional safety guidelines that is posted on the [APD COVID site](#). Staff should wash their hands or use sanitizer after wearing gloves and clean any surfaces touched with alcohol wipes.

Individuals Reporting to the Office Sick: Judicial Branch Security will be conducting health checks, including taking of body temperature and will turn individuals away who are not well. Those on pretrial or probation supervision should be assured they will be given credit for reporting, and the officer will follow-up with the individual by phone.

Literacy Centers: Literacy Centers will operate in accordance with local guidelines for similar centers. Staff should direct questions regarding the centers to Literacy Center Program Managers.

Performance Evaluations and Case File Reviews: Supervisors should take care to ensure that when completing case file reviews and performance evaluations, the established measurement criteria should be adapted to accommodate changes to the work as described below for the timeframe reviewed. Performance evaluations, case file reviews, document reviews and any other methods to assess staff performance should continue. This work should be completed in a timely fashion and in accordance to APD and Judicial Branch performance management standards and policy which exist during normal operations.

Risk Assessments: Risk assessments will be conducted within current policy time frames. During this phase, risk assessments will be conducted whenever possible by phone or video if the person is out of custody or by video visitation if in custody.

Treatment Groups Facilitated by APD: These groups should only take place if specialized therapeutic and compliance Courts are in session and conducting staffings and hearings and/or if there are alternative electronic/technology-based methods such as Microsoft Teams or WebEx to facilitate treatment and intervention groups. Staff who facilitate these groups should maintain phone contact with individuals who do not have the technology to participate in group to continue furthering of the individual's goals that led to attendance in the group.

T4C and Decision Points: Traditional in person *Thinking for a Change* and *Decision Points* groups facilitated by APD are suspended during this phase. The purpose for these actions is to limit bringing groups of individuals together to protect the health of all involved. Staff who facilitate these groups should use available online groups that have been established and should be considered as an alternative for individuals in need of a group.

Violation Behavior: As should be our practice during normal operations, staff should consider if there are appropriate interventions you can take to address violation behavior instead of returning someone to Court and placing them in custody. Searches should be limited to those instances where public safety is at risk such as someone under supervision with a firearm. However, if officers believe there are no other alternatives available (or other alternatives would not be appropriate given the serious threat of the behavior identified), officers should not hesitate to execute our duties in statute and Code, and in accordance with policy, to protect public safety be it through a petition to return someone to Court, a search, or warrantless arrest where appropriate.

Written Communication: Communication with individuals in writing typically takes place in the format of review and acknowledgements (R&A), behavior agreements, and behavior reports, where specific instruction is provided (e.g., related to reporting requirements, completion of specific Conditions of Probation, referrals to treatment, etc.). These communications must be signed or acknowledged by the individual receiving them. If in-person contact is being made, individuals should sign any documentation required; however, if virtual contact is being made, officers must:

- Provide the written documentation (via email, text, photograph, mail, etc.) to the individual.
- Confirm the individual received the document and was able to read and view it.

- Review the document during the virtual contact.
- Ensure any questions are answered.
- Obtain either a signature (electronic signature or the officer virtually witnesses the signature, that can be electronically sent back to the officer) or verbal acknowledgement from the individual that the written communication is understood.
- Document this interaction thoroughly in APETS in such a way that it is clear that the individual received and understood what was expected.

Contacts:

Definitions of Contact Types:

Phone Contact: Audio call that does not allow for visual contact with the individual under supervision.

Visual Contacts: Face-to-face communication with the individual on pretrial and/or probation at any place, including but not limited to the office, the individual’s residence, place of employment, treatment location or community restitution placement to discuss progress, issues of concern or other appropriate matters. Contacts with individuals are not ends in themselves but are opportunities for officers to achieve specific objectives. These objectives include establishing rapport, providing court date reminders, referrals to supportive services, inspecting GPS equipment, assessing the criminogenic factors and triggers, developing and, when needed, modifying a supervision plan, and using both subtle and overt incentives and sanctions to guide the individual toward positive change and compliance with court orders. There are two types of visual contacts as noted below, and officers must indicate in the body of the iCIS and/or APETS Contact/Case Note which type of contact was made or attempted.

In-person: Visual contact conducted in-person with the individual on pretrial and/or probation.

Virtual: Visual contact completed utilizing Department-approved technologies that allow two-way visual video contact with the individual on pretrial and/or probation in real time. Department-approved technologies are those applications that enable live video and are without cost to either party. (This should be noted in iCIS and/or APETS as a Face-to-face contact using the location “Other (see Note)” and identifying the individual with whom contact is being made).

Contact Standards:

Contacts Generally

Whether it’s with the individuals supervised by APD, victims, stakeholders, or others, it is important officers and staff remain supportive and service-oriented in all interactions and that we continue to complete our work to the fullest extent possible despite the challenges of the public health emergency.

As is in the case during normal operations, officers may exceed the minimum contact standards on the following pages if in the judgement of the officer, doing so would enhance public safety

Field Contacts:

Residential and field contact standards for pretrial³ and probation caseloads established in policy should be

³ Officers may meet field contact requirements for pretrial electronic monitoring cases through verifying the individual’s whereabouts using GPS monitoring software and virtual visual contacts.

satisfied. (This includes efforts to locate an individual who has absconded prior to filing a petition to revoke). However, officers should generally modify how those contacts take place unless there are public safety reasons to do otherwise. Consistent with Code and Administrative Orders⁴, in certain limited instances, with the approval of the supervisor, visual in-person residential face to face in person contacts could be substituted with a virtual visual contact. An appropriate reason for such an approval would be the individual or a member of that household has tested positive for COVID-19 or is symptomatic. In these instances, the supervisor approval should be documented by the officer in the contact note. If the individual with whom the officer is making contact cannot participate in a contact due to technology not being available, a phone contact is permitted. When the individual/member of the household is no longer in need of quarantine (as defined by recommendations from public health including the United States Centers for Disease Control and Prevention), field contacts should resume unless there are further extenuating circumstances. (Examples of previous public health guidance of no longer needing quarantine has been when someone is no longer symptomatic, have tested negative, or fourteen days have passed since exposure).

In terms of how officers should vary from normal field contacts during this pandemic, the following guidelines are provided. When making a contact at the residence, officers should wear a mask and maintain at a distance of six feet or greater from others for the benefit of the officer and the person with whom the officer is interacting. As much as possible during the contact, the officer should remain outside the residence unless there is a mission critical reason for entering the residence, such as to conduct a necessary walk through, a search with police for a firearm, or to effect a necessary arrest. Officers can also begin that conversation by making initial contact at the residence to satisfy the contact requirement and finishing that conversation with a phone call.

The most significant resource of APD is its workforce. Therefore, if an arrest or search is needed, the officer, supervisor, and division director should staff the case to ensure there are no other reasonable alternatives. As a public safety division of the Judicial Branch, APD must continue to effect arrests when there are no other appropriate means of intervention based on the behavior identified. Further, APD needs to continue to do arrests related to actionable information that threatens public safety such as an individual under supervision with a firearm.

Other Contacts

On pretrial and on probation supervision caseloads, officers and staff should reduce to every extent possible bringing people into APD offices and reduce in person contacts whenever possible. Officers and staff should, however, maintain contact standards for non-field contacts using virtual visual contacts. If an individual would ordinarily be seen for an office appointment, to the greatest extent possible, that in person office visit should be substituted with a virtual visual contact to cover the same things would have covered during the office visit. A phone call may be used in instances when technology is not available to the individual under supervision.

If a client does not have or is not permitted to have a smart phone or other device to participate in the virtual visual contact, officers can work with the client to determine if a friend or family member could assist the individual in providing a device for a given contact. For sex offenders prohibited from having such a device, perhaps a spouse, authorized friend or family member, could call on the person's behalf and be present with him/her during the virtual contact just as they would during an in-person home visit.

⁴ Arizona Supreme Court Administrative Order 2020-114, Page 8, General Section, Paragraph 3 and Arizona Code of Judicial Administration Section 6-201, Section K, 6.

Phase III

Employee Wellness and Engagement:

As will be described in the following section, substantial disruption to social connections among staff will result from making necessary physical restrictions to in person contact and physical presence at APD and other Judicial Branch facilities. While this is necessary to enhance physical health of staff and the community, it is not without consequence or cost to employee wellness and engagement. One of the core strengths of APD is the extent to which employees care for and support one another. We benefit, not just personally but professionally, as an organization from our in-person interactions with one another. The modifications to our normal processes, in addition to the disruption in our personal lives, from this pandemic have the potential to impact us adversely both individually and collectively as well as personally and professionally. As a result, all staff are encouraged to take opportunities to use our business tools (Skype for business, Teams, and Face Time) to stay connected to supervisors and fellow unit/division team members. Specifically, staff should take the time to call a unit member they have not heard from recently and stay connected to see what he/she is doing to keep those under their supervision engaged, meeting service delivery challenges, or how they are doing generally. The public has made considerable investments in the work of APD, and the greatest resource of that investment is the staff of APD. As a result, all staff are encouraged to stay engaged with and support one another during this disruption. Finally, all staff are encouraged to utilize the resources provided around employee wellness which can be found on APD's COVID SharePoint site and through Judicial Branch Human Resources.

Office Usage and Working Remotely:

1. Masks/face coverings will be worn in all Judicial Branch and County facilities pursuant to Superior Court Administrative Order 2020-098, and in compliance with local government requirements. Even if a locality does not require a mask/face covering, staff should be wearing them when conducting our work in public if others are present. Pursuant to AO 2020-098, members of the public and employees will be required to wear a mask/face covering and submit to health screenings including the taking of their temperature.
2. Supervisors and Managers should consider CDC guidelines at the time APD operates during Phase III when determining what percentage of the staff to bring back into the office on a full-time basis.
3. Staff may return to the office in a systematic approach as guided by their supervisors and directors. Staff may continue to utilize telework with supervisor approval as long as they can continue to fully perform their duties while maintaining necessary high levels of customer service to meet the increase of public presence at the buildings. Supervisors should work with staff to ensure they have what they need to be fully functional while working remotely including dealing with technology resources. While our operational posture may look different during this disruption, our results and productivity should continue despite those operational changes. The APD Management Team will ensure that staff have what they need to effectively accomplish their duties and assignments.
4. Officers and staff may increase the usage of office space to meet with individuals under pretrial or probation supervision as guided by their supervisors and directors.
5. During this phase there telework policy will be followed, and exceptions may be approved on a case by case basis by an Executive Team Member.
6. Judicial Branch employees are professionals and trusted to use public resources appropriately. Managers and staff are being given greater flexibility during this time of disruption in order to effectively navigate through this crisis.

Training and Staff Meetings:

- Staff should continue to meet and collaborate with the level of frequency they normally would, although the method of that collaboration will need to change. One of the most valuable tools in case management are the collaborations we make with one another staffing cases and situations. We are also one of the

greatest support mechanisms. As we should in normal operations, use of technology should be used to increase efficiency when possible and appropriate.

- In person training may resume as it would in normal operations during this phase.

Modifications to the Populations We Serve and Supervise:

Breathalyzer Testing: Restrictions on breathalyzer testing are lifted during this phase; however, the procedure in completing these tests are consistent with universal precautions and should be observed.

Community Restitution: APD facilitated projects may resume, but public health recommendations related to social distancing or other current recommendations should be followed. Staff should direct questions regarding Community Restitution to the Community Restitution Program Managers.

DNA Testing: Given this is a task required of APD staff in statute, it cannot be waived. Staff should follow department policy when collecting DNA samples as well as refer to the Contactless DNA Collection flyer for additional safety guidelines that is posted on the [APD COVID site](#). Staff should wash their hands or use sanitizer after wearing gloves and clean any surfaces touched with alcohol wipes.

Individuals Reporting to the Office Sick: Judicial Branch Security will be conducting health checks, including taking of body temperature and will turn individuals away who are not well. Those on pretrial or probation supervision should be assured they will be given credit for reporting, and the officer will follow-up with the individual by phone.

Literacy Centers: Literacy Centers will operate in accordance with local guidelines for similar centers. Staff should direct questions regarding the centers to Literacy Center Program Managers.

Performance Evaluations and Case File Reviews: Supervisors should take care to ensure that when completing case file reviews and performance evaluations, the established measurement criteria should be adapted to accommodate changes to the work as described below for the timeframe reviewed. Performance evaluations, case file reviews, document reviews and any other methods to assess staff performance should continue. This work should be completed in a timely fashion and in accordance to APD and Judicial Branch performance management standards and policy which exist during normal operations.

Risk Assessments: Risk assessments will be conducted within current policy time frames. During this phase, risk assessments will be conducted whenever possible by phone or video if the person is out of custody or by video visitation if in custody.

Treatment Groups Facilitated by APD: Traditional in person APD facilitated treatment groups may resume, but public health recommendations related to social distancing or other current recommendations should be followed.

T4C and Decision Points: Traditional in person *Thinking for a Change* and *Decision Points* groups facilitated by APD may resume, but public health recommendations related to social distancing or other current recommendations should be followed.

Violation Behavior: As should be our practice during normal operations, staff should consider if there are appropriate interventions you can take to address violation behavior instead of returning someone to Court and placing them in custody. Searches should be limited to those instances where public safety is at risk such as someone under supervision with a firearm. However, if officers believe there are no other alternatives available (or other alternatives would not be appropriate given the serious threat of the behavior identified), officers should not hesitate to execute our duties in statute and Code, and in accordance with policy, to protect

public safety be it through a petition to return someone to Court, a search, or warrantless arrest where appropriate.

Written Communication: Communication with individuals in writing typically takes place in the format of review and acknowledgements (R&A), behavior agreements, and behavior reports, where specific instruction is provided (e.g., related to reporting requirements, completion of specific Conditions of Probation, referrals to treatment, etc.). These communications must be signed or acknowledged by the individual receiving them. If in-person contact is being made, individuals should sign any documentation required; however, if virtual contact is being made, officers must:

- Provide the written documentation (via email, text, photograph, mail, etc.) to the individual.
- Confirm the individual received the document and was able to read and view it.
- Review the document during the virtual contact.
- Ensure any questions are answered.
- Obtain either a signature (electronic signature or the officer virtually witnesses the signature, that can be electronically sent back to the officer) or verbal acknowledgement from the individual that the written communication is understood.
- Document this interaction thoroughly in APETS in such a way that it is clear that the individual received and understood what was expected.

Contacts:

Definitions of Contact Types:

Phone Contact: Audio call that does not allow for visual contact with the individual under supervision.

Visual Contacts: Face-to-face communication with the individual on pretrial and/or probation at any place, including but not limited to the office, the individual's residence, place of employment, treatment location or community restitution placement to discuss progress, issues of concern or other appropriate matters. Contacts with individuals are not ends in themselves but are opportunities for officers to achieve specific objectives. These objectives include establishing rapport, providing court date reminders, referrals to supportive services, inspecting GPS equipment, assessing the criminogenic factors and triggers, developing and, when needed, modifying a supervision plan, and using both subtle and overt incentives and sanctions to guide the individual toward positive change and compliance with court orders. There are two types of visual contacts as noted below, and officers must indicate in the body of the iCIS and/or APETS Contact/Case Note which type of contact was made or attempted.

In-person: Visual contact conducted in-person with the individual on pretrial and/or probation.

Virtual: Visual contact completed utilizing Department-approved technologies that allow two-way visual video contact with the individual on pretrial and/or probation in real time. Department-approved technologies are those applications that enable live video and are without cost to either party. (This should be noted in iCIS and/or APETS as a Face-to-face contact using the location "Other (see Note)" and identifying the individual with whom contact is being made).

Contact Standards:

APD Policy for normal operations related to all contact standards on pretrial and probation should be followed during this phase, with one exception. Consistent with Supreme Court AO 2020-114, in certain limited instances, with the approval of the supervisor, residential face to face in person contacts could be substituted with a technology-based contact. An appropriate reason for such an approval would be a member of that household has tested positive for COVID-19 or is symptomatic. In these instances, the supervisor approval should be documented by the officer in the contact note. If the individual with whom the officer is

making contact cannot participate in a video call due to technology not being available, a telephone call is permitted. When the member of the household is no longer in need of quarantine as defined by recommendations from public health including the United States Centers for Disease Control and Prevention, field contacts should resume unless there are further extenuating circumstances. (Examples of previous public health guidance has been when someone is no longer symptomatic, have tested negative, or fourteen days have passed since exposure).

Phase IV

APD returns to normal operations, in accordance with all APD policies, without restrictions/adaptation.