

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of:	)	
	)	
AMENDING ARIZONA CODE OF	)	Administrative Order
JUDICIAL ADMINISTRATION	)	No. 2014- <u>36</u>
§ 6-112: USE OF FORCE	)	(Affecting Administrative
	)	Order No. 2014-08)
	)	

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Pursuant to the Arizona Code of Judicial Administration § 1-201(E), the Chief Justice may adopt emergency administrative code proposals and technical changes in existing code sections by administrative order without prior distribution for comment and action by the Arizona Judicial Council.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that Arizona Code of Judicial Administration § 6-112 is amended as indicated on the attached document. All other provisions of § 6-112 as adopted, remain unchanged and in effect.

Dated this 2<sup>nd</sup> day of April, 2014.

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REBECCA WHITE BERCH  
Chief Justice

**ARIZONA CODE OF JUDICIAL ADMINISTRATION**

**Part 6: Probation**

**Chapter 1: General Administration**

**Section 6-112: Use of Force**

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

“Conducted Electrical Weapon” means a device using propelled wires that transmit electrical pulses to override the central nervous system and control the skeletal muscles, causing immediate incapacitation.

“Deadly physical force” means “force that is used with the purpose of causing death or serious physical injury or in the manner of its use or intended use is capable of creating a substantial risk of causing death or serious physical injury” as provided in A.R.S. § 13-105(14).

“Deadly weapon” means “anything designed for lethal use, including a firearm” as provided in A.R.S. § 13-105(15).

“Impact weapon” means any object or device used to control a subject’s actions, to defend against an attack or to deliver a stunning blow.

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

“Serious physical injury” means “includes physical injury that creates a reasonable risk of death, or that causes serious and permanent disfigurement, serious impairment of health or loss or protracted impairment of the function of any bodily organ or limb” as provided in A.R.S. § 13- 105(39).

“Slight force” means reasonable force used to place in restraints, control, or direct the movement of a subject that is cooperative or passively resistant.

**B. – D. [No changes]**

**E. Use of Force Options.** An officer’s use of force shall be reasonable to control a subject and accomplish lawful objectives. Use of force options include:

1. Clear verbal instructions such as persuasion, warning, or a lawful order.
2. Empty hand control that includes re-direction, personal defensive tactics, control holds, pressure points, fist strikes, palm strikes, shin kicks, snap kicks, knee strikes and elbow strikes.

3. Oleoresin capsicum (OC) aerosol chemical spray when the officer reasonably believes it is unsafe to approach an aggressive subject and disengagement is not reasonable or practical. After a subject is brought under control by the use of OC, the officer shall whenever practical flush the subject's eyes and other affected tissues with water. Officers shall ensure that immediate medical treatment is sought for subjects who are experiencing breathing difficulty or lingering vision impairment as a result of being sprayed with OC.
4. Conducted Electrical Weapon ("CEW") may be used only by armed adult probation and surveillance officers authorized in accordance with Arizona Code of Judicial Administration (ACJA) § 6-208, when the officer reasonably believes it is unsafe to approach an aggressive subject and disengagement is not reasonable or practical.
45. Impact weapon when the officer reasonably believes subject's actions are likely to cause physical harm to the officer or a third party.
56. Deadly weapons include department issued firearms for officers authorized in accordance ~~of with the Arizona Code of Judicial Administration~~ ACJA § 6-113. The use of a deadly weapon requires that the officer reasonably believes the subject's actions were likely to have caused serious physical injury or death to the officer or a third party.

**F. and G. [No changes]**