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ANNUAL REPORT

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OPTIMIZING OUR STATE GOVERNMENT

OUR MISSION

The mission of the Arizona Ombudsman-Citizens' Aide is to improve the effectiveness, efficiency and responsiveness of state government by receiving public complaints, investigating the administrative acts of state agencies, and recommending a fair and appropriate remedy.

OUR ROLE

The Arizona Ombudsman-Citizens' Aide is an independent agency of the Arizona Legislature that was established to make government more responsive to Arizona citizens. It is the office that Arizona citizens can turn to when they feel they have been treated unfairly by a state administrator, agency, department, board or commission. The services of the Ombudsman are free and confidential.

The office is given its authority by Arizona Revised Statute sections 41-1371 through 41-1383 and operates under Arizona Administrative Code Title 2

Aiding Citizens

HOW WE HELP

The Arizona Ombudsman-Citizens' Aide office provides a unique service because we offer objectivity to citizens who complain when they think their state government has treated them unfairly. The first thing our experienced investigators do is listen to the person's complaint. For some people, this is the first time they feel that anyone in government actually heard them. Then we determine the nature of the dispute and respond in the most appropriate way to resolve the issue.

We group responses into three categories:

Coaching

Many residents are able to resolve their own concerns when they are aware of the services available. Often times a citizen does not have a complaint but is looking for information. We help these residents by educating them on the options available to them based on their specific request or issue.

Coaching includes defining issues and rights, identifying options, referring people to the appropriate employee or department, redirecting citizens to services outside our jurisdiction (non-profits, federal agencies, etc.), explaining agency policies, researching information, offering conflict management strategies, and developing reasonable expectations.

Assistance

Sometimes coaching is not enough and residents need our office to communicate with government agencies directly. Most complaints are the result of a miscommunication or a simple mistake. In these circumstances, we contact the appropriate agency on the citizen's behalf, facilitate communication between the parties, or coordinate action between agencies. Our investigators are working on a continual basis to foster relationships with agency personnel in every state agency to enable the efficient resolution of complaints prior to escalation.

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Assistance complaints are often the result of a miscommunication, a lack of follow-through, or a simple mistake. In these circumstances, we contact the appropriate agency on the citizen's behalf, facilitate communication between the parties, or coordinate action between agencies.

We essentially refer the complaint to the agency, note the allegation and circumstances that brought it to us, and ask the agency to work directly with the complainant to resolve the concern. The agency takes the lead in dealing with the matter and lets us know the outcome. We tell the complainant to come back to us if they are not satisfied.

Some assistance cases are those where we do special tasks. We engage in training, perform research, issue ombudsman or public access material, and participate in other tasks. It is more than coaching as we are actively assisting.

Investigation

Complaints about administrative acts of agencies within our jurisdiction may warrant investigations. In those cases, we work with the constituents and agency personnel to ensure that the agency is complying with the law and offering optimal public service. Although we have no authority to compel an agency to follow our recommendations, most administrators are eager to resolve constituent problems and agency mistakes once we bring it to their attention. If the allegations are unsupported, we stand up for the agency and explain our findings to complainants. If necessary, we write investigative reports of our findings and recommendations, sending it to the agencies investigated, the legislature, the governor, and the complainants.

Investigations may be informal or formal. Investigations start with a complaint that an agency in our jurisdiction has performed an administrative act that is contrary to law, unreasonable, unfair, oppressive, arbitrary, capricious, an abuse of discretion or unnecessarily discriminatory, mistake of fact, based on improper or irrelevant grounds, unsupported by an adequate statement of reasons, performed in an inefficient or discourteous manner, or otherwise erroneous. A.R.S. §41-1377.

Arizona Administrative Code R2-16-303 authorizes us to have informal investigations when the complaint can be resolved quickly and by mutual agreement. Most investigations start with an informal process and resolve as such. When situations get more complicated, then the Ombudsman-Citizens' Aide may determine that a more formal investigation process and a report is warranted.

OUTREACH

The Legislature asked the Ombudsman-Citizens' Aide (OCA) to note some of our outreach to the community we serve. Below are some of our activities.

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- The Ombudsman website (<http://www.azoca.gov/>) – We continue to make updates to our website. It contains many resources for the public such as our public resource list and digital versions of our open meeting and public record law booklets. Our website also includes a “How to file a complaint” tutorial, FAQs, and an electronic complaint form. It also includes a tab giving with suggestions about how to interact effectively with the Department of Child Safety. On our website, we also explain the difference between our office and the DCS Ombudsman office because we have found that this is often a point of confusion for the public.
- Distribute our brochures at our office, on our website, at meetings and speeches, at trainings, and with various groups who distribute our brochure for us to their clients (i.e., the Family Involvement Center).
- We create comprehensive guide booklets regarding the public record and open meeting law and these distribute public access materials to elected officials and the public throughout the State. The League of Cities and Towns use these booklets in its elected official training.
- Media interactions – Occasional interviews throughout the State.
- Quarterly public access newsletter – public access attorney Danee Garone writes a quarterly newsletter, *The Public Record* that we post to our website, and electronically distribute to interested parties. Arizona State Library, Archives, and Public Records distributes it on our behalf to its extensive listserv.
- Public access training for public officials and the public throughout the State. Our public access attorney, Danee Garone, conducts training sessions and participates in forum discussions regarding lawful practices relating to the public records law and open meeting law. In the 2019 calendar year, our agency conducted twenty-one training sessions in locations throughout the State, such as Phoenix, Yuma, Parker, Bullhead City, Tucson, Bisbee, Scottsdale, Marana, Chandler, and Clarkdale. We conducted trainings for a diverse array of governmental and quasi-governmental entities, such as the Mohave County Community College District, the Governor’s Archeology Advisory Commission, the Central Arizona Project, the University of Arizona, the Arizona Municipal Clerks Association, the State Board for Charter Schools, the Arizona State Bar, AHCCCS, the Arizona Law Enforcement Records Managers Association, Maricopa County - Arizona At Work, and various charter schools, special taxing districts, counties, and municipal government entities. Most of the sessions are open to any interested public officials and members of the public. At each event, we provide our office’s contact information and website and explain what services we provide regarding public access issues and our general jurisdiction. Additionally, we distribute dozens, or even hundreds, of our office’s public records law and open meeting law handbooks at the trainings. On numerous occasions, new complainants have told us they became aware of our office because of a training.

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- We work with DCS to identify and resolve acute and systemic problems in the child safety agency. DCS is required to note OCA on its website, in its Notice of Duty to Inform, in its Temporary Custody Notice, and notes OCA in its parent handbook.
- OCA and OCA personnel, such as Ombudsman, Dennis Wells, as speaker or participant
 - Forums with legislative assistants – orientation meetings, one-on-one.
 - Forums with legislators – orientation meetings, one-on-one.
 - Various speaking engagements – State Archives training, civic groups, Arizona Children’s Association, and various state agencies.
 - DES and DCS leadership individual and team meetings
 - Better Business Bureau – Deputy Joanne MacDonnell serves as an ethics judge for the annual BBB Torch Award Ethics program and as a panelist on Torch Ethics Guidance meetings.
 - Court panels - Arizona Court Improvement Panel, Parent Representation Standards committee – Deputy Joanne MacDonnell serves on these committees.
 - Host training programs for DES and DCS ombudsmen.
 - Outreach, speeches, open house events via Grand Canyon University, ASU (Main, Downtown & West campuses) work with professors and interns.
 - Participate in State Bar Continuing Legal Education presentations.
- United States Ombudsman Association (USOA) – extensive involvement.
 - Network – take referrals from other jurisdictions in the USA. Send representation to the national USOA conference.
 - Participate in training – new ombudsman training and continuing education, and our staff often teach seminars.
 - Deputy Joanne MacDonnell serves as an elected Director and functions as Secretary/Treasurer of USOA.
- We co-host the Arizona Ombudsman Group with the SRP Ombudsman Office. It is a group of government, education, and private ombudsmen in Arizona. We participate in periodic meetings, host seminars, and network with ombudsmen offices who have different constituencies. We refer citizens to one another as jurisdictions dictate.

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- We work with the Attorney General's office as it refers many matters to our office when it cannot take a case. Example: The Consumer Division, open meeting, and public access guidance, general complaint assistance.
- The Self-Help Desk at the Maricopa County Courts – We provide information about our office for them to distribute.
- We post our public access training on YouTube.
- The State of Arizona web directory of state agencies, AZ Direct, features the Ombudsman-Citizens' Aide Office as one of the main tabs for the public.
- Information about our office is on the DCS website (on which we pushed for a position that is more prominent) as a resource for the public to turn to.
- Information about our office is featured on State websites where agencies perform investigations - pursuant to A.R.S. §§ 41-1001.01 and 41-1009.
- We work with Arizona Library, Archives and Public Records at the Secretary of State's office regarding public record retention and disclosure. We collaborate with the agency to present discussions on public records retention discussions at conferences.
- We distribute our Point of Contact Google Doc resource directory to various government agencies.

CUSTOMER SATISFACTION

It is important for us to receive feedback from the citizens we help so that we can evaluate our performance, correct shortcomings, and improve our service. One way we get feedback is through our customer satisfaction survey we distribute at the close of cases. The survey measures how well we are accomplishing six standards that we developed in our strategic plan.

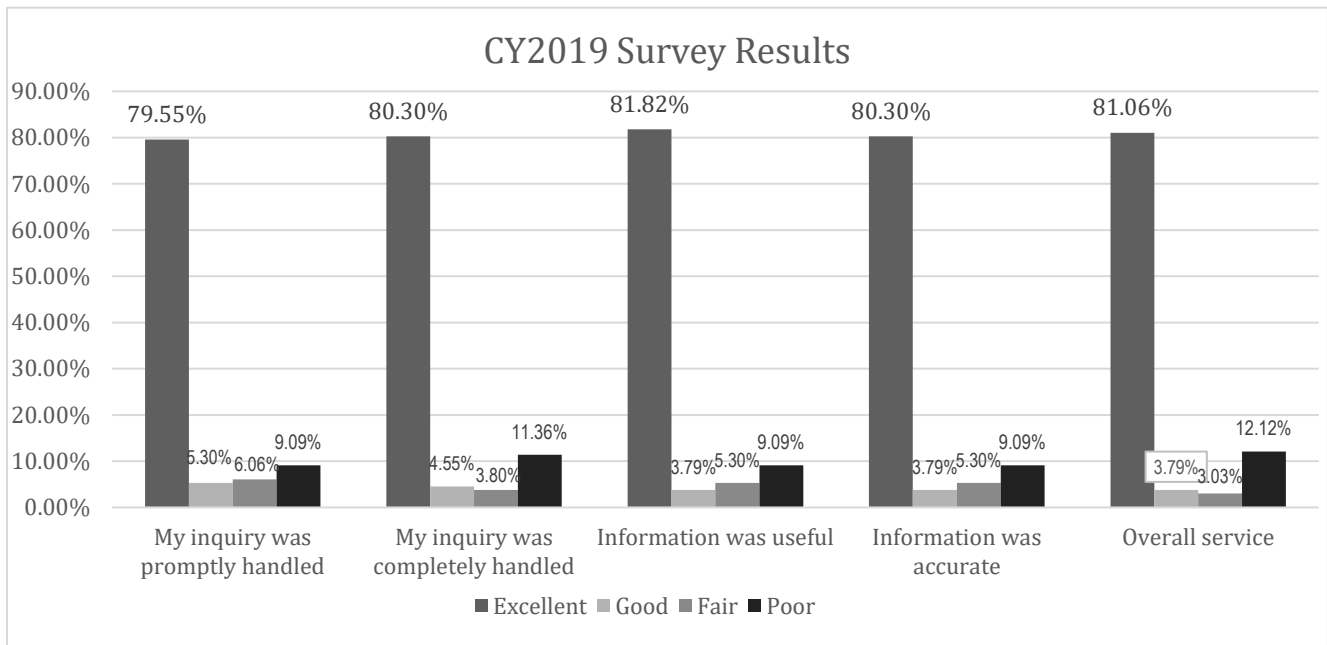
These standards are:

- Treat everyone **fairly**.
- Treat everyone with **courtesy and respect**.
- Respond **promptly** to citizen inquiries.
- Provide as **complete** a response as possible.
- Provide **useful** solutions to citizens.
- Provide **accurate** responses to citizen complaints.

WE WELCOME FEEDBACK

The chart and comments on the following pages summarize the results of the survey for CY2019.

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THE FOLLOWING COMMENTS ARE FROM CITIZENS WHO USED OUR SERVICES IN CY2019:

I never expected a response so quickly. I was pleasantly surprised! Thank you!

Since I have contacted ombudsman, the DCS workers completely did a 360 and are now keeping in contact with me about my son, and finally working towards reunification with my son and my family.

The information was accurate, timely, and led me to have the strength to stand up for my rights.

Arizona needs to keep this entity because many local government entities count on them to keep us legal when we are not quite sure on something.

Thank goodness for Carmen. Without her help I don't know what would have happened. I hope this solves our problems with the ROC. Because of her, we may not have to go to 3 On Your Side.

Frank replied to my email within 24 hours. He was helpful and informative.

Thank you for the professionalism regarding my inquiries

The Ombudsman-Citizens' Aide office has ALWAYS been helpful and professional when I have contacted them with questions.

I appreciate the quick response! Thank you

Your referrals were more than I expected. I felt like I was hitting a wall no matter who I contacted. Thank you

Very impressed with the contact I had with Arizona Ombudsman-Citizens!

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Such a calm and helpful individual. This is a very good way to create trust in government.

After contacting Keith, the issue was resolved within 24 hours.

Very pleasant helper

Attendees, including some of the Yuma County Workforce Development Board members, were impressed with the training session from (Danee). Very professional, knowledgeable, and approachable. Thank you so much!

(John) You moved a mountain!! Thank you, thank you”

Great to speak with Yvonne - very knowledgeable

Yvonne was fantastic and a complete asset to your office. She's completely focused on helping.

I am very grateful to Frank for his support and insight relating to my issue.

They were excellent in their response and help

Yvonne answered my call immediately and even before my giving or during my giving additional unnecessary information, she let me know that she was already ahead of me. This quick knowledge I found quite amazing and very delightful since it was a RARE EXPERIENCE that this occurred. She was very pleasant, sharp thinking and used words that made it simple to understand and did not pause and use words that some people do, which confuses us callers. You need to clone her. :-)

Appreciate all the resources and the time she took to assist me.

Very knowledgeable lady. Helped me with several resources.

Thank you for taking time to listen and hear my situation out.

Was treated very professionally

I have had previous contact with this representative and was encouraged to contact with any questions; therefore, I did so, and was very promptly responded to. Thank you.

She took the time necessary to help me understand what my options were and how to proceed going forward. Yvonne is very thorough and most importantly she is very compassionate in regards to her work. I am very grateful for her services.

You're doing great!

Thank you! Thank you!

Most of our inquiries are about the Open Meeting Law, which seems to be very blurry in some aspects. Danee has been most helpful.

I am very grateful to Keith. My highest compliments on stellar service.

Excellent customer service.

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Danee was polite and interested in my issue. His resolution was complete and useful.

Great customer service.

Very helpful and professional.

Andrew was very courteous and provide with contacts that I feel will help me resolve the problem I am having with DMV.

It was very helpful for me, and thanks to all.....

Very helpful, excellent!

The immediacy of the Ombudsman's intervention was incredible. I am so grateful!

I think this is a great service.

Danee has always answered any questions or concerns I have had in regards to making records request. He responds almost immediately as he is very knowledgeable about the law. He is a great asset to have on your team. I only contact him, as I am confident in any response I am given by him. He is the best!

I truly appreciate all the help!! Thank you!!!

Thank you for helping me out with my questions and providing additional information I did not know about and how to go about it. It was very helpful and useful to help my case. Thank you so much. I really do appreciate it. Bless your heart and have a wonderful day!

I did not get my question answered but, I did get information on how to find the answers I'm seeking. Frank was very helpful.

I appreciated the quick response. I was partly venting, so appreciated the response and courtesy I received.

Extremely fast and thorough response to my issue.

Yvonne was amazing. She asked me questions and offered several other resources that could be helpful. She went above and beyond.

While I did not receive the resolution I was looking for, Danee was thorough, knowledgeable, professional and courteous.

Thank you so much for getting back to me so quickly. Thank you so much for the information you provided. Very helpful and thank you so much I'm in tears! Thank you!

In the past, our office has called state agencies and struggled to get accurate and timely responses to our questions. I was astonished at the speed and thoroughness of (Danee's) response to my questions. Makes my job so much easier. Thank you. I will use you as a resource in the future.

I WOULD VOTE THIS LADY FOR PRESIDENT! COULD SOMEONE ENCOURAGE HER TO RUN PLEASE!

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COMPELLING CASES

The following case summaries are examples taken from the 5,439 cases we handled in CY 2019.

GENERAL COMPLAINTS ABOUT STATE AGENCIES

Our intervention resulted in better service for the citizens as exemplified by:

1901958. Department of Transportation (ADOT) – MVD

A citizen complained someone at the Motor Vehicles Division (MVD) had erroneously checked the sex offender box relating to his record so it now appeared on his motor vehicle record and on his driver's license. He said this must be a mistake, as he had never been accused or charged with a sex offense. He said MVD was not responsive. He said MVD staff told him that he would be required to renew his license each year because of the sex offender designation.

We reviewed the citizen's complaint with MVD. MVD admitted that a former employee of the department had erroneously checked the sex offender box on the citizen's motor vehicle record. MVD said it corrected its sex offender registry database to accurately reflect that the citizen is not a sex offender. MVD also said the complainant had not responded to them. MVD informed us that it trains its staff on how and when to put a person into the sex offender registry based on records obtained from the Adult Probation Department. MVD thought it was a human error because the problem ran counter to the training and policy of the department. MVD then issued a corrected driver's license to the driver.

1902211. Department of Transportation (ADOT) – MVD

A motorist complained she received a "wrong address" error message when registering her vehicle online and had not been able to resolve the problem with MVD. The motorist was temporarily living out of state but claimed her Arizona address was correct.

We reviewed the case with MVD. MVD then assisted the motorist to establish the temporary address correctly in MVD records. This enabled the motorist to successfully renew her vehicle registration online. We told the motorist to contact us if she needed any further needed assistance.

1902214. Department of Transportation (ADOT) - MVD

A woman complained that the Department of Transportation Motor Vehicle Division was threatening to confiscate a vehicle from her home because it had a license plate from another state. She said ADOT had contacted her several times and was threatening to tow the vehicle because the agency does not accept her explanation that her ex-husband, who lives in the state the vehicle was licensed in, only keeps the car at her address so that he has transportation when he visits his children. She maintained that she does not drive the vehicle, and it is not registered to her.

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We reviewed the case with ADOT – MVD. MVD had a supervisor investigate the situation and speak to the woman about the status of the vehicle. Subsequently, MVD decided to close the matter without confiscating the vehicle.

Our intervention stopped an unfair financial burden on a citizen as exemplified by:

1900939. Department of Public Safety (DPS)

A suspect said the Department of Public Safety (DPS) arrested her, but the charges were later dismissed. In the course of the arrest, DPS confiscated some of her property and held it. The woman explained that she tried to reclaim her property from DPS once the agency closed the case but was unsuccessful. The Department relayed it had destroyed her property. The woman said DPS had not reimbursed her for their error.

We reviewed the case with DPS. DPS then attempted to contact the woman to provide the required steps to file a claim.

We informed the woman that she needed to respond to DPS and provided the contact information. The woman was happy. We told her to contact us again if she needed any additional assistance.

1901980. Department of Environmental Quality (ADEQ)

A new homeowner complained that the Department of Environmental Quality (ADEQ) wanted him to pay a second fee for a water quality permit after the first permit required by the city expired before completion of the building of his home. He felt that all permits should align with the start date of construction. We reviewed the case with ADEQ and inquired about the agency's permit process.

ADEQ informed us of the agency error. ADEQ explained that the homeowner would not be required to pay the additional fee. We asked ADEQ about the Department's process. ADEQ studied the situation and decided to make improvements. The Department had its IT section modify the "My ADEQ" module related to paying permit fees. The agency believes this will prevent similar future billing errors. The software programming changes will also now allow permittees to manage their mailing and billing address changes within account settings so that ADEQ address records would automatically update throughout the system if an account holder changes an address.

1900153. Department of Administration (ADOA) - Surplus

A businessperson with a tax-exempt status purchased ADOA surplus property but was incorrectly charged tax. The businessperson claimed that when he contacted ADOA-Surplus, the agency refused to issue him a refund. The businessperson thought this was incorrect and asked us to investigate. We reviewed the matter with ADOA. ADOA admitted the error and refunded the taxes paid by the businessperson.

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1901778. Department of Revenue (DOR)

A taxpayer contacted our office with a concern regarding the AZDOR and not having received a personal income tax return after a 10-week wait. The complainant expressed frustration in having to go through the hassle to get their refund, and claimed that they did not know whom to contact within DOR without “getting the runaround.” We reached out to our DOR contacts to inquire about the complainant's concern and the status of his expected tax refund. Our contacts ensured us that it would be issued immediately and that it may have just been held up due to a clerical error. We monitored the issue and ensured that there was no further delay. We learned shortly after that DOR had indeed sent him his proper refund. The complainant thanked us.

1902824. Department of Revenue (DOR)

A taxpayer complained he filed his state tax return with the Department of Revenue (DOR) and expected a refund. However, after several months, he still did not have his refund, nor had DOR explained.

We reviewed the case with DOR. DOR found the agency had placed the return into a suspense account. DOR corrected the issue and then processed the taxpayer's refund for payment, with interest.

We resolved a case involving more than one agency or more than one level of government as exemplified by:

1902551. Department of Economic Security (DES) – Benefits and Medical Eligibility

A resident contacted our office because they needed referrals for resources. The complainant made it clear both in her submission and over the phone that she felt lost and the agencies she had reached out to (including DES, DHS, and the Governor's Office) were unresponsive. We provided them with several options of agencies that may be able to help her, as well as links for more information on other community programs. Over the course of our conversation, we helped to coach the complainant in explaining her options, answering her questions about state/local government, and providing the necessary contact information for each resource. By the end of our conversation, the resident had a newfound confidence in her understanding of how the system worked and what help was out there. We encouraged the complainant to ask any questions she might have and feel free to return if we could help her further. We later closed the case.

Our intervention helped resolve a grievance against a state agency as exemplified by:

1901584. Arizona Health Care Cost Containment System (AHCCCS)

A woman complained that she was receiving unsolicited, automated phone calls from the Arizona

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Health Care Cost Containment System (AHCCCS). The woman claimed she was not, and had never been an AHCCCS member, yet still received robocalls from AHCCCS on a regular basis. The woman indicated that her cell phone number might have previously belonged to an AHCCCS member, which could explain the calls. Regardless, the woman had grown frustrated and wanted the calls to stop. The woman claimed that when she called AHCCCS to try to get the calls to stop, nobody seemed to be able to help her. Frustrated, the woman contacted our office.

Our office emailed our contacts at AHCCCS and requested that upon confirmation that the woman was not an AHCCCS member, either remove the woman's number from the AHCCCS Call List or add the woman's number to their DO NOT CALL list, preventing the woman from receiving future calls. In addition, our office requested that someone from AHCCCS please contact the woman and address her concern.

The following day, the woman called our office again and informed us that AHCCCS had contacted her and removed her number from their database. The woman thanked us for assisting her.

1902473. Arizona Department of Education (ADE)

Our office received a complaint from a parent whose child had an Empowerment Scholarship Account (ESA) administered by the Arizona Department of Education (ADE). The parent's complaint was that personal information of individuals enrolled or involved in the ESA program, including both parents and children, was being shared and was visible through Facebook, Twitter, and other social media. The parent also claimed that the ADE administrators of the ESA program were choosing to communicate to ESA participants through Facebook, Twitter, and social media rather than through email or the mail. The parent claimed this was a violation of privacy, and unfair to parents who were not utilizing social media sites. The parent had been unable to get anyone at ADE to address her issue and was considering going to the media.

Our office contacted ADE and explained the parent's concern. We requested ADE investigate the matter further to verify the agency (azed.gov) website was not compromised and that any postings on social media regarding the ESA program purporting to be from the agency were in fact from the agency.

ADE investigated and then advised us that the ADE had never utilized social media for the ESA program. No person from the agency had produced or authorized the postings the complainant had noted. The ADE stated that parents/participants involved in the ESA program had self-produced all of the information appearing on the social media website identified by the complainant.

Our office conducted our own research on the parent's claims. We confirmed that parents and participants of the ESA program created and maintained the postings on social media, not the ESA itself. Therefore, our office found no violations by the ESA program or the Department of Education.

Our office relayed the information exonerating the agency to the parent.

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1900901. Department of Revenue (DOR)

A taxpayer complained the Department of Revenue (DOR) notified him that he was required to have a TPT license and pay TPT tax for a rental property. He said he had not been able to work it out with DOR, but claimed that his contracted property management company collected his TPT tax for this property and paid it to DOR on his behalf.

We reviewed the case with DOR. DOR then agreed to contact the taxpayer and address his issue. The taxpayer later informed us that DOR had contacted him and it had resolved the issue. The taxpayer said that DOR now understands he paid the TPT tax. The taxpayer relayed that DOR had also informed him of valuable information about TPT procedures. He said he was going to act on the DOR tips and restructure his accounts to put his payments directly in his name instead of using the agent (the property management company) so that he could see the status of his account with DOR directly. He expressed his gratitude for our assistance.

Our intervention resolved cases that no one else was able to resolve internally.

1903750. Department of Environmental Quality (ADEQ)

A resident contacted our office with questions regarding the Department of Environmental Quality and with problems getting through to someone to speak to them. We reached out to the agency to ensure it was responsive. The agency apologized for the lack of responsiveness, and the agency then sent a comprehensive response to the complainant.

The resident followed up with our office later to tell us the person was still having trouble getting communication with ADEQ. We reached out on behalf of the complainant and ADEQ told us that there had been a clerical error that kept the missing the communications from this complainant. The agency then followed up with their response to the complainant. We reached out to the complainant to ensure he had received a response. He thanked us for facilitating communication with ADEQ and we later closed the case.

1904030. Arizona State Retirement System (ASRS)

A resident contacted our office concerning the Arizona State Retirement System (ASRS) and a Social Security benefit question. The complainant was curious under what conditions he was forced to activate his Social Security (SSN) benefits, as he did not want to activate the benefits prematurely. He claimed that nobody was giving a good answer other than that it was "policy" but when the person asked to see the policy, it was not being produced. Additionally, the complainant claimed to have multiple questions about ASRS and their SSN benefits that weren't being answered. The complainant claimed that in reaching out to ASRS about the issue, the agency just redirected them to their insurance company. The complainant wanted the agency to clear up the issue.

We reached out to hear the agency's side of the issue. ASRS told us that it did not have a record of the complainant actually reaching out to them to discuss the issue as the complainant claimed. However, ASRS ensured us that their staff would be aware of all the relevant information if the

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complainant did reach

out to them. Additionally, it ensured that if the complainant were to contact the department again, they would have a reference sheet to answer all the original questions posed to them.

Upon investigating the case further, we learned who had misdirected the complainant within ASRS and why the complainant had been misinformed when they had been told to address the problem with the insurance company. We reached out to our ASRS contact, who ensured us that, the original insurance company contacts who had spoken to the complainant would receive the relevant training. Additionally, ASRS thoroughly answered all of the questions the complainant posed in an email to us and then forwarded that email to all the relevant departments.

Within one day of bringing this case to ASRS, the agency provided us with a list of answers and relative contextual information. Additionally, they outlined all the relevant statutes associated with the answers and explained the steps taken to ensure these questions could be more efficiently addressed in the future.

The complainant reached out to us to thank us for our prompt response and relaying of all the relevant answers to their questions. We reached out to ASRS to thank them for quickly and thoroughly addressing the concern.

1804111. Department of Economic Security (DES) – SLMBY program

A taxpayer contacted our office about being wrongfully removed from the ‘SLMBY’ program, a DES financial assistance program. We reached out to contacts at DES to ensure it would be responsive to her concern, as she was having no luck in getting the matter resolved herself. In addition to reaching out to the DES ombudsman to have her complaints resolved, we helped to answer her questions and provide her updates on the case as it was being resolved. After discussing the matter with the DES ombudsman and her DES “advocate,” we learned that she had been removed from the program due to a clerical error. Her status on the SLMBY program was restored and she thanked our office for its part in helping her with the concern and getting DES to acknowledge the error that occurred.

Our intervention revealed a field practice that was not in accordance with the agency's stated policy/procedures.

1900592. Arizona State Board of Nursing

A nurse who had recently moved to Arizona complained about the Arizona Board of Nursing (the Board). The Nurse had submitted an application to the Board but had been unable to find the status of her application. The nurse claimed to have submitted her application over five weeks earlier. The nurse was concerned, as the Board's policy stated, “applications may take up to 30 days...” The nurse claimed it had been over the 30-day period, and she had yet to receive any communication from the Board. The nurse claimed that when she contacted the Board, the representative would not provide her any information. Upset, the nurse came to our office for assistance.

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Our office reached out to the Board and reviewed the problem. The agency examined the nurse's application, and advised that the agency was still working on the nurse's application, but would contact the applicant to explain the status of the application and address the remaining factors. We confirmed this with the applicant. The nurse informed us that we had successfully gotten the Board to engage and complete the process. She said this addressed her issue. She thanked us.

Our intervention identified a field practice that was not in accordance with the agency's stated policy/procedure, statutes, or case law and corrected a systemic problem as exemplified by:

1900605. Arizona Department of Transportation - Motor Vehicle Division

A man claimed that the Arizona Department of Transportation - Motor Vehicle Division's (ADOT-MVD) the website contained information that was confusing and even unconstitutional. The man directed our office to ADOT/MVD's web page titled "Driver Services." The man began by claiming the Resident Definition section of the web page stated the following:

Resident Definition

State law requires that you obtain an Arizona driver license and registration immediately if any one of the following applies:

- You work in Arizona (other than for seasonal agricultural work).
- You are registered to vote in this state.
- You place children in school without paying the tuition rate of a nonresident.
- You have a business with an office in Arizona that bases and operates vehicles in this state.
- You obtain a state license or pay school tuition fees at the same rate as an Arizona resident.
- You have a business that operates vehicles to transport goods or passengers within Arizona.
- You remain in Arizona for a total of seven months or more during any calendar year, regardless of your permanent residence.

Our office visited and viewed the ADOT/MVD web page identified by the man and confirmed the web page did indeed state the information.

The man claimed that the information was unfair because, according to the website, even if he did not own a car or even drive, yet had registered to vote in Arizona, he was still required to register his vehicle and get a driver's license. Our office agreed the requirement seemed erroneous.

Our office reached out to our contacts at ADOT-MVD and requested that ADOT-MVD please provide our office with the applicable "state law" referenced by ADOT-MVD on their website.

ADOT-MVD responded, directing our office to A.R.S § 28-2001, A.R.S § 28-3151, A.R.S § 28-3158, and A.R.S § 28-3165, that are all applicable to ADOT.

Our office reviewed the statutes in which ADOT-MVD had referenced but failed to find any requirement that supported the information appearing on ADOT/MVD's website.

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Our office advised ADOT-MVD that the statutes it identified, did not have a requirement in which an individual must “obtain a driver license and registration immediately” if they had registered to vote. In fact, our office went on to explain that we had also reviewed the Secretary of State’s website, where again, we were unable to find any requirement that once a resident registers to vote, they must “obtain an Arizona driver license and registration immediately.” Our office advised ADOT-MVD that unless it could identify some aspect that our office may have missed, our office must conclude that the statement appearing on ADOT-MVD’s website is inaccurate and as written, presents false and potentially misleading information.

Our office recommended that ADOT-MVD revise the inaccurate language in order to convey information that more accurately reflects statutory requirements. Our office also included suggested language that our office felt was more accurate.

ADOT-MVD revised the language using the language we suggested. Our office informed the complainant that we confirmed his allegation and that ADOT-MVD had revised their website.

1901112. Medical Board and Physician Assistants Board

A complainant reached out to our office with a concern regarding the medical board releasing her name when she was told the name would be kept confidential. In looking into this case, we found that given the nature of the concern, this issue fell under the Physician Assistants (PA) Board. While this was an acknowledged error in the Board's process, it was not a violation of statute as initially expected. While the Medical Board's practice act does contain a statute allowing complainants to request confidentiality (A.R.S. §32-1451.03), the PA practice act does not contain an analog. Therefore, the PA board is governed by A.R.S. § 41-1010 with regard to this issue, which requires the disclosure of a complainant's name. Because of this, the PA board stated that one of the changes to ARBoPA board processes would be to revise the complaint form to remove the notification that complainants can request confidentiality, in order to reduce confusion in the future.

The complainant reached out to us again shortly after to mention that she was a member of the Address Confidentiality Program (ACP) program, and asked our office to investigate if their error violated any ACP related statute. In investigating this case further, we learned that while the Board inadvertently disclosed her name during the Board's investigation, we did not find any occasion in which her address or phone number was also disclosed. Additionally, we were unable to find any other unauthorized disclosure by the PA of these case materials. Given this finding, this case did not involve the violation of the relevant ACP statute in Title 41. Despite this, the Board took immediate measures to highlight and address this error. In addition to sending the complainant a written apology, issued the PA in question an order to complete additional training regarding confidential documents. The complainant thanked us for our investigation and we closed the case.

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1904344

Board of Fingerprinting

A resident contacted our office with a problem needing to contact the Board of Fingerprinting. However, the resident stated he did not have easy access to a computer to reach out to the Board, and in attempting to call them; he could not leave a message, as their voicemail was full.

We reached out to the Board and they thanked us for pointing out the issue. The Board claimed it was full because of the state holiday on Monday, and that they had not noticed the issue before. They then increased the size of their voicemail capacity to allow constituents to reach out and leave a message. Additionally, the Board contacted the original complainant and resolved their issue within one day of our office reaching out to them. The Board was thankful to our office for notifying them of the issue, and the complainant thanked us for helping them get through to have their questions answered.

1904452

Industrial Commission

A pilot contacted us with a concern regarding the Industrial Commission (ICA), claiming he had submitted a complaint against two airlines without hearing back. Additionally, the complainant expressed with frustration that he was having trouble getting in contact with the ICA to verify if their case was even being investigated. We reached out to the ICA on our end were able to confirm that both cases were taken with the case against one airline still being open and under investigation. Additionally, it noted a technical issue that meant it was not receiving the complainant's messages. The ICA thanked us for reaching out to them and fixed the technical issue. The agency reached out to the complainant to update him on the case and ensured they would be responsive to future communications.

We received a follow up from the complainant that the ICA was still reviewing the case. We reached out to ICA and received a full report as to what it was doing to help the complainant and what parts of the complaint fell within their jurisdiction. We found that ICA was acting administratively appropriately in the review of the material. We informed the complainant about our findings. He thanked us for our review and assistance.

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OMBUDSMAN INTERVENTION IN DCS CASES

The Ombudsman Office looks into complaints people have against the Department of Child Safety (DCS). Parents, grandparents, and other relatives of the child seek help from our office when believe DCS has treated them unfairly. Other sources of complaints include foster parents, adoptive parents, community service providers, and members of the state legislature.

The majority of the coaching and assistance inquiries we receive involve clarification of DCS recommended services, explanation of the DCS and dependency processes, facilitation of communication by the caseworker and legal counsel, and explanations about visitation or placement issues.

Our Department of Child Safety cases were 37.19% of our total caseload.

We contact DCS to gather agency administrators' perspectives on assistance and investigation complaints. Typically, a phone call or e-mail message to DCS staff can resolve frequently received complaints such as caseworker assignment problems, copies of case plans, failure to receive notification of staff meetings, requests for the Foster Care Review Board (FCRB), or court hearing dates. Case managers, supervisors, or upper DCS management may provide clarity as to events, laws, or policies and procedures. We facilitate clear communication between families, our office, and the various points of contact within the Department of Child Safety.

Additionally, some of the complaints we receive require an in-depth review of the case and direct contact with the caseworker or agency representative. These are often complaints where residents feel that the agency violated their rights or failed to provide adequate services. With these complaints, our office may initiate full-file reviews, request documents, and other supporting data or meet with DCS staff. We review case correspondence, therapeutic reports, and the DCS CHILDS database as sources of information to help facilitate the resolution of disputes.

Many of the complaints that we address are fairly isolated or case-specific. However, for some issues, we identify patterns among multiple complaints that indicate systemic issues or deficiencies regarding DCS actions. In these situations, resolving one particular complaint is not enough. Instead, we identify the recurring issues and bring them to the attention of DCS management for systemic resolution.

OMBUDSMAN DCS CASE LOG CY 2019 KEY CATEGORIES

The following chart shows who and where some of our DCS calls come from as well as the type of complaints.

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DCS Complainant Information Chart –January 1, 2019 – December 31, 2019	
DCS Complaint Source Relationship	
Parent	1247
Kin/Significant Contact	648
Service Provider	2
Child	2
Foster	69
Attorney	19
Agency Worker	2
Other	51
Unknown/NA	6
Type of Complaint	
Removal Issues	157
Service Issues	67
Visitation Issues	124
Communication Issues	330
Record Issues	115
Placement Problems	244
Investigation Issues	269
Inadequate efforts towards case plan goal	38
False Allegations	98
DCS Process Questions	627
Adoption	16
Caseworker	401
Other	352
Unknown/NA	298
Judicial Issues	40
Attorney Issues	10
Reporting Abuse	13

The Legislature instructs us in our budget note to emphasize the Department of Child Safety cases. During the CY2019 period, 37.19% of our total cases were about DCS. Below are some examples where our intervention helped resolve concerns with DCS.

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Our intervention identified a field practice that was not in accordance with the agency's stated policy/procedure, statutes, or case law

1900668. Department of Child Safety (DCS)

A father reached out to our office about a concern he had with a Department of Child Safety (DCS) caseworker. He felt that this caseworker had imposed contradictory conditions as goals for reunification and was making his process with DCS unfair and unreasonable. The caseworker in question highlighted the importance of getting particular consistent psychological evaluations in order to move towards reunification. The evaluation sessions were located several hours out of the way of the father's place of work and would require consistent appointments that would make maintaining his job impossible. Additionally, the caseworker highlighted the importance of the father keeping his job as being important for reunification. The father felt that the caseworker was setting him up for failure, and the DCS ombudsman had not assisted him with his concern.

We agreed to review the DCS case and reviewed the evidence and correspondence between DCS and the father. We discussed the case with the complainant and explained that we would contact DCS to learn more and try to remedy his situation. Our office then reached out to DCS for further information regarding the details surrounding it and the concerns in how it was being handled. Partway through our investigation, the complainant returned to our office to tell us that without warning his caseworker of two years had been removed from his case. The complainant thanked us for looking into the matter and told us things were on track again, with a new caseworker who was setting expectations that are more reasonable for him to move forward with reunification. He said he now had no other issues and appreciated us for being there to help draw attention to his case and answer his questions.

“Whatever you did, it worked. Thank you for shining a spotlight on my case”

1900945. Department of Child Safety (DCS)

A woman complained about the Arizona Department of Child Safety (DCS). She claimed that DCS would not consider her to serve as the placement home for her nephew, but the agency never gave her a denial letter as required by law. She stated that she would like to know why the agency had decided against her serving as the placement.

We contacted the Department of Child Safety and reviewed the case. The agency confirmed it failed to send the required letter to the aunt. The agency informed us that it would promptly rectify the situation by preparing and distributing the denial letter the agency was required to provide to the aunt.

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1900898. Department of Child Safety (DCS)

A man asked for our assistance. He said that his son's mother was incarcerated, and the Department of Child Safety (DCS) placed his son with relatives. The Department of Child Safety had done this despite his standing as the father and his wish to directly care for his child. He had tried calling the DCS caseworker to inform her, but the caseworker never replied to him. A court had granted an order for him to have sole custody of his son and that he wanted DCS to have a copy of the court order.

We contacted DCS and reviewed the case with agency officials. DCS informed us that it had recently spoken to the man and informed him that they are working the case. DCS informed the man that it was very important that he attend a court hearing the following day and to take a copy of the court order. DCS provided the man with the address and time of the hearing.

We contacted the man and he said that DCS had agreed to start working with him. He was grateful that we were able to put him in contact with the DCS managers.

1902241. Department of Child Safety (DCS)

A woman contacted our office with concerns regarding her Arizona Department of Child Safety (DCS) case. She said DCS caseworkers had instructed her to submit a drug test at a particular facility. She said she visited the facility for testing but it turned her away. The facility staff said that DCS workers had never submitted her case to them, so her name and the drug test order were not contained in the testing system records. The facility staff said that the woman would have to get the caseworker to correct this mistake so that the woman may submit to a drug test. The facility said it could not test the woman without a valid test order.

We contacted DCS and reviewed the issue with managers. After several attempts, the problem was corrected, so the woman could submit to a drug test.

We contacted the woman to confirm. She confirmed and said she was grateful for our assistance.

1903821. Department of Child Safety (DCS)

A foster couple was upset that a Department of Child Safety (DCS) caseworker was not properly communicating or assisting them with the next stage of their matter. DCS had put the child at issue into a proposed adoption status with this foster family, but the DCS worker was not completing the paperwork to finish the matter in time for court deadlines. The family was worried this would cause delays. Further, the caseworker had not shown up for a pre-scheduled meeting. The family said it sent emails to DCS about the problems, but DCS

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workers had failed to respond to the emails. The foster parents claimed the caseworker had not visited the child in over 40 days and that the caseworker was supposed to see them once a month. The family also noted that their calls to the caseworker and supervisor went unreturned.

We reviewed the situation with the DCS Ombudsman Office. The DCS Ombudsman Office then contacted the DCS supervisor assigned to the matter. The supervisor stated she had returned the call to the foster family earlier that day. The supervisor essentially confirmed the allegations against the worker regarding lack of contact and preparation of adoption paperwork. The supervisor explained the caseworker was justified not responding to the email, because it was not directed to him. Instead, the supervisor said the foster family had directed the email to the attention of the Attorney General's Office and copied the caseworker. We confirmed that the DCS caseworker had failed to communicate effectively with the family and had not provided them with some of the paperwork necessary for the adoption process.

We also pressed the DCS Ombudsman Office regarding how long it had been since the worker had seen the child. The DCS Ombudsman Office disagreed that it was improper and explained how the agency interpreted the relevant law. The office said that while the caseworker had not seen the child in over 40 days, the caseworker had seen the child on the first day of month 1. DCS said the law gave the worker until the last day of month 2 to see the child as the law only said: "once a month." DCS interprets the relevant law to mean that a caseworker must see a child at least once within a month named in the 12-month calendar, not approximately every thirty days. Despite this policy, the DCS Ombudsman Office said it had the supervisor caution the caseworker to respond within 24 hours and to visit the child.

1901836. Department of Child Safety (DCS)

A mother claimed that a few weeks earlier, a Department of Child Safety (DCS) investigator arrived at her home and informed her that a report to the DCS Child Abuse Hotline had been called in and that DCS was investigating her for neglect. The woman claimed DCS never gave her a "Notice of Duty to Inform," nor any paperwork. The woman claimed that to this day, DCS had NOT provided her with any paperwork regarding any DCS case against her. The woman also claimed that a DCS caseworker instructed her to visit a drug-testing facility and submit to a drug test despite the lack of paperwork. The mother was frustrated and claimed that DCS was not following the rules and asked our office for assistance.

Our office investigated. We requested that DCS confirm this mother was the subject of a DCS investigation and that DCS confirm whether their caseworker had given the woman a "Notice of Duty to Inform" as required by statute. We asked the agency to provide us a copy of the document, if it existed, as government agencies must retain copies of these documents for official record purposes. The Notice of Duty to Inform is important because it discloses the

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specific allegations DCS is investigating and it gives the person important information about the person's rights when dealing with DCS.

DCS responded a few days later acknowledging that it failed to provide the mother with a "Notice of Duty to Inform." DCS said it would remedy the agency's error by presenting the official notice at the team decision-making meeting scheduled for the following day.

1905254. Department of Child Safety (DCS)

A father who had questions regarding a case Department of Child Safety (DCS) had opened on him contacted our office. We answered the father's questions and learned in the discussion that he was not aware of the allegations brought against him. We informed him that a short summary of the basic allegations against him should be on the Notice of Duty to Inform form that DCS was required by law to provide to him. The father said DCS had given him the form but had not told him the allegations. We asked him to provide us a copy of the form. Upon review, we confirmed the father was correct. The DCS investigator had only written a series of numbers on the form. We understood that the number was a reference number to a database the father would not be privy to, so he could never look up the number to see what it referred to in order to understand what the allegation(s) against him was.

Arizona Revised Statute §8-803(A), requires that,

On initial contact with a parent, guardian or custodian under investigation pursuant to this article, a child safety worker shall inform the family, both verbally and in writing, making reasonable efforts to receive written acknowledgment from the parent, guardian, or custodian, of receipt of all of the following information:

1. That the family is under investigation by the department.
2. The specific complaint or allegation made against that person.

We reviewed the case with the DCS Ombudsman Office and asked them to explain the discrepancy between what the law requires and the fact that the investigator had seemingly only provided the father with a form showing a number instead of the specific complaint or allegation. We also asked that the agency ensure the father was made aware of the allegation made against him. DCS admitted the Notice of Duty to Inform given to the father in the field was incorrect. The agency agreed with that finding and recommendation to train the investigator on this point. The agency said it would ensure the caseworker in question was made aware of that.

We also recommended that the complainant be issued a new Notice of Duty to Inform. DCS disagreed with this recommendation and stated this was unnecessary, as the father had since been told by the agency that the allegation was "neglect." DCS thought that the one-word "neglect" allegation was sufficient. We discussed the nature of what constitutes being told a

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“specific” allegation in statute and under what circumstances DCS can withhold certain information from someone under investigation about such an allegation. DCS claimed that sharing any more information about their allegation was problematic in this case, pursuant to Arizona Revised Statute § 8-471(E)(8) which states,

On initial contact with the parent, guardian or custodian of a child who is the subject of an investigation pursuant to this section, provide the parent, guardian or custodian with the allegation received by the department. This paragraph does not require the department to disclose details or information that would compromise an ongoing criminal investigation.

Our intervention resolved a grievance against the Department that had not been corrected yet by internal workers from DCS as exemplified by:

1902059. Department of Child Safety (DCS)

A person complained that the Department of Child Safety (DCS) had failed to give the person a letter saying the agency had not substantiated an allegation against the person. The complainant had contacted the caseworker but was not satisfied with the caseworker claiming the letter had already been mailed. The subject person is a member of the Address Confidentiality Program (ACP). Therefore, letters go to ACP who holds them for the recipient. However, ACP told the person that ACP had not received any such letter despite a reasonable amount of time passing since the mailing date. We provided the person with the DCS Ombudsman Office contact information and encouraged the person to return to us if the office was unresponsive.

The person returned to us shortly thereafter because DCS continued to be unresponsive. We discussed the case with the DCS Ombudsman Office. Our office found that the caseworker had forwarded the “unsubstantiation” letter to the wrong address. We informed DCS about the error and the agency agreed to correct the problem. The person thanked us.

Later, the person contacted us again saying that DCS was still not closing the case. Several weeks had passed, yet DCS had left the case open.

We again looked into the situation. We looked into the matter and discovered information that supported the person’s complaints.

We requested DCS provide us the reason(s) as to why the agency had kept this case open and to explain why the DCS caseworkers were not answering the subject person’s questions. We also expressed concern that the DCS workers’ comments implied that the person was required by law to cooperate with them when the law said otherwise. We highlighted the correspondence between the caseworker and the subject person that concerned us.

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The DCS Ombudsman Office did not acknowledge that the caseworkers were not being clear or responsive to the person's questions. DCS did not answer why it kept the person's case open. Additionally, DCS did not explain why it denied information from us within the CHILDS file. However, shortly thereafter, the subject person reported to us that DCS had finally closed the case. The person also reported that the DCS caseworker had become more responsive and open since the subject had reached out to us. The person thanked us for being a neutral party the person could turn to. We ensured that the subject person received a written statement that the case had been officially closed by DCS. The person thanked us, and we closed the case out on our end.

OMBUDSMAN INTERVENTION IN PUBLIC ACCESS CASES

Outreach and Education

Educational Materials

We provided hundreds of our office's booklets on the Public Records Law and the Open Meeting Law booklets directly to elected officials, non-elected public officials, public employees, advocacy groups, and members of the public. We also provide digital versions of the booklets on our website. In addition, we continue to share and help develop training materials for public bodies and officials. We continue to update our website with publications, training opportunities, and new developments in the open meeting and public records law, such as new case law, legislation, and Attorney General Opinions.

Training

There is a significant demand for training throughout the State. In the 2019 calendar year, we conducted twenty-one training sessions in locations throughout the State, such as Phoenix, Yuma, Parker, Bullhead City, Tucson, Bisbee, Scottsdale, Marana, Chandler, and Clarkdale. We conducted trainings for a diverse array of governmental and quasi-governmental entities, such as the Mohave County Community College District, the Governor's Archeology Advisory Commission, the Central Arizona Project, the University of Arizona, the Arizona Municipal Clerks Association, the State Board for Charter Schools, the Arizona State Bar, AHCCCS, the Arizona Law Enforcement Records Managers Association, Maricopa County - Arizona At Work, and various charter schools, special taxing districts, counties, and municipal government entities.

In addition to general training in which we discuss public access requirements, we developed and presented customized training to address the specific needs of public officials upon request.

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Lastly, we continue to provide recordings of recent open meetings and public records law training we conducted to interested elected officials, non-elected public officials, public employees, advocacy groups, and members of the public.

Newsletters

We continued to publish a public access newsletter on a quarterly basis. Our newsletter *The Public Record* touches on interesting and timely open meetings and public records law issues that are relevant to the duties and responsibilities of public bodies and officials throughout the State. For example, we addressed public body member access to executive session minutes, the record retention implications of using a third party to manage State email and calendars, whether the public has a right to speak at public meetings, recording votes in meeting minutes, the open meeting law and committees and subcommittees, public records request forms and methods, and how/whether public access laws apply to non-profit entities. We also provided up-to-date summaries and analysis of pending Arizona public access legislation.

Arizona State Library, Archives and Public Records sends our newsletter to a listserv of public officials and employees throughout the State. Additionally, we also send our newsletter to our own list of public officials and employees who have contacted our office directly to receive our newsletter.

Inquiries and Investigations

In the past fiscal year, our office handled 515 cases regarding matters related to public access. Of those calls, 246 were public record law inquiries, 223 were open meeting law inquiries, and 46 concerned both public records and open meeting law. Table 1 provides a breakdown of the number of inquiries received from the public, the media, and government agencies. Table 2 provides the number of inquiries received about state agencies, county agencies, city or town agencies, school districts, and other local jurisdictions.

Table 1			
	Public Inquiries	Media Inquiries	Government Agency Inquiries
Number of inquiries	255	38	222

Table 2					
	State Agencies	County Agencies	City or town agencies	School Districts	Other Local Jurisdictions
Number of inquiries	210	70	106	47	82

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Public Access Case Examples

1902556. Glendale.

A member of the Glendale City Council contacted our office to discuss open meeting law issues. Specifically, he wanted to discuss whether a public body could have a general board member comment period at meetings. He also wanted to discuss allowing the public to speak on certain agenda items.

We discussed these issues and other similar issues with the member. He asked us to provide him with relevant legal material. We researched the matter and provided him with a slew of relevant material.

1903321. Higley School District.

A resident contacted our office about a public record request she said she made to the Higley Unified School District. She said she was a former employee of the District.

She said she had asked for records related to breaches of contract by district teachers. She said the district would not provide her with the records because of federal health care law. She did not understand why the District could not provide the records with the names redacted.

The resident suspected that the district was lying about why certain teachers had breached their contracts so that the teachers would not have to pay fines.

She said the district provided summaries of the various reasons why teachers breached their contracts. She forwarded us the communications from the district. The district provided her with blank contracts and a summary that explained which teachers had breached their contracts and whether the breaches were permitted under the terms of the contracts. The document also included a list of the various reasons teachers had for the breaches but did not identify which reason was given by which teacher.

We reached out to the District. We spoke with the District's attorney about the matter. She said the resident had not made it clear what sorts of records she had sought. This was strange in light of an email the resident showed us that she sent to the District along with two completed records request forms that specified that she wanted emails, letters of resignation, text messages, and other kinds of records.

The attorney said the District would provide additional records, likely including redacted letters of recommendation. She said it was unlikely that there would be many emails to provide because the District's email archives had been affected by a cyberattack. She also said there were no text messages relevant to the requests.

We told the resident what the attorney told us. She disputed what the District's attorney said. First, she said she had specified with her requests what types of records she sought. She said that up until nearly the end of July she had had no trouble accessing her emails. She did not

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seem to believe that the District's email archives were affected. Lastly, she said she was aware of at least some text messages between District employees related to a teacher's breach of contract.

We asked the attorney some follow up questions. We asked if the District had received the resident's email, which appeared to indicate which types of records she wanted. We also asked her to better explain the damage done by the cyberattack and for what time period emails were affected. Lastly, we asked what type of searches the District conducted for the requested records, especially text messages.

Almost two weeks later, the resident said she had not heard anything from the District. We had also not heard back from the District's attorney. We reached back out to the District's attorney. She responded and explained that the resident's email had been misplaced with the wrong department. She further explained issues the district had had with its email system. She also provided us with information from the District's IT staff. It sounded reasonable. She said, "The Human Resources department is researching their e-mails to see if there are any messages to or from the other employees identified. They tell me the search and any redaction necessary will be completed next week."

The District's attorney later said, "there are no text messages related to resignation/release from contracts." She said, "[C]ontacts come by email or in person." She then acknowledged that "[t]he responsive documents have not yet been provided. . . ." She said, "The emails and other documents in HR have been located and redacted; they are ready to be scanned. The volume of documents is too large to send as an attachment to emails, so we are going to create a CD of .pdf files, which will be able to be picked up or mailed."

The following day, a District employee included us on an email to the resident in which she told the resident a CD of records was available to pick up. The resident did not follow up with us further about any issues, and she did not provide any evidence of missing responsive text messages.

1903416. Yavapai County Sheriff's Office.

A Yavapai County resident contacted our office concerning a request for records she said she made to the Yavapai County Sheriff's office.

She said she requested copies of records regarding an agreement between the County and an animal control entity. She said the Sheriff's office quoted her \$560 for copies of the records, which she thought was unreasonable. She said the Sheriff's office did not explain how the cost was determined.

We reached out to the Sheriff's office about the matter. We received contact from the Yavapai County attorney's office. The attorney said he thought some "wires were crossed" and would look into the matter. He followed up with us and said the agency would make the records available on a disc to the resident for \$20.

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The resident confirmed and thanked us.

1903655. Colorado River Union High School District.

The public information officer for the Colorado River Union High School District in Bullhead City contacted our office about an open meeting law issue. Essentially, he said the Superintendent wanted to know if the District could post a blanket, standing notice for social events at which a quorum of the governing board might gather.

We explained what does and does not trigger the open meeting law. We said that the District could post such a blanket notice if it wanted without violating the open meeting law; however, we explained that it is not required and it might not be especially effective. We suggested considering, instead, posting courtesy notices on an event-by-event basis.

He asked us to review some proposed blanket notice language. We reviewed it and said we saw nothing in the language that would conflict with the open meeting law.

1904128. San Luis.

A City of San Luis employee contacted our office with an open meeting law question. She asked whether she, as an employee of the City Council, could create meeting minutes for an executive session at which she was not present.

We explained that, if one reads the law literally and narrowly, it sounds like it would be a violation of the open meeting law for someone who was at the executive session to share with her; however, if one reads the law more logically, as the Attorney General seemed to do when creating its open meeting law agency handbook chapter, it would be reasonable to conclude that the board could share with her what is necessary to craft the minutes. We cautioned that the safest course would be for her to attend the executive sessions and craft the minutes based on her firsthand experience. We suggested that her public body would have to weigh the risks and decide how to proceed with this issue.

She thanked us.

1904184. Santa Cruz County.

A Rio Rico resident contacted our office about the Santa Cruz County Recorder. He said the Recorder's office was requiring him (and others) to complete written forms with personal information, such as name and address, in order to obtain public records. He made it sound like the Recorder's office also shared this information with third parties.

We contacted the Recorder about the matter. We explained the essence of the complaint. We asked her to confirm the alleged facts, and, if true, to explain the legal basis for her office's request requirements. The Recorder confirmed the alleged facts. She said she could not find a legal basis for the office's request requirements, and she said it was standard for her office.

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We explained why we thought it was likely unlawful for her office to require the use of a particular form and submission of unnecessary personal information in order to obtain records. She followed up with us to say she consulted with the county attorney. She said the county attorney agreed that her office could not require the use of a form. She said her office would not require the use of a form going forward.

We relayed what the Recorder said to the resident. He was thankful to our office, but he remained upset at the actions of the Recorder's office, including issues outside of our jurisdiction.

1904623. Bisbee.

A former Bisbee resident contacted our office about various issues concerning the city. Most of his complaints regarded his belief that the city's building inspector falsified information in two building permits and failed to properly inspect the properties. He also asserted that the city did not fulfill his request for a copy of a building inspection form.

We explained that the first issue is outside of our authority and expertise. We suggested he considered filing a criminal complaint with the Attorney General or the County Attorney. We told him we could look into the issue of whether the city properly handled his request for a record. He sent us a copy of the request.

We contacted the City Clerk about the request. The city's attorney followed up with us. He said the city had provided the record to the former resident twice, but it would provide it again. We told the attorney that the former resident seemed to believe there might be a new version of the record. The city's attorney said this could be the case.

The City's attorney provided us with over a 100 pages of records, some of which were communications between the city and the former resident and some of which were records it had allegedly provided to the former resident. Additionally, there was a new version of the record the former resident had requested. The City's attorney said this record was created after the former resident made his request. We forwarded it along to the former resident.

The resident was grateful to receive the record; however, he was still unhappy with the City over the other issues. He thanked us.

1904961. Kyrene Unified School District.

A resident contacted our office in regard to the difficulty she said she was having in obtaining public records from the Kyrene Unified School District (hereinafter, "the District").

The resident said the District's governing board had been considering a potential change to District policy. She said the Arizona School Board Association (hereinafter, "the Association") recommended some minor changes to the District's policy. She said she did not understand the need for the changes.

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She said she requested a variety of records related to the proposed changes, such as communications between District employees and the Association and communications between District board members/staff and the District's attorney. She made it sound like the District said it would not produce records because of attorney-client privilege. We explained attorney-client privilege to the resident and explained why at least some of the records she requested would likely be covered by the privilege and thus exempt from disclosure. We told her we would contact the District.

We reached out to the District's attorney. He said the District never denied her entire request, particularly for communications between the District and the Association. He said the District only denied her access to communications between the District and its attorney and other records covered by the attorney-client privilege. He said the District was in the process of reviewing and producing hundreds of responsive records.

We relayed to the resident what the District's attorney said. She was delighted that she would be receiving records.

Eventually, both the District's attorney and the resident confirmed that the District had begun producing records. The resident thanked us.

1904999. Tucson.

A Tucson resident contacted our office with a public records law question concerning a public record request he said he made to the Tucson Department of Transportation.

The resident made it sound like the agency was insisting that it produce records to him in hard copy despite maintaining the records electronically. He said this would greatly increase the cost to him. He wanted to know if an agency must provide records electronically when the agency maintains them electronically. We explained that, in that scenario, an agency would likely have to provide the records electronically.

The resident asked us to provide him with any legal material in support of our explanation. We agreed to provide it to him. We researched the matter and provided him with applicable language from an Arizona Supreme Court opinion that addressed the issue. He thanked us.

1905142. Unknown.

An attorney for a political subdivision public body contacted our office with a variety of public records law questions concerning requests for records the public body had received.

For instance, she wanted advice on how to handle requests for government-provided cell phone records and salary records. We discussed the issues with her and recommended for and against certain courses of action. She thanked us.

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1905157. Sonoita Elgin Fire District.

A Sonoita Elgin Fire District employee contacted our office about an open meeting law matter. Essentially, she was confused about meeting recording and minutes retention in light of web posting requirements.

We explained that the recording/minutes web posting requirements in the open meeting law do not apply to special taxing districts. This seemed to be news to her, and she was delighted as this solved her issues. We also generally explained the relevant retention period.

She thanked us.

1905389. Paradise Valley School District.

The superintendent of the Paradise Valley Unified School District contacted our office about a public records law issue. He said the District received a variety of public records requests from a particular requester. He said the requests are involved and consume significant District resources. He said the requester never pays for or picks up the records.

He then asked, "[A]t what point does it become harassment and a waste of taxpayer money to process the requests when we know, based on the pattern of behavior, the requestor has no intention of picking up those materials or paying for copies that have been made?"

We researched the issue and provided a bevy of relevant information and analysis, including a court case that addressed a similar matter. We said that legitimate public records requests likely never rise to the level of harassment. We said the District might be able to make reasonable arguments in support of denying the requester's requests because they are unduly burdensome because of the resources they consume and the fact that the requester does not pick them up. We also suggested that the District could likely make a reasonable argument that it can condition its fulfillment of future requests from the requester on him paying for a portion of the copy fees upfront.

The Superintendent thanked us.

1900760. Apache County.

A journalist in Apache County contacted our office about the difficulty he said he was having in obtaining public records from the County.

He said he had requested certain financial records over three months earlier, but he had yet to receive them. He said the County Manager had told him the County had submitted the records to the State Bar Association for review. The resident also said he had made several other simple requests that the County had not been fulfilled.

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Specifically, he explained that he sought records for "county credit card/debit card account statements and Authorization for Reimbursement of Business Meals to Conduct County Business forms from the fiscal year 2017-2018 (July 1, 2017, to June 30, 2018) for [the] County Attorney [] and [a] County Attorney Investigator []."

We reached out to the County Manager about the matter. He said the County Attorney would be addressing the matter for us. Two weeks elapsed, and we still had not heard from the County Attorney. We reached out to the County Attorney's office. His assistant eventually told us that he was going to meet with the requesters and provide the requested records to the public along with a press release. We relayed to the journalist that it was our understanding the County would soon provide the records. He did not follow up with us.

The County sent us a copy of the press release and the requested records.

The press release explained that the County Attorney sought ethical advice from the Arizona State Bar Association regarding the request for the records because the records contained "potential confidential client information." The press release further explained that the State Bar Association advised the County Attorney to notify each client of the request. For a variety of reasons, this apparently took a few weeks. We concluded that it was not unreasonable for the County and the County Attorney to argue that the length of time it took to provide the records was prompt in light of the reasons provided in the press release.

1900957. Cochise County.

A resident contacted our office concerning an open meeting law matter involving the Cochise County Board of Supervisors (Board). She said the Board, at a February 12 meeting, had "appointed one of its own [. . .] to be the Justice of the Peace [. . .] without notice to the public, and without voting in open session, and without considering qualified members of the public for the job. The Board of Supervisors violated the open meeting laws, and is self-dealing."

The resident said she wanted the "appointment to be declared null and void, and for the Board of Supervisors to be directed to open the job for qualified applicants and properly consider and vote on the Justice of the Peace position."

We reviewed the relevant meeting notices, agenda, and minutes. From what we could tell, the Board did in fact provide notice regarding the appointment. An agenda for a February 12 meeting entitled "AGENDA FOR SPECIAL BOARD MEETING AND POSSIBLE EXECUTIVE SESSION" of the Board listed two items for consideration and said, "ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION." The first item read, "Discussion regarding the process for filling the vacancy for Justice of the Peace in Justice Precinct 5." The second item read, "Appoint _____ as Justice of the Peace for Justice Precinct 5." Based on this language, we conclude that the Board could make a reasonable argument that the second item, in particular, read in concert with the "ANY ITEM" language, seems to enable discussion and action for the appointment to the Justice of the Peace seat.

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Additionally, from what we could tell from the minutes for the meeting, there was indeed a public vote for the appointment. The minutes included several sentences about the movement to make the appointment, some discussion about the process, and the eventual 2-0 (with one abstaining) votes for the appointment.

However, we noticed some boilerplate-type language on the agenda that could be misleading to the public. We concluded that this language could have given the public the impression that the only thing happening in the public portion of the meeting would be the discussion and decision of whether to go into an executive session. This clashed with the above-noted agenda language. Additionally, the language cited the wrong statutory provision for the executive session, despite the agenda listing the correct provision elsewhere.

We had some concerns about when and how the appointment vote had been held. The original meeting had been recessed. From what we could tell, the original meeting resumed later on the same day but at least an hour after the Board had told the public it would resume. The Board then took the appointment vote. During the recess, the Board appeared to have held other public meetings.

We contacted the Board's legal counsel about the matter. We voiced our concerns over the potentially misleading agenda language and the late resumption. He seemed to agree that agenda language could be confusing and was not sure why the language was even on the agenda. He said he would look into why it was included and implied that he would try to see to it that such language is corrected going forward. Additionally, he explained that the resumption was indeed late; however, he seemed to maintain that any confusion caused by the delay would likely have been mitigated by the fact that the Board was in fact still publicly meeting in the same room and not simply missing in action. We suggested the Board consider ratifying the appointment because a judge could conceivably find that either or both issues constituted a violation of the open meeting law and hold that the appointment vote was null and void. Eventually, he followed up with us and said the Board would likely ratify the appointment.

We contacted the complainant and explained that we do not have the authority to investigate her assertion that the Board engaged in improper "self-dealing." We suggested that this issue might be something she could take to court or perhaps to the Attorney General. We also explained that we do not have the authority to investigate the Board for failing to consider "qualified members of the public for the job." We also explained that we do not have the authority to declare the appointment null and void or direct the Board to open the job for qualified applicants." We explained to her that we found that the Board did not violate the open meeting law by failing to provide notice or take a public vote. We also explained that we found certain aspects of the agenda and recess for the meeting to be confusing. We also summarized what the Board's attorney had told us.

She did not respond.

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1901245. Choice Academies, Inc. Governing Board.

The president of the governing board of a charter school contacted our office with an open meeting law question.

She essentially asked whether committees of the board must comply with the open meeting law if they each contain less than a quorum of the governing board's members. We explained that a committee of the board must comply with the open meeting law whenever a quorum of the committee gathers to discuss committee business just as the board does when it meets regardless of how many members of the board are on the committee.

She understood and said the board's committees would start complying with all aspects of the open meeting law. She thanked us.

1901288. Christopher-Kohl's Fire District.

A resident of the Christopher-Kohl's Fire District (District) contacted our office concerning a public record request she said she made to the District. She said she had requested to listen to recordings of the District governing board's January and February meetings.

The resident said the district Fire Chief said he would have to review the legality of her request. She wanted to know how long the District had to produce the recordings. We discussed the issue with her. She also said she was worried the District would destroy the recordings. We offered to discuss the matter with the Fire Chief, and she gladly accepted.

We contacted the Fire Chief. He said the District was going to provide written minutes in response to the request. He explained that the District records its meetings and uses the recordings to later create written minutes. He said the District was permitted to destroy the recordings as soon as the agency created the written minutes. He also seemed to think the resident was not entitled to the recordings.

We explained that the relevant record retention schedule requires that agencies retain recordings used to create written minutes for at least 90 days from when they create the minutes. We also explained why the public records law entitles the resident to the recordings if they exist. He seemed to understand. We offered to send him the relevant retention schedule. He said the District would provide the recordings to the resident if it still had them, and he implied that the District would now make sure it retained the recordings for the 90-day period.

We relayed to the resident the conversation we had with the Fire Chief. The resident was very thankful.

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19002454. Department of Child Safety (DCS)

A resident contacted our office about the difficulty she said she was having in obtaining records from the Department of Child Safety (DCS). She said she had made her request on April 7, 2019, and DCS acknowledged it on April 8. She said DCS had not provided her with the records or an estimate of when she would receive them despite sending DCS a follow up inquiry.

We reached out to DCS about the request. The DCS Ombudsman's office looked into the matter and said the request would be finished and mailed within a day or so.

We relayed what we learned to the resident. We told her to let us know if she did not receive the records in a week or so. She was very thankful.

1902456. Mingus Union High School District.

An employee in the Mingus Union High School District Superintendent's office contacted our office with an open meeting law question. He said the open meeting law appeared to require that all legal action take place in open session. He wanted to know if this requirement even applied to District decisions to expel a student. The way he read the statute, he seemed to believe it might.

We explained that he did in fact read the statute correctly; however, we pointed out that another statute in another Title of the Arizona Revised Statutes specifically exempted expulsion decisions from most of the open meeting law's requirements, including the requirement that all legal actions take place in public. As a result, a school district could decide to expel a student in what would essentially be an executive session.

Our Cases – Statistics of Note

INVESTIGATIONS

We managed our investigations in CY2019 as noted in the following tables.

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Table 3 – Investigations – January 1, 2019 – December 31, 2019

Discontinued ¹	125
Declined ²	434
The complaint was withdrawn or resolved during the investigation ³	12
Investigation Completed	120
Ongoing	335
TOTAL REQUESTS FOR INVESTIGATION	851

Table 4 – Investigative Findings – January 1, 2019 – December 31, 2019

SUPPORTED/PARTIALLY SUPPORTED ⁴		20
Requires further consideration by the agency	9	
Other action by agency required	8	
Referred to the legislature for further action	0	
Action was arbitrary or capricious	0	
Action was abuse of discretion	1	
Administrative act requires modification/cancellation	0	
Action was not according to law	6	
Reasons for administrative act required	0	
Statute or Rule requires an amendment	0	
Insufficient or no grounds for an administrative act	0	
INDETERMINATE⁵		32
NOT SUPPORTED		68
TOTAL COMPLETED INVESTIGATIONS		120

OVERALL CASE STATISTICS

As explained on page 2 of this report, we respond to citizens' complaints in three ways: coaching, informal assistance, or investigation.

Contacts by Agency

¹ "Discontinued" is marked when the complainant stops responding and the Ombudsman-Citizens' Aide Office is unable to proceed with inquiries.

² "Decline" is marked pursuant to authority in A.R.S. §41-1377(C). In those cases, the Ombudsman-Citizens' Aide Office may decline to investigate a complaint if there is another adequate remedy available; the matter is outside the duties of the ombudsman-citizens aide; the complainant has had knowledge of the matter for an unreasonable time period; the complainant does not have sufficient personal interest in the subject; the complaint is trivial or made in bad faith; or the resources of the office of the ombudsman-citizen aide are insufficient to adequately investigate the complaint.

³ "Withdrawn or Resolved During Investigation" is marked when the complainant asks us to cease an investigation

⁴ The individual count for "total supported or partially supported findings" count in the right-side column will always be equal to, or greater than, the left column of specific reasons because each case must have at least one finding, but may have multiple "supported" or "partially supported" findings.

⁵ "Indeterminate" is marked when an investigation is completed, yet there is not enough evidence to discern whether something is "supported," "partially supported," or "not supported." Example: two witnesses with opposite stories and no evidence to tip the balance.

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Between January 1, 2019, and December 31, 2019, our office handled 5,439 cases involving 256 agencies. The following table shows the distribution of our contacts with an agency. Cases involving Child Protective Services comprised 37.19% of our total for CY2019.

CONTACTS BY AGENCY

Agency	Coaching	Assistance	Investigation	Total
Abraham Lincoln Preparatory School	0	1	0	1
Academy of Math and Science	4	1	0	5
Accountancy Board	2	0	0	2
Administrative Hearings, Office of	1	1	0	2
ADOA - Administration, Department of	24	11	4	39
Agriculture - Wt. and Measures	8	0	1	9
Agriculture, Department of	3	0	2	5
Agriculture, Pest Mgmt. Office	4	0	0	4
AHCCCS	72	26	11	109
Alpine Fire District	1	0	0	1
Altar Valley School District	0	0	1	1
American Leadership Academy	0	0	1	1
Apache County	1	0	1	2
Apache Junction	1	0	0	1
Arizona State Hospital	2	0	0	2
ASU -Arizona State University	4	0	1	5
Attorney General, Office of	27	7	2	36
Auditor General	1	1	0	2
Avondale	0	0	1	1
AZ POST - Peace Officer Standards & Training Board	1	0	1	2
Barbers, Arizona Board of	2	0	0	2
Beaver Dam/Littlefield Fire District	3	0	0	3
Behavioral Health Examiners, State Board of	5	3	2	10
Benson	0	0	1	1
Bisbee	3	0	1	4
Buckeye	3	0	0	3
Buckeye Police Department	2	0	0	2
Camp Verde	1	1	0	2
Casa Grand Police Department	0	0	1	1
Cave Creek	0	0	1	1
Central Arizona Fire and Medical Authority	0	0	1	1
Central Arizona Project	3	0	0	3
Chandler	1	0	0	1
Chandler Police Department	0	1	0	1

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Charter Schools, Arizona State Board of	11	1	3	15
Chiropractic Examiners, State Board of	1	0	0	1
Choice Academies, Inc. Governing Board	5	0	0	5
Christopher-Kohls Fire District	10	1	2	13
City Center for Collaborative Learning	1	0	0	1
Clarkdale	1	1	0	2
Clay Springs Pinedale Fire Department	3	0	0	3
Cochise County	3	4	2	9
Cochise County Attorney	4	1	0	5
Cochise County Board of Supervisors	0	0	1	1
Colorado River Union High School District	2	1	0	3
Commerce Authority of Arizona	2	0	0	2
Commission of Judicial Conduct	4	0	0	4
Copper Canyon Fire and Medical District	1	0	0	1
Corporation Commission	19	6	5	30
Corrections, Department of	55	5	7	67
Cosmetology, Board of	75	3	1	79
Cottonwood Police Department	1	0	0	1
DCS - Community Advisory Committee	4	0	0	4
DCS - Department of Child Safety	1326	237	443	2006
DCS - Office of Licensing Certification Regulation	2	1	2	5
DCS - Other	7	1	0	8
Deaf & Hard of Hearing Commission	2	0	0	2
Deaf and Blind, Arizona School for the	2	0	1	3
Deer Valley Unified School District	1	0	0	1
Dental Examiners, Board of	10	3	4	17
DES - Aging & Community Services	269	10	4	283
DES - Benefits and Medical Eligibility	146	69	27	242
DES - Child Support Service	30	37	6	73
DES - Developmental Disabilities	13	7	1	21
DES - Employment and Rehabilitation	29	18	5	52
DES - Other	17	5	6	28
DES- Adult Protective Services	13	0	2	15
Desert Marigold School	1	0	0	1
Dispensing Opticians	1	0	0	1
Douglas	1	1	1	3
DPS - Department of Public Safety	25	13	6	44
Dysart School District	1	0	0	1
East Valley Institute of Technology	1	0	0	1
Education Models 4 Learning	0	1	0	1
Education, Board of	5	2	1	8
Education, Department of	10	1	3	14
El Mirage	1	0	0	1

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Eloy Fire District	0	0	1	1
Emergency & Military Affairs, Department of	1	1	0	2
Environmental Quality, Department of	13	3	1	17
Executive Clemency, Board of	1	1	0	2
Exposition & State Fair Office	1	0	0	1
Financial Institutions Department	16	0	2	18
Financial Institutions, Appraisal Division	1	0	0	1
Fingerprinting, Board of	2	2	0	4
Forestry & Fire Mgmt.(formerly Dept.FBLS)	1	1	0	2
Fort Mojave Mesa Fire Department	1	0	0	1
Fountain Hills	0	0	1	1
Funeral Directors & Embalmers, State Board of	1	3	0	4
Game and Fish, Department of	2	0	0	2
Gaming, Dept.	3	0	0	3
Gila County	1	0	0	1
Gilbert	1	1	1	3
Glendale	0	1	0	1
Golden Valley Fire District	0	0	3	3
Goodyear	1	0	1	2
Governor, Office of	6	0	0	6
Governor's Council on Spinal and Head Injuries	1	0	0	1
Graham County	0	0	1	1
Harquahala Valley Fire District	1	0	2	3
Health Services, Department of	72	6	4	82
Health Services, Vital Records Office	6	1	0	7
Hereford Natural Resource Conservation District	2	0	0	2
High Knoll Ranchers RIMD	0	0	1	1
Higley School District	0	0	1	1
Historical Society, Arizona	1	0	0	1
Housing Dept. -Manufactured Housing Office	9	0	0	9
Housing, Department of	30	0	0	30
Incito Schools	1	0	0	1
Indian Affairs, Arizona Commission of	1	0	0	1
Industrial Commission	71	7	1	79
Inscription Canyon Ranch Sanitary District	4	0	0	4
Insurance, Department of	36	4	1	41
Jerome	1	0	0	1
Judicial Conduct, Commission on	4	0	0	4
Juvenile Corrections, Department of	1	1	2	4
Kyrene Unified School District	0	0	2	2
La Paz	1	0	0	1
La Paz County Attorney	1	0	0	1
Lake Mohave Ranchos Fire District	0	0	1	1
Land, Department of	10	1	4	15

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Legislature	13	4	0	17
Liberty Elementary School District #25	2	0	0	2
Liquor Licenses and Control, Department of	7	1	0	8
Littlefield Unified School District	1	0	0	1
Lottery	1	1	0	2
Marana	1	1	0	2
Marana Drainage and Water Improvement District	8	1	0	9
Maricopa	5	1	1	7
Maricopa Air Quality	0	1	0	1
Maricopa County Attorney	2	0	2	4
Maricopa County Community Colleges	2	0	0	2
Maricopa County Head Start	1	0	0	1
Maricopa County Human Services Workforce Dev.	0	1	0	1
Maricopa County Planning and Development	0	0	1	1
Maricopa County School Superintendent	0	0	1	1
Maricopa County Sheriff	0	1	0	1
Massage Therapy, State Board of	2	0	0	2
Mayer Fire District	1	0	0	1
Medical Board, Arizona	28	1	4	33
Mesa Police Department	2	2	1	5
Mesa School District	1	0	0	1
Mescal J-6 Fire District	1	0	0	1
Mingus Union High School District	1	1	0	2
Mohave County Airport Authority	1	0	0	1
Naco Sanitary District	1	0	0	1
Naco School District	1	0	0	1
Naturopathic Physicians Board of Medical Examiners	0	1	0	1
Navajo	1	0	0	1
Northern Arizona Consolidated Fire District #1	1	0	0	1
Northwest Fire District	1	0	0	1
Nursing Care Institution Administrators & Assisted Living Managers Examiners Board	1	2	0	3
Nursing, State Board of	9	5	3	17
Office of Economic Opportunity	1	0	0	1
Ombudsman	55	19	2	76
Optometry, State Board of	1	0	0	1
Oro Valley	0	0	1	1
Osteopathic Examiners in Medicine and Surgery, Board of	2	0	2	4
Other - Arizona in general	54	4	0	58
Other - Federal	65	0	4	69
Other - Government	320	5	15	340

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Other - Private	280	9	12	301
Palominas Elementary School District	0	0	1	1
Paradise Valley	3	0	0	3
Paradise Valley School District	3	1	0	4
Parks, Department of	1	1	0	2
Patagonia	0	1	0	1
Payson	1	0	1	2
Peoria	0	0	1	1
Personnel Board	1	0	0	1
Pharmacy, Board	7	6	0	13
Phoenix	3	1	0	4
Phoenix Police Department	3	1	3	7
Physical Therapy Examiners, Board of	0	1	0	1
Physician Assistants, AZ Regulatory Board of	4	0	0	4
Pima	8	0	2	10
Pima County Attorney's Office	1	0	0	1
Pima County Sheriff's office	0	0	1	1
Pinal County Sheriff's Office	0	1	0	1
Pioneers' Home	4	1	0	5
Ponderosa Park Domestic Water Improvement District	0	0	1	1
Prescott	1	1	0	2
Prescott Unified School District	1	0	0	1
Prescott Valley	1	0	0	1
PRIVATE Post-Secondary Education Board	6	1	0	7
Psychologist Examiners, State Board of	2	1	0	3
Public Safety Personnel Retirement System	4	1	1	6
Quartzsite	1	0	0	1
Radiologic Technology Medical Board of Examiners	1	0	0	1
Real Estate Dept. - HOAs	12	0	1	13
Real Estate, Department of	15	3	1	19
Regents, Arizona Board of	2	0	0	2
Registrar of Contractors	34	7	3	44
Respiratory Care Examiners, Board of	0	1	0	1
Retirement System, Arizona State	10	7	4	21
Revenue, Department of	61	60	14	135
Rim Trail Domestic Water Improvement District	1	0	0	1
RUCO-Residential Utility Consumer Office	1	0	0	1
Sahuarita	0	0	1	1
San Luis	4	0	0	4
Santa Cruz	0	0	1	1
School Facilities Board	1	0	0	1
Scottsdale	0	0	2	2

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Scottsdale Police Department	1	0	1	2
Scottsdale Unified School District	1	1	0	2
Sec. of State -Library, Archive & Records Dept.	2	0	0	2
Secretary of State, Office of	6	4	0	10
Sedona	0	1	1	2
Show Low	0	1	0	1
Sierra Vista Police Department	0	0	1	1
Sonoita Elgin Fire District	2	0	0	2
Southeastern Arizona Communications Center	1	0	0	1
Stanfield Fire District	0	0	1	1
Sunnyside Unified School District	1	0	0	1
Superior Court	1	0	0	1
Supreme Court	1	0	0	1
Surprise	1	0	1	2
Technical Registration, Board of	5	0	4	9
Tempe	2	0	1	3
Tempe Police Department	0	0	1	1
Tempe Union High School District	1	0	0	1
Timberland Acres Water District	1	0	0	1
Tolleson	1	0	0	1
Tombstone	1	0	1	2
Tourism, Office of	1	0	0	1
Transportation, Department of	38	10	3	51
Transportation-Motor Vehicle Division	90	71	19	180
Tri-City Regional Sanitary District	0	0	1	1
Tucson	1	1	1	3
Tucson City Court	0	0	1	1
Tucson Police Department	0	0	1	1
Tucson-Pima County Bicycle Advisory Committee	1	0	0	1
U of A - University of Arizona	3	1	0	4
unknown	14	1	0	15
unknown charter school	1	0	0	1
unknown city	10	0	2	12
unknown fire district	3	0	0	3
unknown school district	2	0	0	2
Unknown state agency	37	0	0	37
Various school districts	1	0	0	1
Verde Valley Fire District	0	0	1	1
Vernon Fire District	2	0	0	2
Veterans Home	1	1	1	3
Veterans' Services, Department of	19	3	0	22
Veterinary Medical Examining Board	2	1	1	4

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Water Infrastructure Finance Authority of Arizona	1	0	0	1
Water Resources, Department of	2	1	0	3
Wickenburg	1	0	1	2
Williams	1	0	0	1
Workforce Arizona Council	1	0	0	1
Yarnell Fire District	1	0	0	1
Yavapai County	1	1	1	3
Yavapai County Sheriff's Office	0	0	1	1
Yuma City	1	0	0	1
Yuma County	6	0	0	6
Yuma County, Workforce Development Board of	2	0	0	2
TOTAL NUMBER OF CONTACTS	3940	770	729	5439

Agency Count: 256

About the Ombudsman and Staff

Dennis Wells - Ombudsman-Citizens' Aide.

Dennis became the Ombudsman-Citizens' Aide on July 2, 2012, following confirmation by the Legislature and Governor in 2012 and was re-appointed for a second five-year term during the legislative session of 2017. Dennis holds a Masters Degree in Public Administration from Northern Arizona University and a Bachelor of Science in Geology. His educational background also includes a fellowship at Harvard regarding studies in State and Local Government. He has ombudsman training by the U.S. Ombudsman Association (USOA) and is an investigator certified by the Council on Licensure, Enforcement & Regulation (CLEAR). In the public sector, Dennis was an elected supervisor and chair of the Coconino County Board of Supervisors, State Land Commissioner for Arizona, a member of the Arizona State Parks Board, and served as City Manager for Williams, Arizona. Dennis' public service also includes serving on the Board of Directors, Foundation for Flagstaff Medical Center and as a board member of the Arizona City and County Managers Association. In the private sector, Dennis began his career working in the family business, The Williams Grand Canyon News, which was continuously published by the Wells' family for 100 years. Following graduation from NAU, Dennis worked for firms in oil exploration and drilling in Texas, Louisiana, and overseas (Africa and the Middle East). Dennis has experience in public management, intergovernmental relations, public planning, and dispute resolution.

Joanne MacDonnell - Deputy Ombudsman.

Joanne joined the office as Deputy Ombudsman in 2005 after serving nearly eight years as the Arizona Corporation Commission, Director of Corporations. Prior to working in government, Joanne worked in the private sector at FCC Investors, Inc. serving on the Board of Directors and as an accountant. She also worked in real estate as a licensed Realtor associate and real estate appraiser. Joanne has a Bachelor of Science degrees in Business Administration and Real Estate from the University of Arizona, is an investigator certified by the Council on Licensure, Enforcement & Regulation (CLEAR), and completed mediation training through South Mountain Community College. She has additional training including the Executive Course, Project & Investment Justification Training, the Leadership Module through Rio Salado College and Arizona Government University; and ombudsman training prescribed by the U.S. Ombudsman Association (USOA). She is active in the U.S. Ombudsman Association, having served multiple years as a Board Director/Officer and as a Conference Committee and Outreach Committee Member. She is currently USOA's Secretary/Treasurer. She was Chairman of the USOA Children and Family Chapter for four years. She was a member of the Association for Conflict Resolution, qualified in the "Practitioner" category. She was a member of the DCS Citizen Review Panel Committee and the Court Parent Representation Committee. She has served on the Arizona Juvenile Court Improvement Committee since 2011. She has served as a judge for the Central Arizona Better Business Bureau (BBB) Business Ethics Award for the past nine years.

Danee Garone – Staff Attorney.

Danee is a staff attorney for the Ombudsman's office and specializes in open meetings and public records law matters. He joined the Ombudsman's office in 2014. Prior to joining the Ombudsman's office, Danee completed a legal internship with the Arizona House of Representatives. Additionally, he completed a legal externship with the United States District Court for the District of Arizona and interned for the United States Small Business Administration.

Danee has a Juris Doctor degree from the Sandra Day O'Connor School of Law at Arizona State University and is a licensed attorney. Additionally, he graduated from Arizona State University summa cum laude with a Bachelor of Arts degree in journalism and a Bachelor of Arts degree in political science.

Keith Meyer – Senior Investigator/Writer Ombudsman.

Keith joined the Office of the Ombudsman in 2014. He has 20 years of public experience in Arizona State and County governments. He served in the Arizona Department of Corrections Director's Office, the Arizona Department of Agriculture, the Arizona State Land Department, and Arizona State University. In the Maricopa County government, he worked at the County Attorney's Office coordinating restitution issues with citizen victims of crime. Other service included volunteering on several homeowner association boards. He has ombudsman training prescribed by the U.S. Ombudsman Association (USOA) and is an investigator certified by the Council on Licensure, Enforcement & Regulation (CLEAR). Keith earned a Master's degree in Public Administration and a Bachelor of Science degree in Agribusiness, with a minor in Sociology, from Arizona State University.

Frank Rutledge – Investigator/Writer Ombudsman.

Frank joined the Ombudsman team in June 2016 after working for almost nine years with the Arizona Department of Economic Security (DES). During his time at DES, Frank worked in the Rehabilitation Services Administration, the DES Office of Procurement, and most recently with the Division of Developmental Disabilities. Frank brings a wealth of knowledge including contracting, procurement, and DES services to the team. Frank has completed the New Ombudsman Training prescribed by the United States Ombudsman Association (USOA), and is certified as an Investigator/Inspector by the Council on Licensure, Enforcement, and Regulation, and certified in Arizona State Public Procurement. Frank has resided in Arizona for over 35 years, and is a graduate of Northern Arizona University's School of Communication, with an emphasis in Journalism.

Carmen Salas - Assistant Ombudsman.

Carmen joined the Ombudsman's office in 2005. She previously worked at the Arizona Corporation Commission for nine years as a management analyst and supervisor. She received her Bachelor of Science degree in Business Management from the University of Phoenix. She

has completed additional training including ethics and various risk management courses through Arizona Government University. She has completed the Leadership Module through AZGU, is an investigator certified by the Council on Licensure, Enforcement & Regulation (CLEAR), has ombudsman training prescribed by the U.S. Ombudsman Association (USOA) and has completed mediation training. She has also completed training with the Child Welfare Training Institution and Department of Economic Security to obtain clearance for the Children's Information Library & Data Source (CHILDS). Carmen is fluent in Spanish.

Jennifer Olonan - Assistant Ombudsman.

Jennifer began working for the Ombudsman office in 2014. She has completed ombudsman training prescribed by the United States Ombudsman Association (USOA). She previously worked in the medical field as a team lead and manager, where she obtained extensive clinical experience. She has received a Bachelor's of Science degree in Health Science (Healthcare Policy) from Arizona State University. She has a Master's of Public Administration with an Emphasis in Government and Policy, from Grand Canyon University. She has completed training with the Child Welfare Training Institution and Department of Economic Security to obtain clearance for the Children's Information Library & Data Source (CHILDS). Jennifer is proficient in American Sign Language.

John Wicus - Assistant Ombudsman.

John joined the office as an intern in January of 2018 while completing his Masters in Politics at Arizona State University. He previously worked as a Teacher's Assistant at ASU and taught the courses of Political Ideology, Problems of Democracy, and Contemporary Political Theory. He received a Bachelor's of Science in Politics (Global Studies) and a minor in European History from ASU. John attended ASU and then went to work for the State Ombudsman-Citizens' Aide Office after graduation. John completed the New Ombudsman Training offered by the United States Ombudsman Association (USOA). He is proficient in American Sign Language.

Yvonne Rothblum – Assistant Intake Ombudsman.

Yvonne joined the Ombudsman team in November 2016. Yvonne has worked in both the public and private sectors. She worked in the Arizona Commerce Authority (previously known as the Arizona Department of Commerce) and the Arizona Department of Revenue. In the private sector, Yvonne worked in retail. Yvonne has an Associate in Liberal Arts from Glendale Community College (GCC). While at GCC, she was inducted into the Phi Theta Kappa Honor Society. Yvonne continued her education and earned a Bachelor's Degree in Communication with a minor in Spanish from Arizona State University. Yvonne completed the New Ombudsman training by the United States Ombudsman Association (USOA). She has also completed the Council on Licensure, Enforcement & Regulation (CLEAR) training.