

Arizona Ombudsman-Citizens' Aide  
2020 N. Central Ave., Suite 570, Phoenix, Arizona 85004  
Tel (602) 277-7292 | Fax (602) 277-7312  
[www.azoca.gov](http://www.azoca.gov)



# ARIZONA OMBUDSMAN- CITIZENS' AIDE ANNUAL REPORT

FY 2024: JULY 1, 2023 – JUNE 30, 2024

Submitted by ---

Arizona Ombudsman-Citizens' Aide, Joanne MacDonnell

December 31, 2024



## Arizona Ombudsman-Citizens' Aide

2020 N. Central Avenue, Suite 570

Phoenix, Arizona 85004

(602) 277-7292

<https://www.azoca.gov/>

Greetings:

Pursuant to A.R.S. §41-1376, I am pleased to submit the Arizona Ombudsman-Citizens' Aide Office (AZOCA) Fiscal Year 2024 Annual Report. This report provides the year's statistics of note, a sampling of case summaries about what our office does for the people of Arizona, and other items required by statute.

We hope the case summaries will give you insights into how Arizona agencies interact with the public. In our work, we address the public's questions and complaints about state government agencies and their public access concerns at the state and local levels of government. We examine individual situations and how agency policies and procedures affect people, businesses, and other forms of government. We help resolve disputes without costly litigation. When an agency errs, we work to ensure the agency corrects the situation as best as possible. When an agency is correct and lawful, we explain why to complainants. We help people who otherwise need assistance navigating government. We specialize in resolving wide-ranging concerns from Arizona's 120-plus departments, boards, and commissions. Our authority over local agencies (Counties, Cities, Towns, School Districts, Charter Schools, and Special Districts) is narrower as it only extends to cover public access concerns.

Summarizing our experiences in the fiscal year 2024 (FY24), AZOCA helped 7,028 individuals and was involved with 228 government agencies. FY24 was a year of case growth for AZOCA. Our cases increased by 16.63%, with 1,002 more cases than FY23. That made it our highest caseload except for the COVID-19 year (FY21). We do not have an entirely clear picture as to why we are experiencing this uptick.; however, we are getting more referrals from various sources. We are getting increased traffic from the re-design of the State of Arizona website portal and main agency pages. Most agency pages now feature our office at the front and center of their pages. We have also found that some agencies are having a spike in their case numbers, and the ripple effect is raising our numbers.

We engaged in several projects during the 2024 fiscal year in addition to our core operations. Examples include:

- We updated our Point of Contact list and internal procedures manuals.
- We updated our two open-access publications in anticipation of this year's elections. Elections bring many new officials and workers into all levels of government. Frequently, AZOCA attorneys are called upon to train these people regarding public records and open meetings, which deepens their understanding of their public access responsibilities and helps them avoid legal trouble in these areas.
- We also made numerous refinements and updates to our case management system. We have made changes to allow our staff to more easily copy documents into our case system and to increase our ability to prevent human error.
- We developed procedures and adapted our case management system to help us effectively handle the implementation of Senate Bill (SB) 1629. SB 1629 requires AZOCA to work with the Arizona Department of Corrections, Rehabilitation, and Reentry (ADCRR) to obtain specific information from the cases we refer to the ADCRR and the other ADCRR cases we may investigate. By law, our office may not directly investigate inmate complaints or complaints made on behalf of inmates. The Legislature amended A.R.S. § 41-1376(8) to require our office to gather and provide particular ADCRR information to the Legislature in our AZOCA annual reports.

In the coming months of FY25, we will engage in further projects. All projects are using our existing appropriation of general funds. Examples include:

- A comprehensive website redesign to update it and enable more features. Part of this project will include creating a new webpage to communicate information about our new role in reporting complaint information about ADCRR. We expect to complete the project this winter.

- We are updating our telephone, fax, and internet systems with the assistance of the Arizona Department of Administration's (ADOA) Arizona Strategic Enterprise Technology (ASET) Office. After twelve years, our phone system is reaching the end of its useful life. We are upgrading our servers to have much faster circuits while avoiding many costs to the State. We expect to complete the project before the end of January 2025.
- We are moving our database to a cloud-based environment, away from a physical server. Once finished this winter, we will operate from a virtual Sequel server in the AWS Cloud. Previously, our backup was in the cloud environment; now, all of the system will be there.
- We are updating our records processes to prepare for an all-electronic recordkeeping system. People used to present us with physical documentation and objects (i.e., CDs, DVDs, zip-drives) that required us to physically maintain the items to adhere to record laws. Now, that is rare. Moreover, our case management system refinements have allowed us to electronically save information instead of relying on the physical storage devices. These and other technological advances will allow us to switch to electronic recordkeeping. Toward this end we modified our retention schedules and are in the midst of adapting our procedures to facilitate electronic record keeping.

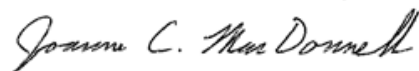
As we noted last year, the public is clamoring for better customer service from agencies. A lack of customer service, a lack of communication, and telecommuting barriers are common complaints. The public responds very positively when agencies are responsive with a human touch – prompt telephone or email communication or in-person meetings to go over paperwork or other evidence.

We received more complaints/inquiries about the following four agencies than any other. The Department of Economic Security (DES) was the subject of 1,341 cases in FY24, which was 231 (20.8%) more than FY23's 1,110. In contrast, the Department of Child Safety (DCS) continued its positive trend for the second year by having yet another decline in cases. We handled 91 (6.8%) fewer cases this FY24 (1,254) than we received in FY23 (1,345). We handled 48 (24.6%) more cases about the Department of Transportation (ADOT) in FY24 (243) than in FY 23 (195). We handled more than 200 (76.2%) more cases concerning the Department of Revenue (DOR) in FY24 (483) than we had in FY23 (274).

A significant item for the Arizona Ombudsman-Citizens' Aide in FY24 was the continuation of improvement in the relationship between our office and the Department of Child Safety. For over a decade, if not from the inception of our office in 1996, it has been a fairly fraught relationship. Starting in 2023, the relationship fundamentally changed for the better. This continued in FY2024 too. DCS resistance to our office faded, and admissions to complaints of improper agency actions have increased. DCS leadership became more open to self-reporting agency gaps, and readily explored the problems we identified. They moved more quickly to address gaps in the Guardian database. DCS technology and middle management staff were instructed to cooperate and not to intentionally impinge on our access, although there have still been some technological access issues with our access to DCS's Guardian database. Across the board, our staff noticed in our day-to-day interactions that the agency readily accepted constructive criticism and embraced collaborative interactions to resolve problems. They did a better job following up with more thorough research and responses. In addition to our daily interactions with DCS staff, at minimum, DCS's leader David Lujan and I would meet monthly for an hour and work through a multi-page agenda each time. At these meetings, we would review specific problematic cases, good and bad trends, and discuss ideas or specific actions to address problems.

I would be pleased to elaborate on any of our office activities if you wish. Please do not hesitate to contact me if you need anything or if our office can be of service to your constituents. We are happy to help people navigate the government.

Respectfully submitted and best regards,



Joanne C. MacDonnell  
Arizona Ombudsman-Citizens' Aide

# TABLE OF CONTENTS

## Contents

Aiding Citizens _____	1
How We Help _____	1
Outreach _____	3
Customer Satisfaction _____	7
Compelling Cases _____	16
General Complaints About State Agencies _____	16
Ombudsman Intervention in DCS Cases _____	30
Ombudsman Intervention in ADCRR Cases _____	44
Ombudsman Intervention in Public Access Cases _____	48
Our Cases – Statistics of Note _____	54
Investigations _____	54
Overall Case Statistics _____	55
Contacts by Agency _____	55
About the Ombudsman and Staff _____	61

## 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 state agencies' administrative acts, and recommending a fair and appropriate remedy. In addition, the Ombudsman - Citizens' Aide provides assistance and investigates complaints relating to public access laws and Empowerment Scholarship Accounts (ESA).

## 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. Arizona citizens can turn to the office 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's authority is by A.R.S. §§ 41-1371 through 41-1383 and operates under A.A.C. Title 2, Chapter 16.

the citizen's behalf, facilitate communication between the parties, or coordinate action between agencies. Our investigators foster relationships with personnel in every state agency to resolve complaints efficiently.

## Aiding Citizens

### HOW WE HELP

The Arizona Ombudsman-Citizens' Aide's Office provides a unique service because it offers objectivity to citizens who complain when they think their state government has mistreated them. The first thing our experienced team does 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 appropriately to resolve the issue.

We group responses into three categories:

#### Coaching

Many residents can resolve their concerns when they know the services available. Often, a citizen does not have a complaint but is looking for information. We help these residents by educating them on their options based on their specific requests or issues.

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, Better Business Bureau, etc.), explaining agency policies, researching information, offering conflict management strategies, and developing reasonable expectations.

#### Assistance

Sometimes, coaching is not enough, and individuals need our office to communicate with government agencies directly. Most complaints are the result of miscommunication or a simple mistake. In these circumstances, we contact the appropriate agency on

# OPTIMIZING OUR STATE GOVERNMENT

Assistance complaints are often the result of 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 take 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 return to us if they are unsatisfied.

Some assistance cases involve special tasks. We engage in training, perform research, issue ombudsman or public access material, and participate in other tasks. It is more than coaching; 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 complies with the law and offers optimal public service. Although we cannot compel an agency to follow our recommendations, most administrators are eager to resolve constituent problems and agency mistakes once we bring them to their attention. If the allegations are unsupported, we stand up for the agency and explain our findings to complainants. If necessary, we author investigative reports of our findings and recommendations, sending them to the agencies investigated, the legislature, the governor, and the complainants, as well as publishing them on our website.

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, a mistake of fact, based on improper or irrelevant grounds, unsupported by an adequate statement of reasons, performed in an inefficient or discourteous manner, and otherwise erroneous. Arizona Revised Statute (A.R.S.) § 41-1377.

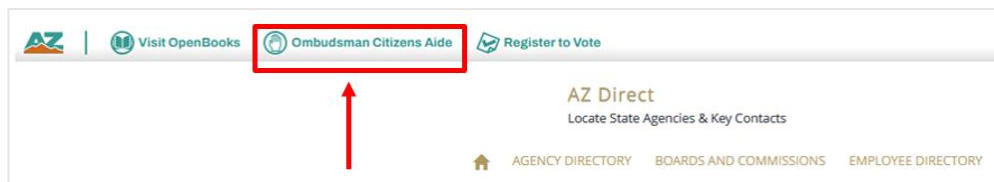
Arizona Administrative Code (A.A.C.) R2-16-303 authorizes us to conduct informal investigations when the complaint can be resolved quickly and by mutual agreement. Most investigations start with an informal process and are resolved as such. When situations get more complicated, the Ombudsman-Citizens'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

# OPTIMIZING OUR STATE GOVERNMENT

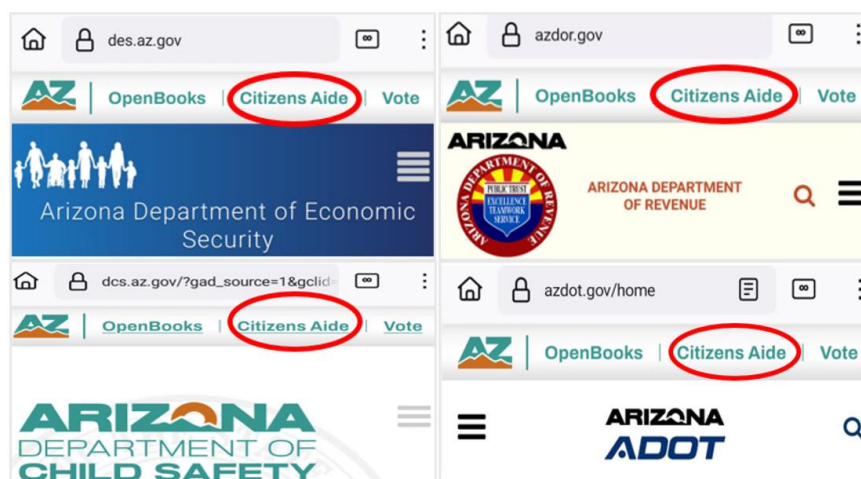
## OUTREACH

The Legislature directs us in A.R.S. § 41-1376(A)(2)(f) to note the Office of the Ombudsman-Citizens' Aide's (OCA) public awareness and outreach activities. Below are some of our engagement efforts and interactions.

- The Ombudsman's website (<https://www.azoca.gov/>) – We are amid a total website refresh, but until that is complete, we are keeping our existing website current. The website contains links to many resources to help the public, and to explain laws and the rights of the public in many circumstances. The website includes a general “How to file an effective complaint” tutorial, FAQs, and our electronic complaint form. It has information about public access laws. We have also included a tab with suggestions about interacting effectively with the Department of Child Safety (DCS). We also explain the difference between our office and the DCS Ombudsman Office. We have found that this is often a source of confusion for the public, so we clarify this.
- The State of Arizona web directory of state agencies, *AZ Direct*, features the Ombudsman-Citizens' Aide's Office as one of the primary segment tabs for the public. With the redesign of the State of Arizona's brand and website graphics, we are now featured in a much more prominent position and publicized fashion. Typically, we now appear as the top middle tab on most state agency websites and the opening page of the state directory. The posting there appears as the following:



- Another change to the redesign of the State of Arizona websites changed how state agency websites open when viewed on cellular phones. Again, we have been moved into a prominent position and appear at the top and center of most agency pages when people use their cell phones. The posting there says only “Citizens Aide” and appears as the following:



# OPTIMIZING OUR STATE GOVERNMENT

- We distribute comprehensive resource guide booklets about child safety and community resources that we created in collaboration with the Arizona Supreme Court Improvement Committees.
  - **Community Resources, Emphasizing the Needs of Those Involved in DCS Matters** - <https://www.azcourts.gov/Portals/46/Resources/CommunityAssistanceResourcesForParents.pdf>
  - **Understanding the Child Safety System** - <https://www.azcourts.gov/Portals/46/Resources/Resources-UnderstandingTheChildSafetySystem.pdf>
- Public access booklets - We publish and distribute our updated comprehensive Public Records Law and Open Meeting Law guide booklets. The booklets include our analysis of each area of record and meeting access law. We distribute these public access materials to elected officials and the public throughout the State. Cities, counties, fire districts, school districts, and state entities throughout Arizona depend on and refer to these booklets in training. We monitor and post statutory changes in recent legislative sessions and ensure our online and printed material keeps up with new legislation.
  - **Public Records Law** - <https://www.azoca.gov/wp-content/uploads/Public-Records-Law-Booklet-2024.pdf>
  - **Open Meeting Law** - <https://www.azoca.gov/wp-content/uploads/Open-Meeting-Law-Booklet-2024.pdf>
- Public access newsletter—On occasions of significant public access activities or legal changes, Senior Staff and Public Access Attorney, Danee Garone, writes a newsletter, *The Public Record*, which we post on our website and electronically distribute to interested parties to facilitate the communication of the change.
  - **The Ombudsman – Citizens’ Aide Office’s Public Access Newsletter** - <https://www.azoca.gov/open-meeting-and-public-records-law/newsletters/>
- Public access training - Public access training for public officials and the public throughout the state. Our public access experts, attorneys Danee Garone and Melissa Henry, conduct training sessions and participate in forum discussions regarding lawful practices relating to public records law and open meeting law. We have public records law and open meeting law training videos for those who cannot attend live training. We updated our videos in FY2024. Demand for videos has been high. In the 2024 fiscal year:
  - We conducted live training or provided training videos on dozens of occasions.
  - We provided training for public bodies in San Luis, Dewey-Humboldt, Phoenix, and Tucson and provided training videos to government entities all over the State.
  - We provided training for various public officials, such as Governor’s councils, executive agencies, special taxing districts, government clerks, community colleges, schools, and police departments.
  - We post public access training on YouTube and make them available on our website. One example: <https://youtu.be/mapggrHLJKE>.

At each event, we provide our office’s contact information and website and explain our services regarding public access issues and our general jurisdiction. Additionally, we distribute many of our



# OPTIMIZING OUR STATE GOVERNMENT

office's public records law and open meeting law handbooks at the training. On numerous occasions, new complainants have told us they only became aware of our office because of training.

- Media interactions – Occasional interviews throughout the State, including a newspaper interview about the public records law and the Ombudsman – Citizens' Aide Office as part of a public records series that appeared in the early part of FY24.
- On the Arizona Supreme Court's website, in a training video called *Guide to More Effective Communication and Representation*, Ombudsman Joanne MacDonnell explains the Ombudsman-Citizens' Aide's Office in general and its specific role relating to DCS dependency cases: <https://www.azcourts.gov/improve/Admin/Parent-Engagement>.
- We work with DCS to identify and resolve acute and systemic problems in the child safety agency. Various laws require DCS to identify the Ombudsman-Citizens' Aide's Office on its website, in its Notice of Duty to Inform, in its Temporary Custody Notice, and describe the Ombudsman-Citizens' Aide's Office in its Parent Handbook. Information about our office is also on the DCS website as a resource for the public.
- Ombudsman Joanne MacDonnell, Deputy Lane Organ, or attorneys Melissa Henry and Danee Garone were speakers, trainers, or participants in the following:
  - Forums with legislative assistants – orientation meetings and one-on-one.
  - Forums with legislators – orientation meetings and one-on-one.
  - Various speaking engagements – For example, to agency record officers, ASU Fellows, and others.
  - DES and DCS leadership individual and team meetings.
  - Outreach, speeches, and open house events at ASU, working with professors and interns.
- Better Business Bureau—Ombudsman Joanne MacDonnell serves as an ethics judge for the annual *BBB Torch Award Ethics Program* and as a panelist for the Torch Ethics Guidance meetings.
- Court panels—Arizona Court Improvement Panel, Parent Representation Standards Committee—Ombudsman Joanne MacDonnell serves on these committees. She is also on two subcommittees for court improvement relating to child safety and dependency, one for training and the other for safety.
- Staff attorney Danee Garone participates as a trainer in State Bar Continuing Legal Education presentations.
- Ombudsman trainings - Ombudsman Joanne MacDonnell and Deputy Ombudsman Lane Organ developed and taught a seminar about ombudsman procedures for DES's Ombudsman Office.

# OPTIMIZING OUR STATE GOVERNMENT

- The Self-Help Desk at the Maricopa County Courts—We distribute information about our office to them.
- United States Ombudsman Association (USOA) – The State of Arizona is one of the five classical state ombudsman offices in the United States. Our state is a model for many smaller jurisdictions.
  - Network—We receive referrals from other ombudsman jurisdictions in the United States. By sending representatives to the national USOA conference or participating in other USOA undertakings, we learn of different jurisdictions’ practical activities and best practices to better our office. We also send new OCA staff members to USOA’s internationally acclaimed New Ombudsman Training. We help new jurisdictions across the USA launch and teach them effective ombudsman methodologies.
  - Participate in training – Our staff periodically teach seminars.
  - Ombudsman Joanne MacDonnell serves as an elected Director and is the Secretary/Treasurer of USOA. Joanne is also active in the Children and Family Chapter of USOA and has served as a co-chair of that group twice in the past decade.
  - Our DCS specialists, Alicia Nugent and Thomas Driscoll, participate in USOA Children and Family Chapter meetings. These meetings focus on sharing best practices and other helpful information between jurisdictions that engage in ombudsman activities with child safety situations.
- The Attorney General’s Office sends matters to us. The Attorney General’s Offices primarily refer government agencies, staff, and elected officials when they find those entities have failed to adhere to some aspect of public access law. However, the Attorney General's Office also refers people to us when it cannot take cases for whatever reason. We routinely assist their Consumer Division. We provide our expertise regarding open meetings and public access. We also offer general complaint assistance when the Attorney General’s Office is unsure where to direct the public.
- Information about our office is featured on State of Arizona websites for agencies that perform investigations according to A.R.S. §§ 41-1001.01 and 41-1009.
- We work with the 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.
- We distribute our Point of Contact Google Doc resource directory to various government agencies.

# OPTIMIZING OUR STATE GOVERNMENT

## CUSTOMER SATISFACTION

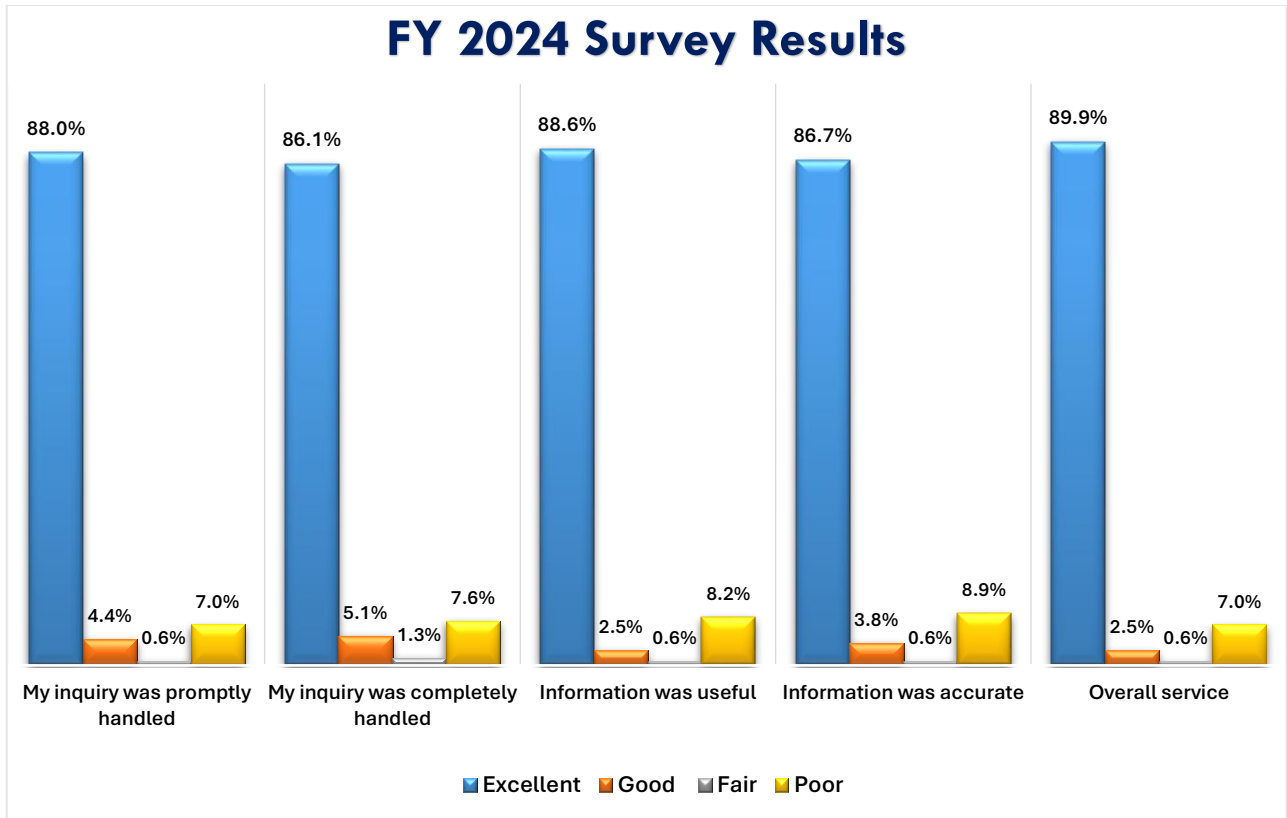
We receive feedback from the citizens we help so that we can evaluate our performance, correct shortcomings, and improve our service. We get feedback through our customer satisfaction survey, which we distribute at the close of cases and under our signature blocks. The survey measures how well we accomplish the six standards 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 **practical** solutions to citizens.
- Provide **accurate** responses to citizen complaints.

## WE WELCOME FEEDBACK

The chart and comments on the following pages summarize the survey results for FY2024.



# OPTIMIZING OUR STATE GOVERNMENT

## KUDOS AND COMMENTS FROM CITIZENS WHO USED OUR SERVICES IN FY2024:

“Resolved an issue with MVD that I was trying to solve for three years.”

“I have used your services before. You guys are very resourceful and helpful. And I appreciate you and your agency to the fullest. Thank you for everything you do from the bottom of my heart.”

“Thank you so much! You have been extremely helpful.”

“Alicia, thanks for the advice! I am very grateful for your time and assistance.”

“I wanted to recognize Julian for his resourcefulness in helping me. Based on the contact information he provided I was able to have my license reinstated and return to work. I didn't even know this service existed until I called the Governor's Office, who led me to this office. I'm really grateful.”

“Joanne, thank you again for so much of your time yesterday. I am reading everything you gave me and finding it very informative. You are truly too kind and I am very grateful to have met you.”

“Shante and Danee were always polite and professional and sincerely motivated. All my calls were answered promptly and politely. Makes me a believer that there are government employees working for the public good after all.”

“I was given plenty of resources to assist me in my quest to obtain custody of my nephew. I am truly grateful for the information provided and the links given. I have read through them thoroughly to gain the needed knowledge to move forward. Thank you, Brandon.”

“I feel like Yvonne was very knowledgeable in helping get me the information I would need to resolve my issue. I thank her immensely for her help.”

“I am so impressed with your service and especially John. My issue had been ongoing for a very long time and it was completely resolved in less than an hour! Thank you so much.”

“I personally want to extend to you a big thank you of gratitude. Michael, you listened to me when no one else would!! You gave me hope that this would be resolved and thank you for listening to me when I was on the verge of collapse. You will never know how the calmness in your voice and in your response kept me in peace!! I will forever be grateful for your assistance!! Thank you again! I wish the best for you! May God continue to shine his face on YOU!!”

“This office is crucial to holding agencies accountable for their actions and oaths toward the citizens of Arizona. I am grateful there are logical people like Frank who examine information efficiently and empathize with people but also give rational expectations and operate with a sense of urgency.”

“First allow me to thank Connor, the young man I spoke with yesterday, for his patience, understanding, and professionalism. Melissa, I also want to thank you for taking the time to consider my complaint against the Arizona National Guard.”

“Yvonne was so incredibly patient and helpful, she even called me back when my phone accidentally hung up. She helped me with names and emails I inquired about and walked me through understanding state and city

## OPTIMIZING OUR STATE GOVERNMENT

officials. In a time when my stress level is so frayed she made those ten minutes so easy. I'm so thankful to her."

"Connor: I just received an email from ADOR telling me that they are sending me a check, with interest, for my 2021 tax refund. Thank you so much for your assistance in making this happen. You've restored my faith in Arizona government, and I will be forever grateful."

"Yvonne did an excellent job connecting me with resources. She goes above and beyond and should be recognized for all of her hard work. I really appreciate it."

"Melissa, I enjoyed today's training. It was highly informative!"

"Brandon, thank you for your patience and hard work helping me get this nearly two-year ordeal completed! I appreciate your help very much."

"John has been very pleasant to work with on this matter and very helpful."

"Michael, thank you for being so on the ball - I appreciate it."

"This office does help. I could not even get the department to verify if they received a piece of certified mail without Frank. Within a few days my mail was found. It should not be this way, but I'm happy I'm getting through and that I didn't have to pay for the process again. Thank you, Frank!!"

"Yvonne was the consummate professional, patient and helpful in answering my questions and pointing me to the resources that were needed which I had not otherwise yet found."

"Yvonne was so helpful in providing me with the information I need to help me with my case. Yvonne is a wonderful person for sending me several links that will assist me with researching my next steps."

"Melissa, Thank you so much for your help and information with everything!"

"This office provided extraordinary customer service and went above and beyond what could be expected. The staff's ability to comprehend a complex interagency situation and provide detailed guidance and counsel was both expedient and effective."

"Your office was extremely helpful. They were the only ones to listen to my issues and provide the education I needed to resolve them."

"Yvonne was tremendously courteous and an exemplary ambassador to the great state of Arizona. She should be publicly recognized."

"I can't thank John enough. He was helpful and kind. Even remembered that my husband is ill and the added stress we experienced due to the AZ Department of Revenue errors. The Department of Revenue gentleman I was connected with via John's help was also very reassuring and helpful. Because the situation was an error by the DOR, we will be made whole and fines paid will be returned to us. I couldn't have managed this without John's help and we are grateful. Thanks for being there for the help we received!"

"I can't stress enough how much I appreciate you and how helpful you have been."

# OPTIMIZING OUR STATE GOVERNMENT

“Frank’s advocacy was immediate and exemplary resulting in an exceptional outcome and is greatly appreciated!”

“Brandon, Huge thank you. I will highly recommend your office and you personally. You did a great job.”

“Yvonne really deserves a raise or a promotion because I am a very difficult person but she handled me with no problem with such ease. Y’all need more people like her.”

“Melissa, as usual, we are so impressed with the response time and quality of feedback.”

“Yvonne was the BEST! She was helpful, patient and courteous!!”

“Tamela was beyond helpful. I appreciate her empathy and understanding of my situation without knowing the full details of my struggles. State offices and government agencies need more people like her working for them.”

“Thank you so much for taking the time to explain information I did not understand. Thank you for taking it slow with my disabilities.”

“The staff were very professional and recommended different agencies to resolve my issue.”

“Very knowledgeable and helpful with my concern. 😊”

“Yvonne was so virtuous and helpful! Thank you so very much!”

“Very kind and helpful service. Not sure how I would have fared without John's help. The AZ Department of Revenue is no longer threatening us over their mistake and have stated the fines and other penalties wrongly imposed will be paid to us. Thank you so much for helping us.”

“Thanks for your guidance to fix our Arizona Dept. of Revenue refund problem. Thank you so much for your assistance. We finally, after all these months, got our money.”

“Frank was outstanding. Prompt, courteous and professional.”

“Yvonne communicated with clarity, kindness and efficiency and provided clear steps to proceed and how I can be more clear in my communications.”

“Tamela, thank you for taking the time to review my issue. It was very helpful for me to see an actual timeframe that I may have to wait for the review of my documents/case.”

“Totally PROFESSIONAL. Exceeded my expectations on every level.”

“Very thorough and had an abundance of information and made sure I understood the directions.”

“Yvonne was very helpful and thorough in her explanation of exactly what I needed to do.”

“Intake was excellent help.”

“The staff member I spoke to was very patient with me and very helpful.”

“This office is very helpful with resources and navigation.”

# OPTIMIZING OUR STATE GOVERNMENT

“This office was incredibly helpful and provided me with a wealth of information, the proper referrals, and even took the time to talk me through how to write a formal complaint.”

“I make a lot of calls for assistance from government agencies related to my work/job, for assistance and Yvonne was the most pleasant, informative, patient and refreshing individual to converse with. She gave me so many avenues to try to obtain the information I was seeking and even told me to call her office back if I didn't get the information I needed. Yvonne seems to be a valued employee and assistant to the public.”

“Staff was kind, thorough and professional. Thank you.”

“Thank you for your assistance 😊 ⚙️ 👤 ... I appreciate your help in retrieving my money that the state of Arizona is presently holding.”

“Yvonne was extremely helpful, and very patient. I really appreciate the time and help that she gave me.”

“I am so appreciative to have a service like this, which in my 60 years on the planet, I never knew existed. John, who handled my MVD problem was just phenomenal, professional, and courteous. Having great employees and an avenue to request some level of assistance provides a truly valuable service for the residents of Arizona when they need some guidance that doesn't occur through normal means. Wonderful service and thanks again! I hope not to use this office in the future; however, it does the heart good to know that it is there.”

“Michael, I want to thank you again for your help. It was super insightful and helpful.”

“Frank was very polite and answered my questions.”

“I really want to thank Yvonne for being so supportive.”

“Your office was very helpful. Seemed to genuinely want to help.”

“Thank you for giving great information and being incredibly compassionate.”

“Intake very kindly explained fully and I felt empowered at the calls conclusion.”

“Great help to me and gave me so much information that I can look into. They were so kind and patient, pleasant, and excellent with helping me.”

“Very friendly, helpful, and informative. Thanks.”

“This office was exceptionally helpful.”

“Most helpful and so understanding. I did not feel frustrated anymore.”

“Your office, and particularly John, is the only reason I was able to get the services I wanted from the MVD. The referral to the contact at the MVD made the difference. Thanks!”

“The investigator, Frank, helped me greatly and took the time with my issue and found the solution to my problem with DES. Having the Ombudsman's Office helping me when no one could/would was a lifesaver for me! Keep up the great work!”

“Yvonne is an asset to your organization!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!”

## OPTIMIZING OUR STATE GOVERNMENT

"Tamela: Thank you for your phone call and walking me through the different groups addressing the grievance. Your discussion and further assistance is a bright spot in this otherwise difficult process!"

"Courteous, thorough and informative."

"Great help. Gave me a plethora of resources, all relevant, to resolve my inquiry."

"Staff were so incredibly kind and helpful. I am most grateful for the assistance."

"I am so grateful for the guidance your office was able to provide. I finally feel that I can let my client know that their issue WILL get resolved correctly."

"The most helpful information I've received after years of frustration. I am tearing right now. So grateful receiving this help."

"Incredibly helpful on so many levels. Thank you!!!"

"Yvonne was very nice! She listened, answered all my questions thoroughly and helped me understand the process."

"The contact was knowledgeable and efficient without showing any bias, greatly appreciated."

"I am astounded by the abundant knowledge passed on to me and the obvious care and concern demonstrated by the staff and the time given to me. It was truly a pleasure to call."

"Was very helpful."

"Yvonne, thanks so very much for taking the time out of your day to enlighten me about the process of the issues most concerning me, and ways to navigate through the system. The knowledge you so articulately conveyed to me will indeed be a great benefit to me going forward. After our discussion I felt more empowered, better prepared, and focused because of the information you have given me. I can unequivocally state that if there were more people in positions of guiding the public to reach the proper people and places, you would serve as the perfect example and stature of what to be. I commend and thank you for your intellect, patience and unswerving desire to assist."

"This office helped me get my ability to make a living back. I am forever grateful!"

"Great service and response time. Thank you."

"The experience that I had with Yvonne was tremendously educational and empowering, but there was also a warmth displayed by her from the moment of the initial greeting until the closing of our conversation in conjunction to her level of professionalism. It was quite impressive the knowledge she had and the extent she went to provide me the most astounding amount of insight and information of which I had not known. My experience was such a blessing and I thank God for having blessed me and allowed me the very fortunate and fulfilling experience I could've even imagined. Thank you! Thank you! Thank you!"

"John was able to resolve my issue in 24 hours. Very professional and easy to deal with. Thank you!!!"

"Thank you, Michael, for your kindness and help."



# OPTIMIZING OUR STATE GOVERNMENT

“Frank was very helpful and the issue was taken care of promptly.”

“Yvonne is a supreme asset to the Arizona Ombudsman staff. With conscientious and thorough detail, she provided extensive information to address, hopefully alleviate, the neglect of my long-term friend. It has been my pleasure to have the experience and consideration of Yvonne.”

“John, I received my benefits. Thank you again. Without your help, I know it would’ve taken many more weeks to resolve this matter. If you ever need someone to speak in front of a board or committee, I will. I appreciate all that you have done for me.”

“I would like to express my appreciation for all the help that I was given by Michael. In contacting the Ombudsman’s Office, Michael was able to provide me with a lot of knowledge in regard to my initial issue and another issue that I am dealing with. He was very responsive, diligent and knowledgeable, not to mention, patient. He talked me through all of my questions and gave me direction and contact information for both of my concerns. Thereafter, he also followed up with me with both an email and phone call. Workers like this are rare and greatly appreciated, especially when the person on the other end of the call is experiencing difficulties with government entities. Because of his efforts, I was able to successfully connect and speak to someone after a year of not being able to do so. It was a huge weight off my shoulders to FINALLY be able to speak to someone and have questions answered and have some direction. We truly need more like him!!! Thanks so much for your time and have a great day!”

“Frank, I want to thank you and let you know how very much I appreciate your prompt response to my requests.”

“Yvonne was the most thorough, friendly, helpful person that I have spoken with. She was a ray of sunshine on a cloudy day.”

“Quick, courteous response and much-appreciated guidance.

“I can't thank you enough for the help I received.”

“I felt heard and cared about.”

“The assistance from the Ombudsman’s Office is invaluable in holding service providers accountable.”

“Yvonne was extremely helpful even though what I needed was not something she could respond to. She did provide me with further avenues to research for answers. Wish more agencies had employees like her!”

“John was terrific and I appreciate his professionalism and responsiveness.”

“I was very pleased with the excellent customer service that I received and the timely manner in which it was received.”

“I was treated with respect and the staff was very knowledgeable.”

“The office did a wonderful job of helping us solve the problem that we were facing with contacting a DES official!”

“Yvonne was wonderful. Please thank her for being so kind and helpful.”

“The action taken was quick, fair, and accurate.”

# OPTIMIZING OUR STATE GOVERNMENT

"Excellent assistance with my issue, thanks!"

"The agent was incredibly patient and very helpful. An asset to your agency!"

"Staff were very, very helpful, and kind."

"A Miracle. The woman I spoke to brought hope to an entire family. You guys gave me the deep breath I needed and the hope I'd lost. Amen for this. Thanks for being for us. No one else has been."

"I really appreciate the help from Yvonne. She was amazing. Me and my wife have been given the run around, people have been short with us, but Yvonne was kind, courteous, helpful and genuine. There isn't enough people like her in this world. She is definitely an asset to your agency."

"Yvonne was very helpful and patient with me. She is a positive asset to your organization!"

"This was my first time contacting the office and I was very pleasantly surprised by the speed and courtesy of the service I received."

"Amazing help straightening out our government systems and employees."

"Very impressed with the office!"

"I am thankful for the opportunity to work with you. Otherwise, I do not think anything would have been resolved in my case."

"I appreciated how fast I received a response regarding my inquiry. The information I got was extremely helpful."

"I cannot thank you enough for your patience and your assistance. I felt relieved and empowered after speaking with you."

"John - Just wanted to thank you again for your assistance! I don't think we would have gotten very far without your help. I just wanted to thank you once again and let you know how much your help was appreciated."

"Thank you for taking the time to research the different agencies and explain each one's function to me. I appreciate how willing to help staff were and to point me in the right direction. Comforting to know people take their job serious and not just play pass the puck because they're unsure."

"Very helpful in unfamiliar water. Patient and empathetic. They walked me through the process and I give your office straight A's."

"Very professional."

"It was my first time speaking with your office and was treated with kindness and patience."

"Fast response and so helpful! Thanks so much!"

"Yvonne, for over a year now my mother who is terminally ill has been dealing with transportation issues. The lack of customer service through the entire ordeal has truly been disgusting. I made one last call to the Ombudsman's Office and Yvonne picked up the phone. As I cried on phone, I was frustrated and feared that

## OPTIMIZING OUR STATE GOVERNMENT

my mom wasn't going to make it to her medical appointment and would have to wait weeks to months again. Yvonne was so kind. She listened, she cared, and she provided me resources. I don't think she will ever truly understand how thankful I am for her help, for her listening and for her treating me with kindness and respect. Major parts of the Arizona System are broken and with the constant, passing the buck, disrespect and hang-ups, a person can become tired and frustrated. Lucky for me, Yvonne provided that little bit of support and information to help me continue to deal with this problem.”

“John, I cannot thank you enough for assisting me through this process and the positive outcome. Knowing organizations like this exist when there is no place left to go is phenomenal (the people and institution) and is why I love Arizona!”

“Thank you for a wonderful job.”

“John, I want to thank you for your earlier effort my behalf. I was contacted by the AZ MVD, as you said I would be. They handled the problem with courtesy, and I am impressed with both them and you.”

“Thank you for your assistance, Yvonne! I appreciate you taking the time to speak to me and listen.”

“Thank you so much for your time and help. From the bottom of my heart, thank you so much.”

“John, Thank you so much for your help. Within the hour I had a phone conversation with AZDOR and they reduced my penalty to zero! This is truly amazing! You have given me back my life. 👍”

“Thank you, Yvonne for your help. Your help is greatly appreciated. Thank you for taking the time to explain everything to me, your patience and your kindness. You were amazing to work with.”

“Joanne, I’m sure you hear this all the time, but I cannot thank you enough for your direction.”

“Words cannot express how I feel about Danee’s detailed reply and care for the citizen.”

“Thank you for all your assistance. You were extremely helpful.”

“John, I just wanted to let you know that the problem was fixed, and I received my money. It took a ton off my shoulders. Without your help, I would still be waiting for it to be resolved. Again, thank you for your time and effort. Please let your boss know what a good job you did.”

“Yvonne has been the most conscientious, sincere, helpful representative of the AZ Ombudsman. I'm so fortunate to have met her for my concerns. Thank you.”

## COMPELLING CASES

The following case summaries are examples taken from the 7,028 cases we handled in FY2024.

### GENERAL COMPLAINTS ABOUT STATE AGENCIES

**Our intervention resulted in stopping an unfair financial burden on a citizen or small business as exemplified by:**

**2304042. Department of Transportation – Motor Vehicle Division**

A business owner contacted us with a problem related to a truck he had purchased from an Arizona Department of Administration (ADOA) auction. He said that the title he obtained for the truck and the truck's VIN number did not match. His title appeared to be for an identical truck with a similar VIN number. The other truck had been dismantled. He had bought his truck to use in his business, but without having the correct title, he was unable to use it.

He claimed he had contacted the Arizona Department of Transportation's (ADOT) Motor Vehicle Division (MVD) but was told he would need to get a bonded title at his expense. We provided his supporting documentation to the MVD Constituent Services Office, including pictures of the mismatching VIN numbers. As a result of our involvement, the business owner received the title and registration for the truck to which he was entitled.

**2403268. Department of Economic Security - Employment and Rehabilitation**

A man contacted our office with concerns about an issue with a fraudulent Unemployment Insurance (UI) overpayment that he had been trying to resolve for three years without success. DES had recently intercepted his tax refund to pay back the fraudulent overpayment, even though he claimed that he never applied for or received UI benefits. We contacted the DES Ombudsman's Office, who facilitated assistance and response from the DES Office of Accounts Receivable and Collections (OARC). We were informed that after reviewing the case, a refund check of \$700 had been issued and mailed to the complainant.

**2403230. Department of Economic Security - Child Support Services**

A non-custodial parent contacted our office alleging that the Arizona Department of Economic Security's (DES) Division of Child Support Services (DCSS) had incorrectly intercepted his tax refund of over \$2,000 to pay his child support even though his balance in California was showing as current. He alleged that three months had passed, and Arizona would not respond to him or California. We contacted the DES Ombudsman's Office to request their assistance. The DES Ombudsman's Office referred the complaint to the Division of Child Support Services (DCSS) for review. Our office was informed that the tax intercept was made in error and a refund would be issued to the complainant.

## **2303257. Department of Revenue**

A taxpayer contacted our office with a complaint regarding an outstanding tax refund of \$950 from the Department of Revenue (DOR). He alleged that the agency did not provide him with his refund in a reasonable amount of time. He claimed he had made attempts to address his concern with DOR but was unsuccessful. We reached out to the DOR Problem Resolution Office and asked that they ensure any refund owed to the taxpayer was being appropriately processed and sent to him. DOR reviewed the case, sent the constituent the outstanding tax refund, and identified the issue that caused the untimeliness. DOR informed us that it had provided some additional training to one of its employees on the matter, and the resident contacted us to thank both our agency and DOR for processing their tax return.

## **2400564. Department of Transportation - Motor Vehicle Division**

A state representative's office forwarded a complaint to our office from an outdoor jeep tour company that had a problem registering its 11 all-terrain vehicles. The Arizona Department of Transportation's (ADOT) Motor Vehicle Division's (MVD) electronic automated system was not accepting the company's insurance and had imposed registration penalties on the company. An employee from the company had been unable to speak with anyone at the MVD to resolve the issue.

Our office contacted the MVD Constituent Services Office and shared the company's problem. We requested that they review their electronic insurance verification system to check if there had been an error in processing the insurance company's submissions. A few days later, the MVD Constituent Services Office informed us that the company's ATV registrations had been accepted, and the penalty fees had been waived. The employee told us he was grateful for our assistance. Our office also informed the state representative that the issue had been resolved.

## **2304476. Department of Revenue**

An elderly taxpayer contacted our office about a tax matter concerning the Department of Revenue (DOR). She alleged that she had paid an almost \$1,300 tax bill to the agency via certified mail; however, the agency was threatening to place a lien on her home claiming she had not paid. She said she was unable to get assistance from DOR despite several attempts to contact the agency. Our office contacted the DOR Problem Resolution Office. DOR investigated and discovered the issue and resolved the matter. The taxpayer thanked us for the timely assistance.

## **2400367. Department of Revenue**

A Legislator referred a taxpayer to our office about a sales tax payment issue with the Department of Revenue (DOR). The taxpayer said she had paid the sales tax payment in 2021 via electronic check. She said DOR had cashed the check. She said the DOR "has now penalized [her] \$125.00 for filing a late report and not filing electronically. The penalty is growing every day at 5%." She said she had been unable to resolve the matter despite several attempts to contact DOR and doing everything the agency asked of her. Our office discussed the issue with DOR. DOR promptly contacted the taxpayer to resolve the issue. An agency employee said, "I was able to reverse all the penalties as she told me the business closed, she no longer has the computer to get online to file and she had an error in filing that caused the penalties to begin with (she paid, but didn't submit the electronic return)". The taxpayer was thrilled with the immediate assistance and thanked our office and DOR for our help.

# OPTIMIZING OUR STATE GOVERNMENT

**Our intervention resulted in identifying a field practice that was not in accordance with the agency's stated procedures and/or statutes, as exemplified by:**

**2305699. Department of Transportation – Motor Vehicle Division**

A motorist contacted our office with a concern regarding a special veteran license plate. He said that his local Arizona Department of Transportation's Motor Vehicle Division (MVD) office was unable to issue the plate to him because its computer system could not process the vehicles being registered to a trust and not him. Our office discussed the issue with the internal MVD ombudsman and asked the agency to investigate it. MVD fixed the issue and resolved the matter, which allowed the motorist to obtain the license plate. The motorist contacted us back to confirm the matter was resolved.

**2402657. Department of Economic Security - Benefits and Medical Eligibility**

A resident contacted our office claiming they were incorrectly denied nutrition benefits. The resident stated he contacted the DES Ombudsman's Office, but the response he received from the Family Assistance Administration (FAA) Client Liaison Unit did not explain the policy that he was disputing. He also stated that the response was rude and unprofessional. After reviewing the communication exchange and the relevant FAA policy, we determined the policy was not being applied correctly to the resident's case. We forwarded the information to the DES Ombudsman's Office, and they confirmed our findings. They coached the employee on policy and to be more mindful of word choices. The resident confirmed that his issue was addressed and resolved, and we closed the case.

**2401044. Department of Economic Security - Developmental Disabilities**

A guardian reached out regarding process concerns with the Division of Developmental Disabilities (DDD). The complainant reported receiving conflicting information and that the placement of their family member had stalled. During this process, the guardian reported that the contradictory information had caused them financial hardship because they had to self-pay for the member's placement. The guardian noted that DDD had not provided an alternate placement to meet the member's needs and had not offered any options for how to cover the out-of-pocket costs of the current placement. They also noted that if this continued, the member would lose his current placement, and to date, they had not found a suitable alternative placement.

With our intervention, DDD exhausted options for approving the current placement but found that it was not the least restrictive. DDD also approved funding for the period during which inaccurate information was provided to the member and the member's guardians. DDD issued an official decision on the placement that contained appeal rights. The guardian confirmed receipt of the decision and indicated they would challenge the decision through the appeal process.

**2403990. Department of Education – Empowerment Scholarship Accounts**

According to a father, the Empowerment Scholarship Accounts (ESA) were not complying with their proof of residency requirements. The man complained that the ESA website stated that a document from a federal agency was acceptable. However, his document from the Department of Veterans Affairs was rejected, further delaying his children's enrollment. He even claimed that when he called the ESA program, representatives from the program could not tell him why his federal document had been rejected.

# OPTIMIZING OUR STATE GOVERNMENT

Our office reviewed the eligibility section of the ESA website and found that a document from a federal agency was indeed acceptable as proof of residency. A few days later, the man again contacted our office, as he had been notified that the ESA program had rejected another document he submitted as proof of residency. This time, it was a document from the U.S Department of Veterans Affairs, which also met the requirements identified on the ESA website.

Our office made another inquiry with our contacts at the ESA program and requested that the program either accept his federal documents or explain why they were being rejected. A few days later, the complainant thanked us via email as his application had been approved.

## **2306211. Department of Economic Security - Adult Protective Services**

The daughter of a senior citizen complained about Adult Protective Services (APS) after its investigation into the actions of her father's caretaker. The daughter had initially reported that the caretaker was exploiting her father's finances, but APS issued a determination of "Not Substantiated." She alleged the APS Investigator inadequately investigated the case because they failed to request her father's financial statements to prove her allegation.

Our office requested that the Department of Economic Security, Division of Aging and Adult Services, which oversees APS, provide our office with the initial Intake Information Report and the resulting Investigation Report. The APS Intake Information Report listed several allegations, and the daughter identified financial exploitation as a key concern. Our office then reviewed the APS Case Information Report. The APS Investigator acknowledged and discussed the concern about financial exploitation and eventually concluded that economic exploitation was not a factor, so there was no reason to pursue it further.

Although our office did not question the findings made by the APS Investigator, we were concerned that the APS Investigator disregarded APS Policy by not obtaining financial records. INV 15 ALLEGED PERPETRATOR CONTACT AND DUE DILIGENCE TO LOCATE, Procedures (A)(6), states:

*"When the allegation is financial exploitation, the APS Investigator must obtain and review a copy of the financial records before interviewing the Alleged Perpetrator regarding the financial exploitation allegations. Using the financial records allows the APS Investigator to question the Alleged Perpetrator on the details of the financial exploitation."*

The Intake Information Report clearly identified financial exploitation as an allegation. Therefore, the APS Investigator should have obtained and reviewed financial records regardless of her eventual conclusion. APS acknowledged the violation of policy and rectified the error by conducting a Financial Exploitation Investigation.

## **2403112. Department of Transportation – Motor Vehicle Division**

A resident contacted our office regarding issues with having her license reinstated by the Motor Vehicle Division (MVD). She said her license was suspended following a DUI she received four years prior. Despite having completed all the requirements for reinstatement several years ago, she claimed she could not get her license as the MVD was unable to determine how to resolve an issue with her record in the system. We contacted the MVD Ombudsman to review the resident's record and help ensure its accuracy. The

MVD confirmed that the records were incorrect and were updated due to our inquiry. They explained that the issue occurred when the MVD's prior system merged with the new MAX system, resulting in missing information on the resident's record. They informed the resident of their findings and told her that a replacement driver's license would be available to pick up at a local MVD Office.

**2305532. Department of Revenue**

A taxpayer contacted our office about an outstanding tax refund he believed he was owed. He alleged that the Department of Revenue (DOR) had miscalculated his refund and had been unresponsive when he tried to address the matter with the agency. We contacted DOR to help ensure the agency contacted the taxpayer and verify the information DOR had on file for the taxpayer. DOR responded that it could verify the information and that the taxpayer was correct about the refund. DOR proceeded to provide the taxpayer with the tax refund. We encouraged the taxpayer to contact us if further issues arise.

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

**2304633. Department of Revenue**

A resident filed a complaint with our office regarding a tax refund owed by the Department of Revenue (DOR). They stated they could not obtain assistance from the DOR in addressing their concerns. We asked the DOR Problem Resolution Office to review the complaint. DOR reported that they contacted the resident and issued a special adjustment to allow the tax refund to be processed appropriately and mailed.

**2305217. Department of Transportation – Abandoned Vehicle Unit**

A motorist contacted our office about the Arizona Department of Transportation's Abandoned Vehicle Unit (AVU) being unresponsive to him for over 90 days despite numerous attempts to contact AVU through email and phone. The motorist was attempting to acquire title for a vehicle that had been declared abandoned. Our office contacted the Motor Vehicle Division (MVD) with all the details regarding the motorist's case and asked that the agency review the case. MVD promptly reached out to the constituent to educate him and help him through the proper process of re-establishing the vehicle's title. The motorist thanked us for our assistance in helping to navigate the process.

**2403122. Board of Massage Therapy**

A massage therapist contacted our office because she had problems renewing her license and claimed that the Board of Massage Therapy (Board) was not responsive to her. We reviewed the case and found that the Board and the therapist were having communication issues, and the Board did not have all of the material needed for the therapist's renewal process to be completed. After discussing our findings, the Board helped ensure all the material was in order and successfully renewed the license. The massage therapist thanked us for our assistance in ensuring she could continue to practice.



# OPTIMIZING OUR STATE GOVERNMENT

## **2400515. Department of Transportation – Motor Vehicle Division**

A motorist contacted our office about a vehicle registration refund he sought that he believed had been improperly withheld by the Arizona Department of Transportation’s Motor Vehicle Division (MVD) for four months. Additionally, he claimed to have trouble contacting MVD to facilitate receiving the refund. We reached out to MVD to bring attention to the issue and learned that the refund had improperly been sent to the incorrect address and had been returned. MVD said it would send the refund to the correct address. The motorist confirmed receiving the refund and thanked our office for our assistance.

## **2304957. Board of Barbering and Cosmetology**

A cosmetologist had waited more than two years for the Board of Barbering and Cosmetology (“Board”) to process their applications for both a cosmetology license and a barber license. At a recent Board meeting, the Board assured the cosmetologist that it would work with her to resolve the cosmetologist’s license concerns. However, another four months passed, and the licensing issue remained unresolved. Our office contacted the Director of the Board. The Director acknowledged that the Board had not provided the cosmetologist with quality or timely customer service. The Director investigated the cause of the delay and the customer service failures. The Board subsequently worked with the cosmetologist to resolve the outstanding issues with both applications. The licenses were issued one week after we contacted the Board.

## **2303408. Department of Revenue**

A taxpayer had trouble receiving their tax refund from the Department of Revenue (DOR). They stated they had made several attempts to address the matter with DOR but could not reach someone who could assist. We provided the DOR Problem Resolution Office with the details of his case and asked them to ensure the taxpayer’s case was handled appropriately. The taxpayer contacted us a short time later to confirm that they had been approached by the DOR and had received the refund he had been trying to secure.

## **2401484. Department of Economic Security - Benefits and Medical Eligibility**

We received an email from a U.S. Senator’s Office indicating that a constituent had concerns about the Department of Economic Security (DES). The constituent told us their issue was regarding a nutrition assistance overpayment and his inability to reach a representative for assistance. He confirmed that he had contacted DES, and the response he received was that no one could help. We provided him with the contact details for the appropriate DES Office and information that we felt would be helpful with the concerns that he presented. He later confirmed that he could resolve the issue using the information provided by our office.

## **2400631. Department of Transportation – Motor Vehicle Division**

A motorist who moved to Arizona from Hawaii contacted our office regarding his issue with the Arizona Department of Transportation’s (ADOT) Motor Vehicle Division (MVD). Unfortunately, he had lived in Hawaii during the wildfires, and all his identification forms burned, except some expired documents. His attempts to obtain Identification from the Hawaii Motor Vehicle Division (Hawaiian MVD) were unsuccessful. We even contacted the Hawaiian MVD on behalf of the motorist to see what could be done, but we were told they could not assist unless he flew back to Hawaii.

# OPTIMIZING OUR STATE GOVERNMENT

Our office reached out to the Arizona MVD Ombudsman to determine if there was any assistance they could provide. We explained that the motorist did have documentation of a lease and utility bill for his current residence. After a few days, we received an e-mail from our contact at the MVD informing us that they had accepted the documents he had in his possession and would be issuing him an Arizona I.D.. We followed up with the motorist, who confirmed receipt of his I.D. from Arizona and thanked our office for facilitating assistance.

## **2402078. Department of Education – Empowerment Scholarship Accounts**

A parent complained about conflicting information on the Empowerment Scholarship Account (ESA) website and in the ESA Parent Handbook. The parent pointed out that the ESA webpage stated the ESA Support Line was available Monday through Friday, 10 am to 2 pm. However, the ESA Parent Handbook stated that the ESA Service Team was available Monday through Friday, 8 am to 8 pm, and Saturdays, 8 am to 12 pm.

Our office reviewed the claim by comparing information on the ESA webpage and in the ESA Parent Handbook. The webpage identified that the "ESA Support Line" was available Monday – Friday, 10 am to 2 pm via a phone number. In contrast, the ESA Parent Handbook identified different hours for the "ESA Service Team." Both the support line and service team utilized the same phone number and had overlapping hours. We concluded that the "ESA Support Line" and the "ESA Service Team" numbers were both fielded by the same individuals and were the same program. Therefore, the information on the webpage and in the handbook were indeed contradictory.

We reached out to our contacts at the Arizona Department of Education (ADE), which oversees the ESA program. We requested that the ESA program review both the ESA webpage and the ESA Parent Handbook and either provide our office with an explanation as to why the hours were different or update the information so they were both consistent. The ADE confirmed that there was indeed conflicting information and that the ESA program would work to update the incorrect information appearing on the ESA website, as the ESA Parent Handbook contained the correct hours.

## **2403507. Department of Health Services - Vital Records**

A resident requested assistance with obtaining a copy of their stepfather's death certificate. The resident claimed that their mother, while no longer married to their stepfather, still shared an annuity account at the time of the stepfather's death. The mother needed a copy of the death certificate to maintain possession of her portion of the annuity account. She had been told, however, by the Office of Vital Records (Vital Records) that she had no claim to a copy of the certificate. The mother had only a few days before the annuity account would be seized by the bank, and she did not know what else she could do.

We contacted Vital Records and asked whether there was any way for the mother to obtain a copy of the death certificate despite not being married to the deceased at the time of their death. They informed us they had not fully understood the mother's situation until we had explained it to them. They told us that because of the annuity account, the mother could request a copy for financial need. Vital Records immediately reached out to the mother and explained how she could file a request for the death certificate and contacted the third-party contractor to ask that the request be expedited due to the

mother's circumstances. The resident confirmed their issue had been addressed and thanked us for our assistance.

**2303639. Department of Revenue**

A taxpayer contacted our office claiming they had not received their tax refund from the Department of Revenue (DOR) and that DOR employees were being unhelpful when they called the Call Center for assistance. Our office contacted the DOR Problem Resolution Office and asked them to review the matter, ensure the call center was operating appropriately, and process the tax refund if it was owed to the taxpayer. The DOR Problem Resolution Officer confirmed that the taxpayer's calls would be reviewed by a supervisor for coaching to improve the call center operations moving forward. They also contacted the taxpayer to confirm that a tax refund was owed and was being sent to him by mail.

**2303274. Board of Psychologist Examiners**

An applicant contacted our office about the delay in processing their application with the Board of Psychologist Examiners (Board). We contacted the Board, which immediately provided an update to the applicant and ensured the application was being processed timely. The applicant thanked us and the Board for the assistance.

**Our intervention helped lead to a change in an agency's procedure or practice / corrected a systemic problem as exemplified by:**

**2401249. Department of Gaming**

A complainant contacted our office alleging the Arizona Department of Gaming (ADG) had ignored his dispute with a licensed Event Wagering and Fantasy Sports vendor and had not resolved his issues. After discussing the matter with the agency and learning about its process, we found an opportunity for improvement in its notification to individuals submitting complaints. We recommended that the department review and adopt a procedure that would provide more clarity to constituents. ADG accepted our recommendation and agreed to send a standard response in the future to constituents informing them of the process.

**2402684. Department of Economic Security - Employment and Rehabilitation**

A man contacted our office to request assistance with his Unemployment Insurance (UI) Claim and incorrect information that was included on his 1099-G form. The complainant alleged he tried numerous times to communicate with the Department of Economic Security (DES), but had been unsuccessful in resolving his concern and correcting the error. While attempting to help the client, we found that the DES webpage contained outdated information regarding the wage protest process. We sent the concern to the DES Ombudsman's Office, who connected him to the UI Client Advocate Unit for assistance with the process. At our recommendation, DES promptly updated the Wage Protest webpage and removed the outdated information.

## **2404193. Department of Education – Empowerment Scholarship Accounts**

A parent who was a member of the Navajo Nation continued to have a problem with the Empowerment Scholarship Account (ESA) program rejecting her proof of residency document. The woman claimed she had been submitting one of the acceptable proof of residency documents available for download on the ESA website but the ESA continued to reject it, claiming that the completed form had to be issued by the tribe. She asserted that the Certificate of Tribal Enrollment (506 Form) did not need to be issued by the tribe as it was a self-attestation form.

First, we confirmed that the Certificate of Tribal Enrollment (506 Form) was indeed listed as an acceptable proof of residency document on ESA's website and available for download on their website. Upon reviewing the form, our office concurred that the tribe did not issue the Certificate of Tribal Enrollment (506 Form) but that it was indeed a self-attestation form. The form had fields for tribal information, but it only required the tribal member to sign, not the tribe itself.

Our office contacted our ESA contacts to explain the woman's issue and requested that the ESA program review the form, as we believed the woman's proof of residency document had been unfairly denied. Several days later, the ESA program responded that "[o]ur team is working on finalizing a user-friendly document for acceptable Proof of Residency documentation, which will not include the self-attestation form. In [the complainant's] case, after further review, the enrollment team verified her Arizona residency and approved her application." Our office informed the woman, who was grateful for our assistance.

## **2403145. Department of Gaming**

A dispute with a licensed Event Wagering and Fantasy Sports vendor led to a complainant to contact our office. He alleged that the Arizona Department of Gaming (ADG) was unresponsive to his complaint. Although the ADG advised our office that the complaint had been addressed, we found no procedures for responding to regulated vendors that either refused or ignored the corrective action directed by their agency. They accepted our recommendation that they review and adopt a procedure for responding to these types of concerns.

## **2305392. Arizona Department of Environmental Quality**

The Arizona Department of Environmental Quality (ADEQ) contacted our office regarding an unreasonable complainant the agency had been having trouble handling for about a decade. The agency sought our recommendations and advice on handling this complainant, who the agency claimed was taking up an inordinate amount of agency time and resources with unreasonable behavior, like asking the same questions repeatedly. Our office recommended ADEQ how the agency could address the matter. We also encouraged agency staff to contact the agency's Assistant Attorney General when the agency mentioned the complainant might take legal action against the agency. We answered the agency's questions and encouraged the agency to direct the complainant to our office if the agency thought it would be helpful. We also urged the agency to contact us if staff wanted us to review the matter further.

# OPTIMIZING OUR STATE GOVERNMENT

**Our intervention resolved cases that no one else was able to resolve internally, as exemplified by:**

**2402787. Arizona Health Care Cost Containment System (AHCCCS)**

A resident contacted our office to complain that information from their private insurance was being linked with a different individual with the same name who was receiving Arizona Health Care Cost Containment System (AHCCCS) benefits.

We asked the Department of Economic Security (DES) Ombudsman's Office and the AHCCCS Client Advocate Unit to investigate how the issue could have occurred and to correct the matter appropriately. After unsuccessfully going back and forth to obtain information about the problem and the steps taken to resolve and prevent a recurrence, we contacted the AHCCCS Chief Privacy Officer to request their direct assistance. The Chief Privacy Officer opened a HIPAA Investigation and elevated our questions to the appropriate management within the Division of Provider and Member Services (DMPS).

The AHCCCS Chief Privacy Officer confirmed that the appropriate parties were notified of the privacy breach as required by federal law. She also provided background information on how the error in the system may have occurred several years prior. AHCCCS confirmed they had corrected the issue due to our inquiry and set up a process to ensure these individuals would not be mixed up in the system again. AHCCCS further clarified that the lack of response to our office was an oversight and that staff had been coached on the process for contacts from our office.

**2304338/2304339. Department of Revenue/Department of Transportation**

The Arizona Department of Revenue (DOR) placed a lien on a woman's vehicle. The woman had recently sold her car, but the Arizona Department of Transportation (ADOT) would not allow the new owner to register the vehicle until all liens had been paid. The woman claimed to have paid what she owed but said the DOR still refused to release the lien, and the new owner was now threatening to take her to court.

Our office first reached out to our contacts at the DOR and inquired about the woman's issue. The DOR stated there had been issues with the lien, but their system now showed all liens had been paid. The DOR said if there were any other problems, it would be with ADOT. Our office then contacted ADOT.

They informed us that they still showed a lien on the vehicle and had never received a notice from the DOR indicating the lien had been paid. Over the next few days, our office communicated with the DOR and the DOT. We were able to track down the letter DOR had sent to ADOT, and the lien had been released so the new owner could register the vehicle.

**2304732. Department of Revenue**

A single mother contacted our office about an outstanding tax return and fee dispute she had with the Department of Revenue (DOR). She claimed DOR held her liable for tax debts incurred because her child's father filed a fraudulent return indicating they were married. She said the debt had been sent to the Attorney General (AG) for collection, and the attorney assigned would not hear her out. She said multiple DOR employees had been unhelpful in addressing the matter. We contacted both DOR and the AG and learned that each entity seemed to be pointing to the other as the entity with which the mother should attempt to resolve the issue. We laid out the daunting problem the mother was facing to both agencies.

# OPTIMIZING OUR STATE GOVERNMENT

The AG explained there is a process for a spouse to obtain equitable relief in such a situation. The AG directed us to a DOR “Request for Innocent Spouse Relief and Separation of Liability and Equitable Relief” form. We provided the resident with the form so that she could proceed with filing for relief. The mother thanked us for our assistance. We encouraged her to contact us for any other unexpected obstacles or confusion.

## **Our intervention found a negative trend as exemplified by:**

### **2400361. Department of Education – Empowerment Scholarship Accounts**

A mother was having a problem finding the status of her child's overdue approval for the Empowerment Scholarship Account (ESA) school materials, including a computer. The woman claimed she had submitted her request three months earlier, but ESA continued telling her all orders were backlogged. She stated that her child could not access some educational courses without a computer. She asserted that the ESA program needed more employees to assist with processing orders and eliminating the backlog. Regardless, she wanted to know when she could expect her approval.

Our office reached out to our contacts at the ESA program and inquired about the mother's order and the amount of time the approval was taking. Our ESA contact confirmed the program was experiencing a backlog, but they would contact the woman. Later that day, the mother emailed to thank us, saying her order had been approved. However, the seller canceled the computer she had placed on hold because she had never completed the transaction. Frustrated, the mother detailed her frustrations with the ESA program.

Our office has received similar complaints regarding order processing and reimbursement delays and has begun monitoring them.

### **2304536. Department of Transportation – Motor Vehicle Division**

Arizona law allows anyone to report an unsafe driver to the Motor Vehicle Division (MVD) for competency testing. A motorist contacted our office to complain that the MVD would not tell him who had filed the report against him.

We asked the MVD about the competency testing process and the report filed against the motorist. The MVD explained the competency testing process and the statutes that lay out their requirements. The MVD informed us that they do not provide information on reporting sources to avoid conflict between the reporter and the report's subject. The MVD also informed us that the motorist had just had their license suspended the previous day for failure to submit a doctor's evaluation, the first step in the competency testing process.

We spoke to the motorist again and explained our findings. The motorist insisted he had seen a doctor and submitted the necessary paperwork to the MVD to avoid suspension. We consulted the MVD again. The MVD checked their records and found they had received a doctor's evaluation but had not processed it promptly. This led to the motorist's license being automatically suspended after 30 days. The MVD reversed the suspension and gave him the standard 45 days to complete the next part of the competency testing process.

We informed the motorist of the change to their license status and the required skills testing. The MVD also informed our office that to prevent future backlogs for competency testing, they had requested – and subsequently received approval for - four additional staff positions to process competency test documents.

## **2305784. Physical Therapy Board**

A physical therapist applicant contacted our office and alleged she could not practice as a physical therapist due to a technical issue on the part of the Board of Physical Therapy (Board) that was suspending the processing of her license. She provided us with a receipt proving that she had paid for her license and showed that she had contacted the Board without a clear resolution or even an estimated time as to when her license would be processed. Our office contacted the Board and learned that the allegation was true. The Board could not process licenses for the state due to an ongoing issue with transitioning to a new vendor. The Board claimed it could not operate properly until the transition was completed. The Board stated it would provide an estimated date or time for when it could resume its operations and encouraged us to contact the Arizona Strategic Enterprise and Technology Department (ASET).

Our office reached out to ASET. ASET explained that it was aware of the situation and claimed that the vendor had drastically underestimated the time it would take the website to transition to the Board's website properly. Our office expressed serious concern about this issue and highlighted the necessity of very prompt repair. ASET and the Board agreed with our assessment and stated they were meeting the following day to keep us updated regarding the transition. Our office followed up after the meeting and learned that the Board, ASET, and the vendor now estimated that, if they worked through the weekend, they could have the Board resume its operations in three days. Our office thanked them for their prompt attention to the matter and continued to monitor the situation. At the end of the three days, the website had successfully transitioned, and the problem had been resolved. Our office reached out to the applicant, who confirmed that her license was . She expressed thanks to us for helping expedite the issue.

## **2306646. Department of Transportation - Abandoned Vehicle Unit**

A motorist contacted our office about a filing for title to an abandoned vehicle he made to the Arizona Department of Transportation's (ADOT) Abandoned Vehicle Unit (AVU). He said he had yet to receive a response. We discussed the issue with ADOT and learned that there was a significant backlog within AVU. We asked ADOT how long that backlog would persist. ADOT said the backlog should be resolved in about three months. We checked back with ADOT three months later and learned that the backlog had not meaningfully improved. We inquired further as to what ADOT planned to do, what it had done over the previous three months, and what was causing the backlog. ADOT contacted us and explained new management and processes in place. Additionally, ADOT kept us updated regarding the processing and clearing of the backlog. Over the next two months, ADOT explained it resolved almost the entire backlog.

# OPTIMIZING OUR STATE GOVERNMENT

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

**2401228. Department of Revenue**

Another taxpayer contacted our office, claiming they had been wrongly charged late fees and that DOR was unresponsive. Our office contacted the DOR Problem Resolution Office to discuss the case and learned that the taxpayer had been using an old form that had been out of date for a few years. This was causing a delay in processing the late fee. The DOR contacted the constituent, supplied him with new forms to avoid a delayed filing in the future, and refunded the late fee. The taxpayer thanked us for our assistance.

**2403087. Department of Administration**

A recently married state employee had missed a 31-day deadline to add her new spouse to her state-sponsored health insurance plan. The woman claimed that marriage was considered a qualifying life event (QLE); thus, she was allowed to make applicable changes to her health insurance plan, explicitly adding her new spouse. The woman claimed she had started enrollment within 31 days and believed she had provided all the necessary information.

Unfortunately, the woman had missed an email sent about one week before the deadline from the Department of Administration (DOA) Benefit Options, which manages the state health plan. The email informed her that she still needed to provide a copy of her marriage license to complete the change. As a result, her request to add her new spouse to her health insurance plan was denied. She said that DOA informed her she would need to wait until the Open Enrollment period, which was still several months away. The woman unsuccessfully appealed the DOA decision three times.

Our office contacted DOA and inquired about the woman's claim. DOA responded and confirmed everything the woman had said. DOA noted that the woman had not provided her marriage license until almost three months after the date of the QLE.

The woman had exceeded the 31-day deadline by several months. In addition, before the deadline, the DOA made a reasonable effort to inform the woman of the missing marriage license. Our office told the woman that employees must provide all required documentation to DOA in a timely manner. Our office could not fault DOA, as the DOA Benefit Guide is published at the start of each enrollment year and

identifies the program's requirements, including QLE. However, upon researching the laws applicable to the issuing of marriage licenses, we found A.R.S. 25-123(B), which states:

*"B. The person solemnizing the rites of matrimony shall endorse the act of solemnization on the license and shall return the license to the clerk within thirty days after the solemnization. The returned marriage license shall be recorded by the clerk."*

Therefore, if the "person solemnizing the rites of matrimony" doesn't return the endorsed license to the County Recorder's Office (clerk) until day 30 (still within compliance with the statute), only one (1) day remained for all of the following to occur according to the DOA Benefit Guide:



# OPTIMIZING OUR STATE GOVERNMENT

- “1. The processing time at the County Recorder’s Office to record the marriage.*
- 2. The mailing of the marriage license.*
- 3. The transit time for US Mail to deliver the marriage license to the address on file; and*
- 4. The time it takes for the state employee to submit the marriage license to DOA Benefit Services.”*

Based on the above scenario, even if a state employee submitted the marriage license to DOA Benefit Services immediately upon receiving it in the mail from the County Recorder's Office, it's highly likely that the 31-day deadline established by ADOA Benefit Services would not be met, resulting in a denial of the request through no fault of the state employee. Therefore, the 31-day requirement used by DOA Benefit Services (at least for marriage licenses) could be unreasonable and unfair.

Our office brought the issue to DOA Benefit Services' attention and inquired if they considered the time frame identified in A.R.S. 25-123(B) to be a barrier to a state employee's ability to add their spouse after a QLE. ADOA stated they were unaware of any issues involving delays in marriage licenses; however, they were willing to allow extra time if the employee provided notification during the process.

## **2400524. Department of Revenue**

A taxpayer contacted us in frustration about an ongoing Transaction Privilege Tax Issue with the Department of Revenue (DOR). Specifically, she said she was trying to obtain “Reasonable Accommodation [ ] and acquire [a] TPT license.” She said she had been trying to contact the agency for at least two months and received no response. Our office contacted and discussed the matter with DOR, and in under a day, the DOR Problem Resolution Office contacted the taxpayer and resolved her issue, offering direct assistance to help ensure she had no further problems or questions. The agency said it took several calls and messages to reach the taxpayer. The agency said it walked her through the proper process for obtaining what she sought. The taxpayer expressed thanks for our office and the DOR Problem Resolution Office for the timely response and assistance to her concern.

## OMBUDSMAN INTERVENTION IN CHILD SAFETY (DCS) CASES

The Ombudsman-Citizens' Aide looks into people's complaints against the Department of Child Safety (DCS). Parents, grandparents, children's relatives, and other relatives often seek help from our office when they believe DCS has mistreated them. Other sources of complaint include foster parents, service providers, attorneys, and members of the Arizona State Legislature. Although not as often, our office also receives some complaints from foster care teenagers and DCS employees.

Most of the coaching and assistance inquiries we receive involve facilitating communication with the assigned caseworker or legal counsel, explaining the DCS and dependency processes, clarifying investigations and placement decisions, and educating about the correct way to address grievances involving investigations or the removal of children. 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 lack of communication with the caseworker, questions about the DCS process, placement considerations for children in foster care, or questions about visitation with children. 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 DCS.

Some of the complaints we receive require an in-depth review of the case and direct contact with the caseworker or agency representative. There 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, and/or meet with DCS staff. We review case correspondence, therapeutic reports, and the DCS Guardian 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.

Most often, with DCS cases, we serve as an information guide to the public. We go to great lengths to equip parents, other family members, fosters, service providers, mandatory reporters, and even the older children in the system about how they can better inform themselves and improve the outcomes for their particular child safety situation. In FY23, we developed two resource booklets with the Supreme Court Improvement Committee that our staff distributes frequently in DCS cases. We continue to recommend these booklets to both the public and legislative staff. They are great resources. One booklet is a collection of reference and explanatory materials for those involved with DCS or in a dependency case. The second booklet is a resource compendium of community services that might be helpful to people in a variety of circumstances.

During this fiscal year, identifying and addressing systemic issues has been more feasible than in the past and met with more enthusiasm for continuous improvement than at any time in recent memory. Acting DCS Deputy Executive Director David Lujan has been tasked with providing leadership to DCS. In his interactions with our office, he has embraced the role of the ombudsman office within DCS and our office (AZOCA), an independent, external agency. He has been instrumental in ensuring that applicable laws are followed, such as AZOCA employees having access to the Guardian system. He has promoted transparency and communication with our office. He has not only acknowledged the patterns in complaints that AZOCA has

# OPTIMIZING OUR STATE GOVERNMENT

pointed out to him but has requested to be notified of patterns of complaints indicative of underlying issues in order to address these concerns before they exacerbate.

## OMBUDSMAN DCS CASE LOG FY 2024 KEY CATEGORIES

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

DCS Complainant Information Chart– July 1, 2023 – June 30, 2024	
<b>DCS Complaint Source Relationship</b>	
Parent/Guardian	800
Kin/Significant Contact	210
Foster	54
Service Provider	14
Child	9
Attorney	8
Agency Worker	7
CASA	1
Other	34
Unknown/NA	98
<b>Type of Complaint</b>	
Communication Issues	452
Case Worker	381
DCS Process Questions	283
Investigation Issues	225
Placement Issues	197
Visitation Issues	132
Removal Issues	122
Records	117
False Allegations	106
Inadequate Case Plan Efforts	102
Service Issues	68
Judicial Issues	53
Reporting Abuse	31
Attorney Issues	14
Adoption Issue	13
Payment Issues	13
Central Registry	7
Foster Licensing Issue	7
Criminal Investigation Issues	5
ICWA Tribal Concern	4
Transportation Issues	4
Other	105
Unknown/NA	52

# OPTIMIZING OUR STATE GOVERNMENT

The Legislature instructs us in our budget note to emphasize DCS cases. During the FY 2024 period, 18% of our total cases were about DCS, and we had 1,254 cases. During the FY 2023 period, 22.32% of our total cases were about DCS, and we had 1,345 cases. In FY22, we had 1,497 DCS cases. In FY21, we had 1,794 DCS cases. Thus, the DCS case counts coming to us have been trending in a positive direction for the past four years.

## **Our intervention helped resolve a case involving more than one agency or more than one level of government.**

### **2303702. Department of Child Safety**

A mother alleged that the Department of Child Safety (DCS) wrongfully removed her child. She said the agency obtained a court order to remove the child because she did not sign a release of information for her medical records to be provided to DCS. The mother said DCS refused to provide the Court Authorized Removal (CAR) paperwork. She also said that she had completed all that DCS had asked of her, and the agency still would not return the child to her care. The mother said she had spoken with the case manager's supervisor and felt they were dismissive of her. She had not contacted any other person within DCS to resolve her concerns, so we explained the mother needed to exhaust her resources through the agency before we could intervene. She asked that we contact the DCS Ombudsman's Office on her behalf so the DCS Ombudsman could address her concerns.

DCS contacted the mother shortly after our inquiry to let her know it was complying with a valid court order in regard to the removal and its continued custody of the child. It also provided various reasonable explanations for its conduct in the case. DCS provided information on how to file a complaint against the judge should the mother wish to do so. Further, the case manager set up a meeting with the mother that same day to discuss her concerns and provide any documentation the mother had not previously received.

### **2303832. Department of Child Safety**

A mother alleged that the Department of Child Safety (DCS) was not moving forward with the reunification of her child. She said she felt the agency was actively working against her. The mother relayed she thought she had met every condition DCS set for the return of her child; yet the mother said DCS had recently requested to change her case plan to severance, so the child was not going to be returned to her. She noted that she had two people who were approved by DCS to be responsible adults that DCS was not allowing to be involved in the case moving forward. She sought to have visits in her home or supervised by one of the responsible adults rather than needing to have the visits in a DCS facility. The mother had not exhausted her resources through the agency, so we asked the DCS Ombudsman's Office to assist her.

DCS provided credible explanations for issues with both responsible adults provided by the mother and with the mother's prior actions, which necessitated the visits occurring in DCS's facility. The DCS Ombudsman's Office let the mother know the case manager had not changed the case plan and that DCS was still working toward reunifying the child and mother. DCS said the case manager could not change the case plan until the judge set a permanency hearing. The DCS Ombudsman's Office told the mother

## OPTIMIZING OUR STATE GOVERNMENT

that the case manager would hold a Team Decision-Making meeting (TDM) before the permanency hearing so the mother could learn what was expected of her moving forward.

### **2401355. Department of Child Safety**

A foster mother sought to have the biological sibling of her adoptive child placed in her care. She said the sibling was in another state, so an Interstate Compact on the Placement of Children (ICPC) needed to be filed. The foster mother said the home study that was conducted on the foster's home did not recommend placement with her, so the ICPC was dismissed. The foster mother sought to file an appeal of this decision. She said she had contacted the DCS Ombudsman's Office approximately a week before contacting our office, but she had not heard further. We asked the DCS Ombudsman's Office to assist the foster mother.

The DCS Ombudsman's Office let us know that a third party had made the ICPC decision, not DCS. DCS explained that she could not appeal the decision through DCS because of this; however, the agency provided the foster mother with information on how to file an appeal through a third party. DCS explained that the foster mother could not file an appeal on the recommendation to cancel the ICPC, but she may be able to appeal the placement decision through the other state. The DCS Ombudsman's Office said the third party should allow her access to her licensing file and home study results. DCS asked the Office of Licensing and Regulation (OLR) within DCS if it could assist the foster mother in receiving these records. The DCS Ombudsman's Office later told our office that the foster mother was working with OLR directly and had received the records through OLR. The DCS Ombudsman's Office provided the foster mother with the office's direct contact information should she have issues communicating with OLR.

### **2401574. Department of Child Safety**

A grandmother alleged the Department of Child Safety (DCS) was inappropriately requiring her to conduct a psychological evaluation to obtain custody of her grandchild. She felt this was not necessary because the child was initially removed from her physical custody due to substance abuse concerns. The grandmother had previously worked with the DCS Ombudsman's Office, which let her know the removal from her care was ordered by a judge, and she would need to request placement further through the courts.

We reviewed DCS and court records and found that DCS was correct about the removal. After reviewing the matter, DCS conceded that there was no need for a psychological evaluation as it was not considering the grandmother for the placement. A supervisor contacted the grandmother and provided this information to her. They told the grandmother the court would need to overturn its decision if they wished to have the grandmother further considered for placement.

**Our intervention helped resolve a case that no one else was able to resolve internally.**

### **2303974. Department of Child Safety**

A father alleged that the Department of Child Safety (DCS) did not properly investigate the allegations against him. He said that there were two adult members of the household where the alleged abuse occurred who were not interviewed. Those individuals had direct knowledge of the incident, which led to DCS becoming involved. This led to DCS substantiating the claims against him. The father said he filed an

## OPTIMIZING OUR STATE GOVERNMENT

appeal for the substantiation and that the Protective Services Review Team (PSRT) was reviewing his case to determine whether it should substantiate the claims against him. The father said he had no timeline for when PSRT would provide an official determination. The father had not exhausted resources through the agency, so we asked the DCS Ombudsman's Office to address his concerns.

The DCS Ombudsman's Office contacted PSRT a few days after our inquiry and asked PSRT to provide the father with a timeframe for their review process. About an hour later, the DCS Ombudsman's Office informed the father and our office that PSRT unsubstantiated the allegations against the father. PSRT also provided the father with the determination letter the same day. The DCS Ombudsman's Office was unable to get complete information on why only certain people were interviewed and not others because the case manager was no longer with the Department; however, they asked the supervisor to address the father's concerns.

### **2304627. Department of Child Safety**

A mother alleged the Department of Child Safety's (DCS) Ombudsman's Office was unresponsive. She said she contacted the office seeking to overturn a decision made by DCS approximately four weeks earlier, but she had not heard further. We explained that the DCS Ombudsman's Office does not have the ability to overturn an investigator's substantiation, but it could ask the Protective Services Review Team (PSRT) to review the mother's case. We explained that if PSRT agreed with the proposed substantiation, PSRT would send the mother an appeal packet, and if the team did not, it would send her a letter stating that the concerns were unsubstantiated. We then asked the DCS Ombudsman's Office to push through the mother's assessment to PSRT so she could begin the appeal process.

The DCS Ombudsman Office contacted the mother two days after our inquiry, letting the mother know it asked PSRT to process the mother's assessment. The DCS Ombudsman Office then followed up to let the mother know PSRT was processing the assessment but it was waiting for further information from the investigative team before moving forward. The DCS Ombudsman's Office later told the mother the investigative team changed the finding to unsubstantiated after consulting with PSRT, so there was no need for the mother to appeal.

### **2304657. Department of Child Safety**

A school counselor alleged that the Department of Child Safety (DCS) was not investigating her concerns about a child. They said they had made three reports, and DCS had not seen the child any of the times. We reviewed the DCS computer system, Guardian, and found no notes or documents associated with the assessment. We asked DCS to provide a list of steps taken by DCS in the case. We also asked for information on contact with the family and any documentation that was provided to the family.

DCS let us know it had a backlog, which caused a delay in uploading information to Guardian. CS noted that it met with the child several times, and that once there was evidence to support the allegation, DCS served a Temporary Custody Notice so the child could remain with their mother until the mother was able to obtain full custody through family court. The case manager also set up a meeting with the child's therapist to discuss their concerns about the child's health. DCS let us know the case manager had issues contacting the counselor but was able to update them shortly after we contacted the DCS Ombudsman's Office. They continued to work with the mother to ensure the child's safety.

# OPTIMIZING OUR STATE GOVERNMENT

## **2305183. Department of Child Safety**

A child in the care of the Department of Child Safety (DCS) alleged her case manager had not responded to her in about three weeks. She said she had also contacted the case manager's supervisor a few times, but she had not received any further response. The child sought to receive a piercing but did not know whether she should ask her case manager or her mother for permission to get the piercing. She said she had also requested a special allowance from her case manager so that she could buy clothes, but she had not received the funding. We asked the DCS Ombudsman's Office to assist the child.

The DCS Ombudsman's Office informed us that state law strictly forbids children from getting a tattoo or body piercing, except for an ear piercing, without a parent or legal guardian present. DCS provided this information to the child the day after our contact. The DCS Ombudsman's Office also made sure the case manager contacted the child and that they set up another meeting for a few days later. The case manager also approved the special allowance for the child on the same day.

## **2306126. Department of Child Safety**

A grandmother sought to become a placement for her grandchild, who was in the custody of the Department of Child Safety (DCS). She said she had been denied several months prior and had submitted a level one grievance form to appeal the decision. She said she disagreed with the outcome of the level one grievance and sought to file a level two grievance but did not know if it was too late.

She said she had asked the DCS Ombudsman's Office for clarification, but it had not responded. We told the grandmother that the level two grievance form dictates it must be filed within thirty days of a level one determination. We were unsure if it was too late for her to file the second grievance, but we asked the DCS Ombudsman's Office to guide the grandmother.

The DCS Ombudsman's Office contacted the grandmother. The office let her know that although the level two grievance would need to be submitted within thirty days and the time had lapsed, The DCS Ombudsman Office would be open to discuss further consideration about the grievance if the grandmother sought to file the form with information previously unknown to the DCS Ombudsman's Office.

## **2306587. Department of Child Safety**

A father alleged the Department of Child Safety's (DCS) Ombudsman was unresponsive. He said he had submitted multiple complaints dating back approximately seven weeks to no avail. We asked the DCS Ombudsman's Office to contact the father and address his concerns.

The DCS Ombudsman's Office confirmed it had not previously responded to the father's concerns, but it let us know it had spoken with the father the morning we contacted the office. The DCS Ombudsman Office said the father had doubts regarding his case manager's actions and issues with his family court case. The father's original concerns about the case manager were elevated to the case manager's supervisor. The supervisor told the DCS Ombudsman's Office the case manager's supervisor had already addressed the concerns. The supervisor told the father the case manager had acted within agency policy.

The DCS Ombudsman Office told the father that the courts were allowed to request records regarding his family court case and that the judge had the authority to order unredacted DCS records. The DCS Ombudsman Office told the father it could not assist him further since DCS management had previously

# OPTIMIZING OUR STATE GOVERNMENT

addressed his concerns, and the family court judge made the final decision about his parenting time and custody of his children.

## **2403138. Department of Child Safety**

A father alleged the Department of Child Safety (DCS) did not provide him with the allegations against him either orally or in writing. He said he received a Notice of Duty to Inform, but it was blank. The father said he had refused to cooperate with DCS when agency personnel initially came to his house, but he had not been provided with the steps he needed to take to close the case. He said he contacted the DCS Ombudsman's Office approximately a week prior but had not heard back.

We reviewed the DCS records with information contradicting some of what the father alleged but supporting other aspects. We asked the DCS Ombudsman's Office to respond to the father's concerns placed with their office, provide him with the allegations against him both orally and in writing, and give the father any steps he needed to take to close the assessment. The DCS Ombudsman's Office responded to the father's concerns shortly after our inquiry. The agency said it did not receive further contact from the father and would be closing his inquiry.

We did not find documentation in their correspondence or in Guardian that the father received the allegations against him. Our office followed up with the DCS Ombudsman's Office several times to ensure the father received the allegations. We later confirmed that the DCS investigator provided the father with the allegations both orally and in writing; however, this occurred approximately one month after DCS initially opened the investigation.

## **2305198. Department of Child Safety**

An aunt sought assistance with a Department of Child Safety (DCS) case. She said the mother gave her and her husband temporary guardianship prior to DCS becoming involved with the family, but the DCS case manager was not allowing her to be around the children. The case manager told the aunt she had not passed the background check due to an event several years prior. She said the case manager had only spoken to her husband about their concerns, not her. The aunt received her fingerprint clearance card shortly before contacting our office. We asked the DCS Ombudsman's Office to provide further information on the aunt's situation.

The DCS Ombudsman's Office let us know the case manager had attempted to contact the aunt on several occasions to no avail. The DCS Ombudsman's Office asked the program manager to address the aunt's concerns, which it did a few days after our inquiry. DCS later requested the aunt's fingerprint clearance card from our office. We provided the copy we received from the aunt and DCS confirmed DCS would lift any restrictions against the aunt.

**Our intervention helped provide knowledge of an agency's processes and procedures (or other pertinent information) to assist a citizen that otherwise would not have known.**

## **2303581. Department of Child Safety**

A father alleged the Department of Child Safety (DCS) wrongfully removed his child from his care. He said DCS alleged the child was a substance exposed newborn (SEN). The father believed this was incorrect because the child's mother had been prescribed the substance by her doctor, and, therefore, the child



# OPTIMIZING OUR STATE GOVERNMENT

should not have been removed. He asked that the DCS policy manual be updated to reflect situations like his. The father had not exhausted possible remedies with the agency.

We explained that the father would need to exhaust his remedies with the agency before we could step in. We provided contact information for the DCS Ombudsman's office and encouraged him to return if he was unsatisfied with its response. We also coached the father about DCS's policies on SEN. We provided him with several resources, including a link to Chapter 2 Section 11.1 of the DCS Policy Manual and a pamphlet regarding mandatory reporting of SEN for more guidance. The pamphlet provided several resources and explained the DCS process regarding SEN. We also directed him to A.R.S. § 13-3620 and A.R.S. § 13-3401, which require healthcare professionals to report SEN to DCS.

We explained that if the father wished to file a complaint against the doctor, he may do so through the Medical Board and we provided its contact information. We also directed the father to file any complaint against the hospital with the Department of Health Services.

## **2305095. Department of Child Safety**

A woman who was previously kinship placement for a child in the Department of Child Safety's (DCS or the Department) care sought to become the child's placement once again. She said she was the child's placement in a previous case before the child was reunified with their parents. She said that the child was back in the custody of the Department and that the DCS investigator told her the Department would not place the child with her because they believed the foster mother was too biased against the child's father. She said the judge ordered DCS to reconsider her as a potential placement, but DCS had not approved or denied her for placement.

We encouraged the complainant to contact the case manager once more requesting to be placement. We explained what would happen if they were to deny her again and walked her through the denial process. We suggested she request to become placement in writing. We explained that if DCS decided to deny her as placement, DCS would need to provide written notification to her within 15 working days with the specific reasons it was denying her. We provided the woman with Chapter 4, Section 3 of the DCS Policy Manual on kinship placement. We encouraged her to return if she had any other questions or needed further assistance receiving the denial letter. She thanked us.

## **2403523. Department of Child Safety**

A foster mother alleged she was not contacted by the Department of Child Safety (DCS) when her adopted child's biological siblings came into DCS custody. She said she did not find out about the children being in DCS care until the biological mother's rights had been severed and the children were up for adoption. The foster mother said she had filled out a client grievance form but had not submitted her concerns yet because she was unsure if that was the right step.

We walked her through filing the client grievance versus resolving her concerns informally. We explained that if she filed the client grievance, the program manager would be required to speak with her in person about her concerns. We provided the foster mother with several resources to assist her, including Chapter 7, Section 17 of the DCS Policy Manual, which describes the complaint management process. We encouraged her to return if she needed further assistance. She thanked us.

# OPTIMIZING OUR STATE GOVERNMENT

## **Our intervention helped identify trends.**

### **2304796. Department of Child Safety**

A mother alleged that the Department of Child Safety (DCS or the Department) had violated several policies during her case. She said she had raised several concerns about her child's first placement that the Department did not investigate. She said her case manager had not provided the child's current placement with a list of foods her child could eat, which negatively affected the child's health. She said the Department required the child's first placement to keep them a week after they requested the child be moved. She believed this was inappropriately long. The mother claimed DCS waited twenty-four hours to bring the child to the hospital after the Department received allegations of sexual abuse. She also said there were numerous times when the case manager, their supervisor, and the DCS Ombudsman's Office were unresponsive to her.

We reviewed DCS records, which contradicted much of what the mother asserted. We did not find enough evidence to prove or disprove the allegation that the Department required the child's first placement to keep the child longer than they had requested. The mother could not provide further evidence of this allegation. We found this allegation to be indeterminate. We did not find any policy, rule, or statute requiring the child to be taken to the hospital within a specific timeframe after the child was already in the care of a foster parent or kinship foster. Because of this, the allegation that the Department did not promptly take the child to the hospital and take the child to the hospital could not be substantiated. Lastly, we substantiated the claim that there were several instances where the Department did not communicate with the mother in a timely manner. We have seen this issue several times and have been actively working with the agency to increase their responsiveness. We provided our findings to the mother.

### **2303709. Department of Child Safety**

A mother alleged that the Department of Child Safety (DCS) did not provide her records timely. She said she had submitted a DCS records request in April and had not received her records when she contacted our office in August. The mother said she needed the records for a family court case the following month. The mother had not exhausted resources through the agency, so we asked the DCS Ombudsman's Office to assist her. DCS expedited the mother's request, and the Records Department was able to produce the mother's records a week and a half after our intervention, which was a few weeks before the mother's court case.

### **2303782. Department of Child Safety**

A mother sought a letter from the Department of Child Safety (DCS) records department stating she did not have any cases substantiated against her. The mother said she was a teacher and needed this letter to return to work. She said she initially requested the letter about four months earlier. She said the records department had given her several reasons they could not produce the letter and told her she would need to wait close to a year because the department was backlogged with requests. The mother had not exhausted her resources through the agency, so we asked the DCS Ombudsman's Office to assist her.

# OPTIMIZING OUR STATE GOVERNMENT

The DCS Ombudsman's Office contacted the mother and explained how the agency could provide her with the information. The agency sought to clarify whether one document would be acceptable to the mother. The mother agreed that a central registry check result would satisfy her request. DCS let us know it was able to get the mother the paperwork she sought two business days after our involvement. The mother confirmed she received the paperwork.

## **2400139. Department of Child Safety**

A father sought assistance obtaining his records from the Department of Child Safety (DCS). He said he submitted a DCS Records Request Form in November but had not received his records when he contacted our office at the beginning of January. The father also noted he had submitted a court order to receive the records at the beginning of December, which had also gone unfulfilled. We requested a copy of the initial Records Request Form and the court order from the father, which he provided us. The father had not exhausted resources through the agency, so we asked the DCS Ombudsman's Office for the status of the father's records requests.

The DCS Ombudsman's Office informed us that the records were sent to the father's attorney the day we contacted the agency. DCS encouraged the father to contact his attorney for the records and provided direct contact information within their office should he need further assistance.

## **2403024. Department of Child Safety**

A father alleged the Department of Child Safety (DCS) did not provide his records in a timely manner. He said he submitted his request on August 24th and had not received his records when he contacted our office by the end of May the following year. He said he had followed up with the records department several times but had not heard from the office since February 15th. The father had not exhausted his resources through the agency, so we asked the DCS Ombudsman's Office to address the father's concerns.

The DCS Ombudsman's Office let us know it contacted the father and the records department. The records department said it would put the father's request at the top of the list. Due to the volume of material he requested, the records department would need three weeks to gather and redact the records. The DCS Ombudsman's Office provided the father with its direct contact information so that he could follow up if he had not received the records by July 15th.

Our office followed up with the father after the three-week timeframe and confirmed he received his records. He thanked us for our assistance.

## **Our intervention shed light on a related matter that was not the subject of the complaint.**

## **2305199. Department of Child Safety**

A mother alleged DCS interviewed her child due to allegations against her ex-husband. She asked what allegations pertained to her child, but the investigator would not tell her and would only say that the mother would need to ask the father. We let the mother know that if there were allegations pertaining to her child, she should receive a Notice of Duty to Inform, which would specify the allegations. We also explained that she should be interviewed as part of the case involving the other children, as indicated by Chapter 2, Section 3 of the DCS policy manual. We asked the DCS Ombudsman's Office for clarification.

# OPTIMIZING OUR STATE GOVERNMENT

The DCS Ombudsman's Office clarified that the original assessment was opened under the father's name, but a separate assessment was opened under the mother's name since the mother's children were involved. The allegations were against the father in both assessments. The mother was interviewed shortly after the assessment was opened, and she was provided with a Notice of Duty to Inform regarding the allegations involving her children.

## **2403540. Department of Child Safety**

A father alleged the Department of Child Safety (DCS) specialist who recently investigated allegations against the father had begun an inappropriate relationship with his child's mother. He said he felt the investigation was wrongly substantiated because of the relationship, and he sought to overturn the decision. The father said he had expressed his concerns to the DCS Ombudsman's Office, but the office only forwarded his concerns to the human resources division, and he did not feel it did enough to remedy the situation.

We confirmed with the DCS Ombudsman's Office that the father's concerns were sent to human resources for review. We agreed this would be the appropriate solution for the office. We also reviewed the human resources investigation into the specialist. We found their investigation was thorough and according to DCS policies. Further, we found appropriate action was taken upon completion of the investigation.

Additionally, we found that the Protective Services Review Team (PSRT) had not provided the father with the Initial Notification Letter, so he could not appeal the proposed substantiation. We asked that the father be given his initial notification letter so he could appeal the decision. The letter was sent to the father the following day.

## **Our intervention lead to a change in an agency's procedure or practice/ correct a systemic problem.**

## **2305535. Department of Child Safety**

A foster father sought assistance with the Department of Child Safety (DCS or the Department). He said he has had several issues with transportation for his foster child. He said there have been several times when the transportation agency does not show up for visits on time or on the correct day. He said there was an instance where the transportation agency was speeding by more than 20 miles per hour over the speed limit, and when the child asked them to slow down, the agency official said they were running late and turned the radio up instead of slowing down. The foster father said when he refused to work with the transportation agency further if they continued not to pick the child up and drop the child off timely, the DCS case manager threatened to remove the child from his care. The foster father said he later requested to move the child from his car after receiving more threats of removal by the case manager.

The case manager told him they would remove the child from his placement, but the foster father had not heard further about the situation for approximately two months. The foster father said when he followed up with the case manager recently, the case manager told him he would need to file a 30-day notice of disruption. He did not believe he should have to file the paperwork because the case manager initially mentioned the disruption. The foster father said he had previously worked with the DCS

# OPTIMIZING OUR STATE GOVERNMENT

Ombudsman's Office but had not heard about its investigative findings. We asked the DCS Ombudsman's Office to update the foster father on its investigation.

Additionally, we brought our concerns about the transportation agency to management for review. The DCS Ombudsman's Office let us know it had updated the foster father. The agency told him the child was scheduled to be transitioned from his home on December 25th. The DCS Ombudsman's Office later told our office the child was moved on December 30th, twelve days after our office contacted the DCS Ombudsman's Office. Further, DCS management noted it was aware of problems with the transportation agency, but it was not aware of how bad the problems were. The Department's management said it planned to request additional funding from the Legislature in order to contract with a different transportation agency. DCS said there were a few other resolutions it was working on but had not determined anything concrete. The Department's management noted they would inform our office of any decision they make regarding transportation agencies. They thanked us for bringing the issue to their attention.

## **2305012. Department of Child Safety**

A complainant who was related to the alleged biological father of a child in the care of the Department of Child Safety (DCS) said she should be considered for placement. She asserted that the child's legal father, although listed on the birth certificate, was not the child's biological father.

The child's legal father was involved and participated. There was no reason to disestablish paternity. The complainant's concerns had been specifically addressed in court, and the judge decided against giving the complainant's side of the family any standing in the case. The judge reunified the child in question and their sibling with the legal father and then dismissed the dependency. We explained to the complainant that the judge was aware of the concerns and made the legal decision, which our office could not challenge or change.

Of note, in the course of the investigation, we found that the DCS field staff did not complete all the assigned tasks related to closing the case. The team in charge of the child's care determined that further contact with the complainant's family was not in the best interest of the child, but the court did not order a restriction of contact because the assigned specialist did not complete the steps required to do so per DCS policy. The DCS Ombudsman's Office elevated this to management to work with staff to ensure that they follow through with these requests in later cases, ensuring that court orders that restrict contact are requested prior to the end of a dependency when appropriate.

**Our intervention helped reveal a field practice that was not in accordance with the agency's stated policy/procedure, statutes, or caselaw.**

## **2401949. Department of Child Safety**

A foster father alleged the Department of Child Safety (DCS) did not provide him with a way to appeal its substantiated decision against him. He said he contacted the DCS Ombudsman's Office approximately a week and a half prior and it had not responded to his concerns. We reviewed DCS records and found the assessment had closed at the end of January, but the foster father had not received the Initial Notification Letter (INL) when he contacted our office in April.

## OPTIMIZING OUR STATE GOVERNMENT

According to DCS rule A.A.C. R21-1-502(B), "[t]he Department shall send the Initial Notification Letter to the alleged perpetrator no more than 14 days after the Completed Investigation." We found DCS violated its rule by not providing the INL promptly. This is a common issue our office had previously been aware of. We have actively been working with DCS to find different solutions for the agency to fulfill this requirement. In this case, we asked the DCS Ombudsman's Office to contact the foster. We also asked for the Protective Services Review Team (PSRT) to process the foster's assessment and send him the INL.

The DCS Ombudsman's Office contacted the foster father two business days after our request. It asked PSRT for more information on the foster father's case. Three days later, PSRT sent the foster father his INL, which provided the foster father with his appeal process.

### **2403193. Department of Child Safety**

A mother alleged that the Department of Child Safety (DCS or the Department) did not follow the law after her child went missing. She said DCS did not report the child missing to all known relatives, or the National Center for Missing and Exploited Children (NCMEC) within twenty-four hours. She said the child went missing on May 29th, and the child's information had not been entered into the NCMEC system when she contacted our office on June 4th. She said DCS did not provide law enforcement with the child's picture for the child's missing juvenile poster, and DCS failed to report all relevant information to law enforcement about the child's missing status. The mother believes the child qualified for a Silver Alert and alleged DCS failed to provide the relevant information to law enforcement so law enforcement could create a Silver Alert. Further, the mother alleged DCS placed the child in an unsecured placement after the child had been known to have mental health concerns.

By law, "[w]ithin twenty-four hours after receiving a report... the department shall notify the appropriate law enforcement agency to make the record entry as follows: For an abducted, missing or runaway child, the national crime information center missing person database." (A.R.S. § 8-810(A)(2)).

Under DCS procedures, "[u]pon notification that a child has runaway, ensure the out-of-home caregiver immediately makes a report to local law enforcement. Obtain the [Departmental Report] number of the law enforcement report. If the out-of-home caregiver is not aware the child ran away, immediately make a report to law enforcement and notify the caregiver of the child's disappearance." After reviewing the DCS system and inquiring with the DCS Ombudsman's Office, our office found that DCS did not file a report with law enforcement about the child being missing. We found that the child's out-of-home caregivers reported the child's status to law enforcement.

According to A.R.S. § 8-810(B)(1), "[w]ithin twenty-four hours after receiving a report of a missing, abducted, or runaway child, the department shall do the following: Report information on the missing, abducted, or runaway child to the national center for missing and exploited children." We found that while DCS was aware the child went missing on May 29th, it did not notify NCMEC until June 3rd of the child's status.

The Department is required to notify various people and entities within twenty-four hours of when a child is reported as missing, including all known family members, the child's attorney, and the Attorney General's office. This list is found in A.R.S. § 8-810(B)(2) and A.R.S. § 8-810(B)(3). We found the children's known maternal family members were not notified until May 31st and the known paternal family members were not notified until June 5th. The child's attorney and the Assistant Attorney General were

# OPTIMIZING OUR STATE GOVERNMENT

notified of the child's disappearance on May 31st. However, we found that the child's parents and out-of-home caregivers were notified timely of the child's disappearance.

The DCS Ombudsman's Office confirmed that the DCS Specialist did not take all the steps the DCS Specialist must take within twenty-four hours. The DCS Ombudsman's Office ensured the DCS Specialist had information from the policy manual about what steps needed to be completed in twenty-four hours. The DCS Ombudsman Office also provided the information to the Supervisor and Program Manager to ensure the unit and office get additional training on the requirements.

Under A.R.S. § 8-810(F), "[t]he department shall develop and conduct annual training for department employees who have direct oversight of children and the direct supervisors of those employees. The training shall include department policies for locating missing, abducted, or runaway children and the requirements for ongoing efforts to locate a missing, abducted, or runaway child unless it is determined by the primary investigative agency that it will hinder investigation or location efforts." We found that while the Department conducts annual training, the training is focused on human trafficking and does not instruct DCS staff on what to do regarding generalized missing, abducted, or runaway children.

The child was found on June 11th. We found that DCS completed each legal requirement for the child's return timely as laid out in A.R.S. § 8-810(G).

Our office recommended revising DCS procedures to reflect the legal requirement for DCS staff to notify law enforcement of a child's missing, abducted, or runaway status within twenty-four hours of learning about the child's status. We recommended that DCS provide immediate retraining for all staff directly involved in case management and their immediate supervisors regarding reporting requirements, including reporting to law enforcement and NCMEC within twenty-four hours of learning that a child is missing, abducted, or runaway. We recommended revising the existing training or creating new training materials about DCS's responsibilities regarding missing, abducted, or runaway children, which may include a subsection about human trafficking.

DCS accepted the recommendations and noted it was creating a missing child unit. This unit's duties will include ensuring compliance with all laws related to missing, abducted, or runaway children in DCS care.

## **Our intervention resulted in financial savings for a citizen or stopped an unfair financial burden on a citizen.**

### **2305591. Department of Child Safety**

A foster mother was concerned about the time it took for the Department of Child Safety (DCS) Office of Licensing and Regulation (OLR) to approve her foster care license. She had contacted multiple people within DCS, including the DCS Ombudsman's Office. She had been requesting information from OLR and the DCS Ombudsman's office for seven (7) weeks before she contacted our office. Our office was able to assist by working with the DCS Ombudsman's Office and ensuring it provided the complainant with an update. Once the complainant was given the opportunity to provide additional information and her license was approved, OLR initially refused to backdate her pay despite her efforts. Our office reached out again. As a result, her license was backdated over three (3) months.

## OMBUDSMAN AND THE ARIZONA DEPARTMENT OF CORRECTIONS, REHABILITATION, AND REENTRY

Beginning in FY2025, our annual reports will include specific information gathered from complaints we have received regarding the Arizona Department of Corrections Rehabilitation and Reentry (ADCRR). For this reason, we believe it is important to provide details on the ADCRR and explain why this information will be included and what to expect.

The ADCRR is tasked with housing incarcerated individuals (inmates) and providing them with services required by law. As of June 30, 2024, the ADCRR reported housing over 35,000 inmates in 15 facilities. These facilities are spread across Arizona and include a women’s facility in Perryville. Of the 59 ADCRR complaints our office received in FY 2024, the three most common were regarding (in descending order):

1. Medical Care – Complaints about the general healthcare and treatment of injuries to inmates.
2. Communication and Visitation—Complaints from family, friends, and inmates experiencing difficulty communicating with each other and/or encountering barriers to in-person visits.
3. Inmate Placement – Complaints regarding the area where an inmate is housed.

Historically, our office has rarely received more than 100 ADCRR complaints annually. We anticipate that the passage of Senate Bill 1629 (details below) may increase these numbers.

### **THE AMENDING OF A.R.S. § 41-1376 AND A.R.S § 41-1604**

The Second Regular Session of the Fifty-sixth Legislature saw the passing of Senate Bill 1629 (SB1629), which became effective September 14, 2024. SB1629 amended A.R.S § 41-1376 for our office and A.R.S § 41-1604 for the Department of Corrections, Reentry, and Rehabilitation (ADCRR). This amendment now requires our office to collect specific corrections-related information and share it with the legislature and other key individuals in our annual reports.

Because SB1629's effective date was after the June 30<sup>th</sup> fiscal year-end, the information collected under the amended statute has not been included in this report. Regardless, we believe it is important to give the legislature advance notice of what to expect in our future annual reports. We also wanted to inform legislators that we had to develop a process in cooperation with the ADCRR to gather information in order to comply with the legislative directive found in SB1629. In addition, this reporting responsibility required modifications to our electronic case management system to gather the information efficiently.

AZOCA is bound by provisions in A.R.S. § 41-1377(D) and A.A.C. R2-16-302 restricting our investigation of inmate complaints related to any agency, not just ADCRR. These laws state that our office does not have the authority to investigate complaints filed by, or on behalf of, an inmate. Before the passage of SB1629, the legislature expected inmates to utilize ADCRR Friends and Family resources, the ADCRR grievance process, and the state and federal court processes to address their complaints. While our office has handled ADCRR complaints from correctional officers, friends of inmates, family members, and other parties, we adhered to the legislative direction in A.R.S. § 41-1377(D), declining complaints from inmates themselves, instead guiding them to the previously mentioned resources. Although ADCRR is still the agency responsible for investigating inmate complaints, the amending of A.R.S. § 41-1376(8) now requires us to monitor these ADCRR complaints filed with our office to their resolution. The statutory provision now reads,



# OPTIMIZING OUR STATE GOVERNMENT

“8. On or before December 31 of each year, submit a report to the president of the Senate, the speaker of the House of Representatives, the minority leader of the Senate, the minority leader of the House of Representatives, the chairperson of the senate judiciary committee, or its successor committee, and the chairperson of the house of representatives judiciary committee, or its successor committee, that includes the number of complaints made regarding the state department of corrections, the topic of each complaint and how each complaint was resolved.”

A.R.S. § 41-1376 requires our office to work with the ADCRR to obtain specific information from the cases we refer to the ADCRR. The result is that ADCRR investigates these inmate complaints and then reports the results to us. We still do not investigate inmate complaints (but, as previously mentioned, we may continue to investigate all other ADCRR complaints received from ADCRR staff, friends and family members of inmates, and other non-inmates). The amendment to the statute now requires that we provide the following information to the legislature in our annual reports:

- The number of complaints we receive regarding the ADCRR.
- The topic of each complaint; and
- How each complaint was resolved.

To comply with SB1629's requirements, our office custom-designed a new feature for our Case Management System (CMS) software and implemented the change in time for SB1629's September 14<sup>th</sup> effective date. Although SB1629 requires our office to track only three pieces of information, we collect over eight data points in CMS, including over 35 available subsections (Topic Categories), to ensure accuracy and accountability, as well as to identify potentially systemic issues. Our staff completes this information on each ADCRR complaint we receive, and a summary of all results will appear in our reports. The new screen collects several key pieces of data, including inmate information, the reporter of the complaint (source), the applicable facility, the complaint category, the complaint itself, the dates on which the complaint was sent and returned from ADCRR, and the resolution as determined by ADCRR. Below is our ADCRR screen that allows our office to track ADCRR complaints.

The screenshot shows a web-based form for tracking ADCRR complaints. The form is organized into several sections:

- Header Fields:** Inmate Id (text input), Complaint Source (dropdown menu), Facility (dropdown menu).
- Complaint Section:** A large text area for entering the complaint details.
- Date Fields:** Date Sent to ADCRR (text input), Date Returned From ADCRR (text input), and a Complaint Advanced Editor button.
- Resolution Section:** A large text area for entering the resolution details.
- Topic Categories:** A list of checkboxes for selecting the complaint category:
  - Institution Operational:** Visitation, Personal Property, Mail, Communication (Phone), Discipline, Security, Inmate Accounts, Commissary/Store, Threats, Abuse, or Assaults by Inmate, Threats, Abuse, or Assaults by Staff, Grievance Process, Facility.
  - Health Care Services:** Medical, Mental Health, Counseling, Treatment, Dental, Nonhealthcare or Contract Healthcare.
  - Offender Services:** Time Computation, Classification, Release Eligibility, Population Movement, Transfer Requests, Programming Access, Education, Religious Services, Work Pay, Banking, Legal Access.
  - Community Corrections:** Community Supervision, Conditions of Supervision, Interstate Compact, Pre-Release Investigations, Parole.
  - Unknown Topic:** A checkbox with a corresponding text input field.
- Footer Buttons:** Print ADCRR Detail Summary, Resolution Advanced Editor, Create Email to Complainant, and Create Email to ADCRR.

# OPTIMIZING OUR STATE GOVERNMENT

It is our understanding that SB1629 was developed by the legislature through a bipartisan effort after the air conditioning system at one of the state prison facilities failed and remained non-functional for an extended period during one of the hottest parts of the year. Once the legislators became aware of the failure, they were dismayed that it had not been brought to their attention sooner. SB1629 may help our office identify patterns and issues in the early stages. If multiple complainants submit similar complaints, or a pattern or potential problem is identified by AZOCA staff, the Ombudsman and Deputy Ombudsman will be alerted.

Starting in FY2025, the legislature will find the information and data required by SB1629, as well as brief summaries of ADCRR cases in our Annual Reports. To illustrate the types of complaints we received in FY2024, we have provided several case summaries below.

**2303428. Department of Corrections Rehabilitation and Reentry (ADCRR)**

A man requested assistance with contacting several incarcerated individuals but he was unsure which prisons the individuals were being held. We informed the man that placement information could be found on the ADCRR website, but he could also contact the ADCRR Inmate Family and Friends Liaison and we provided their contact information.

**2304162. Department of Corrections Rehabilitation and Reentry (ADCRR)**

The relative of an inmate claimed that the inmate was facing retaliation and medical abuse in a state correctional facility. We guided the woman to the ADCRR Inmate Family and Friends Liaison, and we provided their contact information.

**2305036. Department of Corrections Rehabilitation and Reentry (ADCRR)**

A former ADCRR inmate sought to remove a disciplinary infraction from being displayed on the ADCRR website or at least to have the disciplinary infraction clarified. We explained the matter was outside our agency's authority. We provided contact information for the ADCRR Inmate Ombudsman.

**2305464. Department of Corrections Rehabilitation and Reentry (ADCRR)**

An inmate complained about an ADCRR facility, claiming that the bunk beds in the facility did not have ladders and several inmates had injured themselves. We informed the inmate that we could not take complaints from incarcerated individuals and advised them to file their complaint with the ADCRR Inmate Ombudsman.

**2400049. Department of Corrections Rehabilitation and Reentry (ADCRR)**

A woman complained that her boyfriend was incarcerated at the ADCRR Lewis Complex. The woman had several components that were not within our office's jurisdiction. However, she did claim an ADCRR employee was retaliating against her by removing her from the visitation and phone communication list, so now she was not permitted to visit or speak with the inmate.

Our office knew the ADCRR reserves the right to ban individuals who break visitation rules. We reached out to the ADCRR and requested that they review why the woman was removed from the visitation and communication list and confirm any reasons were legitimate and not retaliatory. We also asked that the

## OPTIMIZING OUR STATE GOVERNMENT

ADCRR ensure the woman was informed of any appeal process available to her. We then contacted the woman to explain the steps we had taken. She responded with an angry email accusing us of being friends with or working for the ADCRR. A few days later, ADCRR advised that they had escalated the issue to management and were reviewing the woman's complaint.

**2400666. Department of Corrections Rehabilitation and Reentry (ADCRR)**

An inmate contacted our office to request a review of their criminal case, claiming the court and judicial officials made errors. We informed the inmate that we cannot take complaints from inmates; however, they can contact their attorney.

**2401910. Department of Corrections Rehabilitation and Reentry (ADCRR)**

The father of an inmate contacted our office complaining that an ADCRR employee had contacted him seeking his permission to perform a medical procedure on his son. The man had not been informed that his son had a medical issue. When he asked for more information from the ADCRR employee, the employee stated they would call him back and ended the call. The father was concerned, as he hadn't received any further contact from ADCRR, and his attempts to reach any employee in the prison where his son was being held were unsuccessful. We advised the man to contact the ADCRR Inmate Family and Friends Liaison and we provided their contact information. The man thanked us.

**2402272. Department of Corrections Rehabilitation and Reentry (ADCRR)**

The grandmother of an inmate asked us to find out who she could contact for information regarding her grandson's status, as he was scheduled to be released next week. We directed the grandmother to the ADCRR Inmate Family and Friends Liaison.

**2402644. Department of Corrections Rehabilitation and Reentry (ADCRR)**

A man contacted us on behalf of an inmate with concerns about the treatment and placement of an inmate at the Tonto Unit of the ADCRR Safford facility. We explained to the man that our office could not accept complaints from or on behalf of inmates and directed him to the ADCRR Inmate Family and Friends Liaison.

**2403326. Department of Corrections Rehabilitation and Reentry (ADCRR)**

A former inmate of an ADCRR correctional facility complained about the wages he had received while he worked during his incarceration. He believed he had been unfairly paid and wanted to collect for the difference. Upon our review, we found that the man had not exhausted all efforts with the ADCRR. Therefore, we guided the man to where he could file a formal complaint with ADCRR.

## 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 directly to elected officials, non-elected public officials, public employees, advocacy groups, and members of the public. This year, we updated our comprehensive public record and open meeting law guide booklets to reflect statutory changes made in 2024. 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.

#### Trainings

In the 2024 fiscal year, we provided Public Records Law and Open Meeting Law training, both in-person and through remote means, for public and private entities in locations throughout the State. Additionally, since the 2020 pandemic, we have developed public records law and open meeting law training videos for those who cannot attend live trainings. We continually update these videos to reflect changes in the law. Demand for the videos has been high. In the 2024 fiscal year, we conducted live trainings or provided training videos on dozens of occasions. We conducted trainings for public bodies in various locations, such as Phoenix, Dewey-Humboldt, Tucson, and San Luis, and we provided training videos to government entities all over the State. We conducted trainings for a variety of different types of public officials, such as Governor's councils, executive agencies, municipalities, community colleges, special taxing districts, and police departments.

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

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

#### Inquiries and Investigations

In the past fiscal year, our office handled 402 cases regarding matters related to public access. Of those calls, 221 were public record law inquiries, 148 were open meeting law inquiries, and 33 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.

# OPTIMIZING OUR STATE GOVERNMENT

**Table 1**

	Public Inquiries	Media Inquiries	Government Agency Inquiries	Unknown
<b>Number of inquiries</b>	259	19	121	3

**Table 2**

	State Agencies	County Agencies	City or town agencies	School Districts	Other Local Jurisdictions
<b>Number of inquiries</b>	161	41	121	36	43

## Public Access Case Examples

### **2305545. Governor’s Office of Youth, Faith and Family**

An employee for the Governor’s Office of Youth, Faith and Family contacted our office to request open meeting law training for staff who support nine councils and commissions. We agreed and conducted the training.

### **2306372. Attorney General, Office of**

A former employee of the Attorney General's office (AG) contacted our office. She alleged that she had requested her personnel file from the AG about a month earlier but had received no response despite following up a few weeks later. We reached out to the AG about the matter. Later that same day, the former employee followed up with us. She said the AG's office suddenly sent over the requested file. She thanked us for our assistance.

### **2400073. Dewey-Humboldt**

A resident contacted our office about an open meeting law matter concerning Dewey-Humboldt. He asserted that the town council, at a public meeting, improperly discussed subjects not explicitly listed on the meeting agenda.

We listened to the meeting recording. The recording supported what the resident said. We reached out to the town's attorney. He examined the matter and agreed that the council had held improper discussions. After discussing the matter with the council, the attorney said the town conceded it had violated the open meeting law. In an attempt to remedy the matter, the council added the improperly discussed issues to the agenda for the next meeting, at which it could discuss each topic properly.

The town council also agreed to receive open meeting law training from our office.

# OPTIMIZING OUR STATE GOVERNMENT

## **2400737. Queen Creek.**

A municipal attorney contacted our office for guidance concerning whether the open meeting law permits a municipal policy that an item will only be added to the town council's meeting agenda if two council members agree. We explained that the agency has a reasonable argument the conduct is permissible; however, we cautioned that the issue was not clear and that the Attorney General and/or the courts might take the opposing view.

## **2402687. Acupuncture Board of Examiners**

A journalist complained that he was having significant difficulty obtaining public records from the Arizona Acupuncture Board of Examiners ("Board"). The journalist had asked the Board for status updates about his request but did not receive responses. Our office worked with the Board to determine the cause of the delay in providing records and the lack of communication with the journalist. Our office discussed best practices for responding to public records requests and provided information to the Board about public records laws. The Board began developing policies and procedures to address future requests for public records in a timely manner. The Board updated its website to include contact information for the staff member who handles public records requests. The Board shares staff with the Arizona Board of Homeopathic and Integrated Medicine Examiners, which also updated its website to include that information. The journalist received the records he requested and expressed gratitude to our office for our assistance.

## **2401461. Dewey-Humboldt**

The Town of Dewey-Humboldt contacted our office and requested open meeting training for the town council. This came in the wake of our office finding that the town council had violated the open meeting law. We conducted the training for the town council, staff, and members of the public.

## **2401980. Arizona City Fire District**

A resident contacted our office with a variety of complaints concerning the Arizona City Fire District (ACFD). As we looked into the matter, the resident brought new issues to our attention.

First and foremost, the resident asserted that the agency was trying to charge him an unreasonable amount of money for copies of records. Based on what he sent us, it appeared the agency was trying to charge him \$515 for about 60 pages of records. This came out to \$8.58 per page. A letter from the agency to the resident indicated that it charges \$25 for each hour an employee spends to "research, collect and copy such records." The letter also indicated that the District charges \$0.25 per copy page.

We contacted the Chief and voiced concern that the cost was unreasonable and likely unlawful. We explained that the public records law does not permit an agency to charge for time spent researching or collecting records. The Chief said the agency would waive the fee in this instance and review and revise its records cost policies.

## OPTIMIZING OUR STATE GOVERNMENT

Second, the resident alleged that the agency did not provide him with all the records he requested. The resident overstated what he believed the agency had failed to provide. He made it sound like the agency did not provide him with any of what he requested; however, this was not the case. That being said, it appeared the agency may not have provided everything he requested. He had asked the agency to provide all contracts ever agreed to between the agency and its chief. It provided him with one contract from 2019. He also asked the agency to provide, on a monthly basis, "a report of all bills and loses [sic]...." From what he explained to us, he was trying to obtain records of every expenditure every month. It was unclear whether the agency had tried to fulfill this request. For both, we reached out to the Chief. He said the agency had provided the bills and that there were no loss records. He said the district, at our suggestion, would be consulting an attorney about its legal responsibilities concerning what the Chief seemed to view as an increasingly burdensome requests from the resident.

Third, the resident asserted that the agency would no longer accept public records requests from him and continually called law enforcement when he arrived. We reached out to the Chief. He explained that the resident had acted very aggressively when visiting the agency and began harassing and following an agency employee once she left the agency's building. He said they had reported the matter to law enforcement. He said the agency would continue to receive and fulfill requests from the resident and said he would personally interact with the resident from this point on. There was no evidence to show that the agency was not willing to honor its legal responsibilities under the public records law.

Fourth, the resident asserted the agency's governing board would not honor his requests that the board read out all its expenditures at every public meeting. We explained that the open meeting law does not require such actions. The resident also raised a variety of issues not within our authority. We explained this to him.

### **2402099. Treasurer, Office of**

A resident contacted our office about the Arizona Treasurer's Office. He said he had made several public records requests to the agency in 2022 and 2023, which the agency had not fulfilled. He said the agency would not respond to his attempts to follow up on the requests.

We reached out to the agency's public records phone number. The call went to nobody. We reached out to the agency via different means. An agency employee explained that she had gathered the requested records and was sending them to the agency's attorney for review. She said the records would be sent to him by the end of the week.

The employee explained they had transitioned to using a record request portal and there had been a change in which personnel were handling requests, which had caused the agency to drop the ball on some requests. She said the agency was working on a backlog of requests and would fix the public records phone number on its website.

## **2406797. Unknown City**

An attorney for a public body contacted our office to discuss whether particular conduct on the part of several members of the body constituted an open meeting law violation and, if so, what needed to be done. We agreed with him that the conduct likely constituted a violation of the open meeting law and discussed what the public body could do about it.

## **2407059. Corporation Commission**

A resident contacted our office about difficulty he said he had been having in obtaining public records from the Arizona Corporation Commission. He said he made two requests roughly six months earlier but had not received a response from the agency.

We reached out to the agency. The agency did not deny his allegation and made it sound like it indeed had not responded. The agency said it was processing his request and would have the records to him shortly. The next day, the agency said it provided the records to the resident. We explained to the resident what the agency said. He did not respond.

## **2407081. Scottsdale Police Department**

A resident contacted our office about the Scottsdale Police Department (SPD). She said she had submitted a public records request three months earlier but received no records or response. She provided evidence that she had submitted her request via email.

We reached out to SPD. SPD said its records people had not received her email request. The agency said it would begin working on the resident's request and work with its IT employees to see why the agency had not received the request email.

## **2402335. San Simon Volunteer Fire District**

A resident contacted our office about the San Simon Fire District (District). She alleged that the District was not complying with the public records law in multiple ways.

First, she said the District was not providing her with copies of the records she requested in a reasonable amount of time. She said the District had not acknowledged receipt of her request in five days as required by law. She made it sound like the District's Fire Chief had told her he had 30 days to acknowledge receipt and would then take at least another 30 days to provide the record. She did not think this was reasonable.

Second, she said the District would not respond to her attempts to set up a time to inspect records in person. She said she had reached out to the District's Fire Chief in multiple ways but had not heard back.

We reached out to the Chief via phone and were able to get in touch with him immediately. He acknowledged that he had been wrong about how long he had under law to acknowledge receipt of the request. He said the District would change its policy to reflect the law.



The Chief explained that it would take at least 30 days to fulfill the request because he is the only paid employee of the District and had limited time to handle requests. He said her request would be especially time-consuming to fulfill. He also said the District had subsequently received a request for records from law enforcement in connection with a criminal investigation, which he believed was reasonable and necessary to prioritize ahead of hers.

The Chief also said that the District could not facilitate any in-person inspection of public records because he is the only paid staff member, and he is regularly on call for emergencies.

We later followed up with the Chief and explained that the public records law requires all public bodies, including the District, to permit in-person inspection of records. We made some suggestions as to how the agency could facilitate this.

The Chief then said he would facilitate in-person inspection for all requested records and scheduled a date and time for the resident to come in to view the records. The resident confirmed and seemed satisfied.

#### **2402426. San Simon Volunteer Fire District**

A Fire District Chief contacted our office for guidance on handling public records requests. It seemed that the district was generally unfamiliar with what is required, permitted, and prohibited under the public records law and was engaged in several improper practices. We answered his questions and laid out the basics of the public records law. We also provided him with open meeting and public records law training videos and reference materials.

#### **2407146. Pinal County**

A county supervisor contacted our office to discuss how long certain types of records must be retained. We researched the matter and provided him with the relevant retention schedules and referred him to Arizona Library, Archives, and Public Records for more information.

## Our Cases – Statistics of Note

### INVESTIGATIONS

We managed our investigations in FY2024, as noted in the following tables.

<b>Table 3 – Investigations – July 1, 2023 – June 30, 2024</b>	
<b>Investigation Completed</b>	105
<b>Declined<sup>1</sup></b>	264
<b>Ongoing</b>	42
<b>Discontinued<sup>2</sup></b>	37
<b>The complaint was withdrawn or resolved during the investigation<sup>3</sup></b>	9
<b>TOTAL REQUESTS FOR INVESTIGATION</b>	<b>457</b>

<b>Table 4 – Investigative Findings – July 1, 2023 – June 30, 2024</b>		
<b>NOT SUPPORTED</b>		64
<b>SUPPORTED/PARTIALLY SUPPORTED<sup>4</sup></b>		32
<b>Requires further consideration by the agency</b>	15	
<b>Other actions by the agency required</b>	6	
<b>Referred to the legislature for further action</b>	0	
<b>The action was arbitrary or capricious</b>	0	
<b>The action was an abuse of discretion</b>	2	
<b>The administrative act requires modification/cancellation</b>	2	
<b>The action was not according to the law</b>	7	
<b>Reasons for administrative act required</b>	0	
<b>A statute or rule requires an amendment</b>	1	
<b>Insufficient or no grounds for an administrative act</b>	0	
<b>INDETERMINATE<sup>5</sup></b>		9
<b>TOTAL COMPLETED INVESTIGATIONS</b>		<b>105</b>

<sup>1</sup> “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 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 investigate the complaint adequately. By law, we must decline an investigation if the complainant comes to us prematurely. In those cases, we coach the complainant about initially proceeding with the agency. Declining to investigate does not mean we decline to help. In most instances, we coach the person and provide resources so they know how to proceed productively.

<sup>2</sup> “Discontinued” signifies when the complainant stops responding, and the Ombudsman-Citizens’ Aide Office cannot proceed with inquiries.

<sup>3</sup> “Withdrawn or Resolved During Investigation” is marked when the complainant asks us to cease an investigation

<sup>4</sup> The individual count for “total supported or partially supported findings” 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.

<sup>5</sup> “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.

# OPTIMIZING OUR STATE GOVERNMENT

## OVERALL CASE STATISTICS

As explained on page 1 of this report, we respond to citizens' complaints in three ways: coaching, informal assistance, or investigation.

### Contacts by Agency

The Contacts by Agency table shows the distribution of our contacts with an agency for the FY24 period. Cases involving the Department of Child Safety have demonstrated a positive trend from three years ago to the present time. In FY24, DCS comprised 18% of our total case contacts with 1,254 total DCS cases. This was an overall improvement from the prior year, FY23, which had 1,345 total DCS cases and was 22.32% of our AZOCA total caseload. This means that the public is more satisfied with DCS as 91 fewer people filed complaints with us in FY24 as compared to FY23.

The Department of Economic Security (DES) comprised 19% of our total for FY24, with 1,341 total cases. This was slightly worse than the prior year, which had 1,110 total cases and was 22.32% of our AZOCA total caseload.

A few other agencies we noted had above-average case contacts. ADOT's Motor Vehicle Division (MVD) improved from FY21 when they had 635 cases. In FY22, MVD had 215 cases, and in FY23, they had 136 cases. In FY24, they had 157 cases.

The Department of Revenue is trending the wrong direction. It had 168 contacts in FY21, 208 cases in FY22, 274 cases in FY23, and 483 cases in FY24.

## CONTACTS BY AGENCY

Agency	Coaching	Assistance	Investigation	Total
Accountancy Board	2	0	0	2
Acupuncture, Board of Examiners of	1	4	0	5
Administrative Hearings, Office of	1	0	0	1
ADOA - Administration, Department of	31	8	7	46
Agriculture - Wt. and Measures	7	1	1	9
Agriculture, Department of	7	1	0	8
Agriculture, Pest Mgmt. Office	1	0	0	1
Agua Fria High School	2	0	0	2
AHCCCS	131	24	9	164
Alpine Fire District	1	0	0	1
American Leadership Academy	0	1	0	1
Apache County Sheriff's Office	2	0	0	2
Arizona City Fire District	2	0	2	4
Arizona Fire and Medical Authority	1	0	0	1
Arizona State Hospital	0	2	0	2
ASU -Arizona State University	2	0	0	2
ASU Preparatory Academy	1	0	0	1
Athletic Training, Board of	1	1	0	2
Attorney General, Office of	39	3	4	46
AZ Criminal Justice Commission	2	0	0	2

# OPTIMIZING OUR STATE GOVERNMENT

AZ POST - Peace Officer Standards & Training Board	9	0	1	10
Barbers, Arizona Board of	10	1	3	14
Behavioral Health Examiners, State Board of	14	6	1	21
Bicentennial Union High School District #76	1	0	0	1
Black Canyon City Water Improvement District	0	0	1	1
Blue Ridge Domestic Water Improvement District	0	1	0	1
Buckeye	0	0	1	1
Bullhead City	1	0	0	1
Camp Verde	1	0	0	1
Carefree	1	0	0	1
Catalina Foothills School District	0	2	0	2
Central Arizona Project	0	1	0	1
Chandler	1	0	0	1
Chandler Police Department	1	0	0	1
Chandler Unified School District	2	0	1	3
Charter Schools, Arizona State Board of	5	1	0	6
Chiropractic Examiners, State Board of	17	3	4	24
Cochise County	1	1	0	2
Cochise County Attorney	2	1	0	3
Coconino County	3	1	0	4
Colorado River Union High School District	1	0	0	1
Commerce Authority of Arizona	2	0	0	2
Congress Fire District	0	1	0	1
Copper Canyon Fire and Medical District	1	0	0	1
Corporation Commission	21	2	1	24
Corrections, Reentry and Rehabilitation (ADCRR)	57	3	1	61
Cosmetology, Board of	20	1	1	22
Cottonwood	4	4	1	9
Court - Board of Non-Legal Service Providers	1	0	0	1
Court - Commission of Judicial Conduct	7	0	0	7
Court - Superior	8	0	2	10
Court - Supreme Court	2	0	0	2
Crown King Fire District	0	0	2	2
DCS - Community Advisory Committee	6	0	0	6
DCS - Department of Child Safety	962	121	160	1243
DCS - Office of Licensing Certification Regulation	3	1	0	4
DCS - Other	1	0	0	1
Deaf and Blind, Arizona School for the	1	1	0	2
Deer Valley Unified School District	1	0	0	1
Dental Examiners, Board of	15	2	2	19
DES - Aging & Community Services	153	2	0	155
DES - Benefits and Medical Eligibility	272	62	39	373
DES - Child Support Service	74	11	7	92
DES - Developmental Disabilities	53	7	1	61
DES - Employment and Rehabilitation	282	94	23	399
DES - Other	122	24	7	153
DES- Adult Protective Services	88	11	9	108
Dewey-Humboldt	0	1	3	4
Dewey-Humboldt Town Council	1	0	0	1
DIFI - Financial Institutions Department	44	2	1	47

# OPTIMIZING OUR STATE GOVERNMENT

DIFI - Financial Institutions, Appraisal Division	3	0	0	3
DIFI - Insurance, Department of	33	1	4	38
Douglas	1	0	1	2
DPS - Department of Public Safety	35	7	5	47
Education, Board of	12	1	0	13
Education, Department of	51	23	4	78
El Mirage	1	0	0	1
Emergency & Military Affairs, Department of	1	0	0	1
Environmental Quality, Department of	12	2	1	15
Executive Clemency, Board of	2	0	0	2
Fingerprinting, Board of	1	2	0	3
Flagstaff Unified School District	0	0	1	1
Forestry & Fire Mgmt.(formerly Dept.FBLS)	2	1	0	3
Fountain Hills	8	0	0	8
Gadsden Elementary	1	0	0	1
Game and Fish, Department of	3	0	0	3
Gaming, Dept.	6	2	1	9
Gila Bend	1	0	0	1
Gila County	0	2	0	2
Gilbert	0	0	1	1
Gilbert Police Department	0	1	0	1
Glendale Police Department	0	0	1	1
Globe	1	0	0	1
Goodyear	0	0	1	1
Governor, Office of	15	2	1	18
Governor's Office of Youth, Faith and Family	2	1	0	3
Harvest Prep Academy	1	0	0	1
Health Services, Department of	201	9	8	218
Health Services, Funeral Directors & Embalmers Div	1	1	0	2
Health Services, Vital Records Office	6	1	0	7
Hereford Natural Resource Conservation District	3	0	0	3
Higley School District	1	0	0	1
Homeland Security, Department of	2	0	0	2
Hospital District 1 of Mohave County	5	3	0	8
Housing Dept. -Manufactured Housing Office	4	1	0	5
Housing, Department of	33	8	0	41
Industrial Commission	73	1	3	77
Judicial Conduct, Commission on	4	0	0	4
Kayenta Unified School District	0	0	1	1
Kearny	1	0	0	1
Kingman	1	0	0	1
Land, Department of	2	1	2	5
Legislature	10	0	1	11
Liquor Licenses and Control, Department of	4	0	0	4
Lottery	1	0	1	2
Marana	0	0	1	1
Maricopa	2	0	2	4
Maricopa County Attorney	1	1	0	2
Maricopa County Medical Examiner	1	0	0	1
Maricopa County Recorder	1	0	0	1

# OPTIMIZING OUR STATE GOVERNMENT

Maricopa County Sheriff's Public Service Retirement	1	0	0	1
Massage Therapy, State Board of	19	12	5	36
Mayer Unified School District	0	1	0	1
Mayer Water District	0	1	0	1
Medical Board, Arizona	54	3	2	59
Mesa	2	0	1	3
Mesa Police Department	0	0	1	1
Mescal J-6 Fire District	2	0	1	3
Miami	0	1	1	2
Naturopathic Physicians Board of Medical Examiners	0	0	1	1
NAU - Northern Arizona University	2	0	0	2
Navajo	0	0	1	1
Nogales	0	1	0	1
Nursing Care Institution Administrators & Assisted Living Managers Examiners Board	6	0	0	6
Nursing, State Board of	12	2	2	16
Occupational Therapy Examiners, Board of	9	2	0	11
Office of Economic Opportunity	1	0	0	1
Ombudsman	57	9	0	66
Oro Valley	1	0	0	1
Osteopathic Examiners in Medicine and Surgery, Board of	5	1	0	6
Other - Arizona in general	393	3	0	396
Other - Government	376	6	5	387
Other - Government - City or Town	0	0	1	1
Other - Government - Federal	160	0	2	162
Other - Private	695	7	5	707
Page	1	1	0	2
Parker Police Department	1	0	0	1
Parks, Department of	1	0	0	1
Payson	0	2	0	2
Payson Police Department	0	0	1	1
Peoria	2	1	2	5
Peoria Unified School District	0	1	0	1
Pharmacy, Board	6	1	0	7
Phoenix	4	1	4	9
Phoenix Fire Department	1	0	0	1
Phoenix Police Department	3	1	6	10
Physical Therapy Examiners, Board of	0	1	1	2
Physician Assistants, AZ Regulatory Board of	1	0	1	2
Pima	0	1	0	1
Pima Community College	0	1	0	1
Pima County Attorney's Office	1	1	0	2
Pima County Sheriff's office	1	1	2	4
Pinal	3	1	0	4
Pinal County Sheriff's Office	1	0	1	2
Podiatry Examiners, State Board of	1	0	1	2
Prescott	4	1	2	7
Prescott Unified School District	2	0	2	4
Prescott Valley	0	2	0	2
Prescott Valley Police Department	0	0	1	1

# OPTIMIZING OUR STATE GOVERNMENT

PRIVATE Post-Secondary Education Board	1	1	0	2
Psilocybin Research Advisory Council	1	1	0	2
Psychologist Examiners, State Board of	7	0	1	8
PUBLIC Post-Secondary Education Commission	1	0	0	1
Public Safety Personnel Retirement System	4	1	0	5
Puerco Valley Fire District	0	2	0	2
Queen Creek	2	0	0	2
Real Estate Dept. - HOAs	4	1	0	5
Real Estate, Department of	10	0	1	11
Regents, Arizona Board of	1	1	0	2
Registrar of Contractors	85	6	7	98
Respiratory Care Examiners, Board of	1	0	1	2
Retirement System, Arizona State	10	2	1	13
Revenue, Department of	362	91	30	483
Safford	1	0	0	1
San Luis	0	2	0	2
San Simon Volunteer Fire District	2	1	1	4
Santa Cruz	1	0	0	1
School Facilities Board	1	1	0	2
Scottsdale Police Department	1	0	3	4
Scottsdale Unified School District	0	0	1	1
Secretary of State, Office of	12	0	1	13
Sedona Fire District	1	0	0	1
Sierra Vista School District	1	0	0	1
Sky Islands Charter School	0	0	1	1
Sonoita Elementary School District	1	0	0	1
Surprise	0	1	0	1
Technical Registration, Board of	4	1	0	5
Tempe	0	0	1	1
Thatcher	1	0	0	1
Transportation, Department of	71	9	6	86
Transportation-Motor Vehicle Division	122	22	13	157
Treasurer, Office of	1	1	1	3
Tribal police	1	0	0	1
Tucson	3	0	1	4
Tucson City Clerk's Office	0	1	0	1
Tucson Unified School District	1	0	0	1
Tusayan	0	1	0	1
U of A - University of Arizona	4	0	1	5
unknown	0	2	1	3
unknown charter school	3	0	0	3
unknown city	8	0	1	9
unknown local jurisdiction	2	0	0	2
unknown school district	3	0	0	3
Unknown state agency	216	0	0	216
Vail School District	0	1	0	1
Vernon Fire District	1	1	0	2
Veterans Home	2	1	1	4
Veterans' Services, Department of	11	2	0	13
Veterinary Medical Examining Board	2	1	2	5

# OPTIMIZING OUR STATE GOVERNMENT

Water Resources, Department of	2	1	0	3
Wellton	0	1	0	1
West-MEC	0	1	0	1
Wickenburg Police Department	0	0	1	1
Williams	0	0	1	1
Yavapai County	1	1	0	2
Yavapai County Attorney's Office	1	0	0	1
Yuma City	1	0	1	2
Yuma County Attorney's Office	1	0	0	1
<b>TOTAL NUMBER OF CONTACTS</b>	<b>5854</b>	<b>708</b>	<b>466</b>	<b>7028</b>

Agency Count: 228



## About the Ombudsman and Staff

### **Joanne MacDonnell – Ombudsman-Citizens' Aide**

Joanne became the Arizona Ombudsman-Citizens' Aide on July 1, 2022, following confirmation by the Legislature and Governor. She joined the office as Deputy Ombudsman in 2005 after serving nearly eight years at the Arizona Corporation Commission as the Director of Corporations. Before working in government, Joanne worked in the private sector at an agribusiness corporation and in real estate as a licensed Realtor associate and real estate appraiser. Joanne has 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 ADOA 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 and Officer and as a Conference Committee and Outreach Committee Member. She is currently USOA's Secretary/Treasurer and was Chairman of the USOA Children and Family Chapter for four years. She was a member of the Association for Conflict Resolution and qualified in the "Practitioner" category. She was a member of the DCS Citizen Review Panel Committee for seven years and was a member of the Supreme Court's Special Committees on Parent Representation and Guardian Ad Litem Standards. She has worked as a member of 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 fourteen years.

### **Lane Organ – Deputy Ombudsman**

Lane joined the office as Deputy Ombudsman in July 2022 after serving almost seven years as the Ombudsman for the Arizona Department of Economic Security (DES). Prior to working at DES, Lane worked for Maricopa County and the Governor's Office of Constituent Services. Lane received her Bachelor of Science degree in Political Science, with a minor in Justice Studies and a certificate in Civic Education from Arizona State University. Lane completed the New Ombudsman Training prescribed by the United States Ombudsman Association (USOA) in 2015, is trained and utilizes DCS's case management system, Guardian, and is certified as an Investigator / Inspector by the Council on Licensure, Enforcement and Regulation (CLEAR). She is also certified in Mental Health First Aid and as a Certified Trauma Support Specialist (CTSS).

### **Danee Garone – Senior Staff Attorney**

Danee is the Senior Staff Attorney for the Ombudsman's Office and specializes in open meetings and public records law matters. He frequently teaches public access courses. He is the author of the Ombudsman Office's Public Access Newsletter – *The Public Record*. He joined the Ombudsman's office in 2014. Danee has a Juris Doctor degree from the Sandra Day O'Connor School of Law at Arizona State University (ASU) and is a licensed attorney.

### **Melissa Henry – Legal Counsel and Dispute Resolution Specialist**

Melissa Henry joined the Ombudsman office in February 2024 as a Legal Counsel and Dispute Resolution Specialist. Prior to joining the Ombudsman’s office, Melissa spent most of her nearly 25-year career in state and federal government, including the U.S. Senate, the Arizona Attorney General’s Office, and the Arizona Department of Economic Security. Melissa also was a leader of the government relations team for a national non-profit organization and spent time in private practice as a family lawyer. She has significant experience drafting legislation, rules and regulations, policies, official statements, position papers, and legal documents. Melissa earned an LLM in Dispute Resolution from the Straus Institute of Dispute Resolution at the Pepperdine University Caruso School of Law. She earned her JD from the George Washington University Law School and holds a Bachelor of Arts in Biological Sciences from Cornell University. Melissa also holds a degree in Le Cordon Bleu Patisserie and Baking from Scottsdale Culinary Institute. Melissa is admitted to the State Bar of Arizona and is admitted to practice before the United States District Court for the District of Arizona. Melissa completed the New Ombudsman Training offered by the United States Ombudsman Association (USOA) and the National Certified Investigator and Inspector Training (NCIT) offered by the Council on Licensure, Enforcement and Regulation (CLEAR).

### **Shante Harvey – Legal Analyst**

Shante Harvey joined the Ombudsman team in May 2022 as a Legal Analyst. Before joining the office, Shante began her legal career in Nevada as a civil litigation attorney in the private insurance sector. Shante has a Juris Doctor, with a concentration in Health Law, from William S. Boyd School of Law at the University of Nevada – Las Vegas. Additionally, she graduated from Florida State University with a Master of Science in Clinical Mental Health Counseling and a Bachelor of Science in Psychology. Shante completed the New Ombudsman Training offered by the United States Ombudsman Association (USOA) and the National Certified Investigator and Inspector Training (NCIT) offered by the Council on Licensure, Enforcement and Regulation (CLEAR). She has trained and uses the DCS’s case management system, Guardian. Shante left our office in early January 2024 to move to Washington State for another ombudsman attorney position.

### **Thomas Driscoll – Senior Investigator and Child Safety Specialist**

Thomas joined the office as a Senior Investigator and Child Safety Specialist in August 2024. Before joining the Ombudsman’s office, Thomas worked for the Arizona Department of Child Safety (DCS) for almost eight years, serving as a Specialist, Program Specialist, and Unit Supervisor. A majority of Thomas’s time with DCS, including his time as a supervisor, was with the After-Hours Investigation Team (AHIT) which responds to emergency reports and communications on nights and weekends. Thomas was selected to be a “super user” for DCS’s case management system, Guardian. Thomas also supported DCS coworkers as a member of the Workforce Resilience Team. During his time at DCS, Thomas completed Specialist Core, Supervisor Core, and SAFE AZ training. Additionally, Thomas received training from John E. Reid and Associates in Emerging Trends in Child Sexual Abuse Investigations, Child Abuse Injury Reconstruction Techniques, and the Reid Technique of Investigative Interviewing. He also completed Advanced Forensic Interview Training from Prevent Child Abuse Arizona. Thomas has a bachelor’s degree in Global Security and Intelligence Studies from Embry-Riddle Aeronautical University with a focus in Security Operations Management and a minor in Mathematics. Since joining the team, Thomas completed the New Ombudsman Training offered by the United States Ombudsman Association (USOA).

**Alicia Nugent – Investigator and Child Safety Specialist**

Alicia began working at the Ombudsman’s Office in January 2020 as an intern. In May 2020, she was promoted to Assistant Intake Ombudsman and then to an Assistant Ombudsman position. She now serves as an Investigator Ombudsman specializing in DCS Matters. Alicia earned a Bachelor of Arts in Philosophy from Arizona State University (ASU) in 2020. In 2023 she completed her master’s degree in Legal Studies at ASU. Alicia completed the New Ombudsman Training through the United States Ombudsman Association (USOA) and is also certified as an Investigator/Inspector by the Council on Licensure, Enforcement and Regulation (CLEAR). Alicia is trained in and utilizes DCS’s case management system, Guardian.

**Tamela West – Investigator and Management Analyst**

Tamela joined the office in February 2024 after serving over 19 years at the Arizona Department of Economic Security (DES). She is trained in and utilizes DCS’s case management system, Guardian. Previously, during her time at DES, she served over seven years as the Assistant Ombudsman with the DES Ombudsman’s Office, where she investigated complaints about the various DES programs and services. She also served within the DES Family Assistance Administration (FAA), where she held positions that included conducting quality assurance reviews on case determinations and helped review, write, and train on FAA program policies and procedures. Tamela received her certification in Mental Health First Aid, completed the New Ombudsman Training offered by the United States Ombudsman Association (USOA), and is also certified as an Investigator/Inspector by the Council on Licensure, Enforcement and Regulation (CLEAR).

**Frank Rutledge – Senior Investigator and Education Specialist**

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 the Division of Developmental Disabilities. Frank brings a wealth of knowledge including contracting, procurement, and DES services. Frank has completed the New Ombudsman Training 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 (CLEAR). He has trained in and utilizes DCS’s case management system, Guardian. Frank has resided in Arizona for over 37 years and is a graduate of Northern Arizona University’s School of Communication, with an emphasis in Journalism.

**John Wicus – Senior Investigator**

John joined the Ombudsman’s Office as an intern in January 2018 while completing his master’s degree in Politics at Arizona State University (ASU). He previously worked as a Teacher’s Assistant at ASU and taught the courses Political Ideology, Problems of Democracy, and Contemporary Political Theory. He received a Bachelor of Science in Politics (Global Studies) and a minor in European History from ASU. John joined the Ombudsman’s Office as a full-time staff member after graduation. John completed the New Ombudsman training offered by the United States Ombudsman Association (USOA) and the National Certified Investigator and Inspector Training (NCIT) offered by the Council on Licensure, Enforcement and Regulation (CLEAR). He is proficient in American Sign Language. He has trained in and utilizes DCS’s case management system, Guardian.

**Brandon Rosas – Assistant Ombudsman**

Brandon Rosas joined the Ombudsman’s Office in January 2021. Brandon studied at Arizona State University (ASU) and received a bachelor’s degree in Criminology and Criminal Justice with a certificate in Law and Human Behavior. He started as an intern in the Ombudsman’s Office as part of the ASU Legislative and Government Internship Program (ALIP) and was promoted to an Assistant Intake Ombudsman and then Assistant Ombudsman. Brandon completed the New Ombudsman Training through the United States Ombudsman Association (USOA) and is also certified as an Investigator by the Council on Licensure, Enforcement and Regulation (CLEAR). Brandon is a Spanish speaker.

**Connor Mueller – Assistant Intake Ombudsman**

Connor Mueller joined the Ombudsman team in January of 2022. Connor studied at Arizona State University (ASU) and received a bachelor’s degree in Political Science. He joined our office as an intern as part of the ASU Legislative and Government Internship Program (ALIP) and was promoted to an Assistant Intake Ombudsman position. Connor completed the New Ombudsman Training through the United States Ombudsman Association (USOA) and is also certified as an Investigator by the Council on Licensure, Enforcement and Regulation (CLEAR).

**Yvonne Rothblum – Assistant Intake Ombudsman**

Yvonne joined the Ombudsman team in November 2016. Previously, she worked at the Arizona Commerce Authority (formerly known as the Arizona Department of Commerce) and the Arizona Department of Revenue. She has a bachelor’s degree in Communication with a minor in Spanish from Arizona State University. Yvonne completed the New Ombudsman training prescribed by the United States Ombudsman Association (USOA) and has taken the Council on Licensure, Enforcement & Regulation (CLEAR) training.