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ANNUAL REPORT

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TABLE OF CONTENTS

AIDING CITIZENS	1
HOW WE HELP	1
OUTREACH	3
CUSTOMER SATISFACTION	5
COMPELLING CASES	9
GENERAL COMPLAINTS ABOUT STATE AGENCIES	9
OMBUDSMAN INTERVENTION IN DCS CASES	18
OMBUDSMAN INTERVENTION IN PUBLIC ACCESS CASES	25
OUR CASES – STATISTICS OF NOTE	37
INVESTIGATIONS	37
OVERALL CASE STATISTICS	38
CONTACTS BY AGENCY	38
ABOUT THE OMBUDSMAN AND STAFF	45

OUR MISSION

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

OUR ROLE

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

The office is given its authority by Arizona Revised Statute sections 41-1371 through 41-1383 and operates under Arizona Administrative Code title 2 chapter 16.

management strategies, and developing reasonable expectations.

Assistance

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

Aiding Citizens

How We Help

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

We group responses into three categories:

Coaching

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

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

personnel in every state agency to enable the efficient resolution of complaints prior to escalation.

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

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

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

Investigation

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

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

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

Outreach

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

- The Ombudsman website (<http://www.azoca.gov/>) – we continue to make updates. We also maintain many resources for the public. We post our public resource list, copies of our public record and open meeting compendium of information in electronic booklets. We have a “How to file a complaint” tutorial, FAQs, and an electronic complaint form. We make a point of explaining that we are separate from the DCS Ombudsman Office and independent of DCS. We have found that this is often a point of confusion for the public, so we explained the differences and clarified information about the two offices.
- Distribute our brochures at our office, on our website, at meetings and speeches, and with various groups who distribute our brochure for us to their clients (i.e., the Family Involvement Center).
- We updated our comprehensive public record and open meeting laws guide booklets to reflect new statutory changes and revisions made by the Attorney General’s office to its agency handbook. We distribute public access materials to elected officials and the public throughout the State. We distributed hundreds of copies of each booklet throughout the state.
- Media interactions – Occasional interviews throughout the State.
- Quarterly public access newsletter – public access attorney Danee Garone writes a quarterly newsletter, *The Public Record* that we post to our website and electronically distribute to interested parties. Arizona State Library, Archives and Public Records distributes it on our behalf to its extensive listserv.
- Public access training for public officials and the public throughout the state. Our public access attorney, Danee Garone, conducts training sessions and participates in forum discussions regarding lawful practices relating public record and open meetings. In 2018, we conducted twenty-one training sessions for a variety of state and local government officials and public bodies and other organizations in Arizona City, Phoenix, Tucson, Clarkdale, Mayer, Litchfield Park, and Tempe. Additionally, we conducted trainings for a diverse array of governmental and quasi-governmental entities, such as the Arizona School for the Deaf and Blind, the Auditor General’s office, the Secretary of State’s office, AHCCCS, the Arizona State Board for Charter Schools, PSPRS, Arizona School Board Association, and various municipalities, special taxing districts, and charter schools. Most of the events are open to any interested public officials and members of the public. At each event, we provide our office’s contact information and website and explain what services we provide generally and what

services we provide regarding public access issues. On numerous occasions, new complainants have told us they became aware of our office because of a training.

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

periodic meetings, host seminars and network with ombudsmen offices who have different constituencies. We refer citizens to one another as jurisdictions dictate.

- We work with the AG's office as it refers to many matters to our office when it cannot take a case. Example: Consumer Division, open meeting and public access guidance, general complaint assistance.
- The Self-Help Desk at the Maricopa County Courts – We provide information about our office for them to distribute.
- We post our public access training videos on our website.
- The State of Arizona web directory of state agencies, AZ Direct, features the Ombudsman-Citizens' Aide Office as one of the main tabs for the public.
- Information about our office is featured on the main state web portal directory and on individual agency websites where agencies perform investigations - pursuant to A.R.S. §§ 41-1001.01 and 41-1009.
- We work with the Arizona Library and Archives at SOS regarding public record and archives. We collaborate with them to present discussions on public records retention discussion at conferences.
- We distribute our Point of Contact Google doc resource directory to various government agencies.

Customer Satisfaction

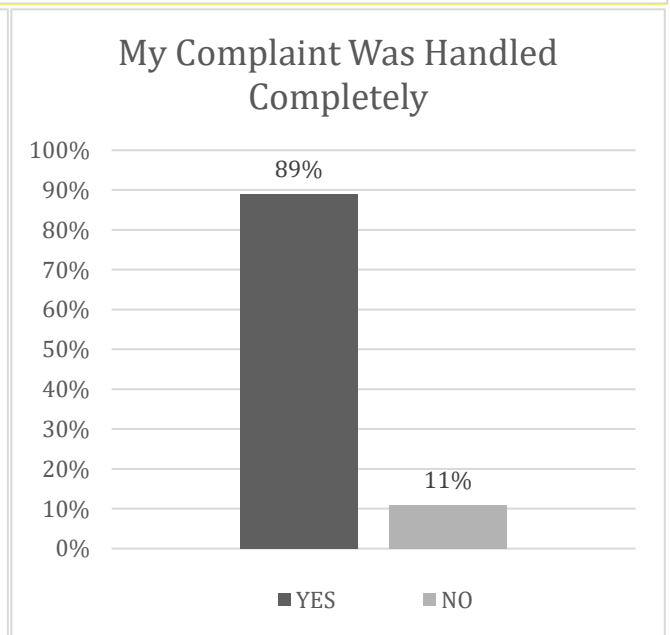
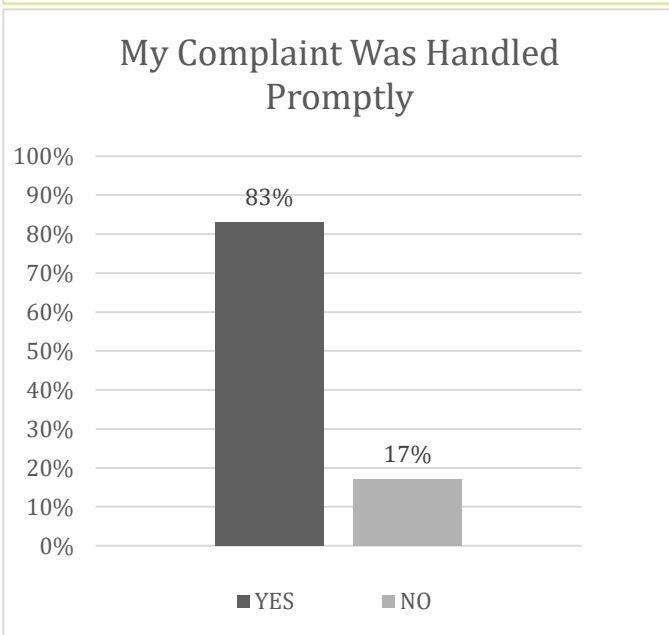
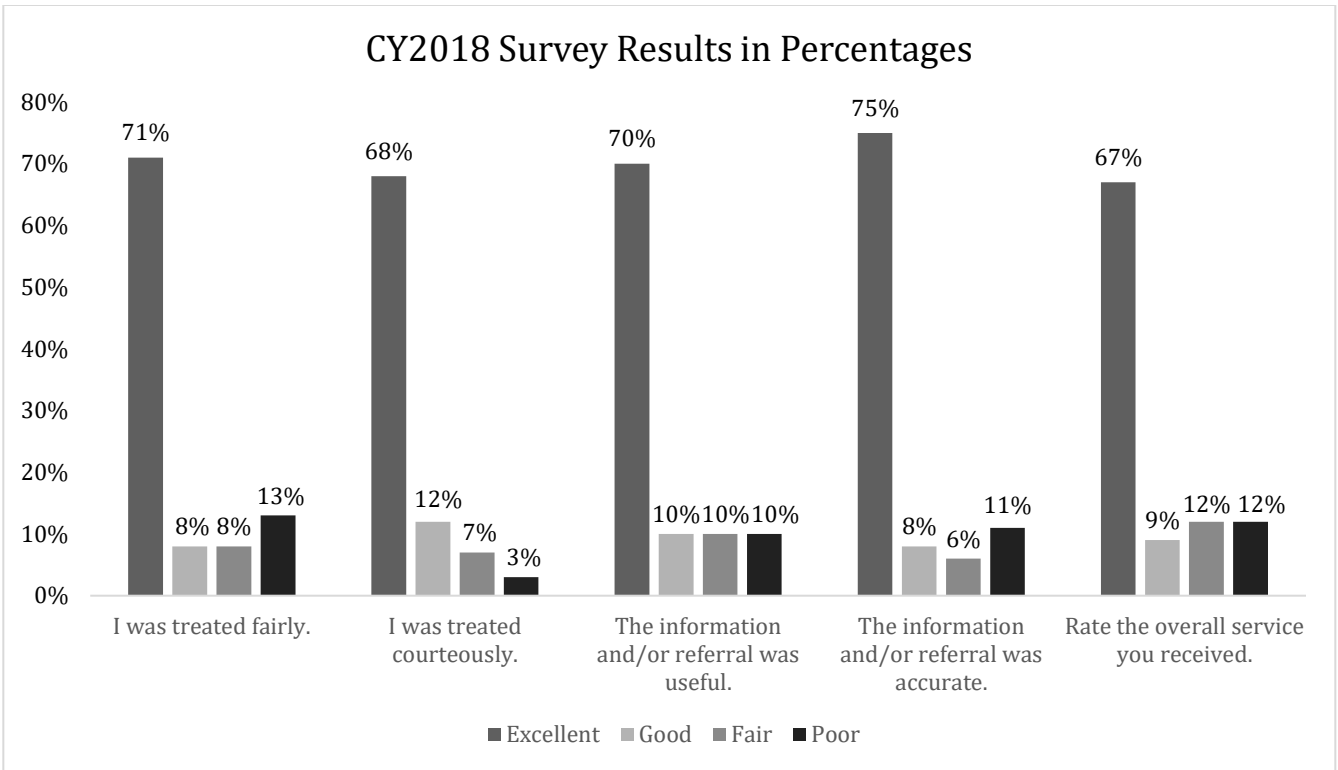
It is important for us to receive feedback from the citizens we help so that we can evaluate our performance, correct shortcomings and improve our service. One way we get feedback is through our customer satisfaction survey we distribute at the close of cases. The survey measures how well we are accomplishing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

These standards are:

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

WE WELCOME FEEDBACK

The chart and comments on the following pages summarize the results of the survey for FY2018.



THE FOLLOWING COMMENTS ARE FROM CITIZENS WHO USED OUR SERVICES IN CY2018:

“The employees there are always courteous, professional, and knowledgeable. ”

“Without the assistance of the ombudsman office my family would still be suffering. Thank you for being here for us.”

"The Honorable Arizona Ombudsman-Citizens' Aide is a great resource for enhancing citizenry, exploring creative strategies for resolving issues and disputes, and managing the tensions that arise from the interactions of businesses and individuals. The feedback received from Arizona Ombudsman-Citizens' Aide is extremely helpful and effective for developing an integrated legal understanding of the matter in question. I hereby extend my heartfelt appreciation for the great guidance and services received. Thank you!"

"I want to thank you for your time and assistance regarding this matter. I truly appreciate your help."

"I was extremely satisfied with the services and a huge kudos to (Jen) for her prompt attention and professional aggressiveness in following through. Thank you!"

"I appreciated (Danee) going above and beyond, following up with his further research on the issue I called about."

"I was impressed that each of my complaints were identified and addressed individually. I have been provided a course of action thanks to the information provide by Arizona Ombudsman-Citizens' Aide."

"Looking out for the little guy."

"God bless you (Jen) and I thank you wholeheartedly for advocating for what's right. The system need more people like you!"

"I actually had someone advocating for my best interest. John should be commended. He showed excellent leadership and dedication for a citizen of AZ."

"I have been seeking assistance from (Jen) for quite a time now. She has been such a Godsend to me. I'm so appreciative of all her help and efforts she put forth to help me with the issues i had been facing. She is wonderful! Thank you so much!"

"Danee was incredibly helpful!"

"Thank you so much for all of your help and thanks for taking the time to inform me on how to approach this matter. You're Awesome!!!"

"I love and appreciate this entity so much!!"

"The information was timely; I had continual communication and a swift resolution. Thank you for helping my mom return to her home."

"I did not get everything resolved in the first contact but the Ombudsman Aide continued her efforts to help me get full resolution and followed up and everything. She was GREAT."

"I very much appreciate your response."

"I have been trying to get this situation cleared up for months now. I could not have gotten a driver's license without you!"

"I was transferred to a very nice and compassionate lady named Joanne. (Joanne) took the time to hear my issue out and advised me accordingly. She quelled my anxiety and made me feel assured in her expertise on the matters discussed. She is a valuable asset to this division. I will never be able to thank her enough. God bless her for she truly cares and is very professional."

"I want to tell you thank you soo much for all of your help, I wouldn't have been able to get through it all without you. . . You have been a Godsend to me/us! Thank you from all of my heart!"

"Excellent communication and resolution! Thank you so much!"

"You (Jen) gave me the hope that I didn't have before. No one with this DCS investigation explained anything. When they kept contacting us and calling they never told us why."

"(Keith), Thank you for readily taking this up and getting the communications going. . . Your promptness is much appreciated."

"Thank you for being effective in making the communications happen; directing the matter to corrective contacts."

"This is a substantial benefit to all citizens."

"You were incredible help to me today! . . .

"Thank you (John) very much for looking into this urgent matter and for returning a prompt reply . . . I will do as you say and thank you for the great support and advice kind sir!" "You explained exactly what I need to do and I appreciate your advice from the bottom of my heart!"

"His (Danee's) lecture was very clear, concise, and informative. I appreciated that he knew his subject and that he presented the information visually (slide show) and verbally very well. He was realistic in his responses to the many questions presented to him and he just did an overall great job representing the Ombudsman's Office."

"Thank you (John) very much for your timely response as well as your energy on my behalf to help resolve this issue for me in a promising manner."

"Yvonne is the best!"

"Thanks for the quick reply."

"I appreciate your response giving me some. Numbers to call i will reach out to each one tomorrow thank you once more."

"You are truly a bright beacon of hope Sir! We appreciate both of you (Keith and Joanne) for your brilliant beautiful minds and courageous caring hearts, more than words could ever say. Our family is so thankful for your thoughtfulness, knowledge and guidance."

"Wow! You Sir and this very necessary organization that you're a part are amazing. It is our opinion that your state, the country and humanity as a whole are better off because of you and the future of it all looks brighter because of you, your co-workers and helpful caring people like you all. We're so grateful."

"Thank you for your speedy and clear response."

"(Joanne) You did a great job."

"Thank you (Joanne) for all of your kind and helpful assistance."

"(Danee) is always pleasant and very helpful."

"Thank you again for your guidance and help with this case."

“Keith was prompt, complete and a good facilitator to help respond.”

“(Joanne) Thank you so much for your assistance with this constituent. I can’t thank you enough, we have been slammed down here today and I just couldn’t quite get the point across to her. I am so grateful for your help!”

“Honestly when I called I assumed I would be on hold forever and when some did answer they would not be able to help. I couldn't have been more wrong! They answered the phone quickly and despite it being a difficult question they provided real help. THANK YOU!!”

“Very professional!

“I have worked for the Mayer Fire District for over 15 years and The Ombudsman-Citizens' Aide office has ALWAYS been an excellent resource for Open Meeting Law questions. They have also come to our location three times over the years for Open Meeting Law training for our Governing Board and several other Arizona government entities that were in attendance.”

Compelling Cases

The following case summaries are examples taken from the 6,378 cases we handled in FY 2018.

General Complaints About State Agencies

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

1804895. Arizona Department of Land.

A Prescott Valley woman was having an issue with a locked gate located on state trust land that she felt should be open to the public. The woman claimed that since the land belonged to the taxpayers of Arizona, taxpayers should be permitted to access the land. The gate was operated by the State Land Department (Land Department), and a lock on the gate was preventing public access. The woman also seemed to be frustrated with the lack of response she received from the Land Department regarding the issue once she brought it to their attention.

The woman emailed our office the email correspondence she had with multiple individuals at the Land Department. Upon our review of the correspondence, it did seem that the Land Department was not resolving, or even addressing the issue timely, as it had been over a month since the Land Department had last responded with the woman.

Our office reached out to our contacts at the Land Department and inquired about the woman’s claim. Our office requested that the Land Department please advise our office as to the reason why the gate to the public land identified by the woman was locked, and provide the applicable Arizona Statute, Administrative Code, or Land Department policy that

supported the Land Department's position in keeping the gate locked.

A few days later, the Land Department responded to our office advising that upon reviewing the matter, the lock would be removed from the gate within the next few days. The Land Department went on to explain that a rancher who had an adjacent property was having problems with off-road vehicles running over a local wellhead on his property, and had locked the gate hoping to prevent further damage. The Land Department advised they would remove the lock and inform the rancher that locking the gate would no longer be permitted.

Our office emailed the woman and explained what the Land Department had advised our office. In addition, we advised that if the lock was not removed within a few days, to please contact our office again.

**Our intervention stopped an unfair financial burden on a citizen as exemplified by:
1806133. Arizona Department of Revenue.**

A man was having a problem with a financial penalty being imposed on him by the Arizona Department of Revenue (ADOR) in which he claimed was unfair and was due to an error caused by the system used by ADOR. The man claimed that when paying taxes, the ADOR's system allows the entry of a checking account routing number. The man claimed the problem lies within this entry field, as the field contained one too many spaces. As a result, a user may unknowingly enter their routing number one-space off, resulting in the routing number being incorrect. Once the number goes through as incorrect, the ADOR imposes a financial penalty. The man went on to claim that when he managed to speak with representatives from ADOR, they seemed unconcerned and dismissive about his claim. Frustrated, the man contacted our office for assistance.

Our office contacted ADOR and explained the man's claim, and requested that the ADOR review his claim for validity, and if a systematic problem existed, determine if any adjustment of the penalty imposed by ADOR was appropriate.

ADOR responded a few days later to advise that the man's claim had been reviewed, and he had been contacted. ADOR said they would not impose a penalty on the man.

1802140. Department of Game and Fish.

A hunter contacted our office with a complaint regarding a Game and Fish Department license charge. The complainant alleged that the Game and Fish Department charged him in error. Further, he alleged that the customer service representative at the department refused to issue a refund. We looked into the case and then discussed it with the agency's ombudsman. Upon further investigation, we confirmed that the agency erred in making the charge. The agency agreed with our finding. The agency also agreed to issue the complainant a refund and to provide additional training to the customer service representative who had

improperly denied the refund. The complainant was happy to receive the refund.

1802451. Department of Transportation - Motor Vehicle Division.

An ATV owner complained he paid his Motor Vehicle Division (MVD) renewal, only to discover he paid over eighty dollars more than the previous year. He said he complained to MVD staff, but they did not address his concern. They told him it was because he failed to purchase an Off-Road Decal for twenty-five dollars and that MVD also told him they would not refund him the renewal fee he already paid, but that he still needed to purchase the Off-Road Decal.

We asked MVD to address the ATV owner's issue or explain their legal authority for their initial answer. MVD reviewed the matter and determined a refund of the fee was in order after all. They contacted the ATV owner and informed him they were going to refund the renewal fee. We contacted the owner to confirm this information and invited him to contact our office if he needed any further assistance.

Our intervention resulted in better service to citizens.

1800181. Arizona Department of Revenue.

A taxpayer had a problem getting a copy of his transaction Privilege Tax License from the Arizona Department of Revenue (DOR). He said that DOR staff claimed they mailed him a copy of the tax license as he requested, but he never received it. After trying to resolve the problem with DOR, the taxpayer asked us to assist him in getting the license copy. We reviewed the complaint with DOR. DOR's problem resolution officer agreed to send the man a copy of his license and then confirm he received it. She did so and this resolved the problem. We confirmed with the man that he received the license.

1801538. Game and Fish.

A fishing boat owner expressed his concern about the Game & Fish Certification of Placement of Hull Identification Numbers (HIN.) He said Game & Fish sent him a letter telling him to change the hull ID number, which the manufacturer placed on the boat in 1961. He said the directive did not sound right and questioned the legality of the new policy.

We discussed the matter with Game and Fish. Game and Fish contacted the boater and addressed his concern. Game and Fish informed the boater that the U.S. Coast Guard was requiring all boats to have legally conforming HIN, the equivalent of a vehicle identification number (VIN.) Game and Fish went to the boater's residence as a courtesy and installed the new HIN.

We confirmed with the boater that Game and Fish had satisfactorily addressed his issue.

1802174. Arizona Board of Chiropractic Examiners.

Our office received a complaint from a chiropractor in Washington State who was trying to get licensed in Arizona through the Arizona Board of Chiropractic Examiners (BCE). The man

relayed that ABCE had closed his license application by claiming he did not submit all the requested documentation to the agency within a required 60-day period. The applicant chiropractor disputed this and claimed that he did submit the records timely. The man explained the King County Records Division, in Washington State, provides records for all King County public entities, including the King County Sheriff's Department, in which the ABCE had requested information. The man said the ABCE claimed that because the Sheriff's office did not send the record, it was not acceptable to the ABCE, thus, he did not submit all requested documents. The man thought this was unfair, and asked our office for assistance.

Our office informed the ABCE of the complaint and requested their rationale about the situation. The ABCE reviewed the matter. The agency decided to overturn the decision, reopen the man's application, and move forward with the process.

Our office informed the applicant. He was very grateful and thanked us.

**Our intervention resulted in better service for the citizens as exemplified by:
1803340. Department of Economic Security (DES) – Medical and Nutritional Benefits.**

A man complained about DES-Benefits. He said that he lost his EBT benefit card and needs a replacement. He said that he contacted DES-Benefits and they informed him that his wife could go and pick one up. She went and attempted to obtain the card, but was told that the person on the card, the husband, would have to go pick it up personally. He said that he would like to know exactly what he needs to do to get a new card.

We contacted DES and they indicated that the man is not willing to listen to them, so they provided us with the man's options on what to do to replace his card.

We contacted the man and informed him of his three options:

- 1) He can go to his local office and ask for a replacement card, he must be the one to go.
- 2) He can call 1-888-997-9333 to have the card replaced, which will be mailed to him.
- 3) He can complete a form to have an alternate EBT cardholder, which he can put his wife's name on it and she can receive a card.

He was happy that we were able to provide him with options.

1803791. Department of Economic Security (DES) – Unemployment Benefits.

A man called our office complaining about DES-Unemployment. He said that he was collecting unemployment and then he went into a trade school program and his unemployment benefits stopped. He would like to have his benefits restarted. He has tried calling, but nobody seems to know what to do.

We contacted the DES-Unemployment Division and they reviewed the case. DES-Unemployment then informed us that the man would need to fax in weeks' worth of information. DES-Unemployment said that once this is received, he would be able to go online and file his weekly claims. DES had left the man a voice mail.

We contacted the man and verified he received the information. He thanked us for our help.

1804165. Department of Revenue.

A citizen stated she was having concerns with DOR and a supervisor who was to call her back, but she stated no communication has happened. She explained that DOR is not communicating about reimbursement for the interest that should have been charged.

We spoke with DOR who stated the concern has now been resolved. They explained that DOR called and the citizen who paid \$316 as they agreed to reverse the interest charge.

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

1800219. Department of Health Services.

A mother complained about the Department of Health Services (DHS). She said the Newborn Intensive Care Unit (NICU) under the Department of Health Services was supposed to pay certain medical bills for her twin children, but DHS had failed to pay their portion of a hospital bill that was due.

We contacted DHS and reviewed the matter. DHS concluded that the family had met their share of the liability; therefore, DHS agreed to pay for the remaining portion of the bill. The Department of Health Services then sent the woman a letter with their findings.

We confirmed with the mother that DHS paid their portion of the bill and that she received the promised letter.

1800950. DOR - Arizona Department of Revenue.

A taxpayer had a problem with the Arizona Department of Revenue (DOR) relating to her 2009 divorce. Since the divorce, the Arizona Department of Revenue has sent her ex-husband the refunds in his name without including her. Thus, he received some refund monies that DOR should have allocated to her. Further, DOR put a lien on her tax account even though her ex is the one having the tax issues with the Department of Revenue. The taxpayer said she tried to work it out with the agency, but had not been able to do so. She turned to us and asked that we get DOR to fix the issues.

We contacted DOR; they reviewed the account and released the levy. DOR said the account was very complicated. It showed they refunded her with no offset for the past few years. DOR also said there was a joint liability for a 2008 period while the couple was still married. DOR found they erred in the manner they issued the tax levy for that. The Department of Revenue had their Collections Division apologize to the taxpayer and correct the action. The

Department of Revenue said that they noted the account to show that she has had an "Innocent Spouse" status. The Department of Revenue also gave the taxpayer contact information for a problem resolution officer if she has any other issues.

We contacted the woman and informed her of our findings.

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

1800263. Department of Transportation-Motor Vehicle Division.

A motorist had a problem with the Arizona Department of Transportation-Motor Vehicle Division (MVD). She said MVD incorrectly printed her name on her driver's license and now they want her to return to their office so they can correct it. The motorist believed that she should not have to go into the office for the agency to fix their error. She explained that MVD had accidentally reversed her last and first names on the license the agency issued. She thought that MVD should be able to correct this clerical error without her having to return to the MVD office. She claimed she had spent three hours at MVD when she went to get her license the first time.

We contacted MVD and reviewed the motorist's file. MVD realized their error and agreed to correct and replace the license with no fee. MVD contacted the woman and told her to watch for the updated license in the mail. We later confirmed this with the motorist. The motorist was pleased MVD corrected their error by mailing her a corrected license without inconveniencing her further.

1804799. Department of Transportation-Motor Vehicle Division.

A driver complained about the Department of Transportation-Motor Vehicle Division. He said that the installer business place that connected and checked his vehicular breathalyzer closed down and now the MVD is using this against him. He claimed MVD claimed this situation meant he did not have the device on his vehicle consecutively as required by law. The driver went to another place and had the breathalyzer reinstalled. He believes this is not his fault and asked that we review his case.

We reviewed the case and then contacted the MVD. After MVD reviewed the case, they concurred the driver had acted properly. MVD updated the driver's records. The MVD said that he has met his ignition interlock requirements. Credit was given to the driver from the date of the reinstall. MVD informed the driver that he may now reinstate his license.

We contacted the man and he was very happy. He said that he would not have been able to reinstate his license without our help.

1801617. Board of Examiners of Acupuncture.

A citizen complained the Acupuncture Board of Examiners improperly posted her personally identifying information to their website. She had contacted the Board about the issue too.

We reviewed the posting and confirmed the problem. We discussed the posting with the Acupuncture Board staff. The Board staff then contacted the citizen to discuss the situation. The board staff brought in their IT department to review the concerns and develop a means of preventing such a problem in the future. The board staff then asked their assistant attorney general to research a solution and appropriately respond to the citizen.

1802286. Department of Child Support Services.

A father expressed concern with how the Arizona Department of Economic Security (ADES) – Division of Child Support Services (DCSS) handled his support case. The father explained he had consistently paid an agreed-upon amount of child support every month since 2010. He had an agreement to send payments to the mother (the custodial parent) on occasion. The father had an affidavit from the custodial parent verifying he made direct payments to her for child support. The father said he made these payments directly to the custodial parent until 2011 when the custodial parent moved to Utah. At that time, the father opened a support case with Utah. Utah then deducted the child support payments directly from his paychecks and sent them to the Utah Clearing House. Utah then provided the support funds to the custodial parent. This continued until 2014 when the father moved back to Arizona.

Arizona then started processing the father's child support. Although Utah child support records correctly accounted for the father's previous direct payments to the custodial parent, DCSS had no record of any such direct payments. DCSS told the father he owed significant arrears.

The father requested that Arizona DCSS perform a reconciliation in the hope it would demonstrate he was current in his payments and not in arrears. Unfortunately, the reconciliation process still showed a discrepancy in records between Utah and Arizona, resulting in DCSS reaffirming their claim the father owed arrears. In an effort to resolve the discrepancy, the father appealed to the custodial parent, requesting she submit an additional affidavit to DCSS, supporting the father's claim that he had consistently paid his obligation. The custodial parent did not immediately supply the affidavit. However, once she supplied it to Arizona DCSS, the agency did not immediately apply the information to the case.

DCSS eventually processed and applied the affidavit figures to the father's account. This created a new problem, as DCSS records now had an unexplained overpayment to the custodial parent (mom) in excess of \$5,000. The father requested DCSS refund him the excess funds or apply them to future payments, but DCSS refused. The father asked for our assistance alleging that DCSS was not reasonable.

We contacted the ADES Ombudsman's office and requested further clarification from DCSS regarding the father's account. Subsequently, DCSS informed us the overpayments could not be refunded, as they had already distributed the funds to the custodial parent in "good faith." Our office requested a meeting with DCSS to further discuss the case. DCSS agreed and said they would continue to research the case further because they too had some concerns.

Upon our next meeting, DCSS explained they reviewed the case more deeply and found the funds had not been distributed to the custodial parent as they had previously thought. The agency said the funds must be held until the case was closed. DCSS said the father may seek a refund of the overpayments through civil court once his DCSS case closed in a few years pursuant to A.R.S § 25-527 and 45 C.F.R. § 302.51. Our office questioned that too. DCSS agreed to continue to review the case and said they would bring in other experts to check the situation. Our office checked the statutory citations provided by DCSS and found them to be irrelevant to the father's case. We alerted DCSS. DCSS elevated the matter to their legal team who concurred the citations was incorrect for this particular situation.

DCSS kept researching and then informed our office that they found a missing piece of the puzzle, and were gathering the last of the records. DCSS met with us and explained how they erred and the father erred. DCSS had not applied all funds to the case as required and they were confused by the father's error too. DCSS showed us court orders that had stipulated the father was never to issue direct payments to the custodial parent. With the information from the affidavit and the custodial parent's approval, DCSS was able to apply the funds to the account despite the mistake of the father. DCSS successfully corrected the account and determined there was not an excess balance, the custodial parent had not received excess funds and the father was current on his obligations. Our office found this news to be satisfactory, as the DCSS determination seemed to be in line with what the father had claimed all along. DCSS contacted the father and explained their findings to him.

1800365. Arizona Department of Transportation-Motor Vehicle Division.

A motorist had an issue updating her address on the Arizona Department of Transportation-Motor Vehicle Division's (MVD) website. She claimed she had tried to update her address on the Service Arizona website but was unable to do so. In addition, she had not been able to update her voter information.

We worked with the Motor Vehicle Department on this complaint. MVD also spoke to the woman. MVD confirmed the problem and then resolved the computer issue that had caused the difficulty. MVD updated the motorist's address in their records and informed the motorist they had resolved the problem. They did not have the ability to adjust the woman's address problem on the voter rolls, but they provided her with contact information for the County Recorder's Office.

We verified with the motorist that the agency had updated her information.

1802398. Arizona Department of Transportation-Motor Vehicle Division.

A motorist complained the Motor Vehicle Division (MVD) did not issue him a new license displaying his designation as a veteran as they should have done.

We discussed the matter with the MVD staff. They agreed to contact the motorist and address his license issue. MVD later informed us they contacted the motorist and issued a

corrected credential.

1804646. Department of Economic Security – Division of Developmental Disability (DDD).

A foster parent complained about the Department of Developmental Disability (DDD). The foster mom said that one of the children who had been in her care has major behavioral needs. She said this child needs to go to a suitable home that has the services he requires. The foster mom said she could not meet this particular child's needs. The foster parent felt that DDD did not want to pay for the child to go to a home or facility that can best meet his needs. She said DCS wants to return the child to her, but she said that she is not able to take him because she has other children in the home that have been physically abused by the child in question. She said she must protect the other children. She said that DDD did not react properly to this news. DDD caseworkers threatened to pick up the child or contact the Department of Child Safety and charge her with abandonment. She would like to have the case reviewed.

We contacted DDD and they reviewed the case. DDD managers agreed the child needed behavioral health treatment and they placed the child in question in a behavioral health facility. DDD managers contacted the foster mother and are having her complete some documents for her to sign and review.

We called the foster mom and she indicated that DDD was now working with her and was now more properly dealing with the child's issues. She thanked us for our help.

Our intervention led to a change in an agency's procedure and corrected a systemic problem.

1800312. Department of Corrections.

A citizen alleged disability discrimination regarding the Department of Corrections (DOC). The citizen said he is an approved visitor at an Arizona prison and has made several visits with no incident. The citizen stated that he attempted to have a visit more recently but was turned away because he has a prosthesis of his leg (his disability). He explained that he was wearing shorts per DOC policy, so the prosthesis is visible at all times. After being turned away, the man said he went to his car, removed his leg and then came back to the entrance and requested entrance. The DOC prison staff still turned him away claiming that he would now be a liability. The man stated that DOC staff then required a doctor's note. The man returned after getting a doctor's note for a visit and DOC then allowed the visit.

We discussed the matter with DOC management staff. They reviewed the case and confirmed the circumstances were as described by the citizen in his correspondence. They agreed the man had not been treated appropriately and that he had been inconvenienced for unnecessary reasons. They said the warden was going to take the necessary and appropriate remedial action to ensure that this does not happen again, either to this person or to any other similarly situated visitor. The DOC further explained visitation security staff will be re-

trained accordingly. The DOC also contacted the citizen to apologize for his visitation experience.

Ombudsman Intervention in DCS Cases

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

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

Our Department of Child Safety cases were 37% of our total caseload.

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

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

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

OMBUDSMAN DCS CASE LOG CY2018 KEY CATEGORIES

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

DCS Complainant Information Chart –January 1, 2018 – December 31, 2018	
ITEM	NUMBER
<u>DCS Complaint Source Relationship</u>	
Parent	1,481
Kin	707
Service Provider	3
Child	8
Foster	107
Attorney	32
Agency Worker	4
Other	75
Unknown	1
<u>DCYF Region</u>	
Central	279
Southwestern	70
Southeastern	9
Northern	28
Pima	61
Unknown	1943
<u>Type of Complaint</u>	
Removal Issues	231
Service Issues	101
Visitation Issues	148
Communication Issues	413
Record Issues	154
Placement Issues	306
Investigation Issues	348
Inadequate efforts towards case plan goal	47
False Allegations	134
DCS Process Questions	794
Adoption	28
Caseworker	325
Other	390
Unknown/NA	10

Ombudsman Intervention in DCS Cases

The Legislature instructs us in our budget note to emphasize Department of Child Safety cases. During the CY2018 period, 37% of our total cases were about DCS. Below are some examples where our intervention helped resolve concerns with DCS.

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

1803837. Department of Child Safety

A woman called asking for assistance with the Department of Child Safety (DCS). She said that a case was opened against her, but DCS staff told her that she would be getting a closure letter because the agency had not substantiated the allegations against her. She said it had been months, yet she has not received anything yet from DCS. The woman claimed DCS had stopped communicating with her, but she wanted to ensure the case closure was documented officially.

We contacted DCS and reviewed the situation. DCS managers were not able to find a closure letter. DCS managers contacted the caseworker told her to make sure a closure letter is sent to the woman.

We contacted the woman and informed her of our findings. She thanked us for our help.

1804692. Department of Child Safety

A father complained to us about the Department of Child Safety (DCS). He said that his son was removed from his ex-wife, and he was not contacted. He wanted the child to be placed with him because he is the father, and DCS has no safety or other reason to not place the child with him. The father said he had contacted DCS, but the agency was not listening to him. He felt that there is a barrier because he does not speak English. He said he had not been able to get DCS to provide him with someone who speaks Spanish and would help him explain his situation to the agency.

We contacted DCS and provided them with the father's information. After DCS reviewed the case, the agency agreed the father's request should be investigated. DCS informed us that it contacted the father and the agency was going to do a background check and inspect the father's home so the child could be placed with him.

We contacted the man and he verified that DCS is now working with him in trying to get his son. He thanked us for our help.

1805200. Department of Child Safety

A foster mother to three children who had been in DCS foster care for over two years complained about the Department of Child Safety (DCS). When the youngest child entered

into the DCS system over two years ago, the child was unnamed, and only the child's surname was known. The child had since been given a name. The foster mother's complaint was that DCS had the child in their system for over two years, yet even after being given a name, DCS failed to update the Birth Certificate with the Arizona Department of Vital Records. The foster mother also claimed DCS never provided her with an official Birth Certificate for the child that reflected the child's given name, only a temporary Birth Certificate that listed the child's name as "AKA NOT NAMED". The foster mother claimed the temporary Birth Certificate was not acceptable for getting the child a social security card or completing other vital documents. The foster mother claimed that when she contacted her DCS caseworkers, they informed her she would need to go to the Department of Vital Records herself to correct the issue.

Reluctantly, the foster mother went to the Department of Vital Records, which informed her she needed to go to court for a name change. However, the foster mother claimed she could not get a name change because she was only the child's foster parent. The foster mother was upset, claiming that DCS should have updated the child's information with the Department of Vital Records during the two-year period when the agency had temporary custody. Now the issue was creating a hardship for both the foster mother and the child.

Our office emailed our contacts at DCS and inquired about the woman's complaint. We requested that DCS please advise if DCS could assist the foster mother in obtaining a revised Birth Certificate listing the child's full name. If DCS could not assist, our office requested that DCS please explain why, and advise what the foster mother needed to do in order to get a Birth Certificate for the child.

DCS responded a few days later to advise that a Birth Certificate should have been revised and completed, and they would be contacting the woman and assisting her in getting an updated and corrected Birth Certificate.

1806178. Department of Child Safety

A nursing student was confused by a letter she had received from the Arizona Department of Child Safety (DCS). Apparently, upon the conclusion of a DCS investigation, the woman received a letter from DCS informing her that the report against her would be unsubstantiated, and her case would be closed. However further down in the same letter, it explained that evidence gathered from the investigation was enough to substantiate a finding of neglect against her, and that substantiated individuals would be placed on Central Registry. The woman was confused, as she claimed the letter was contradictory. The woman explained that because she would be entering the nursing field if she were to be added to Central Registry she would be unable to find employment. The woman further explained that if she was going to be added to the Central Registry, she would stop pursuing her nursing degree. Our office requested that she send us a copy of the letter she had received so we could review.

The woman sent our office a copy of the letter and we reviewed it. We agreed that the letter was indeed contradictory. Our office suspected that this particular DCS letter was most likely generated from a form letter which included language for both substantiation and

unsubstantiation. Prior to mailing, the DCS worker authoring the letter would simply remove the portion of the language that was not applicable. In this case, it seemed that the non-applicable language was erroneously left in.

Our office reached out to our contacts at DCS and requested that DCS please review both the letter and the investigation results and advise why the letter contained contradictory language. If the letter contained an error, our office requested that DCS please re-send a new, corrected letter to the woman. If there was NOT an error, please clarify if DCS was proposing to substantiate or not.

DCS responded a few days later to confirm that the letter indeed contained erroneous language. DCS went on to advise that the individual who had made the error would re-write the letter and send a corrected version to the woman.

Our office informed the woman of what we had learned from DCS, and that she could expect a corrected version of the letter to arrive in a few days. She thanked us.

1800137. Department of Child Safety.

A mother said the court ordered that her visits were to continue even though it severed her rights to the children. The mother said that the Department of Child Safety (DCS) had not continued the visits, despite the court order. She claimed that at the last two court appearances, the judge had gotten upset because the visits had not continued.

The DCS Ombudsman's office initially disputed that the court clearly ordered visits to continue. We elevated the concern to the Director of DCS on January 19, 2018. Although we never received a response from the Director, DCS did resume facilitating visits. Because this resolved the issue, we closed the case.

1800074. Department of Child Safety.

A foster mother for a developmentally disabled child said that she had a child placed with her for some months but the child's Department of Child Safety (DCS) caseworker had been unresponsive to her. The foster mom provided examples. She said DCS gave her important medication for the child, but DCS did not provide instructions about the medication. The foster mother also reported an issue with insurance to the caseworker, but the foster mother had not gotten any assistance from the caseworker in resolving the insurance issue.

The foster mom cited various other examples with how the DCS caseworker failed to comply with the law and act reasonably, such as the worker not properly visiting the child because an employee of another agency had done so. The foster mom claimed she tried contacting the caseworker's supervisor using a phone number provided by the caseworker, but it was a wrong number.

We reviewed the case with the DCS Ombudsman's office. The DCS Ombudsman's office researched the situation and agreed that the caseworker had not handled the situation according to policy and that communication was poor in the case. We asked the DCS Ombudsman to contact the foster mom to handle the issues the foster mom had expressed.

The DCS Ombudsman office agreed and noted that this is a personnel issue, and a DCS manager would address the complainant's concerns directly.

Our intervention helped resolve a grievance against a state agency where the resolution corrected a financial problem and benefited a citizen.

1800274. Department of Child Safety.

A presumed adoptive father stated he has two siblings placed with him and both are on Social Security Insurance (SSI). He further explained that they get the daughter's SSI funds each month, but not the son's funds. The father further alleged the Department of Child Safety (DCS) is the payee for the son's SSI, but he claimed the agency had not been providing the benefits to or for the son. He stated there were no funds given for the son's use from September 2017 to January 2018.

We explained the problem to DCS and asked them to review the situation. DCS examined the matter and agreed there was a problem. They informed us that they will send the funds to SSI and then SSI would then process the funds for release to the family as benefits for the son.

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

1803638 Department of Child Safety.

An attorney contacted our office on behalf of his client because the Department of Child Safety (DCS) would not allow the client to appeal the DCS's finding against him.

The attorney alleged that DCS had proposed to substantiate a report made against his client. As a result, if he did not appeal, his name would be placed in the DCS central registry.

The attorney explained that his client requested, in a timely manner, an appeal as was guaranteed to him by Arizona statute (and likely by the Due Process Clause of the United States Constitution). He said that DCS informed his client via letter that he could not yet appeal because the issue on which DCS made its finding against the client was currently before a judge as part of a family court matter. The lawyer said that the DCS letter informed his client that he must report to DCS within six months the court's decision on the issue or that the matter was still pending. The letter said that if the client did not follow these requirements, he would lose his right appeal the DCS decision, and his name would be placed in the central registry.

The client was unable to comply with the six-month reporting requirement. As a result, DCS asserted that he no longer had a right to appeal its finding against him, and DCS entered his

name into the DCS central registry. The attorney and his client did not think this restriction on his appeal rights and his entry into the Central Registry was proper. The attorney provided us with records to support all of the facts he had asserted. DCS records did not contradict the attorney's assertions.

We contacted DCS about the matter and requested the legal basis for the six months' notice requirement. DCS cited a statute that did indeed prevent the appeal of a DCS finding for an issue that is currently before a judge; however, the statute specifically entitled one to an appeal if the court did not end up ruling on the issue. The statute did not make this appeal contingent on keeping DCS informed of the court matter, nor did it allow DCS to make the right to appeal contingent on keeping DCS informed of the court matter.

We explained our reading of the statute to DCS and again inquired as to the legal basis for DCS eliminating the client's appeal rights and entering him into the central registry because he did not keep DCS apprised of the court matter. A DCS attorney explained that the family court did not end up issuing a ruling on the relevant issue. She explained why DCS had created the six-month requirement, but she conceded that DCS did not have legal grounds for creating and enforcing it.

The DCS attorney said the agency would eliminate the six-month reporting requirement, remove the client's name from the registry, and make sure that he received his appeal as required by law.

We relayed this information to the client's attorney who was happy with the outcome.

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

1803393. Department of Child Safety.

A mother contacted our office complaining about the Department of Child Safety (DCS). She indicated that she has scheduled visits with her children, but DCS kept canceling them. She said that a cab is being sent to pick her up on days that she does not have visits. She has tried calling the worker and supervisor and they are not returning her calls.

We contacted DCS and went over the case. We asked DCS to review the matter. DCS reviewed the case and records with the cab. DCS discovered that their staff gave the wrong day to the cab company to pick up the woman. DCS corrected the information imparted to the cab company. DCS agreed to make up the missed visits for the mother.

We contacted the mother and she was very happy, she said that the caseworker had contacted her too. She thanked us for our help.

1804219. Department of Child Safety.

A grandmother expressed concern that DCS did not process the paperwork for her to receive guardianship subsidy payments for her grandchildren placed into her care by DCS.

We reviewed the case with DCS. Subsequently, DCS agreed the grandmother was entitled to guardianship subsidy funds that they had failed to supply. DCS agreed to prorate the check. DCS said that the process will take 1-2 weeks. We updated the grandmother.

1803047. Department of Child Safety.

A man contacted our office complaining about the Department of Child Safety (DCS). He said that he was visited by DCS. However, since that original visit, nobody has contacted him. He would like to know the status of his case. He said he had tried contacting DCS, but no staff returned his calls.

We contacted DCS and explained the issue. The agency looked into it and spoke to the caseworker. The caseworker then met with the man in his home and informed him that his case is due for closure because DCS had satisfied themselves there were no safety concerns.

1803082. Department of Child Safety.

A woman called our office complaining about the Department of Child Safety (DCS). She said that she has not been informed of her case plan. She also stated that DCS claimed that her home was not appropriate for home visits, yet her home had not been inspected by DCS.

We contacted DCS, and the agency informed us that the worker did not have the case plan completed in a timely manner. The agency said it addressed this issue. DCS noted the judge had also agreed to let the unsupervised visits occur at the discretion of DCS. DCS was also considering possible supervised in-home visits. DCS has discussed this with the parent aide and said they would work towards that goal with the mother.

Ombudsman Intervention in Public Access Cases

Outreach and Education

Educational Materials

We provided hundreds of our office's booklets on Public Records Law and Open Meeting Law directly to elected officials, non-elected public officials, public employees, advocacy groups, and members of the public as well as providing digital versions of the booklets on our website. In addition, we continue to share and help develop training materials for public bodies and officials. We continue to update our website with publications, training opportunities, and

new developments in the open meeting and public records law, such as new case law, legislation, and Attorney General Opinions.

Training

There is a significant demand for training throughout the State. In 2018, we conducted twenty-one training sessions for a variety of State and local government officials and public bodies and other organizations in Arizona City, Phoenix, Tucson, Clarkdale, Mayer, Litchfield Park, and Tempe. Additionally, we conducted trainings for a diverse array of governmental and quasi-governmental entities, such as the Arizona School for the Deaf and Blind, the Auditor General's office, the Secretary of State's office, AHCCCS, the Arizona State Board for Charter Schools, PSPRS, Arizona School Board Association, and various municipalities, special taxing districts, and charter schools.

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

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

Newsletters

We continued to publish a public access newsletter on about a quarterly basis. Our newsletter *The Public Record* touches on interesting and timely open meeting and public records law issues that are relevant to the duties and responsibilities of public bodies and officials throughout the State. For example, we addressed changes to the open meeting law, whether HOAs must comply with the open meeting law, public body member access to executive session minutes, and the record retention implications of using a third party to manage State email and calendars. We also provided up-to-date summaries and analysis of pending Arizona public access legislation.

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

Inquiries and Investigations

In the past fiscal year, our office handled 485 cases regarding matters related to public access. Of those calls, 245 were public record law inquiries, 208 were open meeting law inquiries, and 32 concerned both public records and open meeting law. Table 1 provides a breakdown of the number of inquiries received from the public, the media, and government agencies. Table 2 provides the number of inquiries received about state agencies, county agencies, city or town agencies, school districts, and other local jurisdictions.

Table 1			
	Public Inquiries	Media Inquiries	Government Agency Inquiries
Number of inquiries	244	33	206

Table 2					
	State Agencies	County Agencies	City or town agencies	School Districts	Other Local Jurisdictions
Number of inquiries	223	53	82	59	79

Below are some examples where our intervention helped resolve concerns with public access.

1800018. Arizona Department of Homeland Security.

A resident contacted our office about a couple of issues with the Arizona Department of Homeland Security (ADOHS or the Department). The resident said he was a former employee of the Department.

His complaint had two prongs.

First, the resident asserted that ADOHS did not provide 24 hours of notice for the September 22 meeting of the Homeland Security Senior Advisory Committee as required by the open meeting law.

Second, the complainant asserted that ADOHS’s regional advisory councils are not meeting at least four times per year as required by A.R.S. § 41-4258(H).

The resident said that high-ranking Department officials had confirmed both violations of law to him and explained that the Department had acted intentionally in both regards.

We reached out to the Deputy Director of the Department about the two allegations. He conceded that the Homeland Security Senior Advisory Committee had not provided proper notice for its September 22 meeting, although he said this had not been intentional. He said the Committee would act to ensure that this does not happen again. He also conceded that the regional advisory councils were not meeting the minimum amount of times as required by law. He stated that this was intentional because the councils were completing their work in fewer meetings. He said the councils would begin meeting enough times to comply with the law.

1800091. Arizona Department of Administration.

A resident contacted our office about a request for public records she said she had made to the Arizona Department of Administration (ADOA) on November 3. More than two months had passed since she made her request, and she said she still had not received the records. She provided us with a string of emails between an ADOA employee (employee) and herself. In an email to the resident, the employee said the agency had placed the request in its "queue." She also said that some of the requested records were available online. She also said the request was very broad in several ways and asked the resident to narrow her request or be more specific.

In late November, the resident appears to have gotten more specific with her request. In late December, the resident followed up with ADOA about the status of her request. As of January 8, the resident said she had not heard anything from ADOA since her late November communications to specify what she wanted.

We contacted the employee about the matter. The employee said ADOA had communicated back and forth with the resident and was close to fulfilling the resident's request. She sent us a slew of emails between the resident and ADOA. She then explained that ADOA had half of the requested records and would produce them within the week. She also said the rest of the records would be produced on a rolling basis as they located and reviewed them.

The employee then included us on an email to the resident. Attached to the email were a fairly large number of records. The resident said she would review them. From that point on, the resident did not contact us. Because it seemed as though ADOA was providing her requested records, we closed the case.

1800238. Dewey-Humboldt.

A resident contacted our office and asserted that the Dewey-Humboldt Town Council violated the open meeting law. She asserted that the Town Council voted on an item at a public meeting, but the meeting agenda did not indicate that the Town Council might take action on the item.

We examined the agenda and were able to confirm that the resident was right that the item agenda did not indicate possible action. We consulted the open meeting law statutes and arrived at the conclusion that the open meeting law most likely requires than agenda item must indicate the possibility for action in order for a public body to legitimately take action on the item. "Agendas required under this section shall list the specific matters to be discussed, considered or decided at the meeting. The public body may discuss, consider or make decisions only on matters listed on the agenda and other matters related thereto." A.R.S. § 38-431.02 (H).

We contacted the Town Manager and Town Mayor about the complaint. We explained why we thought that the action was likely a violation of the open meeting law. The Town Manager responded and agreed. He conceded that the Council likely violated the open meeting law and that the action taken at the meeting might be rendered null and void. He said he consulted

the Town's attorney who also agreed. He said the Town would ratify the action taken in violation of the open meeting law.

1800501. Arizona State Schools for the Deaf and Blind.

An employee for the Arizona School for the Deaf and Blind contacted our office and inquired about whether our office could provide open meeting law training for a new, deaf School board member.

The employee said that it was somewhat urgent because the board member would soon assume office. As a result, we agreed to conduct a short one-on-one training for the board member and did so on February 20.

1800539. Department of Child Safety - Community Advisory Committee.

A resident contacted our office about the Department of Child Safety (DCS) Community Advisory Committee (Committee) meeting. He asserted that he and several of his compatriots had been denied access to an open meeting of the Committee because they could not or would not produce photo identification. He asserted that this constituted a violation of the open meeting law.

We contacted an attorney for the DCS. She said that DCS had decided to hold the meeting in an Arizona Department of Administration (ADOA) building in order to utilize the building's heightened security features, such as metal detectors. She said DCS had made this decision, in part, because of the vocal and physical outbursts of the resident at previous Committee meetings. She said it was ADOA that required the production of photo identification in order to enter the building.

She said the agency would consider the issue and possibly consult with the Attorney General's office. About a week later, we followed up with the attorney. She said the Committee meetings going forward either would be exempt from the ADOA identification requirement or moved to another location.

1800961. Arizona State Board for Charter Schools.

An employee from the State Board for Charter Schools contacted our office about an open meeting law matter.

She said the Board had partially fulfilled a request for copies of public records. She said that the Board was charging the requester fees for the copies. She said the requester then requested something in writing explaining how the Board calculated or decided the fees. The employee wished to know whether the Board had to provide such a written explanation. We explained that the Board would need to provide any such records that existed.

In the course of discussing the matter, the employee implied that the Board charges for the time Board employees spend gathering and sorting requested records. We explained to the employee that the public records law does not permit charging for time-spent gathering records. We explained that agencies might only charge for resources spent actually producing copies. She understood and thanked us. We offered to send her additionally information on the subject and did so.

1802182. Yavapai County Sheriff's Office.

A gentleman contacted our office on behalf of an elderly lady who he said had had trouble with public records request she had made to the Yavapai Sheriff's Office.

Essentially, the gentleman said the Sheriff's Office would only allow the lady to inspect the requested records. It would not provide her with copies or allow her to make her own copies.

The lady sent us a copy of her request and confirmed what the gentleman had told us.

We reached out to the Sheriff's Office. After several conversations with multiple employees at the Sheriff's Office, we learned that the Sheriff's Office had indeed told the lady that she would only be allowed to inspect the records. The Sheriff's Office explained that this was their office's official policy for personnel records. We pressed the Sheriff's Office on the matter.

Eventually, the Sheriff's Office followed up with us and led us to believe the Sheriff's office had discussed the matter with the County Attorney. As a result, the lady would be allowed to make her own copies with her own devices or to obtain copies of the records from the Sheriff's Office.

We relayed this to the lady. She was pleased and thanked us.

1804014. Flagstaff Unified School District.

A resident of the Flagstaff Unified School District (FUSD) contacted our office about the difficulty he said he was having in obtaining public records from the FUSD.

He said he had requested to "to examine the latest drafts of the bond and override election information pamphlet material submitted to the Coconino County Schools Superintendent's office." The resident said the District had denied his request because the records "are privileged and confidential information exempt from disclosure under applicable law." He said the District did not provide further explanation for the grounds for denial.

He provided emails between him and the FUSD Superintendent that supported what he said.

We contacted the District. The Superintendent provided us with the same vague explanation that he had provided to the resident. We asked for the specific legal basis for the denial. The legal counsel for the District contacted our office. At first, she maintained that drafts are not public records and not subject to disclosure. We explained why we believe drafts like those requested would be public records. Additionally, although we conceded that there would likely be situations in which an agency could deny a request for a draft on state interest grounds, we explained that we did not think the state interest exception to disclosure applied here in light of the fact that the FUSD had already provided the records at issue to another agency.

The attorney followed up with us and explained that the FUSD had misunderstood the request and had believed the resident wanted all drafts of the requested records. The attorney said the FUSD would provide the requested records.

We relayed what the FUSD said to the resident. He was dissatisfied with the FUSD's explanation and seemed to think he would be entitled to all drafts. We explained the legal basis for why the FUSD might be able to withhold some drafts of records. Additionally, we explained that it was within his right to file a special action in superior court challenging the initial denial and subsequent excuse; however, we would not evaluate the explanation further.

1804432. Cambridge Academy Charter School.

A resident contacted our office about a charter school. She was a former employee of the school.

She asserted that she attempted to attend a meeting of the charter school governing board. She said the charter school's website was unclear about exactly for when the meeting was scheduled. She said she reached out to the school several times to clarify for when the meeting is scheduled. She said the school told her it was scheduled for 6 PM. She said the meeting than actually occurred at 5:30 PM and was over when she got there at 6:00 PM. She provided no evidence to support the assertion that the school told her the incorrect time.

The resident also said the school told her that her records would become public if she attended the meeting. She provided no evidence to support this assertion.

We reached out to the school about the matter. The school denied any inconsistency about the meeting times. "She was looking at last year's calendar for our meeting. I corrected her and provided screenshots of the correct day the week prior to the meeting. All notices and agendas were posted on our website and at the schools including the date, time and meeting place way ahead of 24 hours prior to the meeting on 8/31." The school provided a calendar screenshot that did seem to show the meeting scheduled for 5:30 PM.

We noticed a variety of open meeting law deficiencies with the school's website and its meeting agendas. We recommended several changes to comply with the open meeting law. A school official said, "I have given the information you sent to our attorney and will implement corrections."

1804705. Department of Child Safety - Community Advisory Committee.

A resident contacted our office about a public meeting held by the Department of Child Safety (DCS) Community Advisory Committee (Committee). She said the Committee had posted a notice for the meeting, but the notice had listed the incorrect date for the meeting.

We spoke to the DCS about the matter. DCS conceded that it had made an error about the date on the notice. DCS also conceded that the error had not been discovered until after the meeting actually took place. We inquired as to whether the Committee might have taken actions at the meeting that would need to be ratified. DCS explained that it took no legally binding action at the meeting.

We informed the resident about what DCS had said. We closed the case because there was nothing DCS could do at this point to remedy the issue, and there was no evidence that this was a systemic issue.

1804778. Ridgeline Academy.

A resident contacted our office about Ridgeline Academy (the school) in regard to a public records request he had made to the school.

He said that the school had converted electronic records into print and was trying to charge him 50 cents per page instead of providing them to him in the original electronic format. We asked him for some clarification. He followed up with us and said, "They have finally provided all of the records electronically." The resident made it sound like the school provided him the records once he explained that he complained to our office.

1804994. Mesa Police Department.

A resident contacted our office in regard to a request for records she said she made to the Mesa Police Department (MPD).

The resident said she had requested a body camera video from MPD five months earlier, but she had not received it. She said she had followed up with MPD multiple times, but MPD told her that the agency was backed up when it came to public records requests.

The resident sent us a copy of her request. We contacted MPD records about the request. MPD records explained that the resident's request was in its request queue, and the records person had not yet gotten to her request. An MPD records employee implied that it had taken this long due to a lack of resources and the large number of requests the agency receives. The employee further explained that a single employee handles requests for body camera video and provided us with that employee's contact information. We left a message for the employee.

An attorney for MPD left us a message later on the same day we reached out to the MPD employee who handles requests for body camera video. In her message, the attorney explained that MPD would fulfill the resident's request by the end of the week.

We followed up with the attorney. She explained that MPD records had finally gotten through its queue of records requests to the resident's request. She made it sound like it was a coincidence that this happened to occur on the same day that our office inquired about the request.

We followed up with the resident. She said MPD had called her and told her the record was ready for her. She did not believe it was a coincidence that the agency provided her with the record within two days of our office reaching out, but she did not press the issue further.

1805021. Phoenix Police Department.

In October, an attorney (attorney) contacted our office about two requests for records she said her office had made to the City of Phoenix Police Department (PD) in January and February. She said the PD had not fulfilled her requests and was no longer responding to her emails.

We contacted the PD's attorney (PD attorney) about the matter. She explained that the PD had provided all records responsive to the January request - six pages. She said the PD would have the records for the February request ready for the attorney within the week. She explained the delay as the result of a large number of requests received by the agency, difficulty in getting a legible version of the requested records due to their age, and the necessary process of reviewing and redacting the records.

We relayed what the PD attorney had said to the attorney. We asked the attorney if she had indeed received the six pages of records. She said she had not yet received them. She said the city had offered to provide records for pickup; however, she said she told the PD she would wait until all of the requests were complete before picking anything up. She thanked us.

1805287. Vernon Fire District.

An employee of the Vernon Fire District contacted our office with a couple of questions regarding the open meeting and public records law.

She said, "1) We are having 4 candidates for one open Fire Board position to be appointed by the board. At the next board meeting, each candidate is giving a presentation. The current board is wondering if they can legally go into executive session to discuss each candidate but make no decision." She also said, "2) I understand we only have to keep our recording of the meetings for 3 months can you tell me where in the law that is stated."

To the first issue, we said the District board could likely go into executive session to discuss whom it might appoint to the board. We quoted and cited materials from the Attorney General's office that concern the subject.

To the second issue, we said that Arizona Library, Archives, and Public Records would be the agency best suited to provide an accurate answer concerning record retention; nonetheless, we explained why we believe that recordings of meetings (made in place of minutes) must be kept indefinitely and not for three months. We cited and quoted the relevant retention schedules. Additionally, we explained that recordings of meetings made only for later transcription or creation of written minutes must be kept for three months.

1805289. Arizona State Personnel Board.

An employee of the Arizona Personnel Board contacted our office in regard to an open meeting law matter.

She asked whether the Board could forgo having the public portion of the agenda and only hold the executive session(s) without violating the open meeting law. We told her that the board could likely do so without violating the open meeting law, but we would suggest not doing so if possible. The open meeting law does not specifically require that a public body follow through on considering each item listed on the agenda. We explained that adding more items for consideration within 24 hours of a meeting would be a violation, but we do not think to forgo a discussion on some listed items would be a violation.

We pointed out additional issues with the Board's agenda that we thought might constitute open meeting law violations. In light of the Board's desire to cancel the public portion of the meeting and the issues with the agenda, we suggested the board postpone the meeting so it could issue a new notice and a new agenda that reflected the cancellation of the public portion of the meeting and/or corrected the issues with the agenda.

1805507. Maricopa County Attorney's Office

A resident contacted our office about public records requests he had made to the Maricopa County Attorney's office (MCAO). He had spoken to us about the matter on many previous occasions; however, he now decided to lodge a formal complaint with our office.

He asserted that he had requested several records related to a supposed contract (the contract) between the MCAO and a contractor. The resident said he subcontracted with the contractor. He said the MCAO only provided him with a one-page non-disclosure agreement related to the contract but not other records such as bills and payment records. He believes MCAO was improperly withholding these records.

We spoke with MCAO. MCAO explained that there was no contract and no payment. Additionally, MCAO said there were no records regarding the termination of the contract because there was no contract. We told MCAO that the non-disclosure agreement made it seem like there might be an underlying contract.

Eventually, MCAO explained that the non-disclosure agreement was related to discussions preliminary to coming to a formal contract or agreement; however, MCAO did not agree to a contract with the contractor. MCAO did locate an estimate or alleged bill from the contractor regarding the matter (in response to which MCAO asserted it did not issue any payments) and some related emails. It agreed to produce the records to the resident. MCAO provided the remaining records to the resident and to our office.

We explained to the resident what he had received, what he had not received, and why, according to MCAO, there was nothing further responsive to his request. We explained that, as far as we could tell, there was no reason to believe that MCAO was incorrect about its explanation for why there were no further responsive records.

1805508. City of Prescott.

In October, a Prescott resident contacted our office about a record request he said he had made to the City of Prescott on August 31 for records related to water drainage and storm water damage prevention.

He said the City had not provided access to the requested records. He said the City initially told him the reason was that the plans were not finished; however, he said the City's website now indicated that the plans were finished, yet he still had not received the records. He said the City now maintained that it would not release the records until it was able to contact a property owner about an easement.

We contacted the City about the matter. The City Attorney followed up with us. He said he had been brought up to the speed on the matter the day before. He said the City was planning on providing the records to the resident within a few days or so.

The resident followed up with us. He said the City Attorney had reached out to him about when he could obtain the records. He thanked us.

1805852. Pima County Attorney's Office.

A resident contacted our office about a request for her personnel records (and other related records) she made to the Pinal County Attorney's Office (PCAO) two months prior. She said she had not received the records despite the agency telling her it would take about 10 days.

We contacted the county. A county official said the resident's request resulted in about 700 responsive records that the agency was reviewing. He said the agency would have the records for her soon. The employee followed up with us the same day and said the agency was mailing a disc containing the records to the resident on the following business day. We relayed this to the resident.

1805508. City of Prescott.

In October, a Prescott resident contacted our office in regard to a record request he said he had made to the City of Prescott on August 31 for records related to water drainage and storm water prevention.

He said the City had not provided access to the requested records. He said the City initially told him the reason was because the plans were not finished; however, he said the City's website now indicated that the plans were finished, yet he still had not received the records. He said the City now maintained that it would not release the records until it was able to contact a property owner about an easement.

We contacted the City about the matter. The City Attorney followed up with us. He said he had been brought up to the speed on the matter the day before. He said the City was planning on providing the records to the resident within a few days or so.

The resident followed up with us. He said the City Attorney had reached out to him about when he could obtain the records. He thanked us.

1806277. Mountain Oak School.

A former employee of the Mountain Oak School, a charter school, contacted our office and asserted that the school governing board had violated the open meeting law.

Specifically, he said the governing board had violated the open meeting law by holding two executive sessions at which it discussed his employment, but the governing board did not provide him with written notice of the executive sessions at least 24 hours prior, as required by law. He also suspected that the governing board had held other improper meetings of which he was not made aware.

The governing board's meeting web page did not indicate that a public meeting or executive session had taken place on either of the two dates the former employee alleged (11/13/2018 and 12/7/2018). We asked the former employee for evidence that the executive sessions had taken place.

We reached out to the governing board president about the allegations. The school's legal counsel denied that the school board discussed the former employee's employment in executive session on 11/13. She said the board did not meet on this date. She conceded that the board failed to provide proper notice to the former employee for the 12/7 executive session because the board misunderstood the statute.

The attorney said she explained to the board what was required as far as providing notice to an employee about an executive session. She also said she would provide open meeting law training to the board. We relayed to the former employee what the attorney had said.

He continued to assert that the board had improperly discussed his employment in executive sessions beside on 12/7. He made it sound like he had evidence. Multiple times, we asked him to provide us with the evidence. He did not do so.

1806349. City of Tolleson.

The Tolleson City Clerk contacted our office with an open meeting law question.

She wanted to know where in state statute she could find information on the confidentiality of and access to executive session minutes. She said that a City Council member did not want to act until our office weighed in.

We provided her with the relevant statutory information as well as some brief and general analysis on what sort of access members of a public body have executive session meeting minutes. She was very thankful.

Our Cases – Statistics of Note

Investigations

We managed our investigations in CY2018 as noted in the following tables.

Table 3 – Investigations – January 1, 2018 –December 31, 2018	
Discontinued ¹	71
Declined ²	293
The complaint was withdrawn or resolved during the investigation ³	7
Investigation Completed	198
Ongoing	13
TOTAL REQUESTS FOR INVESTIGATION	582

Table 4 – Investigative Findings – January 1 through December 31, 2018		
SUPPORTED/PARTIALLY SUPPORTED⁴		50
Requires further consideration by the agency	12	
Other action by agency required	22	
Referred to the legislature for further action	1	
The action was arbitrary or capricious	0	
The action was an abuse of discretion	3	
Administrative act requires modification/cancellation	0	
The action was not according to law	14	
Reasons for administrative act required	0	
Statute or Rule requires an amendment	0	
Insufficient or no grounds for an administrative act	1	
INDETERMINATE⁵		27
NOT SUPPORTED		121
TOTAL COMPLETED INVESTIGATIONS		198

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

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

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

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

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

Overall Case Statistics

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

Contacts by Agency

Between January 1 and December 31, 2018, our office handled 6,378 cases involving 256 agencies. The following table shows the distribution of our contacts by agency. The legislature requires us to prioritize Department of Child Safety cases. We did so. Cases involving Child Protective Services comprised 37% of our total for CY2018.

Contacts By Agency

Agency	Coaching	Assistance	Investigation	Total
Academy of Math and Science	3	2	0	5
Accountancy Board	2	1	1	4
Acupuncture, Board of Examiners of	0	0	1	1
Administrative Hearings, Office of	1	0	0	1
ADOA - Administration, Department of	16	5	1	22
Agriculture - Wt. and Measures	9	0	0	9
Agriculture, Department of	5	2	0	7
Agriculture, Pest Mgmt. Office	1	0	0	1
Agua Fria High School	1	0	0	1
AHCCCS	111	56	15	182
Amphitheater Public School District	1	1	0	2
Apache County	1	0	1	2
Apache Junction Police Department	1	0	0	1
Arizona City Fire District	0	0	1	1
Arizona Fire District Association Area 32	0	1	0	1
Arizona Language Preparatory	1	2	0	3
Arizona Power Authority	0	0	1	1
Arizona State Hospital	1	1	0	2
ASU -Arizona State University	2	0	1	3
Athletic Training, Board of	0	1	0	1
Attorney General, Office of	37	3	6	46
Auditor General	3	1	0	4
Avondale	0	1	0	1
AZ Criminal Justice Commission	0	1	0	1
AZ POST - Peace Officer Standards & Training Board	0	0	2	2
AZ Prosecuting Attrny Adv Council -APAAC	0	0	1	1
Ball Charter Schools	1	0	0	1
Barbers, Arizona Board of	0	2	1	3

Basis Charter Schools	0	1	0	1
Beaver Dam/Littlefield Fire District	0	1	0	1
Beaver Valley Water Improvement District	2	0	0	2
Behavioral Health Examiners, State Board of	6	1	0	7
Benson	0	1	0	1
Bisbee	3	0	1	4
Buckeye	1	0	0	1
Buckskin Sanitary District	1	1	0	2
Cambridge Academy	0	0	2	2
Carefree	1	0	0	1
Casa Grande	1	0	0	1
Cave Creek Unified School District	1	0	0	1
Central Arizona Fire and Medical Authority	1	0	1	2
Central Arizona Project	0	2	0	2
Central Yavapai Fire District	5	0	2	7
Chandler	1	0	1	2
Chandler Unified School District	1	0	0	1
Charter Schools, Arizona State Board of	20	1	1	22
Chiropractic Examiners, State Board of	0	1	0	1
Choice Academies, Inc. Governing Board	1	0	0	1
Christopher-Kohls Fire District	0	1	0	1
Clarkdale	2	3	0	5
Cochise County	1	1	0	2
Cochise County Attorney	1	2	0	3
Coconino County	1	0	0	1
Commerce Authority of Arizona	5	0	0	5
Commission of Judicial Conduct	4	0	0	4
Community College, State Board of	1	0	0	1
Corporation Commission	33	5	3	41
Corrections, Department of	41	3	5	49
Cosmetology, Board of	142	3	4	149
DCS - Community Advisory Committee	4	1	4	9
DCS - Department of Child Safety	1692	378	304	2374
DCS - Office of Licensing Certification Regulation	5	1	0	6
DCS - Other	2	0	0	2
Deaf & Hard of Hearing Commission	2	1	0	3
Deaf and Blind, Arizona School for the	0	1	2	3
Dental Examiners, Board of	6	3	0	9
DES - Aging & Community Services	246	8	4	258
DES - Benefits and Medical Eligibility	154	131	21	306
DES - Child Support Service	27	46	10	83
DES - Developmental Disabilities	13	17	1	31
DES - Employment and Rehabilitation	39	18	3	60

DES - Other	39	8	7	54
DES- Adult Protective Services	6	7	1	14
Dewey-Humboldt	1	0	0	1
Dewey - Humboldt Town Council	0	0	1	1
DPS - Department of Public Safety	49	4	6	59
East Valley Institute of Technology	1	0	0	1
Education, Board of	3	1	0	4
Education, Department of	29	4	4	37
Emergency & Military Affairs, Department of	1	0	0	1
Environmental Quality, Department of	10	1	2	13
Financial Institutions Department	11	0	0	11
Fingerprinting, Board of	6	2	0	8
First Things First	1	1	0	2
Flagstaff	1	0	0	1
Flagstaff Unified School District	0	1	1	2
Florence	0	1	0	1
Funeral Directors & Embalmers, State Board of	0	0	1	1
Game and Fish, Department of	0	5	1	6
Gaming Dept., Boxing Dept.	0	0	2	2
Gaming, Dept.	0	1	1	2
Gaming, Racing Department	0	0	1	1
Gila Bend	1	2	0	3
Gila County Sheriff's Office	2	1	0	3
Glendale	1	0	0	1
Goodyear	2	0	0	2
Governor, Office of	5	0	2	7
Governor's Archeology Advisory Commission	0	1	0	1
Governor's Council of Aging	0	1	0	1
Great Heart Academies	1	0	0	1
Health Services, Department of	86	7	0	93
Health Services, Vital Records Office	6	3	2	11
Hereford Natural Resource Conservation District	1	0	1	2
Historical Society, Arizona	2	1	0	3
Homeland Security, Department of	0	1	0	1
Housing Dept. -Manufactured Housing Office	5	1	0	6
Housing, Department of	33	2	0	35
Huachuca City	0	1	0	1
Huachuca City Council	1	0	0	1
Industrial Commission	58	7	3	68
Inscription Canyon Ranch Sanitary District	1	0	1	2
Insurance, Department of	46	7	1	54
Judicial Conduct, Commission on	6	0	0	6
Juvenile Corrections, Department of	3	0	0	3

Khalsa Montessori School	1	0	0	1
Kyrene Unified School District	1	0	0	1
La Paz	3	1	0	4
La Paz County Attorney	1	0	0	1
La Paz County Sheriff	1	0	0	1
Lake Mohave Ranchos Fire District	4	0	0	4
Land, Department of	4	2	0	6
Legislature	20	5	0	25
Liquor Licenses and Control, Department of	6	1	0	7
Littleton Elementary School District	0	0	1	1
Lottery	6	2	0	8
Marana	0	0	1	1
Marana Drainage and Water Improvement District	4	0	0	4
Maricopa	2	0	0	2
Maricopa County Assessor	0	1	0	1
Maricopa County Attorney	4	0	1	5
Maricopa County Community College	0	0	1	1
Maricopa County Community Colleges	2	0	0	2
Maricopa Unified School District	1	0	0	1
Massage Therapy, State Board of	1	0	0	1
Mayer	1	0	0	1
Mayer Fire District	7	2	0	9
Mayer Water District	0	1	0	1
Medical Board, Arizona	34	5	2	41
Mesa	0	0	1	1
Mesa Police Department	0	0	1	1
Mesa School District	1	0	0	1
Mescal J-6 Fire District	1	1	1	3
Mine Inspector	2	0	1	3
Mohave Accelerated Learning Center	1	0	0	1
Mohave County Sheriff's Office	1	0	0	1
Mohave Valley Fire District	0	0	1	1
Mojave Community College	0	1	0	1
Mountain Oak	0	0	1	1
Naco Sanitary District	0	0	1	1
Navajo	1	0	0	1
Navajo County Superior Court	0	0	1	1
Northwest Fire District	1	0	0	1
Northern Arizona Consolidated Fire District #1	1	1	0	2
Nursing Care Institution Administrators & Assisted Living Managers Examiners Board	1	1	0	2
Nursing, State Board of	15	5	6	26

Occupational Therapy Examiners, Board of	1	1	0	2
Ombudsman	131	12	0	143
Optometry, State Board of	2	0	0	2
Osteopathic Examiners in Medicine and Surgery, Board of	2	0	2	4
Other - Arizona in general	32	1	0	33
Other - Federal	64	1	0	65
Other - Government	365	18	15	398
Other - Private	474	14	11	499
Overdimensional Permit Council	1	0	0	1
Palominas Fire District	0	1	0	1
Paradise Valley	1	0	0	1
Paradise Valley School District	3	1	0	4
Parks, Department of	2	0	0	2
Peeples Valley Fire District	0	1	0	1
Personnel Board	5	1	0	6
Pharmacy, Board	9	3	3	15
Phoenix	5	0	3	8
Phoenix Fire Department	0	0	1	1
Phoenix Police Department	1	2	4	7
Physical Therapy Examiners, Board of	2	2	1	5
Physician Assistants, AZ Regulatory Board of	1	1	1	3
Pima	1	0	1	2
Pima County Attorney's Office	0	0	1	1
Pima County Community College Police Department	1	0	0	1
Pima County Sheriff's office	1	0	1	2
Pinal County Sheriff's Office	1	2	1	4
Pine Creek Canyon Domestic Water Improvement Dist	1	0	0	1
Pine Forest Charter School	1	0	0	1
Pinetop-Lakeside	1	0	0	1
Pioneers' Home	2	0	3	5
Podiatry Examiners, State Board of	1	0	0	1
Prescott	0	0	1	1
Prescott Valley Police Department	1	0	0	1
PRIVATE Post-Secondary Education Board	3	0	0	3
Psychologist Examiners, State Board of	8	3	0	11
PUBLIC Post-Secondary Education Commission	1	0	0	1
Public Safety Personnel Retirement System	2	2	0	4
Quartzsite	0	1	0	1
Real Estate Dept. - HOAs	9	0	0	9
Real Estate, Department of	10	3	1	14
Red Rock Road Enhancement District	2	0	0	2

Regents, Arizona Board of	4	0	0	4
Registrar of Contractors	22	11	2	35
Retirement System, Arizona State	7	5	3	15
Revenue, Department of	50	54	13	117
Ridgeline Academy	1	0	1	2
Rio Verde Fire District	1	0	0	1
Roosevelt Water Conservation District	0	0	1	1
Safford Police Department	1	0	0	1
Sahuarita	1	0	1	2
Sanders Unified School District	1	0	0	1
Santa Cruz	4	0	2	6
Santa Cruz Provisional Community College District	1	0	0	1
School Facilities Board	1	0	2	3
Scottsdale	0	0	1	1
Scottsdale Police Department	1	0	0	1
Scottsdale Unified School District	1	0	0	1
Sec. of State -Library, Archive & Records Dept.	2	0	0	2
Secretary of State, Office of	15	1	2	18
Sedona-Oak Creek Unified School District	1	0	0	1
Sierra Vista	0	1	0	1
Southwest Leadership Academy	1	0	0	1
Statewide Independent Living Council	1	0	0	1
Sunburst Farms Irrigation District	2	0	1	3
Superior	1	0	0	1
Superior Court	3	0	3	6
Supreme Court	3	0	0	3
Surprise	1	0	1	2
Technical Registration, Board of	7	5	2	14
Tempe	1	1	0	2
Tempe Union High School District	1	0	0	1
Timberland Acres Water District	0	0	1	1
Tolleson	2	0	1	3
Tombstone	0	1	0	1
Transportation, Department of	56	13	5	74
Transportation-Motor Vehicle Division	71	75	21	167
Tri-City Regional Sanitary District	1	0	0	1
Tucson	2	0	1	3
Tucson Police Department	0	1	2	3
Tusayan	2	0	0	2
U of A - University of Arizona	2	0	1	3
Unknown	8	1	0	9
Unknown charter school	8	0	1	9

Unknown city	2	0	0	2
Unknown fire district	2	0	0	2
Unknown Irrigation District	1	0	0	1
Unknown school district	9	0	0	9
Unknown state agency	45	0	1	46
Vernon Fire District	1	0	0	1
Veterans' Services, Department of	13	1	1	15
Veterinary Medical Examining Board	3	0	1	4
Water Resources, Department of	11	1	1	13
Whetstone Water Improvement District	0	1	0	1
White Mountain Lake Fire District	0	1	2	3
White Mountain Summer Homes Water Improvement District	0	1	0	1
Yavapai County	0	1	0	1
Yavapai County Community College	1	0	0	1
Yavapai County Sheriff's Office	2	0	1	3
Yuma City	1	0	1	2
TOTAL NUMBER OF CONTACTS	4734	1057	587	6378

Agency Count: 256

About the Ombudsman and Staff ⁶

Dennis Wells - Ombudsman-Citizens' Aide.

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

Joanne MacDonnell - Deputy Ombudsman.

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

⁶ This list includes two who served at some point in 2018, but who have left the office for other pursuits.

She has served on the Arizona Juvenile Court Improvement Committee since 2011. She has served as a judge for the Central Arizona BBB Business Ethics Award for the past eight years.

Danee Garone – Staff Attorney.

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

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

Philip Gough-Stone – Intern and Assistant Ombudsman.

Philip Gough-Stone joined the Ombudsman-Citizens’ Aide Office as an intern in June of 2016. He studied Business Management and Pre-Law and graduated from Grand Canyon University. The Ombudsman Office hired Philip as a full-time employee after his internship. Philip has extensive experience in the customer service and nonprofit industries. He worked at the Arizona Ombudsman-Citizens’ Aide office as an Assistant Ombudsman until he left the office in August 2018 to attend law school at the University of Arizona.

Aimee Kearns – Assistant Ombudsman.

Aimee joined the Ombudsman office in 2014. She received her Bachelor of Arts degree in 2000 from Adams State College in Alamosa, Colorado. She completed New Ombudsman training by the United States Ombudsman Association (USOA) and is an investigator certified by the Council on Licensure, Enforcement & Regulation (CLEAR). She has clearance for investigatory purposes into the Department of Child Safety Children’s Information Library & Data Source (CHILDS) Program after completing training with the Child Welfare Training Institution and Department of Economic Security. Aimee left the office in May 2018 to pursue private pursuits.

Keith Meyer – Senior Investigator/Writer Ombudsman.

Keith joined the Office of the Ombudsman in 2014. He has 20 years of public experience in Arizona State and County governments. He served in the Arizona Department of Corrections Director’s Office, the Arizona Department of Agriculture, the Arizona State Land Department, and Arizona State University. In Maricopa County government, he worked at the County Attorney’s Office coordinating restitution issues with citizen victims of crime. Other service included volunteering on several homeowner association boards. He has ombudsman training

prescribed by the U.S. Ombudsman Association (USOA) and is an investigator certified by the Council on Licensure, Enforcement & Regulation (CLEAR). Keith earned a Master's degree in Public Administration and a Bachelor of Science degree in Agribusiness, with a minor in Sociology, from Arizona State University.

Jennifer Olonan - Assistant Ombudsman.

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

Yvonne Rothblum – Assistant Intake Ombudsman.

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

Frank Rutledge – Investigator/Writer Ombudsman.

Frank joined the Ombudsman team in June 2016 after working for almost nine years with the Arizona Department of Economic Security (DES). During his time at DES, Frank worked in the Rehabilitation Services Administration, the DES Office of Procurement, and most recently with the Division of Developmental Disabilities. Frank brings a wealth of knowledge including contracting, procurement, and DES services to the team. Frank has completed the New Ombudsman Training prescribed by the United States Ombudsman Association (USOA), and is certified as an Investigator/Inspector by the Council on Licensure, Enforcement, and Regulation, and certified in Arizona State Public Procurement. He has clearance for the Department of Child Safety Children's Information Library & Data Source (CHILDS) Program

Frank has resided in Arizona for over 35 years, and is a graduate of Northern Arizona University's School of Communication, with an emphasis in Journalism.

Carmen Salas - Assistant Ombudsman.

Carmen joined the Ombudsman's office in 2005. She previously worked at the Arizona Corporation Commission for nine years as a management analyst and supervisor. She received her Bachelor of Science degree in Business Management from the University of Phoenix. She has completed additional training including ethics and various risk management courses through Arizona Government University. She has completed the Leadership Module through AZGU, is an investigator certified by the Council on Licensure, Enforcement & Regulation (CLEAR), has ombudsman training prescribed by the U.S. Ombudsman Association (USOA) and has completed mediation training. She has also completed training with the Child Welfare Training Institution and Department of Economic Security to obtain clearance for the Children's Information Library & Data Source (CHILDS). Carmen is fluent in Spanish.

John Wicus- Legislative Intern & Assistant Ombudsman.

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