

Arizona Ombudsman-Citizens' Aide

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ANNUAL REPORT

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OPTIMIZING OUR STATE GOVERNMENT

OUR MISSION

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

OUR ROLE

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

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

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. We help these residents by educating them on the options available to them based on their specific complaint. Coaching includes defining issues and rights, identifying options, referring people to the appropriate employee or department, redirecting citizens to services outside our jurisdiction (non-profits, federal agencies, etc.), explaining agency policies, researching information, offering conflict management strategies, and developing reasonable expectations.

Assistance

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

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

Investigation

Complaints that are more serious do not always lend themselves to informal techniques and 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 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.

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.

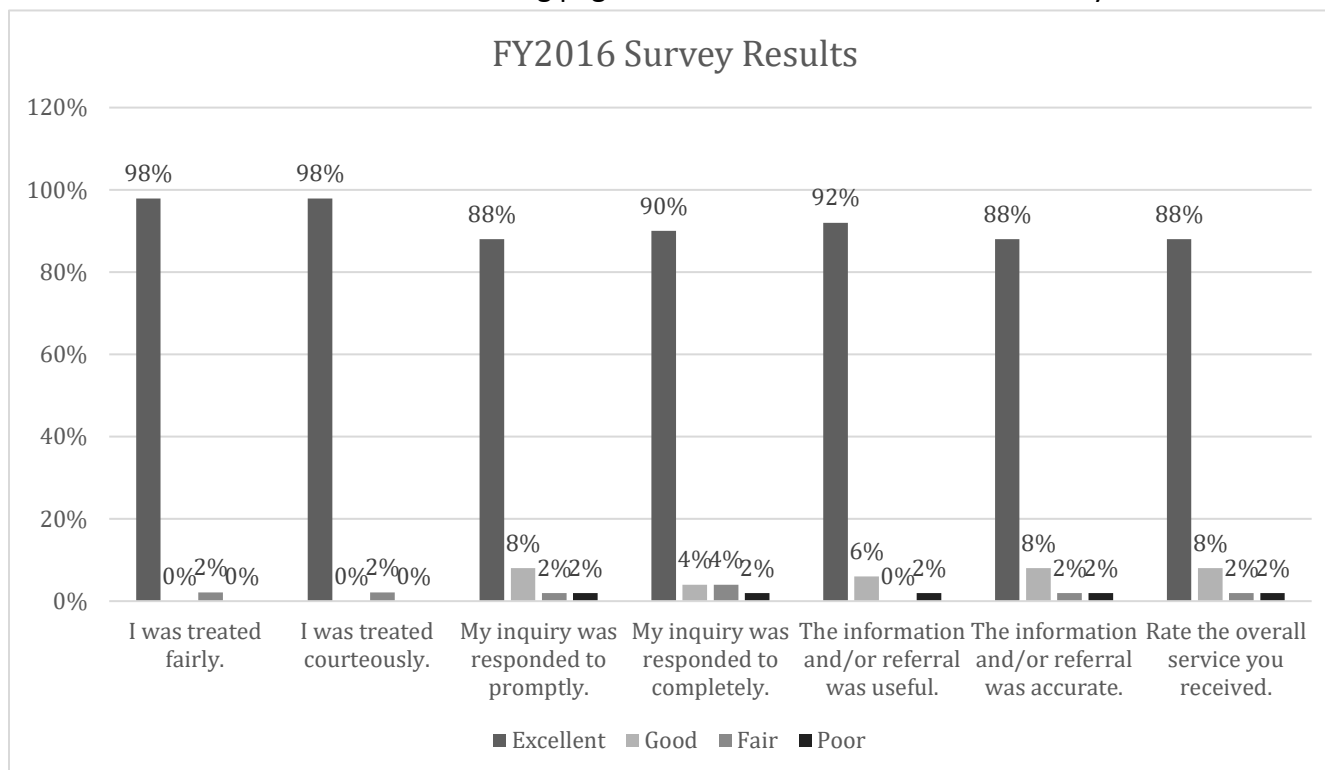
These standards are:

- 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.

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WE WELCOME FEEDBACK

The chart and comments on the following pages summarize the results of the survey for FY2016.



THE FOLLOWING COMMENTS ARE FROM CITIZENS WHO USED OUR SERVICES IN FY2016:

“Thank you a million times over! My family and I so much appreciate whatever work and reconsideration went into getting this decision to come around to this outcome. Please share our thanks with anyone who was involved in even the smallest detail or task!

“It is unusual that I am satisfied with government services. Danee was helpful and respectful. Now if we can just get Federal employees to recognize who their true employers are...”

“At each turn, the Office of the Ombudsman was superb. It makes me believe that this is the solution to many citizens' issues. The problem would be when everyone decides that his/her issue should take precedence over others, but you can jump through that hoop when the moment is at hand. My experience was superb from start to finish.”

98% of our survey respondents said we treated them courteously and fairly.

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"The entire staff was more than courteous and professional."

"Carmen went above and beyond any assistance I received anywhere regarding my problem. I was emailing her as she was calling me to tell me I was cleared in Colorado just as I found out. Great people, great person. Thank you very much."

"Jennifer was a great help to me. She followed up with DDD numerous times on my behalf to ensure that my issue was resolved."

"The help I received was prompt and extremely professional. Resolved matters immediately. Thank you guys so much!"

"I received results within a day from AHCCCS that I had been waiting for 4 months with no success! Thanks [Keith!]"

"Very Satisfied. Our contact was Danee Garone. He was awesome. Our issue was with DDD. Mr. Garone kept us in the loop and we never felt abandoned."

"A.J. was very understanding with my concern of getting my D.E.S. benefit history record; if it wasn't for contacting him; I would probably still be going through many phone calls trying to get what I needed from D.E.S. Administration; it was like going through a maze with no way out. A.J. cleared up the channels of communication with D.E.S. and I received prompt action in my request. Thank you for your professional expertise in helping me when nobody else would contact me or seemed to know what I needed."

"Thank you! I hope this will keep this from happening to anyone else in the future!"

"I was contacted by an employee of your office, his name is A.J. and he was kind, helpful, courteous, and went beyond in his efforts to make me feel comfortable. You made me feel like I mattered."

"Just wanted to say thank u very much u were very helpful."

"Very helpful and approachable."

"AJ was extremely courteous and put my mind at ease. I really appreciate his concern to resolve my issue!"

"Danee was a great advocate on behalf of my client. He was very professional, responsive, and helpful."

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"Keith has really shown his concern to help me and my family. We really appreciate everything he has done to provide us with excellent customer service. My children and I are very grateful."

"I get the greatest help from the office. They are a terrific resource for citizens."

"I am very impressed with the speed, and apparent serious consideration that was given to my inquiry. I really appreciate the existence of such an office with such a commitment to transparency and accountability."

"Elizabeth was the most friendly, caring person who has communicated with me about the problem that has affected me greatly." . . . "I really appreciate her style and won't forget it."

"My only complaint is that the office does not have the ability to compel agencies to reverse their denials of public records requests. It is frustrating to have an attorney tell you that an agency is in the wrong, but has no way to fix that without suing the agency. But that is a statutory problem and I have only good things to say about the folks I interacted with in your office."

"Jennifer is a wonderful citizen aide, courteous and prompt. She is an asset to your team which we are grateful for. Without your help, we are ignored and disrespected by the DES. We will continue to work with her in hopes of being heard."

"Sarah is very thorough and eager to assist."

"Thank you for all your assistance in my matter."

"I am very impressed with the speed, and apparent serious consideration that was given to my inquiry. I really appreciate the existence of such an office with such a commitment to transparency and accountability."

"This person (Keith) deserves a raise. Thank you for your help."

"Danee was very professional and polite. He gave exceptional service and has an outstanding personality."

"The response was thoroughly and clearly explained."

"Thank you so much for your time and your help. Everyone I came in contact with was very helpful and very nice!!! Thank you."

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“The information I received while making inquiries for 2 single moms with children were exceptional. I received an email with additional information the next day.”

“Danee of Arizona Ombudsman's Organization was very courteous and informative. I will remember the help and assistance he gave me for future reference. As a retired USAF Msgt and Bishop Alkema's Executive Secretary, I know when I am getting what is needed. This info will be used over and over again and I will pass it on saving you many phone call I am sure.”

COMPELLING CASES

The following case summaries are examples taken from the 5,132 cases we handled in FY 2016.

GENERAL COMPLAINTS ABOUT STATE AGENCIES

Our Three Focus Areas

Our office has three focus areas, and we cite examples from each:

1. General complaints about state agencies;
2. Department of Child Safety (DCS) cases and
3. Public access cases.

Under the general case summaries, we also highlight ways in which the resolutions reached **added value** to our state government.

Example where we provided an alternative avenue to a more expensive dispute resolution mechanism.

1504967. Arizona Department of Corrections

A wife contacted our office because she said she was having trouble visiting her incarcerated husband. She said her husband had been incarcerated for four years by the Department of Corrections (DOC), and she had been visiting him for those four years.

She said the warden of the prison at which her husband was incarcerated was now telling her she could not visit her husband because the prison conducted a background check of the wife and it turned up convictions from 1993. She said that the convictions were not hers and belonged to someone with the same name as her but a different birthday and social security number. She made it sound like the prison officials she spoke to did not do anything about the fact that the convictions were for someone with a birthday and social security number that differed from hers. She said the prison officials told her she needed to have the convictions removed from her record, and then she would have to wait a year to apply to visit her husband again.

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We contacted DOC's general counsel and relayed what the wife had told us. He was shocked. He seemed to think that she should simply be able to show evidence to the prison officials that she was a different person from the one who had committed the crimes at issue. He asked us to provide his contact information to the wife. He said she could email him evidence of what she said, and he would work to correct the issues.

We relayed to the wife what the general counsel had told us. We provided the wife with the general counsel's contact information. We also provided her with phone numbers for the Department of Public Safety and the Federal Bureau of Investigation so she could correct the issues within those agencies' records so that a similar issue did not arise for her in a different context.

Example of cases we resolved that no one else was able to resolve internally.

1601624. AHCCCS

A mother complained that AHCCCS was failing to follow its protocols and these failures could end up causing her son to lose his life. She explained her son was a member of AHCCCS and that he was very sick. She said her son's ailment was so complicated that his Arizona doctors and hospital had given up saying that only specialists at a medical facility in Omaha Nebraska had the expertise to save him. The hospital and physicians here had coordinated with the Nebraska specialists and had arranged a lifesaving organ transplant to occur in Nebraska. The transplant was approved, but the insurance company through AHCCCS would not approve the medivac to transport the son to Omaha for the procedure. The son's ailment was causing his situation to get more dire with every day. Doctors reports said the man had only days to live unless he got the special procedures and care offered in Nebraska. The mother said that she and the doctors had tried working with AHCCCS, but had not been able to get approval for the transport to the Nebraska facility.

We contacted AHCCCS and reviewed the situation with the agency. AHCCCS officials then agreed the young man qualified for the coverage and the procedure. They had the young man transported to the hospital in Omaha, Nebraska for the life saving procedure.

We informed the Mother who expressed her gratitude for our assistance. A few weeks later the mother reported back that her son had come through the procedures well and was recovering.

1602462. Arizona State Board of Nursing

A nurse from Virginia contacted our office in regard to issues she said she was having with the Arizona Board of Nursing in getting licensed in Arizona.

She said she had been working with a difficult individual at the Board who was impatient, rude, and unhelpful. Additionally, she said that her calls to the Board's general telephone number were seldom

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returned. We told her we would contact the Board and try to have someone from the Board contact her to resolve her issues.

We contacted the Board. An Associate Director for the Board said she would personally follow up with the nurse. The Associate Director eventually said she contacted the nurse and resolved her issues and provided the nurse with her contact information for future reference.

We followed up with the nurse. She was overjoyed with how her conversation with the Associate Director went. She said the Associate Director had answered all of her questions would address some of the problems the nurse had encountered.

She thanked us.

Our intervention resulted in better treatment of state employees or higher morale as exemplified by the following case:

1503640. Department of Gaming

An employee said that the Gaming Department prohibition barring employees from entering gaming resort properties during non-working hours infringed her rights and was not based on any legal authority. She said the Department of Gaming imposed a policy prohibiting Gaming employees from being present on the premises of regulated casinos and/ or pari-mutual wagering locations during non-working hours. The employee said that many of the casinos are sites of concerts, ballroom and convention functions, restaurants, pool functions and other activities that are unrelated to gaming. She said this imposes a hardship on the employees and their families as it means they cannot enjoy social or community events if they are held at casino resorts. She said Gaming employees understand they should not accept anything of value from regulated entities or wager bets, but they should be otherwise able to visit the resort properties.

We spoke with the department. They said this policy has been in existence for many years and was created by prior administrations of the agency. Nonetheless, the agency acknowledged that the Arizona Department of Gaming has such a policy in existence.

The agency provided the department's Statement of Understanding which prospective employees sign upon hiring. They noted that paragraph 11 states that "[e]mployees shall not be present in a regulated facility (including adjacent or attached structures), except to perform official duties, nor will an employee place a wager by any means at any time with regulated entities." Employees are expected to abide by the agreement they sign as a condition of employment.

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The agency explained that Arizona Administrative Code §R2–5A–501 lists standards of conduct, the violation of which may result in discipline or dismissal of a state service employee. Code §501(A) lists four standards of “required conduct” and §501(B) lists seven types of “prohibited conduct.” *Carlson v. Arizona State Personnel Bd.*, 214 Ariz. 426 (Ct. App. 2006).

§ 501(A)(1) requires that “a state employee shall at all times comply with federal and state laws and rules, statewide policies and employee handbook, and agency policies and directives. §501(A)(4) states that an employee shall at all times conduct himself or herself in a manner that will not bring discredit or embarrassment to the state. The authority of the state to regulate off duty conduct of public employees is unquestioned. See, e.g. *Barlow v. Blackburn*, 165 Ariz. 351 (Ct. App. 1990).

§ 501(B)(2) states that a state employee shall not permit himself or herself to be placed under any kind of personal obligation that could lead a person to expect official favors. § 501(B)(4) states that a state employee shall not accept or solicit, directly or indirectly, anything of economic value as a gift, gratuity, favor, entertainment, or loan that is, or may appear to be, designed to influence the employee's official conduct.

The Department said the policy was created to avoid the appearance of impropriety.

We reviewed the above and spoke to our attorney. Additionally, we looked at various statutes. Arizona Revised Statute Title 41 describes the rulemaking process generally. Arizona Revised Statute section 5-601(E) says the Department of Gaming is exempt from the rulemaking requirements of title 41, chapter 6. However, Arizona Revised Statute section 5-604(C) says, “The director and all other employees of the department are subject to title 41, chapter 4, article 4. Then A.R.S. § 5-602.01 (A) says the Department of Gaming may adopt rules to carry out the purposes of this chapter.

We concluded that the agency has authority to create rules and the Arizona Administrative Code § 501(A)(1) includes agency policy and directives. Thus, we did not substantiate the allegation that the department exceeded its authority by barring gaming staff and employee family from gaming facilities.

However, our discussion with the department led the director to revisit the policy and change it to allow employees and their families to visit casino properties as long as they stayed away from the gaming floor, refrained from any gambling, and pre-arranged it with their supervisors.

We informed the complainant.

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Our intervention revealed field practices that were not in accordance with the agency's procedures as exemplified by:

1600591. Transportation-Motor Vehicle Division

A motorist contacted our office claiming he could not obtain a driver's license in another state because the Arizona Department of Transportation/Motor Vehicle Division (ADOT/MVD) had a hold on the license. The motorist said that he had once received a citation, but he said he took care of it. He had not been able to work it out with MVD on his own.

We contacted the MVD and had them review the record. They found the citation that the man received. MVD said the citation was dismissed, but the agency failed to remove it from the record. The representative at the MVD contacted the motorist and assured the man that they would correct the problem. The representative informed the motorist that the system update would update within 48 hours and that should correct the issue and remove the hold. MVD informed the motorist that after the notation clears, he should be able to obtain his license in the other state. The motorist was appreciative.

1601537. Registrar of Contractors

A homeowner complained the Registrar of Contractors (ROC) did not properly investigate his complaint about a flawed solar system installation at his home. We reviewed the homeowner's information and then asked the ROC to consider reevaluating the status of the homeowner's complaint given the information. The ROC agreed and reopened his complaint to review some remaining issues.

We let the homeowner know that the ROC would follow up with him in consideration of his complaint.

Our intervention resulted in financial savings for a citizen or stopped an unfair financial burden on a citizen as exemplified by:

1601978. Transportation-Motor Vehicle Division

A motorist complained MVD owed him the unused vehicle registration fee after moving to another state and trading his vehicle for a new one. He said MVD wanted him to show proof of Arizona insurance, before any refund, but he said he had purchased insurance in the other state upon moving.

We contacted MVD and reviewed the facts of the case. MVD questioned whether the motorist had registered the vehicle in the other state before he traded it in. The motorist had not registered his vehicle in the other state, which then allowed him to qualify for the refund.

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We let the motorist know MVD would refund to him the unused portion of his registration.

1602592. Transportation-Motor Vehicle Division

A motorist complained the Motor Vehicle Division (MVD) would not recognize his DUI therapy evaluation documentation, which he gained approximately four years earlier while in the custody of the Department of Corrections. The documentation was required before MVD was allowed to reissue a license that had been revoked over DUI issues.

We contacted MVD. They cited a statutory provision saying that the motorist shall provide the department with a current evaluation from a licensed professional. In the man's case, it had been too long since his substance abuse counselor had issued an evaluation. MVD said that because the Corrections evaluation was not current, MVD could not use it.

It appeared the motorist would need to re-take an expensive class involving forty hours to accomplish getting a substance abuse evaluation from a recognized professional. The motorist said he had accomplished more than 100 hours of classes; however, his current treatment specialist was not on the MVD list of acceptable specialists.

We asked MVD to review whether the treatment in which the motorist was currently involved would qualify. MVD then explained the motorist could submit a packet to certify whether his current evaluator qualified as a duly licensed and accredited Substance Abuse Evaluator.

We provided the form packet to the motorist. The motorist was confident that his evaluator would qualify with MVD. He said that he would submit the material promptly so that he would be able to get his driver license reissued. He expressed his gratitude for our assistance.

1602593. Transportation-Motor Vehicle Division

A motorist complained she received letters from MVD that her vehicle registration was suspended. She said this was improper, as she had never gone without insurance coverage. She said MVD was holding fast and requiring her to pay a fifty-dollar reinstatement fee. She said this was unfair. She asked us to investigate and get MVD to review her record and correct their mistake.

We contacted MVD and asked them to review the issue. MVD agreed. MVD contacted the insurance company and determined that the motorist's automatic insurance payment by credit card had been disrupted. They also found that the insurance company had initially failed to notify the motorist and give her an opportunity to correct the problem. The insurance company further complicated the situation by notifying MVD that coverage was not in force for the motorist. MVD in turn suspended her registration. Meanwhile, unbeknownst of all this, the motorist had already fixed the credit card problem and had gotten her insurance renewed.

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The insurance company provided MVD with the “no lapse” proof of coverage. MVD then cleared the suspension and waived the reinstatement fee. We informed the motorist and let her know to call back if she needed further assistance.

1600092. Revenue, Department of

A citizen filed a complaint that he had not heard back from Arizona Department of Revenue (ADOR) about his unclaimed property claim. We contacted ADOR and asked them to review the file.

ADOR checked into it and it showed the check had gone out to the complainant. The citizen explained he did not receive it. They sent him some paperwork to fill out so they could verify he was never paid and then re-issue the check. We informed the complainant.

1602307. Parks Department

A state park visitor was charged tax on packaged ice by the state park. Convinced ice is not taxable, the complainant requested they stop charging tax, but the park refused and insisted it was legal and proper. The man complained that the State Park Department parks were improperly charging tax on a tax exempt item.

We contacted the Department of Revenue (DOR) Problem Resolution Office. They verified ice was tax exempt. They provided the relevant statutes to demonstrate the statutory distinctions between a restaurant and a retailer.

After confirming the taxable status of ice with DOR, we notified the Director of the Department of Parks (Parks) about the complainant’s allegations. The Director put us in contact with their Gift Shop Program Manager (Manager). The manager disagreed with what DOR said about taxation on ice. The Manager believed the operation is not exempt because it is a “qualified retailer.” In order to resolve this dispute, we requested the Parks Department seek guidance from the Attorney General’s Office (AG).

The Department later informed us that the Assistant Attorney General (Assistant AG) agreed with our findings and the DOR information. Sales of bags of ice or ice blocks qualify as tax exempt pursuant to A.R.S. 42-5061. The Department’s rules clearly state that ice is exempt. See AAC 15-5-1860(15)(C). Ice qualifies even if the ice is sold as ice blocks intended only to keep food cool. The statute says ice qualifies as exempt food when sold by an exempt seller when used for packing, shipping or transporting. The Parks’ stores sales of ice qualify as tax exempt because ice is a qualifying food and the stores are qualifying sellers.

The Parks Department stopped charging tax on ice products. We informed the complainant.

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Our intervention resulted in better service to citizens as exemplified by:

1601287. DES - Benefits and Medical Eligibility

A citizen was concerned about her DES benefits. She received a letter saying that she needed to have her application turned into DES between March 15-28, yet she did not receive the letter until last day - March 28. She stated that the next paragraph says the application is due by April 15. She had tried to notify DES staff of the problem. She was dismayed, claiming the people at DES had not been decent to her and they had not fixed the situation.

We reviewed the situation and then contacted DES to request that managers address the flawed communication. DES agreed. Later, DES let us know that they had assisted the citizen with the application.

We contacted the citizen to make sure the problem was resolved satisfactorily. The citizen was very happy. She said the DES person walked her through the whole application process online. She was thankful for our help.

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OMBUDSMAN INTERVENTION IN DCS CASES

The Ombudsman Office looks into complaints people have against the Department of Child Safety (DCS). Parents, grandparents, and other relatives of the child seek help from our office when 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 case worker and legal counsel, and explanations about visitation or placement issues.

Our Department of Child Safety cases were over 46% 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.

In this particular period, we continued meeting with the DCS Office of Quality Improvement on a regular basis to go over and resolve systemic case issues. We put emphasis on providing suggestions as to how the agency can better communicate policy and laws to impacted parties – whether they are internal (ex., caseworkers and supervisors) or external (ex., parents, extended family, service providers). We provided written suggestions for the Parent Guide and the DCS web site to name two areas.

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Additionally, we issued an investigative report demonstrating the DCS practice of interviewing a complainant's children without consent in neglect cases conflicts with the statutory language of Arizona Revised Statute §§8-802(B) and 8-471(E)(3). The Attorney General's Office offered an opinion that such interviews were acceptable despite the language. The difference of opinion is a stalemate until a parent decides to contest the matter in court and a judge decides the matter with finality. Legislative Council supports our legal reasoning.

OMBUDSMAN DCS CASE LOG FY2016 KEY CATEGORIES

DCS Complainant Information Chart –July 1, 2015 – June 30, 2016	
DCS Complaint Source Relationship	
Parent	1026
Kin	254
Service Provider	11
Child	5
Foster	63
Attorney	9
Agency Worker	9
Other	12
DCYF Region	
Central	103
Southwestern	75
Southeastern	2
Northern	9
Pima	20
Type of Complaint	
Removal Issues	238
Service Issues	164
Visitation Issues	174
Communication Issues	440
Record Issues	88
Placement Problems	216
Investigation Issues	248
Inadequate efforts towards case plan goal	66
False Allegations	47
DCS Process Questions	213
Other	70

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Ombudsman Intervention in DCS Cases

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

Our intervention resulted in better service to citizens as exemplified by:

1600531. DCS-Department of Child Safety

A woman called complaining about the way the Department of Child Safety (DCS) worker approached her case. The woman said that she does not speak English and cannot read English. She was given paperwork for her DCS case in English only. The woman said she needed to have the case explained to her via an interpreter so she could understand the situation and resolve it.

We contacted DCS and informed them of the communication difficulty. DCS management had the case worker go back to the woman's home along with an interpreter. They informed the woman about the issue and process in Spanish. DCS gave her documentation in Spanish too. The woman appreciated having the interpretation assistance.

Our intervention uncovered a lapse of judgment by state personnel as exemplified by:

1601059. DCS - Department of Child Safety

A mother said that DCS failed to substantiate a case against her ex-husband when there was documented proof that the ex-husband had abused the children. The ex-husband was now claiming that DCS cleared him in Family Court in order to obtain custody of the children.

We reviewed the case. The mother had provided recordings to the DCS caseworker, but the caseworker did not listen to critical tape segments. The caseworker documented that they had not reviewed the recordings in full. The supervisor allowed the case to be marked as unsubstantiated. We reviewed the recordings and found convincing evidence that DCS should review the tapes as we heard disturbing situations unfold on the recordings.

We contacted DCS managers regarding this case. Initially DCS said that because the ex-husband was going through Family Court to obtain custody, it was a Family Court case and DCS had no jurisdiction. We argued that it was not just a custody matter. DCS failed to consider material evidence regarding possible abuse of the children, before it ever got to family court. We asked that the case be reopened since the caseworker had not reviewed all the information in the case (ie. the recordings) prior to deciding to mark the case as unsubstantiated.

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The DCS Ombudsman Office agreed to review the case and the recordings, and then asked upper management at DCS to review it. DCS management agreed with our recommendation and they ordered the case reopened.

We contacted the mother and advised her that the case was going through Protective Services Review Team (PSRT) and she could contact them for additional updates. She thanked us for our assistance.

1602230. DCS - Department of Child Safety

A foster parent complained a case manager with the Department of Child Safety (DCS) would not respond to her with an AHCCCS number and other critical medical information, even after numerous attempts. Without the information, she could not get behavioral check-ups and medications for her foster child. The child was diagnosed with two disorders. The foster mother was upset DCS did not inform the family of the child's condition prior to placement of the child with the family as is required.

The foster mother also said that DCS provided a minimal number of prescriptions for the child, but did not respond to her pleas for more medication. The foster mother told DCS that the child was starting to act out because he was out of medication. Over time, the medications dwindled out. In turn, the child acted out further. The foster mother kept asking DCS to get authority for prescriptions to no avail. The school suspended the child for aggressive behavior. Soon thereafter, the child went into crisis and the foster mom had to admit him to a hospital.

DCS's caseworker and supervisor then responded with an investigation. They alleged the foster mother had neglected the child by not taking him to his medication check-up and allowing the medications to run out. DCS informed the foster mother that they intended to substantiate the allegation made against her, saying she placed the child at unreasonable risk of harm for a behavioral crisis and emotional harm.

The foster mother was astounded. She believed the case manager should instead be cited for not doing her job. The foster mother believed the worker failed to provide her with the necessary assistance and information to have avoided the emergency hospital call in the first place.

We reviewed the case and concluded the case information corroborated the foster mother's claims. We asked DCS managers and the Protective Services Review Team (PSRT) to review the case. Eventually, DCS management agreed. DCS management then assigned a program manager to work with the case manager and other involved staff and train them to

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properly address such situations in the future. DCS also notified the foster parent they had cleared her of the allegation.

We confirmed with the foster mother. She was very happy we cleared her of the false charge and that we got DCS management to step in and train the misguided staff persons.

1601950. DCS - Department of Child Safety

A foster mother (FM) stated that she had two children in her care for several years when they were placed with kin in a different state. The foster mom stated that when DCS moved the kids, DCS was supposed to ship the children's possessions to the kin's home. The DCS caseworker (CM) picked up the children's belongings. The FM followed up with the kin who informed her that several items did not make it to the kin's home. The FM stated that she sent brand new clothing, diapers, a car seat, a child-size chair and personal stuff for the kids.

We spoke with DCS. DCS said they shipped five boxes, but withheld some items for various reasons. We asked if DCS would gather the items not sent to the kin to allow the FM to pick them up. DCS said they would, however they noted they could no longer account for some of the items. DCS agreed with us, their staff should have inventoried the belongings. DCS said they might have mixed in the clothes with other clothes within a DCS storage unit or they might have already sent the items to the kin's home. DCS returned the car seat, chair and some toys to the foster mom.

We followed up with the foster mom. She was happy to get some of the belongings back from DCS.

Our intervention resulted in solving a financial dispute for a small business:

1600760. DCS - Department of Child Safety

An attorney provided our office with a court order saying Arizona must pay for a mother's attorney fees. The attorney stated she is not sure whether DCS or the AG's office will be paying, but it was taking the state too long to determine who should be responsible.

We contacted the AG and DCS and asked them to review the matter and decide the course of action. They agreed to do so and decided that DCS would be paying her the fee.

The attorney informed us she received her fee and she thanked us for our time.

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Our intervention resolved a case that no one else was able to resolve internally as exemplified by:

1601970. DCS - Department of Child Safety

A hospital representative from Nevada said that they had a child admitted who no longer met the criteria for hospitalization. This child was in DCS custody and DCS was supposed to pick the child up the prior Friday. The caseworker told the hospital that they would not be able to pick the child up that day, but that they would pick her up by Sunday. The caseworker never picked up the child. The hospital representative said that the caseworker got in touch on Monday, but she was rude and did not provide any information regarding when the child would be picked up. The hospital representative said the hospital staff could not take the child to Arizona because they are not allowed to transport a minor child across state lines.

We contacted DCS. DCS said there was an agreement with the hospital that the child could stay in the Nevada hospital's care as long as Arizona paid for the child. DCS claimed they were searching for an alternative placement in Arizona.

We contacted the hospital representative and advised her that DCS had spoken with the billing department who said that the child could stay as long as DCS paid for the care. The hospital staff in Nevada later said they found a bed for the child in a hospital in Arizona, but had not been able to arrange for transportation because they had not been able to get in touch with anyone from DCS. We told the hospital that we would alert DCS and ask them to communicate directly to resolve the care for the child. We contacted the DCS ombudsman and they alerted the caseworker. DCS then transferred the child to the new hospital.

1600261. DCS - Department of Child Safety

A mother was upset with DCS because she found it difficult to get in touch with her DCS caseworker. She said the caseworker was not making monthly check-ins with her. Additionally, she had not heard from her worker whether her significant other would be able to attend visits. She also had not heard about the status of the psychological evaluation or case plan. Lastly, she had not heard back from DCS whether a safety monitor was approved or not.

We contacted DCS and explained the problems. DCS said the original caseworker was no longer with the agency. The supervisor had taken over the case in the meantime, but a new caseworker would be assigned soon. There was no news on the other subjects, but DCS agreed to fix the problems.

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We contacted the mother shortly thereafter. She said DCS appointed a new caseworker and they seem to be working on the issues she asked us to confront DCS with. She thanked us for the assistance. She said she would get back in touch with us if she needed future assistance.

1600206. DCS - Department of Child Safety

A mother was frustrated that she had not received a closing letter after many months of waiting. Her original Department of Child Safety (DCS) investigator said she would be closing the case, but then quit. Months later, a second investigator came out and confirmed they would be closing it. She had tried contacting him, but his phone was disconnected.

We checked into the matter and found that the second investigator had quit as well. The agency agreed to send a closing letter to the mother. We called the mother, updated her and asked her to call us back if she does not hear from DCS in two weeks. We also asked DCS to update the mom directly.

The mother later contacted us to say she had not received the letter within the two weeks. She had contacted the agency again and they again promised to send it. The time that they asked her to wait had passed as well. We contacted DCS. They said they did send it, but would send it again and send a copy to her email.

1600684. DCS - Department of Child Safety

A mother said that she has not received long-promised documentation regarding her doctor evaluation assignment. The DCS caseworker told the mother that she would be given this information by certain dates, yet the material had not been provided as promised. The mother said she contacted her caseworker and the supervisor about the problem, but they were not responding.

We contacted DCS and asked them to examine the situation. We noted that the mother was trying to comply with her case plan, but she needed DCS to arrange the evaluation and communicate with the mother. DCS said that they submitted a packet for an evaluation, but that it not been assigned. DCS agreed to elevate the issue. They were hoping to get an assignment any day. DCS said they would contact the mother when they got the appointment set up. We contacted the mother with the information DCS provided and advised her to contact us back if she needed further assistance.

1600930. DCS - Department of Child Safety

A mother says she has problems with communication and visitation with her children who are in DCS custody. The case manager told the mother that the referral for visitations had been set up, however, the agency that facilitates visits had not received the DCS paperwork. The

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mother said this meant she was not able to have her visits. The mother said this was painful for her and her children.

We contacted DCS and asked them to look into the case. DCS confirmed the visitation problem, and moved to correct it. They set up the visitation referral and notified the mother. The visits then commenced.

1601609. DCS - Department of Child Safety

A mother claimed she was told by DCS that she would be getting a new caseworker, but has not heard from anyone. She states she has not had a visit with her children in two weeks and that there have been issues with transportation and drug testing.

We contacted DCS managers and asked them to address the following concerns:

1. The new caseworker needs to contact the family and provide contact information.
2. The spouse missed his initial intake at the drug-testing center, so the referral is expired. The family needs the DCS worker to update the testing referral.
3. The family has not received bus passes for two weeks, so DCS needs to provide the required transit items.
4. DCS needs to ascertain why visits have been stopped and get them restarted. The missed visits need to be made up.

DCS agreed. The agency reviewed the problems we identified and fixed each of the four concerns. We contacted the mother and told her to contact us back if there were any additional concerns regarding her case.

1601544. DCS - Department of Child Safety

A mother has several concerns about her DCS case regarding communication, visits and transportation. The mother says that she has attempted to contact her caseworker and their supervisor on multiple occasions and has not heard back from them. She stated she had been having problems getting transportation for her appointments and visits. She said that DCS only sporadically got her bus passes. The mother also said that there have been several missed visits with her son. The mother claimed the visits were cancelled because a case aide could not be found to supervise the visits. She said there are supposed to be two visits per week and DCS is not living up to the court orders. She said there have been 17 missed visits due to her lack of transportation assistance or the lack a caseworker or parent aide to supervise visits. We told the mother we would ask DCS managers to help sort out the problem.

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We asked DCS to have the case manager make contact with the mother and address her concerns about transportation and making up visits. The caseworker contacted us back and let us know that she spoke to the mother and addressed her concerns. We closed the case.

Our intervention corrected a systemic problem as exemplified by:

1602004. DCS - Department of Child Safety

A mother stated that her case with Department of Child Safety (DCS) is 18 months old, yet she is still required to provide UA's, even though she has tested clean for over a year. The mother claimed that no incident transpired which would indicate current substance abuse.

We asked DCS if they had legal authority to continue to require the mother to complete urine tests for drugs, given the clean test result pattern.

DCS looked into the matter. The caseworker admitted that she initially thought that monthly urine tests were standard practice for DCS, but she found it is not. DCS completed their review of the practice and determined that the mother no longer needed to complete the monthly tests.

1502561. DCS - Department of Child Safety

A mother stated it had been months since she has had visitation. The mother said she believes she is not obtaining visitation because she tried to tape record during one of her visits. DCS staff told her she could not run her tape recorder at the visit.

We reviewed the DCS records; we saw that DCS ended a visitation because mother wanted to record the visit. DCS informed us that the mother is not allowed to record their conversations.

We asked DCS about the recording issue and sent them a legal opinion on the matter. The Ombudsman for the DCS then informed us that she would have a policy review done on the subject to have the language changed to conform to law. She said they would send out an educational email to DCS staff.

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Our intervention resulted in correcting a financial problem for a citizen as exemplified by:

1600057. DCS - Department of Child Safety

A foster licensee was frustrated that she had not received two months of payments after her license was renewed. She said the DCS staff was not helping her.

We contacted the DCS Office of Licensing and Regulation (OLR) and reviewed the case with them. They reviewed the situation and agreed the agency owed the licensee payment. The DCS office then saw to it that the payment went out promptly.

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

1600249. DCS - Department of Child Safety

A maternal grandfather was upset that DCS was not considering him for placement. He said they were ignoring him.

We contacted DCS and noted the issue.

DCS said they were not aware the grandfather wanted to be considered. DCS contacted him and started the consideration process. We informed the grandfather and asked him to contact us again if he had any issues.

1600622. DCS - Department of Child Safety

A court official filed a private dependency petition in January regarding a mother and father. Later, DCS provided the father a temporary custody notice (TCN) and removed his daughter. The father was upset that DCS did not file a dependency petition as the TCN said they would. When he spoke with DCS they said that they already had legal custody of the child and were just removing physical custody. The agency agreed that a different form, a Notice of Removal Part B, would have been better to provide to the father. This is a form not often used by DCS investigators. DCS provided him a copy of the form after speaking with us.

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Our intervention revealed a field practice that was not in accordance with court orders as exemplified by:

1601488. DCS - Department of Child Safety

A paternal grandmother (PGM), called on behalf of her son. She stated her granddaughters were removed from their mother's care and placed with a maternal aunt. The PGM explained that the aunt was no longer able to care for the children and they were moved to a group home. The PGM explained that father and mother live in separate homes now. The PGM stated at the last court hearing, the judge ordered the father to sign up for parenting classes and then his daughter could be placed in his care. The PGM explained that her son had enrolled and was attending the parenting classes yet DCS was refusing to place his daughter with him.

We spoke with the DCS about the court hearing record. The DCS records corroborated the PGM story. The court order stated that if the father enrolled in parenting classes, then his daughter could be "placed" into his care. DCS informed us they wanted the father to complete the parenting classes prior to him obtaining placement of his daughter. Our office pointed out that this is not what the judge ordered.

We followed up with the father a couple of days later. He stated that DCS said he could pick up his daughter for placement on Monday. The father thanked us for helping him on his case. We informed the father he could contact us back with further questions or concerns.

OMBUDSMAN INTERVENTION IN PUBLIC ACCESS CASES

Outreach and Education

Educational Materials

We continued to provide Ombudsman Booklets on Public Records Law and Open Meeting Law on our website and in hard copy. We provided several hundred public access booklets to elected officials, non-elected public officials, public employees, advocacy groups, and members of the public. In addition, we share and help develop training materials for public bodies. We continue to update our website with publications, training opportunities, and new developments in the open meeting and public records law, such as new case law, legislation, and Attorney General Opinions.

Trainings

There is a significant demand for training throughout the State. During the past year, we provided several live training sessions to a variety of State and local government officials and

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public bodies from Flagstaff to Florence. Additionally, we also conducted trainings at multiple conferences for associations of public bodies.

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

Newsletters

We began publishing a public access newsletter on 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 provided summaries and updates for public access-related bills considered by the Legislature during the 52nd Legislative session. We also provided a summation and analysis of an appeals court decision concerning public records law. We also touched on the differences between Arizona public records law and the federal Freedom of Information Act.

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

Inquiries and Investigations

In the past year, our office handled 476 cases regarding matters related to public access. Of those calls, 330 were public record inquires and 146 were open meeting inquiries. 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 inquires	318	30	128

Table 2					
	State Agencies	County Agencies	City or town agencies	School Districts	Other Local Jurisdictions
Number of inquires	200	52	97	53	94

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Public Access Case Examples

1600414. Mescal J-6 Fire District

In late January, a resident of the Mescal J-6 Fire District (District) contacted our office in regard to trouble she said she was having in getting copies of public records from the District.

She said she had requested a multitude of financial records from the District, but the District would not provide all of them. She provided us with a list of outstanding records and copies of her requests. We kept the resident abreast of our progress throughout the investigation.

We contacted the District's attorney about the matter and provided her with copies of the requests. The attorney said she had responded to each of the requests and would be willing to send them to us. She acknowledged that the District was still working on fulfilling the requests. She included a response from the District Fire Chief in which he said, "We will release these records when – after – they are corrected. I do not have an estimate of that time frame at this time, but it could be more than sixty days. In the interim, we have no responsive documents, as the working drafts are not final records." He also explained that the District has a policy of producing records within 30 days.

We responded to the attorney that 30 days does not seem prompt in all cases. We explained that drafts are public records and are not exempt from public records law. She seemed to assert some sort of deliberative process exception to public records law by saying that some of the records at issue were pulled from the public record because they were inaccurate and needed to be corrected. She provided no legal basis for this assertion.

The attorney said she would be willing to speak to our office by phone after a couple of weeks had passed and she had completed a trial. After the two weeks passed, she declined to speak with us by phone because she said it would be a waste of the District's money to have her speak to us about issues that had been resolved. The District and its attorney took the position that the District had provided the resident with all of the records she had requested.

We spoke to the resident. She explained exactly which records were still outstanding. On March 22, we sent the District a formal notice of investigation.

The attorney's supervisor contacted us about the matter. He then sent us a report, which he thought would fulfill the resident's outstanding requests. He said he also talked to the District Fire Chief, and the Chief agreed to provide the resident with certain regularly produced records on an ongoing basis.

We forwarded the report to the resident. She said she had still not received dozens of pages of support documents that were reference in and related to the report. We presented the resident's assertion to the District's attorney's supervisor. He disputed that the support

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documents exist. We pointed him toward a portion of the report he had provided to us that directly referenced several support documents.

In mid-April, the supervisor said the District's attorney would address this issue when she returned from a trip abroad.

On May 2, we sent the District a preliminary report of our investigation, which indicated that the resident had received the report but not certain supporting documents referenced in the report.

On May 16, two days before the day by which we had requested a response from the District, the District's attorney called our office and asked for a two-week extension of our deadline. She memorialized our call in an email and asserted that, not only had the District provided the resident with all of the allegedly outstanding records at some point in time, but it had done so twice. She said the second time had been via email.

Our office agreed to a two-week extension and set a new deadline of June 1.

On June 1, we spoke to the attorney by phone. Despite our May 16 conversation and her subsequent email to memorialize it, she said she had never seen our May 2 preliminary report and did not have a response prepared. She asserted that she had come to the understanding, after talking to the Fire Chief and our office, that everything was resolved and that our office was satisfied that the District had in fact sent the resident the records at issue. We disputed this and recalled our May 16 discussion in which she had acknowledged our report and asked for an extension for the response date.

We then emailed her to memorialize the conversation. Although the response was due that day, we told her we would give the Mescal Fire District until the end of business the following day to respond to our preliminary report. We explained, as we did in the preliminary report, that if the District did not respond in writing and request modification of our report, the May 2 preliminary report would become our final report pursuant to A.A.C. R2-16-501.

On June 2, the District's attorney sent us a series of emails that had been sent between the Fire Chief, one of our employees, and the attorney's supervisor. These emails related to when the supervisor had first sent us a copy of the report but before we discovered that it was lacking the supporting documents. The District's attorney appeared to misunderstand that the report was no longer at issue and the issue now centered on the supporting documents. Her misunderstanding likely resulted because, as she had acknowledged, she had not read our preliminary report.

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On June 2, she also sent us the District's official response to our preliminary report. Again, she reiterated that the District had provided the resident with all of the allegedly outstanding records. She said she would provide our office with proof.

She also sent us a series of emails, which she implied showed that the matter had been resolved. Nothing in the emails indicated that the allegedly outstanding records (support documents for the report that had already been provided) had been provided to the resident or that anyone explicitly thought this.

She then sent us several emails with attached records. One of the records was the report, which had already been provided; however, many of these records seemed to be part of the group of outstanding records. There was no indication that these had ever been sent to our office or the resident. We sent the records to the resident. She thanked us and explained that three records were still outstanding, and she specified which three. These records were not included with the other attachments to the emails from the District's attorney.

On June 15, we thanked the District's attorney for the records and explained which three records were still outstanding. We also asked her to provide the evidence she said she would provide illustrating that the District had already sent the resident the records.

On July 12, we resent her our June 15 email. She responded and said she would provide the three outstanding records once she got back from vacation.

On June 13, we asked if she could provide them before she left. She responded that the resident has "been provided every record she requested except this latest one." We emailed her to clarify. We explained exactly what had been requested and what had been provided. We listed the three outstanding records. We asked her to clarify and explain if she disagreed with us and thought that some of the three had been provided. If she thought that some of the three had been provided, we asked that she send us evidence. She again made it sound like all of the records had previously been made available to the resident, but she provided no evidence.

The District's attorney then sent us the report again claiming that it had been provided multiple times. Again, we acknowledged that everyone, including the resident, had received this report multiple times. We explained, again, that this record was no longer at issue. We explained exactly which support documents, referenced by the report, were still outstanding. The District's attorney sent the resident and us an email. She sent a carbon copy to the Fire Chief. In this email, she told the resident that the District had already provided her with all of the records multiple times. She said she did not understand how the resident could say that any records were outstanding. She said the Fire Chief would send her all of the records again.

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The Fire Chief then emailed our office, "Attached please find the three documents [the resident] considered to be outstanding, as requested by your office earlier today." Attached were the three outstanding records. We sent the records to the resident.

Neither the Fire Chief, nor the District's attorney ever provided evidence to support the attorney's claims that all of the records at issue had previously been provided to the resident multiple times.

In August, we closed our case. We alerted the resident and the District that we were closing the case now that all of the requested records had been provided.

On June 15, the resident thanked us and said there were no outstanding records.

1600921. Glendale Police Department

A school worker contacted our office regarding a Department of Child Safety (DCS) matter that also involved the Glendale Police Department (Department).

She said she had made a mandatory report of child abuse about one of her students to DCS. She said the student's father managed to get a hold of a copy of a Department police report that derived from her initial mandatory report to DCS. She said that her name was listed in the police report as the person who made the initial report. She said the father angrily confronted her about her report.

She asserted that her name should not have been made known to the father. She sent us a copy of the police report at issue. It clearly indicated that she had reported possible child abuse to DCS.

We researched the matter. Statutes in Title 8 make DCS information confidential. A.R.S. § 8-807(B) mandates that DCS will provide confidential information to law enforcement so that it can prosecute child abuse crimes. A.R.S. § 8-807(U) states that, "A person who receives DCS information shall maintain the confidentiality of the information and shall not further disclose the information unless the disclosure is authorized by law or a court order." We found not law or court order specifically authorizing the Department to release DCS information.

We spoke to DCS's general counsel about the issue. We eventually sent her a copy of the police report. She seemed aghast at the disclosure. She said that the information should have been protected by the Department as confidential. She said that the disclosure by the Department was an aberration and that police departments usually do not release mandatory reporters' names.

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We contacted the Department and spoke to an employee who told us that the Department does not redact names from reports unless they are a juvenile or a police informant. We contacted the main employee who handles public records requests for the Department. She echoed what the other employee had told us. She also said it would be impossible for the Department to generally redact names of mandatory reporters.

We eventually got in contact with a Sergeant at the Department about the matter. He did not appear to want to address the issue directly and said that redacting reporter names was not in the Department's policy. He referred us to a Deputy City Attorney. We left the Deputy City Attorney a long detailed message about the matter. He responded to us and said he was unaware of any statute that allowed them to redact the name of a mandatory reporter. He did not seem to realize initially that the information at issue had come from DCS and that the report had not been made directly by the school worker to the Department.

The Deputy City Attorney then followed up with us again. He said he spoke to the Sergeant and acquired a copy of the police report at issue. He said that the DCS information should have been handled as confidential. He seemed to treat the disclosure as a grave error. He said it was an error for the Department's record person to disclose the school worker's name. He said the worker had since retired. He said he would make sure that the employee's replacement and that person's supervisor would be made aware that DCS information is confidential and is not to be disclosed. He said he would also make the folks in the Department's special victims unit aware of the matter, and he would make Department leadership aware of the matter. He said he had already sent out emails to the Department's records folks and their supervisors explaining what the law is and what they should do in future similar situations.

We followed up with the school worker and explained what we had learned from the Deputy City Attorney. She seemed relieved that her name as a reporter would be protected by the Department moving forward. She thanked us.

1601078. Maricopa County Medical Examiner

An attorney contacted our office on behalf of a mother in regard to issues they were having with a public records request they made to the Maricopa County Medical Examiner's (ME) office.

According to the attorney, the mother's son died a year earlier. The attorney said that the mother had been trying to get records related to the autopsy performed by the ME. Specifically, the attorney said that he and the mother sought histology slides and medication

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pills the son was prescribed a few days before his death. The attorney said they also wanted a sample pill of each medication.

The attorney said the ME would not provide the slides or pills without a subpoena because it considered these items evidence. We contacted the employee the attorney had been dealing with at the ME's office.

She explained that the ME did not believe the slide's or medicine constituted public records. Instead, she asserted that the requested items were "considered evidence" and the ME's office would "need a subpoena or court order to produce" them. The employee said she had communicated this to the attorney and the mother. She said she forwarded the Attorney's requests and our communication regarding the matter to the ME's legal department for a response.

We touched base with the attorney and explained that public record law did not entitle the mother to a sample pill of the medications, even if medications did constitute a public record. We said it was also unclear whether the medications were public records. Lastly, we told him that we believed the histology slides were records for purposes of records law and would pursue this portion of the denied request with the ME's office.

Eventually, we followed up with the employee to see what the ME's legal department had to say about the matter. We conceded that it was unclear to our office whether the medications are public records, but we asserted that the histology slides are public records.

The employee responded by saying that "[t]he items being requested are not public records under Arizona law." She said, "[p]hysical items such as blood or tissue specimens, slides containing such specimens, or samples of medication/pills are not public records, although documents that describe or list such physical items would be public records."

She cited a portion of the Title 41 definition of a record, but the provision she cited did not directly support her statements.

We contacted the State Records Manager at Arizona State Library, Archives and Public Records about the issue. Ultimately, it is this office that has legal authority to decide what constitutes a record that must be retained by public entities. He sent us the retention schedule for coroner/medical examiner records. According to the first item on the retention schedule, Arizona State Library, Archives and Public Records considers "tissue slides" and "histology blocks" as records that a medical examiner's office must retain for a set amount of time. Based on the wording of this schedule, and our conversation with the State Records Manager,

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we concluded that the histology slides are considered records by the Arizona State Library, Archives and Public Records and must be retained. We passed along this information to the employee at the ME's office.

The employee indicated that the ME's office's legal department was considering what we provided. Eventually, the employee followed up with us and the mother's attorney and said the ME's office would provide access to the slides for inspection and would be willing to make "recuts" of the slides.

The attorney thanked us for our help with the matter and said he was happy with the results.

1601103. City of Yuma

Complainant sent us a receipt demonstrating he paid \$20 towards a \$2600 balance due on a superior court judgment. The note on the copy indicated it was his formal complaint. After speaking with complainant he explained the \$20 was to pay for public records he was told were available for pick up, not the judgment. The city asserted it would continue applying payments for public records toward the judgment and would not furnish copies until the judgment was paid in full. Our office disagreed with the city's determination. We found nothing in law that supported denying access to public records until a pending judgment on a completely unrelated matter was paid in full. After further discussion, the city agreed to provide complainant with copies of records notwithstanding the outstanding judgment. Subsequently, he asked that the city mail the records he previously sent someone to collect. The records were mailed on 4/8/2016. I reminded him that going forward he would be responsible for paying for copying and postage before any records are mailed.

1601741. Phoenix Police Department

Tucson resident filed a property theft claim for property stolen in Phoenix. Complainant was told he had to come to Phoenix to file his claim. He did so on April 15, 2016. The police officer said he could have done it over the phone or completed a form online. The police officer also told him to call in about three days to get a copy of the report. When he called the number provided for the South Mountain Precinct, he was told he had to request the report in person and it could take up to a year to receive it by mail. He contacted us for assistance.

We reached out to the Phoenix Police Public Records Department. The manager confirmed they are a year behind mailing record requests; however, she took his information and agreed to mail it out once she receives an email from him requesting the report. She recognizes that verbal request are permitted, but she wanted a paper trail if he was willing. He agreed to send an email. The report was provided.

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1602170.

Lake Havasu Unified School District

A resident contacted our office in regard to the Lake Havasu Unified School District's (LHUSD) Employee Benefits Trust (EBT). He asserted that the EBT was not following open meeting law in several regards, such as failing to allow its meetings to be open to the public and failing to follow notice requirements.

We contacted the LHUSD Board President about the matter because the LHUSD said it did not currently have a superintendent. We explained to her why open meeting law likely applies to the EBT Board. She said the EBT Board complies with open meeting law to some degree. She did not have a substantial explanation for why the EBT Board would not be subject to open meeting law, and she asserted that it had always been everyone's understanding that the EBT Board need not comply with open meeting law. She asked us to send her a summary of the issue via email, and then the EBT would consult legal counsel.

We emailed her a summary and included an Attorney General (AG) opinion in which the AG opined on what entities qualify as public bodies for purposes of open meeting law.

We did not hear from the LHUSD, the LHUSD President, or the legal counsel for any of the parties involved. We followed up with the LHUSD about the matter.

An employee of the LHUSD explained that the EBT Board had been unable to hire legal counsel because one of its members resigned leaving the EBT Board without a quorum. She said the LHUSD Board would soon appoint a new member to the EBT Board; then, the EBT Board would be able to hire legal counsel.

A few weeks later, we followed up with the LHUSD Board President, who we had learned was also on the EBT Board. She said the EBT Board had acquired a new member and sought legal counsel. She said that based on what we had sent her she did not think the EBT was subject to open meeting law; however, the EBT Board had conducted its most recent meeting in accordance with open meeting law as a precaution. She said the EBT Board's legal counsel thought the EBT Board was probably subject to open meeting law, particularly in light of the AG opinion we had sent them. She said the EBT Board's legal counsel was still coming to a final legal opinion on the matter.

We updated the resident on the matter. We asked him if he would be comfortable with our office releasing his name to the EBT Board in response to the LHUSD Board President asking for it. He did not respond.

About a week later, the legal counsel for the EBT Board contacted our office. She said that the EBT Board had begun holding open meetings and would continue doing so. She was of the opinion the EBT Board was subject to open meeting law.

OPTIMIZING OUR STATE GOVERNMENT

Our Cases – Statistics of Note

INVESTIGATIONS

We managed our 357 investigations in FY2016 as noted in the following tables.

Table 3 – Investigations – July 1, 2015 – June 30, 2016	
Discontinued ¹	43
Declined ²	56
Complaint withdrawn or resolved during investigation ³	21
Investigation completed	234
Ongoing	3
TOTAL REQUESTS FOR INVESTIGATION	357

Table 4 – Investigative Findings – July 1, 2015 – June 30, 2016		
SUPPORTED/PARTIALLY SUPPORTED ⁴		84
Requires further consideration by agency	33	
Other action by agency required	49	
Referred to the legislature for further action	0	
Action was arbitrary or capricious	3	
Action was abuse of discretion	1	
Administrative act requires modification/cancellation	1	
Action was not according to law	20	
Reasons for administrative act required	0	
Statute or Rule requires amendment	0	
Insufficient or no grounds for administrative act	2	
INDETERMINATE⁵		11
NOT SUPPORTED		139
TOTAL COMPLETED INVESTIGATIONS		234

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.

OPTIMIZING OUR STATE GOVERNMENT

OVERALL CASE STATISTICS

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

In summary, we had 5,132 citizens contact us with a problem for FY2016. In 97.72 % of the time, we responded within 2 days. We handled or solved 97.47% of the cases in 3 months. We made 340 recommendations to agencies. Of those, 336 were accepted. Thus, the percentage of recommendations accepted by agencies was 98.82 %.

CONTACTS BY AGENCY

Between July 1, 2015 and June 30, 2016, our office handled 5,132 cases involving 206 agencies. The following table shows the distribution of our contacts by agency. Cases involving Child Protective Services comprised 46.38% of our total for FY2016.

Agency	Coaching	Assistance	Investigation	Total
Accountancy Board	0	0	1	1
Administrative Hearings, Office of	1	2	0	3
ADOA - Administration, Department of	12	5	4	21
Agriculture - Wt. and Measures	13	2	0	15
Agriculture, Department of	2	1	0	3
AHCCCS	40	72	4	116
Apache County	6	3	2	11
Apache County Board of Supervisors	2	0	1	3
Apache County Planning and Zoning Board	2	0	2	4
Arizona Power Authority	0	3	2	5
Arizona State Hospital	1	0	0	1
ASU - Police Department	0	1	0	1
ASU -Arizona State University	1	0	0	1
Attorney General, Office of	25	9	3	37
Auditor General	1	0	0	1
Avondale	0	1	1	2
Barbers, Arizona Board of	1	1	0	2
Behavioral Health Examiners, State Board of	8	2	1	11
Benson	4	0	1	5
Bisbee	1	0	1	2

OPTIMIZING OUR STATE GOVERNMENT

Black Canyon Fire District	2	0	1	3
Buckeye	2	0	0	2
Buckeye Police Department	0	2	0	2
Casa Grande Union HS	0	0	1	1
Chandler Unified School District	1	0	0	1
Charter Schools, Arizona State Board of	3	1	0	4
Chevron Butte	1	0	0	1
Chino Valley	3	1	0	4
Chiropractic Examiners, State Board of	1	1	1	3
Chloride Water Improvement District	1	0	0	1
Cochise County	0	2	1	3
Cochise County Attorney	0	1	0	1
Coconino County	1	1	0	2
Commerce Authority of Arizona	2	0	0	2
Commission of Judicial Conduct	2	1	0	3
Concho Fire Department	1	0	0	1
Coolidge Unified School District	1	0	0	1
Corporation Commission	23	4	3	30
Corrections, Department of	26	5	1	32
Cosmetology, Board of	2	1	0	3
Cottonwood	0	1	0	1
DCS - Department of Child Safety	1322	853	186	2361
DCS - Office of Licensing Certification Regulation	4	7	3	14
DCS - Other	2	3	0	5
Deaf & Hard of Hearing Commission	1	1	0	2
Deaf and Blind, Arizona School for the	1	2	0	3
Deer Valley Unified School District	0	1	0	1
Dental Examiners, Board of	3	2	3	8
DES - Aging & Community Services	228	18	0	246
DES - Benefits and Medical Eligibility	55	153	5	213
DES - Child Support Service	17	61	7	85
DES - Developmental Disabilities	8	18	0	26
DES - Employment and Rehabilitation	17	40	3	60
DES - Other	25	21	2	48
DES- Adult Protective Services	14	6	0	20
Desert Marigold School	2	1	0	3
Dispensing Opticians	0	0	1	1
DPS - Department of Public Safety	6	8	0	14

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Early Childhood Development & Health Board	1	0	0	1
Education, Department of	9	2	1	12
Emergency & Military Affairs, Department of	1	1	0	2
Environmental Quality, Department of	7	7	2	16
Financial Institutions Department	10	1	1	12
Financial Institutions, Appraisal Division	1	1	1	3
Flagstaff	1	0	0	1
Flagstaff City Attorney's Office	2	0	0	2
Forestry & Fire Mgmt.(former Dept. FBLS)	7	1	0	8
Funeral Directors & Embalmers Board	14	10	1	25
Game and Fish, Department of	3	0	0	3
Gaming, Dept.	0	1	1	2
Gilbert Public Schools	1	2	2	5
Glendale	1	0	0	1
Glendale Police Department	0	2	0	2
Golden Valley Fire District	1	0	0	1
Governor, Office of	2	1	0	3
Governor's Office of Youth, Faith and Family	0	2	0	2
Governor's Council of Aging	1	0	0	1
Green Valley Water District	1	1	0	2
Harquahala Valley Fire District	2	0	0	2
Health Services, Department of	38	6	5	49
Health Services, Vital Records Office	4	3	1	8
Historical Society, Arizona	1	1	0	2
Homeland Security, Department of	1	0	0	1
Housing, Department of	9	1	0	10
Huachuca City Council	1	0	0	1
Industrial Commission	34	7	2	43
Insurance, Department of	14	4	0	18
Judicial Conduct, Commission on	2	0	0	2
Juvenile Corrections, Department of	2	0	0	2
Kearny	1	0	0	1
Kingman	0	1	0	1
Kyrene Unified School District	0	1	0	1
Lake Havasu Unified School District EBT	0	0	1	1
Land, Department of	0	0	1	1
Legislature	17	2	1	20
Liquor Licenses and Control, Department of	4	3	0	7

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Littlefield Unified School District	1	0	0	1
Lottery	4	2	0	6
Mammoth	0	0	1	1
Mammoth Water District	0	1	0	1
Marana	1	0	0	1
Marana Drainage & Water Improvement District	7	1	0	8
Maricopa	2	1	1	4
Maricopa County Assessor	1	0	0	1
Maricopa County Attorney	1	0	0	1
Maricopa County Community Colleges	4	0	0	4
Maricopa County Medical Examiner	0	0	2	2
Maricopa County Sheriff	1	0	0	1
Massage Therapy, State Board of	1	1	0	2
Mayer Fire District	3	0	0	3
Mayer Water District	0	1	0	1
Medical Board, Arizona	24	9	7	40
Mesa	1	0	0	1
Mescal J-6 Fire District	7	2	1	10
Miami	1	0	0	1
Navajo	1	0	0	1
Nursing, State Board of	14	4	2	20
Nutriso Fire District	19	4	2	25
Occupational Therapy Examiners, Board of	1	2	1	4
Ombudsman	101	17	1	119
Oro Valley	0	1	0	1
Osborn School District	0	1	0	1
Osteopathic Examiners in Medicine and Surgery, Board of	4	1	0	5
Other - Federal	50	2	4	56
Other - Government	279	15	8	302
Other - Private	266	20	12	298
Page	1	0	0	1
Palominas Elementary School District	1	0	0	1
Paradise Valley School District	3	0	0	3
Parks, Department of	0	1	1	2
Peoria	2	1	0	3
Pharmacy, Board	6	1	1	8
Phoenix	8	4	2	14

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Phoenix Fire Department	0	1	0	1
Phoenix Police Department	3	3	0	6
Physical Therapy Examiners, Board of	1	0	0	1
Pima	1	1	1	3
Pima Association of Governments	1	0	0	1
Pima Community College	2	1	0	3
Pima County Sheriff's office	2	0	0	2
Pinal	1	1	0	2
Pinetop	1	0	0	1
Pioneers Home	1	0	1	2
Podiatry Examiners, State Board of	1	1	0	2
Pomerene Elem. School Dist.	0	1	0	1
Prescott	0	1	1	2
Prescott City Council	1	0	0	1
Private Post-Secondary Education Board	5	4	0	9
Psychologist Examiners, State Board of	2	0	0	2
Public Post-Secondary Education Comm.	1	0	0	1
Public Safety Personnel Retirement System	1	0	0	1
Quartzsite	2	0	1	3
Quartzsite Police Department	1	0	0	1
Real Estate Dept. - HOAs	0	0	1	1
Real Estate, Department of	9	6	4	19
Red Rock Road Enhancement District	0	1	0	1
Registrar of Contractors	14	12	2	28
Respiratory Care Examiners, Board of	1	0	0	1
Retirement System, Arizona State	3	4	1	8
Revenue, Department of	24	28	6	58
Sahuarita Unified School District	1	0	0	1
San Luis	0	1	1	2
Santa Cruz County Sheriff's Office	0	1	1	2
Scottsdale	1	1	0	2
Scottsdale Police Department	1	0	0	1
Sec. of State -Library, Archive & Records	4	5	0	9
Secretary of State	4	4	1	9
Sedona	0	0	1	1
Sedona - Oak Creek Airport Authority	1	1	0	2
Sierra Vista	0	1	0	1
Sonoita Elementary School District	1	1	2	4
South Tucson	1	0	0	1

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Springerville	1	0	0	1
SRP -Salt River Project	1	0	0	1
Sunburst Farms Irrigation District	4	0	0	4
Superior Court	3	3	3	9
Surprise	1	0	0	1
Tanque Verde School District	1	0	1	2
Technical Registration, Board of	5	1	4	10
Tempe	0	1	0	1
Transportation, Department of	13	14	3	30
Transportation-Motor Vehicle Division	18	33	6	57
Tucson	4	1	0	5
U of A - University of Arizona	0	0	1	1
unknown	5	1	1	7
unknown charter school	10	0	0	10
unknown city	6	1	0	7
Unknown Community College	1	0	0	1
Unknown Domestic Water Improvement District	1	0	0	1
unknown fire district	11	1	0	12
Unknown Irrigation District	1	0	0	1
unknown school district	6	2	0	8
Unknown state agency	48	0	1	49
Valley Academy for Career & Technology Ed.	0	1	0	1
Various	1	0	0	1
Various school districts	1	1	0	2
Vernon Fire District	1	0	0	1
Veterans' Services, Department of	6	2	0	8
Veterinary Medical Examining Board	2	0	1	3
Washington Elementary School District	1	0	0	1
Water Resources, Department of	1	1	0	2
Western Meadows Irrigation District	0	1	0	1
Winslow Unified School District	0	0	1	1
Yavapai County	2	1	0	3
Yuma City	2	3	4	9
Yuma County	2	0	0	2
TOTAL NUMBER OF CONTACTS	3,156	1,619	357	5,132

Agency Count: 206

About the Ombudsman and Staff

The Ombudsman Office has nine full time employees when fully staffed. This was a year of transition in our office. We had three staff members leave to other positions. We had one ASU legislative intern.

Dennis Wells - Ombudsman-Citizens' Aide.

Dennis became Ombudsman Citizens Aide on July 2, 2012 following confirmation by the Legislature and Governor in early 2012. Dennis holds a Master's 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 from the U.S. Ombudsman Association (USOA) and is an investigator certified by the Council on Licensure, Enforcement & Regulation (CLEAR). He has public and private sector experience. In the public sector, Dennis was an elected supervisor and chairman 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 has been continuously published by the Wells' family for 100 years. Following graduation from Northern Arizona University, Dennis worked for private firms in oil exploration and drilling in Texas, Louisiana and overseas (Africa and the Middle East).

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 Chairman of the USOA Children and Family Chapter. She was a member of the Association for Conflict Resolution, qualified in the "Practitioner"

category. She is a member of the DCS Citizen Review Panel Committee, the Arizona Court Improvement Committee and the Court Parent Representation Committee. She has served as a judge for the Central Arizona BBB Business Ethics Award for the past six years.

Sarah Bruce – Former Assistant Ombudsman.

Sarah became a full-time employee of the Ombudsman Office in 2013, after serving as an intern and contractual employee with the office the prior year. She previously interned with the Gila River Indian Community Employment and Training Department. She received her Bachelor of Art degree in History from Arizona State University. Sarah has completed ombudsman training prescribed by the United States Ombudsman Association (USOA). She is an administrative investigator certified by the Council on Licensure, Enforcement & Regulation (CLEAR). She is also a former associate member of the National Indian Child Welfare Association. She is a Court Appointed Special Advocate (CASA). Sarah left our office to work for the Department of Child Safety in 2016.

Danee Garone – Staff Attorney.

Danee joined the Ombudsman's office in 2014 as an investigator and writer. He completed United States Ombudsman Association new ombudsman training 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.

Aimee Hamilton – 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. Before joining the Ombudsman office, Aimee worked for in Vancouver, Washington as a case manager for homeless individuals and families in transitional housing. Prior to that, she worked for the Jobs Program with MAXIMUS in the Phoenix area assisting families who received state cash assistance. She also has extensive experience in customer service in the non-profit, financial and mortgage industries. She has completed New Ombudsman training prescribed by the United States Ombudsman Association (USOA). 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.

Liz Hill – Former Interim Staff Attorney.

Liz served as Arizona's first Assistant Ombudsman for Public Access for the Office of the Arizona Ombudsman – Citizens' Aide from 2007 to 2011. In 2011, she left the Office of the Arizona Ombudsman – Citizens' Aide to serve as an organizational ombudsman for Apollo Education Group. Liz returned to the Ombudsman Office in 2016 as an interim staff attorney. Liz graduated from Gonzaga University School of Law in 2001 and is an Arizona licensed Attorney. Before becoming an ombudsman, she served as Tax Counsel for the Arizona Department of Revenue and as an Arizona Assistant Attorney General litigating tax cases. She completed ombudsman training through both the United States Ombudsman Association and the International Ombudsman Association. She has over one hundred hours of formal mediation training and obtained investigator certification from Council of Licensure, Enforcement & Regulation (CLEAR).

Kathryn Marquoit – Former Assistant Ombudsman for Public Access.

Kathryn is an attorney who joined the office in 2011 after managing the Phoenix branch of Genex Services, Inc. she worked primarily in a program that provided Social Security Disability legal representation to disabled clients nationally. Prior to her work litigating before the Social Security Administration, Kathryn served as member of the legal staff for the Governor's Regulatory Review Council (GRRC) during Governor Janet Napolitano's and Governor Jan Brewer's administrations. She has bachelor's degree from Syracuse University, a law degree from Villanova Law School and is licensed to practice law in Arizona. She left the Ombudsman Office in December 2016 to return to private practice.

Keith Meyer – Senior Investigator/Writer Ombudsman.

Keith joined the Office of the Ombudsman in 2014 and brings with him 20 years of public experience in Arizona State and County governments. He served in director's offices at the Arizona Department of Corrections, Arizona State 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 public service includes volunteering on several homeowner association boards. He has completed ombudsman training prescribed by the United States Ombudsman Association (USOA). 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.

A.J. Oviedo- Legislative Intern.

A.J. joined the Ombudsman team in January 2016 as a legislative intern. We later hired him on during the summer. A.J. attends ASU and is majoring in business with a concentration in law. He worked in the Volunteer Youth Services for the Maricopa County Library District and was a teacher assistant at ASU Preparatory Academy. He hopes to attend law school in the future. A.J. worked in the Ombudsman Office from January through July 2016.

Frank Rutledge – Investigator/Writer Ombudsman.

Frank joined the Ombudsman team in June 2016, so he was only with the Ombudsman Office for a short time this fiscal year. Prior to working here, Frank worked almost nine years with the Arizona Department of Economic Security (DES). During his time at DES, Frank worked in the Rehabilitation Services Administration (RSA), the DES Office of Procurement (OP), and most recently with the Division of Developmental Disabilities (DDD). Frank brings a wealth of contract and procurement knowledge to the team. Frank is certified in Arizona State Public Procurement, and is a graduate of Northern Arizona University's School of Communication, with an emphasis in Journalism. He has also completed ombudsman training given by the United States Ombudsman Association (USOA).

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.