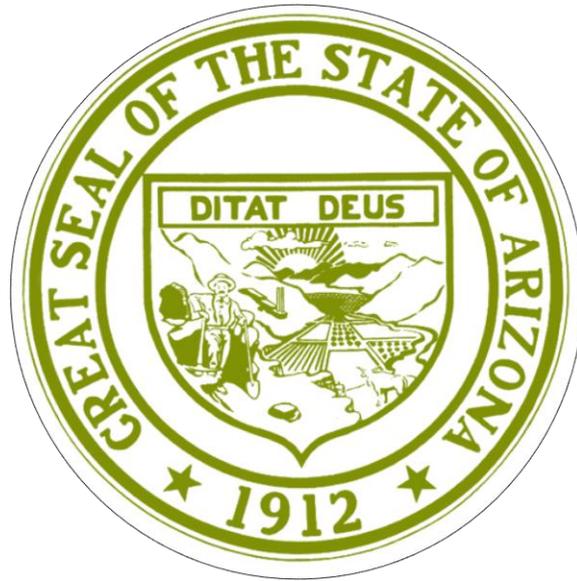


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ANNUAL REPORT

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Submitted by Arizona Ombudsman-Citizens' Aide, Dennis Wells
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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 relationships with agency personnel in every state

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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.

OUTREACH

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

- We have made the Ombudsman web site (<http://www.azoca.gov/>) – made more robust in the past few years. We have expanded our public resource list, posted copies of our public record and open meeting compendium of information in electronic booklets, deployed a “How to file a complaint” tutorial, expanded our FAQs, created an electronic complaint form, and taken other measures to expand our services to the public.
- Distribute our brochures at our office, at meetings and speeches, and with various groups who distribute our brochure for us to their clients (i.e., Maricopa County Bar Association).
- We have developed comprehensive guide booklets regarding public record and open meeting law. We distribute public access materials to elected officials and the public throughout the State.
- Media interactions - Interviews throughout the State (examples: Arizona Republic, Channel 12 News, Camp Verde Journal, and various other local newspapers, TV stations and radio). We requested and were granted a listing as a resource on the *Arizona Republic's* public records website.
- Quarterly public access newsletter – public access attorney Danee Garone writes a quarterly newsletter, *The Public Record* that we post to our web site and electronically distribute to interested parties. Arizona State Library, Archives and Public Records distributes it on our behalf to its extensive listserv.
- Public access trainings for public officials and the public throughout the State. Our public access attorney, Danee Garone, conducts training sessions and participates in forum

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discussions regarding lawful practices relating public record and open meetings (example: Public Defender Conference). During the past year, we conducted twenty-two of these training sessions to a variety of State and local government officials and public bodies in Litchfield Park, Prescott, Phoenix, Peoria, Florence, Flagstaff, Carefree, Safford, Show Low, Tucson, Tempe, and Kingman. Additionally, we conducted trainings at multiple conferences for associations of public bodies and/or officials, and we participated in multiple continuing legal education sessions on public access laws for the Arizona State Bar. Most of the events are open to any interested public officials and members of the public. At each event, we provide our office's contact information and website and explain what services we provide inside and outside of public access issues. On numerous occasions, new complainants have told us they became aware of our office because of a training.

- We work with DCS to identify and resolve acute and systemic problems in the child safety agency. DCS is required to note OCA on their web site, in its Notice of Duty to Inform, in its Temporary Custody Notice and notes OCA in its parent handbook.
- OCA staff as speaker or participant
 - Forums with legislative assistants – orientation meetings, one-on-one
 - Forums with legislators – orientation meetings, one-on-one
 - Various speaking engagements – State Archives trainings, civic groups, various state agencies.
 - DES and DCS leadership individual and team meetings
 - DCS Citizen Review Panel – Deputy Joanne MacDonnell serves as member
 - Better Business Bureau – Deputy Joanne MacDonnell serves as an ethics judge for the annual BBB Torch Award Ethics program.
 - Court panels - Arizona Court Improvement Panel, Parent Representation Standards committee – Deputy Joanne MacDonnell serves on these committees.
 - Host training program for DES and DCS ombudsmen.
 - Outreach, speeches, open house events via Grand Canyon University, ASU (Main, Downtown & West campuses) work with professors and interns.
- United States Ombudsman Association – extensive involvement.
 - Network – take referrals from other jurisdictions in USA. Send representation to conference.

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- Participate in training – new ombudsman training, continuing education, and our staff often teach seminars.
- Deputy Joanne MacDonnell chaired the Family and Children Chapter (produce annual seminar, periodic news postings about child safety issues, survey national members and post results)
- We co-host the Arizona Ombudsman Group with the SRP Ombudsman Office. It is a group of government, education and private ombudsmen in AZ. We participate in meetings, host seminars and network with ombudsmen offices that have different constituencies. We refer citizens to one another as jurisdictions dictate.
- We work with the AG's office as it refers many matters to our office when it cannot take a case. Example: Consumer Division, open meeting and public access guidance, general complaint assistance.
- The Self-Help Desk at the Maricopa County Courts – We provide it w/information about our office.
- We post our public access training on YouTube.
- Information about our office is on the DCS website (on which we pushed for a position that is more prominent) as resource for the public to turn to.
- Information about our office is on many state websites where agencies perform investigations - pursuant to A.R.S. §§ 41-1001.01 and 41-1009.
- We work with the Arizona Library and Archives at SOS regarding public record and archives. We collaborate with Library and Archives to present discussion on public records retention discussion at conferences.
- We distribute our Point of Contact google doc to various government agencies. This resource is useful to the agencies.

CUSTOMER SATISFACTION

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

These standards are:

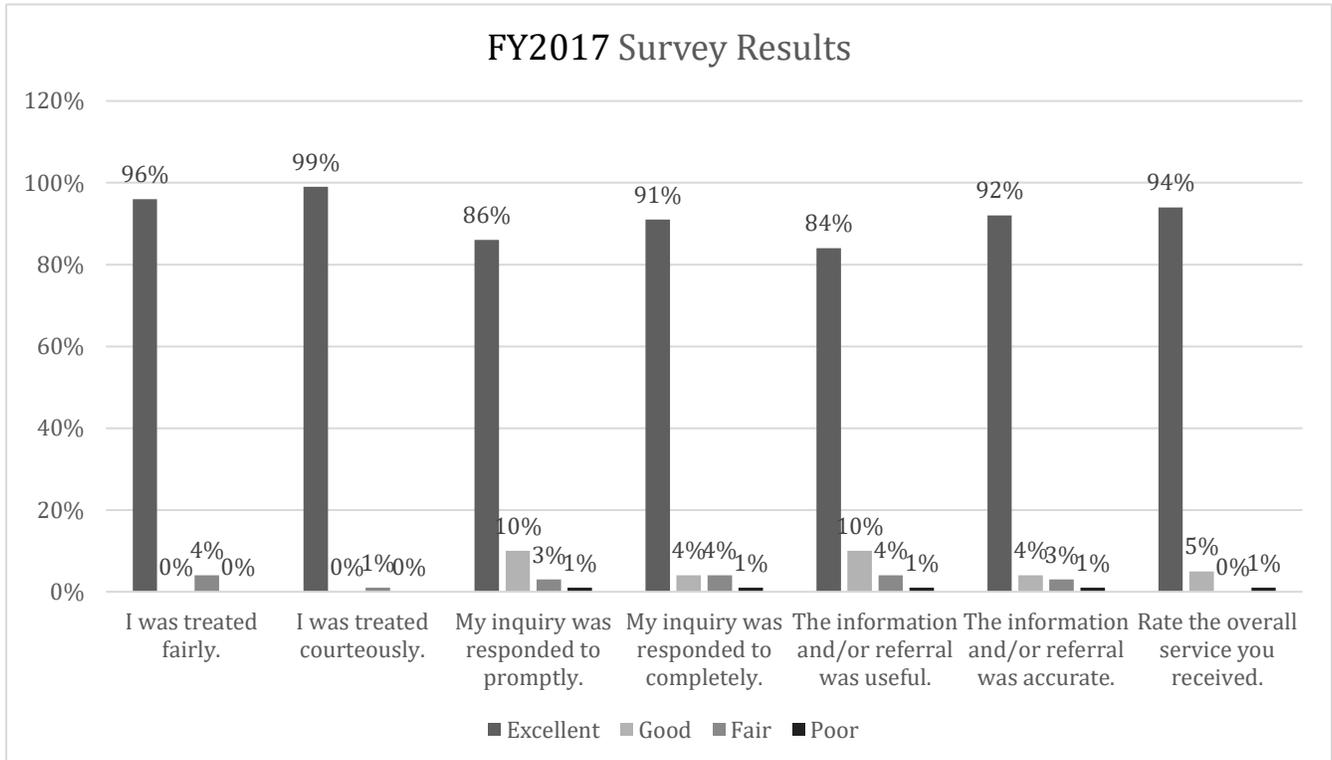
- Treat everyone **fairly**.
- Treat everyone with **courtesy and respect**.
- Respond **promptly** to citizen inquiries.
- Provide as **complete** a response as possible.

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- Provide **useful** solutions to citizens.
- Provide **accurate** responses to citizen complaints.

WE WELCOME FEEDBACK

The chart and comments on the following pages summarize the results of the survey for FY2017.



THE FOLLOWING COMMENTS ARE FROM CITIZENS WHO USED OUR SERVICES IN FY2017:

“You have been the only ones that are willing to help. Thank you!!!”

“Our goal of obtaining important documents would not have been possible without the perseverance of Danee repeatedly working around obstacles with extreme professionalism.”

“If not for Jennifer, I doubt I would have my grandson now. Excellent and extremely efficient employee.”

“Awesome - understood the issue and saved me the hassle of filing a lawsuit”

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“Very helpful. Thank God we finally had an avenue to go through after all the hardship with DCS.”

“The guy Frank was the best - he made it happen - |vs| - took off wk - stressed out - disrespected by DES - Frank made it all better with no drama - he is a class act - thank you Frank!”

“If not for Keith I would still be waiting for my refund check!”

“This is my second use of Ombudsman. The organization has always been helpful. Philip was excellent and responded to all my questions. His service was prompt and provided excellent results.”

“Thank you Joanne!”

“Yvonne is an angel!!!! Keep up the good work our public need more people like her.”

“Thank you Aimee for helping us through this. We finally got responses after we notified you thank you so much and God bless you.”

“I was treated with courtesy, kindness, and compassion. I was very impressed with your employee's knowledge of the issues I raised. What a great reflection on your office! I am sincerely appreciative.”

“I appreciate Danee’s approach, delivery and service. The prepared content was ideal for our setting and his responses to questions from the field were professional and appropriate.”

“Frank provided the kind of courteous service we frequently say was only available in the "good 'ol days.” He responded to every message I left him within 24 hours, did what he promised to do and got DES and AHCCCS to respond to accountability under the law and administrative rules. I did not expect anyone would or could hold these agencies accountable. I was wrong. I am extremely grateful that people like Frank still exist.”

“I could not believe how fast my request was answered! I think that was great! Thank you.”

“Very professional. Took note of my request and addressed it. Very satisfied.”

“I appreciate your intervention with Phoenix Health Plan. They were making no effort to help until you get involved.”

“This is the second time I have asked Danee for information on public records. Both times he has been fantastic to get information back in a more than timely manner. In addition, it is very clear that he has put hard work into getting correct information in a professional manner. Thank you Danee.”

“Thank you for your quick response when we reached out to you.”

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“Keith was direct, prompt and effective. An impressive employee. Deserves a commendation.”

“I spoke with Danee for the first time (not my first contact with the Ombudsman-Citizens' Aide office) and he listened carefully, responded with essential information, and provided handbooks for council members and group public information sessions in Cochise County.”

“Ombudsman is a WONDERFUL provision in place to make sure things are handled fairly and accurately. I had done tons of leg work with many tears and sleepless nights for an entire year to have an issue resolved, but they instantly got the "BIG BOYS" attention in less than 5 days. Their intervention encourages administrations to take a closer look at things that would have otherwise been ignored or disregarded all together. Matters were resolved quickly and improper decisions were overturned by the medical director without any further explanations from me. In addition, I also received special services from case managers of the insurance company. These managers were very empathetic, apologetic and kind. They helped me with all of my appointments, referrals and transportation needs in order to get me on the road to quality health care. They were exceptional in going beyond the call of duty, thanks to Ombudsman!! I would recommend this service to any one I know that may be in need of help like I was. I would like to personally thank Jennifer. She was very professional and timely with my requests and she responded to me without delay! Her colleagues were very helpful as well in helping me to relocate her. Thanks again for all of your help!!!”

“My call was taken by Frank. After listening to my complaint, he handled it with urgency and was very professional throughout. After my futile attempts (over 5 times) by email to get my application to the proper parties and with continual failures I reached out to the Ombudsman’s office. With the assistance of Frank, issue was resolved within 24 hours. I now can go to the ER without worry of my coverage being in effect. The citizens of State of Arizona are fortunate to have such an [employee] like Frank!”

“I was very impressed by the prompt and thorough response. Thank you!”

“Danee handled my case promptly and with fantastic communication. I truly appreciate his efforts, which led to a successful resolution of my matter with a large local school district. Thank you very much!”

"Good job, Keith - Thank you."

“Philip was very responsive to my issue and it was successfully resolved. He also followed up to ensure the issue was resolved. He acted very promptly and took steps to make sure I was helped and satisfied. I appreciate the hard work done by Philip on behalf of the Ombudsman’s office.”

“I continue to be very grateful that this office exists and is responsive to citizens and their concerns and questions.”

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"I spoke to Joanne and she was great. She listened to everything I had to say and answered all of my questions. I've never had that kind of treatment dealing with anything doing with the government."

"So grateful for the help!"

"Danee has been amazing in helping to answer all of my questions and inquiries. Thank you! It was nice to be a state agency requesting information and to be treated as well as a citizen constituent. Thank you for the great service."

"I am very pleased with the service extended by this office. It is the department of gaming which has been withstanding of Arizona law and statute, as it has denied equal protection under the law. Thank you."

"Danee was very courteous. We have had an ongoing problem with local municipal government, my neighbors and I have been given helpful direction and explanations regarding AZ statutes."

"What a pleasure to deal with an Arizona agency that actually responds promptly to a consumer enquiry. Your department quickly contacted the county in question, and my concern was proven to be justified. As a result of being contacted by the Ombudsman Office, the county office I complained about had to respond. That same county office is now updating their P&Z website, going back several years in order to comply with Arizona Open Meeting Law."

"As a member of the public I appreciate the quick actions taken, and the prompt, polite communications I received from your office."

"In this day and age we are often frustrated by the substandard level of service received from various agencies, whereas in this case it was so refreshing to have experienced quite the opposite."

"My thanks go to the members of the Arizona Ombudsman Office and in particular the person who handled my inquiry."

"Danee provided exceeded expectations by providing a number of useful resources in response to my request."

"I'm glad to know that there is someone out there that is willing to help and aid a person that runs into a wall when dealing with complicated issues. I would like to especially thank Jennifer for taking the time to go over my case and seeing it though, although it's not over yet I can finally see the light at the end of the tunnel. I really hope that this case helps make it easier for others in similar situations. After 3 years of being ignored by DCS case managers, the ombudsman came through and fixed issues within 8 days."

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"I just want you [Joanne] to know I sincerely appreciate you taking the time to respond to me and for all the helpful information you forwarded to me. This is the most help I have received from anyone in the last 2 years. Thank you!"

"This was the first time I had ever used this service and I must say I was very impressed. My question was answered within hours of my email being sent. They were thorough, knowledgeable and very friendly. Thank you so much for this extremely valuable service."

"Danee followed through and really helped my son resolve his transcript issue he was having from his old High School to the new High School. Top notch excellent help!"

"Fast response with good information."

"Jennifer was fantastic. She was very responsive and took the time to understand our case and offer advice as applicable. Though there was no direct result of our contact with a Jennifer we believe she thoroughly investigated and did everything in her ability to help us. She also went above and beyond to check in on the progress of the case. Our case is on the right track now and we are so thankful!"

"Aimee rocked!"

"Frank was excellent. He was very helpful and saved me a lot of time and anguish."

"Very helpful with finally getting a response and documents from police. Thank you"

"I am writing this because, in a broken system where money reigns, it was this office alone who took the time and provided hope that perhaps there are still honest divisions that are not corrupted and are dedicated to help people without regard to financial status. I am beyond thankful for it being in existence and feel other departments would benefit from taking note of the dedication and integrity serving justice that I have witnessed."

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COMPELLING CASES

The following case summaries are examples taken from the 5,017 cases we handled in FY 2017.

GENERAL COMPLAINTS ABOUT STATE AGENCIES

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

1602462. Arizona State Board of Nursing

A nurse from Virginia contacted our office about issues she was having with the Arizona Board of Nursing (the Board) 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 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.

1604307. Medical Board, Arizona

A previous complainant, a daughter, contacted our office unsure of where to file her complaint. Her father had been in a medical facility and had been prescribed medications. However, the daughter claimed that the prescribed medications were recorded in logs by the attending medical staff, but never actually given to her father. The daughter explained she attempted to file a complaint with the Arizona Medical Board, but her complaint had been denied. The daughter said the Arizona State Board of Nursing was also reviewing the case.

We contacted the Arizona Medical Board and inquired as to the reasons their office decided not to accept the daughter's complaint. A few days later, the Deputy Director responded and informed our office that upon a second review of the daughter's complaint, they decided to accept the case. The Deputy Director further explained that they would investigate the portion of the complaint involving the actual medical doctor.

We updated the daughter on the case. The daughter thanked us.

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1604448. Department of Transportation

A motorist mailed our office a packet of documentation pertaining to a previous case that we have had with him. The motorist was concerned, as he felt that he had completed his court ordered two year period with an interlock device after being convicted of a DUI. A licensed installer removed the motorist's interlock device after the installer checked the ADOT database to confirm the motorist had completed his interlock period. However, the installer was incorrect and had removed the device one day prior to the end of his interlock period.

The Arizona Department of Transportation (ADOT) caught the error and subsequently informed the motorist that as the device had been removed one day early. ADOT informed the motorist he would need to complete an additional two-year period. The motorist contested this action. Over a period of several months, ADOT had still not resolved the matter. The agency had repeatedly referred the motorist back and forth between the ADOT Executive Hearing Board and the agency itself, with no progress made.

We contacted ADOT regarding this issue and reviewed the matter. We found that in addition to a prescribed interlock period, there was also a three-month administrative restricted period and a mandatory yearlong license revocation. Pursuant to a recent statute, the motorist was able to install the interlock device early and maintain it through all of the aforementioned periods instead of being unable to drive altogether. The motorist was unaware of this even though he had opted for it.

After further discussions with ADOT, the agency agreed that it was appropriate to credit the motorist for the time completed. ADOT stated they would have him use the interlock device for the months that were incomplete. They did not mete out further penalty as the motorist had acted in good faith.

We informed the motorist of our findings and made suggestions for moving forward with ADOT and the interlock installer.

1700661. Department of Transportation-Motor Vehicle Division

A recreational vehicle rental company complained ADOT informed them they owed a tax amounting to several thousand dollars. The rental company said they could not pay it all at once, but could pay it over time. They said ADOT was unwilling and that their vehicles would not be registered. They said without vehicles registered to rent, they could not produce income to pay the taxes owed.

We asked ADOT, MVD to please review and provide any payment alternatives. MVD informed us they worked out a payment plan with the company. We confirmed with the company their issue was resolved. They expressed their gratitude for our assistance.

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1701286. Department of Education

An attorney representing a youth camp (YC) complained the Department of Education (ADE) failed to provide him with appeal procedures. He wanted the right to a hearing.

The attorney contended the letter from ADE did not reference an appeal procedure in the body of the letter. He said the letter also did not have a notation at the end of the letter showing an enclosure either.

We asked ADE to review the matter. We found ADE must adhere to the Code of Federal Regulations, which required that they advise in writing 'the sponsor or food service management company' about the appeal procedures. (CFR 7-225.13). We recommended to ADE that they reference the appeal procedures in the body of the deficiency letter they distribute, and requested that they note that the appeal procedure document were attached to the letter too.

ADE complied and adopted the recommendations.

We resolved a case that exemplified a cover-up of the truth or other ethical lapse:

1602829. AHCCCS

A doctor contacted us regarding one of his patients. The patient, who was an Arizona Health Care Cost Containment System (AHCCCS) benefits recipient, was recovering from a surgery that left him with a feeding tube. While hospitalized, the patient had lost his residential housing. The patient had applied for admission to a medically needed nursing home, but was denied. The doctor claimed that Phoenix Health Plan (an AHCCCS healthcare provider), had not only denied access to the nursing home, but also suggested that the patient be placed in a homeless shelter. The doctor informed us that this was an unacceptable medical decision, and was not even medically possible due to the man's feeding tube and the medical attention he required. The doctor informed us that he would not permit the patient to leave the hospital until an adequate care facility had been secured.

We contacted AHCCCS for assistance, who responded and advised that they were aware of the man's situation, and was working on a resolution. We then contacted the doctor to confirm he was aware of what AHCCCS had advised. The doctor confirmed that he had been in contact with AHCCCS, but feared they did not understand the seriousness of the patient's condition, and he was concerned AHCCCS would not act in the best interest of the patient. We asked the doctor to allow a reasonable amount of time for AHCCCS to act, but to keep us informed. If no resolution had been finalized by the end of the week, the doctor should once again contact our office.

Shortly thereafter, the doctor contacted us again to let us know that our involvement had caused AHCCCS to reevaluate the patient's situation, and agreed to place the patient in an appropriate care facility. He thanked us.

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

1602592. Transportation-Motor Vehicle Division

A motorist complained the Motor Vehicle Division (MVD) would not recognize his DUI therapy evaluation documentation, which he earned approximately four years earlier while in the custody of the Department of Corrections. The documentation was required before MVD would permit the reissue of a license that had been previously revoked due to 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 the evaluation. MVD said that because the Corrections evaluation was not current, it would not be accepted by MVD.

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 had been suspended. She said this was incorrect, as she had never gone without insurance coverage. She said MVD was adamant, and was 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, in which they 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

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turn suspended her registration. Meanwhile, unbeknownst of all this, the motorist had already fixed the credit card problem and had gotten her insurance renewed.

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.

1603887. Department of Revenue

We were forwarded a complaint by the Arizona Attorney General's office in which, a New York resident, whom had never been to Arizona, received a tax bill from the Arizona Department of Revenue (DOR). We subsequently contacted the DOR to inquire why the collection demand had been sent to the resident.

After speaking with the resident and the DOR, we discovered that the resident had been a victim of identity theft. Upon learning of the theft of the resident’s identity, the DOR agreed that the collection was no longer appropriate. We closed the case.

1701548. Arizona Department of Transportation – Motor Vehicle Division

A complaint was forwarded to our office by the Attorney General's office. The complaint was from a motorist who had recently gone through a bankruptcy in which his vehicle was involved. Subsequent to the bankruptcy, the vehicle was removed from his possession and was transferred elsewhere to await claim from a lien holder. Sometime later, the motorist received an abandoned vehicle fee from the Arizona Department of Transportation (ADOT), Motor Vehicle Division for the amount of \$500.00.

We contacted ADOT in order to gain a better understanding of the nature of the fee. Upon response from ADOT, we were able to inform the resident that he would be able to have the fee waived if he was able to provide proof of the bankruptcy to ADOT.

The motorist thanked us and we closed the case.

An individual case represented a troubling trend as exemplified by:

1703328. DES - Other

A business owner, whose company provides services for the State, said that DES had not paid his company for an excessive amount of time. He had tried working it out with DES, but the problem remained unresolved. We told him we would contact DES and ask them to address the situation.

We contacted DES and reviewed the accounting and slow pay problem with them. DES staff said they would fix the current problem and have managers determine why it keeps reoccurring.

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We thanked them and informed the complainant.

Our intervention resulted in financial savings for a small business:

1603259. Transportation-Motor Vehicle Division

The chief executive officer (CEO) of a private company contacted our office, as the company's operations had been shut down by the Arizona Department of Transportation's Motor Vehicle Division (MVD). The CEO claimed the MVD informed them that the company's operations were contrary to law. The CEO cited Arizona Administrative Code R9-20-103 (A) as their justification to legally operate in the manner in which they had been operating, prior to being shut down. The CEO claimed that the MVD was using an outdated version of the law as their reason to force the company to cease operations. The CEO provide our office with documentation that supported his case.

After reviewing the documentation and relevant laws, we found that the electronic services provided by the company were in fact legal, and licensed through the Arizona Department of Health Services.

We subsequently contacted the MVD regarding this issue and questioned their reasoning for shutting down the company's operation, even though they had been operating in accordance with A.A.C R9-20-103 (A), R9-20-108, and R9-20-109.

A few days later, the MVD responded that they, in fact, did not have jurisdiction over the matter as previously thought, and further advised that the matter had been resolved.

We then contacted the CEO who not only confirmed that the issue had been resolved, but also thanked us profusely for our help.

1702400. Department of Agriculture

A pesticide applicator complained the license renewal form with the Department of Agriculture (Ag) allowed her to pay the license fee on the first of the month, given that the form stated that a late fee would apply after the first. When she attempted to pay on the first, she was told a late fee applied.

We asked Ag to please review and determine whether the late fee was appropriate. Ag informed us they planned to remove the late fee and would make corrections to the application form, which was the root of the problem. They also said that they would refund by check those who had paid the late fee on the first.

We confirmed with the pesticide applicator that they were informed by Ag the late fee would be waived. She expressed her gratitude for our assistance.

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Our intervention helped resolve grievances against a state agency, even though the resolution did not involve a financial benefit.

1700308. Arizona Board of Cosmetology

A stylist was complaining that a local beauty salon had operated without a valid license from the Arizona Board of Cosmetology (ABOC) for over a two-year period. The stylist claimed to have filed a complaint with the ABOC, but the ABOC failed to take any action against the salon, or even investigate her claim. The stylist felt this was unfair and asked our office to investigate.

Our office first inquired if the stylist had received any written documents from the ABOC regarding her complaint. The stylist said she had, and sent our office an ABOC Investigation Report. Upon reviewing the report, it was evident the ABOC did indeed conduct an investigation into the stylist's complaint; it just seemed that she was unhappy with the results.

Our office reviewed the matter with our office's contacts at the ABOC. It appeared that the beauty salon in question did indeed operate for over a two-year period without a license. However, as soon as the ABOC was made aware of the violation, they exercised their authority and enforced a licensing requirement per Arizona Revised Statute (A.R.S.) § 32-544(B). They required the salon's owner to pay a delinquent fee, to return the license to an active status. According to the ABOC, the salon owner paid the delinquent fee, and the status of the license was once again active. Arizona statutes did not call for further punitive actions. Therefore, our office could find no violation of statute or policy by the ABOC on this aspect of the stylist's claim.

The stylist's complaint also alleged that the salon's owner was renting out booths to other stylists, requiring them to be licensed, but not being licensed herself. Our office informed the stylist that salon booth rentals are not regulated by the State. Therefore, this in itself was not a violation of any statute or policy.

The stylist's next complaint alleged the salon's owner was advertising rental space availability to cosmetologists when the salon was unlicensed. She claimed this was misleading. Our office advised the stylist that advertising is not a violation of statute, even when the advertiser is unlicensed. The stylist felt that the content of the advertising was fraudulent or misleading. Our office directed her to A.R.S. § 32-572 that states, "The board may take disciplinary action or refuse to issue or renew a license for any of the following causes", then goes on to provide A.R.S. § 32-572(A)(5), which states: "Knowingly advertising by means of false, misleading, deceptive or fraudulent statements through communication media." Our office also emphasized that "The board may..." The key word in this statute was "may", as it gave the ABOC the discretion to choose to enforce or not. There was no statutory requirement for the ABOC to enforce. In this case, the ABOC chose NOT to enforce. Our office, or any other office, could not force the ABOC to take any action when legally they are not required. Therefore again, our office could find no violation of statute or policy by the ABOC.

Next, the stylist alleged that the ABOC re-activated the salon license without an inspection of the salon, which she claimed was a violation of A.R.S. § 32-542. Our office informed the stylist that A.R.S. § 32-542 only required proposed, or new salons to be inspected. The salon in question, although having an expired license at the time of the violation, was still an existing salon. A.R.S. § 32-542

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required the ABOC to inspect salons on a regular basis as it deems necessary. Again, this was left up to the ABOC. Again, our office could find no violation of statute or policy by the ABOC.

The stylist also had several other allegations against the ABOC, but each allegation seemed to be resolved once the license had been renewed. The stylist also requested that the ABOC itself be investigated, as the stylist seemed to think the ABOC was engaged in unlawful practices.

Our office reviewed the Ombudsman database, going back to 2010, focusing only on complaints directed at the ABOC. Our office was unable to identify any pattern that would indicate systematic violations of statutes or policies by the ABOC.

Our office contacted the stylist and informed her of our findings, again stating that we could find no violations of statutes or policies by the ABOC.

Our intervention resulted in better service to citizens as exemplified by: 1701180. Arizona Health Care Cost Containment System

Our office received a call from a member of the Arizona Health Care Cost Containment System (AHCCCS), who was having a problem with AHCCCS. The member was upset, as he said he had been trying unsuccessfully over the previous few weeks to discuss his problem with AHCCCS. The member claimed that he had called AHCCCS numerous times only to be disconnected after waiting on hold for long periods. It seemed the member had grown increasingly frustrated with AHCCCS.

The member explained that he had been involved in a motorcycle accident in 2015, which left him with numerous health problems. The member claimed to suffer from traumatic brain injury, permanent nerve damage, and Post Traumatic Stress Disorder (PTSD), in which he took medication. The member said his condition required both extensive physical and mental therapy services on a regular basis in order for him to function.

The member claimed he had been determined eligible for AHCCCS shortly after his accident, and was given Maricopa Health Plan as his health care provider. The member claimed he had been receiving poor health services from Maricopa Health Plan since being enrolled. The member said that a few months ago, he had received a letter from AHCCCS informing him that his health plan was being changed from Maricopa Health Plan to United Healthcare, and that he could expect to receive details of his new plan in the mail shortly. The member said he was happy to hear this news, as United Healthcare was known for providing the specific services he needed. However, over a month went by, and the member did not receive any new insurance information from AHCCCS. Concerned, he called AHCCCS to try to find the status of his new plan. Instead, AHCCCS told him that he had not been switched to United Healthcare, but instead was switched to the Care First plan. The member said he was upset and disappointed with the news, as he was never given any say in AHCCCS's decision to switch him. The member claimed that when he requested to be switched to United Healthcare, or at least to discuss options, he was told the deadline for appeals had passed and his plan could not be changed. Frustrated, the member claimed to have immediately filed a grievance with AHCCCS that

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went ignored. The member said he was forced to use Care First, but the plan offered little physical therapy, and no mental health services for his PTSD. The member claimed that the professionals he saw were not qualified to deliver the care he needed. The member claimed that his plan did not allow him to see a Psychiatrist, he could only see a Nurse Practitioner, who was unable to prescribe the specific medication he needed. The member said even his original Maricopa Health Plan gave him more options than the new Care First plan.

The member said that our office was his last resort, and if we could not assist him he was going to go down to AHCCCS and not leave until they addressed his issue. Our office requested that the member allow us 24 hours to try to make progress with AHCCCS, and see if we could get someone to review his case and address his issues. The member reluctantly agreed.

Our office contacted AHCCCS and emphasized the urgency of the request. We asked that someone from AHCCCS please review the member's case, and contact him to address his concerns, especially his claim that his new healthcare plan does not provide the services in which he was diagnosed as needing. In addition, we requested that AHCCCS review why he was informed about being changed to United Healthcare, only to be enrolled with Care First without his knowledge or consent, and seemingly denied the opportunity to appeal the decision. And finally, we asked if, in light of the member's higher medical needs, whether it was appropriate to enroll the man with United Healthcare.

AHCCCS reviewed the matter and advised us that they had erred on the man's case. The member had erroneously been enrolled with Care First. AHCCCS revised the member's status and switched him to United Healthcare, effective immediately. AHCCCS also informed our office that they had contacted the member and explained the error.

Our office called the member to confirm that he had heard from AHCCCS. The member was extremely grateful to our office for getting involved, claiming that without our office's involvement, the AHCCCS error would not have been discovered.

1700267. DOR - Department of Revenue

A taxpayer had a problem with the Arizona Department of Revenue (ADOR). The taxpayer claimed to have been waiting for his tax refund for over twelve weeks. The taxpayer claimed that he had been unsuccessful in finding the status of his refund online, so he had tried calling the ADOR. The taxpayer claimed to have called the ADOR multiple times only to wait on hold for an unreasonably long period. He would eventually get frustrated and hang up. The taxpayer was hoping our office could assist him in finding the status of his refund.

Our office contacted ADOR, explained the taxpayer's situation, and requested that someone please call him and addresses his refund.

Our office then contacted the taxpayer to advise that someone from ADOR should be calling him, and to contact our office again if he did not hear from anyone at the ADOR within a reasonable amount of time. Soon after, the taxpayer responded to say that ADOR had called him shortly after he had called our office and was able to assist him. He thanked our office for getting involved.

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1700333. Arizona Regulatory Board of Physician Assistants

A nurse who disagreed with a response she received from the Arizona Regulatory Board of Physician Assistants (AZPA) contacted our office. The nurse claimed that she had filed a complaint with the AZPA against a licensed Physician's Assistant. The nurse claimed that the AZPA responded to her complaint by informing her that her complaint was not under their jurisdiction. The nurse disagreed with the AZPA and contacted our office.

Our office requested that the nurse send our office both her original complaint and the AZPA's response, in which she did.

Upon our office's review of the nurse's complaint and comparing it to existing statutes, we agreed with the nurse, that the complaint indeed fell under the jurisdiction of the AZPA. In fact, the nurse's allegations were specifically identified in Arizona Revised Statute (A.R.S.) § 32-551(A).

Our office emailed the Executive Director of the AZPA and requested that they please once again review the nurse's complaint, as our office felt it was within their jurisdiction. Our office requested that the AZPA either accept the nurse's complaint, or advise our office as to why they cannot, citing any relevant statutes, codes, or policies.

A few days later, the Executive Director of the AZPA responded to our office's inquiry, advising that upon their discussions with the Attorney General's Office, the AZPA has reconsidered the nurse's complaint and opened an investigation. The AZPA also advised that they would be contacting the nurse.

Our office called the nurse who was very happy to hear the news, claiming that without our office's involvement the AZPA would not have reversed their decision. Our office also advised the nurse that if the AZPA did not contact her, to contact our office once again. The nurse again thanked us for our help.

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 47% of our total caseload.

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

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

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

OMBUDSMAN DCS CASE LOG FY2017 KEY CATEGORIES

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

DCS Complainant Information Chart –July 1, 2016 – June 30, 2017	
DCS Complaint Source Relationship	
Parent	1009
Kin	249
Service Provider	6
Child	6
Foster	61
Attorney	4
Agency Worker	9
Other	35

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DCYF Region	
Central	154
Southwestern	66
Southeastern	6
Northern	16
Pima	29
Type of Complaint	
Removal Issues	189
Service Issues	123
Visitation Issues	190
Communication Issues	383
Record Issues	104
Placement Problems	240
Investigation Issues	244
Inadequate efforts towards case plan goal	39
False Allegations	46
DCS Process Questions	246
Other	103

Ombudsman Intervention in DCS Cases

During the FY2017 period, we found reason to support or partially support claims against DCS 29.63% of the time. Below are some examples where our intervention helped resolve concerns with DCS.

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

1604800. DCS - Department of Child Safety

A mother contacted our office as she had recently been denied benefits by the Arizona Department of Economic Security (DES). The mother explained that DES denied her as she was allegedly receiving "guardianship payments" for her children from the Arizona Department of Child Safety (DCS). She expressed that she had received no such payments. We contacted DCS and asked them to verify whether the mother was receiving monetary assistance and if not, to remove this mistake of fact from the record.

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DCS responded, explained that they were not paying the mother, and had not previously assisted the mother either. DCS stated they had attempted to contact DES and resolve the matter, but had been unsuccessful. After thanking DCS for their help, we contacted DES and explained the updated situation and referenced the information given to us by DCS in attempts to resolve the mistake of fact.

DES subsequently contacted the mother and informed her of the case resolution. She thanked us, and we closed the case.

1701589. DCS - Department of Child Safety

A foster mother was upset that she had to repeatedly correct DCS records related to billing. The foster said that each time the problem occurred, DCS would freeze the entire foster child account until they had time to fix the problem. The foster claimed that DCS had failed to fully fix the source of the problems, so they reoccur. Each time the account is frozen, the kids go without funds.

We looked into the complaint. We reviewed the matter with DCS and recommended that DCS fix its accounting concerning this foster family. DCS agreed to do so. DCS fixed the problems and issued the foster mother the back funds the agency owed to her.

The foster mother was happy that DCS finally was able to completely resolve the old issue.

Our intervention corrected a systemic problem as exemplified by:

1502561. DCS - Department of Child Safety

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

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.

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:

1603936. DCS - Department of Child Safety

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A mother contacted our office and said her daughter had been removed from her custody by the Arizona Department of Child Safety (DCS) without explanation. A.R.S § 8-823 (B) requires that DCS provided a Temporary Custody Notice (TCN) that list the specific reasons for removal. We contacted DCS about the matter and came away with credible evidence that the DCS has not listed the specific reasons for removal on the TCN and may have failed to properly include other information in the TCN.

We made several suggestions to DCS for how it could make sure it followed the law in regard to informing parents why DCS found it was necessary to take custody of a child. For example, our office suggested expanding the use of check boxes in several areas of the TCN. Making these changes to the TCN would not only provide more clarity and precision of information, but would also ensure that legally required and/or important information is not left out as often seems to be the case with the current use of fill in the blank questions.

DCS provided the mother with the legally required information and is now closely considering a revision of the TCN according to our suggestions in order to reduce similar issues.

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

1701820. Department of Child Safety

A concerned neighbor called our office wanting to know how to file a complaint against a DCS Investigator. The neighbor claimed that she witnessed a mother being abusive toward her children, so the neighbor called the DCS Hotline and filed a report. The neighbor claimed that she wanted to be anonymous, and the Hotline even assured the neighbor that her identity would remain confidential. She told us, however, that when the DCS Investigator arrived at the mother's house to investigate the abuse allegation, the DCS Investigator disclosed the neighbor's identity to the mother.

The neighbor asserted that the mother knows that she is the one who called in the report, and has now made threats against her. The neighbor said she felt she was doing the right thing by making the report, but now she was starting to regret her involvement. She was upset that the DCS Investigator had compromised her identity.

Our office discussed the complaint with the neighbor, and agreed that the DCS Grievance Form was an appropriate method to submit such a complaint to DCS, and emailed it to her. Our office also offered to look into her claim if she would provide our office with specifics regarding her hotline call, including the date of her call to the DCS Hotline, and the name and address of the allegedly abusive mother. The neighbor said she would take our advice and start with the DCS grievance, but might come back to us later. She said she appreciated our guidance.

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1702250. DCS - Department of Child Safety

A foster parent asserted that a DCS caseworker said he was going to remove a foster child from her placement without following the laws about changing foster placements. The foster mom said that the caseworker is not supposed to issue an ultimatum about removing a child, but he is supposed to schedule a meeting to have the child's case team consider a move. The case participants and attorneys can then review any problems and make a group decision about whether or not a move is in the child's best interests or otherwise called for. There are exceptions to such case conferences as they are not required under certain circumstances. The foster said none of those exception circumstances were relevant to this case.

We identified A.R.S. §8-515.05 as the statute most relevant to the case. We identified ten possible issues with how DCS handled the matter reviewed them with DCS.

DCS went over each of the ten issues with the foster mom and with our office. DCS agreed with most of our concerns. DCS determined it had not handled the matter properly, but disagreed with us regarding expectations of caseworkers interpreting the law.

We largely agreed with DCS's conclusions. However, we disagreed with the DCS ombudsman about DCS staff understanding and application of child safety laws. Our office holds the view that DCS agency staff is responsible for understanding and applying the law as it pertains to DCS and child safety. The DCS ombudsman claimed that was unreasonable. Specifically, the DCS ombudsman said, "Our staff are not equipped to interpret statute or law, policy interprets this law for them and they are to follow policy." We disagree with the DCS ombudsman and think that every DCS staff person should be familiar with the child safety laws along with DCS policy.

DCS agreed with our other recommendations to prevent many of the problems in the future.

An individual case represents a troubling trend we see as exemplified by:

1702631. DCS - Department of Child Safety

A long-time foster mom said that DCS placed a child with her and failed to give her a placement packet about the child. The caseworker only gave a Notice to Provider form to her and no other paperwork. The foster mom explained the DCS caseworker failure was especially concerning because she was told by a prior foster placement that the child needs surgery in two months. The foster mother said that DCS failing to equip her with the placement's medical information means that she was not able to look out for the best interests of the child.

We contacted DCS and reviewed the situation with the agency. DCS confirmed that it had not properly issued the foster mom a complete placement packet. DCS said it would now provide

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the foster mother with a proper placement packet. DCS then said it got the packet to the foster parent's licensing agency within a week and that it informed the foster parent.

The foster parent said the packet they received was empty in many areas. DCS said it would get the missing information to the foster parent.

We informed the foster parent. DCS then informed us that they got the missing information to the family. We confirmed this with the foster parent.

1700441. Department of Child Safety

A foster care provider complained DCS did not give him a social security number for a foster child in his care. The foster father said he had made several requests for it. He noted that DCS had changed case managers, which may have contributed to him not getting the social security number. He said the lack of the social security card number caused many problems, as it is often was required for government services.

We asked DCS to resolve the issue. DCS said it would do what it needed to acquire the number from the federal government and provide it. DCS said it was able to acquire the number.

We informed the foster care provider that DCS would be contacting him with a number, and told him to call again if he needed further assistance.

1700935. Department of Child Safety

A parent complained DCS was not providing him with a letter after reversing a substantiation against him.

We asked DCS to please correct the case file record and provide a letter of unsubstantiation. DCS complied, and the parent expressed his gratitude.

OMBUDSMAN INTERVENTION IN PUBLIC ACCESS CASES

Outreach and Education

Educational Materials

We provided well over 100 of our office's booklets on Public Records Law and Open Meeting Law directly to elected officials, non-elected public officials, public employees, advocacy groups, and members of the public as well as providing digital versions of the booklets on our website. In addition, we continue to share and help develop training materials for public

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bodies and officials. We continue to update our website with publications, training opportunities, and new developments in the open meeting and public records law, such as new case law, legislation, and Attorney General Opinions.

Trainings

There is a significant demand for training throughout the State. During the past year, we conducted twenty-two training sessions to a variety of State and local government officials and public bodies in Litchfield Park, Prescott, Phoenix, Peoria, Florence, Flagstaff, Carefree, Safford, Show Low, Tucson, Tempe, and Kingman. Additionally, we also conducted trainings at multiple conferences for associations of public bodies and/or officials, and we participated in multiple continuing legal education sessions on public access laws for the Arizona State Bar.

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

Lastly, we have begun providing a high quality recording of a recent open meeting law training we conducted to interested elected officials, non-elected public officials, public employees, advocacy groups, and members of the public.

Newsletters

We continued to publish a public access newsletter on a quarterly basis. Our newsletter *The Public Record* touches on interesting and timely open 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 a summary of a new appellate court public records law case involving the Department of Child Safety. We also provided an explanation and analysis regarding the public records law implications Department of Administration's prospective switch from using email to communicate internally to using Facebook at Work. Additionally, we provided summaries and analysis of pending Arizona public access legislation.

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

Inquiries and Investigations

In the past year, our office handled 518 cases regarding matters related to public access. Of those calls, 313 were public record law inquiries, 190 were open meeting law inquiries, and 15 concerned both public records and open meeting law. Table 1 provides a breakdown of the number of inquiries received from the public, the media, and government agencies. Table 2 provides the number of inquiries received about state agencies, county agencies, city or town agencies, school districts, and other local jurisdictions.

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Table 1

	Public Inquiries	Media Inquiries	Government Agency Inquiries
Number of inquires	352	19	147

Table 2

	State Agencies	County Agencies	City or town agencies	School Districts	Other Local Jurisdictions
Number of inquires	185	51	94	101	87

Public Access Case Examples

1602635. Maricopa County Medical Examiner

A journalist contacted our office in June in regard to trouble she said she was having in obtaining public records from the Maricopa County Medical Examiner's office (ME).

She said she had requested all ME autopsy records for the month of February for which the cause of death was listed as murder. She said that as of June 27, 2016, she had only received 14 records. She said that a Maricopa County Communications Officer insisted that the records had to first be reviewed by an attorney before they could be disclosed to her. The journalist then explained that she made a standing request for records, as permitted by relevant case law, for all such records for each month moving forward and going back to the beginning of the year.

We attempted to speak to the Communications Officer, but we ended up speaking to his supervisor (Supervisor) instead. He said every request for records involving a homicide go through the County Attorney's office before being disclosed. He suggested we speak to the County Attorney's office. He said the ME's office had sent 58 case reports to the County Attorney, but only 15 had so far been disclosed to the journalist. He seemed to suggest that many of the records were for open cases and that the process was about protecting victims and their families and criminal investigations.

In late July, we followed up with the journalist. She asserted that the process had not become quicker or more efficient. She said she had not "received an answer as to WHY [she was] getting certain reports and not others" She explained that she had received 19 records in total in response to her request for the records for all homicides in the year thus far. She asserted, "As a comparison, I recently wrote an article about homicides just in the city of Phoenix so far this year, and there were 78 by the end of June."

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We provided formal notice of investigation to the ME, the Maricopa County Manager, and the Maricopa County Attorney's office on July 27, of 2016.

In early August of 2016, a Deputy County Attorney (Deputy) reached out to us about the matter. Eventually, he conceded that the County did have a problem, but they were as of yet unsure about how to solve it. He also said, "In certain cases, ME Reports produced pursuant to A.R.S. Section 11-594(A) could contain information that might affect a pending criminal investigation, prosecution, or the rights of victims or the decedent's family (hereinafter the Next-of-Kin or "NOK"). In those cases, the public's right to disclosure of the ME Report could be outweighed by the State's best interests in protecting its ongoing investigation or prosecution, or the personal privacy interests of victims or NOKs." He further explained, "Recognizing those facts, the Medical Examiner refers to the Maricopa County Attorney's Office (MCAO) requests for certain ME Reports"

The then explained how the County handles requests for these records, "Upon receipt of the ME Report, MCAO contacts the relevant law enforcement agency (including, for decedents who died while in a State prison, the Arizona Department of Corrections) to inquire if an ongoing investigation might be jeopardized by public release of the ME Report. MCAO also reviews whether release of the ME Report would jeopardize or violate any prohibition regarding disclosure in an ongoing prosecution. Thirdly, the MCAO Victim Services Division notifies victims or the NOK of the potential release of the ME Report."

The Deputy also said, "The Medical Examiner is aware of and regrets the recent delays in releasing several ME Reports within the scope of [the journalist]'s request. At the Medical Examiner's request, MCAO has recently contacted law enforcement agencies to urge more timely responses, and adjusted its process regarding victims and NOKs, all with the goal of reducing delays in releasing requested ME Reports."

He then explained some of the steps the County had taken to speed up the process so that it was in compliance with the public record's law requirement that records be provided promptly and had recently begun providing the records quicker.

We considered everything the Deputy had said. We concluded that his explanation for why and how the County reviews the requested records was legitimate under the public records law and that there were strong State interests involved. We also concluded that the County appeared to making a good faith effort to bring itself into compliance and provide records promptly.

Nearly three months later, we followed up with the Deputy and asked him for an update on how many responsive records the ME had provided to the journalist and in what amount of time. We were able to speak with him in late January of 2017. He provided us with numbers to show that the County had improved its production but that showed it was still moving fairly slowly. He said that the County was struggling to get law enforcement entities to provide the County with whether they believed any of the records needed to be withheld in order to protect the integrity of criminal investigations. He explained how the County had changed its

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tactics to prod the law enforcement agencies to move quicker with their responses to the County.

Four months later, the Deputy followed up with us. He explained that the journalist and the County had worked out a new system and agreement related to her request. He said the journalist canceled "her 'rolling request' for monthly delivery of all final/signed Medical Examiner reports listing homicide as the manner of death." He said, "Presently the Medical Examiner is providing [the Journalist] with data from its database that, after some dialogue, [the Journalist] has found suitable for her needs: the production of that data led her to cancel her request for the final/signed ME reports."

We contacted the journalist. She confirmed what the Deputy had said. As a result, we closed our case.

1700107. Arts Academy at Estrella Mountain

A former member (former member) of the Arts Academy at Estrella Mountain (School) governing board (Board) contacted our office and alleged that the Board had violated the open meeting law with how it conducted its January 10, 2017 telephone meeting.

Specifically, the former member said the notice for the meeting had indicated that the meeting would begin at 5:00 PM. She said she tried calling into the meeting at 5:00 PM and for some time after, but the meeting did not occur, there was nobody on the line, and there was no indication for why the meeting had not begun. She said she later learned that the meeting did begin at almost 5:30 PM. She said that, because of the delay and the lack of communication about it, she did not attend the meeting. She asserted that the rest of the Board ended up meeting and voting to remove her from the Board. She asserted that this whole matter constituted a violation of open meeting law.

We contacted the member (member) of the Board who had posted the meeting notice. This member was also the CEO of the charter school company that operated the School. We explained the allegations against the Board and inquired about what occurred. The member indicated that the meeting began 23 minutes late because the Board had been unable to gather a quorum on time. She said the Board attempted to contact the former member by telephone to explain that the meeting would in fact be happening. She led us to believe that the public was not informed of the delay and that anyone who attempted to call into the meeting for the first 23 minutes would have had no indication that the meeting was delayed instead as opposed to being canceled.

On March 27, 2017, we provided notice to all members of the board that we would be formally investigating the complaint. The School's attorney reached out to us about two weeks later. We explained to the attorney that we believed the Board had likely committed an open meeting law violation by failing to begin the meeting on time and providing no explanation to the public or the former member that the meeting would be delayed. We suggested that legal

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actions taken at the meeting were null and void because of the open meeting law issues. We suggested that the Board would either need to ratify the actions taken at the meeting or essentially conduct the meeting again. We voiced our concern that the time period allowed by statute for ratification might have passed. The attorney said he would confer with the School about the matter.

The attorney followed up with us. He said the Board understood that its conduct might constitute a violation of open meeting law. In light of this, the Board would redo the meeting at issue and forgo ratification to avoid possible trouble with whether the ratification was executed in a timely manner. The attorney said the Board would notify the former member of the meeting and allow her to participate as if she were still on the Board. Lastly, the attorney said the Board would "now be taking steps to ensure that a similar situation does not occur in the future. Specifically, if a quorum is lacking for a telephonic meeting, there will be a [School] representative on the line until the meeting starts, who can advise members of the public who call in that the board is awaiting a quorum."

We found the actions proposed by the Board to be both reasonable and in compliance with open meeting law. We told the School's attorney that we accepted the proposed actions and would close our case under the assumption that the Board follows through on the actions. We shared what the School's attorney had told us and our findings with the complainant and explained that we would be closing the case.

1700160. Benson

A Benson resident contacted our office in regard to trouble he said he was having in getting public records from the City of Benson (City).

He said he had submitted his request for records about two months earlier, but he had not yet received the records. He sent us copies of his request. He had submitted a request for the personnel files of specific City employees.

We contacted the City's attorney to inquire about the status of the request. He said the resident had been a clerk for the City but had recently quit. As a result, the City clerk's office was understaffed. The attorney also said that the request was voluminous and required significant redactions. He said the clerk would have the request completed within the next few business days.

We told the resident that the City's attorney said the request would soon be ready. We asked the resident to let us know whether he received all of the records he requested.

The resident followed up with us and said he received the records. He thanked us.

1700780. Whetstone Water Improvement District

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A former employee of the Whetstone Water Improvement District (District) contacted our office and alleged that the District's governing board (Board) had committed several open meeting law violations regarding his firing and the firing over several other District employees.

He said the Board had held an executive session to discuss his (and the other employees') employment but did not provide them each with 24 hours of written notice as required by statute. Additionally, he made it sound like the Board would not make the executive session minutes available to him as required by statute. He also alleged that the Board broke statutorily required confidentiality of executive sessions by discussing in public the reasons for the Board choosing to fire the employees.

We contacted the Board's attorney about the allegations. The attorney conceded that the District did not provide proper notice. In order to rectify this issue, she said the Board had redone the executive session and subsequent votes so that they conformed to the open meeting law.

On the other hand, the Board's attorney disagreed with some of the former employee's assertions. She asserted that the Board was entitled to publicly explain its reasons for firing the former employee. Lastly, she said she had made the record available for inspection, but the former employee did not show up to view them. The former employee did not provide sufficient evidence to support his allegations for these two issues.

The attorney provided evidence to show that the District provided some sort of notice to the former employee 24 hours in advance of when the Board again discussed the matter and conducted its vote. The notice seemed like it might not quite meet the requirements of the applicable statute, but there is no case law on the issue. As a result, we could not definitively say that the Board did not comply with the open meeting law. Additionally, the discussion ended up occurring in public, so the matter may have been moot anyway.

1701142. Gila County

A Gila County resident contacted our office and alleged that the Gila County Planning and Zoning Commission (Commission) was not complying with open meeting law. Specifically, she said the Commission was not publishing meeting agendas or minutes online.

We checked the Commission's website and noticed that no notices, agendas, or minutes had been posted on the Commission's website in years.

We contacted the County and spoke to an employee of the Gila County Community Development Division (Division). The Division employee said the Division oversees the Commission and its website. We explained the allegations to the employee. She confirmed that the Commission had not posted the materials online in several years. We explained that open meeting law requires that notices be posted online at least 24 hours in advance and that the notice must either include an agenda or information for how someone could obtain an

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agenda. She said the Commission would start to comply, and she put us in touch with the Division's Director.

We contacted the resident. We explained that public bodies are not required by open meeting law to post meeting minutes online. We also explained that public bodies need only post an agenda as part of a notice or explain in its notices how someone could obtain an agenda. We confirmed that public bodies must post notices online. We explained that the County had lead us to believe it would corrects its past practices, but we would follow up with her once we spoke with the Director.

We told the Director everything that we had told the employee. He seemed to understand the problems. He said the Commission would put notices, agendas, and minutes from past meetings online. He also said the Commission would comply with the open meeting law requirements going forward. He made it sound like at least two other Gila County public bodies, one of which has authority to make decisions and act on them, were not complying with the requirements but now would.

We told the Director that the public body that makes decisions may have made decisions rendered null and void because of the open meeting law violations. We suggested they look into ratifying those actions taken by any of the public bodies. He said he would look into it and thanked us.

The resident contacted us and said the Commission had updated its website with agendas and minutes from past meetings. She thanked us and credited us for having brought about the change. We shared with her the results of our conversation with the Director and told her she could contact us again if the Commission failed to comply with open meeting law.

We checked the Commission's website. The Commission had put notices, agendas, and minutes for previous meetings online. It also had a notice and agenda posted for a meeting set to take place three days later.

1701620. Lake Havasu Unified School District

A father contacted our office in regard to trouble he said he was having in getting a record from Lake Havasu High School (LHHS). The father explained that his son had attended LHHS; however, the family had recently moved to Nevada. He said he was attempting to enroll his child in school in Nevada, but he needed an official transcript from LHHS in order to do so. He said LHHS refused to give him a copy of his child's transcript unless he paid \$300 that LHHS alleged he owed the school.

We researched the matter and found no exception to public records law that would allow a public entity to withhold requested records pending payment of outstanding debts. In fact, with the help of the Department of Education, we found a statute that specifically forbids

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schools from withholding student records from new schools pending the payment of outstanding debts.

We contacted LHHS about the matter. The assistant to the principal told us that the school does not withhold official transcripts because of unpaid debts. She said she would look into the matter. A few days later, she contacted us and explained that the school sent out the official transcript that day. She explained that the school's practice is to initially send out an unofficial transcript and try to collect the debt; however, if the parent insists on obtaining the official transcript, they will send it out.

We contacted the father and explained that the school said it had sent him the transcript. The father said, "I can't thank you enough! I really appreciate you following thru [sic] with this, my son was very upset. Now he is a happy kid again. He is an A student so by doing this you really made his day."

1702300. Alpine Elementary School District 7

A mother contacted our office in regard to a public record request she said she had made to the Alpine Elementary School District Number 7 (District).

She explained a variety of issues she had with the District concerning her five children. She said she eventually complained to the District governing board about misconduct by District employees. She said the District then hired a private entity to investigate whether District employees had committed misconduct.

She said she was aware that the company had completed its investigation and delivered a report to the District. She said she requested a copy of the report from the District, but the District would not provide it to her on attorney-client privilege grounds. She said the District told her it would provide her with a summary of the investigation report.

We contacted the District about the matter. At first, the District's attorney made it sound like the report would be protected from disclosure by attorney-client privilege, but it would provide the mother with portions or a summary of it. The attorney said he would look at the record more closely and follow up with us with more specifics. He then left us a message explaining that he had been mistaken about the attorney-client privilege; instead, some sort of work-product privilege or doctrine applied. We followed up with the attorney. At this point, he had seemingly dropped the idea that some sort of work-product privilege applied and said the District would provide the mother with a copy of the report, with some minor, non-substantive portions redacted because of attorney-client privilege. He said it would take a week or so because the District was on summer vacation and District staff was not working as much as usual.

We relayed what the attorney said to the mother. She seemed pleased, although she seemed to slightly unhappy that she was not getting the record sooner.

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She followed up with us several times over the next few weeks and explained that she still had not received the record. She also forwarded to us an email she had received from the District Superintendent in which the Superintendent seemed to say that the record was not a public record and that the District's legal counsel had explained what the mother would get.

Again, we contact the District's attorney. He said the District would provide the mother with the unredacted report within two days. Several days later, we followed up with the mother. She said she had finally received the report.

She was very thankful.

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Our Cases – Statistics of Note

INVESTIGATIONS

We managed our investigations in FY2017 as noted in the following tables.

Table 3 – Investigations – July 1, 2016 – June 30, 2017	
Discontinued ¹	19
Declined ²	35
Complaint withdrawn or resolved during investigation ³	11
Investigation completed	225
Ongoing	28
TOTAL REQUESTS FOR INVESTIGATION	318

Table 4 – Investigative Findings – July 1, 2016 – June 30, 2017		
SUPPORTED/PARTIALLY SUPPORTED ⁴		60
Requires further consideration by agency	21	
Other action by agency required	35	
Referred to the legislature for further action	0	
Action was arbitrary or capricious	0	
Action was abuse of discretion	0	
Administrative act requires modification/cancellation	3	
Action was not according to law	15	
Reasons for administrative act required	5	
Statute or Rule requires amendment	0	
Insufficient or no grounds for administrative act	0	
INDETERMINATE⁵		20
NOT SUPPORTED		145
TOTAL COMPLETED INVESTIGATIONS		225

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

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

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

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

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

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OVERALL CASE STATISTICS

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

Contacts by Agency

Between July 1, 2016 and June 30, 2017, our office handled 5,017 cases involving 296 agencies. The following table shows the distribution of our contacts by agency. Cases involving Child Protective Services comprised 47% of our total for FY2017.

CONTACTS BY AGENCY

Agency	Coaching	Assistance	Investigation	Total
Academy of Excellence Charter School	0	0	1	1
Acupuncture, Board of Examiners of	0	1	0	1
Administrative Hearings, Office of	1	0	0	1
ADOA - Administration, Department of	12	4	1	17
Agriculture - Wt. and Measures	7	0	0	7
Agriculture, Department of	2	0	0	2
Agriculture, Pest Mgmt. Office	0	0	1	1
AHCCCS	51	65	3	119
Alpine Elementary School District 7	0	1	0	1
American Heritage Academy	0	0	1	1
Apache County	3	2	3	8
Apache County Attorney's Office	1	1	0	2
Apache County Board of Supervisors	0	0	1	1
Arizona Center for Youth Resources	0	0	1	1
Arizona College Prep Academy	0	0	1	1
Arizona Power Authority	1	0	1	2
Arizona State Hospital	3	1	0	4
Arts Academy at Estrella Mountain	0	1	2	3
Ash Fork Sanitary District	0	1	1	2
ASU - Police Department	0	1	0	1
ASU -Arizona State University	2	0	0	2
Attorney General, Office of	29	1	2	32
Auditor General	3	1	0	4
AZ Conservatory for Arts & Academics Elementary	0	0	1	1
AZ Conservatory for Arts & Academics Secondary	0	0	1	1
AZ Prosecuting Attrny Adv Council -APAAC	4	2	0	6
Behavioral Health Examiners, State Board of	5	4	1	10
Ben Franklin Charter School	0	0	1	1

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Agency	Coaching	Assistance	Investigation	Total
Benson	1	1	1	3
Bisbee	3	1	0	4
Buckeye	1	0	0	1
Calibre Academy	0	0	1	1
Camelback Academy	0	0	1	1
Camp Verde Unified School District	0	1	0	1
Casa Grande	1	0	0	1
Casa Grande Union HS	0	0	2	2
Caurus Academy	0	0	1	1
Central Arizona Project	2	3	0	5
Challenge Charter School	0	0	1	1
Champion Schools	0	0	1	1
Chandler	1	0	0	1
Changemaker High School	0	0	1	1
Charter Schools, Arizona State Board of	2	1	0	3
Chino Valley	0	1	0	1
Chiropractic Examiners, State Board of	2	0	0	2
Chloride Water Improvement District	3	0	0	3
Choice Academies, Inc. Governing Board	2	1	0	3
Christopher-Kohls Fire District	0	1	0	1
Clarkdale	1	0	0	1
Cochise County Attorney	2	0	0	2
Cochise County Board of Supervisors	0	0	1	1
Coconino County Sheriff's Office	0	1	0	1
Commerce Authority of Arizona	1	0	1	2
Commission of Judicial Conduct	4	0	0	4
Compass High School	0	0	1	1
Congress Fire District	0	0	1	1
Constable Ethics, Standards & Training	1	0	0	1
Coolidge	1	0	0	1
Corporation Commission	13	5	3	21
Corrections, Department of	39	6	1	46
Cosmetology, Board of	4	0	1	5
Council of Developmental Disabilities	1	0	0	1
Crown Charter School	0	0	1	1
DCS - Community Advisory Committee	13	0	3	16
DCS - Department of Child Safety	1403	805	131	2339
DCS - Office of Licensing Certification Regulation	5	3	1	9
DCS - Other	6	4	0	10
Deaf & Hard of Hearing Commission	2	0	1	3
Deaf and Blind, Arizona School for the	3	1	0	4

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Agency	Coaching	Assistance	Investigation	Total
Deer Valley Unified School District	1	0	0	1
Dental Examiners, Board of	5	5	1	11
DES - Aging & Community Services	185	10	1	196
DES - Benefits and Medical Eligibility	64	136	4	204
DES - Child Support Service	29	59	4	92
DES - Developmental Disabilities	16	19	0	35
DES - Employment and Rehabilitation	23	29	1	53
DES - Other	34	10	2	46
DES- Adult Protective Services	7	8	2	17
Desert View Academy	0	0	1	1
Desert View Middle & High School	0	0	1	1
Developmental Disabilities Council	1	2	0	3
Dewey-Humboldt	1	1	0	2
Douglas	0	0	1	1
DPS - Department of Public Safety	1	1	1	3
Eastpointe High School	0	0	1	1
Education, Department of	8	2	1	11
Educational Opportunity Center Charter High School	0	0	1	1
Elfrida Elementary School District #12	2	0	0	2
Eloy Fire District	1	0	0	1
Environmental Quality, Department of	3	3	0	6
Ethos Academy	0	0	1	1
Financial Institutions Department	2	2	0	4
Financial Institutions, Appraisal Division	1	1	1	3
Fingerprinting, Board of	2	0	0	2
Flagstaff	2	3	0	5
Flagstaff Police Department	0	1	0	1
Florence	1	2	0	3
Forestry & Fire Mgmt.(formerly Dept. FBLS)	1	0	0	1
Fountain Hills	0	1	0	1
Funeral Directors & Embalmers, State Board of	15	2	0	17
Game and Fish, Department of	2	1	3	6
Gaming Dept., Boxing Dept.	1	0	0	1
Gaming, Dept.	1	1	0	2
Gila County	0	0	1	1
Gila County Sheriff's Office	0	1	0	1
Gilbert	0	1	0	1
Gilbert Public Schools	1	0	0	1
Glendale	1	1	0	2
Globe Police Department	0	1	0	1

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Agency	Coaching	Assistance	Investigation	Total
Golden Shores Volunteer Fire Department	0	1	0	1
Golden Valley Fire District	1	0	0	1
Golder Ranch Fire District	1	0	0	1
Goodyear	1	0	0	1
Governor, Office of	5	0	0	5
Governor's Council of Aging	3	2	0	5
Graham County	0	2	0	2
Griffin Foundation School District	0	0	1	1
Happy Valley School	0	0	1	1
Happy Valley School East Campus	0	0	1	1
Health Services, Department of	39	4	2	45
Health Services, Vital Records Office	3	3	0	6
Hirsch Academy	0	0	1	1
Homeland Security, Department of	1	0	0	1
Housing Dept. -Manufactured Housing Office	1	0	0	1
Housing, Department of	13	1	0	14
Incito Schools	0	0	1	1
Industrial Commission	22	6	4	32
Insurance, Department of	13	3	0	16
Judicial Conduct, Commission on	3	0	0	3
Juvenile Corrections, Department of	1	0	0	1
Khalsa Montessori School	0	0	1	1
La Paz	1	1	0	2
Lake Havasu City	0	1	0	1
Lake Havasu Metropolitan Planning Organization	2	0	0	2
Lake Havasu Unified School District	1	0	1	2
Lake Havasu Unified School District EBT	2	0	0	2
Land, Department of	1	1	0	2
Legislature	9	3	0	12
Liberty Elementary School District #25	2	1	1	4
Liquor Licenses and Control, Department of	3	2	0	5
Littlefield Unified School District	1	0	0	1
Lottery	3	0	1	4
Marana Drainage and Water Improvement District	9	1	0	10
Maricopa	2	1	0	3
Maricopa County Community Colleges	1	1	0	2
Maricopa County Environmental Services Department	1	0	0	1
Maricopa County Medical Examiner	1	0	0	1
Maricopa County Sheriff	1	0	1	2

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Agency	Coaching	Assistance	Investigation	Total
Massage Therapy, State Board of	1	0	0	1
Mayer Water District	1	0	3	4
Medical Board, Arizona	22	7	4	33
Mesa	1	0	0	1
Mesa Police Department	0	0	1	1
Mescal J-6 Fire District	0	0	2	2
Milestones Preschool & Charter School	0	0	1	1
Mohave	0	2	1	3
Mohave Community College	1	0	0	1
Mohave County Sheriff's Office	0	2	0	2
Mohave Valley Fire District	0	0	1	1
Montessori Education Centre	0	0	1	1
Montessori House Elementary Charter School and Pre	0	0	1	1
Murphy School District	1	3	0	4
Navajo	0	0	1	1
Nogales	0	0	1	1
Northern Apache County Special Health Care Dist	3	0	1	4
Nosotros Academy	0	0	1	1
Nursing, State Board of	8	9	1	18
Nutriso Fire District	9	2	0	11
Occupational Therapy Examiners, Board of	0	1	0	1
Odyssey Preparatory Academy	0	0	1	1
Ombudsman	45	21	0	66
Optometry, State Board of	2	0	0	2
Oro Valley	1	0	0	1
Osteopathic Examiners in Medicine and Surgery, Board of	1	0	0	1
Other - Arizona in general	61	9	0	70
Other - Federal	60	7	0	67
Other - Government	221	15	11	247
Other - Private	354	14	9	377
Paradise Valley	1	0	0	1
Paradise Valley School District	1	1	0	2
Parks, Department of	0	0	1	1
Patriot Academy	0	0	1	1
Payson	1	0	0	1
Pendergast Elementary School District	0	1	0	1
Pensar Academy	1	0	0	1
Peoria	0	2	0	2
Pharmacy, Board	2	1	0	3

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Agency	Coaching	Assistance	Investigation	Total
Phoenix	4	2	1	7
Phoenix Fire Department	1	0	0	1
Phoenix Police Department	3	1	0	4
Phoenix Union	1	1	0	2
Physician Assistants, AZ Regulatory Board of	2	1	0	3
Pima	0	1	0	1
Pima County Attorney's Office	0	0	2	2
Pima County Elections Integrity Commission	0	1	0	1
Pima County Sheriff's office	0	1	0	1
Pima Natural Resource Conservation District	1	0	0	1
Pinal	1	0	0	1
Pinal County Sheriff's Office	0	1	0	1
Pine Strawberry Water Improvement District	1	0	0	1
Pinedale Water District	0	1	0	1
Pinetop-Lakeside	0	1	0	1
Pioneers Home	1	0	0	1
Podiatry Examiners, State Board of	1	0	0	1
Prescott	2	0	1	3
Prescott Valley	4	0	0	4
Prescott Valley Police Department	1	0	0	1
PRIVATE Post-Secondary Education Board	2	1	0	3
Psychologist Examiners, State Board of	0	0	2	2
Public Safety Personnel Retirement System	2	1	0	3
Puerco Valley Fire District	1	0	0	1
Quartzsite	2	1	0	3
Queen Creek	1	0	0	1
Real Estate Dept. - HOAs	1	0	0	1
Real Estate, Department of	8	4	5	17
Red Rock Road Enhancement District	5	0	1	6
Regents, Arizona Board of	4	0	0	4
Registrar of Contractors	13	12	4	29
Respiratory Care Examiners, Board of	1	0	2	3
Retirement System, Arizona State	3	10	1	14
Revenue, Department of	15	14	2	31
Rio Rico Fire District	0	1	0	1
Rising School, The	0	0	1	1
Safford	1	1	0	2
Safford City-Graham County Library Advisory Board	1	0	0	1
Safford Police Department	0	0	1	1
Sahuarita	1	0	0	1

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Agency	Coaching	Assistance	Investigation	Total
Santa Cruz	0	1	0	1
School Facilities Board	1	0	0	1
Scottsdale	2	0	0	2
Scottsdale Police Department	1	0	0	1
Scottsdale Unified School District	1	0	1	2
Sec. of State -Library, Archive & Records Dept.	2	0	0	2
Secretary of State, Office of	3	0	3	6
Sedona - Oak Creek Airport Authority	1	1	0	2
Sedona Charter School	0	0	1	1
Sequoia Charter School Elementary	0	0	1	1
Sequoia Deaf School	0	0	1	1
Sequoia Pathfinder Academy at Eastmark	0	0	1	1
Sequoia Pathway Academy	0	0	1	1
Sequoia Village School	0	0	1	1
Sierra Vista	2	0	0	2
Sierra Vista City Council	1	0	0	1
Skyview School	0	0	1	1
Southern Arizona Community Academy	0	0	1	1
Southgate Academy	0	0	1	1
Starshine Academy	0	0	1	1
Student Choice High School	0	0	1	1
Sun Lakes Fire District	0	1	0	1
Sunburst Farms Irrigation District	1	0	0	1
Superior Court	14	0	1	15
Supreme Court	2	0	0	2
Surprise Police Department	1	0	0	1
Tapadero Domestic Wastewater Improvement District	0	1	0	1
Technical Registration, Board of	0	2	0	2
Tempe Municipal Court	0	1	0	1
Tempe Police Department	1	0	0	1
Three Points Fire District	0	1	0	1
Timber Mesa Fire and Medical District	0	1	0	1
Tolleson	1	0	0	1
Tombstone	0	0	1	1
Transportation, Department of	9	3	6	18
Transportation-Motor Vehicle Division	18	22	3	43
Treasurer, Office of	1	1	0	2
Tubac Fire District	1	0	0	1
Tucson	0	0	1	1
Tucson Police Department	2	2	0	4

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Agency	Coaching	Assistance	Investigation	Total
Tucson Unified School District	1	0	0	1
U of A - University of Arizona	2	1	1	4
unknown	5	1	0	6
unknown charter school	5	0	0	5
unknown city	3	0	0	3
unknown fire district	4	0	0	4
unknown local jurisdiction	1	0	0	1
unknown school district	11	3	0	14
Unknown state agency	35	2	0	37
Various Cities/Towns	0	1	0	1
Verde Natural Resource Conservation District	1	0	0	1
Vernon Fire District	1	0	0	1
Veterans Home	0	1	0	1
Veterans' Services, Department of	4	1	0	5
Veterinary Medical Examining Board	0	1	0	1
Water Resources, Department of	0	1	0	1
Wenden Domestic Water Improvement District	1	0	0	1
Whetstone Water Improvement District	4	0	3	7
White Mountain Lake Fire District	0	1	0	1
Williams Hospital District	1	0	0	1
Winslow Unified School District	2	0	0	2
Yarnell Fire District	0	1	0	1
Yavapai County	0	1	1	2
Yavapai County Sheriff's Office	0	0	1	1
Yucca Fire District	0	1	0	1
Yuma City	0	1	0	1
Yuma County	1	0	0	1
Yuma Industrial Development Authority	1	1	0	2
Yuma Police Department	1	0	0	1
TOTAL NUMBER OF CONTACTS	3230	1466	321	5017

Agency Count: 296

About the Ombudsman and Staff

Dennis Wells - Ombudsman-Citizens' Aide.

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

Joanne MacDonnell - Deputy Ombudsman.

Joanne joined the office as Deputy Ombudsman in 2005 after serving nearly eight years as the Arizona Corporation Commission, Director of Corporations. Prior to working in government, Joanne worked in the private sector at FCC Investors, Inc. serving on the Board of Directors and as an accountant. She also worked in real estate as a licensed Realtor associate and real estate appraiser. Joanne has Bachelor of Science degrees in Business Administration and Real Estate from the University of Arizona, is an investigator certified by the Council on Licensure, Enforcement & Regulation (CLEAR) and completed mediation training through South Mountain Community College. She has additional training including the Executive Course, Project & Investment Justification Training, the Leadership Module through Rio Salado College and Arizona Government University; and ombudsman training prescribed by the U.S. Ombudsman Association (USOA). She is active in the U.S. Ombudsman Association, having served multiple years as a Board Director/Officer and as a Conference Committee and Outreach Committee Member. She is 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.

Danee Garone – Staff Attorney.

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

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

Philip Gough-Stone – Intern and Assistant Ombudsman.

Philip Gough-Stone joined the office as an intern in June of 2016. He is studying Business Management, and Pre-Law at Grand Canyon University; he plans to attend law school after receiving his bachelor's degree. Philip is a certified mediator and an active student. Aside from his studies, Philip has extensive experience in the customer service and nonprofit industries. He currently works with the Arizona Ombudsman-Citizens' Aide office as an Assistant Ombudsman.

Aimee (Hamilton) Kearns – Assistant Ombudsman.

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

Keith Meyer – Senior Investigator/Writer Ombudsman.

Keith joined the Office of the Ombudsman in 2014. He has 20 years of public experience in Arizona State and County governments. He served in the Arizona Department of Corrections Director's Office, the Arizona Department of Agriculture, the Arizona Land Department, and Arizona State University. In Maricopa county government, he worked at the County Attorney's Office coordinating restitution issues with citizen victims of crime. Other service includes

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

Jennifer Olonan - Assistant Ombudsman.

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

Yvonne Rothblum – Assistant Intake Ombudsman.

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

Frank Rutledge – Investigator/Writer Ombudsman.

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

Carmen Salas - Assistant Ombudsman.

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

Mykah Sanchez- Legislative Intern.

Mykah joined the Ombudsman team in January 2017 as a legislative intern. Mykah attended ASU and then went to work for the State after graduation. Mykah worked in the Ombudsman Office from January through July 2017.