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ANNUAL REPORT

JULY 2018 - JUNE 2019

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December 20, 2019

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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. Often times a citizen does not have a complaint but is looking for information. We help these residents by educating them on the options available to them based on their specific request or issue.

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

Assistance

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

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

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

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

Investigation

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

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

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

OUTREACH

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

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- The Ombudsman website (<http://www.azoca.gov/>) – We continue to make updates to our website. It contains many resources for the public such as our public resource list and digital versions of our open meeting and public record law booklets. Our website also includes a “How to file a complaint” tutorial, FAQs, and an electronic complaint form. It also includes a tab giving with suggestions about how to interact effectively with the Department of Child Safety. On our website, we also explain the difference between our office and the DCS Ombudsman office because we have found that this is often a point of confusion for the public.
- Distribute our brochures at our office, on our website, at meetings and speeches, at trainings, and with various groups who distribute our brochure for us to their clients (i.e., the Family Involvement Center).
- We updated our comprehensive guide booklets regarding public record and open meeting law in late 2018 to reflect the latest statutory and case law changes. We distribute public access materials to elected officials and the public throughout the State. The League of Cities and Towns uses these booklets in its elected official training.
- Media interactions – Occasional interviews throughout the State.
- Quarterly public access newsletter – public access attorney Danee Garone writes a quarterly newsletter, *The Public Record* that we post to our website and electronically distribute to interested parties. Arizona State Library, Archives and Public Records distributes it on our behalf to its extensive listserv.
- Public access training for public officials and the public throughout the State. Our public access attorney, Danee Garone, conducts training sessions and participates in forum discussions regarding lawful practices relating to the public records law and open meeting law. During the past fiscal year, we conducted twenty-three training sessions in locations throughout the State, such as Litchfield Park, Phoenix, Clarkdale, Tempe, Bullhead City, Parker, Avondale, Yuma, Tucson, Bisbee, Scottsdale, and Marana. Additionally, we conducted trainings for a diverse array of governmental and quasi-governmental entities, such as the Arizona Association of Conservation Districts, the Governor’s Advisory Council on Aging, the Arizona School Board Association, AHCCCS, the Central Arizona Project, the Governor’s Archeology Advisory Commission, the Arizona Personnel Board, the University of Arizona, the Mohave County Community College District, the Arizona Municipal Clerks Association, the Arizona State Bar, the State Board for Charter Schools, and various charter schools, special taxing districts, counties, and municipal government entities. Most of the sessions are open to any interested public officials and members of the public. At each event, we provide our office’s contact information and website and explain what services we provide regarding public access issues and our general jurisdiction. Additionally we distribute dozens, or even hundreds, of our office’s public records law and open meeting law handbooks at the trainings. On numerous occasions, new complainants have told us they became aware of our office because of a training.

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

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

CUSTOMER SATISFACTION

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

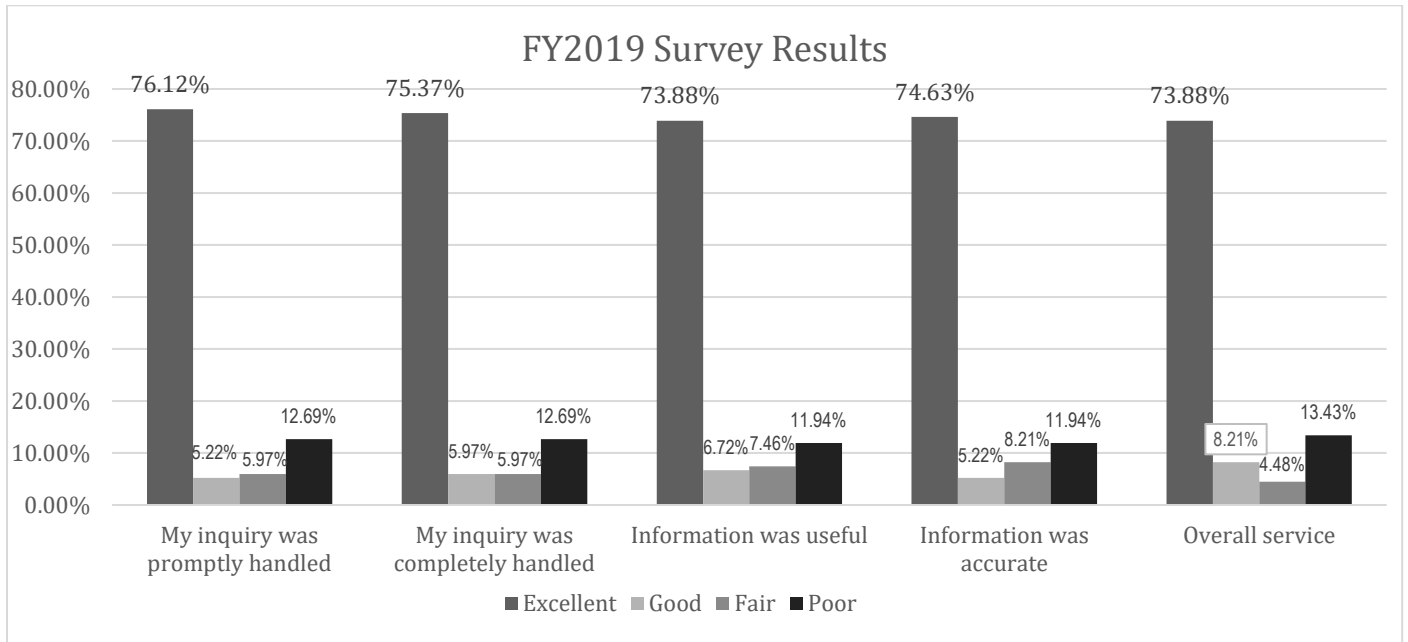
These standards are:

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

WE WELCOME FEEDBACK

The chart and comments on the following pages summarize the results of the survey for FY2019.

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THE FOLLOWING COMMENTS ARE FROM CITIZENS WHO USED OUR SERVICES IN FY2019:

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

“We are very grateful that your office provides this type of outreach – thank you!”

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

“Thank you for your assistance. We have been on this case since August (7 months prior) and appreciate your quick response on this manner.”

“I am very grateful to [Frank] for his support and insight relating to my issue.”

“Very impressed with the contact I had with Arizona Ombudsman-Citizens Aide.”

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

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

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

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

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

"Every question I have is not only answered fairly, it is answered amazing fast!"

"John was very helpful. He took charge, advocated and helped by negotiating with DES. Until he stepped in, I was spinning my wheels with DES customer services lack of disregard on resolving my issue, they wouldn't return my phone calls, they blocked me from reaching anyone in the organization that could help me and were more interested on making excuses, passing the blame then finding a solution. It was an error they'd made leaving me in a financial bind causing me hardship and John stepped in and went to work on my case right away."

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

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

"Danee was great to work with, helpful, and provided us with the information and training that we needed. Thank you!"

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

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

"Prompt & complete."

"Your material is very important to all current and future managers. I hope you will be willing to present again next year."

"Danee is always pleasant and very helpful."

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

"The employees there are always courteous, professional, and knowledgeable."

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

"Danee was very quick to respond to my needs. Thank you!"

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

"Very professional!"

"Thank you for the quick response. You have answered my questions and provided some useful information that will be helpful for future meetings."

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

"I appreciate the quick response! Thank you"

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

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

"Thank you for the professionalism regarding my inquiries."

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

"Arizona needs to keep this entity because many local government entities count on them to keep us legal when we are not quite sure on something. For example, properly listing an unusual item on an Agenda."

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

"Very pleasant helper."

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

"Great to speak with Yvonne. Very knowledgeable."

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

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

"They were excellent in their response and help."

"Yvonne answered my call immediately. This quick knowledge I found quite amazing and very delightful since it was a RARE EXPERIENCE that this occurred. Yvonne - You need to clone her. :-)"

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

"Very knowledgeable lady. Helped me with several resources."

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

“You did a great job and made it clear and easy to understand.”

“Danee was a valuable asset in my search to find help. The information was accurate, timely, and led me to have the strength to stand up for my rights.”

“Was treated very professionally.”

“I always look forward to your newsletter!” “Thank you so much for this great information!”

“Since I have contacted Ombudsman [Citizens’ Aide], the DCS workers completely did a 360 and are now keeping in contact with me about my son, and finally working towards reunification with my son and my family.”

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

COMPELLING CASES

The following case summaries are examples taken from the 6,045 cases we handled in FY 2019.

GENERAL COMPLAINTS ABOUT STATE AGENCIES

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

1803340. Department of Economic Security (DES) – Medical and Nutritional Benefits.

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

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

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

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

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

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

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

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

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

1900029. Department of Health Services (DHS), Vital Records

An Indian Health Services government employee complained an elderly Native American, whom she was assisting, needed assistance getting a delayed birth certificate from the Department of Health Services (DHS). Their agency and the elderly Native American had been unsuccessful in getting the document or navigating the process.

We reviewed the matter with DHS and asked DHS to address the Indian Health Service employee's issue to solve the problems so the certificate could be issued. DHS agreed. DHS staff located the file and assisted the registrant with the registration process. We confirmed the above information with the Indian Health Services worker.

1901958. Department of Transportation (ADOT) – MVD

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

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

1902211. Department of Transportation (ADOT) – MVD

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

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out of state, but claimed her Arizona address was correct.

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

1902214. Department of Transportation (ADOT) - MVD

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

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

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

1806133. Department of Revenue (DOR).

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

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

DOR responded a few days later to advise that they reviewed the man's claim, and had contacted the man to inform him they would not impose a penalty.

1900939. Department of Public Safety (DPS)

A suspect said the Department of Public Safety (DPS) arrested her, but the charges were later dismissed. In the course of the arrest, DPS confiscated some of her property and held it. The woman explained that she tried to reclaim her property from DPS once the case was closed but was unsuccessful. The Department relayed they had destroyed her property. The woman said DPS had

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not reimbursed her for their error.

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

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

1901980. Department of Environmental Quality (ADEQ)

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

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

1900153. Department of Administration (ADOA) -Surplus

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

1902824. Department of Revenue (DOR)

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

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

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

1901584. Arizona Health Care Cost Containment System

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

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

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

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

1902473. Arizona Department of Education

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

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

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

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

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

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1900901. Department of Revenue (DOR)

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

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

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

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

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

We contacted DDD and they reviewed the case. DDD managers agreed the child needed behavioral health treatment and they placed the child in question in a behavioral health facility. DDD managers contacted the foster mother and are having her complete some documents for her to sign and review. We called the foster mom and she indicated that DDD was now working with her and was now more properly dealing with the child's issues. She thanked us for our help.

1804799. Department of Transportation-Motor Vehicle Division.

A driver complained about the Department of Transportation-Motor Vehicle Division. He said that the installer business place that connected and checked his vehicular breathalyzer closed down and now the MVD is using this against him. He claimed MVD claimed this situation meant he did not have the

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device on his vehicle consecutively as required by law. The driver went to another place and had the breathalyzer reinstalled. He believes this is not his fault and asked that we review his case.

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

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

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

1804895. Arizona Department of Land.

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

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

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

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

Our office informed the woman what the Department of Land had decided. In addition, we advised her to contact our office if the lock was not removed within a few days so we could alert the agency.

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1900592. Arizona State Board of Nursing

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

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

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

1900605. Arizona Department of Transportation - Motor Vehicle Division

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

Resident Definition

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

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

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

The man claimed that the information was unfair because, according to the website, even if he did not

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own a car or even drive, yet had registered to vote in Arizona, he was still required to register his vehicle and get a driver's license. Our office agreed the requirement seemed erroneous.

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

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

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

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

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

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

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OMBUDSMAN INTERVENTION IN DCS CASES

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

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

Our Department of Child Safety cases were 37.14% of our total caseload.

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

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

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

OMBUDSMAN DCS CASE LOG FY2019 KEY CATEGORIES

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

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DCS Complainant Information Chart –July 1, 2018 – June 30, 2019

DCS Complaint Source Relationship	
Parent	1310
Kin	745
Service Provider	3
Child	3
Foster	80
Attorney	30
Agency Worker	4
Other	62
DCYF Region	
Central	217
Southwestern	50
Southeastern	7
Northern	24
Pima	51
Type of Complaint	
Removal Issues	192
Service Issues	67
Visitation Issues	130
Communication Issues	336
Record Issues	126
Placement Problems	291
Investigation Issues	315
Inadequate efforts towards case plan goal	50
False Allegations	103
DCS Process Questions	604
Adoption	23
Caseworker	348
Other	360
Unknown/NA	297
Judicial Issues	42
Attorney Issues	13
Reporting Abuse	16

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Ombudsman Intervention in DCS Cases

The Legislature instructs us in our budget note to emphasize Department of Child Safety cases. During the FY2019 period, 37.14% of our total cases were about DCS. Below are some examples where our intervention helped resolve concerns with DCS.

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

1805674. Department of Child Safety (DCS)

A mother expressed concern about an AHCCCS issue related to DCS. The mother explained that her children had been in DCS care for a while and had been using AHCCCS while in care. However, because DCS had not yet removed themselves off her daughter's AHCCCS case file, the mother was being challenged when she sought medical care for her daughter. The mother claimed she had contacted DCS multiple times to correct the issue, but to no avail.

We discussed the problem with DCS and asked them to look into the concern further. DCS agreed to do so. DCS reviewed the situation and determined the mother was correct, and said it would take corrective action.

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

1803737. Department of Child Safety (DCS)

A foster father complained in the latter part of August that DCS staff was causing great difficulties because the Department was not providing his family with Social Security numbers for the foster children placed in his foster care. The foster father explained his family was not able to file their taxes properly because they had been waiting seven months for their foster sons' social security information from DCS. The foster father said that earlier caseworkers claimed they filed requests for a card in March and June.

We reviewed the situation with DCS. We asked DCS to review A.R.S. §8-514.06(D) D which says, "The department of child safety shall provide a foster parent or kinship foster parent with the social security number of a child in the foster parents or kinship foster parent's care for a lawful purpose within ninety days after the foster parents or kinship foster parent's request." The DCS Ombudsman professed that since the statute just went into effect recently (twenty-one days earlier), so it, "therefore would not apply in this case." She admitted that DCS's Vital Records office did not have a record that corroborated any card request prior to late July when a new caseworker took over the case.

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After our office contacted DCS, the Department got the social security numbers assigned for the foster children within eleven days and sent the cards onto the foster family a week later.

Regardless that the law specifically requiring DCS to provide social security cards to foster families within 90 days was new, the laws relating to taxes are not. It was not reasonable for the agency to take seven months to produce social security cards. Further, the Department should have a complete understanding and documentation to reflect official document requests.

1803638. Department of Child Safety (DCS)

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

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

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

The client was unable to comply with the six-month reporting requirement. As a result, DCS asserted that he no longer had a right to appeal its finding against him, and DCS entered his name into the DCS central registry. The attorney and his client did not think this restriction on his appeal rights and his entry into the Central Registry was proper. The attorney provided us with records to support all of the facts he had asserted. DCS records did not contradict the attorney's assertions.

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

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

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

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

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

1803837. Department of Child Safety (DCS)

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

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

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

1804692. Department of Child Safety (DCS)

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

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

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

1805200. Department of Child Safety (DCS)

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

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

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

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

1806178. Department of Child Safety (DCS)

A nursing student was confused by a letter she had received from the Arizona Department of Child Safety (DCS). Upon the conclusion of a DCS investigation, the woman received a letter from DCS informing her that the report against her would be unsubstantiated, and her case

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would be closed. However, further down in the same letter, the letter stated that evidence gathered from the investigation was enough to substantiate a finding of neglect against her, and that substantiated individuals would be placed on Central Registry. The woman was confused because she thought the letter was contradictory. The woman explained that, because she would be entering the nursing field, a substantiation against her in the Central Registry would disqualify her from employment in nursing. The woman further explained that if she was going to be added to the Central Registry, she would stop pursuing her nursing degree. Our office requested that she send us a copy of the letter she had received so we could review the matter.

The woman sent our office a copy of the letter and we reviewed it. We agreed that the letter was indeed contradictory. Our office suspected that this particular DCS letter was most likely generated from a form letter, which included language for both substantiation and unsubstantiation. Prior to mailing, the DCS worker authoring the letter would simply remove the portion of the language that was not applicable. In this case, it seemed that DCS left in the non-applicable language erroneously.

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

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

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

1901836. Department of Child Safety (DCS)

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

Our office investigated. We requested that DCS confirm this mother was the subject of a DCS investigation and that DCS confirm whether their caseworker had given the woman a Notice of Duty to Inform as required by statute. We asked the agency to provide us a copy of the

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document, if it existed, as copies of these documents must be retained for record retention purposes. The Notice of Duty to Inform is important because it discloses the specific allegations DCS is investigating and it gives the person important information about the person's rights when dealing with DCS.

DCS responded a few days later acknowledging that they failed to provide the mother with a Notice of Duty to Inform. DCS said they would remedy the agency's failure to adhere to statute by presenting the official notice at the TDM scheduled for the following day.

Our intervention helped resolve a grievance against DCS and corrected a financial problem that benefited a citizen as exemplified by:

1804230. Department of Child Safety (DCS)

A foster mother claimed that DCS was shorting her on some allowances for a foster child. She claimed the caseworker informed her that she would get \$150 for clothing allowance, but she said she only received \$75. The foster mother also claimed DCS agreed to give her \$62.50 for two months of diapers and \$15.00 for another month of diapers because DCS did not think the receipt from Costco was legible enough to give her the full month.

We reviewed the matter with DCS. We did not substantiate the claim about the clothing allowance because DCS had documentation supporting that payment would be forthcoming. Regarding the request for diaper funding, DCS explained that the diaper receipt had not been legible. DCS agreed to review the receipt via various devices to see if the picture improved. It did improve on a phone, so DCS agreed to provide the foster mother with \$62.50.

Our intervention resulted in better service to a citizen and resolved a grievance against an agency as exemplified by:

1803393. Department of Child Safety (DCS)

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

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

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

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1804219. Department of Child Safety (DCS)

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

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

1803047. Department of Child Safety (DCS)

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

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

1803082. Department of Child Safety (DCS)

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

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

OMBUDSMAN INTERVENTION IN PUBLIC ACCESS CASES

Outreach and Education

Educational Materials

We updated our office's booklets on the Public Records Law and the Open Meeting Law. We provided hundreds of the booklets directly to elected officials, non-elected public officials, public employees, advocacy groups, and members of the public. We also provide digital versions of the booklets on our website. In addition, we continue to share and help develop

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

Trainings

There is a significant demand for training throughout the State. In the 2019 fiscal year, we conducted twenty-three training sessions in locations throughout the State, such as Litchfield Park, Phoenix, Clarkdale, Tempe, Bullhead City, Parker, Avondale, Yuma, Tucson, Bisbee, Scottsdale, and Marana. We conducted trainings for a diverse array of governmental and quasi-governmental entities, such as the Arizona Association of Conservation Districts, the Governor's Advisory Council on Aging, the Arizona School Board Association, AHCCCS, the Central Arizona Project, the Governor's Archeology Advisory Commission, the Arizona Personnel Board, the University of Arizona, the Mohave County Community College District, the Arizona Municipal Clerks Association, the Arizona State Bar, the State Board for Charter Schools, and various charter schools, special taxing districts, counties, and municipal government entities.

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

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

Newsletters

We continued to publish a public access newsletter on about a quarterly basis. Our newsletter *The Public Record* touches on interesting and timely open meeting and public records law issues that are relevant to the duties and responsibilities of public bodies and officials throughout the State. For example, we addressed changes to the open meeting law, changes to the Arizona Attorney General's Agency handbook chapters on the public records and open meeting law, the public records law and drafts, public body member access to executive session minutes, the record retention implications of using a third party to manage State email and calendars, whether the public has a right to speak at public meetings, and recording votes in meeting minutes. We also provided up-to-date summaries and analysis of pending Arizona public access legislation.

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

Inquiries and Investigations

In the past fiscal year, our office handled 544 cases regarding matters related to public access. Of those calls, 259 were public record law inquiries, 241 were open meeting law

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inquiries, and 44 concerned both public records and open meeting law. Table 1 provides a breakdown of the number of inquiries received from the public, the media, and government agencies. Table 2 provides the number of inquiries received about state agencies, county agencies, city or town agencies, school districts, and other local jurisdictions.

Table 1					
	Public Inquiries	Media Inquiries	Government Agency Inquiries		
Number of Inquiries	260	39	245		

Table 2					
	State Agencies	County Agencies	City or town agencies	School Districts	Other Local Jurisdictions
Number of inquiries	239	57	103	51	94

Public Access Case Examples

1805167. Other – Private.

The League of Arizona Cities and Towns contacted our office and requested 140 copies each of our office's open meeting law and public records law booklets to provide to attendees of the League's "Newly Elected Officials Training."

We provided the League with the 280 booklets.

1805377. Other Government.

A public-private employment organization contacted our office to arrange an open meeting law training in Yuma. We agreed to conduct the training and did so on March 19. Because we do not get to Yuma often, we treated the training as a sort of regional training open to the public and all interested local government entities. We reached out to the City of Yuma and Yuma County about the training. Additionally, we reached out to an attorney who represents various local government entities.

1900760. Apache County.

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

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

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

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

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

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

1900957. Cochise County.

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

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

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

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

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

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

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

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

She did not respond.

OPTIMIZING OUR STATE GOVERNMENT

1901245. Choice Academies, Inc. Governing Board.

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

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

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

1901288. Christopher-Kohl's Fire District.

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

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

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

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

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

OPTIMIZING OUR STATE GOVERNMENT

19012454. Department of Child Safety.

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

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

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

1902456. Mingus Union High School District.

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

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

1902556. Glendale.

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

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

OPTIMIZING OUR STATE GOVERNMENT

Our Cases – Statistics of Note

INVESTIGATIONS

We managed our investigations in FY2019 as noted in the following tables.

Table 3 – Investigations – July 1, 2018 – June 30, 2019	
Discontinued ¹	99
Declined ²	402
Complaint was withdrawn or resolved during the investigation ³	11
Investigation Completed	149
Ongoing	45
TOTAL REQUESTS FOR INVESTIGATION	805

Table 4 – Investigative Findings – July 1, 2018 – June 30, 2019		
SUPPORTED/PARTIALLY SUPPORTED ⁴		22
Requires further consideration by the agency	6	
Other action by agency required	12	
Referred to the legislature for further action	0	
Action was arbitrary or capricious	0	
Action was abuse of discretion	1	
Administrative act requires modification/cancellation	0	
Action was not according to law	6	
Reasons for administrative act required	0	
Statute or Rule requires an amendment	0	
Insufficient or no grounds for an administrative act	0	
INDETERMINATE⁵		38
NOT SUPPORTED		89
TOTAL COMPLETED INVESTIGATIONS		149

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

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

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

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

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

OPTIMIZING OUR STATE GOVERNMENT

OVERALL CASE STATISTICS

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

Contacts by Agency

Between July 1, 2018, and June 30, 2019, our office handled 6,045 cases involving 251 agencies. The following table shows the distribution of our contacts by an agency. Cases involving Child Protective Services comprised 37.14% of our total for FY2019.

CONTACTS BY AGENCY

Agency	Coaching	Assistance	Investigation	Total
Abraham Lincoln Preparatory School	0	1	0	1
Academy of Math and Science	2	0	0	2
Accountancy Board	2	0	1	3
Administrative Hearings, Office of	1	0	0	1
ADOA - Administration, Department of	28	10	2	40
Agriculture - Wt. and Measures	10	0	0	10
Agriculture, Department of	3	1	0	4
Agriculture, Pest Mgmt. Office	3	0	0	3
AHCCCS	94	44	16	154
Altar Valley School District	0	0	1	1
Apache County	1	0	1	2
Apache Junction Police Department	1	0	0	1
Arizona City Fire District	0	0	1	1
Arizona Language Preparatory	1	2	0	3
Arizona State Hospital	2	1	0	3
ASU -Arizona State University	3	0	2	5
Attorney General, Office of	35	3	4	42
Auditor General	2	2	0	4
Avondale	0	1	0	1
AZ POST - Peace Officer Standards & Training Board	0	0	3	3
Ball Charter Schools	1	0	0	1
Barbers, Arizona Board of	2	1	1	4
Beaver Dam/Littlefield Fire District	3	1	0	4

OPTIMIZING OUR STATE GOVERNMENT

Behavioral Health Examiners, State Board of	5	1	1	7
Benson	0	1	0	1
Bisbee	1	0	0	1
Buckeye	1	0	0	1
Buckeye Police Department	1	0	0	1
Cambridge Academy	0	0	1	1
Camp Verde	0	1	0	1
Carefree	1	0	0	1
Cave Creek	0	0	1	1
Central Arizona Fire and Medical Authority	1	0	2	3
Central Arizona Project	3	2	0	5
Central Yavapai Fire District	2	0	0	2
Chandler	0	0	1	1
Chandler Police Department	0	1	0	1
Charter Schools, Arizona State Board of	17	1	2	20
Chiropractic Examiners, State Board of	1	0	0	1
Choice Academies, Inc. Governing Board	4	0	0	4
Christopher-Kohl's Fire District	7	1	1	9
Clarkdale	2	1	0	3
Clay Springs Pinedale Fire Department	2	0	0	2
Cochise County	3	2	2	7
Cochise County Attorney	5	0	0	5
Coconino County	1	0	0	1
Colorado River Union High School District	0	1	0	1
Commerce Authority of Arizona	4	0	0	4
Commission of Judicial Conduct	6	0	0	6
Corporation Commission	24	5	3	32
Corrections, Department of	43	7	6	56
Cosmetology, Board of	105	2	2	109
Cottonwood Police Department	1	0	0	1
DCS - Community Advisory Committee	2	0	1	3
DCS - Department of Child Safety	1522	311	396	2229

OPTIMIZING OUR STATE GOVERNMENT

DCS - Office of Licensing Certification Regulation	5	1	2	8
DCS - Other	5	0	0	5
Deaf & Hard of Hearing Commission	2	0	0	2
Deaf and Blind, Arizona School for the	0	0	1	1
Dental Examiners, Board of	7	3	1	11
DES - Aging & Community Services	258	10	7	275
DES - Benefits and Medical Eligibility	124	110	26	260
DES - Child Support Service	20	41	10	71
DES - Developmental Disabilities	15	10	0	25
DES - Employment and Rehabilitation	33	19	3	55
DES - Other	25	6	6	37
DES- Adult Protective Services	12	3	1	16
Desert Marigold School	1	0	0	1
Douglas	0	1	1	2
DPS - Department of Public Safety	30	5	7	42
East Valley Institute of Technology	2	0	0	2
Education Models 4 Learning	0	1	0	1
Education, Board of	6	2	1	9
Education, Department of	13	3	5	21
Eloy Fire District	0	0	1	1
Environmental Quality, Department of	13	2	2	17
Executive Clemency, Board of	1	1	0	2
Exposition & State Fair Office	1	0	0	1
Financial Institutions Department	12	0	1	13
Financial Institutions, Appraisal Division	1	0	0	1
Fingerprinting, Board of	1	1	0	2
First Things First	1	1	0	2
Flagstaff Unified School District	0	1	1	2
Florence	0	1	0	1
Forest Lakes Fire District	1	0	0	1
Forestry & Fire Mgmt.(formerly Dept. FBLS)	0	1	0	1
Funeral Directors & Embalmers, State Board of	1	2	1	4
Game and Fish, Department of	2	0	0	2

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Gaming Dept., Boxing Dept.	1	0	1	2
Gaming, Dept.	0	1	0	1
Gila Bend	0	2	0	2
Gila County	1	0	0	1
Gilbert	1	1	1	3
Glendale	1	1	0	2
Goodyear	1	0	0	1
Governor, Office of	5	0	2	7
Governor's Archeology Advisory Commission	0	1	0	1
Graham County	0	0	1	1
Great Heart Academies	1	0	0	1
Harquahala Valley Fire District	1	0	2	3
Health Services, Department of	68	5	0	73
Health Services, Vital Records Office	3	3	2	8
Hereford Natural Resource Conservation District	3	0	1	4
High Knoll Ranchers RIMD	0	0	1	1
Historical Society, Arizona	0	1	0	1
Housing Dept. -Manufactured Housing Office	9	0	0	9
Housing, Department of	29	1	0	30
Huachuca City Council	1	0	0	1
Incito Schools	1	0	0	1
Indian Affairs, Arizona Commission of	1	0	0	1
Industrial Commission	76	7	1	84
Inscription Canyon Ranch Sanitary District	2	0	1	3
Insurance, Department of	42	8	1	51
Jerome	1	0	0	1
Judicial Conduct, Commission on	7	0	0	7
Juvenile Corrections, Department of	0	0	2	2
Khalsa Montessori School	1	0	0	1
La Paz	0	1	0	1
La Paz County Attorney	1	0	0	1
La Paz County Sheriff	1	0	0	1

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Lake Mohave Ranchos Fire District	2	0	0	2
Land, Department of	11	3	1	15
Legislature	21	4	0	25
Liberty Elementary School District #25	1	0	0	1
Liquor Licenses and Control, Department of	7	1	0	8
Littleton Elementary School District	0	0	1	1
Lottery	3	0	0	3
Marana	1	1	0	2
Marana Drainage and Water Improvement District	10	1	0	11
Maricopa	3	0	0	3
Maricopa County Attorney	6	0	2	8
Maricopa County Community College	0	0	1	1
Maricopa County Sheriff	0	1	0	1
Massage Therapy, State Board of	1	0	0	1
Mayer Fire District	2	1	0	3
Medical Board, Arizona	38	1	1	40
Mesa	0	0	1	1
Mesa Police Department	1	0	3	4
Mesa School District	1	0	0	1
Mescal J-6 Fire District	1	0	1	2
Mine Inspector	0	0	1	1
Mingus Union High School District	1	1	0	2
Mohave County Airport Authority	1	0	0	1
Mohave County Sheriff's Office	1	0	0	1
Mojave Community College	0	1	0	1
Mountain Oak	0	0	1	1
Naco Sanitary District	1	0	1	2
Naco School District	1	0	0	1
Naturopathic Physicians Board of Medical Examiners	0	1	0	1
Navajo	1	0	0	1
Northern Apache County Special Health Care Dist	0	0	1	1
Northwest Fire District	1	0	0	1

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Nursing Care Institution Administrators & Assisted Living Managers Examiners Board	0	3	0	3
Nursing, State Board of	11	7	6	24
Occupational Therapy Examiners, Board of	1	1	0	2
Office of Economic Opportunity	1	0	0	1
Ombudsman	104	15	2	121
Optometry, State Board of	2	0	0	2
Osteopathic Examiners in Medicine and Surgery, Board of	3	0	2	5
Other - Arizona in general	43	2	0	45
Other - Federal	72	0	3	75
Other - Government	363	15	17	395
Other - Private	381	14	10	405
Overdimensional Permit Council	1	0	0	1
Palominas Elementary School District	0	0	1	1
Palominas Fire District	0	1	0	1
Paradise Valley	3	0	0	3
Paradise Valley School District	5	0	0	5
Parks, Department of	1	0	0	1
Patagonia	0	1	0	1
Payson	0	0	1	1
Personnel Board	5	1	0	6
Pharmacy, Board	5	4	0	9
Phoenix	4	1	2	7
Phoenix Police Department	3	1	4	8
Physical Therapy Examiners, Board of	2	2	1	5
Physician Assistants, AZ Regulatory Board of	4	0	0	4
Pima	2	0	2	4
Pima County Attorney's Office	1	0	0	1
Pima County Sheriff's office	0	1	0	1
Pinal County Sheriff's Office	0	2	0	2
Pioneers' Home	5	1	3	9
Prescott	2	1	1	4

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Prescott Valley Police Department	1	0	0	1
PRIVATE Post-Secondary Education Board	2	1	0	3
Psychologist Examiners, State Board of	3	2	0	5
Public Safety Personnel Retirement System	2	1	1	4
Radiologic Technology Medical Board of Examiners	1	0	0	1
Real Estate Dept. - HOAs	12	0	1	13
Real Estate, Department of	15	3	2	20
Red Rock Road Enhancement District	1	0	0	1
Regents, Arizona Board of	4	0	0	4
Registrar of Contractors	26	7	2	35
Retirement System, Arizona State	9	6	5	20
Revenue, Department of	68	78	22	168
Ridgeline Academy	1	0	1	2
Safford Police Department	1	0	0	1
Sahuarita	1	0	1	2
San Luis	3	0	0	3
San Simon Volunteer Fire District	1	0	0	1
Santa Cruz	4	0	2	6
School Facilities Board	1	0	1	2
Scottsdale	0	0	1	1
Scottsdale Police Department	2	0	1	3
Scottsdale Unified School District	1	0	0	1
Sec. of State -Library, Archive & Records Dept.	1	0	0	1
Secretary of State, Office of	11	1	2	14
Sierra Vista	0	1	0	1
Sonoita Elgin Fire District	1	0	0	1
Southeastern Arizona Communications Center	1	0	0	1
Stanfield Fire District	1	0	0	1
Statewide Independent Living Council	1	0	0	1
Sunburst Farms Irrigation District	0	0	1	1
Sunnyside Unified School District	1	0	0	1
Superior Court	3	0	0	3

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Supreme Court	2	0	0	2
Surprise	1	0	2	3
Technical Registration, Board of	6	1	4	11
Tempe	3	1	0	4
Tempe Union High School District	1	0	0	1
Timberland Acres Water District	1	0	1	2
Tolleson	2	0	1	3
Tombstone	1	0	1	2
Tourism, Office of	1	0	0	1
Transportation, Department of	43	8	5	56
Transportation-Motor Vehicle Division	72	70	27	169
Tri-City Regional Sanitary District	1	0	1	2
Tucson	3	0	2	5
Tucson City Court	0	0	1	1
Tucson Police Department	0	1	3	4
Tucson-Pima County Bicycle Advisory Committee	1	0	0	1
U of A - University of Arizona	5	1	1	7
unknown	16	2	0	18
unknown charter school	4	0	1	5
unknown city	8	0	0	8
unknown fire district	2	1	0	3
unknown school district	5	0	0	5
Unknown state agency	50	0	0	50
Vernon Fire District	2	0	0	2
Veterans Home	1	0	0	1
Veterans' Services, Department of	20	3	1	24
Veterinary Medical Examining Board	2	0	2	4
Water Infrastructure Finance Authority of Arizona	1	0	0	1
Water Resources, Department of	5	1	0	6
Whetstone Water Improvement District	0	1	0	1
White Mountain Summer Homes Water Improvement Dist	0	1	0	1
Yarnell Fire District	1	0	0	1
Yavapai County	0	0	1	1
Yavapai County Sheriff's Office	1	0	0	1

OPTIMIZING OUR STATE GOVERNMENT

Yuma City	2	0	0	2
Yuma County	3	0	0	3
TOTAL NUMBER OF CONTACTS	4393	941	711	6045

Agency Count: 251

About the Ombudsman and Staff

Dennis Wells - Ombudsman-Citizens' Aide.

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

Joanne MacDonnell - Deputy Ombudsman.

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

Danee Garone – Staff Attorney.

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

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

Philip Gough-Stone – Intern and Assistant Ombudsman.

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

Keith Meyer – Senior Investigator/Writer Ombudsman.

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

Jennifer Olonan - Assistant Ombudsman.

Jennifer began working for the Ombudsman office in 2014. She has completed ombudsman training prescribed by the United States Ombudsman Association (USOA). She previously worked in the medical field as a team lead and manager, where she obtained extensive clinical experience. She has received a Bachelor's of Science degree in Health Science (Healthcare Policy) from Arizona State University. She has a Master's of Public Administration with an Emphasis in Government and Policy, from Grand Canyon University. She has completed

training with the Child Welfare Training Institution and Department of Economic Security to obtain clearance for the Children's Information Library & Data Source (CHILDS). Jennifer is proficient in American Sign Language.

Yvonne Rothblum – Assistant Intake Ombudsman.

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

Frank Rutledge – Investigator/Writer Ombudsman.

Frank joined the Ombudsman team in June 2016 after working 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.

John Wicus- Legislative Intern & Assistant Ombudsman.

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