

Arizona Board of Fingerprinting

CONCLUSION: The Arizona Board of Fingerprinting (Board) determines good-cause exceptions for individuals whose fingerprint clearance card the Arizona Department of Public Safety (DPS) has denied or suspended and who are trying to demonstrate that they are rehabilitated and not recidivists. It also determines central registry exceptions for individuals disqualified from employment based on substantiated allegations of child abuse or neglect and who are trying to demonstrate that they are rehabilitated and not recidivists. The Board granted or denied most exceptions we reviewed in accordance with statute and rule, although it lacked required documentation in some instances and should develop and implement a process to ensure it has received, reviewed, and retained all required application materials. Additionally, the Board should monitor its workload and assess whether additional staff might be needed, analyze its current revenues and costs to determine whether its fee should be adjusted, and develop and implement policies and procedures for addressing potential conflicts of interest.

Board granted or denied most exceptions we reviewed in accordance with statute and rule but lacked required application materials in some instances

We reviewed the Board's documentation for a judgmental sample of 30 good-cause exception applications and 10 central registry exception applications it received in calendar year 2018. Based on our review, the Board granted or denied 36 of 40 exceptions in accordance with its statutes and rules. However, the Board granted 4 exceptions for which it lacked documentation of some required application materials, such as the applicant's notarized signature, a second letter of reference, and documentation of the status of meeting all court obligations or sentencing conditions. Although the Board did not have all required materials for these 4 applications, it based its determinations on other documents demonstrating that the applicants were rehabilitated and not recidivists, such as criminal history reports, written statements from the applicants explaining their criminal charges, and documentation of meeting court obligations.

4 of 40 exceptions were missing some required application materials



Recommendation

The Board should develop and implement a checklist for staff use to ensure that all required application materials are received, reviewed, and retained.

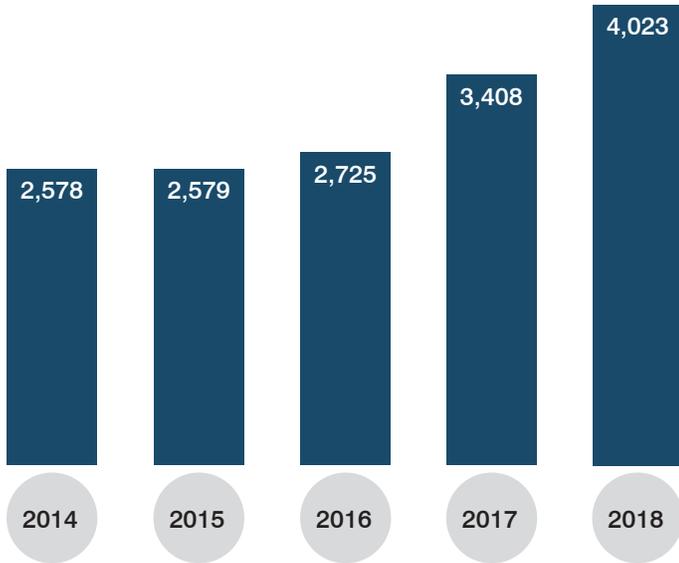
Board should monitor and assess staffing needs if workload continues to increase

The Board has experienced an increase in the number of good-cause exception applications received in calendar years 2017 and 2018 (see figure on next page). Although the Board has been able to meet its statutory time frames for reviewing applications, it reported that the increasing workload has been challenging for staff to keep up with and makes it difficult for staff to take annual leave. The Board has sufficient revenues to hire additional staff if needed.

Recommendation

If the number of good-cause exception applications continues to increase, the Board should monitor the impact to its operations and assess whether additional staff are needed to handle its increasing workload and continue meeting its statutory time frames.

Number of good-cause exception applications received
Calendar years 2014 through 2018



Board should review and revise its fee, if necessary

The Board has statutory authority to establish fees and charges a \$7 fee that DPS collects as part of the total \$67 application fee for a fingerprint clearance card. However, the Board collects more revenue than it needs to operate. For example, the Board's revenues totaled nearly \$1.2 million in fiscal year 2019, while its total expenditures were approximately \$550,000. As a result, the Board's fund balance has been growing, indicating that the Board's \$7 fee may be too high given the current number of applicants for a fingerprint clearance card and the Board's costs for processing the good-cause exception applications it receives.

Recommendation

The Board should analyze its revenues and costs to determine whether the \$7 fee should be adjusted, document its analysis and determination, and establish and implement a process for periodically reviewing the appropriateness of its fee.

Board has not ensured compliance with State conflict-of-interest laws

The Board has not implemented policies and procedures for ensuring compliance with State laws that require public officers and employees of public agencies, including Board members, to avoid conflicts of interest that might influence or affect their official conduct. These laws require certain interests to be disclosed in a public agency's official records, either through a signed document or the agency's official minutes. Public officers/employees must then refrain from participating in matters related to disclosed interests. In addition, public agencies are required to maintain a special file of all documents necessary to memorialize such disclosures and make this file available for public inspection. The Board does not have a process to address potential conflicts of interest in accordance with these laws.

Recommendation

The Board should develop and implement policies and procedures for addressing potential conflicts of interest in accordance with State laws.