

**ARIZONA BOARD OF FINGERPRINTING
MINUTES OF SPECIAL MEETING**

Thursday, May 16, 2002
2222 West Encanto Blvd., #350, Phoenix, Arizona 85005

Board attendance: Department of Economic Security: Mike LeHew, Chair
Department of Education: Corinne Velasquez, Vice Chair
Administrative Office of the Courts: Joseph Jericho (alternate,
telephonic)
Department of Health Services: Kim Pipersburgh
Department of Juvenile Corrections: Vernon Waite (alternate)

Staff attendance: Sally Loveland, Director

Invited members of the public: Christine Cassetta, Assistant Attorney General
(telephonic)

Members of the public: Brad Doyle, Pat Shannahan (Ombudsman-Citizens' Aide),
Mike Timmerman (Department of Public Safety)

I. CALL TO ORDER AND ROLL CALL

Mr. LeHew called the meeting to order at 9:07 a.m. and conducted a roll call.

II. GENERAL SESSION

- A. Review of Board requirements for expedited review and approval of interim work permits. Subcommittee report or recommendations.

Mr. Waite described the subcommittee's recent activities, which include two meetings. The first meeting was a general discussion of the direction the subcommittee would take, particularly the items it would review first. The second meeting began the process of identifying the items the subcommittee would make recommendations on changing to help alleviate the Board's operational problems. For example, the subcommittee might make a recommendation on allowing more Driving Under the Influence cases to receive approval by means of an expedited review.

Mr. Waite said the subcommittee would have recommendations on how to change the application process by July 1, 2002.

- B. Review of contingency operational plans for fiscal year 2003.

Mr. LeHew asked Ms. Loveland to give a brief summary of the Board's funding history and current fiscal circumstances.

Ms. Loveland described the Board's funding and operational history. She also summarized the funding the Board would receive in fiscal year (FY) 2003 under House Bill 2706. That bill claimed that the Board would receive an appropriation of \$166,900. Ms. Loveland explained that the Bill was misleading and the actual appropriation would be \$101,900.

Ms. Loveland said that, at the time of the budget submission, she had requested five full-time employees, which she projected could not handle the backlog without some statutory changes on time frames. She had projected that the Board would need appropriations amounting to \$325,500 for FY 2003.

Ms. Cassetta described some options the Board may have for addressing its backlog and coping with a possible under funded budget. She also explained that she Ms. Loveland, and Tom McClory (another Assistant Attorney General) would meet in the future to develop or refine options.

Ms. Cassetta described some of Mr. McClory's initial suggestions.

- First, if there were no statutory changes, the Board members could conduct hearings themselves, with minimal administrative and clerical aid of the Board staff. For example, a person requesting a hearing would send his or her supporting documents to one of the Board members' agencies. That Board member would reproduce and distribute the materials to other Board members, and the Board members would meet of their own accord to conduct the hearings. As a consequence, the Board would need to alter the forms, instructions, and other information it distributes to applicants.
- Second, the Board and its staff could work solely on the cases it currently has and not accept more applications.
- Third, the Board could hold hearings for individuals with incomplete application packages, ask the individual at the hearing whether she or he has additional information to share with the Board (apart from the materials already submitted), and decide whether it has the time to review those materials at the hearing. It then can make a decision on the case, even if it does not have time to review the materials. Applicants could receive a courtesy letter toward the beginning of the application process that identifies the missing documents. That letter could include a deadline for submission. If the materials are not submitted by the deadline, the Board need not consider them at the hearing if it does not have time to review them.

Ms. Loveland said that she had contacted the Risk Management division of DPS, which said that there would be little or no risk to the agency if the Board were to cease operations through no fault of its own. Ms. Cassetta encouraged Ms. Loveland to contact the Risk Management office of the Department of Administration.

Ms. Loveland asked the Board for guidance on which operational activities its staff should prioritize. Ms. Cassetta encouraged the Board and its staff to try to keep up with incoming mail, which may include litigation materials with deadlines.

The Board members agreed to spend time (themselves or other employees in their agencies) assisting the Board staff with its operational activities. Mr. LeHew asked the Board members to contact Ms. Loveland with a list of employees from the agencies who would help and a schedule of when they are available.

III. CALL TO THE PUBLIC

Mr. LeHew made a call to the public. There were two members of the public who addressed the Board: Mr. Doyle and Mr. Shannahan. They did not request formal action by the Board.

IV. ADJOURNMENT

A motion was made to adjourn the meeting. The motion was seconded and passed, 5-0. Mr. LeHew adjourned the meeting at 10:31 a.m.

Minutes approved on _____, 2003.

Dennis Seavers, Executive Director