



ARIZONA BOARD OF FINGERPRINTING

Post Office Box 6129 • Phoenix, Arizona 85005-6129
Telephone (602) 265-0135 • Fax (602) 265-6240

FINAL Minutes for Public Meeting Held December 28, 2018, at 9:00 a.m. 4205 North 7th Avenue, Suite 206 Phoenix, Arizona

Board Members

Garnett Winders, Department of Education, Chairperson
Mark Koch, Administrative Office of the Courts, Vice Chairperson
Kim Pipersburgh, Department of Health Services
Shamiran Warda, Department of Juvenile Corrections
John Piccarreta, Department of Child Safety
Elanie Estrada, Department of Economic Security

Executive Director

Matthew A. Scheller

I. CALL TO ORDER AND ROLL CALL

Ms. Winders called the meeting to order at 9:01 a.m. The following Board members were present: Garnett Burns, Mark Koch, Kim Pipersburgh, Shamiran Warda, John Piccarreta, and Elanie Estrada (Telephonically). The following Board member was absent: None.

Also in attendance was Matthew A. Scheller, Executive Director (ED).

II. CALL TO THE PUBLIC

Ms. Winders made a call to the public. There were no members of the public present who wished to comment.

III. APPROVAL OF MINUTES FROM AUGUST 24, 2018

Mr. Koch made a motion to approve the draft minutes from August 24, 2018, and Ms. Warda seconded. The motion passed 6–0.

IV. REVIEW OF 2018 REPORT SUBMITTED PURSUANT TO A.R.S. § 41–619.54(D)

Ms. Winders requested a summary of the report prepared by Mr. Scheller and submitted pursuant to statute. Mr. Scheller provided a summary of the report (see Attachment 1). Mr. Scheller indicated that the timing of the report is different from the annual report since it is looking at the year from October 1st – September 30th and not the State's Fiscal Year that runs from July 1st – June 30th.

The number of applications that the Board received during this timeframe is even higher than the annual report (4008 cases vs 4116 cases). There is a current backlog of cases at DPS, but our numbers should continue to stay very high for the foreseeable future.

The table on page 5 (Table 4) shows the number of applications received by Program Group. The new program groups are marked as “New in FY2018” and listed as the following program areas: Dental Therapist Licensure, DES-Employee or Contractor with access to Federal Tax Information, Hemp License, and Home Inspector Certification. We will be able to gather solid numbers in the new reporting cycle. The table on page 6 (Table 5) indicates the disposition of applications by Program Group. And finally, the table beginning on page 8 (Table 6) shows all of the offenses with an indication about whether or not the Board granted the good cause exception for a someone who committed that offense. Those cases are listed with and “X” under the column indicates “Good Cause Exception Granted.”

Mr. Scheller indicated that he received initial notification about the Audit that will be forthcoming in the new year by the Arizona Auditor General's Office. Mr. Scheller also made mention of the meeting dates for the next calendar year.

V. ADJOURNMENT

Ms. Winders adjourned the meeting at 9:25 a.m.

Minutes approved on September 6, 2019

Matthew A. Scheller, Executive Director

Garnett Burns
Chair

Mark Koch
Vice Chair



Douglas A. Ducey
Governor

Matthew A. Scheller
Executive Director

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www.fingerprint.az.gov • info@fingerprint.az.gov

November 29, 2018

The Honorable Douglas A. Ducey
Governor
Office of the Governor
Executive Tower, Eighth Floor
1700 West Washington
Phoenix, AZ 85007

The Honorable J.D. Mesnard
Speaker of the House
Arizona House of Representatives
1700 West Washington, Room 223
Phoenix, AZ 85007

The Honorable Steve Yarbrough
President of the Senate
Arizona Senate
1700 West Washington, Room 205
Phoenix, AZ 85007

Dear Governor Ducey, Speaker Mesnard, and President Yarbrough:

Enclosed is a report from the Arizona Board of Fingerprinting (“Board”), issued under A.R.S. § 41–619.54(D), as amended by Arizona Session Laws 2005 (First Regular Session), Chapter 246, § 5. This report summarizes the caseload and number of approvals for good cause exceptions that the Board issued from October 1, 2017, to September 30, 2018.

I respectfully request that you read the methodology described in Section One. These comments identify important statistical issues and assumptions that should be taken into consideration when interpreting the data and that affected the content of this report.

Please note that the contents of this report are public record, so you are welcome to share it. However, the raw data used to generate the report is confidential and exempt from A.R.S. Title 39, Chapter 1 (§ 39–101 *et seq.*, pertaining to public records).

I will make myself available to answer any questions, comments, or concerns that you may have regarding this report or the Board's activities. You may contact me at (602) 265-3747 or matthew.scheller@fingerprint.az.gov.

Sincerely,

Matthew A. Scheller
Executive Director

Enclosure: 2018 Report on Good Cause Exception Application Caseload and Approvals

Arizona Board of Fingerprinting

2018 Report on Good Cause Exception Application Caseload and Approvals

SECTION ONE – INTRODUCTION AND METHODOLOGY

Arizona Session Laws 2005 (First Regular Session), Chapter 246, Section 5, established a reporting requirement for the Arizona Board of Fingerprinting (“Board”). Each year, on or before December 1, the Board is required to report the number of good cause exception and central registry exception applications received and granted between October 1st and September 30th. For good cause exceptions, the report must break these data down according to the programs listed in A.R.S. § 41–619.51(6). Each program listing must also include a list of the offenses in A.R.S. § 41–1758.03(B) and (C) and A.R.S. § 41–1758.07(B) and (C) for which an applicant submitted a good cause exception application and the Board granted a good cause exception.

The report that follows complies with the legislative requirements. However, the reader is strongly encouraged to read the methodology section below. Without reading this section, the reader might draw conclusions that are not warranted by the data.

Methodology

This report draws on two data sets: (1) good cause exception and central registry exception applications received between October 1, 2017, and September 30, 2018; and (2) good cause exceptions and central registry exceptions resolved between October 1, 2017, and September 30, 2018. These two sets of data are not coextensive, although there may be some overlap among the cases. Some of the applications received in the relevant time period may not have been concluded by September 30, 2018, and some of the applications concluded in the time period may have been received prior to October 1, 2017.

There are 56 statutory programs for which individuals need fingerprint clearance cards, as described in Table 1 on the next page.

Table 1 Statutory Programs Grouped by Types of Work		
Program Group	Statutory Program	Agency *
Alarm Agent and Controlling Person Certification	32-122.05, 32-122.06	Technical Registration
Appraisal Licensure or Certification	32-3620, 32-3668, 32-3669	Financial Institutions
Child day care or child nutrition	41-1964, 46-141	Economic Security
	46-321	Education
	36-897.01, 36-897.03	Health Services
	36-882, 36-883.02	Health Services
	15-782.02	Education
Child adoption and care home provider	41-1967.01	Economic Security
	8-105, 8-509	Child Safety
	46-141	Child Safety
	36-594.01, 36-594.02	Economic Security
	36-882	Health Services
Child welfare and adolescent behavior health treatment	8-322	Supreme Court
	46-141	Economic Security
	36-425.03	Health Services
	41-2814	Juvenile Corrections
Child Safety employment	8-463, 8-802, 8-804	Child Safety
Charter school employment	15-183	Education
Dental Therapist Licensure	32-1276.01	(New in FY2018)
Dentist, Dental Hygienist, and Denturist Licensure	32-1232, 32-1284, 32-1297.01	Dental Examiners
DES-Employee or Contractor with access to Federal Tax Information	41-1969	(New in FY2018)
Domestic violence and homeless shelters	36-3008, 46-141	Economic Security
Economic Security employment and IT position	41-1968, 41-1969	Economic Security
Exceptional Student Services	15-763.01	Education
Fingerprint - Board Members and Staff	41-619.52, 41-619.53	Fingerprinting
Game and Fish - Employment	17-215	Game and Fish
Health Sciences Student and Clinical Assistant	15-1881	Education
Hemp License	3-314(D)	(New in FY2018)
Home Inspector Certification	32-122.02	(New in FY2018)
Individuals with developmental disabilities	36-594.01	Economic Security
JOBS/Work Investment Act	46-141	Economic Security
Pharmacist and Pharmacy Intern Licensure	32-1904, 32-1941	Pharmacy
Physical Therapist & Assistants Licensure	32-2022	Physical Therapy
Real Estate Licensure	32-2108.01, 32-2123	Real Estate
Residential or nursing care institutions and home health agencies	36-411, 36-446.04	Health Services
School Bus Drivers	28-3228	Transportation
State Hospital Employment	36-207	Health Services
Teacher employment and certification	15-503, 15-512, 15-534	Education
	15-1330	Education
Transportation - Training and Licensure	32-2371, 28-3413	Transportation

* The state agency listed is the agency that provides funding or regulates the program. The Department of Education, as referred to here, includes the State Board of Education and the Board of Charter Schools.

When a person applies for a fingerprint clearance card, he or she normally applies under one or more of the programs listed in A.R.S. § 41-1758(5).¹ Since the person can apply for a fingerprint clearance card (and later, a good cause exception) under more than one program, separate listings under two programs may pertain to the same application. For example, John Smith might apply for a fingerprint clearance card under the programs for teacher certification and charter school employment. A.R.S. § 41-619.54(D) (“the reporting statute”) requires the Board to list applications received and granted, broken down by the programs under which individuals applied for a good cause exception. In the case of John Smith’s fingerprint-clearance-card application, this report would list him once under the program for teacher certification and once under the program for charter school employment. Readers should be aware that aggregating the totals under each program will not yield the total number of applications received. In the example of John

¹ This list of programs is identical to the list in A.R.S. § 41-619.51(6) and is represented in Table 1.

Smith, aggregating the totals under each program would make it appear as though John Smith had two applications—one for teacher certification and one for charter school employment.

Table 2				
Illustration of Applicants Selecting Multiple Programs for One Application				
Applicant	Day Care	Teacher Certification	Charter School Employment	Total
John Smith		X	X	2
Jane Roberts	X	X		2
Jack Walters	X		X	2
Total	2	2	2	6

Table 2 above illustrates how a single application may appear under multiple programs. If the reader were to add up the total number of applications under each program, he or she would get a sum that is higher than the actual number of applications. In Table 2, adding up the total number of applications under each program would give a sum of six (6) applications, when in fact there are only three (3) applications. Readers should be cautious not to treat the totals under each program as totals of discrete applications.

The reporting statute requires the Board to provide data on the offenses for which there were good-cause-exception applications submitted and received. The term “offense,” in the context of criminal law, entails a conviction. However, the denial or suspension of a fingerprint clearance card may be based on an arrest, which ultimately may not yield a conviction.² When the denial or suspension of a fingerprint clearance card is based on an arrest, the final disposition of the arrest may not be known. In many cases, documentary evidence is not available because of the length of time that has elapsed since the arrest took place, coupled with courts’ limited schedule for retaining records. Law-enforcement agencies and courts do not always report data to the Department of Public Safety as required, so disposition information may not be available. Also, applicants themselves may not remember the disposition of the arrest, particularly when they have extensive criminal records, arrests that took place many years ago, or backgrounds of substance abuse. For the purpose of this report, when the disposition of an arrest is not known, the

² See A.R.S. § 41–1758.03(L) (“If a person’s criminal history record contains an offense listed in subsection B or C of this section and the final disposition is not recorded on the record, the division [i.e., the fingerprinting division of the Department of Public Safety] shall conduct research to obtain the disposition within thirty business days after receipt of the record. If the division cannot determine, within thirty business days after receipt of the person’s state and federal criminal history record information, whether the person is awaiting trial on or has been convicted of committing or attempting, soliciting, facilitating or conspiring to commit any of the offenses listed in subsection B or C of this section in this state or a same or similar offense in another state or jurisdiction, the division shall not issue a fingerprint clearance card to the person. If the division is unable to make the determination required by this section and does not issue a fingerprint clearance card to a person, the person may request a good cause exception pursuant to section 41-619.55.”) and A.R.S. § 41–1758.04(C) (“The division shall suspend the fingerprint clearance card of a person who is arrested for an offense listed in section 41–1758.03, subsection B or C”)

arrest is excluded from the data because it is not clear whether an offense occurred. The alternative would have been to include charges where an offense did not occur. The reporting statute requires the Board to report on the offenses listed in A.R.S. § 41–1758.03(B) and (C) and A.R.S. § 41–1758.07(B) and (C). However, individuals who commit offenses listed in subsection B are precluded from receiving a good cause exception. Therefore, there is no data to report on offenses listed in subsection B.

SECTION TWO – DATA

1. The reporting statute requires the Board to indicate the number of good cause exception applications it received. **The Board received 4,116 applications.**
2. The reporting statute requires the Board to indicate the number of central registry exception applications it received. **The Board received 57 applications.**
3. The reporting statute requires the Board to indicate that number of good cause exceptions granted. Table 3 below shows the disposition of applications closed.

Table 3	
Disposition of Applications Closed	
Good Cause Exception Disposition	Number of Applications
Approval	3,922
Denial	27
DPS issuance *	74
Ineligible	10
Applicant withdrew	83
Total	4,116
* In some cases, based on information it received subsequent to the denial or suspension of a fingerprint clearance card, DPS is able to issue the card without the applicant having to receive a good cause exception.	
Central Registry Exception Disposition	Number of Applications
Approval	36
Denial	0
Hearing Status	5
Investigator Review	7
Applicant withdrew	9
Total	57

4. The reporting statute requires the Board to provide the number of applications received, broken down by the programs listed in A.R.S. § 41-619.51(6). Table 4 on this page shows the number of applications, broken down by groups of programs.

Table 4		
Number of Applications Received by Program Group		
Program Group	Statutory Program	No. Apps. Rec'd
Alarm Agent and Controlling Person Certification	32-122.05, 32-122.06	40
Appraisal Licensure or Certification	32-3620, 32-3668, 32-3669	9
Child day care or child nutrition	41-1964, 46-141	266
	46-321	
	36-897.01, 36-897.03	
	36-882, 36-883.02	
	15-782.02	
Child adoption and care home provider	41-1967.01	533
	8-105, 8-509	
	46-141	
	36-594.01, 36-594.02	
	36-882	
Child welfare and adolescent behavior health treatment	8-322	345
	46-141	
	36-425.03	
	41-2814	
Child Safety employment	8-463, 8-802, 8-804	60
Charter school employment	15-183	35
Dental Therapist Licensure	32-1276.01	New in FY2018
Dentist, Dental Hygienist, and Denturist Licensure	32-1232, 32-1284, 32-1297.01	10
DES-Employee or Contractor with access to Federal Tax Information	41-1969	New in FY2018
Domestic violence and homeless shelters	36-3008, 46-141	35
Economic Security employment and IT position	41-1968, 41-1969	69
Exceptional Student Services	15-763.01	0
Fingerprint - Board Members and Staff	41-619.52, 41-619.53	0
Game and Fish - Employment	17-215	4
Health Sciences Student and Clinical Assistant	15-1881	233
Hemp License	3-314(D)	New in FY2018
Home Inspector Certification	32-122.02	New in FY2018
Individuals with developmental disabilities	36-594.01	430
JOBS/Work Investment Act	46-141	40
Pharmacist and Pharmacy Intern Licensure	32-1904, 32-1941	200
Physical Therapist & Assistants Licensure	32-2022	20
Real Estate Licensure	32-2108.01, 32-2123	393
Residential or nursing care institutions and home health agencies	36-411, 36-446.04	672
School Bus Drivers	28-3228	100
State Hospital Employment	36-207	30
Teacher employment and certification	15-503, 15-512, 15-534	846
	15-1330	
Transportation - Training and Licensure	32-2371, 32-2372, 28-3413	3

* The state agency listed is the agency that provides funding or regulates the program. The Department of Education, as referred to here, includes the State Board of Education and the Board of Charter Schools.

5. The reporting statute requires the Board to provide the number of applications granted, broken down by the programs listed in A.R.S. § 41-619.51(6). Table 5 indicates the disposition of applications closed.

**Table 5
Dispositions of Applications by Program Group**

Program Group	Statutory Program	Disposition	No. Apps
Alarm Agent and Controlling Person Certification	32-122.05, 32-122.06	Denial	1
		Approval	39
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Appraisal Licensure or Certification	32-3620, 32-3668, 32-3669	Denial	0
		Approval	11
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Child day care or child nutrition	41-1964, 46-141 46-321 36-897.01, 36-897.03 36-882, 36-883.02 15-782.02	Denial	1
		Approval	249
		DPS Revision	2
		Ineligible	0
		Applicant withdrew	4
Child adoption and care home provider	41-1967.01 8-105, 8-509 46-141 36-594.01, 36-594.02 36-882	Denial	2
		Approval	552
		DPS Revision	1
		Ineligible	0
		Applicant withdrew	1
Child welfare and adolescent behavior health treatment	8-322 46-141 36-425.03 41-2814	Denial	2
		Approval	344
		DPS Revision	5
		Ineligible	0
		Applicant withdrew	1
Child Safety employment	8-463, 8-802, 8-804	Denial	0
		Approval	64
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Charter school employment	15-183	Denial	2
		Approval	35
		DPS Revision	1
		Ineligible	0
		Applicant withdrew	0
Dentist, Dental Hygienist, and Denturist Licensure	32-1232, 32-1284, 32-1297.01	Denial	0
		Approval	10
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Domestic violence and homeless shelters	36-3008, 46-141	Denial	0
		Approval	38
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Economic Security employment and IT position	41-1968, 41-1969	Denial	0
		Approval	73
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Game and Fish - Employment	17-215	Denial	0
		Approval	4
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0

Table 5 (Continued)			
Dispositions of Applications by Program Group			
Health Sciences Student and Clinical Assistant	15-1881	Denial	1
		Approval	223
		DPS Revision	1
		Ineligible	0
		Applicant withdrew	2
Individuals with developmental disabilities	36-594.01	Denial	6
		Approval	424
		DPS Revision	8
		Ineligible	0
		Applicant withdrew	6
JOBS/Work Investment Act	46-141	Denial	1
		Approval	38
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Pharmacist and Pharmacy Intern Licensure	32-1904	Denial	0
		Approval	200
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Physical Therapist & Assistants Licensure	32-2022	Denial	0
		Approval	20
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Real Estate Licensure	32-2108.01, 32-2123	Denial	0
		Approval	386
		DPS Revision	1
		Ineligible	0
		Applicant withdrew	1
Residential or nursing care institutions and home health agencies	36-411, 36-446.04	Denial	7
		Approval	641
		DPS Revision	8
		Ineligible	1
		Applicant withdrew	5
School Bus Drivers	28-3228	Denial	0
		Approval	23
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
State Hospital Employment	36-207	Denial	0
		Approval	23
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Teacher employment and certification	15-503, 15-512, 15-534, 15-1330	Denial	7
		Approval	811
		DPS Revision	14
		Ineligible	2
		Applicant withdrew	1
Transportation - Training and Licensure	32-2371, 32-2372, 28-3413	Denial	0
		Approval	3
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0

6. The reporting statute requires the Board itemize each offense listed in A.R.S. § 41-1758.03(B) and (C) and A.R.S. § 41-1758.07(B) and (C) for which a good cause exception was applied for and for which a good cause exception was granted. Table 6 below lists the offenses, with an indication of whether or not the Board granted someone who committed that offense a good cause exception.

Table 6		
Offenses from Good Cause Exception Applications		
Offense	Standard Fingerprint Clearance Card Statute	Good Cause Exception Granted
Manslaughter	41-1758.03(C)(1)	X
Endangerment	41-1758.03(C)(2)	X
Threatening or intimidating	41-1758.03(C)(3)	X
Assault	41-1758.03(C)(4)	X
Unlawfully administering intoxicating liquors, narcotic drugs or dangerous drugs	41-1758.03(C)(5)	
Assault by vicious animals	41-1758.03(C)(6)	
Drive by shooting	41-1758.03(C)(7)	
Assaults on officers or firefighters	41-1758.03(C)(8)	
Discharging a firearm at a structure	41-1758.03(C)(9)	
Indecent exposure	41-1758.03(C)(10)	
Public sexual indecency	41-1758.03(C)(11)	
Aggravated criminal damage	41-1758.03(C)(12)	X
Theft	41-1758.03(C)(13)	X
Theft by extortion	41-1758.03(C)(14)	
Shoplifting	41-1758.03(C)(15)	X
Forgery	41-1758.03(C)(16)	X
Criminal possession of a forgery device	41-1758.03(C)(17)	
Obtaining a signature by deception	41-1758.03(C)(18)	
Criminal impersonation	41-1758.03(C)(19)	
Theft of a credit card or obtaining a credit card by fraudulent means	41-1758.03(C)(20)	X
Receipt of anything of value obtained by fraudulent use of a credit card	41-1758.03(C)(21)	X
Forgery of a credit card	41-1758.03(C)(22)	X
Fraudulent use of a credit card	41-1758.03(C)(23)	X

Table 6 (continued)		
Offenses from Good Cause Exception Applications		
Offense	Standard Fingerprint Clearance Card Statute	Good Cause Exception Granted
Possession of any machinery, plate or other contrivance or incomplete credit card	41-1758.03(C)(24)	
False statement as to financial condition or identity to obtain a credit card	41-1758.03(C)(25)	
Fraud by persons authorized to provide goods or services	41-1758.03(C)(26)	X
Credit card transaction record theft	41-1758.03(C)(27)	
Misconduct involving weapons	41-1758.03(C)(28)	X
Misconduct involving explosives	41-1758.03(C)(29)	
Depositing explosives	41-1758.03(C)(30)	
Misconduct involving simulated explosive devices	41-1758.03(C)(31)	
Concealed weapon violation	41-1758.03(C)(32)	X
Possession and sale of peyote	41-1758.03(C)(33)	
Possession and sale of a vapor-releasing substance containing a toxic substance	41-1758.03(C)(34)	
Sale of precursor chemicals	41-1758.03(C)(35)	
Possession, use, or sale of marijuana, dangerous drugs, or narcotic drugs	41-1758.03(C)(36)	X
Manufacture or distribution of an imitation controlled substance	41-1758.03(C)(37)	
Manufacture or distribution of an imitation prescription-only drug	41-1758.03(C)(38)	
Manufacture or distribution of an imitation over-the-counter drug	41-1758.03(C)(39)	
Possession or possession with intent to use an imitation controlled substance	41-1758.03(C)(40)	
Possession or possession with intent to use an imitation prescription-only drug	41-1758.03(C)(41)	
Possession or possession with intent to use an imitation over-the-counter drug	41-1758.03(C)(42)	
Manufacture of certain substances and drugs by certain means	41-1758.03(C)(43)	
Adding poison or other harmful substance to food, drink or medicine	41-1758.03(C)(44)	
A criminal offense involving criminal trespass under title 13, chapter 15	41-1758.03(C)(45)	X
A criminal offense involving burglary under title 13, chapter 15	41-1758.03(C)(46)	X
A criminal offense under title 13, chapter 23	41-1758.03(C)(47)	X
Child neglect	41-1758.03(C)(48)	
Misdemeanor offenses involving contributing to the delinquency of a minor	41-1758.03(C)(49)	X
Offenses involving domestic violence	41-1758.03(C)(50)	X
Arson	41-1758.03(C)(51)	
Kidnapping	41-1758.03(C)(52)	X
Felony offenses involving sale, distribution [etc] marijuana, dangerous drugs or narcotic drugs	41-1758.03(C)(53)	X

Table 6 (continued)		
Offenses from Good Cause Exception Applications		
Offense	Standard Fingerprint Clearance Card Statute	Good Cause Exception Granted
Robbery	41-1758.03(C)(54)	X
Aggravated assault	41-1758.03(C)(55)	X
Felony offenses involving contributing to the delinquency of a minor	41-1758.03(C)(56)	
Negligent homicide	41-1758.03(C)(57)	X
Criminal damage	41-1758.03(C)(58)	X
Misappropriation of charter school monies as prescribed in section 13-1818	41-1758.03(C)(59)	
Taking identity of another person or entity	41-1758.03(C)(60)	X
Aggravated taking identity of another person or entity	41-1758.03(C)(61)	
Trafficking in the identity of another person or entity	41-1758.03(C)(62)	
Cruelty to animals	41-1758.03(C)(63)	
Prostitution	41-1758.03(C)(64)	X
Sale or distribution of material harmful to minors through vending machines in section 13-3513	41-1758.03(C)(65)	
Welfare fraud	41-1758.03(C)(66)	
Offense	Level I Fingerprint Clearance Card Statute	Good Cause Exception Granted
Any misdemeanor offense in violation of title 13, chapter 12	41-1758.07(C)(1)	X
Misdemeanor indecent exposure	41-1758.07(C)(2)	X
Misdemeanor public sexual indecency	41-1758.07(C)(3)	X
Aggravated criminal damage	41-1758.07(C)(4)	X
Theft	41-1758.07(C)(5)	X
Theft by extortion	41-1758.07(C)(6)	X
Shoplifting	41-1758.07(C)(7)	X
Forgery	41-1758.07(C)(8)	X
Criminal possession of a forgery device	41-1758.07(C)(9)	X
Obtaining a signature by deception	41-1758.07(C)(10)	
Criminal impersonation	41-1758.07(C)(11)	X
Theft of a credit card or obtaining a credit card by fraudulent means	41-1758.07(C)(12)	X
Receipt of anything of value obtained by fraudulent use of a credit card	41-1758.07(C)(13)	X
Forgery of a credit card	41-1758.07(C)(14)	X
Fraudulent use of a credit card	41-1758.07(C)(15)	X
Possession of any machinery, plate or other contrivance or incomplete credit card	41-1758.07(C)(16)	X

Table 6 (continued)		
Offenses from Good Cause Exception Applications		
Offense	Level I Fingerprint Clearance Card Statute	Good Cause Exception Granted
False statement as to financial condition or identity to obtain a credit card	41-1758.07(C)(17)	X
Fraud by persons authorized to provide goods or services	41-1758.07(C)(18)	X
Credit card transaction record theft	41-1758.07(C)(19)	X
Misconduct involving weapons	41-1758.07(C)(20)	X
Misconduct involving explosives	41-1758.07(C)(21)	
Depositing explosives	41-1758.07(C)(22)	
Misconduct involving simulated explosive devices	41-1758.07(C)(23)	
Concealed weapon violation	41-1758.07(C)(24)	X
Misdemeanor possession and misdemeanor sale of peyote	41-1758.07(C)(25)	
Felony possession and felony sale of peyote if committed more than five years before the date of applying for a level I fingerprint clearance card	41-1758.07(C)(26)	
Misdemeanor possession and misdemeanor sale of a vapor-releasing substance containing a toxic substance	41-1758.07(C)(27)	X
Felony possession and felony sale of a vapor-releasing substance containing a toxic substance if committed more than five years before the date of applying for a level I fingerprint clearance card	41-1758.07(C)(28)	
Misdemeanor sale of precursor chemicals	41-1758.07(C)(29)	
Felony sale of precursor chemicals if committed more than five years before the date of applying for a level I fingerprint clearance card	41-1758.07(C)(30)	
Misdemeanor possession, misdemeanor use or misdemeanor sale of marijuana, dangerous drugs or narcotic drugs	41-1758.07(C)(31)	X
Felony possession, felony use or felony sale of marijuana, dangerous drugs or narcotic drugs if committed more than five years before the date of applying for a level I fingerprint clearance card	41-1758.07(C)(32)	X
Misdemeanor manufacture or misdemeanor distribution of an imitation controlled substance	41-1758.07(C)(33)	
Felony manufacture or felony distribution of an imitation controlled substance if committed more than five years before the date of applying for a level I fingerprint clearance card	41-1758.07(C)(34)	X
Misdemeanor manufacture or misdemeanor distribution of an imitation prescription-only drug	41-1758.07(C)(35)	
Felony manufacture or felony distribution of an imitation prescription-only drug if committed more than five years before the date of applying for a level I fingerprint clearance card	41-1758.07(C)(36)	
Misdemeanor manufacture or misdemeanor distribution of an imitation over-the-counter drug	41-1758.07(C)(37)	
Felony manufacture or felony distribution of an imitation over-the-counter drug if committed more than five years before the date of applying for a level I fingerprint clearance card	41-1758.07(C)(38)	
Misdemeanor possession or misdemeanor possession with intent to use an imitation controlled substance	41-1758.07(C)(39)	
Felony possession or felony possession with intent to use an imitation controlled substance if committed	41-1758.07(C)(40)	

Table 6 (continued)
Offenses from Good Cause Exception Applications

Offense	Level I Fingerprint Clearance Card Statute	Good Cause Exception Granted
Misdemeanor possession or misdemeanor possession with intent to use an imitation prescription-only drug	41-1758.07(C)(41)	
Felony possession or felony possession with intent to use an imitation prescription-only drug if committed	41-1758.07(C)(42)	
Misdemeanor possession or misdemeanor possession with intent to use an imitation over-the-counter drug	41-1758.07(C)(43)	
Felony possession or felony possession with intent to use an imitation over-the-counter drug if committed	41-1758.07(C)(44)	
Misdemeanor manufacture of certain substances and drugs by certain means	41-1758.07(C)(45)	
Felony manufacture of certain substances and drugs by certain means if committed more than five years	41-1758.07(C)(46)	X
Adding poison or other harmful substance to food, drink or medicine	41-1758.07(C)(47)	
A criminal offense involving criminal trespass under title 13, chapter 15	41-1758.07(C)(48)	X
A criminal offense involving burglary under title 13, chapter 15	41-1758.07(C)(49)	X
A criminal offense under title 13, chapter 23, except terrorism	41-1758.07(C)(50)	X
Misdemeanor offenses involving child neglect	41-1758.07(C)(51)	X
Misdemeanor offenses involving contributing to the delinquency of a minor	41-1758.07(C)(52)	X
Misdemeanor offenses involving domestic violence as defined in section 13-3601	41-1758.07(C)(53)	X
Felony offenses involving domestic violence if the offense only involved criminal damage in an amount of more than two hundred fifty dollars but less than one thousand dollars and the offense was committed before June 29, 2009	41-1758.07(C)(54)	
Arson	41-1758.07(C)(55)	X
Felony offenses involving sale, distribution or transportation of, offer to sell, transport or distribute or conspiracy to sell, transport or distribute marijuana, dangerous drugs or narcotic drugs if committed more than five years before the date of applying for a level I fingerprint clearance card	41-1758.07(C)(56)	X
Criminal damage	41-1758.07(C)(57)	X
Misappropriation of charter school monies as prescribed in section 13-1818	41-1758.07(C)(58)	
Taking identity of another person or entity	41-1758.07(C)(59)	X
Aggravated taking identity of another person or entity	41-1758.07(C)(60)	X
Trafficking in the identity of another person or entity	41-1758.07(C)(61)	X
Cruelty to animals	41-1758.07(C)(62)	X
Prostitution, as prescribed in section 13-3214	41-1758.07(C)(63)	X
Sale or distribution of material harmful to minors through vending machines as prescribed in section 13-3513	41-1758.07(C)(64)	
Welfare fraud	41-1758.07(C)(65)	X
Any felony offense in violation of title 13, chapter 12 if committed more than five years before the date of applying for a level I fingerprint clearance card	41-1758.07(C)(66)	X
Kidnapping	41-1758.07(C)(67)	X
Robbery, aggravated robbery or armed robbery	41-1758.07(C)(68)	X