

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

Wednesday, October 16, 2002  
2102 W. Encanto Blvd., Phoenix AZ 85005

**Board attendance:** DOE: Craig Emanuel, Chairman;  
DES: Michael Lehew, Vice Chairman;  
AOC: Cynthia Goertz;  
DHS: Kim Pipersburg; and  
DJC: Vernon Waite.

**Staff attendance:** Elaine LeTarte (OEG), Acting Director

I. CALL TO ORDER:

Mr. Emanuel called the meeting to order at 12:02 p.m. The roll call of members was taken and it was established that a quorum was present.

II. GENERAL SESSION:

A. Repeal of policy setting the Expedited Determination standards;

Ms. Goertz moved that the Board revoke its previous policy (June 2002) of only considering for expedited review and determination those cases where there has been no arrest or conviction within the past two years. Mr. Lehew seconded. The motion passed, 5-0.

B. Adoption of policy requiring Board to review all cases

The Board discussed the following recommended policies:

That the Board review all applications for Good Cause Exceptions, either when the application is complete or when the appellant has failed to provide missing documentation or information after being requested, in writing, to do so.

That, for each application, the Board may decide to: grant a Good Cause Exception based on the review of the documentation presented in that application (determination); assign the application to hearing; or postpone their decision until additional or clarifying documentation or information may be obtained.

The Board postponed consideration of the following policies until legal advice could be obtained clarifying the Board's authority to close or consider withdrawn incomplete applications, without a hearing:

C. Adoption of policy regarding completion of terms of the Court

After discussion, Ms. Geortz moved that the Board adopt the following policy:

That, in cases where the Court imposed terms and conditions on the appellant, the appellant shall provide documentation that all terms and conditions at the time of application to the Board, in order for the Board to grant a Good Cause Exception by determination. The Board may, after a hearing, grant a Good Cause Exception to an appellant who has not completed all terms and conditions of the Court, to be issued contingent on the appellant providing documentation of having met the terms and conditions.

Mr. Lehw seconded. The motion passed, 4-1.

D. Legal advice regarding waiver of the three weeks notice of hearing.

This item was postponed, since the Assistant Attorney General had yet provided the needed advice.

III. CALL TO THE PUBLIC

There were no members of the public in attendance at the meeting.

IV. ADJOURNMENT

Mr. Lehw moved that the meeting be adjourned. Ms. Goertz seconded. The motion passed, 5-0, and Mr. Emanuel adjourned the meeting at 12:45 p.m.

Minutes approved on \_\_\_\_\_, 2002

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Elaine LeTarte, Acting Director