



ARIZONA BOARD OF FINGERPRINTING

Mail Code 185 • Post Office Box 6129 • Phoenix, Arizona 85005-6129
Telephone (602) 265-0135 • Fax (602) 265-6240

Final Minutes for Public Meeting

Held May 10, 2013, at 9:15 a.m.
4205 North 7th Avenue, Suite 206
Phoenix, Arizona

Board Members

Charles Easaw, Department of Education, Chairperson
Matthew A. Scheller, Department of Juvenile Corrections, Vice Chairperson
Chad Campbell, Administrative Office of the Courts
Dale Doucet, Department of Economic Security
Kim Pipersburgh, Department of Health Services

Executive Director

Dennis Seavers

CALL TO ORDER AND ROLL CALL

Mr. Easaw called the meeting to order at 9:33 a.m. The following Board members were present: Charles Easaw, Matthew A. Scheller, Chad Campbell, Dale Doucet, and Kim Pipersburgh.

Also in attendance was Dennis Seavers, Executive Director.

CALL TO THE PUBLIC

Mr. Easaw made a call to the public. There were no members of the public present.

APPROVAL OF MINUTES

Mr. Scheller made a motion to approve the draft minutes from the March 29, 2013 meeting. Ms. Pipersburgh seconded the motion, which passed, 5–0.

BOARD TRAINING

Mr. Seavers made a presentation to the Board members on Board operations. The presentation slides from the meeting are available in Attachment 1. This presentation was solely informational, and the Board took no actions during this portion of the meeting.

ADJOURNMENT

Mr. Scheller made a motion to adjourn, and Mr. Doucet seconded. The motion passed, 5–0. Mr. Easaw adjourned the meeting at 9:58 a.m.

Minutes approved on September 13, 2013

Dennis Seavers, Executive Director

Arizona Board of Fingerprinting

Board Operations Training

Purpose of Training

- Application form and requirements
- Familiarize Board members with staff responsibilities
- Help Board understand what happens to cases before they're presented to the Board
- Clarify Board options for handling difficult-to-resolve cases
 - What has the staff done to resolve problems?
 - What could the staff still do, if directed by the Board, to resolve outstanding problems?
 - What limitations exist for resolving problems?
- Time frames
- Legal requirements
- Training focuses on good-cause-exception applications

Denial or Suspension

- DPS sends letter for denial or suspension
- Application available on web site (mailed by request)
- Up to one year to submit application

Re: Fingerprint Clearance Card Application # 0002327537

Notice of Denial

After completing a state and federal level criminal history records check we are required to deny your application under ARS § 41-1758.03(C and/or L) and 41-1758.07(C and/or L) for both a Level One and Regular Fingerprint Clearance Card based on the following criminal history information:

Under ARS § 41-1758.03(C) and/or 41-1758.07(C), you may request a good cause exception from the Arizona Board of Fingerprinting. If granted, a good cause exception would allow you to receive a Level One or Regular Fingerprint Clearance Card despite this denial of your application.

- If you wish to request a good cause exception from the Arizona Board of Fingerprinting you will need to go to their website www.azbof.gov and download the application to start the process.
- If you do not have internet access you can send a written request for the application to the Board of Fingerprinting (not DPS). Send your request to:

Arizona Board of Fingerprinting
Mail Code 185
P.O. Box 6129
Phoenix, AZ 85005-6129

- You have one year from the date of this letter to submit the completed application

Application Received

- Administrative Assistant (AA) date stamps and enters into database
- AA requests criminal-history-records (CHRs) from DPS (1-2 business days after app rec'd)
- DPS mails CHRs
 - Average 6.31 days
 - Minimum 0 days
 - Max 34 days
 - Represents longest delay, apart from deficiencies
- Case assigned to investigator

Investigator Review

- Is the application complete?
 - Yes: prepare summary for Board
 - No: notify applicant of missing items
- *(Example of deficiency letter)*
- Case generally not presented to Board if incomplete
- Exceptions
 - Applicant refuses to comply but won't let case close
 - Good cause for incomplete application

Incomplete Application

- Before deadline, reminder letter sent
- *(Example reminder letter)*
- If application partially incomplete, investigator sends updated deficiency letter
- Close case about 10-15 days after deadline
- *(Example case-closed letter)*

Application Form

- *(Example application)*

Expedited Review

- Investigator summary
- Summary designed for
 - Board policy requirements
 - Board's convenience
- Approval:
 - Letter to applicant and DPS
 - Case closed
- Hearing:
 - Letter to applicant (not notice)
 - *(Example letter)*
 - Reconsiderations

Evidentiary Hearing (ALJ)

- Executive director assigns ALJs
- Scheduled as soon as possible, in accordance with law
- Staff sends notices by certified and first-class mail
- ALJs handle “motions”
 - Telephone hearings
 - Rescheduling
- ALJs review materials thoroughly before hearing
- ALJs preside at hearings, which are recorded

Recommendations

- ALJ prepares a recommendation that includes:
 - Findings of fact
 - Conclusions of law
 - Recommended decision
- ALJ submits draft to executive director (ED)
- ED review is quality check; ALJ retains independence
 - Consistency among ALJs
 - Manifest legal errors
 - Wording that may lead to misunderstanding
 - Not a complete review
- ALJ submits final draft
- ED schedules case for Board hearing

Board Hearing

- Notice sent by certified and first-class mail
 - Cover letter (*example*)
 - Notice of hearing
 - Recommendation
- Applicant may submit a response no later than 10 days before Board hearing (no exceptions)
- Applicant entitled but not required to attend
- Board receives entire record before hearing
 - Must review relevant portion of record before changing findings
 - New evidence should be considered in light of record

Board Decision

- ED prepares Board order
- Copy of Board order and accompanying letter sent to applicant
- If approved, similar letter as with expedited review

Charles Easaw
Chair
Matthew A. Scheller
Vice Chair



Minutes, 5/10/2013
ATTACHMENT 1
Janice K. Brewer
Governor
Dennis Seavers
Executive Director

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February 6, 2013

Dear _____ : **Application number**

The Arizona Board of Fingerprinting has received your application packet for a good cause exception hearing. However, not all required documents were in the packet. *Arizona Administrative Code R13-11-104(A)*. Before your case can be reviewed, the Board requires the following items:

1. Court documents that you completed your sentence and your case is closed for the following offense:
 - 1/16/02: San Bernardino, CA: Forgery, Fraudulent Use of Credit Card
 - 8/18/95: Norwalk, CA: Grand Theft
2. Detailed personal explanation (who, what, when, where, why) for the following offense:
 - 1/16/02: San Bernardino, CA: Forgery, Fraudulent Use of Credit Card
 - 8/18/95: Norwalk, CA: Grand Theft

If you are still interested in receiving for a good cause exception, please forward these documents by April 15, 2013. If the Board has not received the missing items by that date, your case will be closed. However, if you need more time, please contact the Board staff before that date.

If you have any questions, please contact the investigator at joseph.munley@azbof.gov. You may also leave a message for the Board staff at (602) 265-0135, and we'll try to get back to you within one to two business days.

Sincerely,

Joseph Munley
Investigator III

You can find out the status of your case online at www.azbof.gov. Use the application number above.

Charles Easaw
Chair
Matthew A. Scheller
Vice Chair



Minutes, 5/10/2013
ATTACHMENT 1
Janice K. Brewer
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May 9, 2013

«indFirstName» «indMI». «indLastName»
«indHomeAddr1»
«indHomeAddr2»
«indHomeCity», «indHomeState» «indHomeZip»

Dear «indFirstName» «indMI». «indLastName»:

Application number «Filenumber»

This letter is reminder that your application for a good cause exception is still incomplete, and the deadline for submitting the missing items is coming up.

The Arizona Board of Fingerprinting (“Board”) received your application on «DateApplicationReceived». After examining your file, the Board’s investigator determined that your application package was missing some items. He or she attempted to contact you on «DateDeficLtrSent», and asked that you respond by «DateContingentDocsDue». According to our records, you have not yet submitted all missing items.

If you need additional time to complete your application package, please contact the Board office at (602) 265-0135 or info@azbof.gov. The administrative assistant can change your deadline to a later date. If you believe that you submitted all missing items, please contact the Board’s investigator, whose contact information appears below. Please note that the investigator may have received information from you, but that information may not have been adequate or may not have been what she requested.

If your deadline passes, and you have not submitted all missing information, your case will be closed. However, if you do not wish to continue with your good-cause-exception application, you do not need to respond. Also, if you have recently submitted all the missing items, you may disregard this letter.

Sincerely,

Dennis Seavers
Executive Director

Board Investigator

Joseph Munley
joseph.munley@azbof.gov
(602) 265-0135 (office)
(602) 265-6240 (fax)

You can find out the status of your case online at www.azbof.gov. Use the application number above.

Charles Easaw
Chair
Matthew A. Scheller
Vice Chair



Minutes, 5/10/2013
ATTACHMENT 1
Janice K. Brewer
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May 9, 2013

«indFirstName» «indMI». «indLastName»
«indHomeAddr1»
«indHomeAddr2»
«indHomeCity», «indHomeState» «indHomeZip»

Dear «indFirstName» «indMI». «indLastName»:

Application number «Filenumber»

This letter serves as a notice that your good cause exception case has been closed. In addition to explaining why it has been closed, this letter describes how you can reopen your case.

The Arizona Board of Fingerprinting (“Board”) received your application on «DateApplicationReceived». After examining your file, the Board’s investigator determined that your application package was missing some items. He attempted to contact you on «DateDeficLtrSent» and asked that you respond by «DateContingentDocsDue». According to our records, you did not submit all missing items. Please note that you may have submitted some of the missing application requirements but not all.

The Board assumes that you are no longer interested in pursuing your application, since you have not submitted a complete application package. However, if you wish to reopen your case, you must inform the Board staff **in writing within 30 days** that you wish to continue your application.

If you do not wish to pursue the application, you do not need to respond. If you have since reapplied for a fingerprint clearance card or have submitted a new application, you may disregard this letter. No actions taken on your older application, which this letter is addressing, will affect the new application.

If you have any questions, please contact the Board staff at (602) 265-0135 or info@azbof.gov.

Sincerely,

Dennis Seavers
Executive Director



ARIZONA BOARD OF FINGERPRINTING Good Cause Exception Application Form

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info@azbof.gov • www.azbof.gov

BEFORE YOU BEGIN

- **Please make sure you've downloaded the correct application.**
 - Are you applying to the Board because you did not clear a central registry background check? If so, this is the **wrong** application form. Please go to www.azbof.gov and download the Central Registry Exception Application Form.
 - Are you applying to the Board because your fingerprint clearance card was denied or suspended? If so, this is the **correct** application form.
- Send your completed application to the address at the top of this form.
- We want to be able to read and understand your application, so write as clearly as possible
- Please answer all questions. It's fine to attach additional pages.
- Please send copies, not originals, of court documents or police reports. After a certain period of time, we destroy documents, so we may not be able to return originals.
- To avoid a delay in the application process, please read the application instructions before completing this application package.
- If you intentionally provide false information, your application may be denied.

LETTER OF DENIAL OR SUSPENSION FROM DPS

Please include a copy of the denial or suspension letter you received from the Department of Public Safety (DPS). This letter is **required**. Please make sure that the letter came from DPS and not another agency. Be sure to include all pages of the letter.

The letter contains information we need to track down your criminal-history and application. You must provide us a copy of the letter. **Do not submit the application without the letter; otherwise, we will send it back to you.**

PERSONAL INFORMATION

1. **Name on fingerprint-clearance-card application.** Please provide the name that you submitted on your fingerprint-clearance-card application to the Department of Public Safety (DPS). This will be the same name that appears on your letter of denial or suspension from DPS. If the name does not match the one on the DPS letter, we may have difficulty processing your application. Please contact us if you have had a legal name change or the name on your denial or suspension letter is incorrect.

Last: _____ First: _____ MI: _____

2. **Other names.** In the space below, please list any other names you go by or have gone by at any time in your adult life. You do not need to provide nicknames. Examples include aliases or maiden names.

3. **Date of birth.** _____
4. **Mailing address.** This is where we will send all correspondence, so please write the address where we can best reach you. Some of the information we send you is time-sensitive, so be sure to inform us of any change in address as soon as possible.

Address: _____

Address: _____

City: _____ State: _____ ZIP: _____

5. **Telephone numbers.** Please provide telephone numbers, including area codes, where we can reach you, in order of preference for reaching you during the daytime. Please also the type of phone (such as home, work, or mobile). (You only need to provide one; the others are optional.)

Phone 1: _____ Type: _____

Phone 2: _____ Type: _____

Phone 3: _____ Type: _____

CRIMINAL-HISTORY INFORMATION

6. You received a letter from the Department of Public Safety (DPS) that listed what charges caused your card to be denied or suspended. Other than those charges, are there any other criminal charges on your record (whether or not you were convicted)?

[] Yes [] No

7. If you answered "Yes" to question 6, please list the charges and dates (approximate if necessary) below, using additional sheets if necessary.

8. **Police reports.** For every arrest or criminal charge (even if you weren't convicted) that occurred within five years before the date DPS denied or suspended your fingerprint clearance card, please submit a copy of the police report. If you don't have the police report, you should contact the police or sheriff's department and submit a request for the report. (It is your obligation to get the report; the Board staff won't get it for you.)

9. **Written explanations.** For every arrest or criminal charge in your adult life, you should submit a detailed explanation that describes what happened. Please refer to the enclosed guidelines on preparing written statements. Be sure to submit an explanation for each charge, even if you weren't convicted, even if the charge wasn't listed on the DPS letter of denial or suspension, and no matter how long ago the incident occurred.

10. **Court documents.** For every criminal conviction in your adult life, please provide documentation from the appropriate court showing that you completed your sentence or that a record is no longer available.
- Please refer to the enclosed guidelines on submitting court documents.
 - Be sure to submit court documents no matter how long ago the charge occurred and even if the charge wasn't listed on the DPS letter of denial or suspension.
 - If your case is pending, or if you haven't completed your sentence, please provide a written statement that explains in detail the status of your case and when you expect your case or sentence to be completed.
11. **Disposition information.** If your letter from DPS stated that the disposition of charge (e.g., conviction, dismissal, or acquittal) could not be determined, you should contact the appropriate court and get a document that lists the disposition or states that a record could not be found. Please refer to the enclosed guidelines on submitting court documents.

OTHER INFORMATION

12. **Reference letters.** Please submit at least two reference letters using the enclosed forms. These two references must meet the following requirements.
- One form must be completed by your current or former employer or by someone who has known you for at least three years.
 - The other form must be completed by someone who has known you for at least one year.
- You may make copies of the reference forms if you'd like to submit more than the required two, or you can download a copy of the form from www.azbof.gov/forms/reference.pdf. Also, you may submit other references letters that don't use the reference forms, as long as you meet the requirements listed above.
13. **Child or Adult Protective Services (CPS or APS).** Have you ever had a substantiated allegation of neglect or abuse of a child or vulnerable adult made by CPS or APS (or comparable agencies in other states), even if children were not taken from you or criminal charges were not filed? (Remember that providing false information may cause your application be denied.)
- [] Yes [] No
- If you answered "Yes," you must provide a copy of the CPS or APS investigative report. If you don't have the report, you should contact CPS or APS to get it. You also should submit a written explanation that describes in detail your contact with CPS or APS.
14. **Professional license or certificate.** Have you ever had a professional license or certificate (such as a teaching certificate or nursing license) revoked or suspended? (Remember that providing false information may cause your application to be denied. You do not need to disclose revocation or suspension of a driver's license.)
- [] Yes [] No
- If you answered "Yes," you should submit a written explanation that describes in detail the reason for the revocation or suspension.

NOTARIZATION

Please have this section notarized by a notary public. If you're not sure where to go to have documents notarized, please consult a business directory like the Yellow Pages.

I solemnly affirm that the information in this application, including the attached explanations, is true and complete to the best of my knowledge.

(Signature of applicant; do not sign until you are before the notary public)

(Date)

Subscribed and sworn before me this _____ day of _____, _____ (year).

My commission expires: _____

(Notary Public)



ARIZONA BOARD OF FINGERPRINTING Good Cause Exception Reference Form

Mail Code 185 • PO Box 6129 • Phoenix, Arizona 85005-6129
Telephone (602) 265-0135 • Fax (602) 265-6240
info@azbof.gov • www.azbof.gov

Do not write in this area

1. Letter of Reference for: _____
2. Written by: Name: _____
Agency: _____
Address: _____
Phone: _____
3. Are you the applicant's employer?
 Yes No
4. Are you aware that the Arizona Department of Public Safety has denied or suspended a fingerprint clearance card for the individual requesting this letter?
 Yes No
6. Has this individual informed you of the reason(s) for the denial?
 Yes No
7. How long have you been acquainted with this individual? Please indicate the number of:
_____ Years _____ Months
8. In what ways do you know this individual? (Please check only one.)
 Personally Professionally Both
9. Would you recommend that this individual be granted a fingerprint clearance card?
 Yes No Undecided
10. Please include any additional statements you would like regarding this individual, either below or on a separate sheet.

Signature

Date



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2. Written by: Name: _____
Agency: _____
Address: _____
Phone: _____
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 Yes No
4. Are you aware that the Arizona Department of Public Safety has denied or suspended a fingerprint clearance card for the individual requesting this letter?
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6. Has this individual informed you of the reason(s) for the denial?
 Yes No
7. How long have you been acquainted with this individual? Please indicate the number of:
_____ Years _____ Months
8. In what ways do you know this individual? (Please check only one.)
 Personally Professionally Both
9. Would you recommend that this individual be granted a fingerprint clearance card?
 Yes No Undecided
10. Please include any additional statements you would like regarding this individual, either below or on a separate sheet.

Signature

Date



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EMAIL AUTHORIZATION FOR GOOD-CAUSE EXCEPTIONS

The Board staff understands that applicants often find email communication to be more convenient than contact by mail or telephone. We're happy to contact you by email, but we first want to make sure that you're aware of the issues described below. By signing this form, you acknowledge these issues and consent to having us contact you by email. Please note that we may still choose—and, in some cases, may be required—to contact you by mail.

If you ever want to revoke this authorization, please contact us immediately. Also, if you change your email address, please request another authorization form from us.

Identity. We want to make sure that when we send information by email, we're contacting you and not someone trying to get information about your case without authorization. Even if your email address contains your name, we can't be sure that someone else didn't create that email address pretending to be you. By providing your email address and signing this form, you improve our ability to verify that we are communicating with you.

Security. Email communication is not secure. The content of emails or any attachments could be viewed by a third party. You should only sign this form if you understand the security risks with email communication.

Email address: _____

Name: _____

Application number: _____

Signature: _____ Date: _____



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WRITTEN STATEMENTS FOR GOOD-CAUSE EXCEPTIONS

The written statement is an important part of the application package. It gives you a chance to put your criminal record in context, and it helps the Board understand what happened when you were charged. At the least, a written statement should do the following:

- Explain every criminal charge (whether or not it led to a conviction) on your record, no matter how long ago or how minor, even if the charge wasn't the basis for your fingerprint clearance card being denied or suspended;
- Describe any context for the charge, such as drug addiction, anger-management problems, youthful poor judgment, family tensions, financial crises, or anything else that may help explain how the incident arose;
- Identify steps you've taken to change criminal behavior, and describe how your life has changed. For example, have you attended therapy or drug treatment, did you go to anger-management classes, or has your life changed in any way?

Many applicants have trouble meeting the Board's requirement for written explanations of criminal charges or offenses. These instructions should help you write a statement that meets the application requirement.

There are two common problems with written statements.

First, applicants often don't address every criminal charge on the record. To avoid this problem, make sure your written statement addresses each criminal charge, no matter how long ago the incident occurred. You should explain the arrest or charge, even if you weren't convicted and even if the incident didn't appear on the letter you received from the Department of Public Safety denying or suspending your fingerprint clearance card.

Second, the explanations of criminal charges often lack sufficient detail. Below are made-up samples of written statements to help you understand what to do and what not to do. Please note that most explanations will need to be longer than the examples below to fully explain the charges.

Good Written Statement #1

"On January 1, 2004, I was charged with shoplifting. At the time of the offense, I was addicted to methamphetamine, which I used at least three times a day. My drug-using friends and I didn't have any money, so we decided we would shoplift from a Wal-Mart. We would then sell the merchandise to someone I knew who would buy the goods from us and fence them. Then we'd have money to buy drugs. I concealed three packaged cell phones in my coat and tried to leave the store without paying. As I walked outside, security from the store stopped me and brought me back inside. The security officer said that I was observed taking the cell phones. He called the police, who arrested me after asking some questions.

“After I was arrested, I began attending Narcotics Anonymous. I have not used methamphetamine or any other drug or alcohol since the arrest. I attend NA twice weekly and communicate regularly with my sponsor. I enrolled in nursing school to pursue my dream of becoming a nurse, and my GPA average is 3.4. I have maintained the same job for three years without any negative incident.”

This is a good statement because the applicant explains, in detail, what she did and why she did it. She also explains how she addressed the drug addiction that was the root of her criminal behavior. Finally, she pointed out that she has a good grade-point average and steady employment, which she probably wouldn't have if she still were using drugs.

Good Written Statement #2

“From January 1, 1979, to March 12, 1992, I was a heavy drinker. Unfortunately, because of my alcoholism, I often blacked out. I don't remember a lot of the charges that occurred during that time. I'm not saying that they didn't happen, but I just don't remember them because of my alcohol abuse. I understand from my record that I was involved in domestic violence. I'm sure that's true. When I drank, I became violent, and my wife—now my ex-wife—often suffered the consequences.”

This statement is good, given that the applicant suffered blackouts and couldn't remember the charges. But be careful: the Board is skeptical when applicants claim they don't remember criminal charges. See the examples of bad written statements.

“On March 12, 1992, my father, who was also an alcoholic, died of liver cirrhosis. That was a wake-up call for me because I saw where I was heading. I checked into a rehab facility and spent 30 days in the inpatient clinic. I moved to a halfway house for six months. Even today, I attend Alcoholics Anonymous at least three times a week. You'll see that once I stopped drinking, I no longer committed offenses. I'm proud of the improvements I've made in my life since I quit drinking. Although I lost my wife through divorce, we've become friends.”

This statement is also good because the applicant describes what changes he made in his life since the most recent charge.

Two Examples of Bad Written Statements

#1. “This charge occurred 22 years ago. I don't remember that far back. I was cleared for a nursing license, and I don't understand why I have to go through this process.”

Statement #1 is bad because the applicant claims that she can't remember the charge. The Board believes that a criminal charge is a significant event in a person's life—one that the person should remember, even if it was a long time ago. It's almost always a bad idea to claim that you can't remember a charge. If you do make that claim, you should explain why you can't remember. Also, by state law, you have the burden of proof that you're rehabilitated. So if you don't give enough information, the Board won't have a basis for granting your application.

#2. “I was having difficulties with my husband at the time. We were fighting a lot. I got mad at him one night, and I did something that I regret. The police were called, and I was arrested.”

Statement #2 is bad because it doesn't explain what happened. Basically, it just says that she “did something.” But what did she do? The more detail you provide, the less likely it is that the Board's investigator will write to ask you for more information.



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COURT DOCUMENTS FOR GOOD-CAUSE EXCEPTIONS

Supplying complete and correct court documents is one of the more challenging—but also one of the more important—application requirements. The challenge lies in knowing what to provide and where to get it from. These instructions should help you understand what the Board is looking for. In addition, we've attached examples of the kinds of court documents you might have to submit.

Court documents show the Board one of two things. First, they show the disposition of certain charges. Second, they show whether you completed your sentence, if you were convicted.

"Disposition" means what finally happened after you were arrested or charged. Examples are conviction, acquittal, dismissal, or dropped charges.

Ask yourself the following questions for each of your criminal charges when deciding what documents to submit.

- *Were you convicted (found guilty or pleaded no contest)?* If you were convicted, you must provide court documents that show whether you completed your sentence, even if the sentence was minor and even if the offense occurred a long time ago.
- *In its letter denying or suspending your fingerprint clearance card, did the Department of Public Safety (DPS) say that it could not determine the disposition of a charge?* If so, you must provide court documents showing the disposition; if you were convicted, you must also provide documents that show whether you completed your sentence. (Normally, the DPS letter says something like, "The Department was unable to determine the disposition within the statutorily prescribed time frame.")

To get the court documents, you must go to the court that would have dealt with your criminal case. Under state law, you have the burden of proving that you're rehabilitated or, if DPS could not determine the disposition of the charge, that you were not convicted. That means it's your responsibility to contact the court and get the documents. The Board staff will not do that for you. If the court is out of state or far away, you usually can call or write to the court and get the appropriate documents.

Applicants sometimes say that they don't remember which court they appeared in. Although that might be true in a few cases, be careful: the Board is very skeptical when applicants make this claim. The Board usually assumes that a criminal proceeding would be a memorable event, even if it occurred a long time ago, so the applicant should remember what court he or she appeared in.

If your offense or charge occurred a long time ago, the appropriate court may not have a record anymore. Courts often get rid of their records to save archive space, so the court may not have a record of your proceedings anymore. If the court doesn't have a record, you should ask the court for documentation that it searched its records and could not find your case. Courts won't purge a record unless it has been closed, so a statement from the court that it could not find a record for you shows the Board either (1) that you were not convicted or (2) if you were convicted, you completed your sentence.

City of Phoenix Court Management System
Defendant Pending/Concluded Information

[REDACTED] [REDACTED] DOB [REDACTED]
Sex [REDACTED] Wt [REDACTED] Ht [REDACTED] Eyes [REDACTED] Hair [REDACTED] Origin [REDACTED] Lang [REDACTED]
Total Due Warrants VT Defaults Boot & Tow Drivers License User ID
\$ \$ 0.00 \$ \$0.00 RECORDS
Comments:

CONCLUDED CASES

V
Case: [REDACTED] CR Hearing: NSA [REDACTED] Ctrm: J1 Loc: RECC
Charge Viol Viol Date Stat Find AOC Conc Dt SA Drug Acc
[REDACTED] 13-1502A1 TRESPASS [REDACTED] CONC G [REDACTED]
[REDACTED] 13-2904A3 DISORDLY [REDACTED] CONC D [REDACTED]
[REDACTED] 4-244.9 MNR POSS [REDACTED] CONC D [REDACTED]

EXPLANATION OF CODES:
Stat CONC CONCLUDED

Find G Guilty By Plea
D Dismiss Without Prejudice

****END OF REPORT****

EXAMPLE

RECEIVED
SEP 27 2007

IN THE IOWA DISTRICT COURT FOR Story COUNTY

<p>THE STATE OF IOWA, Plaintiff</p> <p>vs.</p> <p>[Redacted] Defendant</p>	<p>Cause #: [Redacted]</p> <p>ORDER OF DISCHARGE FROM PROBATION IMPOSED FOR:</p> <p>D Felony</p>
--	--

Defendant has heretofore received a suspended sentence of imprisonment and was placed on formal probation to the Second Judicial District Department of Correctional Services for a period of three (3) years. Defendant's probation officer has reported to the Court that since being placed on probation, Defendant has satisfactorily complied with the conditions of supervision. The probation officer recommends that probation be discharged and the County Attorney does not resist the recommendation.

In view of the foregoing, the Court

FINDS

That the purposes of probation have been fulfilled and Defendant should be discharged from probation.

It is **THEREFORE ORDERED:** That the Defendant is hereby granted a final discharge from the probation imposed herein.

It is **FURTHER ORDERED:** That the Clerk of Court enter a Civil Judgment against the Defendant for the restitution balance, if any, owed by the Defendant to the victim(s) of the crime. The defendant is ordered to make payments **DIRECTLY** to the Clerk of Court of this county in the amount previously ordered in the Plan of Payment. Failure of the Defendant to comply with the Plan of Payment shall constitute Contempt of Court.

It is **FURTHER RECOMMENDED:** That the **CITIZENSHIP RIGHTS** of the Defendant
 be restored.
 not be restored.
 does not apply (Serious Misdemeanor)

Signed this [Redacted] day of [Redacted], 2005.

[Redacted Signature]
 Judge of the 2nd Judicial District

CLERK TO FURNISH COPIES TO:
 County Attorney
 Defendant
 Defendant's Attorney
 Department of Correctional Services, 509 Main, Ames, IA 50010

Mesa Municipal Court 245 West 2nd Street Mesa, AZ 85201
(480) 644-2255 or WWW.CityofMesa.org

STATE OF ARIZONA

Plaintiff,

VS

Litigant

MESA MUNICIPAL COURT
DOES NOT HAVE RECORD
OF THE REQUESTED INFORMATION

Litigant's Name:

Litigant's Date of Birth:

Case Number:

Complaint Number:

Date of Hearing:

Judge:

Courtroom:

The Mesa Municipal Court received your request for records on the above referenced matter. Court staff have researched the information you have provided and are unable to locate any records.

Enclosed is the request for records you submitted.

You may contact the Records Management Center for the Mesa Municipal Court at (480) 644-3811, if you have any questions.

Court Clerk:

ID Number:

REC'D FEB 06 2008

Charles Easaw
Chair
Matthew A. Scheller
Vice Chair



Minutes, 5/10/2013
ATTACHMENT 1
Janice K. Brewer
Governor
Dennis Seavers
Executive Director

ARIZONA BOARD OF FINGERPRINTING

Mail Code 185 • Post Office Box 6129 • Phoenix, Arizona 85005-6129 • Telephone (602) 265-0135 • Fax (602) 265-6240
www.azbof.gov • info@azbof.gov

May 9, 2013

«indFirstName» «indMI». «indLastName»
«indHomeAddr1»
«indHomeAddr2»
«indHomeCity», «indHomeState» «indHomeZip»

Dear «indFirstName» «indMI». «indLastName»:

Application number «Filenumber»

Under an expedited review, the Arizona Board of Fingerprinting has granted you a good cause exception for a Level I fingerprint clearance card. The Board has notified the Arizona Department of Public Safety, which will issue you a Level I fingerprint clearance card in about seven to ten days.

DPS may place a driving restriction on your card if you have been convicted of or are awaiting trial on a DUI charge that occurred within the past five years.

Applicants sometimes want to know how long the card is good for. The expiration date will appear on your fingerprint clearance card.

If you have any questions regarding this decision, please contact the Board staff at (602) 265-0135 or info@azbof.gov.

Sincerely,

Dennis Seavers
Executive Director

Charles Easaw
Chair
Matthew A. Scheller
Vice Chair



Janice K. Brewer
Governor
Dennis Seavers
Executive Director

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May 9, 2013

Joseph C. Cesko #6038
Administrative Service Manager
Compliance and Information Services Bureau
Arizona Department of Public Safety
P. O. Box 6638
Mail Code 2050
Phoenix, AZ 85005-6638

Dear Mr. Cesko:

Under an expedited review, the Arizona Board of Fingerprinting approved a good cause exception for a Level I fingerprint clearance card for the applicant listed below.

Applicant name: «indLastName», «indFirstName» «indMI»
Application number: «Filenumber»
Suspension: «Suspension»

If you have any questions, please contact me at (602) 265-3747.

Sincerely,

Dennis Seavers
Executive Director

Charles Easaw
Chair
Matthew A. Scheller
Vice Chair



Minutes, 5/10/2013
ATTACHMENT 1
Janice K. Brewer
Governor
Dennis Seavers
Executive Director

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May 9, 2013

«indFirstName» «indMI». «indLastName»
«indHomeAddr1»
«indHomeAddr2»
«indHomeCity», «indHomeState» «indHomeZip»

Dear «indFirstName» «indMI». «indLastName»:

Application number «Filenumber»

The Arizona Board of Fingerprinting has reviewed your application package for a good cause exception and determined that an administrative hearing will be necessary for your case. You are **tentatively** scheduled for a hearing on «DateHearingScheduled». **Please note that this date is subject to change.** Approximately twenty days prior to the hearing, you will be notified by certified mail of the meeting location, date and time.

You are required to appear at the hearing. Under special circumstances telephonic hearings are allowed. Requests for telephonic hearings should be submitted in writing and explain in as much detail as possible the reason for requesting the telephonic hearing. **Please note that the Board does not usually grant requests for telephonic hearings.** Please contact the Board in writing if you require a language interpreter or accommodation for a disability so that reasonable accommodations can be made.

If you have any questions, please contact the Board staff at (602) 265-0135 or info@azbof.gov.

Sincerely,

Dennis Seavers
Executive Director

Find the status of your case by going online to www.azbof.gov.

Charles Easaw
Chair
Matthew A. Scheller
Vice Chair



Minutes, 5/10/2013
ATTACHMENT 1
Janice K. Brewer
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May 9, 2013

«indFirstName» «indMI». «indLastName»
«indHomeAddr1»
«indHomeAddr2»
«indHomeCity», «indHomeState» «indHomeZip»

Dear «indFirstName» «indMI». «indLastName»:

On «DateHearingScheduled», at the place and time indicated on the enclosed notice, you have a hearing scheduled before an administrative law judge delegated by the Arizona Board of Fingerprinting. In addition to reading this letter, you should carefully read the enclosed notice.

BEFORE THE HEARING

- Your hearing will be at the Board office at 4205 North 7th Avenue, Suite 206, Phoenix, Arizona. The office is a little north of Indian Road School Road on the east side of 7th Avenue. The office is located on the second floor.
- Your notice gives a specific time that hearings will begin. You should be at the hearing by the time given on your notice. However, hearings vary in length, so the administrative law judge may not hear your case exactly at the time given on the notice. You may be waiting for a while before the administrative law judge calls your case.
- If you require an American Sign Language interpreter, please contact the Board office with enough time for the staff to arrange for a translator to be present.
- Under certain rare circumstances, the administrative law judge may allow you to appear by telephone. However, you must file a motion to have the telephone hearing, and it must be approved by the administrative law judge *before* the hearing. This request must be in writing—sent by fax or mail (see the letterhead) or e-mail (info@azbof.gov)—and must explain the basis for appearing by telephone. To be able to appear by telephone, you must demonstrate that appearing in person would be an undue hardship. If you have not been notified that you can appear by telephone, or if your request was denied, you must appear in person. Please file your request as far in advance as possible to allow the administrative law judge enough time to review and respond to the request.

THE HEARING

- Your assigned administrative law judge is listed below. *Under no circumstance* may you contact this person outside of the hearing, whether in person, by phone, or by e-mail. If you do, your application may be denied.

_____ Blair Driggs _____ Azadeh Hamilton _____ Billy Little

- The purpose of your hearing is to give you an opportunity to present testimony in support of your application. The administrative law judge will give you an opportunity to explain why your application should be granted. The judge may have questions for you based on his or her review of your application materials and criminal history. The judge will also allow a reasonable number of character witnesses to speak, if you bring any. If you bring any documentation, you should bring a copy for your file. We will not make copies at your hearing, and we may not be able to return originals.
- You should keep in mind that by law, you have the burden of demonstrating rehabilitation, and you should be prepared to convince the administrative law judge that you are rehabilitated. The administrative law judge and the Board will consider, among other factors:
 - The extent of your criminal record;
 - The length of time since your offense;
 - The nature of your offense;
 - Any applicable mitigating circumstances;
 - The degree to which you participated in the offense;
 - The extent of your rehabilitation, including:
 - Completion of probation, parole, or community supervision;
 - Whether you paid restitution or other compensation for your offense;
 - Evidence of positive action to change criminal behavior, such as completion of a drug-treatment program or counseling;
 - Personal references attesting to your rehabilitation.

FOLLOWING THE HEARING

- After the hearing, the administrative law judge will prepare findings of fact and conclusions of law and a recommendation to the Board to grant or deny your application. Your case will be scheduled for review by the Board. Our office will send you a notice of the Board meeting, as well as a copy of the administrative law judge's recommendation. That notice will include instructions on how you can file a written response to the recommendation.
- The Board has up to 80 days following the hearing to make a decision. The administrative law judge must put in a lot of work to prepare a recommendation for the Board. In addition, the Board must give advance notice of its meeting to review the recommendation and give you an opportunity to submit a written response. Therefore, you are not likely to get a decision much sooner than 80 days.

Sincerely,

Dennis Seavers
Executive Director

1 will meet to consider the recommendation and make a final decision on whether to grant the
2 application. The applicant will receive advance notice of the date and time of the Board's
3 meeting and a copy of the administrative law judge's recommendation. The applicant will be
4 given opportunity to file a written response to the recommendation.

5 YOU ARE FURTHER ADVISED that requests for reasonable accommodations for
6 persons with disabilities should be made to the Board's executive director as far in advance of a
7 scheduled hearing as possible. Requests should be sent by e-mail to info@azbof.gov; by fax to
8 (602) 265-6240; or by mail to Arizona Board of Fingerprinting, ATTN: Dennis Seavers, Mail
9 Code 185, PO Box 6129, Phoenix, AZ 85005-6129.

10 Dated this _____ day of _____ 2013

11
12
13 _____
14 Dennis Seavers, Executive Director
Arizona Board of Fingerprinting

15 ORIGINAL filed this _____ day of _____ 2013 with:

16 Dennis Seavers, Executive Director
17 Arizona Board of Fingerprinting
18 Mail Code 185
Post Office Box 6129
Phoenix, Arizona 85005-6129

19 COPIES of the foregoing sent by certified mail and first-class mail on «DateSentHearingNotice»
20 to:

21 «indFirstName» «indMI». «indLastName»
22 «indHomeAddr1»
23 «indHomeAddr2»
24 «indHomeCity», «indHomeState» «indHomeZip»
25 _____

Charles Easaw
Chair
Matthew A. Scheller
Vice Chair



Minutes, 5/10/2013
ATTACHMENT 1
Janice K. Brewer
Governor
Dennis Seavers
Executive Director

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May 9, 2013

«indFirstName» «indMI». «indLastName»
«indHomeAddr1»
«indHomeAddr2»
«indHomeCity», «indHomeState» «indHomeZip»

Dear «indFirstName» «indMI». «indLastName»:

Following your hearing on «DateHearingScheduled», the administrative law judge who presided at your hearing filed a recommendation to deny your good-cause-exception application. Enclosed is a notice for a hearing on «HOREcHearingDate», at which the Arizona Board of Fingerprinting (“Board”) will decide whether to accept, reject, or modify the recommendation. This letter describes what will happen at the hearing and explains your rights. Please note that you may submit a response to the recommendation, but you must do so by a certain deadline (see below).

About the Recommendation

- The administrative law judge has filed a recommendation to deny your application. The recommendation is enclosed. It describes what the administrative law judge decided were the facts in the case and how the law applied to those facts.
- This enclosure is only a recommendation to the Board and is not the final decision. The Board itself will make the final decision by adopting, rejecting, or modifying the administrative law judge’s recommendation.
- You should review the recommendation to determine whether you disagree with any part of it. If you disagree, you may file a written response, as described below.

About the «HOREcHearingDate» Hearing

- The Board will have a hearing on «HOREcHearingDate», to decide whether to accept, reject, or modify this recommendation. There will be at least three but normally five Board members present. These Board members represent some of the state agencies that require fingerprint clearance cards.
- Before the hearing, the Board will have received the administrative law judge’s recommendation and your response, if you submitted one (see below). The Board will also have received a copy of the entire administrative record, including all documents that the administrative law judge reviewed and an audio recording of your «DateHearingScheduled» hearing before the administrative law judge.

- You are entitled to attend the hearing, but you are not required to attend. If you do attend, you will not be permitted to speak or present evidence. You will be allowed only to observe the Board proceedings.
- At the hearing, the Board members will have discussion, if necessary. They will then make a decision to accept, reject, or modify the administrative law judge's recommendation.
- You will know when you leave the hearing whether your application was approved or denied.
- Under no circumstance should you attempt to contact Board members prior to the hearing.

Written Response

- If you disagree with anything in the administrative law judge's recommendation, you may submit a written response and, if appropriate, supporting evidence.
- You must submit this response so that it is received in the Board office no later than «HOREcResponseDue». (If «HOREcResponseDue», falls on a weekend or state holiday, you may submit the response the following business day.)
- You are not required to submit a written response.
- If your written response is received after «HOREcResponseDue», then it will not be considered by the Board. You are responsible for making sure it arrives in the Board office by «HOREcResponseDue». If you send the response by mail, be sure to allow time for the mail to arrive by «HOREcResponseDue». I strongly recommend that you send your response by fax or e-mail to make sure that it is submitted on time because there will be no exceptions to the deadline.
- Your written response does not need to be in a specific format. But whenever possible, you should identify specific portions of the administrative law judge's recommendations that you believe are wrong. In general, written responses that merely express disagreement with the hearing officer will not be effective.
- You can submit new evidence with your written response, but please don't submit evidence that you've already submitted.

If you have any questions, please contact the Board office at (602) 265-0135 or info@azbof.gov.

Sincerely,

Dennis Seavers
Executive Director