

Garnett Burns
Chair

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Douglas A. Ducey
Governor

Matthew A. Scheller
Executive Director

ARIZONA BOARD OF FINGERPRINTING

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November 30, 2020

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

The Honorable Russell Bowers
Speaker of the House
Arizona House of Representatives
1700 West Washington, House Wing Room 223
Phoenix, AZ 85007

The Honorable Karen Fann
President of the Senate
Arizona Senate
1700 West Washington, Senate Building Room 205
Phoenix, AZ 85007

Dear Governor Ducey, Speaker Bowers, and President Fann:

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, 2019, to September 30, 2020.

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: 2020 Report on Good Cause Exception Application Caseload and Approvals

Arizona Board of Fingerprinting 2020 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, 2019, and September 30, 2020; and (2) good cause exceptions and central registry exceptions resolved between October 1, 2019, and September 30, 2020. 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, 2020, and some of the applications concluded in the time period may have been received prior to October 1, 2019.

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	Dental Examiners
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	Economic Security
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)	Agriculture
Home Inspector Certification	32-122.02	Technical Registration
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

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’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 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

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

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 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 4,184 applications.**
2. The reporting statute requires the Board to indicate the number of central registry exception applications it received. **The Board received 69 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.

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”)

Table 3 Disposition of Applications Closed	
Good Cause Exception Disposition	Number of Applications
Approval	3,970
Denial	45
DPS issuance *	74
Ineligible	4
Awaiting Criminal History	0
Applicant withdrew	91
Total	4,184
<p>* In some cases, based on information received subsequent to 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.</p>	
Central Registry Exception Disposition	Number of Applications
Approval	52
Denial	0
Hearing Status	2
Investigator Review	1
Awaiting CPS and Criminal History	6
Applicant withdrew	8
Total	69

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	46
Appraisal Licensure or Certification	32-3620, 32-3668, 32-3669	4
Child day care or child nutrition	41-1964, 46-141	198
	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	475
	8-105, 8-509	
	46-141	
	36-594.01, 36-594.02	
	36-882	
Child welfare and adolescent behavior health treatment	8-322	451
	46-141	
	36-425.03	
	41-2814	
Child Safety employment	8-463, 8-802, 8-804	68
Charter school employment	15-183	123
Dental Therapist Licensure	32-1276.01	0
Dentist, Dental Hygienist, and Denturist Licensure	32-1232, 32-1284, 32-1297.01	11
DES-Employee or Contractor with access to Federal Tax Information	41-1969	0
Domestic violence and homeless shelters	36-3008, 46-141	25
Economic Security employment and IT position	41-1968, 41-1969	81
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	3
Health Sciences Student and Clinical Assistant	15-1881	211
Hemp License	3-314(D)	14
Home Inspector Certification	32-122.02	21
Individuals with developmental disabilities	36-594.01	494
JOBS/Work Investment Act	46-141	28
Pharmacist and Pharmacy Intern Licensure	32-1904, 32-1941	61
Physical Therapist & Assistants Licensure	32-2022	10
Real Estate Licensure	32-2108.01, 32-2123	358
Residential or nursing care institutions and home health agencies	36-411, 36-446.04	784
School Bus Drivers	28-3228	85
State Hospital Employment	36-207	25
Teacher employment and certification	15-503, 15-512, 15-534	660
	15-1330	
Transportation - Training and Licensure	32-2371, 32-2372, 28-3413	1

* 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.

- 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	48
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Appraisal Licensure or Certification	32-3620, 32-3668, 32-3669	Denial	0
		Approval	4
		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	2
		Approval	186
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	1
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	484
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Child welfare and adolescent behavior health treatment	8-322 46-141 36-425.03 41-2814	Denial	6
		Approval	420
		DPS Revision	7
		Ineligible	1
		Applicant withdrew	3
Child Safety employment	8-463, 8-802, 8-804	Denial	0
		Approval	71
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Charter school employment	15-183	Denial	1
		Approval	125
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Dental Therapist Licensure	32-1276.01	Denial	0
		Approval	0
		DPS Revision	0
		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

Table 5 (Continued)			
Dispositions of Applications by Program Group			
DES-Employee or Contractor with access to Federal Tax Information	41-1969	Denial	0
		Approval	0
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Domestic violence and homeless shelters	36-3008, 46-141	Denial	1
		Approval	26
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Economic Security employment and IT position	41-1968, 41-1969	Denial	0
		Approval	84
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Game and Fish - Employment	17-215	Denial	0
		Approval	3
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Health Sciences Student and Clinical Assistant	15-1881	Denial	0
		Approval	216
		DPS Revision	3
		Ineligible	0
		Applicant withdrew	0
Hemp License	3-314(D)	Denial	1
		Approval	12
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Home Inspector Certification	32-122.02	Denial	0
		Approval	20
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Individuals with developmental disabilities	36-594.01	Denial	10
		Approval	492
		DPS Revision	4
		Ineligible	0
		Applicant withdrew	4
JOBS/Work Investment Act	46-141	Denial	0
		Approval	33
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0

Table 5 (Continued)			
Dispositions of Applications by Program Group			
Pharmacist and Pharmacy Intern Licensure	32-1904	Denial	0
		Approval	64
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Physical Therapist & Assistants Licensure	32-2022	Denial	0
		Approval	10
		DPS Revision	0
		Ineligible	0
		Applicant withdrew	0
Real Estate Licensure	32-2108.01, 32-2123	Denial	2
		Approval	352
		DPS Revision	7
		Ineligible	0
		Applicant withdrew	0
Residential or nursing care institutions and home health agencies	36-411, 36-446.04	Denial	11
		Approval	785
		DPS Revision	4
		Ineligible	0
		Applicant withdrew	1
School Bus Drivers	28-3228	Denial	0
		Approval	87
		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	8
		Approval	617
		DPS Revision	13
		Ineligible	0
		Applicant withdrew	4
Transportation - Training and Licensure	32-2371, 32-2372, 28-3413	Denial	0
		Approval	2
		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)	X
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)	X
Public sexual indecency	41-1758.03(C)(11)	
Aggravated criminal damage	41-1758.03(C)(12)	
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)	X
Obtaining a signature by deception	41-1758.03(C)(18)	
Criminal impersonation	41-1758.03(C)(19)	X
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)	
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)	X
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)	X

Table 6 (continued)
Offenses from Good Cause Exception Applications

Offense	Standard Fingerprint Clearance Card Statute	Good Cause Exception Granted
Misdemeanor offenses involving contributing to the delinquency of a minor	41-1758.03(C)(49)	
Offenses involving domestic violence	41-1758.03(C)(50)	X
Arson	41-1758.03(C)(51)	
Kidnapping	41-1758.03(C)(52)	
Felony offenses involving sale, distribution [etc] marijuana, dangerous drugs or narcotic drugs	41-1758.03(C)(53)	X
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)	

Table 6 (continued)
Offenses from Good Cause Exception Applications

Offense	Level I Fingerprint Clearance Card Statute	Good Cause Exception Granted
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)	X
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
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)	X
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)	
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)	

Table 6 (continued)
Offenses from Good Cause Exception Applications

Offense	Level I Fingerprint Clearance Card Statute	Good Cause Exception Granted
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)	X
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)	
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)	X
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 more than five years before the date of applying for a level I fingerprint clearance card	41-1758.07(C)(40)	X
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 more than five years before the date of applying for a level I fingerprint clearance card	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 more than five years before the date of applying for a level I fingerprint clearance card	41-1758.07(C)(44)	

Table 6 (continued)
Offenses from Good Cause Exception Applications

Offense	Level I Fingerprint Clearance Card Statute	Good Cause Exception Granted
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 before the date of applying for a level I fingerprint clearance card	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)	
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