ARIZONA AUDITOR GENERAL

Lindsey A. Perry, Auditor General

August 17, 2026

Members of the Arizona State Legislature

The Honorable Katie Hobbs, Governor

Executive Director McClellan-Singh
Arizona Board of Executive Clemency

We have issued an 18-month followup report regarding the implementation statuses of the recommendations from the September 2024 *Performance Audit and Sunset Review of the Arizona Board of Executive Clemency* report (see report 24-110) conducted by the independent firm Sjoberg Evashenk Consulting under contract with the Arizona Auditor General. This audit was in response to a November 21, 2022, resolution of the Joint Legislative Audit Committee and was conducted under the authority vested in the Auditor General by Arizona Revised Statutes §41-1279.03.

The September 2024 report made 13 recommendations to the Arizona Board of Executive Clemency (Board). My Office contracted with Sjoberg Evashenk Consulting to conduct an 18-month followup with the Board, and as of this 18-month followup report, 8 recommendations have been implemented, 4 recommendations have been partially implemented, and 1 recommendation has not been implemented.

Unless otherwise directed by the Joint Legislative Audit Committee, this report concludes the followup work on the Board's efforts to implement the recommendations from the September 2024 report.

Sincerely,

Lindsey A. Perry

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Auditor General

Arizona Board of Executive Clemency
18-Month Followup Report

The September 2024 Arizona Board of Executive Clemency (Board) performance audit and sunset review found that the Board had taken steps to meet some statutory responsibilities we reviewed, including sending victim notifications within statutory time frames, but did not comply with some State conflict-of-interest requirements, increasing the risk that Board members and employees had not disclosed substantial interests that might influence their official conduct; did not always timely schedule revocation hearings, increasing its risk of violating inmates' right to due process; and did not adopt a structured decision-making process, despite prior recommendations to do so. We made 13 recommendations to the Board. Our February 2026 Initial Followup Report found the Board had implemented 4 of these recommendations at 12 months.

Board's status in implementing 13 recommendations at 18 months

Implementation status	Number of recommendations
Implemented	8 recommendations
Partially Implemented	4 recommendations
Not Implemented	1 recommendation

The Board's next sunset review is due October 1, 2029. Therefore, unless otherwise directed by the Joint Legislative Audit Committee, this report concludes the follow-up work on the Board's efforts to implement the recommendations from the September 2024 report.

Finding 1: The Board did not fully comply with all conflict-of-interest reporting requirements and its practices did not fully align with recommended practices.

1. Continue to revise and implement its conflict-of-interest policies and procedures to help ensure compliance with State conflict-of-interest requirements and implementation of recommended practices, including:

    a. Requiring Board members and employees to complete an Arizona Department of Administration (ADOA) disclosure form upon appointment/hire, including attesting that no conflicts exist, if applicable, and reminding them at least annually to update their disclosure form when their circumstances change, consistent with recommended practices.

    Implemented at 12 months —The Board adopted new conflict-of-interest policies and procedures, effective September 2024, that require Board members and employees to complete the ADOA conflict-of-interest disclosure form upon appointment or hire, which requires them to attest that no conflicts exist, if applicable. In addition, rather than requiring annual reminders, the Board's policies and procedures require Board members and employees to annually complete the ADOA conflict-of-interest disclosure form and to promptly update any disclosures previously made. Our review of Board disclosure forms found that all employees and Board members had completed a disclosure form upon hire or appointment, as well as annually in July 2024, and July 2025. In addition, the Executive Director sent an email in July 2025 reminding staff and Board members to update their disclosure forms when their circumstances change.

b. Implementing a process to track Board member/employee completion of conflict-of-interest disclosure forms, including the date the form was completed.

Implemented at 12 months—The Board has continued implementing the process it developed during the audit to track conflict-of-interest form submittals, which requires the Board's Executive Director to track and monitor completion of disclosure forms. Our review of the Board's conflict-of-interest tracking spreadsheet found that it accurately reflected that all Board members and employees had submitted forms upon hire or appointment, as well as annually in July 2024 and July 2025, as explained in recommendation 1a.

c. Storing all substantial interest disclosures, including disclosure forms and meeting minutes, in a special file available for public inspection.

Partially implemented—The Board has created a special file to store substantial interest disclosures, including any relevant documentation such as meeting minutes. The Board also requires staff and Board members to prepare annual conflict of interest disclosure forms and records recusals of Board members during public meetings. Our June 2026 review of the Board's annual disclosures and meeting recusals revealed none involved substantial interests and thus were not contained in the special file. According to the Board, it did not have any Board meeting recusals to report since April 2025 and, therefore, no recusals were recorded in the special file. Further, the Board has created a draft procedure detailing the Executive Director's responsibilities regarding conflict of interest and a draft revision to the Board's policy on this matter is pending vote at the Board's annual business meeting. The Board expects both to be completed and this recommendation to be fully implemented by September 2026.

d. Establishing a process to review and remediate disclosed conflicts.

Partially implemented—According to the Board's conflict-of-interest policies and procedures, if an employee or Board member discloses a substantial interest, the disclosure is reviewed by the Executive Director and discussed with the Board Chair and/or General Counsel, as appropriate. Additionally, according to its updated Hearing Recusal policy, the Board must maintain a list of recusals as well as supporting memos/documentation, including Board members' reasons for recusal, within both the special file described in recommendation 1c and the inmate case files. Our June 2026 review of the Board's special file and annual disclosures between May 2025 and June

2026 did not identify any substantial interest disclosures or recusals that required review and remediation. According to the Executive Director, conflicts of interest rarely arise. Based on our review of the policies and procedures in place, including the policy and procedure updates described in recommendation 1c, which describe the role of the Executive Director in overseeing and ensuring compliance with these policies, we find the steps taken to be sufficient to comply with state conflict-of-interest requirements. As described in recommendation 1c, the Board expects revisions to relevant policies and procedures to be completed by September 2026.

e. Providing periodic training on its conflict-of-interest requirements, process, and disclosure form, including providing training to all Board members and employees on how the State's conflict-of-interest requirements relate to their unique programs, functions, or responsibilities.

   Implemented at 18 months—In an effort to improve its training on conflict-of-interest requirements, the Board requested that the Arizona Attorney General's Office conduct a special training in February 2025. This training was recorded, and the Executive Director required all Board members and staff to take the training again in February 2026. This demonstrates successive annual training courses and is consistent with the recommendation. Our review of the training session found that it addressed relevant conflict-of-interest statutes, and the Board's disclosure process and recusal protocols as specified in the Board's conflict-of-interest policies and procedures. Our review of the Executive Director's continuing education log showed that all Board members and employees either attended the training in person or viewed the recorded session and demonstrates the Executive Director's review of Board training. Further, the Board has drafted a revision to its policies requiring annual conflict of interest training is pending vote at the Board's annual business meeting. The Board expects revisions to relevant policies and procedures to be completed by September 2026.

Sunset Factor 2: The Board's effectiveness and efficiency in fulfilling its key statutory objectives and purposes.

2. The Board should consistently track victim notification requirements for hearings, including whether notices have been sent, and adopt oversight procedures to ensure notices are tracked correctly and sent timely.

   Implemented at 18 months—The Executive Director implemented a secondary review of victim notification logs to ensure that notices are sent to appropriate parties in accordance with statute and has drafted procedures and policy revisions outlining the Executive Director's responsibilities regarding the tracking and monitoring of victim notification requirements. Our review of the victim notification logs revealed 109 notifications listed as being sent between January 2026 and March 2026 and did not reveal any missed or late notifications. The Board is expected to vote on the updated policy at its annual business meeting, and the Executive Director plans to finalize the draft procedures upon approval of the policy, both of which the Board expects to occur in September 2026.

3. The Board should hold revocation hearings within 60 days of an inmate's arrest and return to custody.

   Partially implemented—The Board has improved the percentage of revocation hearings held within 60 days of an inmate's arrest and return to custody by prioritizing these cases on its hearing calendar by adjusting its hearing calendar, as discussed in the February 2026 Initial Followup Report. As of March 2026, the Board was also tracking the return to custody date, the date the warrant was received and is calculating both a 60-day and 75-day timeline, respectively, on a "pending hearing" list, which will allow Board staff to see those cases that are at risk of exceeding the strategic goal of 60 days for a hearing. Our review of Board hearing calendar information from October 2025 through March 2026 found that approximately 7% of revocation hearings exceeded the 60-day requirement, compared to our finding in the September 2024 performance audit and sunset review that 33% of revocation hearings exceeded the 60-day timeframe.

4. The Board should develop and implement a process for tracking its compliance with the 60-day time frame for holding revocation hearings after an inmate's arrest and return to custody.

   Implemented at 18 months—As described in recommendation 3, as of March 2026, the Board was tracking the return to custody date, the date the warrant was received and is calculating both a 60-day and 75-day timeline on the pending hearing list, which will allow Board staff to see those cases that are at risk of exceeding the strategic goal of 60 days for a hearing. The Executive Director also developed draft procedures around this process, including procedures for tracking its compliance with the 60-day time frame for holding revocation hearings after an inmate's arrest and return to custody, and reviewing the log for accuracy.

5. The Board should develop and implement a process for identifying those cases where the revocation hearing is at risk of being held after the 60-day time frame and prioritize holding these revocation hearings.

   Implemented at 18 months—As discussed in recommendations 3 and 4, the Board has documented in procedure and implemented a tracking log that tracks both a 60-day and 75-day timeline on the pending hearing list, and the Executive Director reviews this log monthly for compliance and accuracy, and to identify any instances where the revocation hearing is at risk of being held after the 60-day time frame. The logs are signed off by the Executive Director upon review.

6. The Board should obtain inmates' warrants electronically from the Arizona Department of Corrections, Rehabilitation, & Reentry (ADCRR).

   Implemented at 12 months—According to the Board, in October 2024, it implemented a process to receive inmates' warrants electronically from ADCRR. The Board provided us with an email thread between the Board and ADCRR documenting the new electronic submission process. According to the Board, this change is expected to ensure all warrants are reported to the Board electronically, streamlining the Board's receipt of warrants and reducing administrative delays that previously contributed to late scheduling of revocation hearings.

7. The Board should establish consistent communication with ADCRR to notify ADCRR of any delays in receiving inmates' warrants and to discuss and establish expectations and/or goals for ADCRR's timely delivery of warrants to the Board. The Board should document any agreed upon expectations and/or goals that result from these communications, including considering the need for entering into a written agreement, such as a memorandum of understanding or an intergovernmental agreement, with ADCRR that establishes formal time frame expectations and/or goals for receiving inmates' warrants.

   Partially Implemented—As described in the February 2026 Followup Report, the Board established in March 2025 a consistent and ongoing communication with ADCRR to address the timely delivery of inmate warrants. The Board continues to receive monthly status updates from ADCRR with data showing the timeliness of warrant delivery to the Board. However, as of June 2026, the Board did not have a written agreement or documented expectations and procedures relating to the sharing of this information between the parties. The Executive Director indicated that the Board expects this process to be documented by December 2026.

8. The Board should develop and implement a structured decision-making model appropriate for use in Arizona to assist Board members in reaching consistent and accurate decisions.

   Not implemented—As described in the February 2026 Followup Report, the Executive Director has conducted preliminary research on how other jurisdictions use a structured decision-making (SDM) model or risk assessment tools, including models from Utah, California, Ohio, and Canada; however, the Board has not yet developed or implemented a SDM to support consistent and evidence-based release decisions. According to the Board, it will continue to explore SDM options that may be appropriate for use in Arizona. As part of this effort, the Executive Director reported attending the Association of Paroling Authorities International Conference in May 2026 where the theme was "A Worldwide Dialogue: Unlocking Potential in Evidence-Based Parole Decision-Making". The Executive Director also reported that the Board will decide whether to implement an SDM, or an alternative, by December 2026.

9. In coordination with ADCRR, the Board should develop and implement a process for tracking whether any inmate whose sentence was commuted by the Governor ever reoffends and is incarcerated with ADCRR to help assess the impact and usefulness of and improve its commutation recommendations.

   Implemented at 12 months—In September 2024, the Board developed and implemented a process to track whether inmates whose sentences were commuted by the Governor subsequently reoffend and are reincarcerated with ADCRR. This process includes the name of everyone granted commutation, and whether the individual had returned to custody, deceased, or was otherwise free pursuant to the commutation. The process includes quarterly "custody checks" for everyone granted a commutation through which the Board determines whether the individual had returned to custody during that quarter. Further, the Board conducted a retroactive review of all individuals granted commutations between 2015 and June 2025, and compared individuals granted commutation to warrants subsequently received from ADCCR for those individuals who were granted commutation. As of June 2025, the Board's tracker showed that none of the 76 individuals granted commutation during this time reoffended and returned to ADCRR custody following a commutation. However, in July 2025, the Board received notification that an individual who had previously been granted parole had violated their terms of supervision and was returned to custody. The Board reported that, in November 2025, it revoked the parole.