

**Minutes of Public Meeting of the  
Constable Ethics, Standards and Training Board  
March 18, 2015**

A public meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on March 18, 2015 at 10:00 am at the offices of Capitol Consulting 818 North First Street Phoenix, AZ 85004. Present at the meeting were the following members of the CESTB: Constable Scott Tipton, Judge Gerald Williams and Constable Ron Myers. Present via teleconference were the following members of the CESTB - Constable John Nozar and Christine Shipley. The following staff were present –Tracy Unmacht. Absent were the following members of the CESTB –Sheriff John Drum, Dan Field, and Stuart Goodman. Members of the public present were - Todd Madeksza with the County Supervisors Association (teleconference), Jason Brown and William Rucker.

The following matters were discussed, considered and decided at the meeting:

**Minutes of Previous Meetings:** Judge Williams made a motion to approve the minutes from the February 18, 2015 CESTB meeting. Constable Myers seconded the motion. The motion carried unanimously.

**Financial Report:** Chairman Tipton presented the financial report prepared by the Department of Administration for the month ending February 2015. Of note, Santa Cruz county submitted a payment the first part of March in the amount of \$25 for their February 2015 writ fees. Two deposits delivered to DOA in January are not shown in the reports. DOA is looking into it. Constable Myers made a motion to approve the financial report. Judge Williams seconded the motion. The motion carried unanimously.

**CESTB Training Bill:** This bill was written to approve the CESTB ability to approve training courses. The bill was amended to state CESTB could approve anything over and above the AZPOST 16 required hours. The clause that would allow constables to submit their record of training by year end was dropped – the requirement to submit within 30 days remains.

Chairman Tipton reported that the bill relating to constable pay is dead.

**Training Records:**

It was determined that CESTB administration did not receive all training records during administration transition. Upon receiving the missing copies, final audit showed a number of constables failed to meet the required 16 hours of training in 2014. The board discussed numerous actions that could be appropriate. Judge Williams made a motion to set up a complaint file for each constable who failed to meet the required 16 hours and assign to the appropriate committee for review. Constable Myers seconded the motion. The motion carried unanimously.

**Expiring CESTB Board Terms Ryan/Myers:**

Chairman Tipton reported that Constable Ryan has retired so his position will remain vacant until a replacement is appointed. Constable Myers term has now expired, but he has agreed to continue to serve until a replacement is appointed. The ACA will be voting in April to forward 2 nominees to AACO for consideration. In addition, CESTB will send an email to all Maricopa County constables asking for interested members to submit their names as well.

**Constable Complaints:**

Chairman Tipton reported that the rural subcommittee met on March 11, 2015 to review a number of complaints and he shared the findings and recommendations from the committee for each of the following complaints:

**CNA142-2015 – Myers by Mr. Rucker:** Christine Shipley made a motion to send the complaint back to the complainant asking for specific allegations against a specific constable. Constable Nozar seconded the motion. Discussion: Judge Williams asked how sending it back would help. Chairman Tipton responded that the complaint listed numerous individuals, including people who are not constables. Motion carried 3-1 with Judge Williams dissenting and Constable Myers abstaining.

**CNA126-2014 – Clark by Mr. Brown:** Constable Nozar made a motion dismiss the complaint. Christine Shipley seconded the motion. Discussion: none. Motion carried 4-0 with Constable Myers abstaining.

**CNA128-2014 – Clark by Mr. Brown:** Constable Nozar made a motion dismiss the complaint. Christine Shipley seconded the motion. Discussion: none. Motion carried 4-0 with Constable Myers abstaining.

**CNA134-2015 – Clark by Mr. Brown:** Constable Nozar made a motion dismiss the complaint. Christine Shipley seconded the motion. Discussion: Judge Williams expressed concern that Constable Clark has not stated specifically what he was doing at the time of his accident. Christine Shipley stated the subcommittee evaluated Constable Clark's statement that he was on duty and that no evidence to the contrary was submitted. Motion carried 3-1 with Judge Williams dissenting and Constable Myers abstaining.

**CNA136-2015 – Clark by Mr. Rucker:** Judge Williams made a motion dismiss the complaint. Constable Nozar seconded the motion. Discussion: none. Motion carried 4-0 with Constable Myers abstaining.

**CNA138-2015 – Clark by Mr. Rucker:** Judge Williams made a motion dismiss the complaint. Constable Nozar seconded the motion. Discussion: none. Motion carried 4-0 with Constable Myers abstaining.

**CNA139-2015 – Clark by Mr. Rucker:** Judge Williams made a motion dismiss the complaint. Christine Shipley seconded the motion. Discussion: none. Motion carried 4-0 with Constable Myers abstaining.

**CNA141-2015 – Clark by Mr. Brown:** Constable Nozar made a motion dismiss the complaint. Christine Shipley seconded the motion. Discussion: none. Motion carried 4-0 with Constable Myers abstaining.

**CNA144-2015 – Clark by Mr. Rucker:** Christine Shipley made a motion dismiss the complaint. Constable Nozar seconded the motion. Discussion: none. Motion carried 4-0 with Constable Myers abstaining.

Chairman Tipton reported that Mr. Rucker submitted a written statement during the call to public at the March 11, 2015 subcommittee meeting. Chairman Tipton requested it be submitted as a new complaint. He also stated we received new complaints against Constable Clark from Norman Jones, and Constable Coplan from Jason Brock. The rural subcommittee will convene at a future date to review these cases.

Constable Myers asked to read a written statement to the CESTB board regarding the multiple complaints filed by Mr. Rucker and Mr. Brown. Due to the length of the statement, Chairman Tipton requested Constable Myers submit a copy to be included as part of the record.

**Administration Report:** Staff reported Constable Ron Myers created summary reports for complaints investigated in FY 2014 and 2015 to date. A service request has been submitted to az.gov to alter the website set up to display the reports. Judge Williams further requested that we also list all reprimands on the site. Staff will look into how to best incorporate that information. Staff is currently working on a draft budget.

**Call to the Public:**

Mr. Rucker stated the doubt surrounding Constable Clark's activities on the night of his accident should be investigated further. He also stated Constable Myers has failed to produced records he is required to maintain for 5 years regarding the dates and persons who ran his name through ADOT.

Mr. Brown stated the CESTB is not doing its job to fully investigate the complaints. He pointed out Constable Clark's history of lying.

The next Board meeting is scheduled for Wednesday April 15, 2015 at 10:00 am

**Adjournment:** Judge Williams made a motion to adjourn the meeting. Constable Myers seconded the motion. The motion carried unanimously. Meeting was adjourned at 11:30 am.

Dated this 4/15 day of April, 2014  
Constable Ethics, Standards and Training Board

By W Scott Tipton  
Chairman Scott Tipton