

Scott Blake, Chair
Constable
Maricopa County

Valerie Beckett
County Administrator
Maricopa County

Melissa Buckley
Public Member

Mike Cobb
Constable
Mohave County



STATE OF ARIZONA

CONSTABLE ETHICS, STANDARDS AND TRAINING BOARD

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Dennis Dowling, Vice
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Christine Shipley,
Secretary
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Minutes of Public Meeting – September 9, 2021

A public teleconference meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on September 9, 2021 at 9:03 a.m. CESTB Board members present via teleconference were Chairman Constable Scott Blake, Matt Giordano, Constable Mike Cobb, Vice Chair Judge Dennis Dowling and Melissa Buckley. Members absent included Valerie Beckett and Christine Shipley. The following staff was present – Tracy Unmacht. Also present from public was Patrice Goodman, Constable Doug Clark, Kristina McCormick-Vena.

A quorum was reached, and the following matters were discussed and decided at the meeting:

Minutes of Previous Meetings:

Corrections: None

Mike Cobb made a motion to approve the minutes as presented from the August 12, 2021 CESTB meeting, and Melissa Buckley seconded. The motion passed unanimously 5-0.

Financial Report: Staff reviewed the July financial report. Matt Giordano made a motion to approve the July financial report and Dennis Dowling seconded. The motion passed unanimously 5-0.

Call to the Public: None made

Presentation, Discussion & Possible Action on Constable Training Grant Change Request CNA21-501: Constable Suzanne Smith submitted and was approved for grant CNA21-501 for outside training. She was unable to attend the event and has requested her grant be reassigned to Constable Phyllis Romo who attended the event. It was noted that Constable Romo had also applied for a grant for the training event but did not follow instructions resulting in her application being received not only after the deadline, but after the Board considered and approved grants for that cycle. Chairman Blake also noted he suggested Constable Romo reach out to the Board and attend this meeting to speak on the request, but she did not. Board members expressed concern that some constables of late have not been paying close enough attention to details regarding application requirements. Matt Giordano made a motion to deny the request and Dennis Dowling seconded. The motion passed with a roll call vote 3-2, with dissenting votes by Mike Cobb and Melissa Buckley.

Presentation, Discussion & Possible Action on Outside Training Grants: No applications for this cycle were submitted. Mike Cobb made a motion to roll the available funds in the amount of \$7,500 to the next Outside Training Grant Cycle. Dennis Dowling seconded, and the motion passed unanimously with a roll call vote 5-0.

Presentation, Discussion & Possible Action on Equipment Grants

Three (3) applications were received during this cycle, requesting total funds of \$34,760.19. Total funds available are \$55,000. Board members submitted their scores for the record.

Coconino County applied for a grant to fund their annual CLEAR People Finder Subscription Service in the amount of \$2,108.16. Mike Cobb made a motion to approve the requested funding and Dennis Dowling seconded. The motion passed unanimously with a roll call vote 5-0.

Dennis Dowling left the meeting at this time.

Maricopa County applied for a grant to fund Taser equipment in the amount of \$27,145.08. Mike Cobb made a motion to approve the requested funding and Melissa Buckley seconded. The motion passed unanimously with a roll call vote 4-0.

Mohave County applied for a grant to fund ammunition for firearms training in the amount of \$5,506.95. Matt Giordano made a motion to approve the requested funding and Melissa Buckley seconded. The motion passed unanimously with a roll call vote 4-0.

Dennis Dowling returned to the meeting.

Constable Complaints:

CNA265-2021 Clark – The Goodyear Police Department sent the police report related to this closed complaint to our agency. Board members noted the report did not point to any information that should prompt re-opening CNA265-2021 or opening a new investigation. Mike Cobb made a motion to take no action and Matt Giordano seconded. Motion passed unanimously with a roll call vote 5-0.

Initial Screening of new Constable Complaints:

Complaint received 8/7/21 Bochene v Randall – Chairman Blake reviewed the complaint and board members noted the allegations in the complaint were not related to Constable Randall's duties and therefore did not meet jurisdiction requirements. Dennis Dowling made a motion to dismiss the complaint and Mike Cobb seconded. The motion passed unanimously with a roll call vote 5-0.

Numerous related complaints received Rucker v Clark – 8-10-21, 8-16-21, 8-17-21 - Chairman Blake reviewed the complaints noting the allegations all referred to closed complaint CNA265-2021. Board members agreed the information submitted by the complainant did not point to anything that should prompt re-opening CNA265-2021 or opening a new investigation. Mike Cobb made a motion to take no action and Matt Giordano seconded. The motion passed unanimously with a roll call vote 5-0.

Complaint received 8-10-21 Vena v Irvin – Chairman Blake reviewed the complaint. The complainant was present during the meeting and Mike Cobb asked her several questions to clarify the confusion regarding dates of service and action by Constable Irvin. Chairman Blake noted that each county has developed their own policies for handling evictions during the moratorium, which causes confusion among plaintiffs and defendants in eviction cases. Board members noted that given the policies in force at the time, Constable Irvin did not violate any codes of conduct and exercised patience during the encounter with the complainant while trying to clear up confusion. Mike Cobb made a motion to dismiss the complaint. Matt Giordano seconded, and the motion passed unanimously with a roll call vote 5-0.

Complaint received 8-15-21 Rucker v Clark – Chairman Blake reviewed the complaint in which the complainant accuses the constable of acting inappropriately while obtaining a police report from the Goodyear Police Department. Board members noted the nature of the complaint does not meet jurisdiction and should be addressed by the complainant with another entity. Matt Giordano made a motion to dismiss, and Dennis Dowling seconded. The motion passed unanimously with a roll call vote 5-0.

Conflict of Interest Question – As was present at the last meeting, a constable was seeking help from the CESTB regarding a perceived conflict of interest in his county for him to serve as a deputy as well as a constable. Mike Cobb indicated this situation has already been remedied and there was nothing required of this Board.

Administrative Update

Staff was able to finalize FY21 complaint synopsis and has posted to the website. Staff has completed annual planning and budget submissions for the Governor's office, and they were submitted on August 23rd. The CESTB completed a very extensive public records request for every complaint since January 1, 2015. Staff is also working on records retention and destruction schedules.

Adjournment: Dennis Dowling made a motion to adjourn the meeting and Matt Giordano seconded. The motion passed unanimously 5-0. Meeting was adjourned at 10:11 a.m.

Dated this 14th day of October, 2021
Constable Ethics, Standards and Training Board

By The Hon. Scott Blake

Scott C. Blake

CESTB Chairman