

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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Minutes of Public Meeting – September 10, 2020

A public teleconference meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on September 10, 2020 at 1:07 p.m. CESTB Board members present via teleconference were: Chairman Scott Blake, Vice Chair Judge Dennis Dowling, Constable Mike Cobb, Melissa Buckley and Valerie Beckett. CESTB Board members absent were Sheriff Adam Shepherd and Christine Shipley. The following staff was present – Tracy Unmacht. Members of the public attending included Maricopa County Constable Administrator Patrice Goodman, Alfonso Ramirez, Daniel Salazar, David Lara, Scott Davis, Sandra Widoff.

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

Minutes of Previous Meetings:

Corrections: None

Valerie Beckett made a motion to approve the minutes as presented from the August 13, 2020 CESTB meeting and Constable Cobb seconded. The motion passed 5-0.

Financial Report: Central Services Bureau has not yet produced the monthly report.

Call to the Public:

No members of the public made comments.

Presentation, Discussion & Possible Action on Equipment Grants

Three applications were received during this cycle, requesting total funds of \$68,349.08. This exceeds the total budgeted for this cycle. Board members submitted their scores for the record.

Constable Cobb made a motion to modify the budget amount if necessary and Valerie Beckett seconded. Discussion: Judge Dowling expressed concern about changing the budget. Constable Cobb indicated there are plenty of funds available, and since our funds are non-appropriated, the amount we set per grant cycle is internal and can be changed. The motion passed with a roll call vote, 4-1, Chairman Blake voting no.

The board discussed and voted on the following:

Navajo County Computers \$10,392.10 – Judge Dowling made a motion to approve the requested funding and Melissa Buckley seconded. Motion passed unanimously with a roll call vote, 5-0.

Pima County New Constable and Replacement Equipment \$12,217.59 – Chairman Blake expressed concern about the broad nature of the request, and the lack of detailed information. They also did not follow instructions to submit a detailed budget. Judge Dowling made a motion to deny the requested funding and Chairman Blake seconded. Discussion: Constable Cobb pointed out that most of the items they were requesting we would typically approve, but the application is incomplete and suggests they should bring these back next cycle. Motion passed unanimously with a roll call vote, 5-0.

Pinal County Radios \$45,739.39 – Constable Cobb made a motion to approve the requested funding and Melissa Buckley seconded. Motion passed unanimously with a roll call vote, 5-0.

Total grant funds approved this cycle - \$56,131.49.

Presentation, Discussion & Possible to approve constable training course

Navajo County Constable Scott Tipton has requested the CESTB approve the Nevada training he took, to apply to his continuing education hours. Judge Dowling understands the statute to mean that the minimum 16 hours continuing education must be AZPOST certified. Other board members understand the statute to mean that CESTB approved hours can also be applied to the required 16 hours. Staff suggests getting an opinion from our AG rep. Constable Cobb made a motion to go ahead and approve the course and then get the clarification on the statute as to how the hours can be applied. Chairman Blake seconded. The motion passed with a roll call vote, 4-1, Judge Dowling voting no.

Constable Complaints:

CNA254-2020 Sinclair – Chairman Blake introduced the complaint and discussion ensued.

Judge Dowling commented that the Constable Response to the situation was appropriate and made a motion to dismiss. Valerie Beckett seconded. The motion passed with a roll call vote, 5-0.

CNA255-2021 Ferguson - Chairman Blake introduced the complaint and discussion ensued. GPS data showed the constable was where he was supposed to be. Regarding the fees, that is an issue for the county to address. Constable Cobb made a motion to dismiss and Judge Dowling seconded. The motion passed with a roll call vote, 5-0.

CNA256-2021 Middleton - Chairman Blake introduced the complaint and discussion ensued. Judge Dowling stated the constable clearly acted inappropriately. Constable Cobb discussed the result of the private investigator report and Constable Middleton's response. Chairman Blake pointed out the constable's term expires at the end of the year and he is not running again. Judge Dowling suggested that should not make a difference when making any decisions on discipline. Judge Dowling made a motion to issue Constable Middleton an admonishment, place him on probation for 30 days, and require he complete an anger management course, with an enrollment deadline within 2 weeks of the notice being sent to Constable Middleton. Chairman Blake seconded. The motion passed with a roll call vote, 4-1, Constable Cobb voting no.

CNA257-2021 Lester – Chairman Blake informed the board the complainant submitted additional information today. Staff pointed out our rules require the constable be afforded 45 days to respond to all information.

Judge Dowling made a motion to table this agenda item until the November meeting to allow Constable Lester to respond to the new documentation. Chairman Blake seconded. The motion passed with a roll call vote, 4-1, Constable Cobb voting no.

Initial Screening of new Constable Complaints:

Complaint received 8/12/20 Woodruff v Kox. Chairman Blake introduced the complaint. The constable has been hospitalized since the beginning of the year, and those in his precinct have had to utilize alternate servers. Constable Cobb made a motion to move forward with the complaint process and obtain Constable Kox's response. Chairman Blake seconded. The motion passed with a roll call vote 5-0.

Complaint received 8/14/20 Salazar v Ferguson Chairman Blake introduced the complaint which claims Constable Ferguson violated the Governor's order regarding evictions during COVID.

Judge Dowling made a motion to move forward with the complaint process and obtain Constable Ferguson's response. Melissa Buckley seconded. The motion passed with a roll call vote 5-0.

Complaint received 8/18/20 Prieto v Russell Chairman Blake introduced the complaint which claims Constable Russell is refusing to perform evictions even though they have followed procedures to comply with Governor's order regarding evictions during COVID.

Constable Cobb made a motion to move forward with the complaint process and obtain Constable Russell's response. Melissa Buckley seconded. The motion passed with a roll call vote 5-0.

Complaint received 8/26/20 Lara v Torres Chairman Blake introduced the complaint which claims Constable Torres made derogatory comments on the Facebook page of a third party.

Judge Dowling made a motion to dismiss the complaint and Constable Cobb seconded. The motion passed with a roll call vote 5-0.

Discussion and Possible action on Budget Increase for Investigations

Constable Cobb postponing discussion of this item pending more information on the budget from staff.

Administrative Update

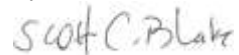
Staff reported the issue with our 80/20 revenue split for FY20 has been corrected allowing us to complete all of the required budget and planning submissions to the Governor's.

Adjournment: Constable Cobb made a motion to adjourn the meeting and Melissa Buckley seconded. The motion passed unanimously 5-0. Meeting was adjourned at 2:22 p.m.

Dated this 8th day of October, 2020

Constable Ethics, Standards and Training Board

By The Hon. Scott Blake

Handwritten signature of Scott C. Blake in blue ink.

CESTB Chairman