

**Minutes of Public Meeting of the
Constable Ethics, Standards and Training Board
October 14, 2015**

A public meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on October 14, 2015 at 2:15 p.m. 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 and Constable Ken Sumner. Present via teleconference were the following members of the CESTB - Constable Mike Cobb, Constable Brandon Schmoll and Judge Barbara Brown. The following staff was present – Tracy Unmacht. Absent were the following members of the CESTB – Sheriff John Drum, Stuart Goodman, Christine Shipley and Dan Field. Members of the public present were Doug Clark, Letty Villalobos, and Ernie Villalobos.

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

Minutes of Previous Meetings: Constable Sumner made a motion to approve the minutes from the August 19 and September 23, 2015 CESTB meetings. Constable Cobb 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 September 2015. Constable Sumner made a motion to approve the financial report. Constable Cobb seconded the motion. The motion carried unanimously.

FY16 Grant Program:

Fourteen equipment grant applications were received by the deadline of September 4, 2015 at noon. Total funds requested for the 14 applications was \$53,856.39, which is less than the \$60,000 amount budgeted. Constable Sumner pointed out the People Finder grant from Coconino included an amount to fund staff. Constable Sumner made a motion to modify the grant to exclude the \$6,656.00 amount requested for staff salary, Constable Schmoll seconded the motion. The motion carried unanimously. Scores for each application were submitted by all present and totals were calculated. The grants were rated from highest to lowest.

Constable Sumner made a motion to approve 2 grants to Pima County for the purchase of Ballistic vests in the amounts of \$1,551.78 and \$775.89, and Judge Brown seconded the motion. The motion carried unanimously.

Constable Sumner made a motion to approve a grant to Maricopa County for the purchase of a Warrants Program in the amount of \$5,409.58, and Constable Cobb seconded the motion. The motion carried unanimously.

Constable Sumner made a motion to approve 2 grants to Pima County for the purchase of Laptops in the amounts of \$3,955.43 and \$7,910.86, and Constable Cobb seconded the motion. The motion carried unanimously.

Constable Sumner made a motion to approve a grant to Maricopa County for the purchase of a Warrants Program in the amount of \$5,409.58, and Constable Cobb seconded the motion. The motion carried unanimously.

Constable Sumner made a motion to approve a grant to Pima County for the purchase of GPS units in the amount of \$1,300.00, and Constable Cobb seconded the motion. The motion carried unanimously.

Constable Sumner made a motion to approve a grant to Pima County for the purchase of a Polycom Telephone in the amount of \$913.33, and Constable Cobb seconded the motion. The motion carried unanimously.

Constable Sumner made a motion to approve a grant to Gila County for the purchase of Portable Radios in the amount of \$2,975.64, and Constable Schmoll seconded the motion. The motion carried unanimously.

Constable Sumner made a motion to approve a grant to Yuma County for the purchase of a Firearm in the amount of \$912.26, and Judge Brown seconded the motion. The motion carried unanimously.

Constable Sumner made a motion to approve the modified grant to Coconino County for the purchase of a People Finder Program in the amount of \$2,568.48, and Constable Schmoll seconded the motion. The motion carried unanimously.

Constable Cobb made a motion to approve a grant to Pima County for the purchase of a NEC Television/Monitor in the amount of \$6,298.00, and Constable Schmoll seconded the motion. The motion carried with 1 opposed.

Constable Sumner made a motion to approve a grant to Pima County for the purchase of Digital Cameras in the amount of \$909.00, and Judge Brown seconded the motion. Discussion: Constable Schmoll pointed out he felt this wasn't the best use of funds, but will vote for it. The motion carried unanimously.

Constable Cobb made a motion to approve a grant to Maricopa County for the purchase of Tablet Computers in the amount of \$9,220.14, and Judge Brown seconded the motion. The motion carried with Constables Sumner and Schmoll abstaining.

Constable Sumner made a motion to approve a grant to Yavapai County for the purchase of Uniforms and Misc Equipment in the amount of \$2,500.00, and Constable Schmoll seconded the motion. Discussion: several members pointed out the grant was poorly written and was too general. The motion carried with 2 opposed.

Constable Complaints:

The rural subcommittee met at 1:00 pm on October 14, 2015 to discuss and investigate the following complaints:

CNA145-2015 – Clark, CNA146-2015 – Clark, CNA155-2015 – Clark, CNA157-2015 - Clark: After reviewing and discussing the complete investigative report, the subcommittee voted to recommend the board dismiss all four complaints. Constable Sumner made a motion to accept the subcommittee recommendation and Constable Cobb seconded the motion. Further discussion included comments by Constable Clark further reiterating no wrongdoing on his part. The motion carried unanimously.

CNA154-2015 - Spurlock: Constable Tipton outlined the complaint to the members of the board. The subcommittee voted to recommend the board issue Constable Spurlock a reprimand. Constable Sumner made a motion to accept the subcommittee recommendation and Constable Cobb seconded the motion. Discussion: Constable Schmoll voiced his concern that the decision was too harsh. The motion carried with one opposed.

CNA160-2015 – Munoz Constable Tipton outlined the complaint to the members of the board. The subcommittee voted to recommend the board dismiss the complaint. Constable Sumner made a motion to accept the subcommittee recommendation and Constable Schmoll seconded the motion. The motion carried unanimously with no further discussion.

CNA169-2016 - McCloskey: Constable Tipton outlined the complaint to the members of the board and reported the subcommittee decided to request both the complainant and the constable provide the CESTB with more specific information.

CNA170-2016 – C. Hazlett: Constable Tipton outlined the complaint to the board. The subcommittee voted to recommend the board refer the complaint to the presiding superior court judge citing nonfeasance of office. Constable Sumner made a motion to accept the subcommittee recommendation and Judge Brown seconded the motion. Discussion: Constable Schmoll voiced his concern that the decision was too harsh. The motion carried unanimously.

The Maricopa subcommittee met at 2:00 pm on October 1, 2015 to discuss and investigate the following complaints:

CNA164-2015 – Acton: Constable Sumner outlined the complaint to the members of the board and reported the subcommittee will hire an investigator to look into the allegations that the Constable altered an order signed by the judge. Constable Schmoll and Judge Brown questioned why an investigator is necessary. Constables Sumner and Tipton pointed out the seriousness of the allegation as justification for proceeding in this manner.

CNA165-2015 – McManaway: Constable Sumner outlined the complaint to the board. The subcommittee voted to recommend the board issue a letter of warning to the constable. Constable Cobb made a motion to accept the subcommittee recommendation and Judge Brown seconded the motion. The motion carried unanimously with no further discussion.

CNA168-2015 – Rademaker: Constable Sumner outlined the complaint to the board. The subcommittee voted to recommend the board dismiss the complaint. Constable Schmoll made a motion to accept the subcommittee recommendation and Constable Cobb seconded the motion. The motion carried unanimously with no further discussion.

CNA166-2015 – Parkison: Constable Sumner reported the investigation is ongoing. The CESTB just received a letter from the Judge Mackey today which will be evaluated at the next subcommittee meeting.

Administration Report: Staff reported they participated in a meeting with the website technical staff to review proposed new database capability to allow constables to enter their training hours through the website. Staff has requested some changes and is awaiting final product. Staff also reported the Governor's office has not yet received application from Sheriff Clark for appointment to the CESTB.

Call to the Public:

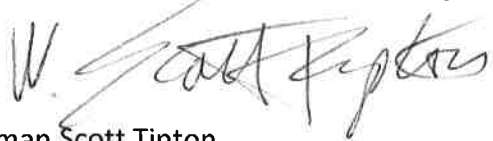
No members of the public remained present.

The next Board meeting is scheduled for Wednesday November 18, 2015 at 10:00 am

Adjournment: Constable Sumner made a motion to adjourn the meeting. Constable Cobb seconded the motion. The motion carried unanimously. Meeting was adjourned at 3:52 p.m.

Dated this 18 day of November, 2015
Constable Ethics, Standards and Training Board

By



Chairman Scott Tipton