

## **Minutes of Public Meeting of the Constable Ethics, Standards and Training Board December 20, 2017**

A public meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on December 20, 2017 at 10:04 a.m. at the offices of Capitol Consulting 818 North First Street Phoenix, AZ 85004. Present were the following members of the CESTB: Constable Mike Cobb, Dan Ryan. Present via teleconference were the following members of the CESTB - Sheriff Adam Shepherd and Christine Shipley. CESTB members absent were Valerie Beckett, Judge Barbara Brown and Constable David Lester. The following staff was present – Tracy Unmacht. Members of the public in attendance included Constable Lennie McCloskey, Constable Kevin Jones, Constable Mike Branham, Constable Doug Clark, Constable Scott Blake, Constable Dennis Dowling and Tim Moder. Member of the public present via teleconference was Vanessa Shaw with the County Supervisors Association.

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

### **Minutes of Previous Meetings:**

Corrections: None

Dan Ryan made a motion to approve the minutes as presented from the November 15, 2017 CESTB meeting. Christine Shipley seconded the motion. The motion passed unanimously without discussion.

**Financial Report:** Staff reviewed the November FY 18 reports from the Department of Administration Central Services Bureau (CSB) and reported everything is up to date. Sheriff Shepherd made a motion to approve the November financial report and Christine Shipley seconded. The motion passed unanimously without further discussion.

**Call to the Public:** Tim Moder expressed concern about the amounts of writ fees that are being submitted to the CESTB by various counties around the state.

**Election of Secretary:** This agenda item was postponed last month pending an inquiry to current Secretary Christine Shipley to see if she is interested in continuing to serve. Staff reported she is. Sheriff Shepherd made a motion to re-elect Christine Shipley to the position of Secretary and Dan Ryan seconded. The motion passed unanimously without further discussion.

**Discussion & Possible Action to Approve Constable Training Courses:** The AZ Constables Association submitted a list of courses they would like to offer at the January semi-annual training. They are requesting CESTB approval of the courses. Dan Ryan made a motion to approve the courses as presented. Christine Shipley seconded. The motion passed unanimously without further discussion.

**Discussion & Possible Action on Revision to Outside Training Grant Criteria:** A number of constables expressed concern about the CESTB potentially limiting the number of constables who will be included in grant funding for outside training. The current application provides criteria for evaluating and awarding grant applications and states the Board may adjust monetary grant requests, project proposal scopes of work, project and reporting performance measurements and/or project budgets. Budgetary considerations as well as the provision that no more than 50% of the grant funds may be awarded with respect to any project that benefits any one county will be evaluated when determining the approval of grant funds. The Board will consider applications for this grant cycle at its February meeting and may or may not decide to limit which constables will receive grant funding.

### **Constable Complaints:**

Initial Screening of new Constable Complaints:

- a. Complaint received 11-15-17 Thompson v Branham - Chairman Cobb reviewed the complaint and reported he contacted the complainant regarding this complaint and b. below, which involved the same incident. The local police department was involved in the incident and didn't file any charges against either Constables Clark or Branham. The conversation with the complainant as well as the findings of the local police department led to the conclusion that the

constables were acting within their duties enforcing a Writ of Restitution.

- b. Complaint received 11-15-17 Thomson v Clark – same synopsis as a. above.

Dan Ryan made a motion to dismiss without investigation both of Mr. Thompson's complaints. Christine Shipley seconded. The motion passed unanimously without further discussion.

- c. Complaint received 12-4-17 Rucker v Clark & Coplan - Chairman Cobb reviewed the complaint and reported this is a situation that has already been addressed by this board.

Christine Shipley made a motion to dismiss without investigation and Dan Ryan seconded. The motion passed unanimously without further discussion.

- d. Complaint received 12-8-17 Rucker v Clark - Chairman Cobb reviewed the complaint and reported this is a situation that has already been addressed by this board.

Sheriff Shepherd made a motion to dismiss without investigation and Christine Shipley seconded. The motion passed unanimously without further discussion.

CNA216-2018 Acton – Chairman Cobb received guidance from the Attorney General's office that this board should not address the infractions listed in this complaint since they occurred before Constable Acton's suspension.

Sheriff Shepherd made a motion to dismiss without investigation and Christine Shipley seconded. The motion passed unanimously without further discussion.

**Administration Report:**

Rules update – a copy of the rules was submitted to the ACA and our representative at the Arizona Attorney General's office and noted suggestions were incorporated into the final draft. The Notice of Docket Opening and Notice of Proposed Rulemaking were filed with the Secretary of State's office. We expect them to be published the first part of January, and plan to have a public oral proceeding at the February CESTB Board meeting.

Staff provided an update on the training record audit. Two constables have not submitted any hours. Two additional constables are short several hours each.

**Adjournment:** Dan Ryan made a motion to adjourn the meeting and Sheriff Shepherd seconded. The motion passed unanimously. Meeting was adjourned at 10:47 a.m.

Dated this 17 day of JAN, 2018  
Constable Ethics, Standards and Training Board

By



Chairman Mike Cobb