

**Minutes of Public Meeting of the
Constable Ethics, Standards and Training Board
February 20, 2019**

A public meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on February 20, 2019 at 10:06 a.m. at the offices of Capitol Consulting 818 North First Street Phoenix, AZ 85004. Present were the following members of the CESTB: Chairman Mike Cobb, Valerie Beckett (arrived 10:15). Present via teleconference were the following members of the CESTB: Sheriff Adam Shepherd, Judge Dennis Dowling, Valerie Beckett (until arriving in person at 10:15) and Christine Shipley. CESTB members absent were Constable David Lester. The following staff was present – Tracy Unmacht. Members of the public in attendance included Kelly Pratt, Scott Davis, Maricopa County Constables Administrator Tim Moder, Constable Doug Clark, Constable Scott Blake, and Constable Mike Branham. There were no guests participating via teleconference.

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

Financial Report: Staff reviewed the January FY19 reports from the Department of Administration Central Services Bureau (CSB). The reports contained errors in how income was allocated for automatic deposits from various counties. CSB is currently working on corrections. Staff is fairly confident overall income figures are accurate and will continue working with CSB to correct the errors. Staff also reviewed a summary of grants paid, contracted, and budgeted for FY19.

Minutes of Previous Meetings:

Corrections: None

Sheriff Shepherd made a motion to approve the minutes as presented from the November 21, 2018 CESTB meeting and Valerie Beckett seconded. The motion passed unanimously.

Call to the Public: Tim Moder raised questions about the lack of information available on the National Law Enforcement Conference that some constables are hoping to attend utilizing CESTB Grant funds.

Potential Conflicts of Interest for Constables Working Other Jobs: Chairman Cobb asked the board to discuss if there was any concern the CESTB should have about potential conflict of interests for constables who have second jobs outside the scope of their constable duties. He cited the Constable Code of Conduct that guides all activities of constables as potentially addressing this issue, but entertained any other concerns the Board may have. Sheriff Shepherd offered that since the constables are employees of their respective counties, and most likely have to complete a Conflict of Interest statement with their employer, any potential questions or concerns should be raised with their county attorney.

Board Elections: Staff reported there isn't any stated policy in the records available on how often and when elections should take place. Recent history shows they have been conducted in November. Earliest history available shows them corresponding to the fiscal year in July. Many of the Board terms end in August, so a timeframe after that makes the most sense. Valerie Beckett made a motion to adopt a formal policy to hold annual elections to be held in November. Christine Shipley seconded and the motion passed unanimously.

We had an abbreviated meeting last November so no election took place, and the Board consensus was to go ahead and conduct elections at this meeting for the positions of Chairman, Vice Chairman and Secretary, to serve until November 2019.

Sheriff Shepherd nominated Mike Cobb to serve as Chairman and Valerie Beckett seconded the nomination. Valerie Beckett made a motion to close nominations for the position of Chairman and Christine Shipley seconded. The motion passed.

Sheriff Shepherd nominated Judge Dowling to serve as Vice Chairman and Valerie Beckett seconded the nomination. Valerie Beckett made a motion to close nominations for the position of Vice Chairman and Mike Cobb seconded. The motion passed.

Mike Cobb nominated Christine Shipley to serve as Secretary and Valerie Beckett seconded the nomination. Mike Cobb made a motion to close nominations for the position of Secretary and Valerie Beckett seconded. The motion passed.

All three positions were approved by acclamation.

Grant Applications for Constable Outside Training: Five applications were received for Constable Outside Training Grants requesting total funding in the amount of \$15,050.35. Four of the applications are to fund attendance at the National Conference and one will fund training on grant writing. Funds available for this cycle are \$15,000. Chairman Cobb addressed the concerns about attendance to the National Conference brought up during the Call to Public. Those who apply for grants to attend that conference are constables in leadership positions, or those who are involved in training and bring back valuable information that can be shared with their respective counties as well as at the semi-annual training events all Arizona constables can attend. Sheriff Shepherd made a motion to increase the grant cycle budget by \$50.35 to enable funding for all applications as submitted and Judge Dowling seconded. The motion passed unanimously without further discussion. Board members submitted their scores for the record. Sheriff Shepherd made a motion to approve all grant applications as submitted and Judge Dowling seconded. Discussion ensued with the Sheriff Shepherd re-stating the value of bringing information from outside the state back and making it available to all constables. Motion passed unanimously without further discussion.

Grant Applications for Constable Equipment: Four applications were received for constable Equipment grants requesting total funding in the amount of \$17,377.64 and include the following:

- Navajo County Trucks Funding Shortfall \$3,282.27 - A previously approved grant ended up costing more than the county was originally quoted and approved during a previous grant cycle, so the county is requesting funding of the shortfall
- Navajo County Ammunition \$2000.00
- Pima County Radios \$11,245.37
- Mohave County Ballistic Vests \$850

Funds available for this cycle are \$60,000. Board members submitted their scores for the record. Sheriff Shepherd made a motion to approve all grant applications as submitted and Judge Dowling seconded. Discussion ensued with the Sheriff Shepherd stating his county experienced a similar situation to the truck funding shortfall that Navajo County experienced. Motion passed unanimously without further discussion.

Additional Grant Cycle for Organizational Training: The training dates are changing and no longer sync up with our grant funding cycles. The first training event for FY20 will be conducted in July 2019, so application and approval process needs to take place before July. Chairman Cobb referred to the grants funding report staff provided and indicated there will be a minimum of \$100,000 unspent from the FY19 grants budget. The Chair is requesting the Board add an additional cycle to FY19 to provide funding for the July event. Then in FY20 we can alter our grant cycle schedule accordingly to better accommodate timing for application deadlines, approvals, and funds release. Judge Dowling made a motion to approve a 7th cycle in the amount of \$100,000 to fund organization training. Valerie Beckett seconded and the motion passed unanimously.

Constable Complaints:

Initial Screening of new Constable Complaints:

Complaint received 1-17-19 Canez v Sumner – Chairman Cobb introduced the complaint which stated Constable Sumner made fun of the complainant. The Chair spoke with the Constable who stated the complainant was under duress and misinterpreted his demeanor. Christine Shipley made a motion to dismiss the case and Sheriff Shepherd seconded. The motion passed 4-0 with Judge Dowling abstaining.

Administrative Update

Staff provided an update on the 2018 training audit. All but one of the constables that did not meet the minimum training standards are no longer constables, so no further action is required for those cases. CESTB has not received any training records for Constable Ed Malles. Maricopa County Constable Administrator Tim Moder stated he believed the constable had completed the training and said it was possible Constable Malles submitted his records to the County instead of CESTB. Mr. Moder requested the Board allow him to check his records before taking any action. The Board agreed and directed staff to send a courtesy letter requesting them from Constable Malles if the county did not have the records.

Staff requested board members review their calendars to determine if they will be available to conduct the July meeting in conjunction with the constable training event Flagstaff. Dates for the board meeting would be either July 22nd or 24th. We should be able to arrange for attendance via teleconference for those who cannot attend in person.

Staff reviewed the status of board positions. Many terms will expire in August and staff will be working with those interested in reappointment and the corresponding appointing bodies.

Adjournment: Valerie Beckett made a motion to adjourn the meeting and Sherriff Shepherd seconded. The motion passed unanimously. Meeting was adjourned at 10:59 a.m.

Dated this 20 day of APRIL, 2019
Constable Ethics, Standards and Training Board

By

A handwritten signature in black ink that reads "Mike Cobb". The signature is written in a cursive, slightly slanted style.

Chairman Mike Cobb