

**Minutes of Public Meeting of the
Constable Ethics, Standards and Training Board
March 21, 2018**

A public meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on March 21, 2018 at 10:01 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 and Valerie Beckett. Present via teleconference were the following members of the CESTB: Sheriff Adam Shepherd, Constable David Lester. CESTB members absent were Christine Shipley and Judge Barbara Brown. The following staff was present – Tracy Unmacht. Members of the public in attendance included Tim Moder, Constable Scott Blake, Constable Ron Williams, Constable Mike Branham, and Frederick Schultz.

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 February 21, 2018 CESTB meeting. Sheriff Shepherd seconded the motion. The motion passed unanimously.

Financial Report: Staff reviewed the February FY 18 reports from the Department of Administration Central Services Bureau (CSB). Valerie Beckett made a motion to approve the February financial report and Dan Ryan seconded. The motion passed unanimously.

Call to the Public: No public statements were made.

Constable Complaints:

Initial Screening of new Constable Complaints:

Complaint received 2-14-18 Rucker v Clark – At the February Board meeting, staff was directed to ask the complainant to furnish the police report, which was received and provided to the Board prior to this meeting. After reviewing all information provided, Dan Ryan made a motion to dismiss the complaint and Valerie Beckett seconded. The motion passed unanimously.

Request by Mr. Rucker to re-visit closed/dismissed complaint CNA224-2018 was received 3-1-18 – The Board concluded nothing new was presented to warrant further consideration. David Lester made a motion to deny the request and Dan Ryan seconded. The motion passed unanimously.

Complaint received 3-4-18 Rucker v CESTB Board member Dan Ryan – The Board concluded the CESTB has no authority to investigate complaints about Board members. Valerie Beckett made a motion to dismiss and Sheriff Shepherd seconded. The motion passed 4-0 with Dan Ryan abstaining.

Complaint received 3-14-18 Schultz v Malles – Chairman Cobb introduced the complaint which alleges Constable Malles failed to perform his duties properly when issuing a writ. David Lester made a motion to proceed with an investigation into the complaint and Valerie Beckett seconded. The motion passed unanimously.

Complaint received 3-16-18 Winter v Crow - Chairman Cobb introduced the complaint which alleges Constable Crow failed to perform his duties properly when issuing a writ. Valerie Beckett made a motion to proceed with an investigation into the complaint and Dan Ryan seconded. The motion passed unanimously.

Grant Applications for Organizational Firearms Training: One application was received from the AZ Constables Association in the amount of \$14,696.15 Funds available for this cycle are \$47,000. Board members submitted their scores for the record.

Dan Ryan made a motion to approve the application in the amount requested. Sheriff Shepherd seconded.

Discussion –ACA President Ron Williams clarified this grant would fund the training required by insurance . Motion passed unanimously.

Administration Report:

Rules package was submitted to GRRC (Governor’s Rule Review Council) on March 15. If all goes well, rules should be approved and in place by August.

Staff is working on a draft budget to present to the Board next month. Discussed grant funding amounts to incorporate in the budget. ACA will provide the CESTB information about planned organizational training in 2019.

Dan Ryan asked if we received clarification from our rules writer about vexatious litigant. CESTB has authority by statute to take action against a vexatious litigant.

Chairman Cobb reported that an amendment has been added to SB1113 to change the language specifying how writ fees are collected. The amendment will change from writs served to writs issued.

Adjournment: Dan Ryan made a motion to adjourn the meeting and David Lester seconded. The motion passed unanimously. Meeting was adjourned at 10:30 a.m.

Dated this 18 day of April, 2017
Constable Ethics, Standards and Training Board

By



Vice Chairman David Lester