

**Minutes of Public Meeting of the  
Constable Ethics, Standards and Training Board  
May 17, 2017**

A public meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on May 17, 2017 at 10:03 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, Constable David Lester, and Constable Scott Tipton. Present via teleconference were the following members of the CESTB - Sheriff Adam Shepherd, Valerie Beckett, Judge Barbara Brown and Christine Shipley. The following staff was present – Tracy Unmacht. Member of the public in attendance – Scott Davis and Tim Moder.

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

**Minutes of Previous Meetings:**

Constable Tipton made a motion to approve the minutes as presented from the April 19, 2017 CESTB meeting. Sheriff Shepherd seconded the motion. The motion passed unanimously without discussion.

**Financial Report:** Staff reviewed the April report from the Department of Administration Central Services Bureau (CSB) and reported everything is up to date. The projected expenditures in the cash flow report have been updated to include encumbered funds for grants already awarded but not yet paid. Also included in the report was a summary of grant activity to date. Sheriff Shepherd made a motion to approve the April financial report and Constable Lester seconded. The motion passed unanimously without further discussion.

**Call to the Public:** no public comments.

**Initial Screening of new Constable Complaints:**

- a. Hulverson v Duarte April 12, 2016 – Chairman Cobb reviewed the complaint. Board directed staff to proceed with complaint set up and request response from Constable Duarte.
- b. Lawless v Acton June 6, 2016 - Chairman Cobb reviewed the complaint. Board directed staff to proceed with complaint set up and request response from Constable Acton.
- c. Complaint Varela v Lane October 10, 2016 – Chairman Cobb reviewed the complaint and made a recommendation to dismiss. Constable Lester made a motion to dismiss the complaint without investigation and Valerie Beckett seconded. The motion passed unanimously without further discussion.
- k. Complaint Gerlach v Middleton April 6, 2017 – Chairman Cobb reviewed the complaint. Board directed staff to proceed with complaint set up and request response from Constable Middleton
- e. Rucker v Clark forwarded from Maricopa Co Presiding Judge Janet Barton
- f. Rucker v Clark forwarded from Maricopa County Manager
- g. Rucker v Clark & Coplan forwarded from AZ Attorney General’s office – Chairman Cobb reviewed complaints e – g together as they are related. Board directed staff to proceed with complaint set up and request responses from Constable Clark and Constable Coplan.
- h. Rucker v Clark May 11, 2017 and i. Rucker request to reopen CNA128-2014 - Chairman Cobb reviewed the complaint and related request to reopen. Valerie Beckett made a motion to dismiss the complaint without investigation and to deny the request to reopen CNA128-2014. Constable Tipton seconded and the motion passed unanimously. Staff was directed to inform Mr. Rucker that he should pursue the case with Maricopa County Attorney’s Office if he feels there is criminal involvement.
- j. Rucker v Clark May 15, 2017 - Chairman Cobb reviewed the complaint. Insufficient evidence was provided to determine if an investigation should be opened. Staff was directed to request information from the complainant before proceeding with an investigation.

- k. Short v Tipton April 22, 2017 - Chairman Cobb reviewed the complaint. Constable Lester made a motion to dismiss the complaint and Valerie Beckett seconded. Discussion ensued. Motion ended in a 3-3 tie with Constable Tipton abstaining. The Board directed staff to proceed with complaint set up and request response from Constable Tipton.
- d. Banks v Cobb February 14, 2017 – Vice Chair Tipton reviewed the complaint. Constable Lester made a motion to dismiss the complaint without investigation and Sheriff Shepherd seconded. The motion passed 6-0 with Chairman Cobb abstaining.

Update on CNA193-2017 Munoz – The joint letter from the CESTB and Judge Janet Barton was delivered to the Maricopa County Board of Supervisors. They are currently evaluating what they can and should do. Constable Munoz has not returned to work at this time.

**Budget:** Staff updated the preliminary budget figures for the Board to review. Chairman Cobb reviewed needs for grant funding for FY18. Chairman Cobb reported on the plan to conduct the August CESTB Board meeting during the August constable meeting/training in Flagstaff and the need to include funding in the 2347 Admin account for non-constable board members and staff to attend. Staff will update and present a final draft of the budget for final approval at the June 21<sup>st</sup> Board meeting.

**Administration Report:**

Staff continues to audit all awarded grants looking for those that have not filed the required reports or final funding requests.

We received a public records request from CBS 5 asking for all documents on file having to do with Jimmie Munoz. AG recommended requesting redaction of complainant information and staff is working on compiling all of the requested documents.

Staff will be working on arrangements for August meeting to be held in conjunction with Constable training and annual meeting in Flagstaff in August.

Staff continues to work on rules.

**Adjournment:** Constable Tipton made a motion to adjourn the meeting and Constable Lester seconded. The motion passed unanimously. Meeting was adjourned at 11:15 a.m.

Dated this 21 day of June, 2017  
Constable Ethics, Standards and Training Board

By



Chairman Mike Cobb