

State of Arizona
CONSTABLE ETHICS,
STANDARDS & TRAINING BOARD

MINUTES

January 20, 2016

A subcommittee committee meeting of the Constable Ethics, Standards and Training Board (CESTB) was called to order by Constable Mike Cobb at 9:02 a.m. on January 20, 2016. The meeting was held in the Capitol Consulting office located at 818 North First Street, Phoenix AZ 85004. Members participating via teleconference were Constable Mike Cobb, Constable Scott Tipton, Dan Field and Judge Barbara Brown. Also present was staff Tracy Unmacht, CESTB Chairman Ken Sumner and Constable Brandon Schmoll (via teleconference). Members of the public present included Gilbert Zermeno of CBS5 News.

The following matters were discussed, considered and decided at the meeting:

Discussion & Possible Recommendation for Open Investigation

CNA175-2016 – Munoz: Following the previous subcommittee meeting, Constable Tipton investigated further in an attempt to verify that Constable Munoz was instructed by the property management to take the action he did. Constable Tipton was never able to talk directly to the person Constable Munoz stated he spoke with, an individual by the name of Kelly. He did speak with Briana who stated that Kelly denied giving Constable Munoz the instructions, and further, that Kelly does not have the authority to provide instructions. Constable Munoz's log confirms that he did make contact with someone at the property management company. Brianna also stated that the action Munoz took was not standard procedure for the property management company. But the property management company does not want to take any action in this matter and is not unhappy overall with the service they are receiving from the constables. Constable Tipton made a motion to recommend to the CESTB board that the complaint be dismissed. Dan Field seconded the motion. The motion carried unanimously with no further discussion.

CNA177-2016 – Clark: Constable Cobb reported to the committee that the CESTB did not receive Constable Clark's response to the complaint within the time allotted. Prior to the deadline, Constable Clark requested an extension, and was granted an extra 5 days. His response came in 5 days past the extension. Constable Cobb asked the committee if they wanted to proceed to evaluate the complaint without the response. All agreed to proceed without the response. It was pointed out that Constable Clark had been reprimanded before and all agreed that he has not learned from his mistakes. All agreed that his behavior is not acceptable and is unethical. Constable Tipton made a motion to recommend to the CESTB board that Constable Clark should be urged to retire from office. Judge Brown seconded the motion. The motion carried unanimously with no further discussion.

Call to the Public

A written statement provided via email from Mr. William Rucker prior to the meeting was forwarded to the committee members prior to the meeting. The statement was not read during the meeting.

Adjournment

There being no further business the subcommittee adjourned at 9:23 a.m.