

State of Arizona
CONSTABLE ETHICS,
STANDARDS & TRAINING BOARD

MINUTES

June 3, 2015

A subcommittee committee meeting of the Constable Ethics, Standards and Training Board (CESTB) was called to order by Constable Scott Tipton at 10:07 a.m. on June 3, 2015. The meeting was held in the Capitol Consulting office located at 818 North First Street, Phoenix AZ 85004. Members participating in the meeting included Constable Tipton, Constable Cobb and Judge Williams. Also present was staff Tracy Unmacht and members of the public Norman Jones, Gilbert Zermeno, CBS 5 Investigative Producer, and William Rucker

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

Discussion & Possible Recommendation for Open Investigation*

CNA145-2015 – Clark, CNA146-2015 – Clark, CNA155-2015 – Clark, CNA157-2015 - Clark: Constable Tipton outlined the complaints to the members of the committee with discussion from all members. Constable Clark has not provided consistent complete answers to all of the questions the CESTB has requested regarding these complaints that all pertain to the events on July 7, 2014. The chair will hire a private investigator to interrogate Constable Clark.

CNA156-2015 - Clark: Constable Tipton outlined the complaint to the members of the committee with discussion from all members. Constable Cobb made a motion to recommend to the CESTB board that this complaint be dismissed, Judge Williams seconded the motion. The motion carried unanimously.

CNA158-2015 - Clark: Constable Tipton outlined the complaint to the members of the committee. Judge Williams made a motion to recommend to the CESTB board that this complaint be dismissed, Constable Cobb seconded the motion. The motion carried unanimously.

CNA143-2015 – Coplan: Constable Tipton outlined the complaint to the members of the committee with discussion from all members. Judge Williams made a motion to recommend to the CESTB board that this complaint be dismissed, Constable Cobb seconded the motion. The motion carried unanimously.

CNA148-2015 – Freestone: Constable Tipton outlined the complaint to the members of the committee with discussion from all members. Constable Freestone fell short of training requirements for 2014 by 1 hour. Judge Williams made a motion to recommend to the CESTB board that a warning be issued to Constable Freestone for not meeting training requirements in 2014, Constable Cobb seconded the motion. The motion carried unanimously.

CNA149-2015 - Gamez: Constable Tipton outlined the complaint to the members of the committee with discussion from all members. Constable Gamez did not provide any training records for 2014, citing several extenuating circumstances that he claimed inhibited his ability to attend. Judge Williams made a motion to recommend to the CESTB board that an admonishment be issued to Constable Gamez for not meeting training requirements in 2014, Constable Cobb seconded the motion. The motion carried unanimously.

CNA150-2015 – C. Hazlett: Constable Tipton outlined the complaint to the members of the committee. Judge Williams recused himself from discussion of this complaint. The remaining members discussed and asked staff to check to see if there was historical information on previous infractions by Constable Hazlett. Constable Cobb made a contingent motion to recommend to the CESTB board that an admonishment be issued if no history is found, or a reprimand if history is found, Constable Tipton seconded the motion. The motion carried unanimously.

CNA151-2015 – Ligocki-Russell: Constable Tipton outlined the complaint to the members of the committee with discussion from all members. The Constable did not attend any training in 2014, and when it was brought to her attention, she attended online courses. However, she attended in 2015, which cannot be applied to 2014. Judge Williams made a motion to recommend to the CESTB board that while this offense merited a reprimand, because Constable Ligocki-Russell attempted to meet the training requirements, an admonishment should be issued to the Constable for not meeting training requirements in 2014, Constable Cobb seconded the motion. The motion carried unanimously.

CNA152-2015 - Malles: Constable Tipton recused himself from all discussion of this complaint. The remaining members discussed. Constable Malles failed to submit training records for 2014, however, he was able to produce certified records to this board following the filing of this complaint. Judge Williams made a motion to recommend to the CESTB board that this complaint be dismissed, Constable Cobb seconded the motion. The motion carried unanimously.

CNA153-2015 - Munoz: Constable Tipton outlined the complaint to the members of the committee with discussion from all members. Constable Munoz attended 14 of the 16 required training hours in 2014. Citing Constable Munoz's history and the recent ruling by Maricopa County Judge Davis, Judge Williams made a motion to recommend to the CESTB board that Constable Munoz be issued a reprimand for not meeting training requirements in 2014, Constable Cobb seconded the motion. The motion carried unanimously.

CNA160-2015 – Munoz & CNA162-2015 - Munoz: Constable Tipton outlined the complaints to the members of the committee with discussion from all members. Citing Constable Munoz's history and the recent ruling by Maricopa County Judge Davis, Constable Cobb made a motion to recommend to the CESTB board that Constable Munoz be issued a reprimand for both complaints, Judge Williams seconded the motion. The motion carried unanimously.

CNA154-2015 - Spurlock: Constable Tipton outlined the complaint to the members of the committee with discussion from all members. Constable Spurlock relied on another constable to submit 11 hours of training records for him, but the CESTB never received them. All of the correspondence sent by CESTB to Constable Spurlock has been returned. Staff was instructed to make another attempt to reach the constable.

CNA159-2015 - Malles: Constable Tipton recused himself from all discussion of this complaint. The remaining members discussed. Judge Williams made a motion to recommend to the CESTB board that Constable Malles be issued a warning, Constable Cobb seconded the motion. The motion carried unanimously.

CNA161-2014 - Malles: Constable Tipton recused himself from all discussion of this complaint. The remaining members discussed. Constable Cobb made a motion to recommend to the CESTB board that this complaint be dismissed, Judge Williams seconded the motion. The motion carried unanimously.

Call to the Public

All members of the public had left prior to the end of the meeting.

Adjournment

There being no further business Constable Cobb made the motion to adjourn and Judge Williams seconded the motion. The motion carried unanimously the subcommittee adjourned at 12:15 p.m.