

Summary of complaints to the Constable Ethics, Standards and Training Board (Board)
Fiscal Year 2018. FINAL REPORT.

For the fiscal year period July 1, 2017 through June 30, 2018, there were a total of 24 complaints filed with the Board against Constables for a variety of allegations. In addition two requests were made to reopen a closed complaint, both were denied. At this time, all complaints have been closed. Of these, 20 have been dismissed by the Board, and four complaints resulted in disciplinary action being taken by the Board.

Those complaints were as follows:

CNA217-2018 was opened on October 27, 2017 against **Constable Ed Malles**. Following the proper handling of a service request, Constable Malles inserted himself into a situation between the parties when he should have ended his involvement once the service was performed. The Board determined the activity and sharing of information that took place following the proper handling of the service exacerbated an already volatile situation. Once the service had taken place, Constable Malles should have ended the conversation. Considering this was not the first time the Board has received complaints about the constable putting himself into situations beyond the scope of his duties, the Board voted unanimously to issue Constable Malles a reprimand based on violation of Canon #3 in the Constables Code of Conduct. A written reprimand is two steps above the minimum punishment the board can administer.

CNA227-2018 was opened on March 14, 2018 against **Constable Ed Malles**. In this case the Board concluded that the length of time it took to complete an eviction was excessive, violating A.R.S. 12-1178 which states that “the writ of restitution shall be enforced as promptly and expeditiously as possible”. In addition, Constable Malles allowed a defendant who was lawfully served with a writ of restitution to return to the property following the service. Per A.R.S 12-1178 D: “A defendant who is lawfully served with a writ of restitution and who remains in or returns to the dwelling unit, as defined in section 33-1310, or remains on or returns to the mobile home space, as defined in section 33-1409, or the recreational vehicle space, as defined in section 33-2102, without the express permission of the owner of the property or the person with lawful control of the property commits criminal trespass in the third degree pursuant to section 13-1502.” The Board noted the constable should have been aware that allowing the defendants back on the property following the lock out was improper and against statute. As a consequence, they voted unanimously to issue a letter of warning. A written warning is the minimum punishment the board can administer.

CNA228-2018 was opened on March 16, 2018 against **Constable Benny Crow**. In this case the Board concluded that the length of time it took to complete an eviction was excessive, violating A.R.S. 12-1178 which states that “the writ of restitution shall be enforced as promptly and expeditiously as possible”. As a consequence, they voted unanimously to issue a letter of warning. A written warning is the minimum punishment the board can administer.

CNA230-2018 was opened on May 3, 2018 against **Constable Ray Cullison**. This complaint accused the constable of sexual harassment of another constable while attending a law enforcement conference. The Board voted unanimously to issue a letter of reprimand citing

violations of the following Canons 1B and 4A of the Code of Conduct for Constables. A written reprimand is two steps above the minimum punishment the board can administer.