

Dennis Dowling,  
Chair  
Justice Court  
Yavapai County

Matt Giordano, Vice  
Chair  
AZPOST

Christine Shipley,  
Secretary  
Multihousing  
Association

Valerie Beckett  
County Administrator  
Maricopa County



STATE OF ARIZONA

## CONSTABLE ETHICS, STANDARDS AND TRAINING BOARD

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Scott Blake,  
Constable  
Maricopa County

Michael Hoggard  
Constable  
Mohave County

Melissa Buckley  
Public Member

### Minutes of Public Meeting – April 14, 2022

A public meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on April, 2022 at 9:03 a.m. at the offices of Capitol Consulting 818 N. 1<sup>st</sup> St, Phoenix, AZ 85004. CESTB Board members attending in person: Chairman Dennis Dowling and Vice Chair Matt Giordano. CESTB Board members attending via teleconference: Constable Scott Blake, Constable Michael Hoggard, Secretary Christine Shipley, Melissa Buckley and Valerie Beckett. Members absent: None. The following staff was present – Tracy Unmacht. Members of the public attending in person: Constable Mike Branham, Constable Lennie McCloskey and Constable Darlene Martinez. Members of the public attending via teleconference: Patrice Goodman, Scott Davis, Constable Nathan Wallace, Ms. Lupita Rubio, Ms. Charity Isles.

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

**Announcements:** Chairman Dowling

#### **Minutes of Previous Meetings:**

Vice Chair Giordano made a motion to approve the minutes as presented from the March 10, 2022, CESTB meeting, and Constable Hoggard seconded. The motion passed 6-0 with Chairman Dowling abstaining.

**Financial Report:** Staff reviewed the February financial report received from Central Services Bureau. Vice Chair Giordano made a motion to accept the report and Constable Blake seconded. The motion passed 6-0 with Chairman Dowling abstaining.

#### **Call to the Public:**

Constable Lennie McCloskey thanked board members for volunteering their time and effort.  
Constable Martinez thanked board members for volunteering their time and effort.

#### **Presentation, discussion and possible action on review of current rules and procedures – Vice Chair Giordano**

Vice Chair Giordano proposed hiring an AZPOST compliance specialist to review new complaints, make contact with complainants if needed to ask questions and/or obtain additional information prior to the complaint receiving the initial screening. Board members would have all complaint materials to evaluate during initial screening, but the specialist would present all of the facts for of the complaint in a digestible format. If the complaint moves forward, the specialist could then also coordinate receipt of constable response, obtain any additional information and present their findings to the board. Giordano suggests this process would provide more consistency with the process. He also indicated he has been in contact with the Attorney General's office and was advised there would not be any conflicts in doing so. He also stated CESTB could enter into an interagency agreement with AZPOST to contract for these services. Vice Chair Giordano indicated AZPOST is offering these services at no cost for a trial period for 1-2 months. He estimates the time involved could be 5-10 hours per month and doesn't see any budgetary issues in funding moving forward. At the end of the trial period the board could re-evaluate.

Constable Blake expressed his opposition to having an outside entity doing this and suggested this is the responsibility of CESTB board members.

Vice Chair Giordano withdrew the offer of the AZPOST services given some opposition on the board.

Melissa Buckley spoke in favor of the concept. She indicated that as a board member it would be helpful to have someone provide an overview of the information that board members review for each complaint.

Vice Chair Giordano made a motion to hire an approved state contractor to provide fact gathering services for complaint cases for a trial period of no more than 4 months. Melissa Buckley seconded. After no further discussion the motion passed 4-2 with Christine Shipley and Constable Blake voting against the motion and Chairman Dowling abstaining.

At this time Chairman Dowling re-opened the public comment period for this agenda item.

Constable Mike Branham spoke in favor of the concept and encourages the board to re-consider involving AZPOST in the process. He suggests using the agency would provide professional investigative services and a great degree of transparency with the process.

Constable McCloskey commented on the advantage of using AZPOST.

Constable Martinez also spoke in favor of the concept.

### **Presentation & Discussion Draft FY23 Budget – Chairman Dowling**

Board members were provided with a draft FY23 budget. Chairman Dowling directed board members to review for future discussion. The budget must be approved prior to July 1, 2022.

### **Constable Complaints:**

CNA285-2022 Wallace – Constable Blake made a motion to dismiss the complaint and Vice Chair Giordano seconded. Discussion – none. The motion passed 6-0 with Chairman Dowling abstaining.

CNA286-2022 Martinez – Vice Chair Giordano made a motion to dismiss the complaint and Christine Shipley seconded. Discussion – board members found no violations of the Constable Canons or Ethics. The motion passed 6-0 with Chairman Dowling abstaining.

CNA287-2022 McCloskey – Constable Hoggard made a motion to dismiss the complaint and Vice Chair Giordano seconded. Discussion – Giordano vehemently disagreed with the complainant's claim of the constable's willful and blatant disregard for the law and his open hostility toward the complainant. Giordano found absolutely no evidence supporting either claim. The motion passed 6-0 with Chairman Dowling abstaining.

CNA288-2022 Wallace – Vice Chair Giordano made a motion to dismiss the complaint and Constable Blake seconded. Discussion – Giordano stated that although there are interpersonal relationship dynamics between the complainant and the constable, none of them rise to a violation of Constable Canons or Ethics. The motion passed 6-0 with Chairman Dowling abstaining.

### **Initial Screening of new Constable Complaints:**

Complaint received 03-07-2022 Chante Giles v Deputy Constable Scott Newman – Chairman Dowling reported the CESTB received a police report from the Maricopa County Constable Administrator. Vice Chair Giordano stated that after reviewing the complaint and the police report he believes no violation of the law or Constable Canons or Ethics occurred in this matter and consequently made a motion to not move forward with an investigation. Chairman Dowling asked if any board members wished to move forward with an investigation. No board members wished to move it forward, consequently the complaint was dismissed.

Complaint received 03-28-2022 William Rucker v Constable Doug Clark – Chairman Dowling asked if any board members wished to move forward with an investigation. No board members wished to move it forward, consequently the complaint was dismissed.

Complaint received 03-28-2022 Donna Mariani v Constable Mike Hamilton – Chairman Dowling clarified the complainant made a general statement without providing any specific allegations. The complainant was contacted and asked to provide more information, but none was received. The Chair asked if any board members wished to move forward with an investigation. No board members wished to move it forward, consequently the complaint was dismissed.

**Administrative Update:**

Staff reviewed the test CESTB website showing the new platform and worked with AZ Department of Administration on corrections and changes. The site was migrated to the new platform on April 7<sup>th</sup>. Staff will be attending upcoming training sessions and reviewing for further changes and enhancements.

The March 31, 2022, quarterly complaint status report has been posted to the website.

The next grant application deadline for organizational training is May 2, 2022.

**Future Agenda and Action Items:**

None

**Adjournment:** made a motion to adjourn the meeting and seconded. The motion passed unanimously 5-0. Meeting was adjourned at 9:55 a.m.

Dated this 12 day of May, 2022  
Constable Ethics, Standards and Training Board

By Dennis Dowling



CESTB Chairman