

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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Mahogany Kennedy,
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Melissa Buckley
Public Member

Minutes of Public Meeting – September 8, 2022

A public meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on September 8, 2022 at 9:11 a.m. at the offices of Capitol Consulting 818 N. 1st St, Phoenix, AZ 85004. CESTB Board members attending in person: Chairman Dennis Dowling. CESTB Board members attending via teleconference: Vice Chair Matt Giordano, Secretary Christine Shipley, Constable Mahogany Kennedy, Constable Michael Hoggard, and Valerie Beckett. Members absent: Melissa Buckley. The following staff was present – Tracy Unmacht. Members of the public attending in person –Steve Jacobs, Christine Stanwood, Matt Thorp and Constable Lennie McCloskey. Members of the public attending via teleconference: Patrice Goodman, Constable Doug Clark, Constable Nathan Wallace.

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

Announcements:

We have secured investigator Steve Jacobs through the Knowledge Services contract with the state to assist with complaint investigations.

Chairman Dowling acknowledged the death of Constable Deborah Martinez in the line of duty and stated that following the investigation, CESTB would take any action that may be appropriate.

Minutes of Previous Meetings:

Corrections: None

Vice Chair Giordano made a motion to approve the minutes as presented from the August 18, 2022, CESTB meeting, and Constable Kennedy seconded. The motion passed 5-0 with Chairman Dowling abstaining.

Financial Report: No report

Call to the Public:

Constable McCloskey thanked the Board for volunteer efforts, stated his availability to answer any questions relative to item G. on the agenda. He also requested the Board consider increasing the amount of funds available for future Outside Training grants.

Discussion & Possible Action on Constable Equipment Grant Contract Extension CNA21-706: This grant was awarded in May 2021 and supply chain issues have caused continued delays in receiving all of the approved equipment. Pima County is requesting the contract deadline be extended. Christine Shipley made a motion to approve an extension of 120 days and Constable Hoggard seconded. Ms. Shipley pointed out the delay that resulted in the request is due only to supply chain issues and is out of Pima County's control. The motion passed 5-0 with Chairman Dowling abstaining.

Discussion & Possible Action on Outside Training Grants: Three (3) applications were received during this cycle, requesting total funds in the amount of \$12,389.66. Total funds available are \$7,500. Board members submitted their scores for the record.

Constables McCloskey and Romo submitted requests in the amounts of \$2,332.24 and \$3,726.92 respectively to attend the National Constables and Marshalls Association Training. Vice Chair Giordano raised some questions about the budget figures, pointing out that the travel expenses were not fiscally responsible in his opinion. Ms. Shipley also pointed out there were calculation errors. Ms. Shipley made a motion to approve both requests with reduced funding in the amount of \$2200 each. Vice Chair Giordano seconded and the motion passed 5-0 with Chairman Dowling abstaining.

Constable Luke Palmer submitted a request in the amount of \$6,330.50 to attend Law Enforcement Training Academy. Vice Chair Giordano made a motion to decline the request and Constable Hoggard seconded. The motion passed 5-0 with Chairman Dowling abstaining.

Discussion & Possible Action on Equipment Grants: Five (5) applications were received during this cycle, requesting total funds in the amount of \$34,402.56. Total funds available are \$55,000. Board members submitted their scores for the record.

Coconino County submitted a grant request in the amount of \$2,273.52 to continue their subscription to the CLEAR program for calendar year 2023. Vice Chair Giordano made a motion to approve the request and Constable Hoggard seconded. The motion passed 5-0 with Chairman Dowling abstaining.

Maricopa County submitted a grant request in the amount of \$19,321.64 to purchase Ballistic Vests. Constable Hoggard made a motion to approve the request and Christine Shipley seconded. The motion passed 5-0 with Chairman Dowling abstaining.

Yuma County submitted a grant request in the amount of \$4,228.06 to purchase a laser printer. Constable Hoggard made a motion to approve the request and Vice Chair Giordano seconded. The motion passed 5-0 with Chairman Dowling abstaining.

Pima County submitted a grant request in the amount of \$2,409.34 to purchase two ballistic vests. This request was submitted and received prior to the event in Tucson so only one vest is needed at this time. Constable Hoggard made a motion to approve the request with reduced funding in the amount of \$1,204.67. Christine Shipley seconded and the motion passed 5-0 with Chairman Dowling abstaining.

Navajo County submitted a grant request in the amount of \$6,170 to purchase ballistic vests, ammunition and miscellaneous gear. Constable Hoggard made a motion to approve the request and Vice Chair Giordano seconded. During discussion it was pointed out that the number of practice rounds that will be purchased with the grant funds seems excessive for the number of constables utilizing it. Board members were not opposed to approving the request but requested the constables use it judiciously. The motion passed 5-0 with Chairman Dowling abstaining.

Discussion & Possible Action on Constable Complaints:

Initial Screening of new Constable Complaints:

Complaint received 08-16-22 William Rucker vs. Maricopa County Constable Doug Clark – A copy of the complaint and the investigator's initial review report were provided to the Board prior to the meeting. Vice Chair Giordano made a motion to not move forward with the complaint process citing no evidence of harassment was provided by the complainant who is a third party, nor did the alleged victim file a complaint with the CESTB. Board members concurred unanimously, and the complaint was dismissed.

Complaint received 08-18-22 Prince El vs. Maricopa County Constable Karyn Lathan – A copy of the complaint and the investigator's initial review report were provided to the Board prior to the meeting. Constable Hoggard made a motion to not move forward with the complaint process because the complainant was stating the Constable should not have served an eviction, however it is the statutory duty of a constable follow directives from the courts. Board members concurred unanimously, and the complaint was dismissed.

Complaint received 08-19-22 William Rucker vs. Maricopa County Constables Doug Clark & Carolyn Lane – A copy of the complaint and the investigator’s initial review report were provided to the Board prior to the meeting. Christine Shipley made a motion to move forward with the complaint process. Board members were polled and concurred unanimously, and the complaint investigation process was opened. Staff noted that separate case files will be opened for each constable.

Complaint received 08-24-22 Constable Nathan Wallace v Constable Doug Clark – A copy of the complaint and the investigator’s initial review report were provided to the Board prior to the meeting. Constable Hoggard made a motion to move forward with the complaint process. Board members were polled and concurred unanimously, and the complaint investigation process was opened.

Complaint received 08-28-22 William Rucker vs. Maricopa County Constables Doug Clark, Carolyn Lane & Steve Perkins – A copy of the complaint and the investigator’s initial review report were provided to the Board prior to the meeting. Vice Chair Giordano made a motion to move forward with the complaint process. Board members were polled and concurred unanimously, and the complaint investigation process was opened. Staff noted that separate case files will be opened for each constable.

Complaint received 08-30-22 William Rucker vs Constables Doug Clark, Carolyn Lane & Steve Perkins – A copy of the complaint and the investigator’s initial review report were provided to the Board prior to the meeting. It was noted that the initial review report was received late and Board members requested more time to review the report. The initial screening of this complaint was tabled to the next meeting.

Noted for the record Chairman Dowling turned the discussion of the next agenda item over to Vice Chair Giordano to avoid any conflict of interest.

Complaint received 08-28-22 Constable Ron Williams v Constable Mike Harris – A copy of the complaint and the investigator’s initial review report were provided to the Board prior to the meeting. Vice Chair Giordano made a motion to move forward with the complaint process. Board members were polled and concurred unanimously with Chairman Dowling abstaining, and the complaint investigation process was opened.

Administrative Update:

Staff completed seven public records requests; there are no open requests at this time.

BUDDIES and AZIPS submissions have been transmitted to the Governor’s office.

Training certificates have been requested from the AZ Constables Association for the August organizational training event. Once received and entered, staff will begin the annual training audit.

Future Agenda and Action Items:

Vice Chair Giordano suggested the Board discuss increasing funding for training grants.

Chairman Dowling also suggested the Board ask the AZ Constables Association to make presentations in the future regarding their training events as well as any reactions to complaint investigation outcomes.

Adjournment: Constable Hoggard made a motion to adjourn the meeting and Constable Kennedy seconded. The motion passed unanimously. Meeting was adjourned at 10:00 a.m.

Dated this 13th day of October, 2022
Constable Ethics, Standards and Training Board

By Dennis Dowling
CESTB Chairman