

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,  
Constable  
Maricopa County

Michael Hoggard  
Constable  
Mohave County

Melissa Buckley  
Public Member

### Minutes of Public Meeting – October 13, 2022 as corrected on 11-10-22

A public telephonic meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on October 13, 2022 at 9:03 a.m. CESTB Board members attending via teleconference: Chairman Dennis Dowling, Vice Chair Matt Giordano, Secretary Christine Shipley, Constable Mahogany Kennedy, Constable Michael Hoggard, Melissa Buckley and Valerie Beckett. Members absent: none. The following staff was present – Tracy Unmacht and Ben Norris from the AZ Attorney General office. Members of the public attending via teleconference – Steve Jacobs, Constable Mark Sinclair, Patrice Goodman, Constable Doug Clark, Constable Nathan Wallace, Joseph Jaafari, Constable Scott Blake, Scott Davis.

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

#### **Announcements:**

Chairman Dowling

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

Corrections: None

Constable Kennedy made a motion to approve the minutes as presented from the September 8, 2022, CESTB meeting, and Christine Shipley seconded. The motion passed 6-0 with Chairman Dowling abstaining.

**Financial Report:** Staff reviewed the July/August financial report received from Central Services Bureau. Staff is working with CSB to correct how revenue was assigned.

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

Constable Nathan Wallace thanked the board and staff for their efforts.

#### **Discussion & Possible Action on Increasing Budget for Cycle III Organizational & New Constable**

**Training Grant:** The AZ Constables Association (ACA) has requested an additional \$25,000 be added to the budget for this grant cycle. The rationale is they have increased the amount of training that will be offered at the January 2023 Constable and New Constable training event and they expect a higher than usual turnout for this training which may result in increased costs for lodging and meals for those in attendance. Vice Chair Giordano asked about the per diem rate that will be funded. Valerie Beckett asked at what point in time the ACA will know how many attendees there will be in order to have a better idea of what actual expenses may be. Constable Hoggard made a motion to approve the request and Constable Kennedy seconded. Discussion ensued. Board members would like to see the detailed budget and suggested the budget increase could be considered when the application is reviewed for funding approval at the November meeting. Constable Kennedy rescinded her second to the motion to approve. Constable Hoggard amended his motion to table until the November meeting and Vice Chair Giordano seconded. The motion passed 6-0 with Chairman Dowling abstaining.

**Discussion & Possible Action on Increasing Budget and Changing Timeline for Cycle VI Organizational Firearms Training Grant:** The AZ Constables Association has requested an additional \$25,000 be added to the budget for this grant cycle. They are also requesting the application and review period be moved up two months. This will mean a deadline for application of November 30, 2022 with funding decision at the December 2022 meeting. The rationale for the budget increase is they expect a higher than usual turnout for this training. The rationale for the change in timeline is that this will allow newly elected constables to receive this training much sooner following election and taking office.

Vice Chair Giordano made a motion to approve the change in timeline and postpone decision on the budget increase to when the application is reviewed for funding. Constable Hoggard seconded and the motion passed 6-0 with Chairman Dowling abstaining.

At 9:34 a.m. Melissa Buckley made a motion to enter into Executive Session and Constable Hoggard seconded. The motion passed 6-0 with Chairman Dowling abstaining.

At 10:06 a.m. Melissa Buckley made a motion to return to regular session and Constable Hoggard seconded. The motion passed 6-0 with Chairman Dowling abstaining.

Valerie Beckett made a motion to request Constable Clark respond to complaint CNA305-2023, and within the response make a request to have Hipaa information shared in Executive Session. Only Hipaa related testimony will be presented in Executive Session. Constable Hoggard seconded and the motion passed 6-0 with Chairman Dowling abstaining.

#### **Discussion & Possible Action on Constable Complaints:**

Initial Screening of new Constable Complaints:

Complaint received 08-30-22 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 09-09-22 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. Board members were polled and concurred unanimously to not move forward with the complaint process, and the complaint was dismissed.

Complaint received 09-14-22 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 move forward with the complaint process. Clarification was made on which of the two allegations would be addressed. Vice Chair Giordano requested the certificate of service would be the focus of the investigation. Christine Shipley requested the daily log also be included since it was also being included in a previous complaint, and these matters may be combined into a single complaint by the Chair. Board members were polled and concurred unanimously, and the complaint investigation process was opened.

Complaint received 09-14-22 Iva Shaffer vs Gila County Constable Ruben Mancha - 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.

Complaint received 09-23-22 Courtney White vs Maricopa County Constable Bridget Bellavigna - 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 09-24-22 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. Reference was made to the open ongoing criminal investigation into the matter this complaint is related to. Chairman Dowling indicated this particular complaint included no evidence to be considered but was rather a complaint of opinion on the matter currently under investigation. Vice Chair Giordano made a motion to dismiss the complaint and reopen at any such time in the future the investigative agency alleges misconduct on behalf of Constable Clark. It would be up to the agency to file the complaint, not a third party. Board members were polled and concurred unanimously, and the complaint was dismissed.

Complaint received 09-25-22 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. Board members were polled and concurred unanimously to not move forward with the complaint process, and the complaint was dismissed.

Complaint received 10-04-22 Leslie Manteufel vs Pima County Constable Bennett Bernal - 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 10-05-22 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. Chairman Dowling made a motion to move forward with the complaint process. Board members were polled and concurred unanimously, and the complaint investigation process was opened.

#### **Administrative Update:**

Staff completed four public records requests and one additional request is pending at this time.

Staff has been working on the audit of training records and concluded at this time 24 constables have not yet met the mandatory 16 hours of continuing education for the calendar year 2022. Completed hours among those constables range from 0 hours to 15.5 hours. Staff is still in the process of determining if any those constables have left office and once that is complete, courtesy letters will be sent to those constables reminding them of the statutory requirement to complete the training by December 31, 2022.

**Future Agenda and Action Items:** future budget discussions surrounding the investigator services.

**Adjournment:** Constable Kennedy made a motion to adjourn the meeting and Constable Hoggard seconded. The motion passed unanimously. Meeting was adjourned at 10:31 a.m.

Dated this 10<sup>th</sup> day of November, 2022  
Constable Ethics, Standards and Training Board

By Dennis Dowling



CESTB Chairman