

Dennis Dowling,  
Chair  
Justice Court  
Yavapai County

Matt Giordano  
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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Michael Hoggard,  
Vice Chair  
Constable  
Mohave County

Mahogany Kennedy,  
Constable  
Maricopa County

Vacant  
Public Member

### Minutes of Public Meeting – April 13, 2023

A public meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on April 13, 2023 at 9:01 a.m. at the offices of Capitol Consulting 1415 N 7<sup>th</sup> Ave, Phoenix, AZ 85007. CESTB Board members attending in person: Chairman Dennis Dowling, Vice Chair Constable Michael Hoggard. CESTB Board members attending via teleconference: Secretary Christine Shipley, Matt Giordano, Constable Mahogany Kennedy and Valerie Beckett. Members absent: None. The following staff was present – Tracy Unmacht and investigator Steve Jacobs. Members of the public attending in person: Constable Jon Curtis, Constable Darlene Martinez. Members of the public attending via teleconference – Patrice Goodman, Constable Nathan Wallace, Constable Scott Blake, Jacob Emmett, Brian Hunt, Breezy Von Ronne, Robin Hillyard.

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

#### **Announcements**

Maricopa County Board of Supervisors appointed Matthew McRae on March 29, 2023 to Constable for Moon Valley precinct.

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

Corrections: None

Constable Kennedy made a motion to approve the March 9, 2023 meeting minutes as presented and Vice Chair Hoggard seconded. The motion passed 5-0 with Chairman Dowling abstaining.

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

None

#### **Financial Report**

Staff reviewed the February financial report received from Central Services Bureau. Staff clarified expected expenditures for investigator listed in the adjustments column on the cash flow projections report is the total amount budgeted less amounts already paid through March 27. Several grants including the outstanding grants from FY21 and FY22 have been paid. Current projected ending cash is \$707,622. Vice Chair Hoggard made a motion to approve the February financial report and Constable Kennedy seconded. The motion passed 5-0 with Chairman Dowling abstaining.

#### **Presentation and Discussion on Draft FY24 Budget**

An updated draft budget was provided to board members prior to the meeting for discussion purposes. Chairman Dowling provided some suggested changes to our grant funding for FY24, increasing overall funding by \$215K. This would include increases to Equipment, Organizational Training, Organizational Firearms Training grant cycles and additional monthly grant cycles to accommodate newly appointed constables filling vacancies throughout the year. The last several years have seen a decrease in the number of grant applications and subsequent grant funding resulting in a surplus balance. If implemented, the suggested changes would begin to spend down that surplus.

Board members discussed the need to encourage constables to apply.

Staff will provide an updated working copy at the next meeting for continued discussion. Final budget approval must take place before July 1, 2023.

### **Status Update on Ongoing Constable Complaint Investigations**

Chairman Dowling reported the following complaints are still under investigation and not ready to present to the board for discussion or possible action. We are awaiting reports from other agencies to conclude our investigation.

1. CNA302-2023 William Rucker v Constable Doug Clark
2. CNA304-2023 William Rucker v Deputy Constable Steve Perkins
3. CNA307-2023 William Rucker v Constable Doug Clark
4. CNA309-2023 William Rucker v Deputy Constable Steve Perkins
5. CNA312-2023 William Rucker v Constable Doug Clark
6. CNA317-2023 William Rucker v Constable Doug Clark
7. CNA319-2023 William Rucker v Constable Doug Clark
8. CNA320-2023 William Rucker v Constable Doug Clark
9. CNA321-2023 William Rucker v Constable Doug Clark
10. CNA324-2023 William Rucker v Constable Doug Clark

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

CNA326-2023 Danielle Starr v Constable Byron Rhymes, CNA327-2023 Danielle Starr v Constable Byron Rhymes, & CNA330-2023 Donald Hutchison v Constable Byron Rhymes

The complaints, constable response, and case review reports from the investigator were circulated to the board prior to the meeting. Matt Giordano suggested that since CNA326-2023, CNA327-2023 and CNA330-2023 were all related they be discussed together and made a motion to issue a letter of admonishment for all three complaints. Constable Hoggard seconded and the motion passed with a roll call vote 4-0 with Chairman Dowling and Constable Kennedy abstaining.

CNA328-2023 Nathan Wallace v Constable Darlene Martinez

The complaint, constable response, and case review report from the investigator were circulated to the board prior to the meeting. Christine Shipley indicated she did not receive the constable response for this case and made a motion to table the complaint until the next meeting. Vice Chair Hoggard seconded and the motion passed with a roll call vote 4-0 with Chairman Dowling and Constable Kennedy abstaining.

CNA329-2023 Takara Andrus v Constable Jon Curtis

The complaint, constable response, and case review report from the investigator were circulated to the board prior to the meeting. Matt Giordano made a motion to dismiss the complaint and Constable Kennedy seconded. The motion passed with a roll call vote 5-0 with Chairman Dowling abstaining.

Initial Screening of new Constable Complaints:

Chairman Dowling reminded board members that during initial screening, opening an investigation into any complaint requires only one board member requesting to do so. Dismissal without investigation requires unanimous approval.

CNA337-2023 Nathan Wallace v Constable Karyn Lathan

The complaint and initial review report from the investigator were circulated to the board prior to the meeting. Matt Giordano made a motion to move forward to an investigation, Christine Shipley seconded. A roll call vote resulted in unanimous agreement to move the complaint forward with Chairman Dowling abstaining.

CNA338-2023 Breezy Von Ronne v Constable Mike Sloan

The complaint and initial review report from the investigator were circulated to the board prior to the meeting.

Vice Chair Hoggard requested the complaint be moved forward to an investigation. A roll call vote resulted in unanimous agreement to move the complaint forward with Chairman Dowling abstaining.

**Discussion & Possible Action on Rules Update**

Matt Giordano made a motion to authorize our investigator Steve Jacobs to work with the Attorney General to revise our rules to ensure they line up with current policies and procedures and also in conjunction with the 5 year rule review that is required this year. Additionally he moved to engage the services of a professional rules writer to implement. Vice Chair Hoggard seconded. Discussion: Christine Shipley suggested we should add costs for the rules writer to our proposed budget. Chairman Dowling indicated we should also add costs for Steve Jenkins services for assisting with the rules process.

Matt Giordano amended his motion to include authorized spending up to \$5000 for costs related to amending our rules. Vice Chair Hoggard approved the amendment to the motion. The motion passed with a roll call vote 5-0 with Chairman Dowling abstaining.

**Administrative Update**

Staff worked with the Attorney General to make appropriate redactions to complaints against Deborah Martinez to fulfill a public records request. Staff completed all of the risk management and internal controls surveys that are required each year. Staff will be working on the FY23 Complaint Summary Report to post on the website.

**Future Agenda and Action Items:**

Review of the grant cycles for FY24.

**Adjournment:** Vice Chair Hoggard made a motion to adjourn the meeting and Valerie Beckett seconded. The motion passed unanimously. Meeting was adjourned at 9:33 am.

Dated this 11<sup>th</sup> day of May, 2023  
Constable Ethics, Standards and Training Board

By Dennis Dowling



CESTB Chairman