

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 – June 8, 2023

A public meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on June 8, 2023 at 9:01 a.m. at the offices of Capitol Consulting 1415 N 7th Ave, Phoenix, AZ 85007. CESTB Board members attending in person: none. CESTB Board members attending via teleconference: Chairman Dennis Dowling, Vice Chair Constable Michael Hoggard, Secretary Christine Shipley, Constable Mahogany Kennedy Matt Giordano, and Valerie Beckett. Members absent: none. The following staff was present – Tracy Unmacht and investigator Steve Jacobs. Members of the public attending via teleconference – Patrice Goodman, Constable Nathan Wallace, Constable Bill Lake-Wright, Constable Daniel Rowland, Constable Karyn Lathan, Danielle Morris, Robin Hillyard, Terry Johnson, Scott Davis, Julie Gonagle

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

Announcements - None

Minutes of Previous Meetings

Corrections: None

Vice Chair Hoggard made a motion to approve the May 11, 2023 meeting minutes as presented and Constable Kennedy seconded. The motion passed 5-0 with Chairman Dowling abstaining.

Call to the Public

Constable Rowland made a statement about the complaint against him that is on the agenda for initial screening.

Constable Lake-Wright also spoke about the Rowland complaint.

Financial Report

Staff reviewed the April 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 May 23rd. Several grants have been paid. Current projected ending cash is \$711,564. Christine Shipley made a motion to approve the April financial report and Valerie Beckett seconded. The motion passed 5-0 with Chairman Dowling abstaining.

Presentation and Discussion on Draft FY24 Meeting Schedule

A draft schedule of board meetings for FY24 was presented. Chairman Dowling reported that conducting the July meeting in conjunction with constable training event is not feasible. Vice Chair Hoggard made a motion to approve the FY24 board meeting schedule as presented and Christine Shipley seconded. The motion passed 5-0 with Chairman Dowling abstaining.

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. Going forward these will be placed on agendas on a quarterly basis unless there is a resolution with the 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

CNA332-2023 Terry Johnson v Constable David Lester

The complaint, constable response, and case review report from the investigator were circulated to the board prior to the meeting.

Vice Chair Hoggard made a motion to dismiss, and Christine Shipley seconded. The motion passed with a roll call vote 5-0 with Chairman Dowling abstaining.

CNA337-2023 Nathan Wallace v Constable Karyn Lathan

The complaint, constable response, and case review report from the investigator were circulated to the board prior to the meeting.

Vice Chair Hoggard made a motion to issue a warning letter to the constable and Valerie Beckett seconded. Ms. Beckett wanted clarification that the warning will include unauthorized parking in a handicap spot in addition to the non-report of the vehicle accident. The motion passed with a roll call vote 4-1 with Matt Giordano dissenting and Chairman Dowling abstaining.

CNA338-2023 Stormy Von Ronne v Constable Mike Sloan

The complaint, constable response, and case review report from the investigator were circulated to the board prior to the meeting.

Vice Chair Hoggard acknowledged Constable Sloan admitted using poor judgement when entering the complainant's property and accepted full responsibility and consequences for his actions. Vice Chair Hoggard made a motion to issue a warning and Christine Shipley 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.

CNA340-2023 William Rucker v Constable Nathan Wallace

The complaint and initial review report from the investigator were circulated to the board prior to the meeting. Matt Giordano made a motion to dismiss without investigation. The dismissal was confirmed with a roll call vote 5-0 with Chairman Dowling abstaining.

CNA344-2023 Victor Alvarado v Constable Daniel Rowland

The complaint and initial review report from the investigator were circulated to the board prior to the meeting. Christine Shipley requested this complaint be moved forward into an investigation. Roll call vote confirmed the

decision 5-0 with Chairman Dowling abstaining. The constable will be contacted and a request for response will be made.

Discussion & Possible Action on Rules Update - Steve Jacobs

A draft of the proposed rule changes was provided to the board prior to the meeting. Mr. Jacobs provided historical background on the establishment of the CESTB and statutory modifications over the years. He clarified those sections that should be changed to accurately reflect our process and added sections to cover conducting judicial review hearings.

Matt Giordano made a motion to contract with rules writer Jeanne Hann in an amount up to \$5000 to finalize the rules document and assist with submitting the rules to the Governor's Regulatory Review Council (G.R.R.C.). Vice Chair Hoggard seconded, and the motion passed 5-0 with a roll call vote with Chairman Dowling abstaining.

Administrative Update

Staff continues to work on FY23 closing activities as well as preparing for FY24.

Staff is also working with the attorney general's office regarding care of evidence related to the Fox lawsuit.

Staff was directed to continue working with the Governor's office to fill the member of the public board position.

Future Agenda and Action Items:

Invite AG's office to a meeting to receive an update on the Fox lawsuit.

Adjournment: Vice Chair Hoggard made a motion to adjourn the meeting and Christine Shipley seconded. The motion passed unanimously. The meeting was adjourned at 9:47 am.

Dated this 13th day of July 2023
Constable Ethics, Standards and Training Board

By Dennis Dowling



CESTB Chairman