

Dennis Dowling,  
Chair  
Justice Court  
Yavapai County

Michael Hoggard,  
Vice Chair  
Constable  
Mohave County

Christine Shipley,  
Secretary  
Multihousing  
Association

Valerie Beckett  
County Administrator  
Maricopa County



STATE OF ARIZONA

## CONSTABLE ETHICS, STANDARDS AND TRAINING BOARD

PO Box 13116 Phoenix, AZ 85002  
cestb.az.gov

cestb@azcapitolconsulting.com  
602-343-6280  
FAX 602-712-1252

Mahogany Kennedy,  
Constable  
Maricopa County

Matt Giordano  
AZPOST

Vacant  
Public Member

### Minutes of Public Meeting – August 10, 2023

A public meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on August 10, 2023 at 9:02 a.m. at the offices of Capitol Consulting 1415 N 7<sup>th</sup> 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, Chandni Bhakta and investigator Steve Jacobs. Member of the public attending in person: Doug Miller. Members of the public attending via teleconference – Constable Lance Pearce, Constable Nathan Wallace, Constable Fransico Lopez, Constable Lake-Wright, Constable Blake, Jen Sanders (AAG), Brian Hunt, Jasmine Southard, Scott Davis, Constable Kazwin, Patricia Goodman, Ron Johnson.

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

**Announcements** – Agenda item F is removed as no applications were received. Rules update removed.

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

Corrections: None

Secretary Shipley made a motion to approve the June 2023 meeting minutes as presented and Constable Kennedy seconded. The motion passed 5-0 with Chairman Dowling abstaining.

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

Doug Miller presented comments on his complaint.

#### **Financial Report**

Staff reviewed the June financial report received from Central Services Bureau. Staff reported total revenue for FY23 was \$401,778 and total expenditures were \$342,581. FY23 ending cash was \$677,172 which reflects \$1690.53 invoice expenditure for investigator as well as \$103,200 in outstanding grants. Vice Chair Hoggard made a motion to approve the June financial report and Constable Kennedy seconded. The motion passed 5-0 with Chairman Dowling abstaining.

#### **Presentation, Discussion, & Possible Action on Approval of Training Courses**

Constable Blake presented to the Board that AZPOST no longer approve the training for the conference. Member Giordano corrected stating that classes will continue to be approved but will not approve this training conference as the training had occurred by the time the training request was received by AZPOST. Chairman Dowling stated training would have been approved by Board through the grant approval. Member Hoggard agrees with Chairman Dowling.

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

NOTE: All complaints, supporting documentation, constable responses, and reports from the investigator were circulated to the board prior to the meeting.

CNA343-2023 Scarlett St. John v Constable Francisco Lopez

Vice Chair Hoggard made a motion to dismiss, and Christine Shipley seconded. Discussion: Member Beckett expressed concern attending a political fundraiser in uniform. Member Giordano agrees and states to issue warning. Vice Chair Hoggard amends motion to issue warning and Member Shipley seconded. Motion passed 5-0 with a roll call vote with Chairman Dowling abstaining.

CNA344-2023 Victor Alverado v Constable Daniel Rowland

Vice Chair Hoggard presented the question of whether the constable acted under his authority. Vice Chair Hoggard also stated the constable's actions put a minor in jeopardy. Member Beckett stated the constable was using a county vehicle, with a child, and that presented with lack of judgment from the constable. Chairman Dowling agrees that child in county vehicle is concerning. Member Beckett motions for reprimand and states under power, duties, and acts. Motion seconded by Vice Chair Hoggard. Motion passed 5-0 with a roll call vote with Chairman Dowling abstaining.

Initial Screening of new Constable Complaints:

NOTE: All complaints and initial review reports from the investigator were circulated to the board prior to the meeting.

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.

CNA345-2023 Cindy Crick v Constable Roger Curtis

Vice Chair Hoggard requested to move forward with this complaint. Passed with a roll call vote 5-0 with Chairman Dowling abstaining. The constable will be contacted and a request for a response will be made.

CNA346-2023 Brent Yosick v Unknown

Member Giordano 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 a response will be made.

CNA347-2023 Doug Miller v Constable Darlene Martinez

Vice Chair Hoggard requested to move forward with this complaint. Member Shipley seconded. Passed with a roll call vote 5-0 with Chairman Dowling abstaining. The constable will be contacted and a request for a response will be made.

CNA348-2023 Nancy Martinez v Constable Rustin Pearce

Member Giordano 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 a response will be made.

CNA349-2024 Jasmin Southard v Constable Francisco Lopez

Vice Chair Hoggard 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 a response will be made.

CNA350-2024 Donna Ramirez v Constable Paul Brisco

Vice Chair Hoggard 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 a response will be made.

CNA351-2024 William Rucker v Constable James Rich

Member Giordano presents question to Board on whether constables wear insignia. Vice Chair Hoggard answers constables wear the patch and in a critical incident, wearing police body armor/protective gear is not uncommon. Board members did not wish to open an investigation and the case was dismissed.

CNA352-2024 William Rucker v Constable Nathan Wallace

Member Giordano states the same reason for dismissal as CNA351-2024. Board members did not wish to open an investigation and the case was dismissed.

CNA353-2024 William Rucker v Constable Lennie McCloskey

Vice Chair Hoggard states there is incorrect information in the complaint - the constable in question was not involved in the situation cited by the complainant. Board members did not wish to open an investigation and the case was dismissed.

**At 9:46 am Constable Kennedy made a motion to enter into Executive Session for the purpose of legal advice and Secretary Shipley seconded. Motion passed unanimously**

**At 10:03 am Constable Kennedy made a motion to end executive session and Vice Chair Hoggard seconded. Motion passed unanimously**

#### **Administrative Update**

Staff reported the state has implemented a new system for submitting budget and planning to the Governor's office. Staff attended requisite training and is learning the new system.

Staff updated the board regarding vacant position and expiring appointments. Chairman Dowling's term is ending. Valerie Beckett was reappointed to serve another 4 year term. And we have an individual interested in serving in the member of the public position. Staff has provided guidance to the applicant and will continue to dialogue with boards and commissions to expedite filling the vacant position.

#### **Future Agenda and Action Items:**

Vice Chair Hoggard would like to discuss the procurement process at the October or November meeting – need to acquire information in the meantime.

**Adjournment:** Vice Chair Hoggard made a motion to adjourn the meeting and Christine Shipley seconded. The motion passed unanimously. The meeting was adjourned at 10:07 am.

Dated this 14<sup>th</sup> day of September 2023  
Constable Ethics, Standards and Training Board

By Dennis Dowling

CESTB Chairman