

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



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Mahogany Kennedy,
Constable
Maricopa County

Matt Giordano
AZPOST

Vacant
Public Member

Minutes of Public Meeting – October 12, 2023

A public meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on October 12, 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 attended via teleconference: Chairman Dennis Dowling, Vice Chair Constable Michael Hoggard, Constable Mahogany Kennedy, Christine Shipley and Valerie Beckett. Members absent: Matt Giordano. CESTB Board Members present in person: None. The following staff were present – Chandni Bhakta and Courtney LeVinus.

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

Announcements – None

Minutes of Previous Meetings

Corrections: None

Constable Kennedy made a motion to approve the October 2023 meeting minutes as presented and Constable Hoggard seconded. The motion passed.

Call to the Public

No public member spoke to the Board at this meeting.

Financial Report

The FY23 80/20 spilt were made by CSB, but the 80/20 spilt for FY24 has not been reported yet. The expenditures were shown for the fiscal year for each month (July and August). The specific expenditures for July and August were shown for administrative, investigator costs, several grant payments, risk management fee, and AFIS charge. Opening cash flow is \$782,056 with an average revenue for July/August is \$31,403 which is down slightly from budgeted \$35,188 per month. The projected revenue is shown in blue and grant claims paid in July/August were for FY23, so they are shown near the Admin Adjustment row (\$13,951 & \$9410). With all projected Revenue/Expenditures, the expected ending cash flow would be \$388,915. Approval motion by Constable Hoggard and Constable Kennedy second. Motion passed.

Presentation, Discussion & Possible Action on Cycle VI October Equipment Grant for Vacancies Application– No applications received.

Presentation, Discussion & Possible Action on Procurement Process for Administrative Contracts:

Constable Hoggard provides Board with an update on the procurement process. Constable Hoggard stated he was told the CESTB cannot do anything unless Capitol Consulting reaches out to renew contract. Constable Hoggard states confusion about the process but will reach out to Capitol Consulting and Procurement Office.

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.

CNA345-2023 Crick v Curtis – Constable Hoggard discusses need for further investigation with additional witness interviews. Constable Hoggard motions to continue for further investigation. Member Beckett seconds motion for further investigation. Roll Call: Constable Hoggard, Member Shipley, Member Beckett, Constable Kennedy. Chairman Dowling (Abstain)

CNA346-2023 Yosick v Morrison - Constable Hoggard discusses need for further investigation with additional witness interviews. Constable Hoggard motions to continue for further investigation. Member Beckett seconds motion for further investigation. Chairman Dowling provides discussion on the response from Constable Morrison. Roll Call: Constable Hoggard, Member Shipley, Member Beckett, Constable Kennedy. Chairman Dowling (Abstain)

CNA347-2023 Miller v Martinez - Constable Hoggard discusses need for further investigation with additional witness interviews. Constable Hoggard motions to continue for further investigation. Member Beckett seconds motion for further investigation. Roll Call: Constable Hoggard, Member Shipley, Member Beckett, Chairman Dowling. Constable Kennedy (Abstain)

CNA348-2023 Martinez v Pearce – Constable Hoggard discusses possibility of referral to County Attorney as Constable stated there was ammunition to in the residence. Member Beckett discusses possible reprimand in addition to the referral, if motion passes, due to attempt to secure private property. Investigator Jacobs addresses remarks on referral to County Attorney as completed investigations are referred. Investigator Jacobs stated the investigation is not yet complete and requires additional interviews. Constable Hoggard amends the motion to continue for further investigation with additional witness interviews. Member Beckett seconds motion for further investigation. Roll Call: Constable Hoggard, Member Shipley, Member Beckett, Constable Kennedy. Chairman Dowling (Abstain)

CNA349-2024 Southard v Lopez – Constable Hoggard discusses on post review of case. Constable Hoggard stated the constable attempted to do his work duty the best he could and motions to dismiss. Member Beckett seconds the motion to dismiss. Roll Call: Constable Hoggard, Member Shipley, Member Beckett, Constable Kennedy. Constable Dowling (Abstain)

CNA350-2024 Ramirez v Brisco – Constable Hoggard stated the constable in this matter did discuss the case in a meeting in their county and will not vote on this case (recuses himself). Member Beckett discusses and asks the Board if the standard practice is to recuse if there is a conflict of interest in the duty of a constable. Chairman Dowling answers there is a due diligence to recuse if the conflict of interest is present. Member Beckett motions to issue a letter of admonishment. Constable Kennedy seconds motions for letter of admonishment. Roll Call: Member Shipley, Member Beckett, Constable Kennedy, and Chairman Dowling. Constable Hoggard (not voting/recused).

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.

1. CNA360-2024 Lake-Wright v Vasquez: Constable Hoggard motions to move forward. Roll Call: Constable Hoggard, Member Shipley, Member Beckett, Constable Kennedy. Constable Dowling (Abstain)
2. CNA361-2024 Lake-Wright v Kznarich: Constable Hoggard motions to move forward. Constable Hoggard states the next few cases on the agenda are similar. Chairman Dowling asks if a group vote to continue the similar group of cases should be made. Constable Hoggard agrees and states

the cases are similar and from the same county. Constable Hoggard motions for CNA361-2024 through CNA365-2024 be continued for further investigation. Member Beckett asks the Board if the Board over presiding constables assigning cases for service. Chairman Dowling states he questioned the same intention, but Investigator Jacobs mentioned the duty to complete service upon assignment. Constable Kennedy agrees with Member Beckett but would like to see more information for an outcome on this matter. Roll Call: Constable Hoggard, Member Shipley, Member Beckett, Constable Kennedy. Constable Dowling (Abstain).

3. CNA362-2024 Lake-Wright v Lopez – Group vote, case moves forward. See details in CNA361-2024.
4. CNA363-2024 Kznarich v Vasquez- Group vote, case moves forward. See details in CNA361-2024.
5. CNA364-2024 Kznarich v Chism- Group vote, case moves forward. See details in CNA361-2024.
6. CNA365-2024 Kznarich v Lake-Wright - Group vote, case moves forward. See details in CNA361-2024.
7. CNA366-2024 Williamson v Garcia: Constable Hoggard wishes to move forward for investigation. Roll Call: Constable Hoggard, Member Shipley, Member Beckett, Constable Kennedy. Constable Dowling (Abstain)

Administrative Update: Administrator Bhakta stated no update on the open Board position and will continue to reach out to the Boards and Commissions. No additional updates.

Future Agenda and Action Items: None

Adjournment: Constable Kennedy made a motion to adjourn the meeting and Constable Hoggard seconds the motion. The motion passed unanimously. The meeting was adjourned at 0936.

Dated this 12th day of October 2023
Constable Ethics, Standards and Training Board

By Dennis Dowling

CESTB Chairman