

Mike Cobb, Chair
Constable
Mohave County

Scott Blake
Constable
Maricopa County

Dennis Dowling
Justice Court
Yavapai 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

Valerie Beckett
County Administrator
Maricopa County

Adam Shepherd
Sheriff
Gila County

Vacant
Public Member

Christine Shipley
Multihousing
Association

Minutes of Public Meeting – August 21, 2019

A public meeting of the Constables Ethics, Standards and Training Board (CESTB) was convened on August 21, 2019 at 10:08 a.m. at the offices of Capitol Consulting 818 North First Street Phoenix, AZ 8500. Present were the following members of the CESTB: Chairman Mike Cobb, Constable Scott Blake and Judge Dennis Dowling. Members present via teleconference were Sheriff Adam Shepherd. CESTB members absent were Christine Shipley and Valerie Beckett. The following staff was present – Tracy Unmacht. Members of the public in attendance included none. Members of the public attending via teleconference included Robin Hillyard and Constable Bennett Bernal.

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

Minutes of Previous Meetings:

Corrections: None

Sheriff Shepherd made a motion to approve the minutes as presented from the July 22, 2019 CESTB meeting and Judge Dowling seconded. The motion passed unanimously.

Financial Report: EOY/June financial report has been received. The state has not closed out FY19 yet, but CSB indicates they don't anticipate any changes to our account for FY19. Because FY19 has not yet closed, July reports have not yet been run. Constable Blake made a motion to accept the June 2019 financial report and Sheriff Shepherd seconded.

Call to the Public: None

Constable Complaints:

CNA243-2019 Bernal - Chairman Cobb reviewed the complaint and constable response. He pointed out there were some valid concerns and issues on both sides. He attempted to reach the complainants for further information but they did not respond to his inquiry. Constable Bernal was present on the phone and stated he believed he was following protocol. He reached out to the complainants to try to work out differences but they did not respond. Judge Dowling stated his opinion that to post a notice and leave before service is completed is not appropriate. Judge Dowling made a motion to issue a written warning to the constable and request the presiding constable set up a mediation between the complainant and Constable Bernal so procedures going forward are understood by both parties. Constable Blake seconded and the motioned passed unanimously 4-0.

CNA240-2019 Vasquez - Chairman Cobb reviewed the complaint and constable response regarding a confrontation between the complainant and constable following a driving incident. The Chairman stated that if the constable had not followed the complainant to his home, the situation would have been avoided. Judge Dowling further commented that in the constable's response to the complaint, he began by attacking the complainant rather than addressing the complaint itself. Chairman Cobb pointed out that the constable has been reprimanded by this board previously for driving related complaints. The Constable has already received necessary training, so the board agreed additional measures should be taken.

Judge Dowling made a motion to place the constable on probation, and direct the presiding constable to monitor his behavior and report back to this board at (or prior to) the September 18th board meeting. Sheriff Shepherd seconded and the motion passed unanimously 4-0.

Administrative Update

Staff has also been reviewing compliance for submission of writ fees and is still working on getting EFT set up correctly. Staff is also looking into odd amounts that have been deposited by several counties.

Constable Blake inquired about the amounts collected by some of the counties and asked staff to follow up with Santa Cruz county to make sure they are making proper collections.

Staff created an end of year complaint summary. There were 9 complaints received in FY19, 3 remain open with hearings scheduled for the August and September board meetings. A status report has been posted to the website and a final will be posted when the final 3 close.

The first cycle for constable equipment deadline to apply is September 9th and applications will be voted on at the September board meeting.

Staff has been preparing the required budget and planning reports to the Governor's office and reviewed with the Board. One of the 5 Year Plan Goals is the appointment of a committee to update the Constable Code of Conduct. The Board agreed the AZ Constables Association would be best equipped to review and make any suggested changes/additions. Staff will send to the ACA board and request an update following the Tubac training event that can be reviewed and discussed at the February 2020 board meeting.

Sheriff Shepherd inquired about his board position – Chairman Cobb has been discussing with the new AZPOST representative about the re-appointment but it hasn't taken place yet. Board members continue to serve beyond their term until a replacement is named.

Adjournment: Judge Dowling made a motion to adjourn the meeting and Constable Blake seconded. The motion passed unanimously. Meeting was adjourned at 11:13 a.m.

Dated this 19 day of SEPTEMBER, 2019
Constable Ethics, Standards and Training Board
By

A handwritten signature in cursive script that reads "Mike Cobb". The signature is written in dark ink and is positioned below the printed name of the Chairman.

Chairman Mike Cobb