



# Arizona Constables Association

June 2009 Page 1

## ACA CALL TO MEETING FLAGSTAFF

**Training and meeting dates for August  
25th, 26th and 27th.**

Once again it is registration time for our summer meeting and this year we are moving to the wonderful town of Flagstaff. The reason for the change was that we had out grown the facilities in Payson. We spent four weeks searching all the possibilities in Prescott, Showlow, Sedona, Flagstaff and Payson. It was found that only two places could accommodate us. They were the Little America and Radisson Hotels, both in Flagstaff. After reviewing the accommodations and rates, only the Radisson fit into the conference budget, catering, training facilities and room needs.

The Radisson hotel has a complete conference center and catering services. You will see the difference in the class room size. The ACA will be providing breakfast and lunch on the first and second day of the conference. There will be our ACA reception and dinner on the night of the 26th. These meals will be served in rooms adjacent to the class rooms. The guest rooms are very comfortable and located next to the meeting rooms.

You must make your own reservations for the hotel:

Radisson Woodlands Hotel Flagstaff  
1175 West Route 66,  
Flagstaff Arizona 86001, US  
**Reservations:** 1-800-395-7046  
US/Canada Toll-free  
**Telephone:** (928) 773-8888  
**Fax:** (928) 773-0597  
E-Mail [rhi\\_flag@radisson.com](mailto:rhi_flag@radisson.com)

Make sure and make Reference to the Arizona Constables Association and get our guaranteed room rate of \$89.47 per night. Hope to see you all there.

## **ACA Guest Speaker: Terry Goddard, Arizona Attorney General**

Through the efforts of Constable Carolyn Lane the ACA is proud to welcome Terry Goddard, as our guest speaker at the conference dinner on the 26th.

Terry's 30-year legal career began when he was hired by the Arizona Attorney General's Office as a white-collar crime prosecutor. He was elected Mayor of Phoenix four times, leading the City from 1984 to 1990. During those years, Phoenix made significant strides in expanding and modernizing law enforcement and setting up nationally-recognized programs in economic development, the arts and historic preservation. He was elected President of the National League of Cities in 1989 and named "Municipal Leader of the Year" by City and County Magazine.



From 1995 to 2002, Terry served as Arizona Director for the U.S. Department of Housing and Urban Development (HUD).

Terry is an Arizona native, born and raised in Tucson. His father, Sam Goddard, served as Arizona's Governor in the 1960s. Terry received his law degree from Arizona State University. He served an active duty tour in the Navy and retired as a Commander after 27 years in the Naval Reserves. He and his wife Monica have a young son.



# Arizona Constables Association

June 2009 Page 2

## New State ID Cards

The ACA will be processing new state ID cards for Constables and Deputy Constables at the Flagstaff meeting. These cards are made on a special printer and are of the highest quality. Your photo will be taken at the time of processing. Please bring appropriate clothing for your photo session. These photos will also be used on the ACA web site.



Issued	01/01/09	Sex	male	Eyes	Hazel
Expires	01/01/13	Height	5'11"	Hair	Brown
Birthdate	01/01/50	Weight	190	Elected	01/01/09

Timber Justice Court  
Constables Office  
1234 W. Tickle Ave  
Jackson AZ 86999  
Phone 928-222-0909  
Yankee County  
Phone 928-222-0908



This card is the property of the Arizona Constables Association  
7119 E. Shea Boulevard Suite 109-196 Scottsdale, Arizona 85254

"Firearms are second only to the  
Constitution in importance;  
they are the peoples' liberty's teeth."  
George Washington

## Constables Ethics, Standard and Training Board issues Training Grant to ACA

The Constables Ethics, Standard and Training Board (CESTB) have issued a grant to the ACA for Constable training in August. The ACA will have the funds to train 70 qualified Constables and Constable employees.

The ACA has set up the procedure as follows:

1. The qualified Constables or Constable employee will register for the event. **Remember only the first 70 get grant funding.**
2. The attendee will make their room reservations. Attendees will pay for all expenses and then be reimbursed.
3. On the first day of the session the attendee will register with the finance desk.
4. When the attendee is ready to leave the session, they will present to the finance desk a copy of their paid hotel bill.
5. The attendee will be issued a check covering, hotel expenses at \$89.47/per night, mileage and per diem (minus provided meals).

Every qualified Constable and Constable employee must register and check out with the finance desk in order to have their registration paid by grant funds and to be reimbursed expenses.

If you have any questions please contact any ACA board member.



# Arizona Constables Association

June 2009 Page 3

## *Legislative Report*

This year we have two constable bills. Both bills were the first to be heard in committee in the House. That is where they still are. Until last week the Senate wasn't hearing any bills until the budget was passed. Now that the Senate is hearing bills we are trying to get our bills transmitted to the Senate.

AACO and your board are working to keep track of the legislature in these next weeks. We are concerned about a strike all bill that may affect Constables.

We will be discussing our legislative agenda for the 2010 session at the business meeting in Flagstaff. Any legislation you want the membership to consider please be ready to present it at the meeting.

**Note: wording in italics are proposed changes**

### **HB 2018 (writ fee collection):**

**Remained on the consent calendar, awaiting third read.**

Section 1. Section 11-445, Arizona Revised Statutes, is amended to read:

11-445. Fees chargeable in civil actions by sheriffs, constables and private process servers; authority of private process servers; background investigation; constables' logs

17. For every writ served on behalf of *issued by* a justice of the peace, a fee established by the board of supervisors not to exceed five dollars per writ *that the court shall collect*. Monies collected from the writ fees shall be deposited in the constable ethics standards and training fund established by section 22-138.

### **HB 2045 (adjacent precincts):**

**Passed COW on 2/26, awaiting third read.**

amending section 22-131, Arizona Revised Statutes; relating to constables.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 22-131, Arizona Revised Statutes, is amended to read:

A. Constables shall attend the courts of justices of the peace within their precincts when required, and within their counties execute, serve and return all processes and notices directed or delivered to them by a justice of the peace of the county or by competent authority. In addition to any other provision of law these duties may be enforced by the presiding judge of the superior court in the county, including the use of the power of contempt.

B. Constables shall attend the training prescribed in section 22-137.

C. Constables, with the consent of and at salaries fixed by the board of supervisors, may appoint deputies who are certified pursuant to section 41-1822, subsection A, paragraph 3, stenographers, clerks and assistants necessary to conduct the affairs of their offices. The appointments shall be in writing and filed in the office of the county recorder.

D. The provisions of law relating to sheriffs, as far as applicable, shall govern the powers, duties and liabilities of constables.

E. A constable who is duly elected or who is appointed by the board of supervisors has the authority of a peace officer only in the performance of the constable's official duties.

*F. A constable may execute, serve and return processes and notices as prescribed in subsection A of this section within any precinct in another county if that precinct adjoins the precinct in which the constable was elected or appointed.*



# Arizona Constables Association

June 2009 Page 3

**DID YOU KNOW?** Under ARS 13-3624 as Constables we have special duties that you may not be aware of. You might find the information in this statute interesting.

13-3624. Emergency orders of protection

A. In counties with a population of one hundred fifty thousand persons or more according to the most recent United States decennial census, the presiding judge of the superior court, during the hours that the courts are closed, shall make available on a rotating basis a judge, justice of the peace, magistrate or commissioner who shall issue emergency orders of protection by telephone.

B. In counties with a population of less than one hundred fifty thousand persons according to the most recent United States decennial census, a judge, justice of the peace, magistrate or commissioner may issue an emergency order by telephone. The court, within twenty-four hours after a defendant is arrested for an act of domestic violence, shall register a certified copy of the release order with the sheriff's office of the county in which the order was issued. The court shall notify the sheriff's office of material changes in the release order, if the conditions of the release order are no longer in effect and when the charges are resolved. The sheriff in each county shall maintain a central repository for release orders so that the existence and validity of the orders can be easily verified. The law enforcement agency shall advise domestic violence victims where the victim may verify the registration and conditions of a release order.

C. The judge, justice of the peace, magistrate or commissioner who is authorized to issue emergency orders of protection may issue a written or oral ex parte emergency order of protection if a peace officer states that the officer has reasonable grounds to believe that a person is in immediate and present danger of domestic violence based on an allegation of a recent incident of actual domestic violence.

D. An emergency order of protection may include any of the following:

1. The defendant may be enjoined from committing a violation of one or more of the offenses included in domestic violence.
2. One party may be granted the use and exclusive possession of the parties' residence on a showing that there is reasonable cause to believe that physical harm may otherwise result.
3. The defendant may be restrained from contacting the plaintiff, coming near the residence, place of employment or school of the plaintiff or other specifically designated locations or persons on a showing that there is reasonable cause to believe that physical harm may otherwise result.
4. If the court finds that the defendant may inflict bodily injury or death on the plaintiff, the defendant may be prohibited from possessing or purchasing a firearm for the duration of the order.

E. An emergency order of protection expires at the close of the next day of judicial business following the day of issue unless otherwise continued by the court.

F. A judge, justice of the peace, magistrate or commissioner may issue an oral emergency order of protection pursuant to subsection C of this section upon request of the alleged victim, if there is a finding that a person's life or health is in imminent danger. If a person is either temporarily or permanently unable to request an order, a third party may request an order of protection on behalf of the plaintiff. After the request, the judicial officer shall determine if the third party is an appropriate requesting party for the plaintiff. The officer who receives the verbal order shall write and sign the order. The emergency order shall be served on the respondent, and a copy shall be given to the protected party. The emergency order shall be filed as soon as practicable after its issuance. The officer shall file a certificate of service with the court and shall verbally notify the sheriff's office that the emergency order of protection has been issued. If a person who is named in the order and who has not received personal service of the order but has received actual notice of the existence and substance of the order commits an act that violates the order, the person is subject to any penalty for the violation.

G. The availability of an emergency order of protection is not affected by either party leaving the residence.

H. A law enforcement agency that has jurisdiction to enforce an emergency order of protection shall enforce the emergency order when it has reasonable cause to believe that the order has been violated.

I. Failure of a law enforcement agency to enforce an emergency order of protection pursuant to this section does not give rise to civil liability except pursuant to section 12-820.02.





# Arizona Constables Association

June 2009 Page 5

## Constables Ethics, Standards and Training Board

The Constables Ethics, Standards and Training Board (CESTB) recently wrapped up our fiscal year and I am proud to announce we were able to finish the year with the award of an Organizational Grant and an Equipment Grant. The Organizational Grant was awarded to the ACA and multiple equipment grants were awarded to several counties totaling approx \$40,000. So, assuming the legislature doesn't sweep any funding between the writing of this letter and the end of June we should be set for the start of our next year. Also, it is imperative you check the AACO website <http://www.azcounties.org> each month for any announcements for future grants as we will be authorizing an Organizational Grant, Training Grant, and Equipment grant for the next fiscal year....keep yourself updated. We are also in the process of completing an RFP for the administrative services for the CESTB. Once this is awarded we will let the membership know which should be completed by the end of August. Remember to send in all of your training records within 30 days of any training you have received and don't forget we are all responsible for a minimum of 16 hours each year. As always, if you have any questions please contact one of the members of the CESTB. If we don't have the answer we will find one for you.

Vince Roberts  
Vice-Chairman CESTB

All mankind is divided into three classes:  
those that are immovable, those that are movable,  
and those that move.  
Benjamin Franklin

## 2009 NCA Conference

The Arizona Constables Association hosted the best attended NCA Conference to date. Many thanks to Governor Jan Brewer, Sheriff Joe Arpaio and DPS Director Roger Vanderpool for their participation. In presenting our theme of Homeland Security and Border Issues, our instructors provided current information and new in-sites towards the resolution of immigration and drug issues.

Thanks also to our members and sponsors for your generous donations of time and money. With your help, we raised enough funds to cover all expenses.

This was a great opportunity to meet Constables from around the nation and to show them a little of 'The Old West.' See event photos at [www.nca2009.com](http://www.nca2009.com)

-Marge Cummings

## Presidents Corner

I would like to take the time and thank everyone for the all the hard work they put into the National Constables Conference. Marge Cummings and the group from Tucson did a wonderful job. They were helped by the participation of Constables from all over the state. The NCA came away from Tucson a better organization.

Legal council has asked that we make some changes in our bylaws that allow us to better meet IRS requirements for our non-profit status. We are in the process of making those changes and will ask the membership to vote on them in Flagstaff.

The ACA has changed allot in the last ten years. We have gone from a struggling organization to an association with a mission and a goal. The image of Constables has greatly improved. These changes have come about with the efforts and hard work of our membership. Remember, it is all of our responsibility to protect the image of Constables.

"It's not what you say, but what you do"

I look forward to seeing all of you in Flagstaff.  
Stay healthy and informed

Phil Hazlett



# Arizona Constables Association

## ACA Flagstaff August 2009

**Aug. 25**

7:00 AM	8:00 AM	Breakfast provided
7:00 AM	8:00 AM	Registration
8:00 AM	8:30 AM	Opening & Business Meeting
8:30 AM	12:00 PM	Drug Identification
12:00 PM	1:00 PM	Lunch provided
1:00 PM	5:00 PM	Michael Parham Writs of Restitution

Total Hours 7.5

**Aug. 26**

7:00 AM	8:00 AM	Breakfast provided
8:00 AM	12:00 PM	Officer Safety Class A
8:00 AM	12:00 PM	Interpersonal Communication class B
12:00 PM	1:00 PM	Lunch provided
1:00 PM	5:00 PM	Officer Safety Class B
1:00 PM	5:00 PM	Interpersonal Communication class A
6:00 PM	6:30 PM	Reception
6:30 PM	8:00 PM	Dinner provided

Total Hours 8

**Aug. 27**

8:00 AM	9:00 AM	Officer Safety Review
9:00 AM	11:00 AM	Firearms Safety
11:30 AM	1:30 PM	* Azpost Firearms Qualification

\* You must be registered with the instructors in order to take this class, Ron Myers or Vince Roberts

Total Hours 5

Total Training Hours 20.5 with firearms qualification

Hotel Arrangements have been made with the **Radisson Woodlands Hotel Flagstaff**  
1175 West Route 66, Flagstaff Arizona 86001, US

**Reservations:** 1-800-395-7046 US/Canada Toll-free **Telephone:** (928) 773-8888

**Fax:** (928) 773-0597 E-Mail rhi\_flag@radisson.com

**You must make your own reservations**

**Register by Aug. 15th Cost \$220 per person; Late registration \$240**

**CIRCLE ONE:** Check Enclosed

Invoice County

Eligible Constable or Employee for grant

**Don't send any funds if you are eligible for grant funding.**

**Call Constable Phil Hazlett if you are not sure about your eligibility, 602-292-4048.**

**Please make checks payable to: The Arizona Constables Association**

**Mail registration to: The Arizona Constables Association**

**Attn. Constable Dan Ryan**

**7119 E. Shea Boulevard Suite 109-196 Scottsdale, Arizona 85254**

**NAME:** \_\_\_\_\_

**COUNTY:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**E-MAIL ADDRESS:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_ **PHONE CELL:** \_\_\_\_\_