



MEMORANDUM

Date: October 9, 2020

To: The Honorable Kristen Randall
Presiding Constable, JP8

From: C.H. Huckelberry
County Administrator 

Re: **Your October 8, 2020 Memorandum Regarding Injunction Against Harassment against Democratic Nominee for Constable of Justice Precinct 9**

I appreciate your response on this subject. Of concern is the statement, "Pima County Constables Office operates under a different insurance policy and has therefore been exempted" from firearm training. This is not the case. I discussed this matter with our Risk Manager.

There is no exemption simply because the County is self-insured. Because we are self-insured, it is even more important than ever that Constables receive required, annual firearm training and qualifications if they carry a weapon in the course of their duties. If a Constable chooses to carry a firearm during the course of their official duties, they must be certified to do so, which requires the standard firearms training class and yearly qualifications as required by the State. This includes carrying a personal or private firearm when in the scope of their duty.

Please ensure an appropriate training and yearly qualification is completed for any Constable who chooses either a County purchased weapon or private firearm in the course of their duty.

The policies and procedures of the Constables' Office should include a requirement for such training for new Constables and the appropriate documentation and retention of training records to ensure all Constables are up to date in the standard firearm training requirements of the State.

Please implement an appropriate policy within the office to effectuate these requirements.

Attachment

c: The Honorable Bennett Bernal, Associate Presiding Constable
The Honorable Chairman and Members, Pima County Board of Supervisors
The Honorable Mark Napier, Pima County Sheriff
Jan Leshar, Chief Deputy County Administrator
Michelle Campagne, Director, Finance and Risk Management
Maria Luna, Risk Manager



PIMA COUNTY CONSTABLES
240 N. STONE AVENUE, LOWER LEVEL
TUCSON, AZ 85701
(520) 724-5442
(520) 724-5445 FAX

MEMORANDUM

TO: Chuck Huckelberry, Pima County Administrator

FROM: Kristen Randall – Presiding Constable, JP8

DATE: October 8th, 2020

SUBJECT: **Injunction Against Harassment against Democratic nominee for Constable of Justice Precinct 9 George Camacho**

I will keep you updated about the CESTB's determination concerning Mr. Camacho per your request. The Arizona Constables Association (ACA) President, Constable Ron Williams, has indicated Mr. Camacho's acceptance to the ACA is not assured and that a vote will be taken in January at the yearly training in Tubac. Constable Williams also indicated as much in a recent interview with the Arizona Daily Star (P. Machelor, October 6th 2020, attached).

Below are answers to the questions you have posed:

- Ten out of ten constables carry a firearm at some point.
 - Three constables carry intermittently (Bernal, Randall, Ferguson)
 - Five constables carry all the time (Scheneck, Stevenson, Rademaker, Cummings, Gonzalez E.)
 - One constable is currently on suspension (Vasquez)
 - One constable in Ajo has been on personal leave (Gonzalez J.)
- Most constables carry a firearm that has been purchased by the County, with a few exceptions.
- Constables across the state are required to take a 50-hour firearms training class and qualify yearly, with the exception of Pima County. I have been told that Pima County Constables Office operates under a different insurance policy and has therefore been exempted. Two constables are current on their training and qualification (Ferguson, Randall), though this was voluntary. I have brought up the topic of developing a policy within our office to require constables become trained and qualify, but was told I do not have the authority to require an independently elected official to do so. If there is an opportunity to develop a policy, I look forward to discussing it.



PIMA COUNTY CONSTABLES
240 N. STONE AVENUE, LOWER LEVEL
TUCSON, AZ 85701
(520) 724-6442
(520) 724-6445 FAX

- Most Pima County Constables have not taken this training, and only two have recently gone through the training program.

I will include your questions to the CESTB with the previous query and will notify you once I receive an answer.

There is no straightforward answer to the questions posed in your last paragraph, but depending on the situation we receive direction and guidance from the Arizona Constables Association, the CESTB or the Presiding Constable. Of the three listed, only the CESTB has a mechanism to hold constables accountable to potential misconduct. The Presiding Judge of the Justice Court does not technically supervise the Constables Office, although they do have certain authority as found in ARS 22-131 (a), "*...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.*" The authority used in this statute was used in Clark v. Campbell (attached) to remove the ability of Constable Clark from serving process for the court for receiving an Injunction Against Harassment from court clerks and for "regular formal and informal complaints" . . . about Clark's 'lack of professionalism, rudeness toward county and court staff as well as citizens, and a lack of diligence in performing her duties.'"