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# MEMORANDUM

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Date: October 6, 2021

To: The Honorable Chair and Members  
Pima County Board of Supervisors

From: C.H. Huckelberry   
County Administrator

Re: **Constables**

The Board of Supervisors has received a large number of concerns and/or complaints regarding the operation of our constables who are separately elected officials and have little or no oversight, or have any incentive to work together. In fact, they operate in a fragmented and inconsistent manner.

I asked Assistant County Administrator Mark Napier to perform a comprehensive review of our constables' functions and options the County may have to provide this service in a more consistent and acceptable manner. Mr. Napier's September 29, 2021 review is attached for your information.

As you can see, the workload among constables varies dramatically as well as the performance. Pima County and those who are served by the constables would be better served with civil service employees hired to provide these services in a managed and directed manner.

I have asked the County Attorney as to whether or not when the constables in a specific Justice Court precinct comes up for reelection, can the position be eliminated and still retain the Justice Court position. If so, I will be recommending that all of the elected constables be phased out and replaced with civil service employees at a cost significantly less than the present cost of compensating a constable at the rate of \$67,000 annually, plus benefits.

In addition, in the near term I will also be recommending that the Board, as allowed by statute, adjust the constable salary of \$67,000 to the minimum of \$48,294 for those constables until their collective adoption of a consolidated structure, a more equitable distribution of workload and more consistency in appearance, approach and philosophy. It is also my opinion that the need to replace the resigned constable in JP 5 is unnecessary, therefore I recommend the Board not move to replace the constable in JP 5. This temporary appointment would last about one year and has no efficacy with respect to the need to serve our citizens. There is substantial capacity with the existing constables to redistribute the workload of JP 5 efficiently or hire a civil servant replacement if necessary.

The Honorable Chair and Members, Pima County Board of Supervisors

Re: **Constables**

October 6, 2021

Page 2

Finally, if unable to not fill a constable position and retain a JP district, I will also be recommending the elimination of two additional Justice Court precincts in 2024, unless there is a significant increase in judicial productivity credits. The current judicial productivity credits justify this reduction based on the present workload and the fact that a significant portion of the workload is taken up by justice pro tems.


CHH/anc

Attachment

c:     The Honorable Jeffrey Bergin, Presiding Judge, Superior Court  
       The Honorable Michael Stevenson, Presiding Constable  
       Sarah R. (Sally) Simmons, Justice of the Peace Pro Tempore, Pima County  
          Consolidated Justice Court  
       Ron Newman, Justice of the Peace Pro Tempore, Pima County Consolidated Justice Court  
       Teresa Underwood, Court Administrator, Pima County Consolidated Justice Court  
       Jan Leshner, Chief Deputy County Administrator  
       Mark Napier, Assistant County Administrator

DATE: September 29, 2021

TO: C.H. Huckelberry  
County Administrator

FROM: Mark D. Napier   
Assistant County Administrator

SUBJECT: Constables

Introduction:

The county is justly concerned with the current performance of the Constables. I have reviewed those concerns and share them. There is a significant disparity in the workload of constables. This despite the fact that they are all currently compensated at the same rate. This was addressed in a memo submitted by Nicole Fyffe and Lisa Royal on August 18 (see Attachment 1). Due to significant misconduct one constable is currently suspended. Another constable has recently resigned. The constables are a fractured group. This both with respect to personal interaction, appearance and how they pursue their respective duties. They seem incapable of reaching full consensus on how to address many issues. While we respect the autonomy of elected officials, there should not be such significant deviation in the level of performance, appearance and manner of administration of duties between them.

I have known several of the constables personally for many years. I have met with them individually and as a group in an effort to address our concerns. I have provided guidance and encouragement on how issues might be addressed to Presiding Constable Stevenson. I have found him engaged and receptive to efforts to address the concerns. Unfortunately, I believe that significant issues remain unresolved.

Constable Concerns:

As pointed out in the memorandum of August 18, there is a significant variance in the workload between constables. The constable in JP10 served a 4-year average of 230 legal documents. The constable in JP6 served an average of 1,814. This is a variance of 788%, even though both are compensated the same (\$67,000 annually). Some of this variance could be the result of the normal flow of legal document volume between JP precincts and geographic disbursement. However, that does not fully address the disparity concern or answer the question of how the less busy constable fills his time.

Constables are not a unified group of county servants. This is obvious from things as readily apparent as how they dress. Some constables convey the appearance of quasi-law enforcement officers, while others the appearance of urban social workers. This is

not inconsequential. It impacts directly how they are perceived and how the citizens of our county might interact with them. A citizen in one precinct might encounter a constable and perceive the him/her to be an authoritarian figure, while a citizen in a precinct across an imaginary line a short distance away may encounter a constable and perceive him/her as someone providing a more compassionate social service. I am not suggesting one is correct and the other incorrect. I am simply pointing out the very different presentation of our constables and how that might be perceived by our citizens. It is reasonable to expect some uniformity of appearance.

Constables do not approach their duties in the same manner or with the same philosophy. The variance here is significant and meaningful. Constables serve evictions in different ways. One faction of constables believes that an eviction order is black-white and must be rigidly adhered to, while another faction takes a more moderate and measured approach. The rigid faction, mostly retired law enforcement, believes the court order leaves little room for discretion. The other faction believes that reasonable steps to assist a person being evicted from their home are appropriate. This might involve allowing extra time to make moving arrangements, conveyance of social service support information, etc. The rigid faction to some degree rejects the application of meaningful discretion. In point of fact in the vast majority of cases law enforcement does enjoy the ability to engage in appropriate discretion. For example, law enforcement does not generally write citations for being 1 MPH above the posted speed limit. It seems that the application of appropriate discretion to casting someone from their home should be deemed as reasonable as that applied to something as benign as issuing a traffic citation. The proposal (see Attachment 2) addresses this in a limited way, but I am not convinced all constables would adopt a more consistent approach. The county should be concerned that our citizens being evicted from their homes are treated differently based on where they reside within boundaries on a map.

When the county became aware that Justice Court was handling evictions in an inconsistent manner, this was corrected by the assignment of eviction cases to a single judge. The county should be equally concerned over the inconsistencies between constables with respect to evictions.

Constables have resisted voluntary consolidation to put them more in line with the organization of the Consolidated Justice Courts. This would serve to more effectively organize them and assist in a more even distribution of the workload. Again, the fractured nature of the constables serves as a roadblock. They are elected officials for their respective precincts and desire to serve those citizens who elected them. This is commendable and understandable. However, this is no less true of the Justices of the Peace. They are consolidated. Constables are resisting this in part because they do not want constables with philosophies different than their own to "serve their papers." This would not be tolerable of the Justices of the Peace and is no less so of constables.

Currently one constable is on suspension for significant misconduct. This has cast a poor light on the constables as a group and brought negative attention to them. This enhances concern and scrutiny over them and their operations. This is reasonable and appropriate. The constable from JP5 resigned her position, which puts additional strain on constables and concern over the composition of their office.

While there are significant variances in workload, appearance, experience and philosophy between constables there is no variance in compensation. All are compensated at \$67,000 annually, the maximum allowed by law. ARS 11-424.01(C) allows for such a variance in compensation based on registered voters in a precinct. It appears the legislative intent was to address potential variance in workload under the belief that those precincts with the most registered voters would also have the highest workload for the constable. There seems to be no other logical explanation for this provision in statute. For precincts with greater than 16,000 registered voters there is an additional significant compensation variance allowed by statute (\$48,294 - \$67,000). This is a 38.7% difference. I believe it was the intent of the statute to allow county administration to potentially link constable compensation to workload and performance. Yet, in Pima County we have yet to do so.

Constables should have a standardized policy manual. This should seek to make more consistent the manner in which they pursue their duties and their philosophical approach. As elected officials they do have great autonomy and latitude. I respect and acknowledge that fact. However, county citizens have a reasonable expectation that there will be some consistency in how they are treated. Constables serve meaningful legal documents and even evict people from their homes. There should be some uniformity in how these duties are performed, while still allowing for the autonomy provided to elected officials.

#### Attempt to Address Concerns:

I have worked closely with Presiding Constable Stevenson and applaud his efforts to address concerns. He has been excellent to work with and clearly takes his role as Presiding Constable seriously. He has crafted a thoughtful proposal and submitted it to me for consideration (see Attachment 2). Problematic for him is the fractured nature of the constables as previously discussed. It is not completely clear from the attached to what degree all constables are in agreement.

The proposal attempts to address the more even distribution of workload. However, it fails to do so in a compelling manner. Constables still desire to serve their papers in accord with their philosophies. This is really not acceptable and will not lead in reality to even workload distribution.

The proposal does not affirmatively address the issue of actual consolidation. It infers this would be logistically improbable due to geography. This is a flawed assertion. Clearly the even distribution of workload could be organized in a functional manner. It will never be completely even and geographic disbursement will always be a factor. However, that is not a reason to reject consolidation to make constables more organizationally aligned with the Justices of the Peace. Consolidation could provide the framework for more even distribution of work and more consistency in how it is performed.

Constable Stevenson recognizes that the simple counting of papers served is an inadequate measure of constable performance. His proposal attempts to address this by creating a more comprehensive and standardized activity tracking sheet. For this to be effective it would have to be adopted by all constables and consistently completed. It is unclear if there is universal buy-in to do so. Constables should measure travel time, attempted services, ancillary activities, types of evictions and account more effectively for the hours on task each day. He makes a solid attempt to address the documentation of activity.

The proposal addresses the issue of indexing compensation to the number of documents served. It asserts this is a bad approach. Here I concur. I believe linking compensation to the number of documents served would serve to incentivize bad service as the constables rush to serve papers to get numbers. It would not allow for better and more time consuming service, even if required. It also does not recognize that some precincts will simply have more papers to serve.

The proposal submitted touches on compensation. However, only to the extent that would impact newly elected constables. Maricopa County sets compensation for first term constables at the bottom of the range established under ARS 11-242.01(C) which is \$48,294. Constable Stevenson's proposal recommends a starting salary of \$55,000 for a first term constable. He believes this would attract more qualified persons. This is not supported by other than supposition. Maricopa County is far more complex and has successfully adopted the lower rate.

The proposal submitted does not address the filling of the vacancy created by the resignation of the constable in JP5. This is a lost opportunity for the constables to unite and address the equal distribution of the workload. This precinct is being eliminated. It is nonsensical to fill this position for little more than one year. There is substantial evidence that the existing constables have sufficient capacity to handle the duties of this precinct for a short time. After all, this will be required of them in 2023.

The proposal does not address a more standardized approach for constables. There should be some uniformity to their appearance and the manner they pursue their duties.

The proposal does make some effort to address how evictions are handled. It does not affirmatively state that all constables are in agreement.

Presiding Constable Stevenson has done a good job of trying to address the concerns we have regarding constables. I commend him for the effort and the collaborative manner in which he worked with me. It is a step in the right direction, but too small of a step.

Recommendation:

Despite the best and noble efforts of Constable Stevenson we are not meaningfully nearer to addressing the concerns we have regarding the constables. For ease of review I have listed my recommendations below.

- Constables should consolidate. This aligns them with the Consolidated Justice Court and could/should lead to a more balanced distribution of workload between constables.
- Commensurate with consolidation the distribution of work between constables should be more even. Possessiveness about certain aspects of duties and/or misconceptions about the difficulties in doing so should be laid aside.
- Constables should become more cohesive as a group. They should move toward being more uniform in appearance and in how they approach their duties. Citizens should rightly expect some consistency.
- Constables should develop and agree to a reasonable set of policies that are more directive.
- Steps should be undertaken to ensure that evictions are consistently handled without respect to which precinct they may be in.
- There exists no reason to fill the constable position in JP5. This precinct is being eliminated. There is more than sufficient capacity to distribute JP5 work among the existing constables.
- The county should adopt the Maricopa County model of compensating first term constables at the low end of the statutorily allowed range (\$48,294). This recognizes that a first term constable has a learning period and serves to incentivize good performance through the desire to be reelected and potentially receive higher compensation. This would not take effect until the next round of constable elections in 2024.
- Commensurate with the 2024 election cycle the county should reduce all constable compensation to the new entry level (\$48,294). I would withdraw this recommendation if the following conditions were clearly met. I do not believe this infringes in any way on the sanctity of their status as elected officials. County administration on behalf of the county citizens can set compensation of constables. It is reasonable and appropriate for us to consider the elements we might evaluate in the proper setting of the compensation rate.

- Constables voluntarily consolidate
- Constables clearly show a more even distribution of work
- Constables develop a system to address evictions with consistency
- Constables demonstrate a more uniform and consistent approach to all duties
- Constables document their activities in a more consistent and comprehensive manner and share that information with me on a monthly basis to evaluate work distribution
- Constables develop a solid policy manual to ensure consistency and some uniformity

Closing:

While fractured and lacking consistency I believe that constables provide generally good service to the county. However, there is clear room for improvement. This memorandum provides a path for that improvement. I am both ready and willing to work collaboratively with them as we move forward.


# Attachment 1



# MEMORANDUM

Date: August 18, 2021

To: C.H. Huckelberry  
County Administrator

From:   
Nicole Fyffe  
Executive Assistant to the  
County Administrator

Lisa Royal   
Executive Assistant to the  
Deputy County Administrator

Re: **Constables Salaries**

## **Background**

You requested salary data for the Constables in Pima County. The salary of Constables is set by the Board of Supervisors (Board) under A.R.S. §11-424.01. According to subsection A, this occurs in June preceding a General Election for those to be elected for a four-year term and goes into effect the subsequent January. Candidates then know the salary before the election, and the Board can incorporate that salary into the budget for the upcoming fiscal year.

Pursuant to the statute, salaries are determined as follows:

In Justice Court precincts with an average of 100 or fewer total documents served over four years, the constable is entitled to a salary of not more than \$16,500 (A.R.S. 11-424.01(B)). In precincts with 100 or more total documents served, the salary is tiered based on the number of registered voters in that precinct (A.R.S. 11-424.01(C)), as shown in Table 1.

**Table 1**  
**Constable Salaries Based on Registered Voters**

<b>Registered Voters</b>	<b>Salary Range</b>
0 – 5,000	Not to exceed \$16,500
5,001 – 10,000	Not to exceed \$26,000
10,001 – 12,000	\$29,437 - \$40,000
12,001 – 16,000	\$36,100 - \$50,000
16,001 +	\$48,294 – \$67,000

Regarding Precinct 3 (Ajo), statistics have not been maintained as consistently as for those who work downtown, but we can affirm that the Constable serves on average over 100 documents per year. We have requested that Precinct 3 improve their monthly reporting moving forward. The voter registration data obtained in June shows that the number of registered voters in Precinct 3 is 5,173. Consequently, the statutory pay range for Precinct

3 is up to a maximum of \$26,000 annually. Salary data obtained from Human Resources (HR) indicates the current salary for the Precinct 3 Constable is \$15,288. The Precinct 3 Constable began this term in 2019, and the number of registered voters in June prior to that may have been below 5,000.

In all of the remaining precincts, the registered voter population exceeds 16,001; meaning the statutory salary range is between \$48,294 and \$67,000. Table 2 delineates registered voters and the 4-year average of documents served per precinct for calendar years 2017-2020. The data is sorted from lowest to highest by the average number of documents served.

**Table 2**  
**Registered Voters and Documents Served by Constables**

<b>Justice Precinct</b>	<b>Reg. Voters June 2021</b>	<b>Avg. Doc Served</b>
3	5,173	Over 100
10	60,985	230
7	57,063	336
1	89,049	508
4	67,965	809
5	112,600	819
2	51,619	1,160
8	48,748	1,164
9	57,530	1,379
6	77,594	1,814

All of the constables, excluding Precinct 3, currently receive an annual salary of \$67,000 regardless of their workload. As reflected in Table 2, the average number of documents served ranges from 230 to 1,814. We do recognize that the number of documents served is not the only determinant of time worked. For example, some constables have to travel further to serve papers. In addition, some documents take numerous efforts to be served. We also understand that some constables voluntarily assist each other, while others do not. That said, there is clearly a difference in workload between those serving 230-500 documents annually compared to another serving over 1,800 annually. To correct this inequity, the constables could be compensated across the statutory pay range based on workload. Or, as has been discussed in the past, their workload could be consolidated, and each compensated the same.

#### **Other Arizona Counties**

According to HR, there is no history on how the Pima County constables' salaries were set in the past. However, HR did survey other Arizona counties for the purpose of this request.

For constables in other counties that qualify statutorily for the highest constable pay range (\$48,294-\$67,000), none of the counties, except Maricopa, pay the top of that range (\$67,000). In addition, Maricopa County only pays top of the range for re-elected constables. Newly elected constables in Maricopa County are paid at the bottom of this range.

**Table 3**  
**Other Arizona Counties and Constable Salaries**

County	Constable Compensation	How Compensation is determined and notes
<b>Cochise</b>	Sierra Vista: \$48,294.22   Rural areas including Bowie: \$12.00 annual	Two Constables
<b>Coconino</b>	\$53,125.80/Annually	The pay is set by the number of registered voters within the justice court precinct. I believe the Statute range for Coconino County \$48K - \$63K.. Then the pay is set by the Board of Supervisors off of that range.
<b>Greenlee</b>	\$16,500	Two Constables, paid the highest pay allowed by statute (\$11-424.01)
<b>Maricopa</b>	Newly Elected: \$48,267.80   Re-Elected: \$67,000	Only differentiator is if the Constable is newly elected or re-elected
<b>Mojave</b>	4 full time Constables @ \$57,045.35/year and 1 part time in our extended remote area of Colorado City that makes a salary of \$15,000 annually	Their salaries are determined by how many registered voters we have in our County in accordance with A.R.S. 11-424.01 and set by our Board of Supervisors
<b>Yavapai</b>	Bagdad-Yarnell Precinct \$6,000 Mayer Precinct \$38,988 Prescott Precinct \$60,106 Seligman Precinct \$6,000 Verde Valley Precinct \$60,106	Pursuant to A.R.S. 11-424.01 Constable salaries are to be established by the Board of Supervisors pursuant to the number of registered voters in the precinct.

### Options for Revising Constable Salaries

Option 1: Set Salary based on Number of Documents Served in increments of 500

The salary range per Statute: \$48,294 - \$67,000.

The difference between the statutory minimum and maximum salary: \$18,706

Set three incremental salary increases for each additional 500 papers served.

Incremental salary:  $\$18,706/3 = \$6,235.33$

**Table 4**  
**Set Constable Salary to Documents Served**

Avg Doc Served	Salary
101-500	\$48,294
501-1000	\$54,529
1001-1500	\$60,764
1501 +	\$67,000

Three constables' terms end in 2022 (Precincts 2, 3, and 5). Based on this incremental scale, salaries could be adjusted by the Board in June 2022, prior to their new starting terms in January 2023. The other seven constables have terms that continue through 2024.

While there should be a savings to the County, the amount of savings will be impacted by changing the workload between now and then. We anticipate that the workload will increase as the pandemic subsides and through the elimination of Precinct 5, if approved by the Board. The workload and number of registered voters per precinct will also change if the Board eliminates Precinct 5 and reprecincts (redraws) the remaining precincts.

**Option 2: Consolidate the Constables and Compensate Equally**

The constables could choose to consolidate and compensation could set equally based on the average of papers served across the precincts, or up to the maximum amount of \$67,000 each. If the constables voluntarily pursued consolidation, they could also determine the criteria for sharing the workload, which could also factor in issues like travel time. Perhaps a consultant could be retained to assist them in developing such a consolidated system. Ideally, this would take place and be formalized before June 2022 so that salary changes, if any, could be approved by the Board for those precincts that would have constable elections in November 2022.

c: Jan Leshner, Chief Deputy County Administrator  
Mark Napier, Assistant County Administrator

# Attachment 2



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

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## MEMORANDUM

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Date: September 27, 2021

To: Mark Napier  
Assistant County Administrator

From: Michael Stevenson  
Presiding Constable JP10

Re: **Constables Consolidation & Workload**

The Constables understand that the County Administrator wants the Constables to consolidate due to the disparity of the workload (papers) for the individual precincts. We agree that there is a disparity in the number of papers, and we also understand that we have many factors unique to our work that makes a true consolidation difficult to achieve. Unfortunately, the only data/statistics currently available for you is our monthly recaps and logs sent over to the Clerk of the Board each month. These statistics although accurate for papers served and issued do not account for other activities that we may perform, nor does this capture the administrative time or travel time for each attempt and successful service we perform.

For a true consolidation to happen we would have to divide the papers similar to how the courts receive their cases. As each case come in, it goes to the next court. This works when the people come to the central location for service. For the Constables it is much different. We travel out to the locations that need our services. For this we need to have some type of geographic area assigned to us for this work to be issued to. Then take those papers out to serve the public in that area. The easiest thing to do is use the precinct boundaries for the general direction for our work. If we were to distribute papers at random to the Constables like the courts, we could potentially have multiple Constables trying to serve papers at the same location or at locations that are very close to each other then go to opposite sides of the county for other papers. This is a waste of county resources and our time. After carefully listening to the other Constables we think that shifting some of the Criminal and Civil papers to the precincts that can handle the additional load is the best solution. For example: This can be done so that the Constable going towards JP10 can pick up papers along JP06 so that these service attempts can be made on the way out to JP10's precinct. And the Constable going to JP01 can pick up papers in JP08 or JP05 and do those on the way to JP01. Similar sharing can be done with other precincts. This we feel is a type of consolidation that will bring the numbers of services closer together and accomplish the goals of the County Administrator for more equitable workloads.

We are elected officials, elected to our specific precincts, and each of us believe that we should represent the constituents that elected us to office to represent them. With that, we also agree that there is an amount of "work" that can be managed differently to provide for a more equitable distribution. We also agree that we want to execute our own evictions within our precincts except for when another Constable is covering for us. The other papers can be shared to the precincts that indicate a need for better utilization such as JP01, JP04, JP10. These papers are Civil Summons, Criminal Summons and recently started up again the wastewaters from Small Claim court. We began this re-distribution of workload last week with the retirement of the Constable from JP05. The Constables voluntarily jumped to the opportunity to maintain the service levels for JP05 so that there is a seamless transition in January 2023.

With the migration to the Spillman (Motorola) case management system and a few simple changes to the Daily Activity Log (see attachment), we hope to be able to better illustrate these activities. We have identified a couple of additional reports needed but we are well on our way to final transition to the Motorola system. This will allow us to better track assigned papers versus papers served by the individual Constables and where these are assigned for them to go out to locations for these service attempts. Many papers require us to make several attempts on different days of the week and at different times of the day to ensure we are making a diligent effort to attempt services. Let me illustrate some of the differences in the service needs of different precincts.

For example, JP8. Currently this precinct is a maximum travel distance of approximately 11 miles from the office to the farthest eastern edge of JP08. Once the constable is in this precinct from edge to edge the distances are minimal at approximately 5 miles x 5 miles and maybe 8 miles diagonally. With this compact area this constable has very minimal travel distance and time between paper services. Also with these compact precincts it is often that several papers are at the same multi-housing project. This eliminates additional travel between many of the services therefore allowing the inner-city constables the ability to serve many more papers than the more rural areas in the same amount of time.

On the other hand, let's look at JP10. Currently JP10 is approximately 51 miles across East, West and 24 miles North, South. On the diagonal it is approximately 45 miles SW corner to NE corner. This is a vast area. Although growing rapidly in population, it does not have the number of multi-housing units that are in the inner-city precincts. The majority of papers in this area are individual services that can take up to an hour or more to get to usually on rutted dirt roads and in washes utilizing 4-wheel drive to access these locations. In these areas the speeds are limited once off the hard-top. Often the direct route is washed out and impassible the Constable must go back out the way they came in and come in from another direction to access these properties. This adds many miles and additional time to these services. If they are fortunate the defendant is at the property, if not, the Constable must return another day at a different time to attempt this service again, up to and sometimes more than the recommended three attempts.

To help mitigate the excessive use of county resources the Constables may if they choose receive their papers by email to lessen these distances since the Constables in the rural areas are beginning their day within the assigned geographic area. We have also provided for the Constables a computer and printer within their vehicle so that urgent papers may be emailed to them and they do not have to come back to the office to pick up a priority paper such as an Order of Protection.

Changes to the Daily Activity Log have been made to include a start, arrival, and end time for each paper. This will provide a more accurate picture of the actual time spent on each service attempt. The precinct number has been added along with whether an eviction was voluntary (premises vacated upon arrival or cancelled) or compelled, the tenant is still occupying the premises. We can also capture administrative time for items such as writing grants, fleet management, budget, forecasting and other duties that are not currently recognized as purposeful work efforts. Which we feel should be considered when assessing "work".

We have developed additional resources to assist us with the eviction processes. CWD is assisting the defendants at the initial hearing level in the eviction court to get help to those in need as quickly as possible. We have leveraged this resource so that we have an MOU in progress that has the workflow and contact information that we can utilize CWD for the individuals that need the assistance at the time of the eviction and the ability to delay an eviction with the agreement of the landlord to allow a day or two for the tenant to make additional arrangement to vacate. All of this is very positive for us, the county and the community.

I recently met with the County Attorney's office to identify our resources with them and a process for the Constables to contact them with service questions that have unusual circumstances or a question about a paper or service to ensure that we are acting in the best interest of the county minimizing both the county and our liability exposure. This was received quite well and the final documents from the county attorney should be ready for review late October.

As we develop better processes for the workload, we understand that there will be changes with the new precinct boundaries in 2023. This will establish new baselines for the constables and adjustments can be made to shift the above-mentioned workload to the precincts that can absorb this work.

We have attached graphs that illustrate the workload diversification among the precincts over the previous 9 months. As you can see the lower activity constables (JP01, JP10, JP07) already pick up some of the additional workload. These numbers will be more dramatic and evident as we continue to distribute more papers to these constables.

The Constables do the same job and cover for each other when the need arises. We feel that any change in our current pay would be detrimental to the individuals, the team atmosphere, and cooperation to maintain a balance in the work product. We strongly feel that a step pay program (pay for performance) would be a step backwards and there is no incentive for a constable to do other than their individual precinct workload since there is no guarantee of being re-elected. This may also cause constables to pull papers from others boxes to try to either increase their numbers or to hurt the other constables by reducing their numbers for a year or two prior to their election therefore they would get a lesser pay amount at no fault of theirs. All the way around this type of pay program is not good.

If any changes were to be made, we may consider a program similar to Maricopa County but limit the minimum amount to \$55,000.00 for a first term constable. Then raise the incumbent's pay to the topped-out level. This would be enough to continue to attract quality people to run for office

and help minimize the ability for a problem constable to be elected. We expect that if this were to be the action taken that the current constables would be considered incumbents for this plan and their pay would remain at their current level upon re-election. This would keep from disenfranchising the current Constables contributing to a large number leaving office and bringing in an overly large pool of first term Constables after losing much-needed experience.

We hope that this information is helpful to you. We are in cooperation to begin a transition to the new precinct boundaries in 2023. We are planning on monitoring workload during this time will continue to shift papers to the precincts that can handle the additional workload. This should begin the process of bringing the balance of the workload closer together for everyone.

	Constable JP01		Constable JP02		Constable JP04		Constable JP05		Constable JP06		Constable JP07		Constable JP08		Constable JP09		Constable JP10	
Precinct Served																		
JP01	124	66%	0	0%	0	0%	0	0%	1	0%	0	0%	0	0%	0	0%	9	6%
JP02	15	8%	204	97%	2	1%	0	0%	15	3%	0	0%	2	1%	11	2%	12	8%
JP03	0	0%	2	1%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
JP04	18	10%	1	0%	210	99%	1	1%	15	3%	1	1%	1	0%	27	6%	25	17%
JP05	2	1%	0	0%	0	0%	184	94%	11	2%	15	20%	0	0%	0	0%	0	0%
JP06	19	10%	2	1%	1	0%	1	1%	472	85%	0	0%	10	3%	15	3%	10	7%
JP07	0	0%	1	0%	0	0%	9	5%	0	0%	57	75%	0	0%	9	2%	0	0%
JP08	0	0%	0	0%	0	0%	0	0%	17	3%	0	0%	272	95%	1	0%	2	1%
JP09	5	3%	0	0%	0	0%	0	0%	22	4%	3	4%	1	0%	424	87%	4	3%
JP10	4	2%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	81	57%
Totals	187	100%	210	100%	213	100%	195	100%	553	100%	76	100%	286	100%	487	100%	143	100%

