

**Douglas A. Ducey**  
Governor



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Director

## **ARIZONA DEPARTMENT OF ADMINISTRATION**

### **HUMAN RESOURCES DIVISION**

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## **ARIZONA STATE BOARD OF MASSAGE THERAPY**

### **FINAL REPORT**

### **ADMINISTRATIVE INQUIRY**

December 21, 2015

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### **BACKGROUND INFORMATION**

On December 11, 2015 [REDACTED], a Randstad temporary employee, submitted an email message to the Arizona Department of Administration, Human Resources Division HR Contact Mailbox, with questions regarding state policy related to firearms. [REDACTED] alleges that Stanley Conger, Investigator for the Arizona State Board of Massage Therapy, carried a semi-automatic weapon to work on numerous occasions, took it out of his briefcase and played with it while in the office. [REDACTED] also alleges [REDACTED], was smoking marijuana every day at work.

Mr. Conger is alleged to have violated State of Arizona Standards of Conduct R2-5A-501(A) and Arizona Revised Statutes 13-3102 requiring state employees to, at all times, comply with federal and state laws and rules, and agency policies and directives which prohibit knowingly carrying a deadly weapon except a pocket knife concealed on person or within immediate control. [REDACTED] is alleged to have violated State of Arizona Standards of Conduct R2-5A-501(A) and R2-5A-504 requiring state employees to, at all times, comply with federal and state laws and rules, and agency policies and directives prohibiting a state employee from alcohol and drug impairment while on duty.

Mr. Conger has served the Board as an investigator since July of 2007. Prior to his current position, Mr. Conger was with the Arizona Department of Corrections as a Corrections Officer. Mr. Conger reports to the Executive Director, Ms. Phillips, who has served the Board since September of 2009.

Mr. Conger worked for the Arizona Department of Corrections for twenty years before retiring and joining the Board of Massage Therapy. Although Mr. Conger claims he was not a sworn officer, he stated he was allowed to carry a firearm outside on the grounds of the prison while employed there. He stated that "he was considered a sniper" by Department of Corrections personnel.

[REDACTED] admitted using prescribed medical marijuana as [REDACTED] to help her sleep at night. She stated she has never used marijuana at work.

## WITNESSES

The following State Board of Massage Therapy staff, including former employee [REDACTED] was consulted as part of this inquiry:

- [REDACTED]
- [REDACTED]
- Stanley Conger: Arizona State Board of Massage Therapy Investigator
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

## ALLEGATIONS AND FINDINGS

### Allegation:

[REDACTED] alleges Stanley Conger, Investigator for the Arizona State Board of Massage Therapy, carries a semi-automatic weapon into work and plays with it in the office.

### Findings:

During his interview, Mr. Conger admitted to owning a Glock 9 mm firearm but claimed he kept the gun in his truck or checked it in at the administrative office on the first floor of the State Board building to be kept in the building's gun safe, in compliance with Arizona statute. He admitted doing this on a regular basis with the exception of the last six months, when he stated he kept the gun in his truck with an empty holster on his belt.

[REDACTED] at the Board, stated she is aware that Mr. Conger has a gun but she has never seen it in the office. [REDACTED] thought he checked it at the first floor administrative offices in the State Board's building where they work.

[REDACTED], stated she has seen Mr. Conger's holster at work but never a gun. [REDACTED] stated that Mr. Conger is a retired, sworn police officer but was uncertain if he maintains certification. [REDACTED] stated that without security in the State Board building there is no place to store a gun. [REDACTED] was unaware of the gun locker inside the north entrance of the building.

When interviewed, [REDACTED], indicated that Mr. Conger has brought his gun into the office on numerous occasions, "showing it around." [REDACTED] claims she thought of purchasing a gun at one time and while conversing about that Mr. Conger showed her his gun that he kept in his briefcase. [REDACTED] was unsure if Mr. Conger brought his gun to work

December 21, 2015

**FINAL REPORT – [REDACTED]**  
**ADMINISTRATIVE INQUIRY**

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every day. [REDACTED] claims both she and [REDACTED] witnessed Mr. Conger display the gun laser on his office wall, although neither asked him to put the gun away. [REDACTED] claims Mr. Conger told her not to mention anything to Ms. Phillips so he would not “be in trouble,” because he did not have permission to have the gun at work. [REDACTED] stated she never told Ms. Phillips about the gun.

When interviewed, [REDACTED], former employee of the Board who now [REDACTED], stated she never witnessed Mr. Conger bring a gun to work, but claimed he told her he had a weapon and that he did not lock it up.

In the course of this investigation, the office staff located on the first floor of the State Board building was questioned if Stanley Conger ever checked his gun into the building gun safe. The staff member was not familiar with Mr. Conger and stated no guns have been checked, noting that someone is always attending the area.

**Allegation:**

[REDACTED] claims [REDACTED], uses medical marijuana every day at work, creating an uncomfortable environment. [REDACTED] also alleges witnesses could validate these actions, but no one will say anything due to fear.

**Findings:**

When interviewed, [REDACTED] admitted to using medical marijuana at home for pain and to help her sleep, as prescribed by her physician. [REDACTED] said she never smoked or used marijuana at work.

[REDACTED] were aware that [REDACTED] used medical marijuana at home for pain management, but never saw her use it or witnessed her being impaired at work. [REDACTED] mentioned that she was “very open” and had told [REDACTED] freely about her medical marijuana use.

[REDACTED], when interviewed, was aware that [REDACTED] used medical marijuana for pain management and alleged [REDACTED] was “loopy,” claiming she often walked in an unstable manner and questioned her inability to recognize the State Central Services Bureau when discussing a work-related process with her.



**SUMMARY**

*Substantiated* was [REDACTED] allegation that Stanley Conger carries a semi-automatic weapon and plays with it in the office.

- *Stanley Conger, by his own admission, carries a Glock 9 mm firearm to work. He stated he keeps his gun in his truck and in his briefcase. Although Mr. Conger states he often checks his gun into a safe on the first floor of the State Board building, he was untruthful to investigators because there is no record to validate his claim.*
- *Mr. Conger has shown his gun to various office staff and at times displayed the laser on the wall of his office. Mr. Conger denied this to investigators, stating “he could not remember” bringing the gun into the work place. Mr. Conger was asked numerous times about this, yet he continued to mention the gun remained locked in the building gun safe or was left in the truck while he was at work, denying he had ever brought the gun into his office. Two witnesses substantiated that they had seen the gun in the office during the past three months.*
- *Stanley Conger’s practice of carrying and brandishing a gun at work as a non-sworn law enforcement officer violates State of Arizona Standards of Conduct R2-5A-501(A) and Arizona Revised Statutes 13-3102, requiring state employees to, at all times, comply with federal and state laws and rules, and agency policies and directives that prohibit carrying a deadly weapon except a pocket knife concealed on his person or within his immediate control.*

*Unsubstantiated* was [REDACTED] allegation that [REDACTED] [REDACTED] uses marijuana every day at work creating a very uncomfortable work environment.

- *When interviewed, all witnesses were aware that [REDACTED] used medical marijuana for pain management at home and to sleep. All witnesses affirmed [REDACTED] did not use marijuana at work. Other than [REDACTED], witnesses stated they never have observed [REDACTED] in an impaired state.*

**Prepared by:**  
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December 21, 2015

**Reviewed by:**

December 21, 2015

**FINAL REPORT – [REDACTED]**  
**ADMINISTRATIVE INQUIRY**

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Jan Plank  
Chief Human Resources Officer - Shared Services  
ADOA – Human Resources Division  
December 22, 2015