



U. S. Department of Justice
Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

MAR 10 2009

VIA FIRST CLASS MAIL

Sheriff Joseph Arpaio
Maricopa County Sheriff's Office
100 West Washington
Suite 1900
Phoenix, AZ 85003

RE: Investigation of the Maricopa County Sheriff's Office

Dear Sheriff Arpaio:

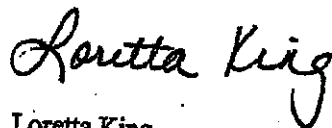
This is to inform you that the United States Department of Justice is commencing an investigation of the Maricopa County Sheriff's Office ("MCSO") pursuant to the pattern or practice provisions of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14141 ("Section 14141") and the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. § 3789d ("Safe Streets Act"), and pursuant to the prohibitions against national origin discrimination in Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d to 2000d-7 ("Title VI") and the Safe Streets Act, 42 U.S.C. § 3789d(c). Our investigation will focus on alleged patterns or practices of discriminatory police practices and unconstitutional searches and seizures conducted by the MCSO, and on allegations of national origin discrimination, including failure to provide meaningful access to MCSO services for limited English proficient (LEP) individuals.

In conducting the investigation, we will seek to determine whether there are violations of the above laws by the MCSO. We have not reached any conclusions about the subject matter of the investigation. We believe that you and other MCSO officials want to operate the MCSO consistent with the requirements of the Constitution and federal law. During the course of our investigation, we will consider all relevant information, particularly the efforts the MCSO has undertaken to ensure compliance with federal law. We also will offer to provide recommendations on ways to improve practices and procedures, as appropriate. Provided that the MCSO cooperates fully with our investigation, if we conclude that there are not systemic violations of constitutional or other federal rights, we will notify you that we are closing the

investigation. If, on the other hand, we conclude there are such violations, we will inform you of the findings and attempt to work with the MCSO to remedy any such violations. In addition, we will identify any financial, technical, or other assistance the United States may be able to provide to assist the MCSO in correcting the identified deficiencies.

Our enforcement of the Violent Crime Control and Law Enforcement Act of 1994 has involved a variety of state and local law enforcement agencies, both large and small, in jurisdictions such as New York, California, New Jersey, Georgia, the District of Columbia, and Ohio. In nearly fifteen years of enforcing this statute, the good faith efforts of state and local jurisdictions working with us have enabled us routinely to resolve our claims without resorting to contested litigation. We have had similar success addressing claims of national origin discrimination under Title VI and the Safe Streets Act. We encourage the MCSO to cooperate with our investigation and can assure you that we will seek to minimize any potential disruption our efforts may have on the operations of the MCSO. Our Special Litigation Section will be handling the investigation in cooperation with the Coordination and Review Section and will contact your office to discuss the next steps. The Chief of the Special Litigation Section, Shanetta Y. Cutlar, may be reached at (202) 514-6255.

Sincerely,



Loretta King
Acting Assistant Attorney General

cc: Andrew Thomas
County Attorney
Maricopa County

Max Wilson
Chairman, Board of County Supervisors
Maricopa County

The Honorable Diane J. Humetewa
United States Attorney
District of Arizona