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JUSTICE NEWS

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Thursday, June 2, 2011

Justice Department Settles Lawsuit with Maricopa County Sheriff's Office

Settlement Comes After the Sheriff's Office Provided Information Sought in Title VI Investigation

WASHINGTON – The Justice Department today announced that it has entered in to a court-enforceable agreement with the Maricopa County Sheriff's Office (MCSO) and Maricopa County Sheriff Joe Arpaio resolving a longstanding dispute over access to information related to the department's Title VI investigation of the sheriff's office. The settlement comes after MCSO allowed officials from the Justice Department to conduct more than 220 interviews and review hundreds of thousands of pages of documents. Prior to the litigation, MCSO refused to cooperate in full with the investigation.

On Sept. 2, 2010, the department filed a lawsuit after exhausting all cooperative measures to gain access to MCSO's documents and facilities, as part of the department's investigation of alleged discrimination in MCSO's police practices and jail operations. Since March 2009, the department attempted to secure voluntary compliance with the department's investigation and did not receive full compliance until the lawsuit was filed.

MCSO has now cooperated with the investigation by permitting the department to interview Sheriff Arpaio, command staff, deputies, detention officers and first line supervisors, as well as jail inmates. MCSO has also allowed tours of its facilities and has responded to each of the department's original document requests. Under the terms of the agreement, MCSO will continue to provide the department with access to sources of information that the department determines are pertinent to its Title VI investigation.

"After numerous requests for access to information, the department was forced to resort to litigation to compel the sheriff's office to provide us with full access to facilities, staff and documents, as required by federal law," said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. "We are pleased that since the filing of our lawsuit, the sheriff's office has reversed course and provided the department with information we have been seeking. Today's

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settlement shows that the Department of Justice is ready to take action against any recipient of federal funds that fails to cooperate with a civil rights investigation.”

“This is a positive development after delay upon delay by the Sheriff’s Office,” said Dennis Burke, U.S. Attorney for the District of Arizona. “We are working aggressively to review the facts and complete this investigation.”

Title VI of the Civil Rights Act of 1964 prohibits discrimination in federally assisted programs on the ground of race, color or national origin. Recipients of federal funds, such as MCSO, are obligated to provide the department with access to information and facilities pertinent to an investigation under Title VI. The department’s investigation of MCSO involves alleged violations of the prohibition on national origin discrimination in Title VI; the pattern or practice provisions of the Omnibus Crime Control and Safe Streets Act of 1968; and the pattern or practice provisions of the Violent Crime Control and Law Enforcement Act of 1994.

The department’s investigation remains open and ongoing. For more information on the Justice Department’s Civil Rights Division, please visit www.justice.gov/crt

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Civil Rights Division

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