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Thursday, June 23, 2011

Justice Department Files Lawsuit Against the Alamance County, North Carolina, Sheriff's Office

Justice Department Seeks Judicial Declaration to Permit Interviews of Sheriff's Office Personnel

WASHINGTON— The Justice Department filed a lawsuit today against the Alamance County Sheriff's Office (ACSO), Alamance County and Alamance County Sheriff Terry Johnson seeking a judicial declaration that department attorneys may interview particular ACSO personnel outside the presence of ACSO's counsel. The relevant North Carolina rule of professional conduct permits department attorneys to interview current non-command staff and all former ACSO employees outside the presence of ACSO's counsel.

The Department of Justice is currently investigating allegations that ACSO, Alamance County and Sheriff Terry Johnson have engaged in discriminatory policing and unconstitutional searches and seizures. In the complaint, the department alleges that numerous current and former ACSO personnel are fearful that if they cooperate with the United States' investigation, they may be subject to retaliation. Therefore, the department's ability to conduct interviews outside the presence of ACSO's counsel is necessary to ensure that former and current employees feel free to openly share information with the government concerning ACSO practices.

"It is unfortunate that the department was forced to resort to litigation when the applicable ethical rules are so clear in this instance," said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. "A judicial decision will allow the department to move forward with the investigation."

The department filed today's lawsuit after exhausting all cooperative measures to negotiate access



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to the interviews with ACSO. The department has attempted to secure voluntary compliance with its investigation since July 2010.

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

11-830

Civil Rights Division

Updated September 15, 2014

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