

DOJ Report Slams Sherriff Joe Arpaio and DHS Restricts 287(g) and Secure Communities Programs

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Washington D.C. - After a three-year investigation into the abusive practices of Sherriff Joe Arpaio's Maricopa County Sherriff's Office (MCSO), the Department of Justice (DOJ) [announced](#) [1] today that it had found a pattern and practice of civil rights abuses, including extreme cases of racial profiling. The enormity of the violations, the majority of which were experienced by immigrants and Latinos, has led the Department of Homeland Security (DHS) to [suspend](#) [2] its cooperation agreement (under section 287(g)) with the sheriff's office and restrict the MCSO's access to immigration databases through the Secure Communities program.

The dual announcements from DOJ and DHS reinforce what many in Arizona and the broader immigration community have long argued: the practice of allowing local law enforcement to enforce federal immigration law increases the likelihood of racial profiling and pretextual arrests which leads to disastrous results for entire communities.

The DOJ's Assistant Attorney General for the Civil Rights Division Thomas E. Perez commented on the investigation noting "MCSO's systematic disregard for basic constitutional protections has created a wall of distrust between the sheriff's office and large segments of the community, which dramatically compromises the ability to protect and serve the people. The problems are deeply rooted in MCSO's culture, and are compounded by MCSO's penchant for retaliation against individuals who speak out."

The DOJ has requested a response from Maricopa County and writes "If MCSO is not interested or if we deem that MCSO is not engaged in good-faith efforts to achieve compliance by voluntary means, we are prepared to file a civil action to compel compliance."

The [report](#) [1] contains a review of the constitutional abuses rampant in Maricopa County including an analysis by a leading expert on measuring racial profiling who examined MCSO traffic stops and found that "Latino drivers were between four to nine times more likely to be stopped than similarly situated non-Latino drivers. Overall, the expert concluded that this case involves the most egregious racial profiling in the United States that he has ever personally seen in the course of his work, observed in litigation, or reviewed in professional literature."

Today's announcements also highlight the critical issues at stake in the upcoming Supreme Court review of Arizona's SB 1070, a law that institutionalized the role of state law enforcement in federal immigration matters. Even under the best of circumstances, ceding immigration authority to state officers presents an array of complex and politically charged issues. Under the worst of circumstances, as illustrated by Sherriff Arpaio's MCSO, state and local law enforcement agencies enforcing federal immigration laws can be disastrous.

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[1] http://www.justice.gov/crt/about/spl/documents/mcso_findletter_12-15-11.pdf

[2] <http://www.dhs.gov/ynews/releases/20111215-napolitano-statement-doj-maricopa-county.shtm>

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