

Maricopa County Sheriff's Office

Joe Arpaio, Sheriff



MARICOPA COUNTY SHERIFF VICTORIOUS IN FEDERAL RACIAL PROFILING LAWSUIT

*Judge rules: No racial profiling by MCSO in workplace
raid involving illegal aliens*

(Phoenix, AZ) In a landmark legal ruling on workplace law enforcement raids in Maricopa County, a federal judge ruled late Friday that Sheriff Arpaio and the Maricopa County Sheriff's Office *did not* engage in racial profiling of plaintiff Celia A. Alvarez on February 11, 2009 when it executed a search warrant at Handyman Maintenance, Inc., a Phoenix landscaping business, and arrested Ms. Alvarez for suspicion of document forgery, identity theft, and being present unlawfully in the country.

In the litigation *Alvarez v. Arpaio, et al*, United States District Court for the District of Arizona, No. CV-10-310-PHX-SMM, federal judge Stephen M. McNamee found that **“Plaintiff has presented no evidence that any relevant MCSO policy, pattern, or practice had a discriminatory effect and was motivated by a discriminatory purpose.”** (Order at p. 11, lns. 6-8).

As to Ms. Alvarez' claims that several MCSO personnel had unlawfully detained and stripped-searched her for racially discriminatory reasons, the Court concluded that “there is no evidence that the incident with [the] Deputy ... was motivated by any discriminatory animus... [and her strip-search-related] allegations lack evidence of discrimination.” (Order at p. 11, lns. 8-9; lns. 12-13).

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The Court also rejected Ms. Alvarez's claim that she was subjected to excessive force during her arrest and during an alleged strip search by Sheriff's personnel.

Arpaio said, "Document forgery and identity theft are not victimless crimes. The fact that such crimes may be committed by illegal aliens in Maricopa County will not stop me from properly enforcing the law. I am very pleased that the federal court recognized that my deputies follow the constitution to its letter and spirit when they enforce Arizona law."

Additional information about the case or the Court's ruling may be obtained by Sheriff Arpaio's attorney in the litigation, Tim Casey at 602-277-7000.

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