

# Maricopa County Sheriff's Office

## Joe Arpaio, Sheriff



Date: June 9, 2008

## **SUPREME COURT RULES IN ARPAIO'S FAVOR**

### *Public Defender's Office Loses Its Appeal*

### **ONLY SHERIFF CAN SET JAIL VISITATION HOURS**

(Phoenix, AZ) The Arizona Supreme Court handed Sheriff Joe Arpaio a sweet and presumably final victory today in a bitterly fought battle between himself, the county public defender's office and Maricopa County Superior Court Judge Anna Baca.

At issue: who really runs the Maricopa County jail system? The Sheriff? The Superior Court Judges? Or defense attorneys?

The legal question arose when inmate attorneys, probation officers and psychologists filed numerous complaints against the Sheriff after Arpaio adjusted inmate visitation hours last November in response to budget shortfalls.

Attorneys and others claimed the cutback in visitation hours denied detainee's access to their legal representation. Arpaio argued the cutback could save approximately \$900,000 in taxpayer's money.

Judge Anna Baca quickly sided with attorneys but was later overruled by an Arizona Court of Appeals panel which ruled that Baca overstepped her authority when she ordered a temporary restoration of visitation hours.

After that ruling, a deputy public defender then brought the case to the state Supreme Court. Unless the Public Defender can establish a legal basis to petition the Supreme Court of the United States, no other avenues of appeal remain.

"Not one instance of a constitutional deprivation was ever shown," said Sheriff Arpaio.

He added, "We carefully studied this decision before making it, we knew it was the right course of action under the circumstances and I'm grateful to the higher courts for making it very clear that the elected Sheriff runs the jails, not inmates, their attorneys or court judges."

<END>

100 West Washington, Suite 1900, Phoenix, Arizona 85003

Phone: (602) 876-1801 Fax: (602) 258-2081

Media Contact: [SheriffsMediaRequests@MCSO.Maricopa.Gov](mailto:SheriffsMediaRequests@MCSO.Maricopa.Gov)