

1 Roy L. Austin, Jr. (CA Bar #211491)
2 Deputy Assistant Attorney General
3 Jonathan M. Smith (DC Bar #396578)
4 Edward G. Caspar (MA Bar #650566)
5 Sergio Perez (CA Bar #274798)
6 Jennifer L. Mondino (NY Bar #4141636)
7 Paul Killebrew (LA Bar #32176)
8 U.S. Department of Justice, Civil Rights Division
9 950 Pennsylvania Avenue, N.W.
10 Washington, D.C. 20530
11 Attorneys for the United States

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

Maricopa County, Arizona; and Joseph M.
Arpaio, in his official capacity as Sheriff of
Maricopa County, Arizona,

Defendants.

No. 2:12-cv-00981-ROS

**UNITED STATES' NOTICE OF
FILING A STATEMENT
OF INTEREST IN A RELATED
CASE**

On May 24, 2013, in the case of Manuel de Jesus Ortega Melendres v. Joseph M. Arpaio, No. 2:07cv2513, the court issued its Findings of Fact and Conclusions of Law. The court found that Defendant Arpaio has engaged in systemic intentional discrimination against Latino motorists in violation of the Fourteenth Amendment, and that he enforced a policy, in violation of the Fourth Amendment, of detaining Latino motorists because of their race and without probable cause or reasonable suspicion that they had engaged in any criminal activity. See Findings of Fact and Conclusions of Law, Manuel de Jesus Ortega Melendres v. Joseph M. Arpaio, No. 2:07cv2513 (D. Ariz. May 24, 2013) (attached hereto as Ex. A).

1 In this case, the United States seeks relief from Sheriff Arpaio for patterns or
2 practices of constitutional violations including widespread discrimination in policing
3 activities such as traffic stops, workplace enforcement operations, and jail operations;
4 systemic violations of persons' rights under the Fourth Amendment, including during
5 traffic stops and workplace enforcement operations; and retaliation against critics of
6 Arpaio in violation of the First Amendment. The United States' claims in this case
7 encompass, but are broader than, the unconstitutional conduct the court found in
8 Melendres concerning MCSO's immigration-enforcement-related traffic stops.

9 The court in Melendres currently is considering the shape and scope of appropriate
10 relief. Because of its broad interest in ensuring that identified unconstitutional police
11 conduct is adequately remedied, and its interest in the United States' own case against
12 Sheriff Arpaio, the United States has filed the attached Statement of Interest with the
13 court in Melendres. See Exhibit B. As noted therein, the United States would welcome
14 the opportunity to participate more directly with the parties to that suit in negotiations
15 aimed at reaching an agreement on the form of appropriate relief. The United States
16 believes that such talks appropriately could address the possibility of a global settlement
17 of both cases. Such an agreement would be in the interests of all of the parties, the Court,
18 and the people of Maricopa County.

19
20 Respectfully submitted,

21 Roy L. Austin, Jr.

22 Deputy Assistant Attorney General

23 /s/ Edward G. Caspar

24 Jonathan M. Smith (DC Bar #396578)

25 Edward G. Caspar (MA Bar #650566)

26 Sergio Perez (CA Bar #274798)

27 Jennifer L. Mondino (NY Bar #4141636)

28 Paul Killebrew (LA Bar #32176)

U.S. Department of Justice, Civil Rights Division

950 Pennsylvania Avenue, N.W.

Washington, D.C. 20530

Tel. (202) 514-2000/Fax (202) 514-6273

Sergio.perez@usdoj.gov
Attorneys for the United States

CERTIFICATE OF SERVICE

I certify that on or about May 13, 2013, I used the Court's CM/ECF system to serve a true and correct copy of the foregoing filing on counsel of record.

/s/ Edward G. Caspar
EDWARD G. CASPAR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28