

# Exhibit 46

# Maricopa County Sheriff's Office

## Joe Arpaio, Sheriff



Date: July 7, 2009

### **WASHINGTON D.C. ATTORNEY FOR THE MARICOPA COUNTY SHERIFF'S OFFICE SAYS U.S. DEPARTMENT OF JUSTICE'S INVESTIGATION NOT GROUNDED IN FACTS**

#### *Sheriff Arpaio Continues Vigorous Enforcement of all State and Federal Immigration Laws*

(Phoenix, AZ) Sheriff Arpaio and Washington D.C. based attorney Robert Driscoll held a press conference today discussing new developments in the Department of Justice's investigation of the Sheriff and his office. Robert Driscoll is a former high official of the U.S. Department of Justice's Civil Rights Division.

Mr. Driscoll filed a request on May 29<sup>th</sup> with the Department of Justice's Office of Professional Responsibility to investigate what appears to be a politically motivated investigation alleging the use of racial profiling by the Maricopa County Sheriff's Office. Driscoll has yet to receive a response to that request.

"This case puts the constitutionality of the 287g program squarely into question and is therefore incumbent upon the federal government to defend its own statutes. Instead, the federal government is choosing to go after the Sheriff's Office and the deputies who enforce their statute to the letter" Driscoll said.

The Sheriff's Office has formally requested representation by the Justice Department in this case which follows standard protocol when agencies acting under federal guidelines is in question.

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)

The Sheriff's Office learned of further unethical conduct by the Department of Justice when a federal community relations employee reported that he was contacted by attorneys from the Justice Department in regards to this case.

Communication between the Maricopa County Sheriff's Office and the federal community relations employee is protected by federal statutes. Despite the attorney's knowledge of this, the attorney's requested that the communication be divulged. This unethical conduct has also been referred to the Department of Justice for review.

Arpaio reiterated his concern of the ethical questionability surrounding the U.S. Department of Justice's investigation and is equally troubled by the political nature of it.

"After serving with the Department of Justice for nearly 30 years as a ranking official with the Drug Enforcement Administration, it is difficult for me to ask for an investigation into the Department of Justice. However, I must take a stand and not bow down to the federal government like every other law enforcement agency that has been intimidated by investigation" Arpaio says.

Since the Justice Department initiated their investigation on March 10, 2009, the Sheriff's Office has arrested and booked over 4,000 illegal aliens.

The Sheriff's Office has received information that the same civil rights lawyers from the Justice Department in question are currently in Phoenix today continuing to lead the investigation of this case.

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)