

# Exhibit 5

**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

United States of America,

Plaintiff,

v.

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

Defendants.

No. 2:10-cv-01878-LOA

**DECLARATION OF JOHN G. OLIPHANT**

Pursuant to 28 U.S.C. § 1746, I, John G. Oliphant, declare and state as follows:

1. I am a Supervisory Senior Policy Analyst in the United States Department of Justice, Office of Community Oriented Policing Services ("COPS"). I have held this position since December 26, 2007. I have been employed by COPS since August 10, 1998, and am competent to testify to the matters herein.

2. My responsibilities as a Supervisory Senior Policy Analyst include management oversight of administration of the Methamphetamine Initiative grant program. In that capacity, I am familiar with the records relating to grants made pursuant to the Methamphetamine Initiative.

3. COPS advances the practice of community oriented policing in state, local, and tribal law enforcement agencies. COPS administers grant programs that fund law enforcement agencies around the United States.

4. Exhibit 6 is a true and correct copy of the application, without attachments, submitted by Maricopa County Sheriff's Office ("MCSO") for its Methamphetamine Initiative grant award. This application was submitted through an online process. The online application process requires that grant applicants review COPS Assurances before submitting the application. In submitting the application, the applicant assures "the COPS Office that you have read, understand, and agree, if awarded, to abide by the grant terms and conditions as outlined in the Assurances and Certifications." Exhibit 6. The applicant further assures COPS that the applicant will keep a signed hard copy of the Assurances. The applicant electronically signs and submits the Methamphetamine Initiative grant application online; therefore a signed hard copy of the Assurances is not required for submission to COPS. Exhibit 6 is kept in the regular course of business.

5. Exhibit 7 is a true and correct copy of a letter from COPS notifying MCSO that it has been awarded a grant pursuant to the Methamphetamine Initiative, with a grant period from September 1, 2007, to August 31, 2009. This document is kept in the regular course of business.

6. Exhibit 23 is a true and correct copy of the signed award document submitted by MCSO when it accepted the grant awarded pursuant to the Methamphetamine Initiative. By signing and accepting the award, the grant recipient is agreeing to comply with the Grant Terms and Special Conditions, which are located on the back of the award document. Paragraph 5 of the Grant Terms and Special Conditions requires that the grantee acknowledge its agreement to abide by COPS Assurances, which

is included as part of the Methamphetamine Initiative online application process. Exhibit 23 is kept in the regular course of business.

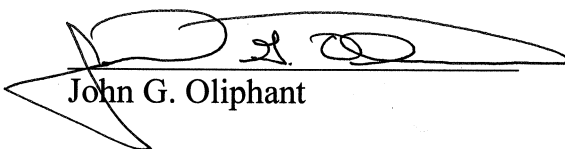
7. Exhibit 24 is a true and correct copy of the COPS Assurances that are referenced in ¶ 4 and ¶ 6, above. This document is kept in the regular course of business.

8. Exhibit 8 is a true and correct copy of a letter from the COPS office agreeing to extend the period of the MCSO Methamphetamine Initiative grant award to August 31, 2010. Exhibit 8 reflects that MCSO has 90 days from August 31, 2010, to draw down funds from its Methamphetamine Initiative grant award. This document is kept in the regular course of business.

9. Exhibit 9 is a true and correct copy of a report showing that MCSO has drawn down funds from the Methamphetamine Initiative grant award, with a remaining balance of \$18,543 as of September 2, 2010. This document is kept in the regular course of business.

10. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: 9/10/2010  
Washington, DC

  
John G. Oliphant