

# Exhibit 60



# Maricopa County

County Manager's Office

301 West Jefferson Street  
10th Floor  
Phoenix, AZ 85003-2143  
Phone: 602-506-1950  
Fax: 602-506-3328  
www.maricopa.gov

Via Hand Delivery

August 12, 2010

Sheriff Joseph M. Arpaio  
Maricopa County Sheriff's Office  
100 W. Washington, 19<sup>th</sup> Floor  
Phoenix, Arizona 85003

Re: Maricopa County Sheriff's Office, Arizona  
August 3, 2010 Notice of noncompliance

Dear Sheriff Arpaio:

This letter is sent to you on behalf of Maricopa County and its Board of Supervisors, and is prompted by the August 3, 2010 *Notice of noncompliance with the obligation to cooperate with the Department of Justice investigation pursuant to Title VI of the Civil Rights Act of 1964* (Notice Letter) addressed to counsel for the Maricopa County Sheriff's Office (MCSO). This letter is also prompted by the August 5, 2010 response sent to the DOJ by Robert Driscoll, a lawyer for MCSO.

Maricopa County has sent the enclosed correspondence to the Department of Justice in order to comply with its duties as a recipient of Title VI funds. My letter is direction to MCSO, as a sub-recipient through Maricopa County of Title VI funds, to fully cooperate in any DOJ Title VI inquiry, and to not expend any public monies resisting the DOJ's Title VI inquiry in any way. In addition, you should have the August 5, 2010 Driscoll letter rescinded and, in its place, provide the DOJ contractual assurances, signed by the appropriate MCSO representatives, that MCSO will fully cooperate in the DOJ's Title VI inquiry.

Via this letter MCSO is hereby directed and given notice that it may not expend any public funds, including expenses for outside counsel, to resist any DOJ Title VI inquiry. Maricopa County will not pay any invoices for attorneys who assist you in any effort to resist a Title VI inquiry, because cooperation in a Title VI inquiry is required by federal law and, therefore, resisting a Title VI inquiry is outside both the authority of any elected official and the course and scope of the duties of any Maricopa County employee.

Maricopa County can express no opinion or offer any conclusion as to the result that will be reached at the conclusion of the DOJ's Title VI inquiry.

Sheriff Joseph M. Arpaio  
August 12, 2010  
Page 2

Maricopa County is hopeful that there will be no adverse findings as to MCSO, and hopes that your full cooperation with the DOJ will allow the inquiry to conclude as soon as possible. If the DOJ determines that no violations have occurred, then you are vindicated. But if violations are found, then they must be cured immediately. Maricopa County, therefore, wants this inquiry expedited for the benefit of the taxpayers, the thousands of very decent MCSO employees who do not deserve to serve under a cloud, and in order to comply with the letter and spirit of the law. Please join in this effort.

Sincerely,



David R. Smith  
County Manager

DRS/ah

Encl.

- c: Don Stapley, Chairman, Board of Supervisors, District 2
- Fulton Brock, Supervisor, Board of Supervisors, District 1
- Andrew Kunasek, Supervisor, Board of Supervisors, District 3
- Max Wilson, Supervisor, Board of Supervisors, District 4
- Mary Rose Wilcox, Supervisor, Board of Supervisors, District 5
- Shelby Scharbach, Chief Financial Officer



Thomas K. Irvine  
Security Title Plaza  
3636 N. Central Ave., Suite 1200  
Phoenix, AZ 85012  
(602) 650-2000  
Facsimile: (602) 264-7033  
www.polsinelli.com

August 12, 2010

**E-Mail (Phyllis.Thomas@usdoj.gov) and First Class Mail**

Hon. Thomas E. Perez  
Assistant Attorney General  
Civil Rights Division  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, D.C. 20003

Re: Maricopa County Sheriff's Office, Arizona  
August 3, 2010 Notice of noncompliance

Dear Mr. Perez:

This firm represents Maricopa County, Arizona and its management (Maricopa County). This letter is prompted by your August 3, 2010 *Notice of noncompliance with the obligation to cooperate with the Department of Justice investigation pursuant to Title VI of the Civil Rights Act of 1964* (Notice Letter) addressed to counsel for the Maricopa County Sheriff's Office (MCSO). This letter is also prompted by the August 5, 2010 response sent to you by a lawyer for MCSO.

Maricopa County desires to cooperate in any way possible with the DOJ investigation referenced in the Notice Letter. As a recipient of Title VI funds, Maricopa County believes it has an obligation to cooperate. Maricopa County is distressed, disappointed and concerned by MCSO's, a subrecipient, noticed failure to cooperate. Maricopa County is equally distressed, disappointed and concerned by MCSO's August 5, 2010 response which in no way is appropriate or adequate.

As an initial matter, Maricopa County believes that virtually all of the dedicated line staff of MCSO desire to comply with Title VI and this dispute in no way implicates or questions that desire or the professionalism, if properly managed, of those dedicated women and men. Maricopa County reached this same conclusion when it recently resolved, over the objection of MCSO management and counsel, a significant DOL wage and hour investigation which resulted in nearly \$2 million being paid to MCSO staff. This Title VI issue, as with the DOL issue, concerns the management of MCSO.

Phoenix   Kansas City   St. Louis   Chicago   Denver   Washington, DC   New York  
Wilmington, DE

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Mr. Thomas E. Perez  
Assistant Attorney General  
August 12, 2010  
Page 2

Maricopa County will attempt to provide any of the information DOJ has requested of MCSO. Please provide us with those requests in order for Maricopa County to determine which, if any, of the documents it already has available. Maricopa County also has subpoena power. Maricopa County will subpoena the documents that it does not have from MCSO pursuant to that power in order to comply with its legal duties as a recipient. As a subrecipient, MCSO must comply.

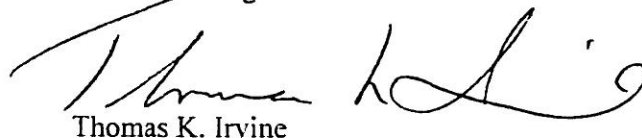
Maricopa County management is also notifying MCSO that it may not expend any public funds, including on outside counsel, to resist any DOJ Title VI inquiry. Maricopa County will not pay those bills as resisting a Title VI inquiry is outside the scope of the employment of any elected or appointed official.

Maricopa County wants to discuss these matters with DOJ. Due to Maricopa County's unfamiliarity with the DOJ inquiry currently being resisted by MCSO there may be additional assistance that Maricopa County can provide.

Maricopa County tenders its full cooperation as a recipient of Title VI funds and will assist in the MCSO inquiry. The tragedy of all of this is the waste of precious tax dollars by MCSO in resisting a lawful inquiry. Maricopa County can express no opinion or offer any conclusion as to the result that will be reached at the conclusion of the inquiry. Just as with the DOL inquiry, however, Maricopa County is hopeful that there will be no adverse findings as to MCSO but if there are, the problems must be cured immediately. Maricopa County, therefore, wants this inquiry expedited for the benefit of thousands of very decent MCSO employees who do not deserve to serve under a cloud, the taxpayers and in order to comply with the letter and spirit of the law.

Sincerely,

Polsinelli Shughart PC



Thomas K. Irvine

TKI:jd

cc: Alexandra J. Gill  
Robert N. Driscoll  
Richard M. Romley  
Clarisse McCormick  
Hon. Dennis K. Burke  
Maricopa County