

Maricopa County Sheriff's Office

Joe Arpaio, Sheriff



Date: October 21, 2009

ARPAIO: "WE WILL STILL USE INDICATORS IN THE ENFORCEMENT OF ILLEGAL IMMIGRATION LAWS"

Sheriff Joe Arpaio clarifies his office's position of the enforcement of illegal immigration laws

(Phoenix, Arizona) Several recent televised interviews of the Sheriff have mischaracterized and confused the context of the explanation he has given of his office's practices and procedures. This should set the record straight.

Sheriff Joe Arpaio has continually stated that his deputies have never initiated contact with anyone solely based on their nationality. The Sheriff's Office has always required its law enforcement personnel to have reasonable suspicion that a violation of state law has occurred which may then develop further indicators or facts to support the detainment of a suspected illegal alien.

Sheriff Arpaio says, "My deputies always consider all the totality of circumstances before them. We never make an arrest or start questioning based on only one factor."

The indicators used by deputies that Sheriff Arpaio has referenced in past news conferences and interviews to warrant further investigation of a suspected illegal alien are listed in the Immigration and Custom's Enforcement (ICE) Academy training manual used by Sheriff's deputies and detention officers during their five-week federal training.

Some of the indicators listed in the attached ICE training manual are:

100 West Washington, Suite 1900, Phoenix, Arizona 85003

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

Media Contact: SheriffsMediaRequests@MCSO.Maricopa.Gov

- (1) does the detainee have a thick accent or not comprehend English;
- (2) whether the individual had identification;
- (3) is the location of the stop a known illegal alien locale;
- (4) is the detainee's appearance unusual or out of place in the specific locale;
- (5) does the detainee appear to be in transit or recently traveling;
- (6) did the detainee's demeanor (i.e., "freeze or take flight" when first spotted by the officer;
- (7) did the vehicle seem overcrowded or ride heavily; and
- (8) did the passengers in the vehicle slouch down, slump or attempt to avoid being detected in the vehicle.

Sheriff Arpaio said this list of articulable facts is not restricted to those shown here and is not only limited to law enforcement officers with federal ICE training. In fact, many of these indicators are universal in the investigative process of many other crimes. Other factors that can also be considered depend on the location of where the original state law violation occurs.

Sheriff Arpaio's position is consistent with his deputies' approach over the entire course of his crime suppression operations.

Because of the recent termination of the federal 287g agreement by the federal government that gave over 100 Sheriff's deputies the authority to act as ICE agents, those deputies will be ordered to turn in their federally-issued ICE agent credentials in the near future.

100 West Washington, Suite 1900, Phoenix, Arizona 85003
Phone: (602) 876-1801 Fax: (602) 258-2081
Media Contact: SheriffsMediaRequests@MCSO.Maricopa.Gov