

Maricopa County Sheriff's Office

Joe Arpaio, Sheriff



Date: June 29, 2010

SHERIFF'S OFFICE WILL AGREE TO MAKE FINANCIAL DOCUMENTS AVAILABLE TO COUNTY AUDITORS

(Phoenix, AZ) Although the Maricopa County Sheriff's Office still has serious concerns with the constitutionality of a state statute that grants subpoena and all other judicial powers to the Maricopa County Board of Supervisors (the "Board"), the Sheriff's Office will make requested financial documents available to County internal auditors.

Last month, the Board issued a subpoena ordering Sheriff Joe Arpaio and his Chief Financial Officer to appear before the Board in a contempt hearing for their failure to respond to a request for financial records previously issued by the Board.

Sheriff's officials contended in court that the Board's request and subpoena power posed a serious conflict of interest given the fact that two members of the Board, Chairman Don Stapley and Supervisor Mary Rose Wilcox, were under criminal investigation by the Sheriff's Office and indicted twice by a state grand jury. Additionally, Supervisors Stapley and Wilcox have filed multi-million Notices of Claim alleging, among other things, that Sheriff Arpaio abused his statutory powers.

The Sheriff's Office always was willing to provide the financial documents to an independent, unbiased auditor that did not have any conflicts of interest with the Sheriff's Office. The Board, however, refused this reasonable solution and forced the Sheriff to seek protection from the Superior Court.

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

Last Friday, a Pima County Superior Court judge vacated a temporary injunction it previously issued restraining the Board from conducting the contempt hearing.

Sheriff Arpaio says “We are disappointed in Judge Gordon’s ruling and believe that there are issues that need to be resolved by a higher court. That being said, we respect to the powers of the court and intend to comply with Judge Gordon's order.”

Sheriff’s Office Attorney L. Eric Dowell has attempted to make contact with the Board’s counsel to develop a reasonable protocol pursuant to which the documents that are subject to the overbroad and invalid subpoena issued last month by the Board can be made available to the County's auditors.

Attorney L. Eric Dowell stated “Considering the Board's purported urgent need to view these documents for budget planning purposes, I am surprised that I have not heard back from Mr. Irvine on this issue.”

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