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# United States Senate

COMMITTEE ON THE JUDICIARY  
WASHINGTON, DC 20510-6275

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May 15, 2012

The Honorable Eric Holder Jr.  
Attorney General  
Department of Justice  
950 Pennsylvania Avenue N.W.  
Washington, D.C. 20520

Dear Mr. Attorney General:

I was troubled by the Department of Justice's report of December 15, 2011, which followed the Civil Rights Division's investigation into the law enforcement practices of the Maricopa County sheriff's office. Among other findings detailing unconstitutional policing practices in the county, the report found systemic discrimination against Latino inmates in the county's jails.

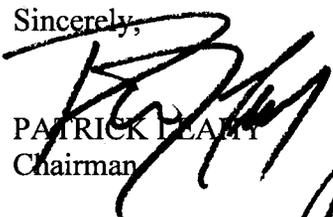
Last week the Department filed and announced its civil rights case against the sheriff's office. As a result of your investigation and findings, Department of Homeland Security Secretary Napolitano has terminated Maricopa County's 287(g) agreement, and has restricted county officials' access to the Secure Communities program. I write to raise a related issue of concern regarding the State Criminal Alien Assistance Program (SCAAP).

Since 2000 Maricopa County has received more than \$25 million dollars of Federal taxpayer dollars under SCAAP. The SCAAP program reimburses state jurisdictions for costs claimed to be incurred related to the detention of undocumented immigrants in county jail facilities. Like all Federal grantees, however, Maricopa County officials must be held to high standards of ethical and lawful conduct when applying for and using such public funding.

In light of the findings in your report, I urge the Department to take all appropriate steps to determine whether taxpayer dollars provided through the SCAAP program have been used in connection with the detention of individuals whose civil rights have been violated. If so, I urge you to consider possible remedies including whether that funding can be recovered. In addition, until the Maricopa County sheriff's office has demonstrated to the Department that it has addressed and corrected the misconduct found by your investigation, I ask what steps the Department is taking with respect to current requests for SCAAP funding.

I look forward to your reply.

Sincerely,

  
PATRICK LEAHY  
Chairman

