

James D. Nelson Trial Attorney

U.S. Department of Justice

Civil Division, Federal Programs Branch

By First-Class Mail P.O. Box 883 Washington, DC 20530 **By Special Delivery** 20 Massachusetts Ave., NW Washington, DC 20001

Tel: (202) 307-6600 Fax: (202) 616-8460

Email: james.d.nelson2@usdoj.gov

January 21, 2011

Via Federal Express

Jason B. Aldrich Judicial Watch, Inc. 425 Third Street, SW, Suite 800 Washington, DC 20024

Re: Judicial Watch, Inc. v. U.S. Department of Justice, Case No. 10-1569 (D.D.C.)

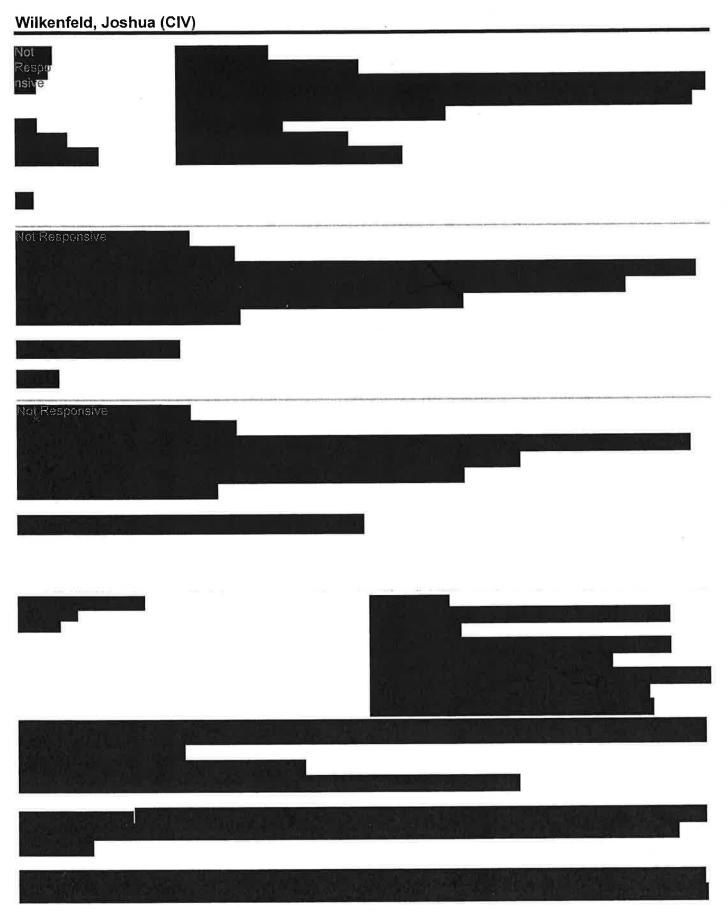
Dear Mr. Aldrich:

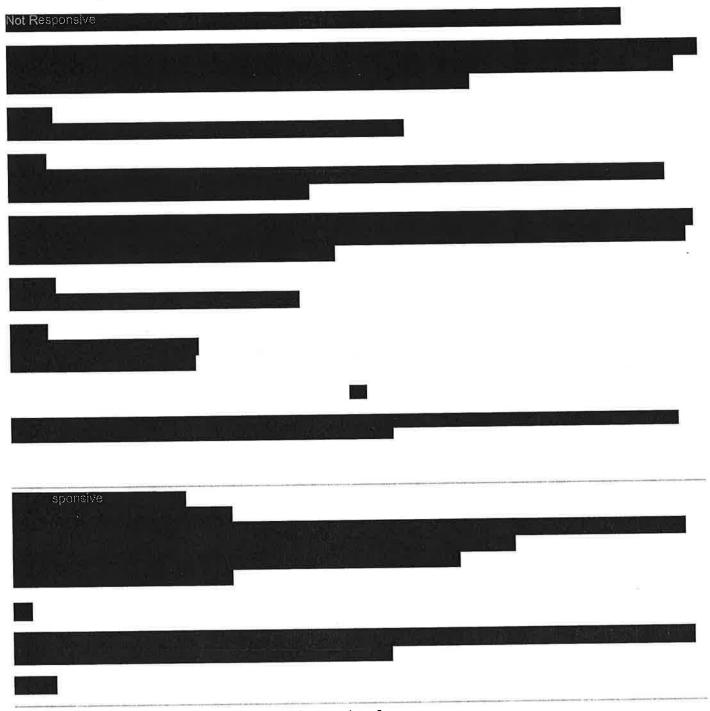
Enclosed herewith, and pursuant to our agreed schedule, please find Defendant's production of non-exempt records responsive to Plaintiff's FOIA request seeking records of communications between Defendant and the American Civil Liberties Union or other "third parties" related to Arizona's "Support Our Law Enforcement and Safe Neighborhoods Act."

Sincerely,

James D. Nelson

Encl.





From: Quesnel Melendez, Carlos [mailto:cquesnel@sre.qob.mx]

Sent: Friday, May 14, 2010 9:03 PM

To: Ramirez, Monica (CRT)

Cc: Patiño Beckwith, Julio Guillermo Subject: Reacciones a la SB1070

Querida Monica

Te envío un resumen de las reacciones que sobre la ley SB1070 se han generado en México y en algunas organizaciones internacionales (ONU y OEA). Como veras lo dividimos en posiciones oficiales en México (Ejecutivo, Legislativo y Judicial), organismos internacionales (ONU) y reportes de prensa, incluidos editoriales y columnas.

Cualquier pregunta estoy a tus ordenes.

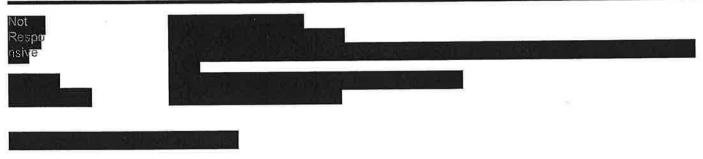
Muy buen fin de semana C.

From: Aida Rodriguez [mailto:arodriguez@co.santa-cruz.az.us]
Sent: Friday, June 25, 2010 7:30 PM
To: Ramirez, Monica (CRT)
Cc: Tony Estrada; George Silva

Subject:

Sheriff Estrada's Declaration attached.

Aida Rodriguez, Office Manager Santa Cruz County Sheriff's Office (520)761-7869 (Office) (520)375-8118 (Fax)



From: <u>jeanette.ploium@phoenix.gov</u> < <u>jeanette.ploium@phoenix.gov</u>>

To: Ramirez, Monica (CRT) **Sent**: Fri Jun 25 19:02:09 2010

Subject: Declaration of Phoenix Police Chief Jack Harris

Ms. Ramirez,

Attached is the signed Declaration for Chief Harris. I will be mailing you the original.

Have a great weekend.

Thank you,

Jeanette Ploium A4570 Legal Secretary Phoenix Police Dept. Legal Unit 602-534-0126 Desk 602-534-0842 Fax



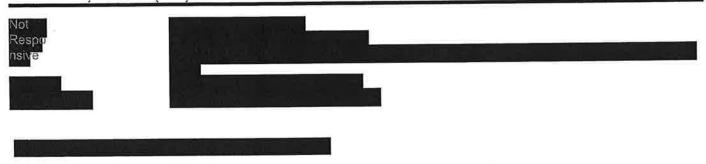
---- Original Message ----From: Carmen Escobar <<u>cescobar@co.santa-cruz.az.us</u>>

To: Ramirez, Monica (CRT) Sent: Mon Jun 28 18:30:06 2010

Subject: FW:

Please confirm your receipt.

Thank you. Carmen



From: Baird Greene [mailto:Baird.Greene@tucsonaz.gov]
Sent: Friday, June 25, 2010 7:33 PM
To: Ramirez, Monica (CRT)
Subject: RE: Chief Villaseñor's declaration

Here is the Declaration from the chief. Hard copy to follow.



From: Karen Tumlin < tumlin@nilc.org >

To: Ramirez, Monica (CRT)

Sent: Mon Jun 14 21:22:24 2010

Subject: here come the exhibits--email 1

I'll send in several emails!

Karen Tumlin, Managing Attorney National Immigration Law Center

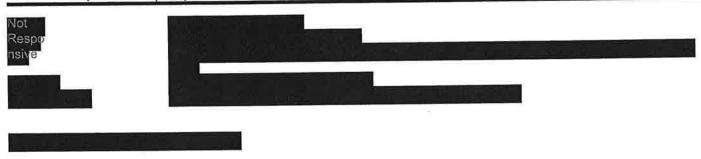
Direct: 213.674.2850 Main number: 213.639.3900

FAX 213.639.3911 tumlin@nilc.org

3435 Wilshire Blvd. Suite 2850

Los Angeles, CA 90010

This e-mail message is intended only for the named recipient(s) above, and may contain confidential or privileged information. If you receive this message in error, please notify the sender above immediately by reply e-mail and delete this email and any attachments without retaining a copy.



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Subject: here come the exhibits--email 1

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From: Karen Tumlin < tumlin@nilc.org >

To: Ramirez, Monica (CRT)
Sent: Mon Jun 14 21:24:02 2010
Subject: Exhibits--email 2

Karen Tumlin, Managing Attorney National Immigration Law Center Direct: 213.674.2850 Main number: 213.639.3900

FAX 213.639.3911 tumlin@nilc.org

3435 Wilshire Blvd. Suite 2850 Los Angeles, CA 90010

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From: Karen Tumlin < tumlin@nilc.orq>

To: Ramirez, Monica (CRT) **Sent**: Mon Jun 14 21:24:02 2010

Subject: Exhibits--email 2

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Direct: 213.674.2850 Main number: 213.639.3900 FAX 213.639.3911

tumlin@nilc.org

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Subject: Exhibits--email 2

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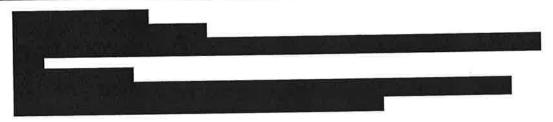
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From: Karen Tumlin < tumlin@nilc.org >

To: Ramirez, Monica (CRT) Sent: Mon Jun 14 21:24:49 2010 Subject: Exhibits--email 3

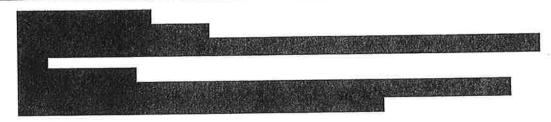
Karen Tumlin, Managing Attorney National Immigration Law Center

Direct: 213.674.2850
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From: Karen Tumlin < tumlin@nilc.org >

To: Ramirez, Monica (CRT) Sent: Mon Jun 14 21:25:56 2010 Subject: Exhibits--email 4

Karen Tumlin, Managing Attorney National Immigration Law Center Direct: 213.674.2850

Main number: 213.639.3900 FAX 213.639.3911 tumlin@nilc.org

3435 Wilshire Blvd. Suite 2850 Los Angeles, CA 90010

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Tumlin < tumlin@nilc.org >

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Subject: Exhibits--email 4

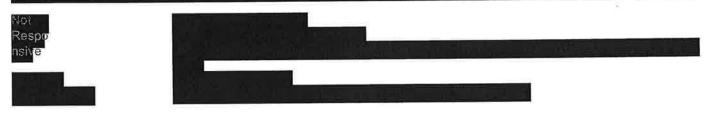
Karen Tumlin, Managing Attorney National Immigration Law Center

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From: Karen Tumlin < tumlin@nilc.org >

To: Ramirez, Monica (CRT) **Sent**: Mon Jun 14 21:48:34 2010

Subject: more

Karen Tumlin, Managing Attorney National Immigration Law Center

Direct: 213.674.2850

Main number: 213.639.3900

FAX 213.639.3911

tumlin@nilc.org

3435 Wilshire Blvd.

Suite 2850 Los Angeles, CA 90010

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Subject: more

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Direct: 213.674.2850

Main number: 213.639.3900

FAX 213.639.3911 tumlin@nilc.org

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From:

Omar Jadwat [OJadwat@aclu.org]

Sent:

Wednesday, August 18, 2010 1:49 PM

To: Subject: Wilkenfeld, Joshua I. (CIV)

Attachments:

RE: Transcript 2010.07.22 Friendly House Transcript.pdf

Here you go, Josh.

Best

0

Omar C. Jadwat **ACLU Immigrants' Rights Project** (212) 549-2620 (ph) (212) 549-2654 (fax)

This message may contain information that is confidential or legally privileged. If you are not the intended recipient, please immediately advise the sender by reply E-mail that this message has been inadvertently transmitted to you and delete this E-mail from your system.

From: Wilkenfeld, Joshua I. (CIV) [mailto:Joshua.I.Wilkenfeld@usdoj.gov]

Sent: Wednesday, August 18, 2010 1:41 PM

To: Omar Jadwat Subject: Transcript

Hi Omar,

I hope you are well.

Do you have the transcript from your argument before Judge Bolton readily available? If so, would you be willing to forward it my way?

I would be happy to order it if that's easier. But if you have easy access to it that might speed up the process.

Thanks in advance,

Josh

From:

Lucas Guttentag [lguttentag@aclu.org]

Sent:

Friday, July 16, 2010 12:00 PM Wilkenfeld, Joshua I. (CIV)

To: Subject:

RE: SB 1070

Josh

Thanks very much. Yes, look forward to talking. I'm getting a fuller briefing on yesterday's hearing later this morning (Calif. time) and then am tied up for a short while. Would it work for you to talk at about 4.00 or 4.30p Eastern? If it's ok with you, I'd like to include two colleagues. By the way, we tried to order a transcript yesterday but understand the US Attorney's office already did. Can we get a copy directly from you when it's available?

All best, Lucas

From: Wilkenfeld, Joshua I. (CIV) [mailto:Joshua.I.Wilkenfeld@usdoj.gov]

Sent: Friday, July 16, 2010 10:24 AM

To: LGuttentaq@aclu.org

Subject: SB 1070

Hi Lucas,

I hope you are well. Let me know if you have a moment to discuss today.

Josh

From: Sent:

Lucas Guttentag [Iguttentag@aclu.org]

Sent: To: Friday, July 16, 2010 5:39 PM Wilkenfeld, Joshua I. (CIV)

Subject:

RE: Salgado Hearing Transcript

Many thanks Lucas

From: Wilkenfeld, Joshua I. (CIV) [mailto:Joshua.I.Wilkenfeld@usdoj.gov]

Sent: Friday, July 16, 2010 5:19 PM

To: Lucas Guttentag

Subject: Salgado Hearing Transcript

Lucas,

Enclosed please find the Salgado hearing transcript.

Regards,

Josh

From: Sent:

Wilkenfeld, Joshua I. (CIV) Friday, July 16, 2010 1:32 PM

To: Subject: Lucas Guttentag RE: SB 1070

Will do: thanks, Lucas.

From: Lucas Guttentag [mailto:lguttentag@aclu.org]

Sent: Friday, July 16, 2010 12:55 PM **To:** Wilkenfeld, Joshua I. (CIV)

Subject: RE: SB 1070

Thanks again. Really appreciate it. Let me know when you get word on the most appropriate way for us to get a copy of

the transcript.

Best Lucas

From: Wilkenfeld, Joshua I. (CIV) [mailto:Joshua.I.Wilkenfeld@usdoj.gov]

Sent: Friday, July 16, 2010 12:17 PM

To: Lucas Guttentag Subject: RE: SB 1070

Perfect.

From: Lucas Guttentag [mailto:lquttentag@aclu.org]

Sent: Friday, July 16, 2010 12:13 PM To: Wilkenfeld, Joshua I. (CIV)

Subject: RE: SB 1070

Yes, fine. How about I call you in about 15 minutes; btw 12.30-12.45 Eastern?

From: Wilkenfeld, Joshua I. (CIV) [mailto:Joshua.I.Wilkenfeld@usdoj.gov]

Sent: Friday, July 16, 2010 12:03 PM

To: Lucas Guttentag Subject: RE: SB 1070

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From: Lucas Guttentag [mailto:lguttentag@aclu.org]

Sent: Friday, July 16, 2010 12:00 PM

To: Wilkenfeld, Joshua I. (CIV)

Subject: RE: SB 1070

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From: Wilkenfeld, Joshua I. (CIV) [mailto:Joshua.I.Wilkenfeld@usdoj.gov]

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To: LGuttentag@aclu.org

Subject: SB 1070

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To:

Subject:

Attachments:

Salgado Hearing Transcript Salgado Hearing transcript.pdf

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To: LGuttentag@aclu.org

Subject: SB 1070

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Josh

Joshua Wilkenfeld Trial Attorney U.S. Department of Justice - Civil Division Federal Programs Branch 20 Massachusetts Ave., N.W. Washington, D.C. 20530 Telephone: (202) 305-7920

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Friday, July 16, 2010 12:55 PM Wilkenfeld, Joshua I. (CIV)

To: Subject:

RE: SB 1070

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Friday, July 16, 2010 10:24 AM

To:

Lucas Guttentag (LGuttentag@aclu.org)

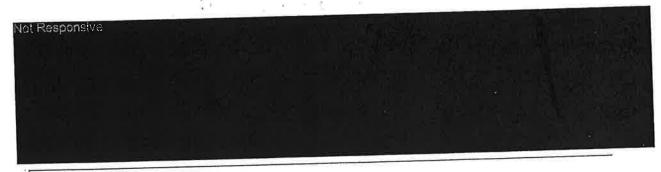
Subject:

SB 1070

Hi Lucas,

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Josh



From: Lucas Guttentag [mailto:lguttentag@aclu.org]

Sent: Tuesday, July 27, 2010 6:14 PM

To: Kneedler, Edwin S Subject: RE: touching base

Thanks Ed. Yes, a real pleasure to be on same side.

I think we will be strongly inclined to seek an immediate emergency injunction from the 9th Circuit if sections 2B, 3, 5C and 6 are not all enjoined. Of those, our collective view seems to be that the judge's greatest hesitation was with regard to 2B and 5C so those are the likely immediate issues. I'm assuming it's also very likely the state would ask to stay any injunction she might issue so we would want to file any emergency motion for injunction pending appeal immediately.

Can you share your current thinking with regard to various scenarios?

Best Lucas

From: Kneedler, Edwin S [mailto:Edwin.S.Kneedler@usdoj.gov]

Sent: Tuesday, July 27, 2010 2:40 PM

To: Lucas Guttentag

Subject: RE: touching base

Thanks Lucas. We should definitely check in once we hear. We'll be huddling here as soon as we can. What is your thinking at this point on if/how you will proceed in various possible scenarios?

It was good to see you, even if only briefly, and to be on the same side for once! (b) (6) I have a feeling we might be seeing each other again on this case.

Ed

From: Lucas Guttentag [mailto:lguttentag@aclu.org]

Sent: Tuesday, July 27, 2010 2:15 PM

To: Kneedler, Edwin S Subject: touching base

I left a voicemail earlier today about checking in once the district court rules. Would you available

then? (b) (6) And from all of us, thank you again for your argument on

behalf of the United States.

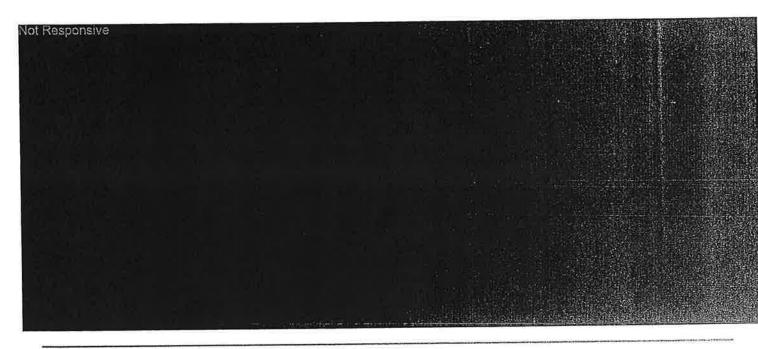
Lucas Guttentag; Director, ACLU Immigrants' Rights Project

email: LGuttentag@aclu.org | Direct dial: (CA) 415.343-0773

California: 39 Drumm Street, San Francisco, CA 94111 | Tel: 415.343-0770; Fax: 415.395-0950 | New York: 125 Broad Street, New York, NY 10004 | Tel: 212.549-2500; Fax: 212.549-2654 |

Direct dial (NY): 212.549-2617

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From: Gorniak, Carla < CGorniak@deweyleboeuf.com>

To: Ramirez, Monica (CRT)

Cc: Solano, Henry L. < HSolano@deweyleboeuf.com>; Clark, Christopher R. (Associate) < CRClark@deweyleboeuf.com>;

Gorniak, Carla < CGorniak@deweyleboeuf.com >

Sent: Fri Sep 24 11:26:38 2010

Subject: Draft of Amicus Curiae Brief on Behalf of Mexico

Dear Monica and Tom,

Congratulations on filing the brief. Well done.

Attached please find a draft of the *amicus curiae* brief we intend to file on Mexico's behalf in *United States v. Arizona*. No. 10-16645, subject to review and comment by our client. Please note that Mexico would like to file later today, but as we have not heard back from Arizona and Gov. Brewer regarding their consent to the filing, we may postpone until Monday. At the risk of stating the obvious, please keep the attached draft and Mexico's intentions to file confidential.

In addition, we have been advised that several other Latin-American countries may wish to join this brief. Would you consent to such motions to join?

Our apologies for not including Tom's email, but we could not find his address. Monica, could you please forward this email to Tom and the rest of the team?

Thanks,

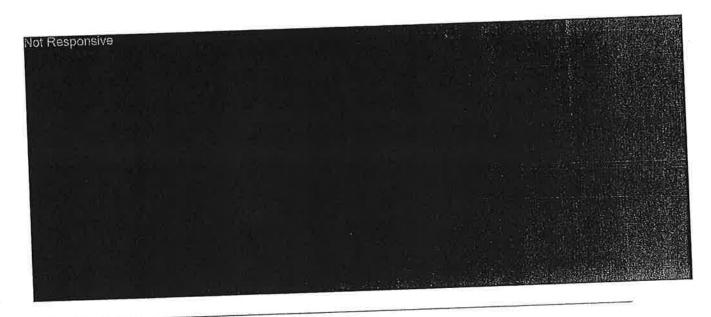
Carla Gorniak
Dewey & LeBoeuf LLP
1301 Avenue of the Americas
New York, NY 10019
Direct: +1 212 259 7318

General: +1 212 259 8000 Fax: +1 212 632 0162

www.dl.com

Durguant to H.S. Treasury Department Circular 230, unless we

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From: Quesnel Melendez, Carlos <cquesnel@sre.gob.mx>

To: Ramirez, Monica (CRT) Sent: Tue Jun 08 17:01:36 2010

Subject: saludos de embamex y pregunta

Querida Monica

Solo para informarte que estamos preparando un amicus para ser presentado ante la corte que acepto la demanda preparada por diversas organizaciones de derechos civiles. En cuanto la presentemos (antes del 16 de junio) te paso una copia si así lo

Quisiera también reiterarte por favor fueran tan amables de mantenernos informados de las acciones que tome el DOJ, de no haber inconveniente les agradeceríamos mucho nos lo informen antes de que hagan el anuncio oficial.

Abrazos y gracias

C.

Carlos Quesnel-Meléndez Counselor for Legal Affairs Embassy of Mexico Tel. 202.7281688 Fax 202,7281783

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From:

Lucas Guttentag

To:

Wilkenfeld, Joshua I. (CIV); Chilakamarri, Varudhini (CIV)

Subject: Date:

RE: update on scheduling order? Wednesday, July 07, 2010 7:08:39 PM

Great; thanks very much for the update. Look forward to being in touch.

All best Lucas

From: Wilkenfeld, Joshua I. (CIV) [mailto:Joshua.I.Wilkenfeld@usdoj.gov]

Sent: Wednesday, July 07, 2010 4:03 PM

To: lguttentag@aclu.org; Chilakamarri, Varudhini (CIV)

Subject: Re: update on scheduling order?

Hi Lucas:

Judge Bolton orally entered orders granting our motion to transfer (to Judge Bolton) and granting our motion for leave to file an overlength brief. She also set a schedule pursuant to which the State's brief in opposition is due on July 20th by 5pm (Arizona time). Our hearing will be July 22 at 1:30 pm.

Josh

From: Lucas Guttentag < lguttentag@aclu.org >

To: Wilkenfeld, Joshua I. (CIV); Chilakamarri, Varudhini (CIV)

Sent: Wed Jul 07 18:51:13 2010 Subject: update on scheduling order?

Dear Counsel

Could you let us know if Judge Bolton issued any scheduling or other orders at your conference today? The docket does not reflect any new entries.

Many thanks,

Lucas

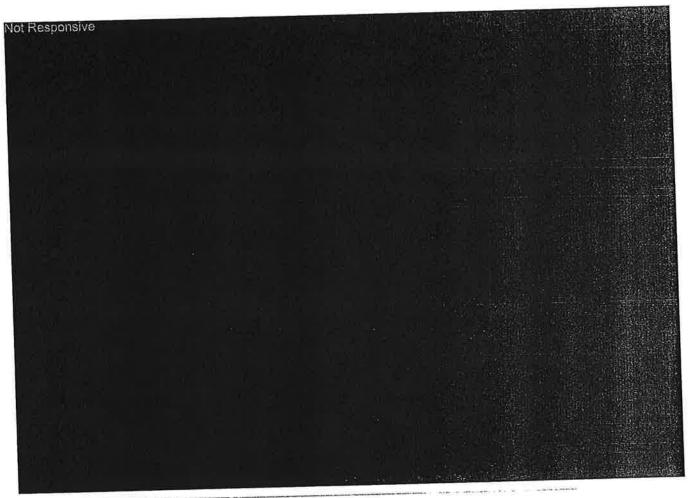
Lucas Guttentag; Director, ACLU Immigrants' Rights Project

email: LGuttentag@aclu.org Direct dial: (CA) 415.343-0773

California: 39 Drumm Street, San Francisco, CA 94111

New York: 125 Broad Street, New York, NY 10004 | Direct dial (NY): 212.549-2617

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From: Quesnel Melendez, Carlos [mailto:cquesnel@sre.gob.mx]

Sent: Tuesday, June 22, 2010 3:23 PM

To: Ramirez, Monica (CRT)

Subject: amicus curiae brief on behalf of The United Mexican States

Monica

Anexo te remito la versión final del amicus presentado por el Gobierno de México esta mañana ante la corte federal para el Distrito de Arizona. Esperamos que en los próximos días varias naciones latinoamericanas se unan al mismo.

Abrazos Carlos

> Carlos Quesnel-Meléndez Counselor for Legal Affairs Embassy of Mexico Tel. 202.7281688 Fax 202.7281783

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i k

From:

(b) (6)

Sent:

Tuesday, July 06, 2010 10:05 PM

To:

Chilakamarri, Varudhini (CIV)

Cc:

Subject:

Senator_Bingaman@bingaman.senate.gov answer to lawyer (author)lawsuit to Arizona

If this email or my vehement anger has been misdirected to the wrong ostrich-like attorney...I apologize; OMG, are you totally and completely out of your mind? What could you possibly say to justify this action. Surely you aren't needing the publicity so badly that this would be your reason. Did you even read their (Arizona)new (old) law before you agreed to do this. I just hope your greed and/or ignorance in this situation allow you to sleep at night......NO NO, Never mind, I prefer you not sleep.

From:

(b) (6)

Sent: To: Tuesday, July 06, 2010 7:46 PM Chilakamarri, Varudhini (CIV)

Subject:

Arizona Lawsuit

I wish you lose this case and the people of Arizona can Defend themselves against this invading hoard of terrorists invading our country.. Something you dont care about at all..... Shame on you and Obama....

(b) (6)

From:

Sent:

(b) (6) Tuesday, July 06, 2010 4:57 PM

To: Cc: Grindler, Gary (ODAG); thomas.perrelli@usdoj.gov Chilakamarri, Varudhini (CIV); Burke, Dennis (USAAZ)

Subject:

Arizona Suit

I find it unbelievable that you all are suing Arizona for enforcing federal law. I do not see why you all are pursuing a lawsuit with Arizona. Am I missing something? Every state should be passing the law AZ passed. We must protect our borders. I really want to understand why you all pursuing this.

Respectfully,

From: Sent:

(b) (6) Tuesday, July 06, 2010 7:03 PM Chilakamarri, Varudhini (CIV) AZ Lawsuit

To: Subject:

I pray your complaint is dismissed.

From:

(b) (6)

Sent: To: Tuesday, July 06, 2010 7:49 PM Chilakamarri, Varudhini (CIV)

Subject:

Federal Government and Arizona's SB1070

Attachments:

(a

Sir,

I just read the complaint concerning your lawsuit against the State of Arizona's bill SB1070.

Not a jurist, I was amazed at the gobble-goop it contained.

The Federal Government being the supreme maker of laws that it is, should be able to identify OUR state's attempt to control the illegal immigration. DHS, Border patrol and ICE are NOT doing their job!

On any given night, you can sit on your porch in Marana, Sierra Vista, Benson, Douglas and any other border town, and watch the illegals crossing into our state..not just one or two, but squads and platoons of them being guided across the desert but the "coyotes" who are making a buck off of their misery. If you called any of the local ICE, BP, or sheriff departments, either they were/are handcuffed by 'political correctness, of lack of personnel to stop them. Now SB 1070 removes those handcuffs and gives them the power to enforce the Federal laws that it was designed around.

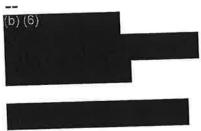
President Obama states that our borders "..are safer than they have ever been..." but today, here in Arizona, Pinal County Sheriff Paul Barbeau's life has been threatened by the Mexican cartel's for doing his job.: there were 21 people killed in a gun battle south of Nogales, Az, by rival gangs that penetrate our borders nightly.

I would love to have some of you people that live 2000 miles away, who tell us we're safe, come to any of the border towns and spend some time talking to the ranchers and people who live here what's going on, not from some fact-finding panel that gets their briefing from the DHS, BP or other bureaucratic generated report.

I also remember that somewhere in the US Constitution, there is a clause (Article4, Section 4) that states "...and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence." We are at war with the Mexican cartels and illegal immigrants.

I, as an American taxpayer, would love to have the ability to not pay you for the frivolous lawsuit that will net not one change in the illegals flocking across the 'safe' borders..

God Bless America!



"The soldier fears war above all others. For he must bear the deepest wounds and carry the deepest scars."

GEN Douglas MacArthur

Regards,

Steve

"A great civilization is not destroyed from without until it is has destroyed itself from within."

William Durant

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unicorn.jpg (10.5KB)
(10.5KB)
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From:

(b) (6)

Sent:

Wednesday, July 07, 2010 10:34 AM

To: Subject: Chilakamarri, Varudhini (CIV)
Federal Preemption - ICE Mission Statement

Attachments:

@

Ms. Chilakamarri -

Good morning. Early this morning I was reading your office's complaint regarding the Arizona Immigration law, it was also on this document where I noticed your email address. After reading the DOJ's complaint I was reminded about a recent Homeland Security Subcommittee mark up(June 24, 2010) in which Rep. John Carter (R-TX) offered a motion to broaden ICE's overall mission statement. Specifically, Rep. Carter wanted to include language in the mission statement that spoke to ICE's overall responsibility to "stop" or arrest all illegal immigrants, whether they had a criminal record or not.

While this motion was rejected by the subcommittee, I felt it may of be some interest to you as it seems as though Rep. Carter was anticipating the DOJ's argument and intended to broaden ICE's mission statement language so that it would be more in line with the Arizona law, thus weakening your argument regarding Federal Preemption. In my opinion, it is not the actual language of Rep. Carter's motion that is relevant to you, it is more of the fact that he (or they) may realize the DOJ has a strong argument and in anticipation of this argument, attempted to amend the language. I was hesitant to pass this information along to you, as I know you are busy in addition to the fact that this information is not exactly groundbreaking. However, I ultimately figured you may legitimately be interested.

In the event you are interested, I have attached a brief write up of this mark up and included my resume. Thank you for your time and I hope this helps!



<<

Resume.doc (27.6KB)
Subcommittee Mark-up of FY11 Homeland Security Appropriations Act 6-24-10.docx (16.2KB)
(43.8KB)

>>

From:

(b)(6)

Sent: To: Monday, August 09, 2010 12:44 PM Chilakamarri, Varudhini (CIV)

Subject:

Immigration!!

Attachments:

@

My great grandfather watched as his friends died in the Civil War, my father watched as his friends died in WW II, and I watched as my friends died in Vietnam. None of them died for the Mexican Flag. Everyone died for the U.S. flag. Just this week, here in Texas, a student raised a Mexican flag on a school flag pole; another student took it down. Guess who was expelled...the kid who took it down. Kids in high school in California were sent home this week on Cinco de Mayo because they wore T-shirts with the American flag printed on them. Enough is enough. The below e-mail message needs to be viewed by every American; and every American needs to stand up for America. We've bent over to appease the America-haters long enough. I'm taking a stand. I'm standing up because the hundreds of thousands who died fighting in wars for this country, and for the U.S. flag can't stand up. If you agree, stand up with me. If you disagree, please let me know. I will gladly remove you from my e-mail list. And shame on anyone who tries to make this a racist

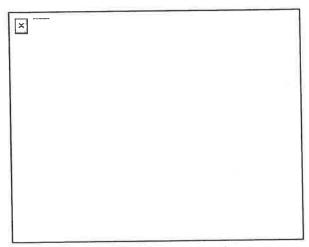
message.

(b) (6)

Bulverde, Texas

A Map Of My Country:

Let me make this perfectly clear!



THIS IS MY COUNTRY!

And, because I make This statement

DOES NOT

Mean I'm against immigration!!! YOU ARE WELCOME HERE, IN MY COUNTRY! Welcome! To come through legally:

- 1. Get a sponsor!
- 2. Get a place to lay your head!
- 3. Get a job!
- 4. Live By OUR Rules!
- 5. Pay YOUR Taxes!

And

6. Learn the LANGUAGE like immigrants have in the past!!!

AND

7. Please don't demand that we hand over our lifetime savings of Social Security Funds to you.

If you don't want to forward this for fear of offending someone,

Then YOU'RE PART OF THE PROBLEM!

When will AMERICANS STOP giving away THEIR RIGHTS???

We've gone so far the other way... bent over backwards not to offend anyone. But it seems no one cares about the

AMERICAN CITIZEN

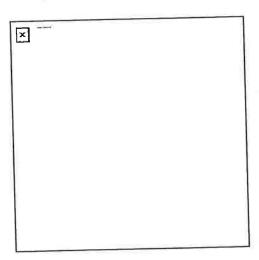
that's being offended!



WAKE UP America !!!

If You agree.... Pass this on.

If You don't agree.. Delete It!!!



Thank you,



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image002.gif (12.5KB)
image003.jpg (15.4KB)

(49.0KB)

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From:

(b) (6)

Sent: To: Tuesday, July 06, 2010 3:12 PM Chilakamarri, Varudhini (CIV)

Subject:

Injunction against 1070

Attachments:

@

If the President made sure that the immigration laws of the United States as described on page 5, lines 12 thru 16, Arizona would not have had to take matters into their own hands. I fully support 1070



<<

dancing.gif

(37.5KB)

(37.5KB)

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From:

(b) (6)

Sent: To:

Wednesday, July 07, 2010 8:26 AM Chilakamarri, Varudhini (CIV)

Lawsuit; State of Arizona Subject:

I would rather you enforce the law instead of challenging it the State of Arizona is only enforcing US law's ICE is unable or unwilling to do.

(b) (6)

From:

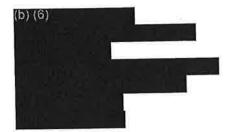
(b) (6

Sent: To: Tuesday, July 06, 2010 3:47 PM Chilakamarri, Varudhini (CIV)

Subject:

Outrageous Action!

I wish the executive branch of our government would accomplish just some the actions they "claim" in the plea. This is outrageous the US government should be securing our borders and actually trying to protect the citizens of the southern states!



From:

(b) (6)

Sent: To: Tuesday, July 06, 2010 5:15 PM Chilakamarri, Varudhini (CIV)

Subject:

Please read attached material

Attachments:

@

Varudhini:

This blog I did was supposed to be posted on (b) (6) about 2 weeks ago. I was happy to see the affidavits and the points and authorities tracked my blog. However, a lot of these problems stem from clonflicting statements in the past from OLC.

Because I did not have access to the article at the time, the attached article in the Sacramento Bee on U Visa programs is a further argument for preemption.

(b) (6)

From:

(b) (d)

Sent:

Thursday, July 08, 2010 6:44 PM Chilakamarri, Varudhini (CIV)

To: Subject:

SB 1070

I know you don't read these emails, but WTF are you doing? If I had you in civil procedure, I would have flunked you, Unless you have completely prostituted yourself to politics, there is simply no way that you can read or understand the FRCP and then decide to start putting references to decided cases in as elements of the allegations in your complaint. What is the Arizona AG supposed to do with that? Admit your characterization? Deny it? Or waste everyone's time having to defer a response by pointing out to the judge that you are diddling around with self-serving pronouncements about the meaning of someone else's words? I would bet virtually anything you have never tried a case of any consequence, and never will. God help us all that the taxpayers front your salary.

From:

Sent: To:

(b) (6) Tuesday, July 06, 2010 5:59 PM Chilakamarri, Varudhini (CIV) State of Arizona

Subject:

What are you guys thinking? This makes absolutely no sense,

From:

Sent:

To: Subject:

Tuesday, July 06, 2010 6:35 PM Chilakamarri, Varudhini (CIV) Suing You for Using My Tax Money for Frivolous Lawsuits

The New Busy is not the old busy. Search, chat and e-mail from your inbox. Get started.

From:

(b) (6)

Sent:

Thursday, July 08, 2010 1:54 AM Chilakamarri, Varudhini (CIV)

To: Subject:

thank you

I just got through reading the complaint in US vs. Arizona. After hearing for decades that being in the United States illegally is just a "civil offense," I learned from you that entering the US illegally is, indeed, a criminal offense. Thank you for enlightening me.

Other than that, your complaint is a shameful document. You should feel mortified at playing such an important role in destroying this country.

рm

From:

Sent:

(b) (6) Wednesday, July 07, 2010 7:30 AM Chilakamarri, Varudhini (CIV)

To: Subject:

typical donkey

Asshole... why dont you take your family and live on the border?? lets see how long you would last..you should be brought up on charges of murder as to are adding and abetting in the murder of a local rancher by filing this suit!!! Put your money where your mouth is and live their on the AZ border

From:

(b) (6)

Sent:

Friday, July 30, 2010 3:11 PM Chilakamarri, Varudhini (CIV)

To: Subject:

United States v. Arizona

Varu:

I enjoyed speaking with you yesterday and today on the telephone.

Thank you again for your wonderful effort in support of myself and the other plaintiffs in our efforts to enjoin S.B. 1070.

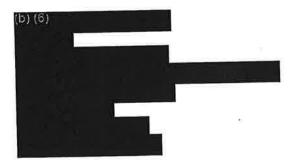
As I mentioned, pursuant to Fed. R. App. P. 29(a)-(b), I will be filing a motion for leave to file a brief of amicus curiae urging affirmance, accompanied with the proposed brief, in the case of United States v. Arizona, No. 10-16645, in the United States Court of Appeals for the Ninth Circuit.

My interest in filing this brief is that I am the plaintiff, pro se, in the first case that was filed to enjoin S.B. 1070, so I obviously want to make sure that the District Court's decision is upheld.

My amicus brief is desirable and relevant to the disposition of this case because, while I am still deciding on which legal issues to address in the limited page length authorized in support of an appellee (1/2 of 35 pages, see Fed. R. App. P. 28.1(e)(1), 29 (d)), I will draw the Court's attention to and emphasize how S.B. 1070 violates the constitutional rights of Hispanic United States citizens, such as myself.

Thank you for your assistance.

Sincerely,



From:

G(b) (6)

Sent:

Tuesday, July 06, 2010 4:13 PM

To:

Chilakamarri, Varudhini (CIV)

Subject:

Upcoming Lawsuit against the State of Arizona

Mrs. Chilakamarri,

As a natural born citizen of the United States of America, I'm troubled to know that, according to your lawsuit, it sounds like I am a part. The United States of America vs The State of Arizona. Perhaps the suit should read, "Certain people of The United States of America" vs "The State of Arizona". Most of us, latest polls in the 60% range, agree with what Arizona is doing. In a democracy, majority rules and anything greater than 50% is still a majority.

My point is, please amend your lawsuit to make sure people like myself, who disagree with suing a state for taking care of what the federal government will not care of, are not included in the nonsense that is currently going on within our federal government.

Sincerely



Hotmail is redefining busy with tools for the New Busy. Get more from your inbox. See how.

From:

Sent:

(b) (6) Thursday, July 08, 2010 8:52 PM Chilakamarri, Varudhini (CIV)

To: Subject:

US v Arizona (SB-1070)

Folks:

I recently read your filing for Case 2:10-cv-01413-NVW, and wished to compliment you on it.

I am a twenty-year Arizona resident (Tucson), have been following SB-1070 with interest, including going to the trouble of actually reading it, but have no strong feelings on the law. I found your brief to be clear and informative, raising even more questions in my mind. Good writing!

Thanks

(b) (6) Tucson AZ

From:

(b) (6)

Sent: To: Friday, July 16, 2010 6:41 AM Chilakamarri, Varudhini (CIV) US vs Arizona and the CNMI

Subject: Attachments:

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Dear Attorney Chilakamarri:

I am a human rights advocate who has advocated for labor and human rights for the foreign contract workers of the U.S. Commonwealth of the Northern Mariana Islands (CNMI) for over 2 decades. I have testified at the U.S. Congress and was contracted under the Clinton Administration in 1998 to lead a 7-member team to the CNMI to document the status and conditions of the foreign workers.

As you know, the CNMI has joined 8 states in filing a legal brief supporting the Arizona law. The reason that CNMI AG Buckingham gave for joining this effort is to support their agenda to maintain local control over immigration and to support the PL 17-1, a newly enacted local law that is also preempted by federal immigration law and raises concerns over equal protection.

The primary difference between the Arizona and CNMI situations is that the foreign contract workers in the CNMI have been working and living there legally, most for over 5 years, and many for decades. They exist as a disenfranchised underclass and make up about half or more of the adult population of the CNMI.

Because of the distance of the CNMI from the mainland, it is even more difficult to shine a light on the illegalities and abuses. We are desperately seeking help.

Please can you read the attached summary and look into taking legal action to stop this law?

Corresponding documents and the law can be accessed at: http://www.box.net/shared/hj15p6iv1e

Thank you for supporting justice for all who live and work in the United States.

Sincerely,

(b) (6)

<<

PREEMPTION ISSUES FINAL.pdf (120.1KB)

(120.1KB)

>>

From:

b) (6)

Sent:

Tuesday, July 06, 2010 5:28 PM

To:

Wilkenfeld, Joshua (CIV); Chilakamarri, Varudhini (CIV); Papagni, Frank (USAOR)

Subject:

usdc-az 10-cv-01413-PHX-NVW

Follow Up Flag: Flag Status:

Follow up Completed

http://voices.washingtonpost.com/plum-line/Complaint%20filed%20version.pdf

I am a pro se, in forma pauperis litigant in usdc-or 09-cv-06126-TC. In a pleading, I am going to allege that one representative of USDOJ in the Obama administration's intrusion into the sovereignty of Arizona (usdc-az 10-cv-01413-PHX-NVW) is a white Jewish male whose great(great?)-grandparents immigrated from eastern Europe who has a law degree from Columbia (2005) and the other is an Hindu female whose grand(?)parents immigrated from India (Bangalore?) with year and institution of law degree unknown.

If any of this is false and you care, let me know and I won't allege it.

Sincerely,

(b) (6)

From:

b) (6)

Sent:

Wednesday, July 07, 2010 5:52 AM

To:

Chilakamarri, Varudhini (CIV)

Subject:

you should be disbarred

You and your colleagues who wrote the brief for the US against Arizona should be disbarred for openly advocating for the impunity of CIA-hired illegal foreign mercenaries and assassins against state law enforcement.

Hotmail is redefining busy with tools for the New Busy. Get more from your inbox. See how.

From:

(b) (6)

Sent: To: Tuesday, July 06, 2010 6:23 PM Chilakamarri, Varudhini (CIV)

Subject:

Your SB 1070 Suit

For years the federal government of the United States has abrogated its responsibility to guard and defend our border. Arizona has now been invaded. The federal government's response is to tells U S citizens to just stay away. Americans are getting KILLED because of the federal governments incation. Your suit is just another prime example of how our government has stopped protecting Americans in favor of protecting people that broke OUR LAWS to come here. What are we to think when you tell us your laws don't mean anything? Or are you just selective, and your laws apply to American citizens, but illegal aliens get a pass? I'm pro immigration - LEGAL immigration.

The blood of every American citizen KILLED by illegal aliens is on YOUR HANDS! You're pathetic!

(b) (6)



Terry Goddard Attorney General CIVIL RIGHTS DIVISION

June 3, 2010

Tony West
Assistant Attorney General
Civil Division
United States Department of Justice
950 West Pennsylvania Avenue, NW
Washington, D.C. 20530

Re: Law Enforcement Training for Immigration Laws

Dear Mr. West:

It was a pleasure to meet you and your colleagues last Friday. As we discussed, please find enclosed the Arizona Peace Officer Standards and Training Board (AzPOST) Law Enforcement Training Program Outline and a letter from AzPOST to Governor Brewer regarding the timeline for promulgating and implementing the training.

Please feel free to contact me if you have any questions regarding these materials.

MAN

Melanie V. Pate

Assistant Attorney General

Phone: (602) 542-7716

MVP/sm #846131

JUN 1 0 2010

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Arizona Peace Officer Standards and Training Board (AzPOST) Law Enforcement Training on Immigration Laws – 2010 Training Program Outline

This training program will be created in a digital media format to allow it to be presented to the majority of the approximately 15,000 officers in the state. It will be segmented to allow access in multiple ways, to include briefing training, self paced learning, or E-learning. The program will have supporting documents which will either be distributed to agencies for their dispersal or imbedded in the DVD in a format which will allow them to be printed at the time of training.

The following individuals have agreed to appear on camera for this training program:

Joseph Duarte, Chairman, AzPOST Board
Lyle Mann, Executive Director, AzPOST
Diana Stabler, Assistant Attorney General
Beverly Ginn, Edwards and Ginn P.C.
Chief Roberto Villasenor, Tucson Police Department
Sheriff Paul Babeu, Pinal County Sheriff's Office
Neville Cramer, United States Customs (Ret.)
Hipolito Acosta, United States Customs (Ret.)
Levi Bolton, Phoenix Police Officer (Ret.), Arizona Police Association
Brian Livingston, Phoenix Police Officer (Ret.), Executive Director Arizona Police
Association
Jimmy Chavez, President, Arizona Highway Patrol Association
Gerald Richard, Special Assistant to the Attorney General

Video clips of the following individuals, whose opinions were captured by sources in the public domain, will be used to support the training:

Governor Jan Brewer, Arizona Governor Senator Russell Pearce, Arizona State Senator

1. Introduction

The goal of the first section of the video will be two fold, set the tone concerning professionalism and then outline what the viewer can expect from the training.

The key themes in this section will be racial profiling, professionalism within the Arizona law enforcement community, ethics and integrity as they apply to bias, and the magnitude of the situation facing officers.

2. Racial Profiling

Opening this section will be the definition of racial profiling as the prohibited activity of relying on race, skin color, and/or ethnicity as an indication of criminality, reasonable suspicion, or probable cause, except when part of a description of a suspect, and said description is timely, reliable, and geographically relevant.

There will be an explanation from Gerald Richard describing the law as it applies to racial profiling in a macro application and then as it applies to these laws. He will present specific factors and concerns the officers will face in this area.

There will be a presentation by Mr. Acosta explaining how federal officers are trained in this area along with advice to officers from the perspective of a Hispanic person.

This will be followed by a section from Levi Bolton and Brian Livingston presenting the issue from their perspective. There may be clips from legislative session as well as the Governor's press conference.

To speak from a management perspective, Chief Villasenor and Sheriff Babeu will provide statements. Chief Villasenor will also include statements from the perspective of a Latino officer. There will also be a review of the key points from the training created by the Arizona Department of Public Safety as a result of its settlement of the Racial Profiling lawsuit. The goal for this piece is to provide perspective to solidify for the officers the breath of agreement across the board in this matter.

There will be a piece presented on the ethical issues including the slippery slope, the temptation of noble cause corruption, and the implications for false testimony.

3. Review of A.R.S.§ 11-1051 and A.R.S.§ 13-1509

This section will open with Beverly Ginn discussing in general how the law creates new criminal offenses and imposes two new responsibilities on peace officers in the state.

After a reading of the statute, there will be a discussion of what constitutes a stop, detention or arrest of a person, and then factors which may be used to develop "reasonable suspicion" to believe a person is both an alien and unlawfully present in the United States. This segment will be supplemented by information from the training provided to federal immigration officials by an expert in that field, Mr. Hipolito Acosta.

Ms. Ginn will explain that the new legislation prohibits any official or agency of the state or its political subdivisions from limiting or restricting the enforcement of federal immigration laws to "less than the full extent permitted by federal law."

Ms. Ginn will discuss the steps an officer should take in lawful stops based on reasonable suspicion of a criminal or traffic violation. She will discuss the presumptive identification and what an officer should do if presented with an item from the presumptive list.

The screen will show a link on the AzPOST website that will provide access to the latest iteration of the list of documents that qualify as presumptive identification that show lawful presence. This will also be provided as one of the handouts.

Ms. Ginn will discuss what should happen if the person does not have presumptive identification, and reasonable suspicion exists that the person is unlawfully present.

A dialogue will follow indentifying and discussing the caveats provided to the officer within the law concerning "reasonable attempt," "when practicable," and the exceptions in the law, if the officer believes that the determination may hinder or obstruct an investigation.

Officer discretion will be discussed as it applies to the situations surrounding the mandate to enforce the law except when practicable. There will be additional discussion on factors which officers might use in the application of their discretion provided by Levi Bolton and others.

Ms. Ginn will discuss the steps to contact Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), or a 287g certified officer, as they apply in all sections of the law.

Officers will then be instructed that any person arrested may not be released until their immigration status being verified by Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), or a 287g certified officer and the steps to take to accomplish that verification.

Ms. Ginn will describe the application of the section, the parameters for release or a citation in lieu of detention. She will list the agencies or officers who may verify immigration status under the statute. She will discuss the scope of the requirement and

the necessity for officers to be familiar with their department policies regarding cite-inlieu.

Ms. Ginn will provide direction to officers concerning documentation needs when applying the law and also discuss the steps officers should take to prepare themselves for any testimony required of them.

To discuss the law concerning alien documents, Neville Cramer, retired INS Senior-Agent-in-Charge, will describe the U.S. Travel and Identity Documents which must be carried under federal law. All officers will be provided the M-396 Guide produced by ICE for distribution and their reference. Mr. Cramer will also discuss how ICE officers are trained in this area.

Ms. Ginn will discuss subsection D which permits the transportation of a verified unlawfully present alien into federal custody. This will include a special note concerning the difference between aliens held on civil violations versus those held on criminal violations.

This section will close with a discussion on the issues unique to tribal agencies and their enforcement of the new laws.

4. Other Issues

There are additional new laws, modification to other existing laws and these will be discussed by Ms. Ginn, using the same model of instruction as used in the academy, i.e. elements of the crime, culpable mental state, and any unique considerations.

These will include the new criminal offenses in A.R.S.§ 13-2928 which establishes three new offenses relating to picking up persons for work (one for the driver, one for the worker) and working without authorization. A.R.S.§ 13-2929 establishes three new offenses relating to transporting, moving, concealing, harboring or shielding unlawful aliens.

The changes to A.R.S.§ 13-2319, Smuggling, codifies the law permitting traffic stops for reasonable suspicion, as it currently exists. This will be discussed as a practical matter by Diana Stabler.

The change to A.R.S.§ 23-212, Knowingly Employing Unauthorized Aliens, has been clarified as to issues of entrapment. Ms. Ginn will briefly touch on the changes, but will instruct officers to work closely with their prosecutors when conducting these very complex investigations.

There has been a new subsection added to A.R.S.§ 28-3511, Removal and Immobilization or Impoundment of Vehicle, which is the section officers currently use to impound vehicles driven by operators with a suspended license. It will now include anyone arrested for A.R.S.§ 13-2929. Officers will be instructed to use the same procedures in use currently for other subsections of that law.

This section will close with a dialogue on the documentation needs associated with these new laws.

5. Conclusion

The conclusion will highlight the need for officer discretion in the application of these laws. Mr. Mann will discuss the issues surrounding domestic violence and sexual assault investigations, highlighting the ability of officers to protect those critical investigations. Victim sensitivity will be discussed as will the need to protect witnesses. Clips from legislative testimony and statements from Mr. Bolton and Mr. Livingston will also be used to discuss how officers should use their discretion.

There will be a reiteration of the key points on Reasonable Suspicion and the obligation to prevent racial profiling. AzPOST Board Chairman will be one of the last to present and he will speak to the professionalism and integrity of officers. The close will be the moderator reminding viewers of the handouts and forms associated with the broadcast.

As a special note; not covered in this training are changes to A.R.S. 1-501, Eligibility for federal public benefits, A.R.S. 1-502, Eligibility for state or local public benefits, and the establishment of the Gang and Immigration Intelligence Team Enforcement Mission Fund.



Arizona Peace Officer Standards and Training Board

2643 East University Drive

Phoenix, Arizona 85034-6914 Phone (602) 223-2514

FAX (602) 244-0477

May 19, 2010

Honorable Janice Brewer Governor State of Arizona 1700 W. Washington, Ninth Floor Phoenix, AZ 85007

RE:

EXECUTIVE ORDER 2010-09 - Establishing Law Enforcement Training for

Immigration Laws

Dear Governor Brewer:

On April 23, 2010, under Executive Order 2010-09, the Arizona Peace Officer Standards and Training Board (Board) was tasked with developing a course of training for law enforcement officers in the state and all political subdivisions to implement Senate Bill 1070.

The Board has determined that given the challenges of time, geography, and officer availability, the medium of choice for the training will be Digital Media supported by handouts. The total time is not determined, but it will be segmented for use in briefing training or e-learning systems. With the exception of one federal training aid, all other handouts for the officers will be included on the DVD in a form which will allow them to be printed and distributed by the agencies. The course of training will be provided to all of the 170 law enforcement agencies in the state with sufficient copies for each officer to be given the training.

The course of training will provide clear guidance to law enforcement officers regarding the factors which might be used to establish reasonable suspicion. These factors will closely resemble the factors described in the federal immigration enforcement training. Experts in the legal field have been retained to provide a portion of this training.

Officers will be reminded of their oath of office, and the inherent duty of the badge, to always protect the civil rights of all persons and to respect the privileges and immunities of United States citizens. This will be a recurrent theme in the training program.

Honorable Janice Brewer Page 2 May 19, 2010

In order to insure consistency with federal immigration law, experts in this area have been retained to participate in the training development and presentation. An expert in immigration documents has been retained to provide officers training on valid immigration documents which are required to be carried by documented aliens. Officers will also be provided a list of documents that can suffice to create the presumption of lawful presence.

A cadre of Police Legal Advisors is being used to provide the review of all of the new laws impacted by SB 1070 to insure accurate and procedurally correct instructions to the officers.

The Board is asking for a slight adjustment from the timeline for promulgating the training course that was outlined in the Executive Order. The creation of the course in the digital distribution form will require slightly more time than the sixty days allotted, so we would ask that the course completion date be June 30, 2010. Because the effective date for the law is July 29, 2010 which extended the training time, the ninety day goal outlined in the Executive Order will be achieved.

Assuming approval of the adjustment, the timeline will be:

April 23, 2010 - May 19, 2010

Review the law and determine areas of expertise assistance, Identify resources,
Gather information on existing programs,
Select and retain experts,
Conduct meetings with experts and stakeholders,
Create the training outline to sufficient specificity for Board review and action,
Board discussion and approval in open meeting on May 19, for transmittal to the Governor.

May 21, 2010 - June 30, 2010

Finalize scripts,
Video trainers for each segment,
Create handouts,
Edit draft version of training,
Conduct review of video,
Transmit for replication,
Distribute to agencies.

Honorable Janice Brewer Page 3 May 19, 2010

June 30, 2010 - July 29, 2010

Provide agencies with electronic rosters to track officer participation, Monitor returns from agencies concerning participation, Contact agencies as needed to offer assistance to promote participation, Report to the Board at both July and August meetings, Submit report to Governor's Office following August Board meeting.

Attached is the preliminary course outline for your review. Due to the nature of the editing process, the final course may be in a slightly different order. In addition, this course will be added to the Board Approved Basic Peace Officer Curriculum so all future officers will be trained in this arena.

The Board and its staff appreciate your confidence in our abilities. This is an opportunity for the men and women of Arizona law enforcement to showcase their professionalism and the Board believes they will make you and the citizens of this state proud.

Sincerely

Joseph Duarte

Chair

Attachments



Janice K. Brewer Governor EXECUTIVE OFFICE

June 4, 2010

Eric H. Holder, Jr., Esq.
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Ave NW
Washington DC 20530-0001

Re: Arizona Immigration Law

Dear Mr. Holder:

I appreciate that Mr. Tony West and Mr. Dennis Burke and others from the Department of Justice took the time last week to meet in Phoenix with the legal team I have retained to defend the various legal challenges to SB1070, as amended by HB2162 (collectively SB1070 for ease of reference). I write to you in response to the requests from Messrs. West and Burke that we provide the Department of Justice with the State of Arizona's position as to why the United States need not file its own lawsuit to challenge SB1070.

There are many reasons why the United States should not, and need not, take any action at this time. Here, I will address just three of the reasons: (1) the State of Arizona is taking significant steps to ensure that SB1070 will be implemented and enforced in a constitutional manner; (2) any legal challenge – by the United States or any other party – is premature and unnecessary at this time; and (3) the law itself is not unconstitutional in any event.

I understand that the Department of Justice has expressed concerns about racial profiling. Let me be clear. This law expressly prohibits racial profiling, and the State of Arizona will not allow racial profiling to occur regardless. Indeed, on the day that SB1070 was signed into law, I issued Executive Order 2010-09. This Order, entitled "Establishing Law Enforcement Training for Immigration Laws", directed the Arizona Peace Officer Standards and Training Board to implement a comprehensive training program to be provided to the 170 law enforcement agencies in the State of Arizona. One of the specific directives that I included in this Order was:

3. The course of training established by the Board shall provide clear guidance to law enforcement officials regarding what constitutes reasonable suspicion and shall make clear that an individual's race, color or national origin alone cannot be grounds for reasonable suspicion to believe any law has been violated.

Eric H. Holder, Jr. June 4, 2010 Page 2

The Arizona Peace Officer Standards and Training Board is now in the process of implementing and conducting this comprehensive training program for <u>all</u> Arizona law enforcement personnel addressing <u>all</u> of the enforcement issues arising out of SB1070. Racial profiling is addressed thoroughly in this training program, which will be finished before July 29, 2010, the date SB1070 goes into effect.

A lawsuit by the United States at this time would also be premature and unnecessary, as a matter of law and as a practical matter. As you are well aware, a constitutional challenge to a law that is constitutional on its face is premature. If the law is later applied in a way that is arguably unconstitutional, then — and only then — is a constitutional challenge appropriate. Here, SB1070 is not being applied in an unconstitutional manner; the law itself is not even in effect yet. And, because of efforts such as the training program discussed above, the State of Arizona is taking all necessary and appropriate actions to ensure that it will not be applied in an unconstitutional manner, just as the federal government does with respect to enforcement of federal immigration and other laws. Indeed, retired United States Customs officers will be participating in the training program to explain how federal officers are trained in various areas of immigration law, including racial profiling.

Moreover, as a practical matter, there is no need for the United States to inject itself into this legal battle. There are already five federal court lawsuits pending that challenge this law. There are 35 lawyers from all over the United States listed as counsel of record in just one of these lawsuits. Every conceivable constitutional and any other legal challenge that can be raised about SB1070 will be thoroughly briefed, argued and then adjudicated by a United States court. With all due respect, federal taxpayer funds could be better dedicated to addressing the underlying immigration issues rather than to duplicative and unnecessary litigation. Indeed, the Administration's political capital would be better focused on providing more resources to the State of Arizona and other border states that are under incredible financial stress because of the underlying immigration problem itself, not on litigation which will require the State of Arizona to incur even more expenses in the way of litigation costs arising out of one more unnecessary lawsuit.

Finally, this law is constitutional. We recognize that the federal government has the exclusive authority to regulate the terms upon which aliens may be admitted to enter and remain in the United States. Nothing in SB1070, however, intrudes upon that authority. The primary purpose of SB1070 is to increase the assistance Arizona's law enforcement officers provide to the understaffed federal agencies that enforce the federal immigration laws under well-established and constitutionally permissible standards. The provisions of SB1070 that require state and local enforcement of federal immigration laws are extremely limited and are triggered only when Arizona's law enforcement officers have reason to believe—again, under well-established and constitutionally permissible standards—that a person has engaged in criminal conduct. If an officer has an independent basis to suspect criminal conduct, SB1070 further relies on well-established and constitutionally permissible standards in setting forth the bases upon which officers must inquire into the person's immigration status. SB1070 further narrows

Eric H. Holder, Jr. June 4, 2010 Page 3

its scope by requiring a reasonable inquiry into a person's immigration status *only* if it is practicable for the officer to make such an inquiry.

As you know, there is ample case law to support the proposition that state and local police officers may inquire into a person's immigration status when the officers have reasonable suspicion to believe that the person is in violation of the federal immigration laws. Moreover, the U.S. Supreme Court has recognized that police officers may inquire into a person's immigration status even without a reasonable suspicion to believe that the person is in violation of federal immigration laws if an independent basis exists for a lawful stop, detention, or arrest. I remain thoroughly convinced of both the reasonableness and the constitutionality of SB1070.

As a practical matter, federal courts and federal enforcement agencies have repeatedly recognized the value of having state and local police officers assist in the enforcement of federal immigration laws. The federal government has even implemented a system for the purpose of enhancing its communications with state and local authorities regarding the immigration status of criminals. As a result, there appears to be no reason why the Department of Justice should not welcome the assistance that SB1070 will require Arizona's law enforcement officers to provide to the federal government in the identification and apprehension of illegal aliens.

As discussed during my meeting with the President yesterday, we encourage the United States government to work with -- not against -- the State of Arizona on these critically important immigration issues. In that spirit, I request that the Department of Justice not inject itself into the current litigation and I invite the Department of Justice to instead provide any assistance it can provide to the State of Arizona to help ensure that any Department of Justice concerns are addressed in the training and enforcement of this law.

Tuy nuly yours,

Janice K. Brewer

Governor of the State of Arizona

cc: Tony West, Esq., Assistant United States Attorney General Dennis Burke, Esq. United States Attorney General for Arizona



From: (b) (6)

Sent: Saturday, July 24, 2010 12:22 AM

Subject: Jan Brewer's passage of SB1070 ties to political contributions?

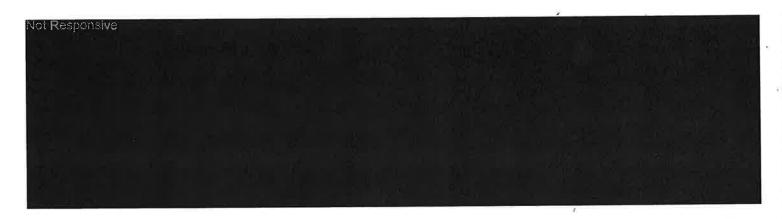
KPHO TV5 recently did a great story but some how it got buried in another story and didn't get the promotion needed. Here's the story: http://www.kpho.com/news/24362212/detail.html

Their investigation revealed that there is one business that could gain from the implementation of SB 1070 and similar immigration measures. The private prison industry houses illegal immigrant detainees for the federal government. Those companies could gain contracts with state and local agencies to house illegal immigrants arrested for state violations. Corrections Corporation of America, or CCA, holds the federal contract to house detainees in Arizona. The company bills \$11 million per month. CBS 5 Investigates has learned that two of Brewer's top advisers have connections to CCA.

Paul Senseman is the governor's deputy chief of staff. He is also a former lobbyist for CCA. His wife is listed as a current lobbyist for the company. Chuck Coughlin is one of the governor's policy advisers and her campaign chairman. Coughlin's company, HighGround Public Affairs Consultants, currently lobbies for CCA. (BTW, he is also her campaign consultant and also was the consultant when then Sec. of State Brewer received millions in HAVA money to purchase new voting equipment to revamp AZ's outdated chad machines to optical scans)

Here are some contributors to Brewers campaign pursuant to her campaign finance reports:

Brian Mayberry, Exec for CCA, from Franlin, TN gave 11-13-09 Todd Mullenger, Exec for CCA, from Brentwood, TN gave 11-13-09 John Malloy, Gov't Affairs for CCA, from Chandler, AZ gave 11-14-09 Charles de La Rosa, warden for CCA from Phoenix, AZ gave 11-16-09 Natasha Metcalf, VP of Customer Contracts for CCA from Franklin, TN gave 11-16-09 Marsha Wedell, shareholder of CCA from Memphis, TN gave 1-16-09 Gustavus Puryear, Exec for CCA from Nashville, TN gave 11-18-09 Anthony Grande, Sr Admin for CCA from Nashville, TN gave 11-22-09 Damon Hinniger, Manager for CCA from Brentwood, TN gave 11-29-09



From: (b) (6)

To:

Sent: Wed Jul 28 11:59:24 2010 Subject: Daily SB 1070 News Links

Federal judge expected to rule today on Arizona immigration law http://content.usatoday.com/communities/ondeadline/post/2010/07/federal-judge-expected-to-rule-today-on-arizona-immigration-law/1

Arizona immigration law SB 1070 has support of 55% of Americans, new poll shows http://www.nydailynews.com/news/national/2010/07/28/2010-07-28 arizona immigration law sb 1070 has support of 55 of americans new poll shows.html

Feds seek to keep SB 1070 case separate from Phoenix cop's http://www.eastvalleytribune.com/arizona/immigration/article_9566999a-99d2-11df-a435-001cc4c03286.html

TUSD won't enforce laws governing education http://azstarnet.com/news/local/education/article 76bc8912-9d5f-58e3-88f2-8722176f8480.html

Arizona police agencies in a state of confusion over SB 1070 http://www.huffingtonpost.com/jeffrey-kaye/arizona-police-agencies-i b 661339.html

New hotline number for SB 1070 http://www.kold.com/Global/story.asp?S=12880496

Groups call for end to SB 1070 Boycotts http://www.kpho.com/news/24411035/detail.html

Can Arizona's immigration law be stopped? http://www.latimes.com/news/opinion/la-ed-arizona-20100728,0.4389675.story?track=rss

Ariz. Sheriff: Ill jail immigration protesters http://www.sanluisobispo.com/2010/07/27/1229713/police-activists-prepare-days.html

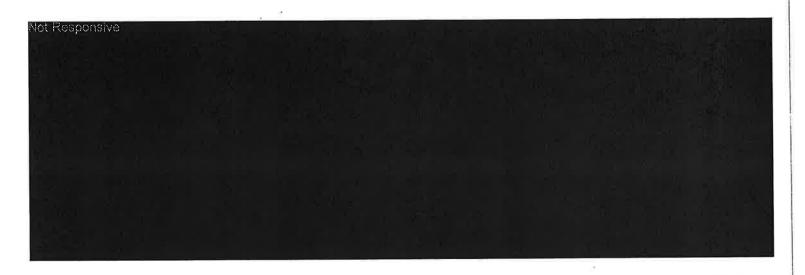
Secure Communities fingerprint program emerges from Arizonas immigration shadow http://www.scpr.org/programs/airtalk/2010/07/27/secure-communities-fingerprint-program-emerges-fro/

Arizona Dispatch: An Artists Perspective on SB 1070 http://www.pbs.org/newshour/rundown/2010/07/an-artists-perspective-on-sb-1070.html

Police, activists prepare days ahead of Ariz. law

http://www.google.com/hostednews/ap/article/ALeqM5hZ8Gy51rOgX8-wDT3iqTGWw1uLiAD9H7P1B81

Protest planned against Arizona law http://news.smh.com.au/breaking-news-world/protest-planned-against-arizona-law-20100728-10vvs.html



From: Nina Perales [mailto:nperales@MALDEF.org]

Sent: Tuesday, June 15, 2010 1:40 PM

To: Ramirez, Monica (CRT) Subject: YWCA Itr to Holder

FYI, a good letter.

Nina Perales

Southwest Regional Counsel

MALDEF

110 Broadway Suite 300

San Antonio, TX 78205

(210) 224-5476 ph

(210) 224-5382 fax

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eliminating racism empowering women ywca

YWCA USA 2025 M Street, NW Suite 550 Washington, DC 20036 T: 202-467-0801 F: 202-467-0802 www.ywca.org

June 9, 2010 ·

Eric H. Holder, Jr. Attorney General United States Department of Justice 950 Pennsylvania Ave., NW Washington, DC 20530

Dear Attorney General Holder,

On behalf of the YWCA USA, our two YWCAs in Arizona, and nearly 300 local associations nationwide, I am writing to urge you to review the Arizona state law S.B. 1070 and to take action as appropriate.

The YWCA USA is a national not-for-profit (501(c)(3)) women's organization dedicated to social service, advocacy, education, leadership development and racial justice. We represent more than 2 million women and girls, and can be found in many communities in the United States. With nearly 300 local associations nationwide, including two in Arizona, we serve thousands of women, girls, and their families annually through a variety of programs and services, including violence prevention and recovery programs, housing programs, job training services, and more. Our clients include women and girls escaping violence, low-income women and children, elderly women, disabled women, homeless women and their families.

The YWCA recognizes the desperate need for comprehensive immigration reform, i.e., reform that will address the complexities of immigration and create a fair and consistent body of federal law beneficial for all. However, a mix of individual state laws to compensate for the absence of national reform is inappropriate, insufficient and possibly illegal. And as a social service organization whose staff, volunteers and clients in Arizona and throughout the United States include people of color and members of a variety of national, ethnic, racial and religious backgrounds and include immigrants, refugees and asylees, the YWCA is extremely concerned about the recently passed Arizona law, S. B. 1070, that was signed by Governor Jan Brewer on April 23, 2010. The YWCA believes that S.B.1070 will have large unintended legal and practical consequences for individuals, especially women and children, and organizations in Arizona. Thus, while we appreciate the steps the Department of Justice has taken to review the law, we feel more action must be taken.

From a legal standpoint, S.B.1070 is a sweeping piece of legislation that raises constitutional issues such as the role of Congress to establish a uniform rule of naturalization, unlawful search and seizure, due process and equal protection. S.B.1070, as written, is so broad and vague that anyone who is suspected of being in the United States illegally, even if they are in the United States legally, can be asked for documentation. The law turns the notion of innocent until proven guilty directly on its head; because anyone who is asked to provide proof of lawful residence has to in effect disprove the suspicion of illegality. And, while much attention has been paid in to the impact the law may have on undocumented immigrants and on Latino and Latina individuals in Arizona, the reality is that the law relies heavily on subjective interpretations by law enforcement officers. As a result, the law may impact a wide ranging group of people, including residents of Arizona and even individuals who travel to, or through, Arizona that are United States citizens, individuals who are permanent residents of the United States, asylees, and refugees all who, by basis of appearance or speech, may be suspected of being in the country illegally.

As providers of direct services to women, children and families from vulnerable populations, we are aware that S.B. 1070 may be especially harmful for vulnerable women who are legally in the country, but for a variety of reasons cannot or do not carry their personal information with them on a daily basis. For these women, the law may not only place documentation requirements on them, but also subject them to unwanted harm or fear. For example, as the largest provider of battered women's shelters in the country, YWCAs see daily how immigration status affects a woman's ability to leave an abuser. In fact, immigrant women who are victims of violence experience unique challenges in accessing services and leaving their partners including: language barriers, threats of deportation and separation from her children, withdrawal of her petition to complete her legalization status, and intimidation by destroying important documents, such as an identification card or passport. Domestic violence victims served by YWCAs may fear not only the documentation requirements of S.B. 1070, but they may fear that if they report a crime or seek help they will be possibly detained. Thus, their ability to trust and approach law enforcement officers or social service providers when they wish to report a crime or get help may be eroded, placing them in even greater danger.

Similarly, refugees or asylees served by organizations such as the YWCA who have escaped persecution in their home countries and who fled corrupt regimes may be retraumatized and victimized all over again if they fear law enforcement officers in the United States, who are tasked with helping to keep them and communities safe, will actually now harm them by detaining them and possibly sending them back to their home countries.

The YWCA believes the law may impact vulnerable women, including YWCA clients:

- who may be victims of domestic violence who do not, or cannot, carry their information with them because their abusers keep it from them;
- 2. who may be victims of trafficking who do not, or cannot, carry their information with them because their traffickers keep it from them;
- 3. who are refugees who do not have any information on their status other than a letter from the Immigration and Naturalization Service or a judge and may not carry their information around for fear of losing it;
- 4. who are asylees who do not have any information on their status other than a letter from the Immigration and Naturalization Service or a judge and may not carry their information around for fear of losing it;

who are United States citizens, but left their driver's license or other forms of documentation at home or otherwise misplaced them.

In addition to the impact the law will have on women, the law will severely impact children living in Arizona. The CEO of the YWCA Maricopa County noted, "The SB 1070 creates fear, isolation, economic hardship, destroys families and leaves children in abandonment and emotionally traumatized. Research has found that the great majority of children affected by raids are U.S. citizens. They are also strikingly young, the majority being 10 years and younger. SB 1070 does not support the human rights of children living in Arizona, it does the opposite. The YWCA believes that we need to work together in a positive, smart political climate for a constructive immigration reform, not the destructive polarizing effect of SB 1070."

In addition to the legal concerns surrounding the treatment of women and children, the law has practical implications for organizations in Arizona, such as the YWCA. The YWCA has two associations in Arizona that serve an estimated 24,500 individuals annually, employ 53 people annually, and have 535 volunteers. We are concerned that the law will impact the lives of all of these individuals and impact on our ability to serve clients and fulfill the mission.

S.B. 1070 will result in Arizona YWCAs having to divert time and resources away from providing services to clients, conducting outreach to new clients, and providing educational and community activities that further the mission of the YWCA. And instead, the organizations will have to invest time and resources in educating new clients and the community at-large about the requirements of S.B. 1070 and the importance of carrying proper documentation. And as YWCAs in Arizona serve many clients who are racial and ethnic minorities, they will also have to spend time and resources helping clients obtain proper documentation. Finally because of the transportation provisions in the law and the fact that YWCA may provide rides to clients in need of transportation, our staff may be at risk for being found guilty of illegal activity for something as simple as driving a domestic violence victim to a doctor's appointment or delivering food to homebound and hungry elderly men and women.

A prime example of the impact the law will have on YWCAs is illustrated by the fact that even though the law has yet to take effect, Arizona YWCAs have already had to take steps to deal with the impact S.B. 1070 on their communities, clients and organization. For example, the YWCA Tucson and the Consulate of Mexico in Tucson presented a Community Forum on SB 1070, Thursday, June 3rd to help explain the law to members of the Tucson Spanish speaking community.

It is clear the legal and practical issues related to S.B. 1070 are immense. And while the law has received much attention, little attention has been paid to the fact that many innocent people and well-meaning organizations in Arizona will be impacted by S.B. 1070. As a national organization, the YWCA is deeply concerned about the impact S.B. 1070 will have not only on our associations, staff and clients in Arizona, but for our members nationwide. Recently, it has been reported that at least fifteen states are considering similar legislation to S.B.1070. As an organization with affiliates in nearly every state, the impact of similar state laws on the YWCA's ability to fulfill our mission, assist clients, and ensure the safety and well-being of our clients and staff throughout the country would be detrimental.

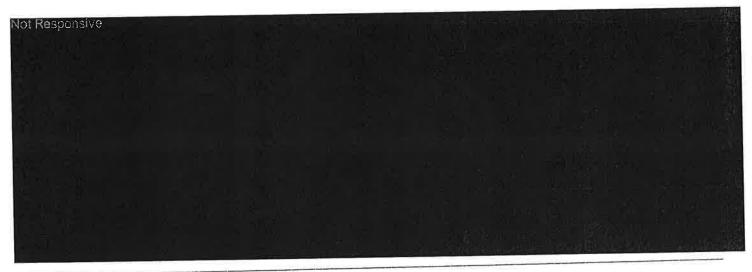
We respectfully ask that the Department of Justice continue to review the Arizona state law and, if applicable, file a legal challenge to block S.B. 1070 from becoming law.

Your attention and assistance are appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Lorraine Cole, Ph.D. Chief Executive Officer

YWCA USA



From: Quesnel Melendez, Carlos [mailto:cquesnel@sre.gob.mx]

Sent: Tuesday, June 22, 2010 3:23 PM

To: Ramirez, Monica (CRT)

Subject: amicus curiae brief on behalf of The United Mexican States

Monica

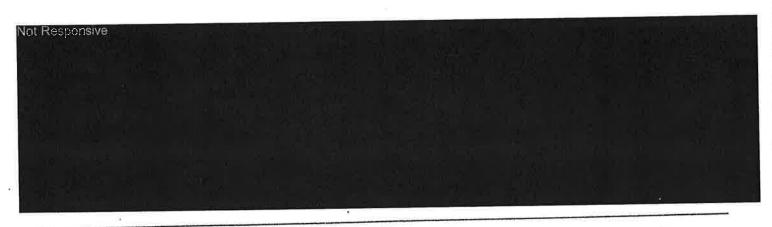
Anexo te remito la versión final del amicus presentado por el Gobierno de México esta mañana ante la corte federal para el Distrito de Arizona. Esperamos que en los próximos días varias naciones latinoamericanas se unan al mismo.

Abrazos Carlos

> Carlos Quesnel-Meléndez Counselor for Legal Affairs Embassy of Mexico Tel. 202,7281688 Fax 202.7281783

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From: jeanette.plojum@phoenix.gov < jeanette.plojum@phoenix.gov >

To: Ramirez, Monica (CRT) Sent: Fri Jun 25 19:02:09 2010

Subject: Declaration of Phoenix Police Chief Jack Harris

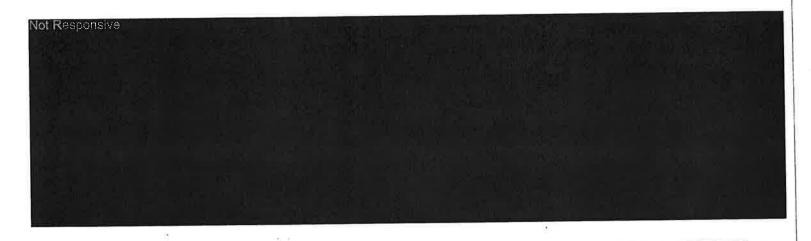
Ms. Ramirez,

Attached is the signed Declaration for Chief Harris. I will be mailing you the original.

Have a great weekend.

Thank you,

Jeanette Ploium A4570 Legal Secretary Phoenix Police Dept. Legal Unit 602-534-0126 Desk 602-534-0842 Fax

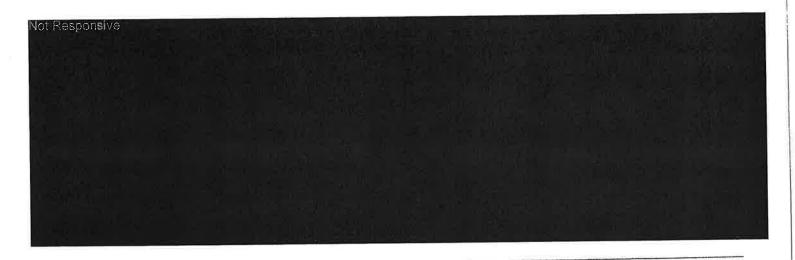


From: Baird Greene [mailto:Baird.Greene@tucsonaz.gov]

Sent: Friday, June 25, 2010 7:33 PM To: Ramirez, Monica (CRT)

Subject: RE: Chief Villaseñor's declaration

Here is the Declaration from the chief. Hard copy to follow.



From: Aida Rodriguez [mailto:arodriguez@co.santa-cruz.az.us]

Sent: Friday, June 25, 2010 7:30 PM

To: Ramirez, Monica (CRT)
Cc: Tony Estrada; George Silva

Subject:

Sheriff Estrada's Declaration attached.

Aida Rodriguez, Office Manager Santa Cruz County Sheriff's Office (520)761-7869 (Office) (520)375-8118 (Fax) lat Responsive

---- Original Message -----

From: Carmen Escobar < cescobar@co.santa-cruz.az.us>

To: Ramirez, Monica (CRT) Sent: Mon Jun 28 18:30:06 2010

Subject: FW:

Please confirm your receipt.

Thank you. Carmen

U.S. Department of Justice



Civil Division

Assistant Attorney General

Washington, D.C. 20530

Ms. Lillian Rodriquez-Lopez Chair National Hispanic Leadership Agenda 1522 K. Street, NW, Suite 1130 Washington, D.C. 20005

Dear Ms. Rodriquez-Lopez:

Thank you for your letter to the Attorney General requesting a meeting with the Attorney General to discuss Arizona Senate Bill 1070. Your letter was forwarded to me for response.

As you are likely aware, since receiving your letter, the United States filed a lawsuit against the State of Arizona on July 6, 2010, challenging the constitutionality of Arizona Senate Bill 1070. Because of this pending litigation, the Department of Justice cannot comment further on Arizona Senate Bill 1070, but we refer you and your organization to the complaint, as well as the motion for a preliminary injunction filed by the United States, which are available on the Department of Justice's website at: http://www.justice.gov/opa/pr/2010/July/10-opa-776.html. These filings describe in detail the views of the Department of Justice as to the constitutionality of the several provisions of S.B. 1070 that are at issue in the pending litigation.

I hope this information is helpful. Please do not hesitate to contact the Department of Justice if we may be of further assistance on future matters.

Sincerely,

rony West

Assistant Attorney General

U. S. Department of Justice



Civil Division

Assistant Attorney General

Washington, D.C. 20530

AUG 1 3 2010

The Honorable Dennis Moore U.S. House of Representatives Washington, D.C. 20515

Dear Congressman Moore:

Thank you for your letter on behalf of your constituent, (b) (6) regarding the recent suit brought by the United States against Arizona, challenging the constitutionality of Arizona's immigration law, S.B. 1070. Your letter was forwarded to me for response.

email asks why the Department of Justice is "targeting" Arizona, and notes that the Arizona law "only asks for documents in the event that the person or persons are being stoped or questioned on a legal matter." It would not be appropriate for me to comment on pending litigation, but I refer you and your constituent to the complaint and the motion for preliminary injunction filed by the United States in this matter, available on the Department of Justice's website at http://www.justice.gov/opa/pr/2010/July/10-opa-776.html, as well as the district court's recent ruling on the government's preliminary injunction motion at http://www.azd.uscourts.gov/azd/courtinfo.nsf/983700DFEE44B56B0725776E005D6CCB/\$file/10-1413-87.pdf?openelement. These filings may provide greater detail regarding the government's position regarding S.B. 1070 and the specific problems at issue.

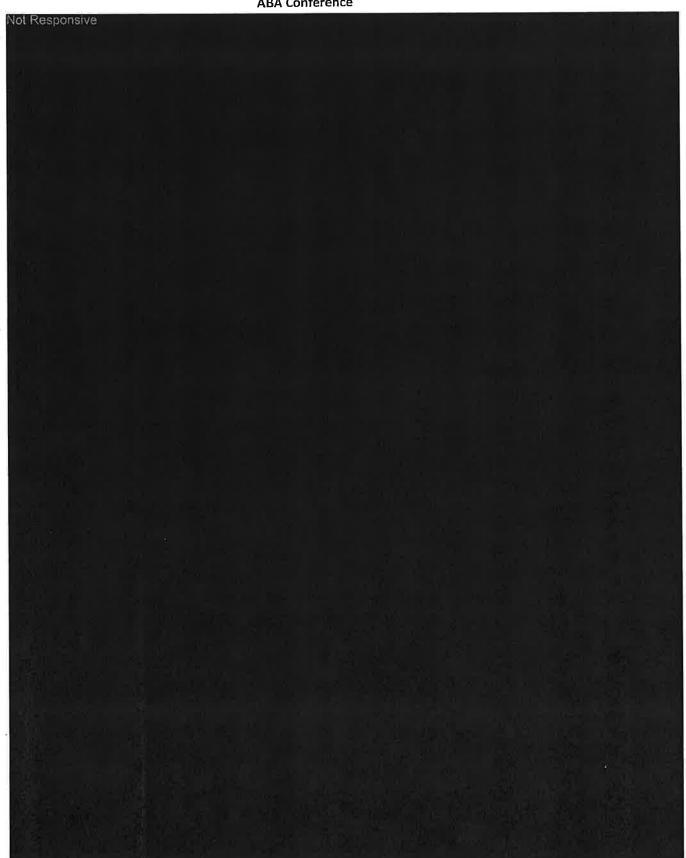
I hope this information is helpful in responding to your constituent. Please do not hesitate to contact the Department of Justice if we may be of further assistance with future matters.

Sincerely,

Tony West

Assistant Attorney General

REMARKS OF ASSISTANT ATTORNEY GENERAL TONY WEST "Priorities and Perspectives of the Civil Division" ABA Conference



- And third, working closely and collaboratively with many of our colleagues throughout the Department, including my friend Tom Perez, the Assistant Attorney General for Civil Rights, the Civil Division filed a lawsuit [S10 Click] seeking to enjoin implementation of Arizona's comprehensive immigration statute, SB 1070.
 - Last week a federal court agreed and enjoined SB1070 from taking effect.
 - And while we recognize the real and understandable frustration many feel about our broken immigration system, we know that a patchwork of state and local immigration policies would make matters worse by seriously disrupting federal immigration enforcement and would ultimately be counterproductive.

