



Written by [Bob Adelman](#) on August 26, 2017

Trump's Pardon of Sheriff Joe Arpaio Sends a Strong Message

President Trump [pardoned](#) former Maricopa County (Arizona) sheriff Joe Arpaio, the White House announced Friday evening. "Throughout his time as Sheriff, Arpaio continued his life's work of protecting the public from the scourges of crime and illegal immigration," the statement said. "Sheriff Joe Arpaio is now eighty-five years old, and after more than fifty years of admirable service to our Nation, he is worthy candidate for a Presidential pardon."



For his part, the veteran sheriff (shown) was grateful but called his conviction the result of unceasing efforts by the Obama administration to silence him. In one tweet, Arpaio said:

Thank you @realdonaldtrump for seeing my conviction for what it is: a political witch hunt by holdovers in the Obama justice department!

And in another:

I am humbled and incredibly grateful to President Trump. I look fwd to putting this chapter behind me and helping to #MAGA

Arizona Senator John McCain was ambivalent about the presidential pardon: "The president has the authority to make this pardon, but doing so at this time undermines his claim for the respect for rule of law as Mr. Arpaio has shown no remorse for his actions." But Arizona Representative Andy Biggs praised Trump for issuing the presidential pardon: "Sheriff Joe Arpaio made many enemies in the judicial system, the media and the left because he enforced laws that the federal government [under Obama] ignored."

Arizona Governor Doug Ducey added his praise to the decision to pardon the sheriff: "The president clearly has pardoning powers under the United States Constitution and with this action he has brought finality to this chapter in Arizona's history. Sheriff Joe is my friend and now he, Ava and their family can move on and enjoy their retirement together."

Arpaio, who called himself "America's Toughest Sheriff," proved it by requiring his inmates to wear pink underwear and live in tents outside in the intense Arizona heat. But the attack under the Obama administration began in 2011 with the filing of a lawsuit by Manuel de Jesus Ortega Melendres who claimed that the sheriff exceeded his authority by conducting raids and traffic stops based on race. Arpaio said he was acting within his authority: During those raids and traffic stops he required his deputies to ask, among other information, their immigration status. Most of those stopped were found to have false or fake identification, which was enough for the sheriff to incarcerate them and notify ICE (Immigration and Customs Enforcement) officials. His philosophy was simple: Remove them from the county before they committed more crimes.

This was too much for U.S. District Court Judge Murray Snow, who ruled in 2013 in a "findings of fact



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and conclusions of law” that Arpaio and his sheriffs were using race as one of the determinants upon which those raids and traffic stops were based. A George W. Bush appointee, Murray ruled that what Arpaio and his deputies were doing was unconstitutional:

It is not a violation of federal criminal law to be in this country without authorization in and of itself. Thus, the MCSO [Maricopa County Sheriff’s Office]’s policy that requires a deputy (1) to detain persons she or he believes only to be in the country without authorization, (2) to contact MCSO supervisors, and then (3) to await contact with ICE pending a determination [on] how to proceed, results in an unreasonable seizure under the Fourth Amendment to the Constitution....

Thus, to the extent [the department] uses race as a factor in arriving at reasonable suspicion or forming probable cause to stop or investigate persons of Latino ancestry for being in the country without authorization, it violates the Fourth Amendment. In addition, it violates the Plaintiff class’ right to equal protection under the Fourteenth Amendment to the Constitution and Title VI of the Civil Rights Act of 1964.

While the case was being litigated Arpaio continued the policy, claiming what he was doing was legal. But on July 31 of this year, U.S. District Court Judge Susan Bolton, a Clinton appointee, found Arpaio guilty of criminal contempt for willfully violating a court order issued by Snow:

Not only did Defendant [Arpaio] abdicate responsibility, he announced to the world and to his subordinates that he was going to continue business as usual no matter who said otherwise.

Warren Mass, writing in *The New American*, added important context to Bolton’s ruling:

Bolton, who was nominated to the district court in 2000 by former President Bill Clinton, has been a thorn in the side of the Arizona legislature’s attempts to support police efforts to identify illegal aliens within the state. On July 28, 2010, she issued a ruling blocking key portions of SB 1070, which gave the state the authority to effectively enforce immigration laws, allowing its state troopers to crack down on illegal immigrants.

When Arpaio tried to appeal and demand a trial by jury, Bolton denied it on the grounds that the law did not require juries in cases where the potential jail term (six months) was so short.

After serving Maricopa County as sheriff for 24 years, Arpaio lost his reelection bid last year to [Soros-financed](#) Paul Penzone, who is taking a vastly different approach to the illegal immigration problem. Penzone, who became the new sheriff on the first of the year, said in a January 4 interview on Phoenix TV station ABC 15:

We will need to work with the guests who are here in our nation and are pursuing citizenship and separate that from those who are committing crimes and make sure that we a caring community that is serious about public safety.

Writing about this statement at the time, *The New American’s* Warren Mass observed:

While it may not be immediately apparent from this quote that Penzone was referring to illegal aliens when he spoke about “guests,” the ABC 15 reporter who interviewed the new sheriff noted that for “24 years, sheriff Joe Arpaio made no bones about it: illegal is illegal. The new sheriff uses different terms for undocumented immigrants. He calls them ‘guests.’”

Even though Arpaio hadn’t been sentenced — that was scheduled to take place in October — he plans to appeal Bolton’s ruling against granting him a trial by jury. At age 85, Arpaio is still a fighter.



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Photo of former Arizona sheriff Joe Arpaio: AP Images

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