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Hispanic Bar Association of the District of Columbia's Statement On The President's Pardon Of Joe Arpaio

(Washington, D.C. – August 30, 2017) – The Hispanic Bar Association of the District of Columbia (HBA-DC) adds its voice to the scores of legal, community, and civil rights organizations condemning the President's decision to pardon former Maricopa County, Arizona sheriff Joe Arpaio for his conviction for criminal contempt. This decision disregards the rule of law and erodes the public's faith in our legal system. It sends the wrong message that public officials and law enforcement officers may willfully violate the law and court orders with impunity.

Mr. Arpaio was convicted of criminal contempt for willfully violating a court order and was found to have violated the Constitution by unlawfully profiling Latinos as Sheriff of Maricopa County. This is condemnable behavior, particularly when carried out by law enforcement officials. As a legal membership organization, the HBA-DC is mindful that the U.S. Constitution grants the President broad authority to pardon. But a true display of leadership is exercising this broad authority to pardon in a considered and thoughtful manner, none of which was evident in the President's decision. Instead, the President bypassed an existing review process – not bothering to even consult with Department of Justice guidelines – and did not take into account the seriousness of the offense and the existence of remorse by the offender. Mr. Arpaio's offense was serious: deliberately disregarding a court order prohibiting him from continuing his long and inhumane policies of racially profiling Latinos based on perceived immigration status. He has shown no remorse for his years of unconstitutional assaults on the civil rights of Latinos. Application of the President's pardoning authority under these circumstances is unjustifiable and sends a message of contempt for the rule of law.

Americans of all political persuasions have spoken out against the President's action. The HBA-DC concurs with statements such as those of Senator John McCain, who observed that "[t]he President has the authority to make this pardon, but doing so at this time undermines his claim for the respect of rule of law as Mr. Arpaio has shown no remorse for his actions." We call upon the President to display true leadership, to unify the nation at this critical time, by refraining from taking actions that promote xenophobia and the unequal treatment of individuals under the law.

About the HBA-DC

The Hispanic Bar Association of the District of Columbia is a nonprofit, nonpartisan, voluntary legal association representing the interests of Hispanic attorneys, judges, law professors, law students, and legal professionals within the greater Washington, D.C. area. Its mission is promoting the professional development of Hispanic lawyers and law students; promoting equal justice and opportunities for all Hispanics; and promoting the appointment of Hispanics to leadership positions in Federal, state, and local governments, in the judiciary, and in other leadership positions. For more information visit <http://www.hbadc.org>.