



## Judicial Watch Files Lawsuit to Obtain Records of Phoenix Police Chief's Involvement in Obama Administration Lawsuit Challenging SB 1070

### Chief Jack Harris' Declaration At Odds With City's Official Position of Neutrality

WASHINGTON, Aug. 10 /PRNewswire-USNewswire/ --Judicial Watch, the public interest group that investigates and prosecutes government corruption, announced today that it filed a lawsuit on August 4, 2010, against the City of Phoenix pursuant to Arizona Public Records Law to obtain records related to Phoenix Police Chief Jack Harris' sworn declaration in the Obama administration's lawsuit challenging Arizona immigration law SB 1070 (Judicial Watch v. City of Phoenix, Case No. CV 2010 052443 (Superior Court of AZ Maricopa County)).

Judicial Watch is seeking the following records: "Any and all records concerning or relating to the preparation or submission of the Declaration of Phoenix Police Chief Jack Harris, dated June 25, 2010, in the matter captioned United States of America v. State of Arizona, Case No. 2:10-cv-01413-SRB (D. District of Arizona)..." Judicial Watch is also seeking documents regarding communications between Harris and the Obama administration, including the Department of Justice. The Phoenix Police Department received Judicial Watch's request on July 13, 2010, but has failed to produce any documents or indicate when documents will be forthcoming.

On or before June 25, 2010, Chief Harris prepared and/or signed a declaration to be submitted on behalf of the U.S. government in its lawsuit challenging SB 1070. On July 6, 2010, the U.S. government attached Chief Harris' declaration to its motion in support of a preliminary injunction.

The Phoenix City Council, however, made the decision in May 2010 to stay neutral in the legal battle between the State of Arizona and the federal government over SB 1070. According to the Arizona Daily Star, in response to a threat by Phoenix Mayor Phil Gordon to challenge the new illegal immigration law, "Phoenix City Attorney Gary Verburg said only the City Council has the power to authorize lawsuits." The City of Phoenix Administrative Regulation (AR) 2.16 specifically states: "It is the public policy of the City, reflected in this AR, that...Employees not engage in activities that are inconsistent, incompatible, in conflict with, or are harmful to their duties as City employees."

"Chief Harris had no business sticking his nose in the middle of the federal government's lawsuit against the State of Arizona. The City of Phoenix adopted a position of neutrality regarding the litigation. And as a City employee, Police Chief Harris was required to stay out of it. The City of Phoenix has an obligation to shed light on Chief Harris' declaration and it can start by releasing these records," stated Judicial Watch President Tom Fitton.

In October 2009, Judicial Watch [filed a taxpayer lawsuit](#) against the Phoenix Police Pension Board, its five members, and City of Phoenix Chief of Police Harris to stop the illegal payment of pension benefits to Chief Harris valued at approximately \$90,000 per year.

Judicial Watch's Arizona counsel is Todd Feltus of the firm Kercksmar & Feltus PLLC.

Visit [www.JudicialWatch.org](http://www.JudicialWatch.org) to access Judicial Watch's lawsuit regarding the Harris declaration.

Founded in 1994, Judicial Watch, Inc. is a constitutionally conservative, nonpartisan educational foundation that promotes transparency, accountability and integrity in government, politics and the law. JW is perhaps the most active FOIA requestor and litigator operating today.