



Stephen Meswarb, Co-Acting Executive Director
Mark Silverstein, Legal Director, Co-Acting Executive Director

July 16, 2012

VIA ELECTRONIC MAIL

Sheriff J. Grayson Robinson
Arapahoe County Sheriff's Office
13101 E. Broncos Parkway
Centennial, Colorado 80112
grobinson@co.arapahoe.co.us

Re: Arapahoe County Sheriff's Office Alert: Gypsy Scams

Dear Sheriff Robinson,

We are writing because of an Arapahoe County Sheriff's Office Alert regarding "Gypsy scams" that was reported to the American Civil Liberties Union Foundation of Colorado (ACLU). (See attached Arapahoe County Sheriff's Office Alert). This "alert" cautioning the public to beware of "Gypsies" is extremely concerning to the ACLU given its use and encouragement of racial profiling.

By characterizing dark-haired, dark-eyed individuals as "Gypsies" and criminals, the Arapahoe County Sheriff's Office Alert invites racial profiling.

The Arapahoe County Sheriff's Office alert describes "Gypsies" as "medium to dark complexioned Caucasian[s], who are often mistaken as Hispanic. Dark hair and dark eyes are common characteristics." It further states that "Gypsies" commit major crimes including: home repair fraud, ruse entry burglary, and burglary, and that "Gypsies . . . who commit these types of crimes are usually career criminals." It cautions community members to "CALL THE ARAPAHOE COUNTY SHERIFF'S OFFICE" to report concerns about "Gypsies."

The physical description provided in the alert – "medium to dark complexioned Caucasians" with "dark hair and dark eyes" – encompasses a large segment of the population. Referring to individuals who fit this description as "Gypsies" and insinuating that they commit major crimes can only serve to heighten any preexisting biases that community members may already have against all ethnic groups who fit this general description, including Latinos. The ACLU of

Colorado is concerned that your alert encourages community members, as well as police officers, to engage in racial profiling. By cautioning the public to regard all individuals who match the physical description provided in your alert with suspicion, you are subjecting countless innocent individuals to the risk of potential discrimination and harassment.

Similar discriminatory bulletins targeting Gypsies have resulted in litigation against other police departments.

In Cherry Hill, New Jersey, several individuals of Roma ethnicity brought suit against the Cherry Hill Police Department, alleging that the bulletins promulgated by the police department resulted in racial profiling. *Demetro v. City of Cherry Hill*, 2011 U.S. Dist. LEXIS 134636, *3 (D.N.J. Nov. 22, 2011). Plaintiffs argued that these bulletins regarding possible “Gypsy” activity resulted in police officers “target[ing] and singl[ing] out, selectively detain[ing], and/or prosecut[ing] individuals suspected of being a Roma (Gypsy).” *Id.* at *4 -*5. The court stated that it was “disturbed” by the police department’s distribution of bulletins which sweepingly referred to “Gypsies” as “transient criminal families and individuals.” *Id.* at *18.

The ACLU of Colorado is concerned that Arapahoe County’s alert has similar effects, inciting police officers as well as community members to target and to discriminate against individuals suspected of being “Gypsies” because of their physical features.

We urge you to stop inviting racial profiling by insinuating that all dark-haired, dark-eyed individuals are potential criminals.

We ask that you immediately rescind the discriminatory alert as well as any other alerts issued by the Arapahoe County Sheriff’s Department that refer to “Gypsies” or “Gypsy scams” in any way. Additionally, we ask that you issue a statement to the public, in which you (1) retract your previous comments related to “Gypsies” and “Gypsy scams,” and (2) declare that the Sheriff’s Office condemns discrimination against any individuals on the basis of race, ethnicity, and personal appearance.

We ask that you produce all records related to “Gypsies” and “Gypsy scams.”

Finally, we request that you produce certain records pursuant to the Colorado Open Records Act. If you are not the proper custodian of records for this request, please forward this request on to the appropriate designee. For the purpose of these requests, the term “records” refers to any recorded information, whether kept in written, electronic, or any other form, as defined by C.R.S. §§ 24-72-202(7) & 24-72-302(1) & (4). We request the following records:

- 1) Records of any tips that have been reported to the Arapahoe County Sheriff's Office in response to the aforementioned alert and crime prevention tip, and any other similar alerts issued by your office, regarding "Gypsies" and "Gypsy scams";
- 2) All records, communications, or notes (including emails) created by the Sheriff's Office and its employees related to "Gypsies" and "Gypsy scams"; and
- 3) Any policies (whether written or unwritten, official or unofficial) that address the Sheriff Department's direction to its employees with regard to "Gypsies" and "Gypsy scams."

I look forward to your response to our request for records at your earliest convenience, and no later than three business days, as required by Colorado law. Additionally, we request that you respond to the remainder of our concerns or before July 27, 2012, outlining the steps you will take to ensure Arapahoe County Sheriff's Office is not engaging in or encouraging the use of racial profiling. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Sara J. Rich".

Sara J. Rich
Staff Attorney

ARAPAHOE COUNTY SHERIFF'S OFFICE ALERT: GYPSY SCAMS

Spring and summer are very active times for Gypsy-related criminal activities. Three major crimes committed by Gypsies are:

- Home repair fraud
- Ruse Entry Burglary
- Burglary

Gypsies (individuals of Gypsy culture who have elected to live a criminal lifestyle) who commit these types of crimes are usually career criminals, and specialize in this kind of criminal activity. Note that it is the “style,” and not the “con” that identifies the crime as Gypsies. Traditionally, these types of Gypsy crimes are generally non-violent.

The appearance of a Gypsy can be generally described as medium to dark complexioned Caucasian, who are often mistaken as Hispanic. Dark hair and eyes are common characteristics. The number of suspects involved can be between two and six. At times, American Gypsy women and children will accompany a male suspect, or two women will work as a team. A look-out is often used and usually sits in the vehicle and may sound the car horn if the police are spotted. You should note that Gypsies are experts at false identification and will use a variation of family names and birth dates.

Gypsies who commit these crimes are career criminals specializing in home repair fraud and ruse entries. They primarily target the elderly, who are ideal suspects for their crimes. Gypsies are experts with profiling senior citizen’s homes. They will target a home by the style of drapes, poorly maintained lawns, single garbage cans, and four- door sedans.

Home repair fraud:

Gypsies cruise residential neighborhoods searching for elderly persons outside their homes. Once located, they approach the elderly person and offer to do some sort of home repair work (driveway seal coating, tree trimming, roof repairs, etc.) The price might be very low, or very high, depending on the mental state of the victim. If the price quoted is low, generally when the work is completed, the money asked is much higher. Any work done is usually substandard in nature. If given the opportunity, the suspects may commit a residential burglary to the home by distracting (occupying) the home owner while another crew member searches the home.

Ruse Entry (burglary):

Again, after selecting a home by profiling it, a Gypsy will claim to be a utility worker, city employee, or a contractor. They then will enter the home using the ruse of checking something (water pressure, fuses, pipes, etc.). While one Gypsy keeps the victim occupied (running water, checking lights, or even directing the home owner to the rear of the house to view out the back window), one or more additional Gypsies enter the home (undetected) and commit a burglary.

How to protect yourself:

- Never allow someone to perform driveway sealing, or home repairs on the spot. Ask for a business card to check on the reputation of the business, and **end the conversation**. If possible, get a vehicle plate number and inform the police department of the activity. Do not deliberate or debate work that needs to be done. Gypsies will press a sense of urgency.
- Never let anyone into your home - if someone claims they need assistance, tell them you will contact the police to assist them. If they indicate they are with a utility company, call the utility company to verify the work.
- If you are approached while you are outside, do not let anyone roam your property. This usually gives them an opportunity to check for open doors while you are being distracted.

Note: This information about Gypsies only deals with those individual self-proclaimed Gypsies who have elected to live the criminal lifestyle.

There are other transient criminals, who do similar types of cons. All of the above advisories should be followed, regardless. **CALL THE ARAPAHOE COUNTY SHERIFF'S OFFICE at 303-795-4711.**

If you have further questions on Gypsy crimes please contact the Arapahoe County Sheriff's Office and ask for a patrol car to come by and speak with you.