

CUSTER COUNTY ATTORNEY

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August 30, 2012

Anna Conley
ACLU Staff Attorney
P.O. Box 9138
Missoula, MT 59807

RE: Custer County Jail

Dear Ms. Conley:

Thank you for allowing Custer County 45 days to come up with a short term solution. While I do not agree with many of the allegations you have made against our jail, I cannot change the fact that there are physical deficiencies with the jail that are nearly impossible to work around.

While I have asked you to specifically identify the conditions in the jail that constitute cruel and unusual punishment, I have only received general descriptions of them. Further, you have not identified a plaintiff, nor a claim under which you will seek relief if you do file suit. It is impossible for me to advise the County on how to proceed under these circumstances.

Nonetheless, the County is willing to take a proactive approach to this issue. The County is willing to house prisoners in another County facility on a short term basis while the County evaluates its options on building a new facility. I am confident that we will have this plan in operation as of October 1, 2012.

The County will continue to use a portion of the existing facilities as a short term holding area. This will allow the arrestee the ability to post bond prior to being transported to another County, which is an advantage to the arrested person.

I believe that this resolves any issue that we may have had.

Sincerely,

Jeniffer - DEPUTY COUNTY ATTORNEY

FOR

Wyatt A. Glade
Custer County Attorney

WAG/vjp

cc: Custer County Sheriff Harbaugh
Custer County Undersheriff Pat Roos
Custer County BOCC