



COUNTY OF ERIE

CHERYL A. GREEN
COUNTY ATTORNEY

CHRIS COLLINS
COUNTY EXECUTIVE

KRISTIN KLEIN WHEATON
FIRST ASSISTANT COUNTY ATTORNEY

MARTIN A. POLOWY
SECOND ASSISTANT COUNTY ATTORNEY

DEPARTMENT OF LAW

June 16, 2008

VIA FEDERAL EXPRESS/STANDARD OVERNIGHT

Gregory Gonzalez, Senior Trial Attorney
Special Litigation Section
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

**Re: Investigation of the Erie County Holding Center and the Erie
County Correctional Facility
Our File No. 31.20070052**

Dear Mr. Gonzalez:

Now that I have been seated as Erie County Attorney, I have had the opportunity to review the Civil Rights of Institutionalized Persons Act, 42 U.S.C. 1997, as well as a number of investigative reports and consent decrees listed on your agency's website. Because it appears that in almost every instance the consent decrees and investigations impose a much higher standard than that required by the United States Constitution and applicable law, we have reconsidered our decision to cooperate in your investigation. As a result, we will no longer cooperate with your investigation into the above facilities and will not consent to your inspection of the facilities as had been previously scheduled.

I trust you understand our position.

Very truly yours,

CHERYL A. GREEN
Erie County Attorney

cc: Chris Collins, Erie County Executive
Timothy Howard, Erie County Sheriff