

ACLU not ready to sign off on Canyon County jail

By NATE GREEN ngreen@idahopress.com © 2012 Idaho Press-Tribune | Posted: Thursday, January 26, 2012 12:00 am

CALDWELL — The American Civil Liberties Union is still investigating whether the Canyon County jail has improved conditions to meet a legal agreement that was set to expire at the beginning of the year.

“We’re not ready to sign off on it yet,” said ACLU of Idaho Director Monica Hopkins. “There are some concerns that we still have, but we are working with the county.”

Hopkins wouldn’t discuss specific concerns, but said ACLU lawyers were holding discussions with county officials to verify the jail’s compliance with the two-year federal consent decree.

Under the decree, an agreement between Canyon County and the ACLU, the jail was required to address measures aimed at overcrowding and unsanitary conditions. The decree was forged after the ACLU filed suit against the county in early 2009, alleging that jail conditions constituted cruel and unusual punishment.

Both parties must sign off to dismiss the decree, but so far the ACLU has declined to do so.

Canyon County Deputy Prosecutor Carl Erickson said county officials believe the jail has complied with the terms of the decree.

Although the county is working to answer the ACLU’s question, Erickson said his office may file a motion to have the decree terminated without the ACLU’s permission.

The matter could end up in a hearing before a judge or even a trial involving witnesses, he said.

In December, ACLU director Hopkins alleged that the jail had not adequately improved conditions. She cited reports from inmates who said they were forced to sleep on floors and walk through leaking toilet water.

In response, Sheriff Chris Smith released reports from an independent investigator who monitored the jail’s compliance with the decree. The reports stated the county was in “substantial compliance.”

The ACLU originally filed suit against the county in January 2009. In addition to allegations of overcrowding that forced inmates to sleep on the floor, the lawsuit said the jail had problems with mold, improperly maintained toilets and showers, and a heating system that left inmates cold in the winter.

In 2009, the county paid more than \$308,000 to renovate the jail, as well as \$190,000 for the ACLU’s legal fees, after the ACLU filed a class-action lawsuit claiming the jail’s conditions violated inmates’ constitutional rights.

The jail has also paid for additional modifications and for inmates to be jailed in other counties to ease overcrowding.