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Letter

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Broadwater County Attorney

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December 26, 2018

Butte-Silver Bow CEO and Commissioners
Butte-Silver Bow County Courthouse
155 W. Granite Street
Butte, MT 59701

Dear CEO and Commissioners,

I am writing to you as a follow-up to a communication I sent you in 2017. I am currently prosecuting a criminal defendant named Lloyd Barrus, who has been charged with accountability for the deliberate homicide of Broadwater County Deputy Sheriff Mason Moore, as well as accountability for attempted homicide against two Butte-Silver Bow Police Officers, and attempted homicide against five different officers including one Butte-Silver Bow Officer, assault upon a peace officer against ten different officers, and for illegally possessing firearms as a convicted felon.

This crime occurred in May, 2017. It began in Broadwater County, then traveled through Jefferson, Butte-Silver Bow, Anaconda-Deer Lodge, Powell, Granite and Missoula Counties. It involved law enforcement officers from ten different agencies. Eighteen months later, Barrus is a patient at the Montana State Hospital because the Court has found him mentally unfit to proceed to trial. Barrus has refused to be medically treated for his mental illness, and we recently held a court hearing seeking an order to force him to be involuntarily medicated. We expect that if he is medicated, he will recover, and we will be allowed to proceed to trial.

This case was initially noticed as a death penalty case. However, due to the extensive record of mental illness issues with the Defendant, I withdrew the notice of seeking the death penalty in the summer of 2018, as I had determined a court would not impose that penalty. The maximum possible penalty that may be available in this case is now life in prison without parole.

Because of the high profile of this case, the Defense has a very large litigation budget available to them, and they have spent it to hire nationally-recognized expert witnesses in this case. We have responded by retaining experts of appropriate stature and credentials, and we expect the need for investigative or mental health experts to continue through the trial and to sentencing.

The State of Montana, through the Office of Public Defender, has been paying for the defense. Broadwater County is paying for the prosecution. As you likely know, Broadwater County is a small County, and does not have the resources to compete with the State's budget provided to the Office of Public Defender. Consequently, I am seriously concerned about my ability to prosecute this case to successful completion if I cannot locate additional resources outside of my County.

We have had significant help along the way. Granite County has agreed to contribute \$25,000 in support of our litigation funds; Missoula County has agreed to house Barrus in its detention center without cost to us when he is not at the State Hospital; Lewis & Clark County has repeatedly transported Barrus for court hearings and provided additional security; Gallatin County, Lewis & Clark, and Cascade County assisted with taking on patrol duties for Broadwater County immediately after the crime. Finally, the Department of Justice has provided extensive support through DCI agent John Sullivan as lead investigator, and through Assistant Attorneys General Dan Guzynski and Mary Cochenour as prosecutors.

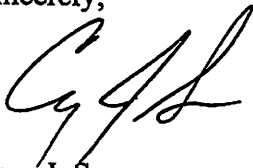
Even with all of that support, we need more help. To date, we have incurred about \$200,000 in litigation expenses, and I expect to spend more. Any financial contribution you can provide will be gratefully accepted.

I am sending letters similar to this to each of the jurisdictions whose law enforcement officers were involved in stopping and investigating this horrible crime, and who have not yet committed to helping: Jefferson, Anaconda-Deer Lodge, Powell, and the Montana Highway Patrol. If each entity can provide \$25,000, I feel strongly we can carry this contentious and important case to successful completion.

Finally, I want to offer the opportunity for me to come meet with you and answer your questions about the case. In addition, Jodi Moore, the widow of Deputy Mason Moore, has met with me recently and asked me to pass along that she would like to meet with you to explain the importance of this request, as well as explain the ways she is raising funds through the Mason Moore Foundation to provide equipment and support for small law enforcement offices through a grant mechanism.

Thank you for your consideration of this issue. I look forward to meeting and providing any additional information you request.

Sincerely,



Cory J. Swanson
Broadwater County Attorney

CC: Butte-Silver County Attorney Eileen Joyce ✓
Butte-Silver County Sheriff Ed Lester