

Formal Complaint: Request for Suspension of Deputy County Attorney Ashley Frechette and Cessation of Publicly Funded Defense

To: Flathead County Commissioners

From: [Your Name], Flathead County Resident

Date: [Insert Date]

Subject:

Request for Immediate Suspension of Deputy County Attorney Ashley Frechette and Cessation of Taxpayer-Funded Legal Defense

Summary of Complaint

I am submitting this formal complaint to demand the immediate suspension of Deputy County Attorney Ashley Frechette and the cessation of taxpayer-funded legal defense for Frechette. This request is based on credible allegations and court findings that Frechette acted outside the scope of her lawful authority, with malice and reckless disregard for constitutional rights, as detailed in ongoing federal litigation and recent court filings.

Legal Basis

- **Montana Code Annotated § 2-9-305(6):**
Prohibits a governmental entity from defending or indemnifying an employee whose conduct was outside the course and scope of employment, constituted malice, fraud, or intentional wrongdoing, or otherwise removed the employee from statutory protection.
 - **Court Findings:**
The federal lawsuit against Flathead County and Frechette has survived two motions to dismiss, with the court finding the allegations plausible and legally sufficient. The nature of the allegations triggers statutory prohibition, regardless of final conviction.
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Facts Supporting Suspension

- Frechette knowingly charged a citizen with a crime despite exculpatory evidence.
 - Ignored the Sheriff's directive not to prosecute.
 - Withheld proof of property ownership for over a year.
 - Acted with malice and reckless disregard for constitutional rights.
 - Taxpayer-funded defense is ongoing, in violation of Montana law.
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Request for Action

1. **Suspend Ashley Frechette from her duties as Deputy County Attorney pending trial and resolution of the federal lawsuit.**
 2. **Immediately cease all taxpayer-funded legal defense for Frechette and any deputies accused of acting outside their lawful authority.**
 3. **Initiate an independent investigation into Frechette's conduct and compliance with Montana law.**
 4. **Provide transparency to Flathead County residents regarding legal expenses and risks associated with Frechette's actions.**
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Conclusion

Flathead County cannot afford to ignore Montana law or risk further liability. The ongoing defense of Frechette with public funds is unlawful and exposes taxpayers to catastrophic financial risk. I urge the Commissioners to act immediately to protect the county, uphold the law, and restore public trust.

Respectfully,

[Your Name]

[Your Address]

[Your Contact Information]