

Regular Public Safety Advisory Committee Meeting Civic Center, 2 Park Drive South,
Gibson Room 212, Great Falls, MT 59401

CALL TO ORDER: City Commissioner Joe McKenney called the meeting to order at 6:00 P.M.

ROLL CALL: Public Safety Advisory Committee (PSAC) Members present: Jeni Dodd, Sandra Guynn, Joe McKenney, George Nikolakakos, Mike Parcel, Thad Reiste, Tony Rosales (arrived at 6:06 pm), Aaron Weissman, and Shannon Wilson.

Absent: PSAC Member Wendy McKamey

PSAC MEMBER INTRODUCTIONS: Joe McKenney, full-time realtor, served four terms in the Legislature, and is serving his first term as a City Commissioner; Shannon Wilson, Army Veteran, retired engineer and serving her first term as a City Commissioner; Sandra Guynn, self-employed, Neighborhood Council #4 Chair, Council of Councils Chair, Chaired the Great Falls Crime Task Force in 2021, and is President of Great Falls Cascade County Crime Stoppers; Aaron Weissman, restaurant owner in Great Falls and Billings; Jeni Dodd, independent artist, musician and writer, and former certified Emergency Medical Technician (EMT) and former Quick Response Unit (QRU) volunteer; Mike Parcel, Official Delegate for NC #1 and Council of Councils, Business Engagement Strategist for the Montana Department of Labor and Industry; Tony Rosales, Speech and Debate Coach, and Chair of Cascade County Libertarian Party; Thad Reiste, Retired USAF (Fire Department) and owner of Electric City Coffee; George Nicolakakos, Retired USAF, and current Representative of HD 26.

RECOGNITION OF STAFF: Chuck Anderson, Deputy City Manager.

PURPOSE OF COMMITTEE: PSAC Member McKenney reported that the Public Safety Levy failed by a big margin, but the need for public safety and the challenges that the City has did not go away.

City Commission members informally extending invitations to participate in a working group that would consist of two members of the City Commission with different perspectives, two Neighborhood Council members, four community activists (for and against the Public Safety Levy), a State Senator and a State Representative that serve on either taxation or local government committees and that include constituents that are residents of Great Falls.

PSAC Member McKenney discussed the history of the statewide property tax cap. Local governments cannot keep up with the rate of inflation and is the reason for levy requests.

On April 2, 2024, the Great Falls City Commission adopted Resolution 10544, establishing a Public Safety Advisory Committee.

The PSAC's efforts shall be focused on the following areas:

- Recommend broad priorities for public safety;
- Recommend priorities for Police, Fire, Court and Legal Departments;
- Recommend strategies for funding public safety priorities;
- Recommend strategies to engage a broad spectrum of community members and businesses

PSAC Member Wilson noted this is a difficult task. As someone who is on a fixed-lower income budget, she feels the hurt when taxes go up. On the other side, there isn't enough police or fire coverage in the community. There are not enough resources for adequate public safety. Recommending what needs to be done is an important task.

PSAC Member McKenney added that, to handle a single-family house fire, it takes 15 firefighters. GFFR only has 13 on duty. When that occurs, it leaves the rest of the community uncovered, or requires mutual aid.

ELECTION OF COMMITTEE OFFICERS.

PSAC Member McKenney opened nominations from the floor for office of Chair.

PSAC Member Parcel nominated Sandra Guynn, seconded by PSAC Member Weissman.
PSAC Member Reiste nominated Tony Rosales, seconded by PSAC Member Dodd.

There being no further nominations, PSAC Member McKenney declared nominations for office of Chair closed, and asked if there was any discussion amongst the Committee.

PSAC Members Parcel, Weissman and Nicolakakos spoke in favor of Sandra Guynn.

PSAC Member Guynn expressed appreciation for the vote of confidence. She has chaired a lot of private sector and public meetings, and she does not foresee missing any meetings.

PSAC Member Tony Rosales declined the nomination.

PSAC Member McKenney reiterated Sandra Guynn has been nominated for the office of Chair, and called for the vote.

Nomination Carried 9-0.

PSAC Chair Guynn opened nominations from the floor for office of Vice-Chair.

PSAC Member Nicolakakos nominated Aaron Weissman, seconded by PSAC Member Parcel.
There being no further nominations, PSAC Chair Guynn declared nominations for office of Vice-Chair closed, and called for the vote.

Nomination Carried 9-0.

COMMITTEE HOUSEKEEPING.

Deputy City Manager Anderson handed out a document titled “Committee Housekeeping” and reviewed suggestions for PSAC consideration that included:

- Meeting Etiquette
- Basic Principles Robert’s Rules of Order
 - A quorum must be present for business to be conducted [6 members]
 - A majority vote of those present [4 members] decides a question/motion
- Meeting Etiquette – Public Participation
- Code of Ethics.
- Public Participation Process
- Frequency of Meetings & Length of Meetings
 - The day and time of PSAC meetings were determined to be Wednesday at 6:00 PM. The PSAC shall meet with the goals of having recommendations to present to the City Commission no later than September 2, 2024.
- Notification of Absence
 - If unable to attend a meeting, notify Chair Sandra Guynn, Krista in the City Manager’s Office and Lisa in the City Clerk’s Office as soon as possible, to determine if a quorum will be present and, if not, speakers that were scheduled can be notified ahead of time

Discussion continued about the possibility of virtual meetings and the public’s right to observe and participate. It was determined the City has a phone in capability to accommodate PSAC member participation. The PSAC member should provide 48-hour advance notice to City staff to participate via phone conference, and would have to stay on the call for the entire meeting.

After further discussion about the frequency/time commitment, **PSAC Vice-Chair Weissman moved, seconded by PSAC Member McKenney, that the PSAC meetings be set the first and third Wednesdays of May through August.**

PSAC Chair Guynn asked if there was any discussion amongst the Committee.

PSAC Vice-Chair Weissman inquired about the agenda setting process, determining topics, and getting answers to questions to make a recommendation.

PSAC Member McKenney responded that the first two to three meetings would be an educational process, which starts tonight with presentations from Court and Legal.

There being no further discussion, PSAC Chair Guynn called for the vote.

Motion carried 9-0.

PSAC Chair Guynn moved, seconded by PSAC Member Nikolakakos, that the PSAC meetings be set for two (2) hours.

There being no further discussion, PSAC Chair Guynn called for the vote.

Motion carried 9-0.

Discussion continued about public comment periods. It was the consensus of the PSAC to allow for public comment on action items that require a vote, and a general public comment period at the end of the meeting.

OPENING EDUCATIONAL PRESENTATIONS

City Attorney David Dennis commented that he would like to hear what questions the PSAC has about challenges the City Attorney's office is facing.

He reported that he is one of two attorneys on the civil side. He also manages the criminal side with three prosecutors and four support staff.

City Attorney Dennis reviewed and discussed the attached PowerPoint slides. He noted the case numbers were from 2022, and are in line with 2023 case numbers. The criminal cases are misdemeanor offenses, excluding traffic citations. He thinks the rise in misdemeanor criminal activity in the City of Great Falls is theft cases.

He explained that prosecutors have about 90 minutes to prepare a criminal case for Court. Last year, approximately 10,000 subpoenas were sent out. Partner/Family Member Abuse (PFMA) cases suffer the most because those cases take time to reach out to victims and to reach out to witnesses that are not law enforcement. Prosecution staff does not reach out to victims or witnesses until a case is going to trial. The fact that staff has absolutely no contact with victims and witnesses in advance, or throughout the process to keep them involved, leads to most of those cases not being prosecuted or dismissed at some point.

PSAC Chair Guynn commented that one of the comments she heard during last year's public safety levy was people needed to hear from victims, and what it meant to them to have their cases dismissed.

City Attorney Dennis responded that the office is not serving the public in that regard, and also not preparing the cases appropriately. Their ability to seek restitution in cases is diminished because the office doesn't have the resources to reach out to people to determine damages. The quality of work suffers.

PSAC Member Reiste received clarification that it was only two prosecutors two years ago handling the 1,500 criminal cases. There are three prosecutors in the office now. The City has grown since then and crime has increased.

City Attorney Dennis commented that the prosecutors are under constant stress all day long, and are in Court a good part of the day.

PSAC Vice-Chair Weissman commented that, statistically, communities in Montana have approximately one attorney hired per 20,000 residents, including Great Falls, Billings and Missoula, but Great Falls has twice the crime.

PSAC Member Rosales received clarification that police and fire budgets were not used to address Legal's and Court's aspects of the Public Safety Levy. Legal's ask was specific to the City Attorney's Office and included, at a minimum, one additional prosecutor, support staff, a Victim Witness Coordinator, case management software, and physical resources needed for additional employees. The total ask was \$575,000.

PSAC Member McKenney inquired the decision making process pertaining to a defendant's right to a speedy trial.

City Attorney Dennis explained that all trials get set within that speedy trial deadline. That time period is affected by the City Attorney's Office asking for a continuance. They do everything they can not to have a continuance accrued to the City Attorney's Office that results in exceeding the speedy trial deadline. But, it does happen.

Municipal Court Judge Mark Dunn added that, during his time in the Prosecutor's Office, the priority came down to what case was more important, domestic violence versus driving while suspended. The Court sets multiple trials on the same day. Typically, older cases get set first. If one case proceeds to trial, the remaining cases set for trial on the same day get continued.

City Attorney Dennis continued that one challenge is that certain defense attorneys with multiple cases will confirm all of those cases for a jury trial with the Court, so that prosecutors have to prepare for all of them. Defense counsel knows which cases will go to trial or plead out. It is a guessing game for prosecutors if defense counsel has several cases set for jury trial on the same day which one will proceed to trial and which ones will plead out. They might not be able to do that if the Prosecutor's Office was able to push back and not accept a plea offer. But, given the caseloads involved, plea deals are likely going to be accepted at the last minute.

There are two judges now, and it won't be long before there are two courtrooms. At that point, the Prosecutor's Office will really be at a crisis stage.

PSAC Chair Guynn requested that City Attorney Dennis provide an update at the next meeting on what categories those 4,000 criminal cases fall in, and why that number is almost double what it is expected to be.

Municipal Court Judge Mark Dunn reported that the criminal cases fall under the offense set forth in Title 45 of the Montana Code Annotated. The main cases involve domestic violence, theft, criminal mischief, disorderly conduct, and stalking. DUI cases fall under the traffic codes. Ordinance violations include, for example, public drinking, dog at large or dangerous animal.

Judge Dunn reviewed and discussed the attached PowerPoint slides.

He clarified that the numbers in the first slide were cases filed in 2023. The Court also handles many cases each week that go back to 2018 for revocation hearings on people that haven't complied with their sentences. If the Court re-imposes conditions, that case is still active and those individuals are given another shot at getting their chemical dependency evaluation done or anger management classes done. The Court also reviews requests for orders of protection. If granted, the order of protection is temporary and the Court must conduct a hearing within 20 days. In his four months on the bench, he has seen an astronomical amount of those cases.

City Attorney Dennis commented that the civil side handles criminal appeals as well, and that limits their ability to prosecute code violations.

PSAC Chair Guynn noted that is where the frustration is with the residents.

Judge Dunn discussed a typical Court week of unique hearings, sentencing hearings, motion hearings, initial appearances for prisoners, open court, jury confirmation hearings, change of plea hearings, jury trials, and bench trials. There are 20 to 30 bench trials set on Fridays.

Two clerks are in court every day. When they have two courts, four clerks will be required. The biggest need will be a combination jury clerk/office clerk. The office clerks are very busy manning the window, checking people in for court, entering tickets for prisoners and open court, processing warrants, following up with people to see if they are complying with requirements of anger management, chemical dependency evaluations, alcohol monitoring, getting orders of protection ready, and making sure people get served.

In the past year, the Court started a Mental Health Court every Thursday afternoon to address mental health issues. The Court also started a program for no insurance tickets. If it is a first offense with no accident/restitution, the Court will suspend the fine. The individual is required to come back in seven months to show the Court he/she carried insurance for six months. The benefit is less people on the road without insurance.

He also reported that in 2021-2022 at least a dozen trials were prepped for that ended up in a mistrial because there were not enough jurors. It puts the prosecutors under the gun for speedy trial issues, and crowds the court's docket to reschedule trials.

Judge Dunn did clarify that the Court's ask of three new staff and training was the least amount in the Public Safety Levy. The Court combined a jury clerk, court office clerk, and compliance clerk. Another difficulty with Court is there isn't anybody available now to follow up on community service. The Court has an 11% compliance rate on community service. The

compliance rate on domestic violence and chemical dependency evaluations and recommendations is also low.

Due to the time, PSAC Chair Guynn asked Judge Dunn and City Attorney Dennis to come back at the next meeting to respond to questions from the PSAC.

MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM PSAC.

PSAC Chair Guynn encouraged the PSAC to watch the February 12, 2024 City Commission Special Work Session Video. The public safety departments discussed what their challenges are that didn't go away after the levy failed.

PSAC Member McKenney asked the PSAC to consider contacting the City Manager's Office to schedule a ride along with the Police and Fire Departments. He also encouraged them to stop in at Municipal Court any day or time.

PSAC Vice-Chair Weissman inquired how the PSAC was going to determine how to set their agendas for these eight meetings.

City Manager Anderson recommended that the first few meetings continue to be educational with Court, Legal, Police and Fire presentations.

PSAC Member McKenney commented that Sandy Thares, President of the Police Foundation, is willing to speak to the PSAC about ideas moving forward should it be determined to do another public safety levy.

PSAC Member Nicolakakos suggested contacting PSAC Chair Guynn if members have ideas for agenda items.

PSAC Member Dodd commented that the PSAC needs to look at the fact that there are community members that cannot afford to pay any more taxes and not presume that the community did not understand the needs.

PSAC Member Rosales suggested an educational component about the types of healthcare claims in Great Falls and surrounding areas to help inform their decision making.

PSAC Member Reiste suggested a presentation on the City budget and how these public safety department issues have been addressed over a number of years.

PUBLIC COMMENT.

Donna Williams, 2916 2nd Avenue North, expressed appreciation to the PSAC for conducting open meetings and allowing public comment. She opined that wasn't the case of a now dissolved Police Advisory Board. She suggested openly and actively soliciting as much public input as possible.

Al Rollo, 816 Grizzly Dr., commented that he doesn't think changing the message or increasing education is going to be the solution. He suggested tax changes at the State, County, City and School level. Increases in taxes, utilities, insurance, and food on a fixed income are not sustainable. He suggested a solution might be to look at TIF's not lasting so long, and State equalization of taxes. It is hard for him to understand that there are not enough resources when he sees the growth. Mr. Rollo also suggested a team effort with other cities and counties and discussing same with the Governor's Task Force at the state level.

Cloyd Grove, retired Chief of Police, commented that, during his tenure GFPD was being qualified under the International Association of Chiefs of Police and, along with that, was the establishment of an advisory council. He explained the process implemented for those individuals to receive sensitive information. That program is no longer in effect at GFPD, and the policies were re-written.

When he started employment with GFPD in 1981 there were 65 officers. When he retired there were 86 officers. Prior to that he conducted a study that revealed Great Falls needed 126 police officers. GFPD's ask for a levy at that time failed.

He suggested the PSAC review the history of the GFPD, inclusive of actions by the State Legislature, and talk to the people that have had to handle the things that get implemented by the State, County and Federal Governments.

Keith Duncan, City resident, disagreed with PSAC member McKenney's comment that citizens didn't understand. The citizens of Great Falls made it abundantly clear last fall when they voted the levy down. He opined that raising taxes is a lazy way to govern. The PSAC has an opportunity to think outside the box. He suggested the PSAC be innovative, and study municipalities that are delivering services and lowering taxes. The PSAC needs to understand the demographics on crime first before trying to shovel money at it.

ADJOURNMENT.

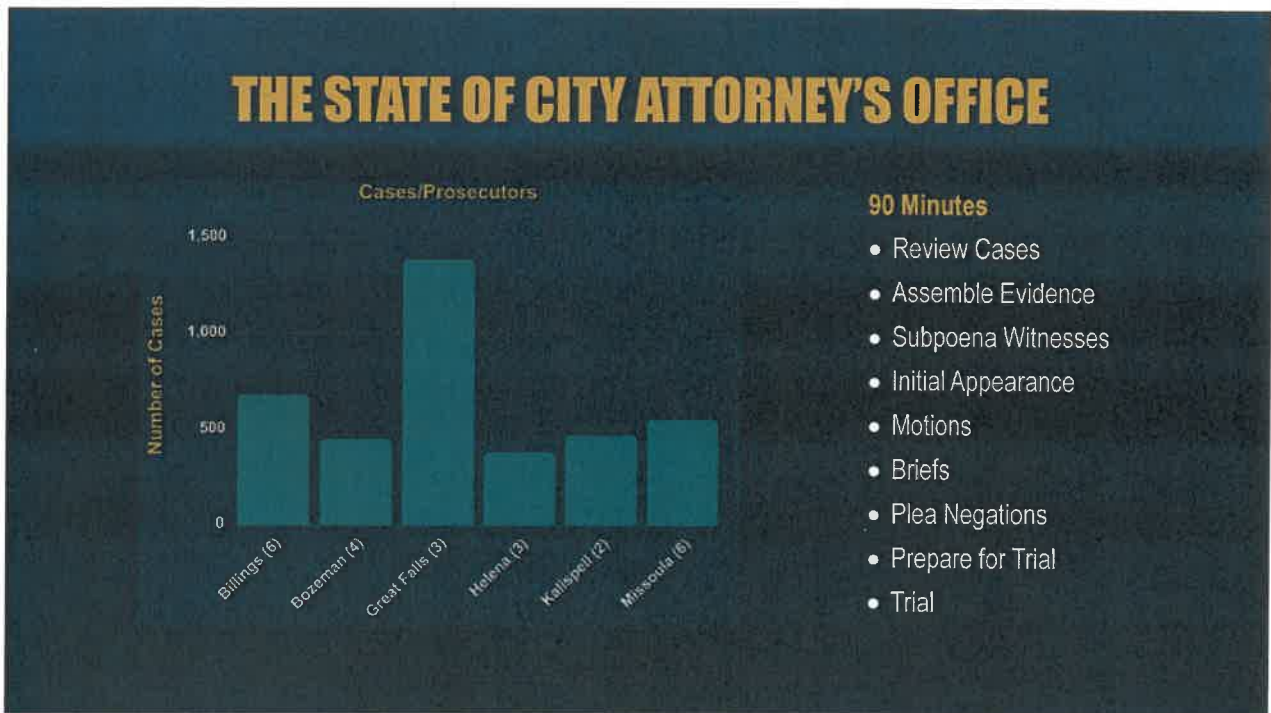
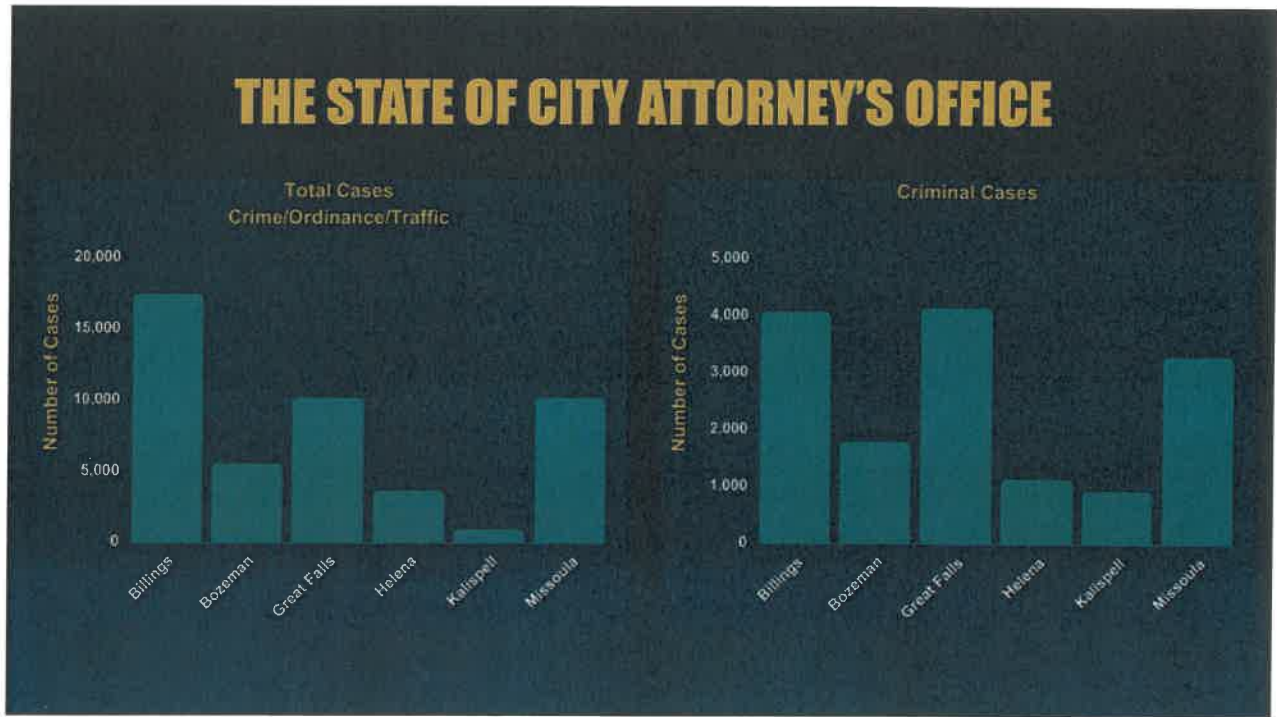
There being no further business to come before the Public Safety Advisory Committee, PSAC Member Dodd moved, seconded by PSAC Member Weissman, to adjourn the **regular meeting of May 1, 2024, at 8:15 p.m.**

Motion carried 9-0.

Chairperson Sandra Guynn

Acting Secretary – City Clerk Lisa Kunz

Minutes Approved: May 15, 2024



Impact

- Victim/Witness Contact
- Restitution
- Quality of Work
- Deterrence
- Accountability
- Civil Office

CRITICAL NEED

2 Additional Prosecutors
1 Victim/Witness Coordinator
Prosecution Management Software
Related Accommodations, Equipment, and Training



THE STATE OF MUNICIPAL COURT CONT.

5,000 names are pulled for jury duty each year and 100-150 summons go out every week. Court has seen a number of mistrials because it cannot seat juries, due to lack of compliance by those summoned.

Recently 60 community members were called for jury duty, 15 showed up. For a jury trial, the court must have 13 jurors. The Jury Clerk would manage the jury process, full time, increasing compliance.

The court has approximately 7,000 outstanding warrants at any given time. A Compliance Officer would aid in compliance from those with warrants and those with court orders and sentencing requirements, such as alcohol treatment and 24/7 alcohol testing for DUI offenders.