

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

CALL TO ORDER: PSAC Chair Sandra Guynn called the meeting to order at 6:00 P.M.

ROLL CALL: Public Safety Advisory Committee (PSAC) Members present: Jeni Dodd, Sandra Guynn, Wendy McKamey, Joe McKenney, Mike Parcel, Thad Reiste, and Aaron Weissman.

PSAC Member George Nikolakakos arrived at 6:01p.m.

Absent: PSAC Member Shannon Wilson and Tony Rosales.

1. APPROVAL OF MEETING MINUTES

PSAC Chair Guynn reported that per Roberts Rules, when voting to approve the minutes, members of the committee are expressing their confidence in the veracity of the secretary, the actions of their colleagues, and the correctness of the minutes preparation process. Members the committee are not making an eyewitness statement that they were there. The body needs an official record of its actions, and all members may approve that record. This means that members should not abstain from voting to approve minutes of a meeting if they were absent from that meeting.

PSAC Member Weissman moved, seconded by PSAC Member Dodd, that the PSAC accept the Minutes of the June 19, 2024, PSAC Meeting as presented.

PSAC Chair Guynn asked if there were any comments from the public or discussion amongst the Committee. Hearing none, PSAC Chair Guynn called for the vote.

Motion carried – 8-0.

EDUCATIONAL PRESENTATIONS AND DISCUSSIONS

2. EMPLOYEE TESTIMONIES – STAFF FROM COURT, LEGAL, POLICE AND FIRE

Municipal Court Clerk Allison McMaster explained that jury and non-compliance were two things that Court had previously asked for in the public safety levy. Jury is the most tiring task and requires the entire staff. One person could do the job; however, it needs to be split between the entire staff in order to get all of the pieces done, along with other duties throughout the day. Staff sets approximately 20 trials a day, which is about 60 trials a week and typically do not last a full day. There are three court clerks that process jury summonses and five office clerks that help when it comes to the week of the trial. Court staff can call up to 600 jurors in a month and there are multiple mistrials due to jurors not showing up. It would be helpful if one person had to do that job, because it takes a lot of manpower, and the software for jury is not the greatest yet. Processing jury excusals is time consuming and need to be notarized.

Court refers defendants to the Transition Center for community service, jail alternative, and house arrest. In 2023, community service was 11%, jail alternative 24%, and house arrest 32% completed by defendants. Missoula has three judges, 20 clerks and are below Municipal Court when it comes to caseload. Billings has 15 clerks, two judges and have more caseload than Municipal Court. Municipal Court has nine clerks and two judges.

PSAC Chair Guynn received clarification that people who do not respond to or comply with a jury summons could be held in contempt, fined or possibly have a warrant issued. PSAC Chair Guynn added that the Safety in the Falls website does not describe the consequences of what happens when jurors do not respond to or comply with a jury summons.

PSAC Member Dodd inquired if there is a software product that would help with jury duty organization.

Court Clerk McMaster responded that Court utilized an older version of the FullCourt program; however, a better software for jury is being worked on.

PSAC Member Weissman received clarification that Court staff spends approximately 50 to 100 hours a month checking voicemails and updating information with regard to the jury process.

PSAC Member Reiste inquired what Municipal Court would need to help the jury and non-compliance process and if it was requested in the Court's budget.

Court Clerk McMaster responded hiring a dedicated Jury Clerk and it was requested in the Court's budget.

PSAC Member McKenney received clarification that there are usually 20 trials a day scheduled; however, there are several plea offers and most jury trials are resolved, cancelled or continued.

PSAC Member Nikolakakos inquired if plea offers are made because the system is so backed up.

Court Clerk McMaster responded possibly; however, most defendants do not show up for their initial appearance and a warrant is issued.

PSAC Chair Guynn inquired if Pretrial Services would help, if it was included in the public safety levy and if volunteers would be able to help the court system in any capacity, especially with the juror situation.

Court Clerk McMaster responded that she believes it would help with compliance for defendants to appear to their trials, hearings, house arrest and jail alternative. A Compliance Officer was included in the public safety levy.

PSAC Member McKamey inquired if Municipal Court utilizes electronic notarization for jury excusals.

Court Clerk McMaster responded that she has never heard of online notarization; however, Court staff will notarize jury excusals at the window with a seal stamp. Elder jurors might have a difficult time with online notarization because typically they are not as technology driven.

Municipal Court Supervisor Morgan Medvec reiterated that jury and compliance are the most time consuming duties that the Court Clerks deal with. The public safety levy included a Compliance Clerk, Jury Clerk and another support staff. The Transition Center recently reached out to see if Municipal Court would be interested in a Pretrial Service program. With regard to PSAC Chair Guynn's inquiry about volunteers assisting the court, Court Supervisor Medvec responded having volunteers would be a concern because of confidential information. She talked to HR about utilizing previous City employees or light duty employees; however, Court's budget does not currently support that.

PSAC Member Weissman received clarification that if a Jury Clerk had additional time after doing the jury duties, that person would be utilized in other capacities and the salary including benefits would be \$74,000.

PSAC Member Reiste received clarification that the minimum ask from Court would be hiring one Jury Clerk.

Chief Prosecutor Neil Anthon reported that plea deals are made because of the large number of jury trials, having only three prosecutors and knowing the judge will not impose a certain punishment for a crime. He works 9 ½ to 10 hours a day, the other prosecutors work up to nine hours a day and could work longer if there is a jury trial. The prosecution is always in the same cycle every day reviewing charges, police reports and videos, going to trial or court and preparing for discovery with cases set for trial. The City Attorney's Office does its best to get the job done and has good people that work for the City. Deficits in service to the community include communication with witnesses and victims of crime because the prosecutors are so busy in that cycle and do not have the time to inform them of what happened to the individual who appeared in court. However, if there is a more serious offense, such as domestic violence, sexual assault, stalking, and order of protection violations, the City Attorney's Office will try to reach out to the victims and witnesses of these offenses. For the week of July 22 to July 26, there are 22 jury trials, 31 bench trials and 199 witnesses. Of those 199 witnesses, most of them are in the law enforcement category, such as the Great Falls Police Department (GFPD), Sheriff's Office, crime lab, other employees of the GFPD that are not law enforcement and 75 of those witnesses are citizens from Great Falls.

Several trials are continued for many reasons and the City Attorney's Office does not have time to call 75 witnesses every week. Witnesses are instructed to call the morning of the trial; however, many witnesses have already taken the day or week off from work. Witnesses want to do their civic duty; however, childcare can be another big issue for them. Another operational challenge is mental health cases. The City Attorney's Office has limited options to what it can do with those individuals. If they are a danger to themselves or others, the County Attorney can civilly commit them; however, that takes a process. The Montana State Hospital is limited in space, which has an impact on the City Attorney's Office, if those individuals have a case against them. The Behavioral Health System for Future Generations Commission has set aside money for the County to get those individuals

evaluated and potentially stabilized for trial. The City Attorney's Office reached out to the Department of Health and Human Services to see if funds could potentially be used by the City Attorney's Office on certain occasions.

Another operational challenge for the City Attorney's Office is that it is reactive and not proactive. It does not have the time to step back and think through the process to come up with procedures to help fix problems. Chief Prosecutor Anthon commented that he would like to have time to create a reference book of statutes and case law to assist the prosecutors in court if they do not remember a law off the top of the head. The City Attorney's Office has not had the opportunity to discuss a recent Montana Supreme Court case decision with the GFPD that can greatly affect how officers deal with individuals on private property.

PSAC Chair Guynn inquired what it would take to fix the communication issue and how many positions were requested in the levy.

Chief Prosecutor Anthon responded that fixing the communication issue would take time and manpower by talking with other jurisdictions to see what they are doing to be efficient prosecutors and good servants for the public. Also, time to discuss with the IT Department about possibly creating a website that can be updated every day for witnesses to check.

PSAC Member Weissman commented that the 11% community service hours, 24% jail alternative compliance and 32% house arrests being completed by defendants makes him wonder what the point of the whole cycle is.

Chief Prosecutor Anthon responded he has thought that same thing many times over the years. Individuals in contempt for failing to do what they were told to do in the first place are given too many chances and need to be held accountable.

PSAC Chair Guynn commented that there are so many frequent fliers and there needs to be an incentive to stop bad behavior.

PSAC Member Weissman inquired about the difference in jurisdictions between the City and County Attorney Offices and if there are opportunities for combining resources.

Chief Prosecutor Anthon responded that the Municipal Court has jurisdiction over misdemeanor crimes that are committed in the County. One issue is determining where the trial should take place and Municipal Court technically has venue over misdemeanor crimes that occur within city limits. Justice Court has the exact same jurisdiction as Municipal Court. Because the GFPD's jurisdictional limits are essentially the City, they would generally send citations to Municipal Court, the Sheriff's Office or Montana Highway Patrol sends misdemeanor citations to the Justice Court and the County Attorney's Office has the ability to prosecute felonies. The County has the same constraints and time pressures that the City has, except the County deals with bigger cases and felonies. The County and City Attorney's Offices communicate with each other and sometimes the County will send over charges to the City; however, both are two separate and distinct offices.

PSAC Member Reiste received clarification the Legal Department is requesting a Victim Witness Coordinator. He inquired when the last time the Legal Department and Municipal Court received a staffing increase.

Chief Prosecutor Anthon responded that a fourth staff member was added to the prosecution side approximately one year ago and one was added to the civil side; however, another employee left. The employee on the prosecution side has greatly helped with providing discovery to defense counsel and getting subpoenas out.

Municipal Court Clerk McMaster responded that the last staff increase for court was its previous supervisor and a new judge.

PSAC Member Nikolakakos inquired how Chief Prosecutor Anthon feels about making more plea offers and unleashing people in the community that got away with their crime.

Chief Prosecutor Anthon responded that several plea offers have been made more recently and he struggles a lot with what he believes may be an inappropriate deal.

PSAC Member McKamey received clarification that plea deals for individuals with mental health issues do not influence plea deals for those who are not suffering from mental illness.

Police Department Sergeant Katie Cunningham reported that retention and manning are the GFPD's major struggles. GFPD has done everything possible with the resources it has including forced overtime and adjusting schedules. However, the GFPD continues to struggle with keeping and retaining officers. The County will assist the GFPD on calls if they are available; however, communication between them via radios is difficult. Running a squad of four officers with 60,000 people makes it fertile ground for mistakes and liability. There is a lot of burnout and officers are exhausted and fatigued.

Sergeant Cunningham further reported that she supervises four Child Abuse Investigators, four School Resource Officers (SRO's) and one Internet Crime Against Children Detective. There are about 70 open internet crime against children cases that she is forced to triage and some cases may not even be looked at. She also triages evidence, which is why the GFPD requested an Intel Analyst in the public safety levy. The GFPD does not have the capability to sift through all of the evidence. The GFPD does its best to outsource evidence to either Homeland Security or the Department of Criminal Investigation.

More recently, the GFPD has taken a big approach to kids who are testing positive for illicit narcotics. The GFPD does not have the resources to investigate cases where kids have larger doses of methamphetamine; however, she has been working with Child Protective Services to try to change the trajectory for these kids.

Violent crimes are on the rise and even more prominent in juveniles. Approximately 90% of weapons related offenses are minors. A task force was created to curb some of this violence;

however, it is robbing Peter to pay Paul in a sense of how big of an impact can be made to get these kids back on the right track or hold them accountable before someone gets seriously hurt.

Sergeant Cunningham explained that things the GFPD are doing right include never giving up or lowering its standard. The police officers who work for this community, love and are invested in the community. The pool of candidates is getting smaller; however, GFPD refuses to lower its hiring criteria or accommodations just to fill an empty slot. The GFPD puts great emphasis on its training and tactics, which has been extremely beneficial and well organized. The GFPD is making do with what it has and what the community says it gets.

Sergeant Cunningham urged the Committee to make sure that funds are put in the right places and on the right things. The GFPD refuses to compromise its ethics and morals due to lack of funds and will continue to do the work that it needs to do. She concluded that if we do not start investing in some of the law enforcement requests previously made over the years, it will have a huge impact on victims, the community as a whole, and there will be cutbacks.

PSAC Chair Guynn commented that she is the president of Crime Stoppers and sponsored one of the programs last year about educating the public about public safety. She inquired about some of the challenges the SRO's face on a day-to-day basis.

Sergeant Cunningham responded that the GFPD had asked for two additional SRO's in the public safety levy. There is an SRO at each high school and two supervise all of the elementary and both middle schools. They do not get lunch breaks and are running from day to day. Those cases also need to be triaged; however, she is dealing with the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to put some of that pressure back on the school administration so they can handle the minor issues, while SRO's handle school safety.

PSAC Chair Guynn inquired if there have been instances where SRO's wanted to do something but could not because they did not have the resources or time.

Sergeant Cunningham responded that SRO's run into that every day. Receiving complaints or tips about issues pulls them off other cases and duties and requires many resources. SRO's triage cases and it is over tasking and burdening, which is why two additional SRO's were requested.

PSAC Member Weissman inquired how many hours a year the GFPD is mandating forced overtime.

Sergeant Cunningham responded that she is unaware of the number of hours; however, oftentimes, officers will volunteer and fill in where need be.

Police Chief Jeff Newton responded that the GFPD is budgeted for 92 full-time sworn employees and vacancy savings paid for overtime when the GFPD was short officers.

PSAC Member Reiste inquired what the minimum ask is.

Sergeant Cunningham responded that the minimum ask is \$4,455,360 with 24 new police officer positions.

PSAC Member Reiste inquired if additional vehicles would be a request with bringing in 24 new police officers.

Sergeant Cunningham responded that 24 new officers, intel equipment, training and additional fleet vehicles were all included in the levy ask, which also extends into the 911 Center.

PSAC Member Reiste commented that the additional 24 police officers would relieve overtime and burnout but hopefully it will not go so far that it is not a payback anymore. PSAC Member Reiste received clarification that the additional police officers would bolster other parts of the department and eventually officers would be groomed to move up.

City Manager Greg Doyon explained that hiring that amount of officers would take two to three plus years. There are limited spots in the academy and they have to do field training. Adding more law enforcement on the street would have an impact on the Legal Department and Municipal Court.

PSAC Member Weissman commented that the voters said they could not afford 24 officers. He inquired what the Police Department could make do with.

Sergeant Cunningham responded she does not believe the Police Department could make do with anything less. The GFPD has been making this ask for at least 10 years. The City and Malmstrom Air Force Base are going to continue to grow and this is only a good ask, not better or best.

PSAC Member Reiste inquired when the last big ask for staffing was approved.

Sergeant Cunningham responded that she could not remember the last time; however, the department received a COPS grant three years ago.

City Manager Doyon explained that other than the grant, there was an exercise after 2009 when that levy failed to add firefighters and police officers under a grant and the City could not fund it back then. There could be a year where there is enough revenue to support them for one year; however, there would need to be revenue ensuing subsequent years in order to afford them and the changes that occur. The presenters tonight have been diplomatic with their presentations because they do not want to alarm the community. These asks have been perpetuating for a long time and have not been met. At some point, the community may wonder why they were never made aware of these issues, when in fact, they have been.

PSAC Member Reiste commented that he is the owner of Electric City Coffee and his customers informed him they had no idea things were so bad. He supports conducting a survey on public safety, because it might determine what people know or do not know. He wondered how residents expect the same level of service every year but are not willing to give an inch. PSAC Member Reiste added that to hear that Sergeant Cunningham could not remember when the last big ask for staffing was approved is disappointing.

Sergeant Cunningham expressed appreciation to Jenn Rowell from the Electric for her efforts with regard to being at all these places, because the media does not want people to know the crimes that are occurring in the community.

PSAC Chair Guynn responded that is a disservice to this community and a tragedy because the entire community is at risk.

Due to a lack of time to discuss the remainder of the agenda items, PSAC Chair Guynn commented that the July 17, 2024 PSAC meeting would begin with the Fire Department's presentation.

MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM COMMITTEE

None.

PUBLIC COMMENT

Al Rollo, 816 Grizzly Dr., commented that there is a need to explore tax-exempt entities and properties. There are several assessed properties not being taxed and still require services. There needs to be a way to lower the impact to people who cannot afford. A Governor's Property Tax Advisory Council is currently meeting if the City is going to consider options.

ADJOURNMENT

There being no further business to come before the Public Safety Advisory Committee, PSAC Chair Guynn moved, seconded by PSAC Member Weissman, to adjourn the regular meeting of July 3, 2024, at 8:07 p.m.

Motion carried 8-0.

Chairperson Sandra Guynn

Acting Secretary – Deputy City Clerk Darcy Dea

Minutes Approved: July 17, 2024