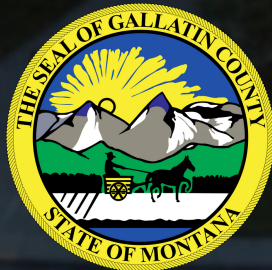


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GALLATIN COUNTY  
ATTORNEY'S OFFICE

2023  
PUBLIC  
SAFETY  
REPORT



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# MESSAGE FROM AUDREY CROMWELL

*Gallatin County Attorney*

When our community elected me as Gallatin County Attorney, I knew I was charged with leadership of an office that had fallen into disrepair. Upon taking stock in January 2023, however, it became crystal clear that the grave neglect of leadership and its impacts on public safety were far worse than anyone imagined.

When I took office, the County Attorney's Office was operating as a skeleton crew with only 15% of allocated attorneys and staff. Damaged relationships with key criminal justice and community partners abounded. A review of all paper files revealed a horrifying 500 unprosecuted felony cases dating back fifteen years. Of the 113 unprosecuted sexual assault cases included within these, 52 involved children.

These adversities coupled with the escalating demands of an exponentially growing county created an impossible year. However, the public was counting on me and my team to triage and tackle each challenge one day at a time (which, for a while, was seven days a week) with Montana grit and determination.

**"As I reflect on this impossible year, I am encouraged - but concerned."**

In full transparency, I held a press conference detailing the discovery of the unprosecuted sexual assault cases and spearheaded a Joint Task Force—to my knowledge the first of its kind in the state—forged from Bozeman and Belgrade city prosecutors and detectives, the West Yellowstone and Manhattan prosecutor, the Gallatin County Sheriff's Office, the Federal Department of Justice, and Victim Services. The Joint Task Force completed its case assessments this fall. Over the past six months, I met with victims and filed charges in those cases not barred by the statute of limitations. On behalf of the County Attorney's Office, as well as the survivors and their families, I would like to sincerely thank all the dedicated public servants (law enforcement, prosecutors, victim advocates, and other stakeholders) who came together in this herculean effort to review these sexual assault cases, connect with victims, and address this criminal justice crisis.

In my first year, I recruited, hired, and trained 26 new personnel covered by 99% of the already allocated budget, including prosecutors and staff. As my team and I worked hard to right the ship, I am thankful to those who answered our call for support: law enforcement, the County Commissioners who met with me weekly, the Attorney General's Office, the Association of Prosecuting Attorneys, Montana's law school (we created a robust internship program), and the skilled local attorneys contracted to support our office and help to clear the burden of unprosecuted cases.

A major goal in my first year was to reinvest in historically strained relationships. In pursuit of renewed trust and consensus, I met with every criminal justice stakeholder in the County—from Victim Services, law enforcement agencies, and local prosecutors to mental health professionals and county and local government representatives. I worked with the Bozeman City Attorney's Office to form a new partnership where case collaboration is the norm and resources are shared rather than duplicated. I collaborated with law enforcement, Victim Services, and HAVEN to implement cutting-edge screening practices for domestic violence offenders to ensure victim safety, dignity, and respect. In another first, I instituted weekly meetings with the Public Defender's Office to efficiently resolve cases that warranted plea agreements. I also collaborated with stakeholders to facilitate resolution for the creation of a city/county waste transfer station to benefit both city and county residents.

In March, our office integrated with the Sheriff Office's electronic discovery records and court e-filing by updating from paper-based to electronic systems. Modernizing has saved taxpayers \$30,621, expedited case processing, ensured swifter justice and more quickly addressed victims' needs. We also began data collection of current court cases to prepare for a public dashboard launch in 2025. Transparency in state courts is key to tracking and eliminating bias. With the implementation of each new initiative and policy, my office establishes itself as a fierce public safety leader within our larger community.

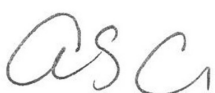
As I reflect on this impossible year, I am encouraged—but concerned.

Despite what my team and I have accomplished, the County Attorney's Office must grow to match Gallatin County's public safety requirements in 2024. With 120,000 residents (and growing), Gallatin County is one of the largest counties in Montana, yet my office has the same number of prosecutors as Lewis and Clark County (70,000 residents). My attorneys are each shouldering between 300-500% of the national standards for maximum felony caseloads. This is not only untenable, it is incredibly dangerous.

Prosecutors are a critical component in the public safety continuum—without a minimum of 10 additional prosecutors and 6 staff/victims' advocates added to our team, offenders walk free, police and detectives become hamstrung in their efforts to protect and serve, and our community fails the most vulnerable among us, including children.

In light of this—and indeed, all my team has accomplished with limited resources—I urge you to reach out to our county commissioners to encourage rapid investment in the County Attorney's Office's prosecutors and staff. Your public safety, and that of those you love, is at stake.

As fellow community members, I know our shared goal is to ensure Gallatin County becomes a safer, more caring place to live, work, and go to school. Thank you for your trust in me as your County Attorney. I will continue to uphold my office with the utmost integrity and do all I can to hold offenders accountable, support victims, and ensure public safety.

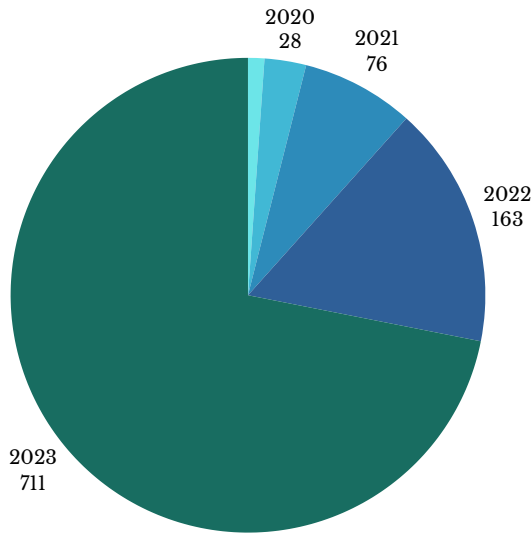


Audrey Cromwell  
Gallatin County Attorney

# CASE STATISTICS

*A look at the cases we charged in 2023 and cases currently pending.*

## FELONY CASES CURRENTLY PENDING IN DISTRICT COURT

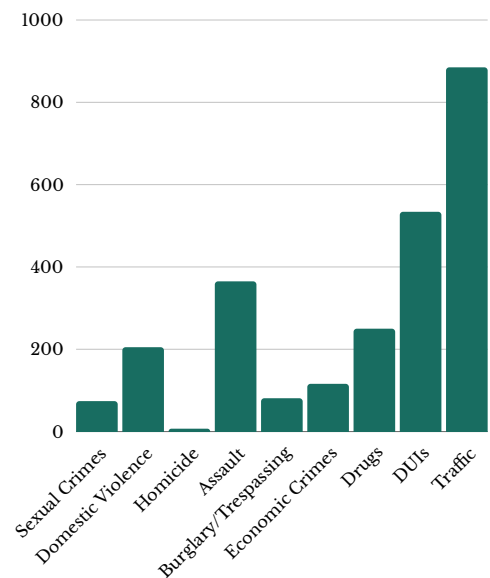


# 1,915

## TOTAL NUMBER OF CASES FILED

This year, we filed 734 felony cases in District Court and handled 1,181 misdemeanor and traffic cases in Justice Court.

<u>CASE TYPE</u>	<u>TOTAL</u>
Sexual Crimes	74
Domestic Violence	205
Homicide	7
Assaults	356
Burglary/ Trespassing	81
Economic Crimes (theft, robberies)	116
Drugs	250
DUIs	534
Traffic	885



# PUBLIC SAFETY PARTNERS

This year, our office had the privilege of collaborating with law enforcement, Victim Services, and HAVEN to implement the APRAIS model, a cutting-edge screening tool for domestic violence offenders at the time of arrest (and initial court appearances) to ensure victim safety, dignity, and respect.

For the first time in its history, our office modernized from paper-based to electronic systems which integrate with law enforcement's electronic discovery records and e-filing in the court. This speeds up case processing, ensures swifter justice and more quickly addresses victims' needs.

This summer we purchased a law enforcement portal to better integrate with our law enforcement partners around the county. The portal allows agencies to request prosecution electronically and upload discovery and evidence directly into our management system.



# VICTIM SUPPORT

Victim Services provides an important supportive advocacy role for victims in our criminal justice system. Victim Services advocates typically accompany victims to meetings with prosecutors, keep victims informed as their case proceeds through the criminal justice system, and assist victims with community resources if needed.

In 2023, our victim services team supported victims from Bozeman, Belgrade, Manhattan, Three Forks, West Yellowstone, Big Sky, Gallatin Gateway and Amsterdam/Churchill.

“Gallatin County Victim Services assists victims of violent crimes across their life span with the protection and services they need to pursue safe and healthy lives.

We are confident that with our community support, collaboration, and experience, we will strengthen our services to victims and maintain these vital services in our community in 2024.”

-Stacy Wesen  
Director of Victim Services



# MENTAL HEALTH

Right now, our community members arrested due to a mental health crisis (such as a suicide attempt) go to the emergency room, to jail, or are handcuffed and transported to the Montana State Hospital in Warm Springs.

Together with the Gallatin Behavioral Health Coalition, we developed a program to link people in crisis with established community treatment.

Our supportive 90-day Community Commitment program will connect those in crisis with the HELP Center, Community Health Partners and the Bozeman Health Bridge Clinic for medication and behavioral health support. A case manager will support and track progress to ensure compliance. We will roll out this program in early 2024.

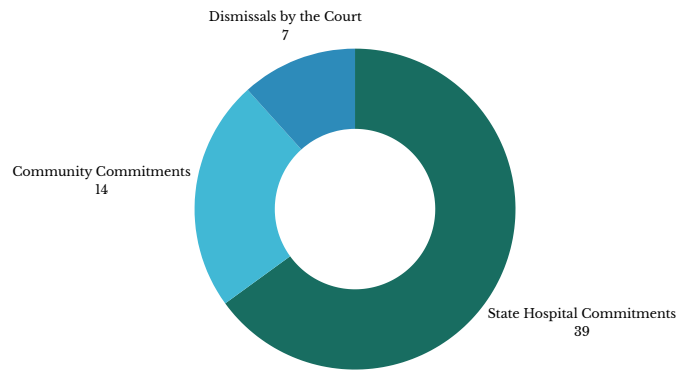


Developed a Shared Data Agreement with stakeholders to track behavioral health outcomes across the continuum



Developed an inter-disciplinary Community Commitment Program to support those in crisis in our community

## 2023 CASES



# TRANSPARENCY

Upon taking office, I discovered 113 unprosecuted sexual assault cases (52 involving children) dating back more than 15 years. I immediately spearheaded a Joint Task Force comprised of Bozeman and Belgrade city prosecutors and detectives, the West Yellowstone and Manhattan prosecutor, the Gallatin County Sheriff's Office, the Federal Department of Justice, and Victim Services to address this crisis. This September, the Joint Task Force completed its case assessments, and over the past 6 months, I met with victims and filed felony charges in those cases not barred by the statute of limitations.

My office also began incorporating data-driven, evidence-based practices, including recommending bail and bond conditions based on proven national best practices. Crime rates in Gallatin County have dropped significantly since 2022 and I will continue to uphold this trend by working closely with law enforcement and county and local governments to ensure Gallatin County becomes an even safer, more caring place to live, work, and go to school.



**Percentage of sex assault task force cases that resulted in prosecution**



**Percentage of sex assault task force cases we could not pursue because the statute of limitations had expired**



**Meetings between victims and the county attorney**





# EFFICIENCY

This year, I applied for and was awarded a grant with APA, the Association of Prosecuting Attorneys, to help address backlog issues. In October, expert prosecutors from the APA concluded a successful site visit and will continue to work with my team, judges, law enforcement, and others to help address the backlog. With the implementation of each new initiative and policy, we further establish our office as a fierce and effective public safety leader within our community.

We focused on bringing the office into the 21st century. This includes creating electronic files for misdemeanors and felonies, e-filing with District and Justice Courts, receiving e-discovery with Bozeman PD, the Sheriff's Office, MSUPD and Belgrade PD, and scanning in hundreds of documents. These changes are not only more efficient, but they also save the county thousands of dollars on printing, paper, postage, and storage costs.

1200

**Staff hours to complete felony and misdemeanor case audits and clean up old cases**

17

**Full-sized filing cabinets emptied by scanning and shredding paper documents**

30,621

**Taxpayer dollars saved by switching to electronic filing and discovery**



# STAFFING

When I took office in January, the County Attorney’s Office was operating as a skeleton crew with critical vacancies and a massive backlog of 500 unprosecuted felony cases. I’ve since recruited 26 new personnel, including prosecutors and staff members, and even drew upon Montana’s esteemed community of law students by creating a robust internship program.

I recently restructured the office to incorporate a Special Crimes Chief Prosecutor who oversees the prosecution of sexual assault cases as well as cases involving violent crimes. Because these cases are especially complex, my new chief and I are working closely with the Department of Justice to develop best practices such as appropriate filing timelines and sentencing guidelines.

Each attorney in my office attended the annual Montana County Attorney Conference, as well as the NITA (National Institute for Trial Advocacy) trial school. New attorneys attended the DOJ’s Prosecutor Bootcamp in early September.

26

**New staff who joined our office since January 1, 2023**

10

**Number of attorneys sent to NITA (National Institute for Trial Advocacy) trial school**

1850

**Hours our attorneys and staff spent in trainings**



# THE FUTURE

Even with an emphasis on efficiency and hiring, my attorneys currently shoulder an unsafe caseload.

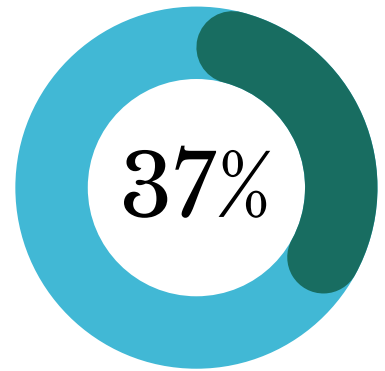
With 120,000 residents (and growing), Gallatin County is one of the largest counties in Montana, yet my office has the same number of prosecutors as Lewis and Clark County (70,000 residents) and has plummeted to 7th in Montana for budget and resources provided by the county government for our County Attorney’s Office.

According to national standards, prosecutors should have no more than 150 felony cases. My prosecutors are shouldering up to 400 cases each. This is not only untenable, it is incredibly dangerous.

To meet the current caseload, our office needs an investment of 10 additional prosecutors and 6 additional support staff and victim advocates.

I urge you to reach out to the [Gallatin County Commissioners](#) to encourage prioritization of funding prosecutor and staff positions in the County Attorney’s Office.

Together, we can make Gallatin County a brighter, safer, more caring place to live, work, and go to school.



**The County  
needs to invest  
in 37% more  
County Attorney  
staff to match  
current  
caseloads**





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