

## 2022 Stress Test Summary: Potential Strategies

On August 25, 2022, Missoula County conducted a stress test exercise as part of the MacArthur Foundation's Safety and Justice Challenge. The exercise examined twenty randomly selected criminal cases of individuals released from the Missoula County Jail during the first half of this year. The purpose of the stress test was to uncover opportunities for improving criminal case processing and shortening individuals' length of stay at the jail. Participants of the stress test included representatives from the Missoula Municipal Court, the Missoula Justice Court, the Fourth Judicial District (Missoula County), the Office of Public Defender, Montana Probation and Parole, and Missoula Correctional Services. This group identified eight findings and thirteen potential opportunities during the exercise.

Many of the participants reconvened on November 16, 2022, to discuss the feasibility of the potential opportunities. Participants were asked to rate each potential opportunity on two levels: priority and difficulty. The priority level reflected the importance of the potential opportunity and a scale of low, medium, or high was used. The difficulty level, on the other hand, reflected the potential time and resources required to implement the potential strategy. The same scale was used for the difficulty level with low implying that the potential opportunity could be accomplished in six months or less. Opportunities rated as medium were perceived as requiring one year or less and those rated high as requiring longer than a year to complete.

The stress test findings, potential opportunities, and ratings are summarized in the table below.

	Finding	Potential Opportunity	Priority	Difficulty
1	Mental health (MH) and/or chemical dependency (CD) evaluations on defendants can take time to complete and may lead to continuances	1) Request mental health and chemical evaluations more promptly	Medium	Medium
		2) Track progress on mental health and chemical evaluations so that attorneys can inform the court of their status prior to the judge setting the next hearing date	Medium	Medium
		3) Seek additional staff to conduct CD evaluations, although dually licensed CD/MH staff may be more appropriate	High	Medium
2	The Office of Public Defender (OPD) is unaware when a client is picked up on a warrant	4) Establish a process for notifying OPD of all warrant arrests at the jail within 24-hours of an individual's arrest	High	Low
3	Lengthy time to dispositions is contributing to defendants failing on pretrial release	5) Form a case processing workgroup to develop strategies on reducing criminal case processing time	High	Medium
		6) Adopt a court-wide continuance policy	Medium	Medium

4	OPD requires more staff to effectively manage their workload and meet the expectations of the court	7) Support efforts to expand staffing at OPD and improve staff retention	High	High
		8) Identify potential funding sources for additional OPD staffing	High	High
		9) Identify a process for transferring conflict cases from OPD faster	Medium	Low
5	Defendants with cases in multiple jurisdictions tend to be processed sequentially, thus extending the time required to dispose all their cases	10) Improve communication between attorneys on defendants with multi-jurisdictional cases; determine if case processing can be streamlined	Medium	High
6	Justice courts judges often lack information on defendants when setting bond	11) Explore ways to provide important defendant information to justice court judges to better inform a defendant's release conditions	High	High
7	The completed pre-sentence investigation (PSI) is not always available to review in court, thus causing a continuance	12) Institute the practice of attorneys bringing a completed PSI to court in anticipation that the case may be adjudicated	High	Low
8	Some probation violation matters could be addressed more expeditiously	13) Establish a reasonable timeline for processing probation violations in court, especially technical violators and absconders	High	High

The highest priorities to emerge from the stress test that required little to some difficulty to implement included:

- Establish a process for notifying OPD of all warrant arrests at the jail within 24-hours of an individual's arrest
- Institute the practice of attorneys bringing a completed PSI to court in anticipation that the case may be adjudicated
- Seek additional staff to conduct CD evaluations, although dually licensed CD/MH staff may be more appropriate

The potential opportunities that were also deemed fairly important and not requiring substantial time and resources included:

- Request mental health and chemical evaluations more promptly
- Track progress on mental health and chemical evaluations so that attorneys can inform the court of their status prior to the judge setting the next hearing date
- Adopt a court-wide continuance policy
- Identify a process for transferring conflict cases from OPD faster

Finally, potential opportunities deemed a high priority but requiring longer and more intensive efforts included:

- Support efforts to expand staffing at OPD and improve staff retention
- Identify potential funding sources for additional OPD staffing
- Explore ways to provide important defendant information to justice court judges to better inform a defendant's release conditions
- Establish a reasonable timeline for processing probation violations in court, especially technical violators and absconders