

MT DOJ/DCI ARPA Update

9 August 2024

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INTRODUCTION

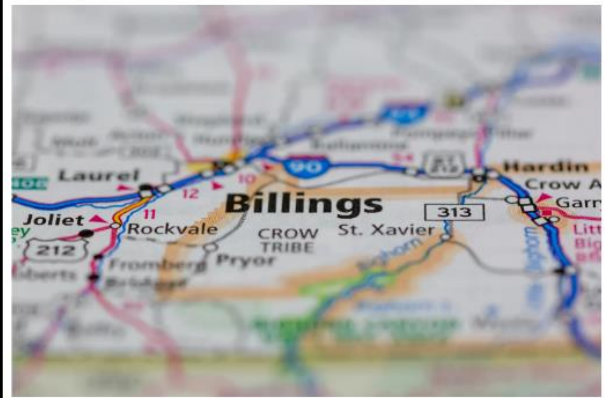
In October of 2021, the ARPA Economic Transformation and Stabilization and Workforce Development Advisory Commission recommended that \$2.3 million from Montana's portion of the American Rescue Plan Act funds be put towards violent crime in the Billings area due to the negative economic impact to the region. On November 8, 2021, the Governor authorized the spending for a variety of purposes, to include \$815,000 for the Department of Justice to add resources to the area.

Goal

The Department of Justice proposal was to surge additional law enforcement resources through the Division of Criminal Investigation (DCI) to support local public safety in Yellowstone County. The funding included two additional DCI Narcotics agents who would focus on drug distribution and violent crime. At the same time, a DCI Major Case agent would primarily assist with the backlog of domestic violence (strangulation) cases but also be available for other felony violent crime investigations.

Commission backs coronavirus relief funds to fight Billings crime

Billings leaders and Montana Attorney General Austin Knudsen say the state's biggest city has seen a major uptick in violent crime during the pandemic. They want to spend American Rescue Act funds to help tackle it.



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Montana Free Press headline, screen capture

ARPA Timeline & Subsequent Modifications

The ARPA funds were designated for 3 calendar years, due to expire December 31, 2024. Although the funding would expire, if any remaining funds were obligated, the final expiration would be December 31, 2026. Near the start of 2024, the U.S. Treasury Department made changes to the interim final rule codifying the regulations for use and management of the ARPA funding. The budget office's extension predated the interim final rule change; once the change was implemented it superseded OBPP's authorization and the ability to use the funds beyond December 31, 2024, was withdrawn.

Hiring Timeline & Outcome

All three DCI positions were posted early in 2023, but it took almost nine months for all positions to be filled. For sworn law enforcement positions, it's not uncommon for applicants to be reluctant to apply for modified positions that have limited job security. Some of the ARPA vacancies had to be posted more than once due to few applications, unqualified applicants, or failed background investigations that disqualified the candidate.

Narcotics Agents & Violent Crime

The addition of two agents boosted the staff levels at the local office from eight agents to ten. The office generated 162 investigations and made 250 seizures of methamphetamine, fentanyl, and firearms. Notable was a multi-state case involving 13 pounds of methamphetamine and over a million dollars in drug proceeds moved through a mobile app. Many cases were linked to violent crime or drug offenses, often in collaboration with Project Safe Neighborhoods, including cases related to homicides or assaults with weapons.

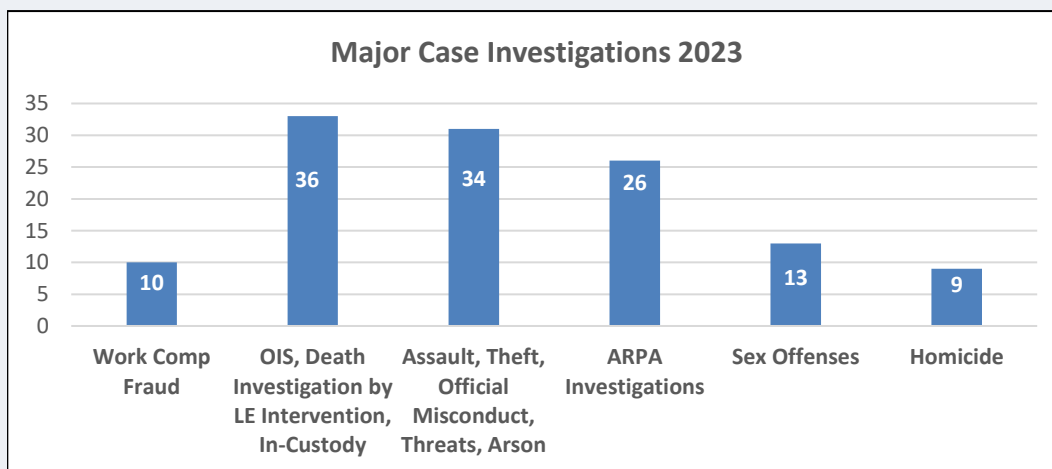


Billings Gazette photo; screen capture

The daily exposure to violent crime requires constant officer safety presence and alertness. The two ARPA agents were supporting State Probation and Parole with a violent offender investigation that resulted in a gun battle and the suspect was wounded from the encounter. The agents were not injured but it was a stark reminder of the dangers of their daily work in trying to impact drugs and violent crime in the community.

Major Case Agent & Strangulation

The ARPA agent in Billings was primarily dedicated to investigating felony domestic violence strangulation cases but also any other violent crime. In 2023, DCI took on 26 partner/family member felony investigations to alleviate the backlog pressure on local detectives and helping address court backlogs. This specialized position also made significant strides collaborating locally on forensic medical exams associated with strangulation crimes.



Montana Department of Justice data, 2023

ARPA Impact to Violent Crime

It's not easy to quantify the impact three additional agents had to the overall effort in combating violent crime. Local and federal agencies redirected many of their own resources to the problem as well. In August of 2023, the Billings Police Department's midyear report indicated that violent crime had decreased 11% in the first six months and in April 2024, they reported that violent crime was still decreased but juvenile incidents had increased. Although the news is encouraging, there continues to be a collaborative effort from many levels of both government and public resources.



FKTVQ headline; screen capture

Current Status

The two Narcotics Agent positions remain funded with ARPA dollars until December 2024. The two agents will remain in Billings but shifted to permanent positions through internal vacancy opportunities with the Department. Although there were plans to repost for the Major Case ARPA position, the change in funding deadline from 2026 to 2024, prevented no opportunity to post or hire a qualified candidate for just a few remaining months.

Approximately \$218,000 in ARPA funds was projected to be remaining. OPBB previously approved DCI repurposing ARPA funds to purchase safety equipment for agents working in Narcotics and Major Case in the area (Billings) that the ARPA funds were intended for. A few examples of equipment that has been or will be purchased are: BERLA Vehicle Forensics Tool training, personal protective/safety equipment, a full-spectrum camera to document trauma and injuries for victims in Major Case investigations, ballistic shield for Narcotics, and an MX908 device that is used for field testing substances including fentanyl in a safer manner. The full \$815,000 has been obligated.