



MEMO

TO: Interim Budget Committee Section D

FROM: Montana Department of Justice

RE: Prosecution Services Bureau resource constraints

DATE: March 8, 2024

The following is the quarterly update as it relates to the Prosecution Services Bureau (PSB) includes the list of cases PSB had to decline since December of 2023 due to resource constraints. It has been communicated to County Attorneys that PSB currently has an unprecedented number of homicide cases (25) and that PSB's focus is currently Homicide and Sexual Assault cases, accordingly a lot of requests for assistance are not being made by County Attorney's due to the types of case.

The following requests were made of PSB since December 2023 that resulted in **8 declinations** as follows, due to lack the of capacity at PSB:

- Flathead County requested that we take 8 homicide cases- we took 3 which resulted in us turning down **5 cases**.
- Prairie County Attorney also requested that we take a forgery case allegedly committed by a county employee which we declined to take, **1 case**.
- Wheatland County requested we take an Arson case, which we declined, **1 case**.
- Custer County Attorney asked PSB to review a case which was declined by the outgoing Custer County Attorney so that we could communicate with the victim's family the reason for the decline, **1 case**.

PSB has 4 positions that are exclusively devoted to general prosecution. The other positions within the bureau have special assignments or supervisory responsibilities.

DEPARTMENT OF JUSTICE

215 North Sanders
PO Box 201401
Helena, MT 59620-1401

(406) 444-2026
Contactdoj@mt.gov
mtdoj.gov

AUSTIN KNUDSEN



STATE OF MONTANA

The details for PSB positions consist of the following:

PSB Chief, 1.0 FTE

Training Coordinator- Sexual Assault Reporting, 1.0 FTE

Fish Wildlife and Parks prosecutor, Montana Law Enforcement Instructor, 1.0 FTE

Department of Corrections Prosecutor, 1.0 FTE. (paid by DOC)

Traffic Safety Resource Prosecutor, 1.0 FTE (paid by DOT)

State Fund Prosecutor, 1.0 FTE (paid by State Fund).

4.0 - general prosecutors

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