

****ATTENTION****

The City Council meeting will be held in a hybrid format that may include both in-person AND virtual attendance via Zoom. Unless they have cause to appear virtually, Councilmembers will attend the meeting in person in Council Chambers, fifth floor of City Hall, 316 N. 26th Street. In order to honor the Right of Participation and the Right to Know in Article II, Sections 8 and 9, of the Montana Constitution, the City of Billings and City Council are making every effort to meet the requirements of the open meeting laws.

Citizens are invited to:

- . Review the Agenda Packet on the City's website at: www.billingsmt.gov and click on "Your Government," "City Council," and "Agendas & Minutes".
- . View the meeting:
 - . On Community 7 TV - Channel 7 or Channel 507 -- Spectrum Cable. *(On evenings when there is a conflict with School District No. 2 Board meetings, the City Council meeting will be broadcast on Channel 8 - Spectrum Cable.)* Channel 7 or Channel 978 - TDS Fiber.
 - . Online at www.comm7tv.com and click on the "Watch Live" icon. Community 7 also has links to their Facebook page and YouTube channel.
 - . On the City's website at www.billingsmt.gov and click on "Watch Meetings Online" on the homepage.
 - . In-Person.

Citizens may submit public comment via the following methods:

- . Mail: City Clerk, P.O. Box 1178, Billings, MT 59103
- . Email: Council@billingsmt.gov.
 - . Emails received after 3:00 PM on the day of the meeting, may be posted on the Council's webpage the following day for public viewing.
- . Attend the meeting in person

Please contact Denise Bohlman, City Clerk, at bohlmand@billingsmt.gov, or at 406.657.8210, with any questions.



VISION STATEMENT:
"The Magic City: A diverse,
welcoming community
where people prosper and
business succeeds."

WORK SESSION AGENDA

**NEW COUNCIL CHAMBERS
316 N. 26TH ST.**

MARCH 3, 2025

5:30 P.M.

CALL TO ORDER: Mayor Cole

PUBLIC COMMENT ON ALL ITEMS. This is the time to comment on any matter (Agenda or Non-Agenda) falling within the scope of the Billings City Council. There will also be time in conjunction with each agenda item for public comment relating to that item. You may only speak once for each item during the meeting.

Please note, the City Council cannot take action on any item of significant interest to the public that does not appear on the agenda. Comments are limited to three (3) minutes during each public comment period or as set by the Mayor. **Speaker sign-in required.** Please sign the roster at the cart located at the back of the Council chambers or at the podium.

1. CPSM Report.

-Public Comment

2. Municipal Court Update.

-Public Comment

3. Citizen's Police Advisory Board.

-Public Comment

4. Crisis Response Unit Models of Service.

-Public Comment

5. Pedestrian Bicycle Master Plan.

-Public Comment

LEGISLATIVE UPDATE:

HIGHLIGHT UPCOMING AGENDA ITEMS OF COUNCIL INTEREST:

COUNCIL DISCUSSION:

PUBLIC COMMENT on "NON-AGENDA ITEMS". Speaker Sign-in required. *(Restricted to ONLY items not on this printed agenda. Comments are limited to 3 minutes or as set by the Mayor. Please sign the roster at the cart located at the back of the Council chambers or at the podium.)*

ADJOURN:

Note:

- This meeting is an "informal" meeting of the City Council. The content of the Agenda is subject to change at the meeting.
- In the event there is a Closed Executive Session, the sole purpose is to discuss litigation strategy. The other parties to the case(s) discussed are not public bodies or associations as described in Section 2-3-203(1) and (2), MCA. The meeting is closed, as allowed by Section 2-3-203(4) (a), MCA, "to discuss a strategy to be followed with respect to litigation when an open meeting would have a detrimental effect on the litigating position" of the City of Billings.

City Council Work Session

Date: 03/03/2025
Title: Update City Council on CPSM Report
Presented by: Rich St. John, Police Chief
Department: Police
Presentation: Yes
Legal Review: Not Applicable
Project Number: N/A

RECOMMENDATION

Per City Council request, Billings Police Department will present an update on progress related to CPSM recommendations.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

CPSM, a third-party consultant, conducted an assessment of the PD to determine effectiveness and efficiency. The final report was completed, and a presentation was made by CPSM and the PD on January 6, 2025. Council requested an update on progress to date.

ALTERNATIVES

City Council may

- N/A

FISCAL EFFECTS

N/A

SUMMARY

PD staff will highlight progress to date.

Attachments

CPSM Power Point Update

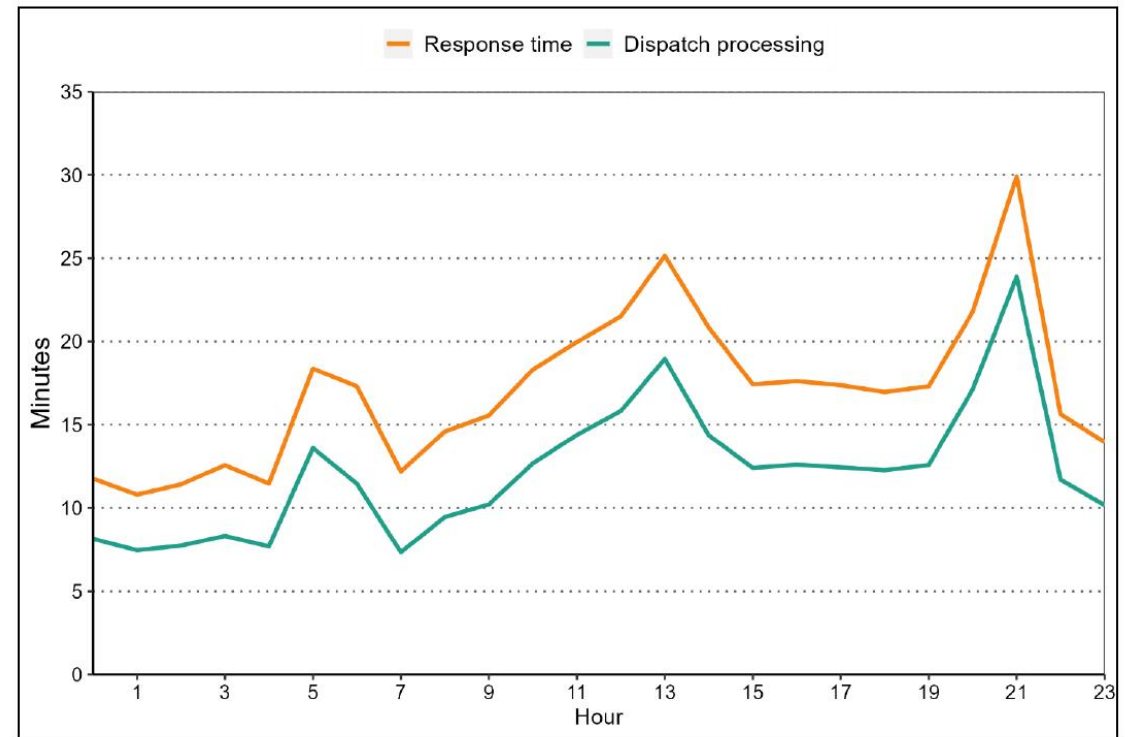
**BILLINGS POLICE DEPARTMENT
MARCH 2025
CPSM UPDATE**



Patrol Recommendations 911 Times

2024 CPSM Report 911 Data and Visualization

Priority	2023			
	Dispatch	Travel	Response	Calls
1-Critical	8.7	3.9	12.6	65
2-High	12.7	4.9	17.6	25,222
3-Medium	23.0	5.9	28.9	14,666
4-Low	37.7	7.7	45.5	7,441
5-CSO	28.2	16.6	44.8	536
7-CPC	18.1	4.1	22.2	2
Total	19.9	5.8	25.7	47,932
Injury Accident	2.9	4.4	7.3	512



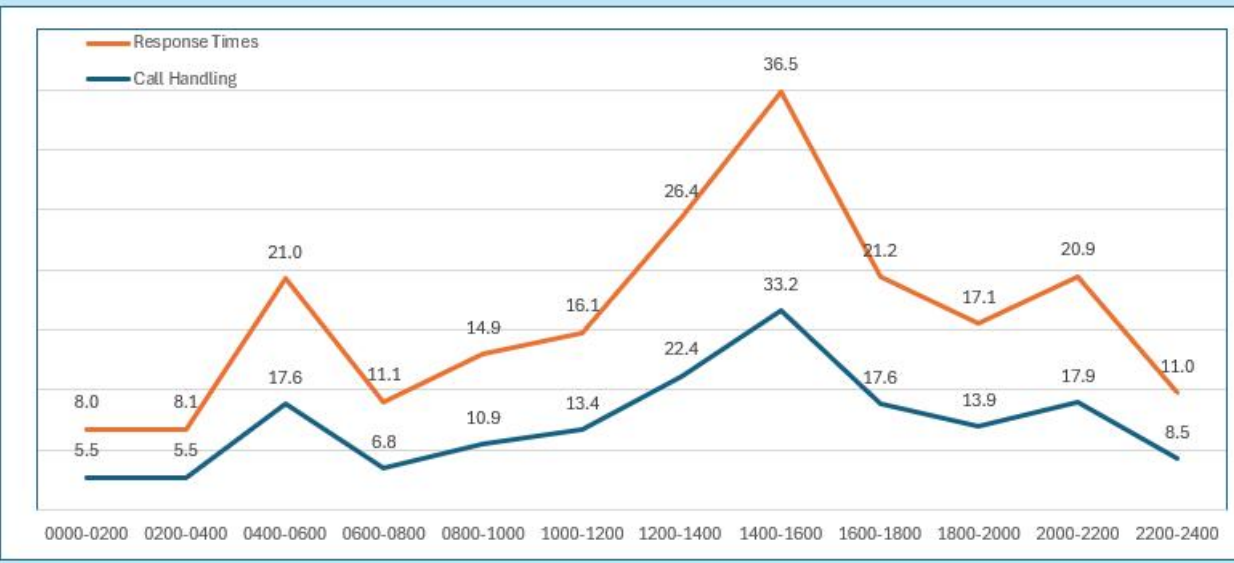
Average Response Times by Priority (in minutes) 10/01/2024 - 10/31/2024

Priority	Minutes			Calls
	Dispatch	Travel	Response	
1 - Critical	18.3	2.9	21.1	15
2 - High	9.5	2.7	12.2	3888
3 - Medium	18.7	3.5	22.2	1811
6 - Low	30.5	3.6	34.0	1403
8 - CSO	22.5	10.2	32.7	279
10 - Follow Up	29.0	13.0	42.0	1
X - New Call	3.9	0.1	4.0	12
Total	18.9	5.1	24.0	7409

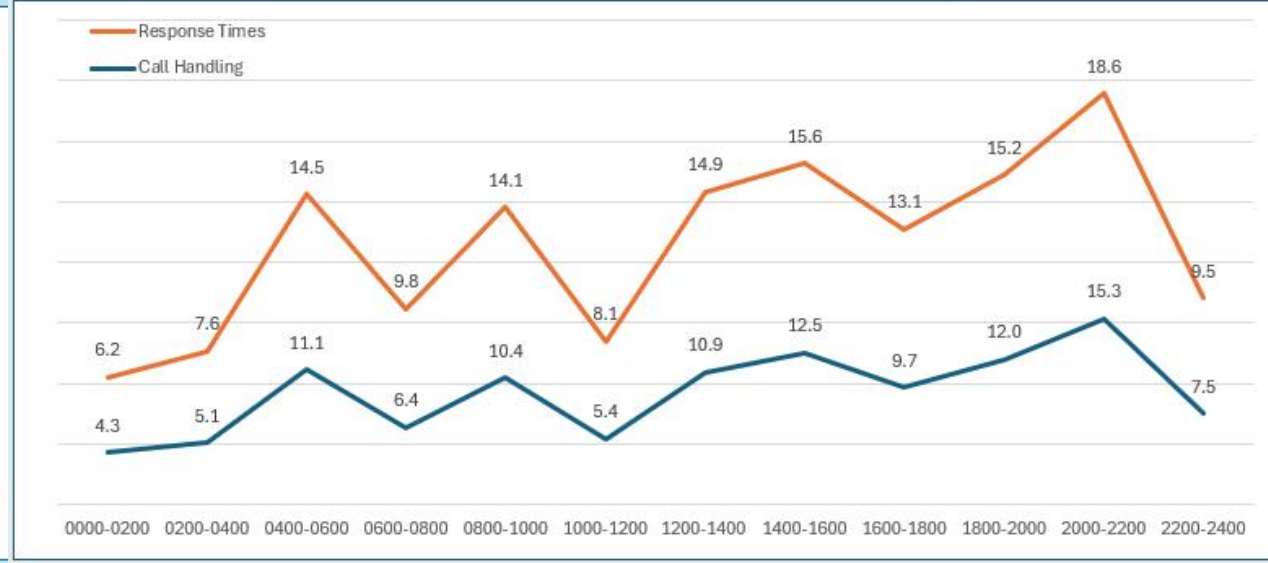
Average Response Times by Priority (in minutes) 01/01/2025 - 01/31/2025

Priority	Minutes			Calls
	Dispatch	Travel	Response	
1 - Critical	2.1	4.3	6.3	12
2 - High	3.5	2.2	5.7	2014
3 - Medium 1	12.5	3.8	16.3	2035
4 - Medium 2	8.8	2.8	11.5	505
5 - Medium 3	18.7	5.9	24.5	103
6 - Low	32.2	3.2	35.5	963
8 - CSO	14.3	10.2	24.5	158
10 - Follow Up	15.2	4.8	20.0	53
X - New Call	5.5	0.0	5.5	12
Total	12.5	4.1	16.7	5855

Call Handling vs Response Times Over 24 hours 10/01/2024-10/31/2024



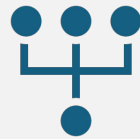
Call Handling vs Response Times Over 24 hours 01/01/2025 - 01/31/2025



Records & Support Services



3 candidates in backgrounds will be fully staffed when hired.

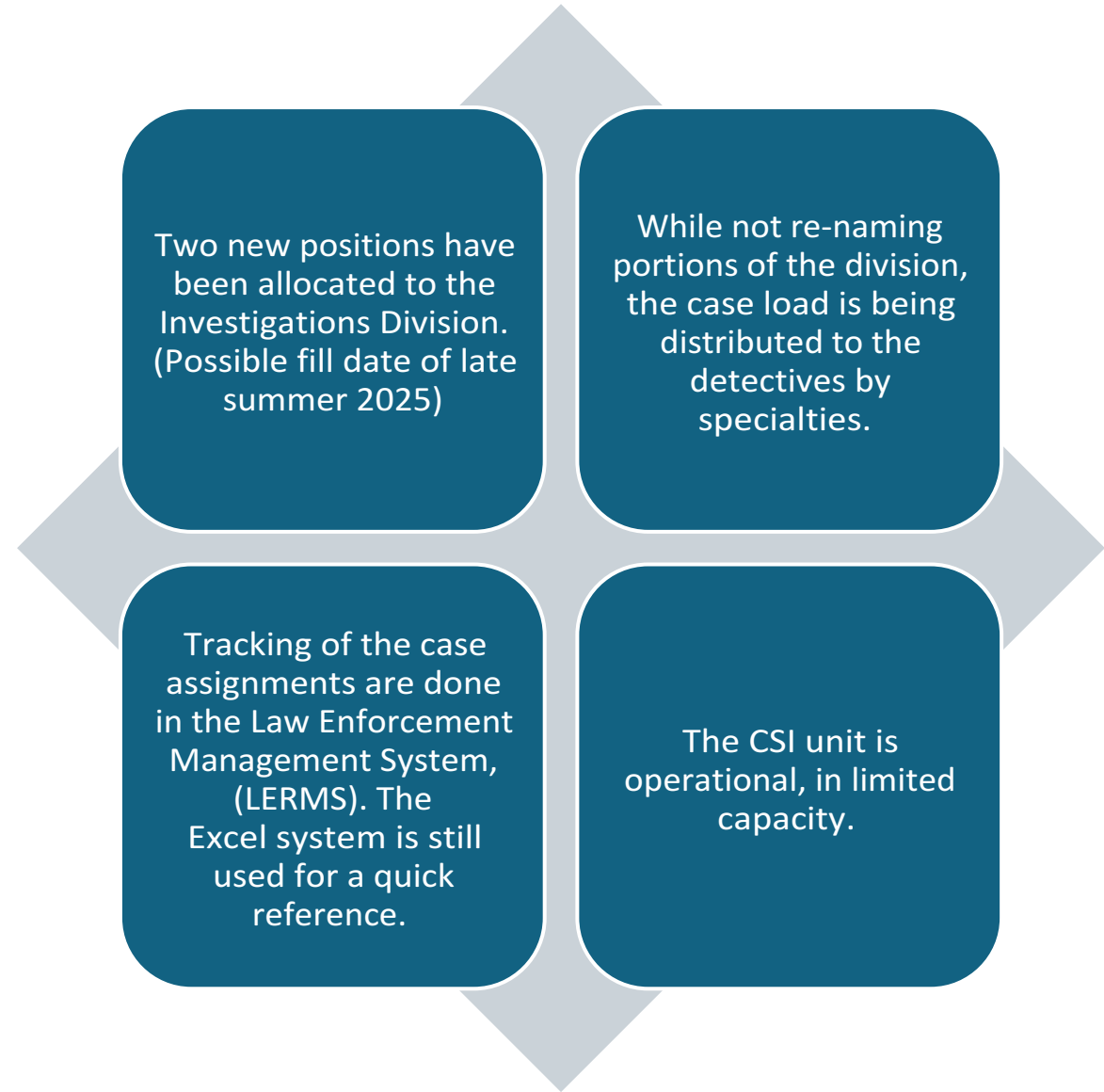


Move into new building completed, working on process to implement volunteers at front counter.



Work continues to establish workload metrics and quarterly reports on performance

Investigations



Information Technology

- Conversations with IT resulted in a mutual decision to leave the IT Specialist with IT and call when needed.
- We have two separate working groups one for the mobile system and one for LERMS.
- The suggestion to send an officer, or other person to Tyler Technologies for immersion training is on hold. Currently the Police Department is considering other options for a Records Management System (RMS).

OVERTIME RECOMMENDATIONS

- Consider providing budget training to division/section managers, provide monthly access to applicable budget reports, and hold these personnel accountable for managing their budgets. This is neither a difficult nor time consuming exercise. (Recommendation No. 19.) **Completed and on-going.**
- Consideration be given to centralizing all accounting for fully reimbursable “off-duty” events, and that this responsibility fall under the direction of the Billings Finance Department. (Recommendation No. 23.) **Disagree in concurrence with finance. Tracking and billing procedures adequate and transparent.**
- To allow for a more detailed analysis of activities that generate overtime associated with both the *Police Overtime* and *Comp Cash Out* cost centers, CPSM recommends that budget reports be amended to include “Account Names” for activities associated with meeting minimum patrol staffing and training as articulated in our reporting. (Recommendation No. 24.) **Completed and on-going.**

OVERTIME RECOMMENDATIONS Cont.

- Consideration should be given to establishing an overtime “*Segment*” for the Professional Standards Division as well as an “*Account Name*” or cost center for costs associated with training related overtime as addressed in this report. (Recommendation No. 25.)
Completed.
- To reduce overtime costs, CPSM recommends that the department explore hiring retired police officers to conduct background investigations. In the alternative, this duty could be outsourced to a private company that specializes in this work. (Recommendation No. 26.) *In progress.*
- Consideration should be given to centralizing the command of specialized field units that operate in direct support of the core patrol function. As well, a specific budget “*Segment*” should be established for this central command to allow for appropriate financial controls over expenditures, including overtime. (Recommendation No. 27.) *In progress.*

QUESTIONS / DISCUSSION



City Council Work Session

Date: 03/03/2025
Title: CITY OF BILLINGS MUNICIPAL COURT & JUSTICE SYSTEM OPERATIONAL REVIEW - Update on implementation
Presented by: Chris Kukulski, City Administrator
Department: City Hall Administration
Presentation: No
Legal Review: Not Applicable
Project Number: NA

RECOMMENDATION

There is no recommended action. This is an update on the implementation of recommendations made by CGL related to the operations of Billings Municipal Court.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

In June 2023, City Council awarded CGL Companies, LLC, a contract to conduct a Criminal Justice System Efficiency and Court Expansion study. CGL was asked to provide a comprehensive review of the operations, efficiency, and management of the Billings Municipal Court (BMC) and the City Attorney's criminal prosecution division. Specifically, CGL was asked to:

- Analyze and make recommendations regarding workflow efficiency.
- Review and understand historical changes in the City's criminal justice system, as well as the currently established justice coordinating council.
- Gather information and review documentation.
- Conduct staff/stakeholder interviews and on-site observations of conditions and work environments.
- Analyze current caseload weights and offer suggestions for the transition to two judges.
- Review and provide recommendations related to the planned new City Hall.
- Prepare and present a final report with findings and recommendations.

CGL issued its report on April 9, 2024, and made several recommendations to improve the efficiency and coordination of the Municipal Court with other criminal justice agencies. Council was provided an update on October 4, 2024, in the City Administrator's weekly report.

Attached is a written report from the City Attorney's office related to actions taken as a result of the recommendations. Municipal Court will provide a report at the March 3, 2025, work session.

ALTERNATIVES

FISCAL EFFECTS

Attachments

CGL final report with recommendations
City Attorney update



CITY OF BILLINGS MUNICIPAL COURT & JUSTICE SYSTEM OPERATIONAL REVIEW

FINAL DRAFT REPORT

March 22, 2024



This document contains the best opinion of the authors at the time of issue.

This Document is prepared by CGL Companies, LLC

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EXECUTIVE SUMMARY



1



Section 1

EXECUTIVE SUMMARY

The review conducted for the City of Billings assesses current operations of the municipal court and justice system, focusing on areas of operational efficiency, agency coordination, technology, best practices, facilities, and detention among others.

This report identifies and discusses the issues, opportunities, and recommendations developed through the review process for the City and justice agencies to consider when developing future plans and programs.

Methodology

To assist in our review, we requested a large amount of information from the City. This included descriptive information about justice processes, case statistics, system summaries, and other documents of operations and programs. A list of the documents and data that the City provided for this project is provided in Appendix A.

We supplemented the written documentation and data provided by the City with information gained from extensive interviews with representatives of criminal justice agencies and other key justice system stakeholders.

These interviews centered on internal perspectives of key issues, successes, and areas for improvement in the municipal justice system. Those we interviewed provided valuable insight into the unique challenges faced by criminal justice agencies in Billings. A list of the individuals interviewed for this project is provided in Appendix B.

In addition to interviews, the project team conducted an on-site visit with representatives of criminal justice agencies and other key justice system stakeholders, including a tour of court and detention facilities and observation of court proceedings. The visit provided firsthand exposure to facility related issues, the approach to operations, and the delivery of justice related services and programs. In addition to the information obtained through interviews, observations and documents provided by the City, project team members obtained additional information from the Montana Supreme Court, and Montana Legislature via agency websites.

In analyzing the information obtained through the methods described above, our team identified several areas where attention appears to be needed and/or opportunities appear to exist for improvement. This served as the basis for the development of the information presented in this report, including analysis of the issues, and recommendations for the City and justice system agencies to consider for implementation moving forward.

Summary of Opportunities & Recommendations

The issues, opportunities, and recommendations identified in this review and presented in this report are consolidated into 15 areas. **Below is a summary of the 15 areas presented with formal recommendations for each.** This information is taken from the more detailed Issue Analysis & Recommendations section of this report. It is advisable to review the Issue Analysis section as it contains detailed analysis and additional recommendations that provide helpful insight and context.

- **Implementing a Second Judicial Division:** The ongoing expansion of the Court to a two-judge model can enhance the quality and efficiency of justice services by increasing judicial availability, allowing more time for courtroom interactions, offering more flexibility for scheduling, and providing more opportunities for walk-in appearances.
 - **Recommendation:** The Court should consider assigning cases to judicial officers based on an alphabetical division (defendant last name). This distribution of judicial workload will have the benefit of retaining the original judge for defendants with multiple or recurrent cases. Workload should be monitored for balance and adjustments made as needed.
 - **Recommendation:** The Court should consider developing schedules for the two divisions in a manner that promotes judicial availability for restraining orders and other matters that may require judicial attention on an immediate or walk-in basis.
- **Recommendation:** Given the doubling of judicial resources and calendar capacity, the Court should consider modifying schedules in a manner that allocates more time per case on calendars to promote positive courtroom experience and justice outcomes.
- **Recommendation:** Judges should coordinate to promote consistency in their delivery of justice such as similar sentencing for similar offenses.
- **Recommendation:** The City should consider funding additional staff positions necessary for the operation of the added court division. Needs for the new division appear to include the functions of a judicial assistant and bailiff.
- **Impact of Jail Overcrowding on Justice & Safety:** A limiting factor affecting the justice system is the non-availability of jail services when needed due to overcrowding and the prioritization of detainees in federal and felony cases. The lack of available jail space when needed is threatening the effectiveness of court decisions and the judicial system's role in addressing criminal behavior and community safety.
 - **Recommendation:** The City should be proactive in seeking additional jail capacity in conjunction with Yellowstone County.
 - **Recommendation:** The City and other jurisdictions should consider the Arraignment Center concept or similar collaborative approaches when considering jail facility options.
 - **Recommendation:** The Court should consider assessing current jail usage to determine if adjustments can be made to sentencing and release practices that may yield capacity for use in other cases.
 - **Recommendation:** The Court should consider investigating opportunities to maximize the use of alternatives to incarceration in areas such as electronic monitoring, home detention, probation, community service, etc.



- **Recommendation:** The City of Billings and Yellowstone County should consider conducting a justice system population analysis to better understand who is currently occupying jail beds and for how long. Such analysis will also identify process inefficiencies through the identification of case and offender profiles, model future population projections from current practices, and demonstrate variations to projections utilizing the effect of systematic changes in policy.
- **Recommendation:** The City should consider fully funding pre-trial monitoring services.
- **Integration of Criminal Justice Information Systems:** Municipal criminal justice agencies in Billings use technologies that are not connected yet are capable of integration needed to exchange information. Leveraging this capability can yield substantial benefits in terms of efficiency, access to justice, and justice outcomes.
 - **Recommendation:** Justice agencies should consider utilizing a workgroup consisting of justice agency representatives and technology professionals to identify the information needs of each agency, determine the integration standards of the systems involved, develop strategies, and implement solutions.
- **The Vital Role of Court Technology:** The Court recently received a new case management system known as Full Court Enterprise (FCE). Opportunity exists to explore the features and capabilities of FCE to automate functions and improve efficiency.
 - **Recommendation:** The Court should consider exploring the maximum level of support that the Montana Supreme Court and manufacturer of FCE can provide including training, identifying the capabilities of FCE to further automate functions and improve efficiency, identifying potential for local modifications to the system, opportunities to support and provide input for broader technology initiatives, and plans for system upgrades.
 - **Recommendation:** Given that FCE is used widely throughout Montana and the nation, the Court should aggressively pursue networking with other courts to identify best practices on use of the system and exploitation of system capabilities. The Court may also want to leverage their position as Montana's largest municipal court to facilitate conversation among FCE users.

Executive Summary

- **Recommendation:** The Court should consider developing an ongoing plan for automation (Court Automation Plan) that leverages the full capabilities of FCE and other technologies to streamline processes and eliminate manual processes. The plan and its implementation should be coordinated by a workgroup including the Court Administrator as the lead, along with court supervisors, essential court operational staff, and a representative from the City's technology department.
- **Prosecutor's Case Management System:** The prosecutor's information system known as Prosecutor by Karpel (PbK), is not currently connected and exchanging information with the Court's case management system known as FCE. Transfer of information between these two systems could create opportunities for procedural changes that could speed up the resolution of cases.
 - **Recommendation:** Similar to and in alignment with recommendations regarding other technology platforms such as FCE in this report, the Prosecutor's Office should network with other users of PbK and engage in activities to explore, plan, and leverage the capabilities of the system to exchange information, eliminate manual processes, and streamline operations.
- **Defendants with Cases in Multiple Courts:** It appears common in Billings for individuals to have active and prior cases in multiple courts creating issues that hinder the effectiveness of the justice system. Based on interviews with judges of the District Court, greater information sharing, communication, and coordination among courts would improve justice outcomes.
 - **Recommendation:** The Court should consider initiating conversation among justice system agencies in the region to promote a more coordinated response to defendants with active or prior cases in multiple courts. Justice agencies should have access to detailed case information across jurisdictions needed to coordinate and align efforts that lead to improved justice outcomes. For more details, please review the related information in this report.
- **Court Processes, Efficiency and Early Resolution:** Opportunity exists for greater efficiency through streamlining of court processes, expansion of online self-help resources, and focus on opportunities for early case resolution.
 - **Recommendation:** The Court and the City should consider recruiting and supporting justice system partners in a commitment to resolving cases at the earliest possibility.
 - **Recommendation:** The justice system should consider viewing the Initial Appearance as an opportunity to resolve the case, especially minor offenses.
 - **Recommendation:** The justice system should consider viewing the Arraignment as the centerpiece of procedural efficiency through advanced preparation with the intention of a plea settlement or diversion.
 - **Recommendation:** The City should consider reviewing the list of minor offenses of state law listed in Section 18-1308 of the Billings Municipal Code to determine if any additional eligible offenses remain to be considered for inclusion.
 - **Recommendation:** The Court should consider seeking out best practices among courts across the nation in maximizing the simplicity, intuitiveness, and helpfulness of information and services offered by courts of similar jurisdiction online.
 - **Recommendation:** The Court should consider utilizing the capabilities of FCE to complete and generate forms online, particularly in the courtroom. To the extent possible, data already within FCE should automatically populate form fields, affix signatures, route, and print for attorneys and defendants.

Executive Summary

- **Recommendation:** A justice system review should be conducted to examine “point of origin” data entry. Data entry of one agency should feed downstream agencies, such that the same information is not entered repeatedly among agencies.
- **Recommendation:** The Court should consider employing Measures 1 through 5 of the of the National Center for State Courts Court Tools and develop additional metrics pertaining to key operational and judicial process functions as indicators of performance that may be unique to the Billings Municipal Court.
- **Capacity for Continuous Improvement:** Opportunity exists for adjustment to the structure of the Court to more effectively support the functions of leading and managing change, pursuing opportunities for efficiency, and promoting a culture of continuous improvement.
 - **Recommendation:** The Court and the City should consider restructuring the Court in a manner that allocates supervisory responsibility for front-line staff to one or preferably two supervisors, providing the Court Administrator with greater capacity to focus on the management and leadership functions of their role as the Court’s senior appointed official.
 - **Recommendation:** The Court Administrator and Chief Judge should be availed of development opportunities sponsored by organizations such as the National Center for State Courts (NCSC), National Association of Court Management (NACM), and National Association of Presiding Judges and Court Executive Officers (NAPCO).
- **Defendant Failure to Appear and Failure to Comply:** Given the high rate and high cost of Failure to Appear for court hearings and Failure to Comply with court orders, focusing on strategies that promote voluntary compliance represents one of the more substantial areas of opportunity for justice system improvement in Billings.

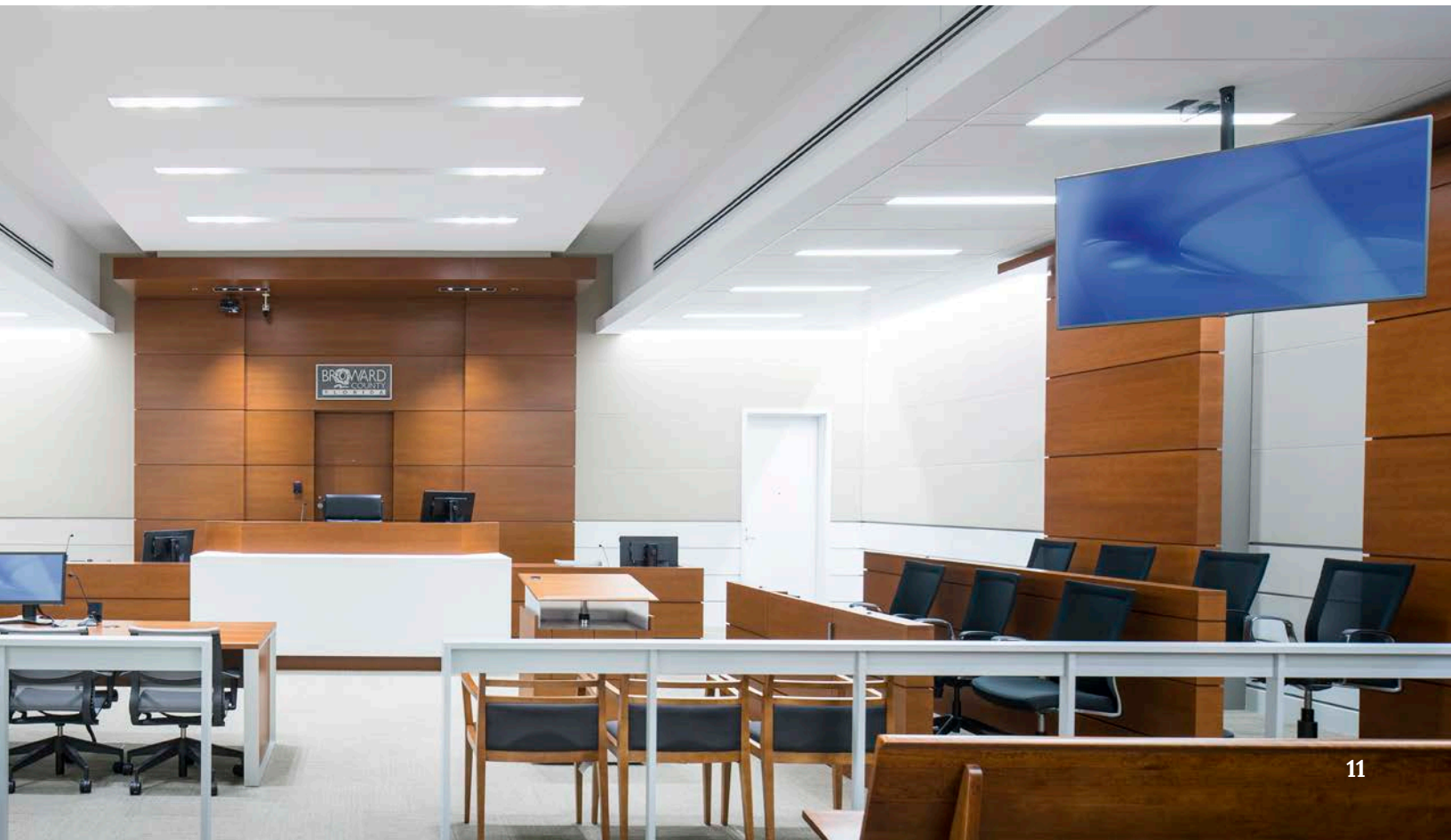


Executive Summary

- **Recommendation:** Given the significant challenges and costs created by the high level of non-compliance by individuals with cases in the Billings Municipal Court, the Court should consider strategies focused on promoting voluntary compliance with appearance requirements and other court orders. For details, please review the information listed in the following sections of this report: Approaches to reducing Failure to Appear (FTA); and Approaches to Reducing Failure to Comply (FTC).
 - Providing automated reminders about appearances with texts, emails, and (automated) phone calls.
 - Provide opportunities to resolve cases sooner, reducing appearances.
 - Seek procedural opportunities to resolve cases with fewer events.
 - Emphasize in defendant documents appearance requirements and the consequences of a non-appearance.
 - Provide more open times for defendants to come to court to resolve matters. Consider “working them in” between on-going courtroom events if possible. Consider empowering court staff to resolve matters such as rescheduling, accepting proof, or valid reasons for a non-appearance. FTAs impact time and effort for judges and staff, and further complicates matters for the defendant. Reducing FTAs should remain a court priority.
 - Court-imposed requirements should be communicated in a manner that is simple, clear, concise, and easily understood. Information regarding the consequences of non-compliance and what to do or who to contact when compliance issues arise should be included. Defendants should be encouraged to contact the Court to resolve non-compliance when it occurs.
 - Information should be made available to all defendants on the availability of any alternatives to satisfy fines and fees if indigent. Programs that permit defendants to satisfy fines and fees by performing volunteer hours should be flexible to accommodate considerations of work schedules, transportation, etc. Allowing defendants to complete volunteer hours with any non-profit organization can be a beneficial approach. Such can help address economic disparities, provide valuable community service, and potentially aid in the defendant’s personal growth.
 - Courts should collaborate with vendors who provide treatment, monitoring, and home detention services to establish flexible payment options. These could include waivers for those who are indigent, or a sliding scale payment system based on the individual’s income.
 - Automated systems that send reminders about upcoming deadlines for fulfilling sentencing obligations, such as completing treatment programs and paying fines, fees, and restitution should be used. Reminders could be sent via various communication channels like text messages, emails, or phone calls.
 - Courts should consider alternatives to full-time post-conviction incarceration such as home detention, monitoring, work release programs, and unsupervised, or semi-supervised probation.
 - Designate a dedicated compliance officer within the Court.
- **Cases Involving Family Violence & Protective Orders:** Family violence offenses pose a serious concern and risk, according to interview statements. These offenses may not seem very high in number, but the nature and risk associated with these offenses is considerable.

Executive Summary

- **Recommendation:** Upon any contact with a victim, law enforcement officers should obtain victim status as to injuries or threats, victim contact information such as phone number and victim location (and any updates to previously obtained contact information), and promptly ensure that the information is forwarded to Victim Witness Specialists. If an arrest is involved, it is critical that the information be received by Victim Witness personnel prior to Initial Appearance.
 - **Recommendation:** Justice system partners, representatives of the City of Billings and Yellowstone County, and community members involved in a range of family services should consider meeting to coordinate responses to family violence cases.
 - **Recommendation:** Every effort should be made as a matter of highest priority to prepare, sign, and forward Temporary Restraining Orders to law enforcement that are granted the same day, or as soon as possible given that many cases involve domestic violence or the potential for such.
- **Cases Involving Mental Competency:** Cases involving competency issues and the defendant's mental health presents special challenges for the court. Mental health issues have been a major public health concern in recent years, especially the consequence of many mental health sufferers becoming incarcerated. Police and court responses are critical to the effective and appropriate handling of these cases, reconciling both treatment and public safety.
 - **Recommendation:** For cases involving mental competency, the Court should have available mental health evaluation services to satisfy the legal requirements for competency, and additionally the general mental state of the defendant.
 - **Recommendation:** Cases involving mental competency and mental health are a growing public health concern. In addressing these cases, the justice system should consider the practices listed in the Justice System Options section of this report.

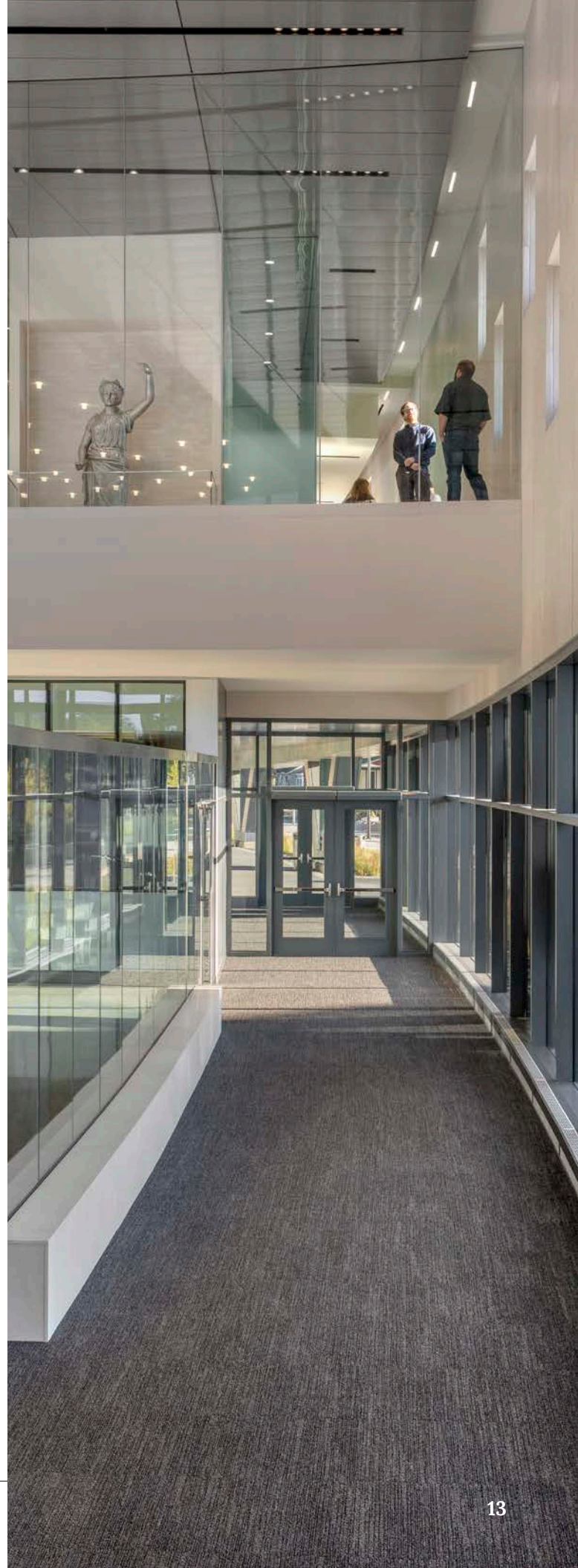


Executive Summary

- **Cases Involving Driving Without Insurance:** Given the high number of no insurance charges and repeat offenses that equal nearly 10 percent of the Court’s total annual caseload, it may be helpful for the Court to seek and consider innovative practices that may serve to mitigate this significant issue in the community and promote compliance with insurance requirements.
 - **Recommendation:** For cases involving Driving Without Insurance, the Court should consider the following: 1) Providing an option for the suspension or reduction of a fine, or dismissal if permitted by law, if proof is submitted within a set number of days after the citation, such as 30 or 60 days. 2) Directing individuals toward resources that may provide options for persons in financial difficulty. 3) Advising the defendant concerning the consequences of not obtaining insurance.
- **Prosecution Based Diversion Programs:** There may be opportunities to expand the use of diversion programs and benefit from their positive outcomes.
 - **Recommendation:** The Prosecutor’s Office should consider identifying and/or developing resources in support of prosecution-based diversion programs that permit the non-filing of the charges.
 - **Recommendation:** The Prosecutor’s Office should consider prioritizing diversions in cases with underlying social problems such as mental illness, homelessness, severe indigency, substance abuse, and non-violent domestic disputes.
- **Criminal Justice Coordinating Committee:** The Criminal Justice Coordinating Committee has the potential to be the key factor in enhancing the municipal justice system in Billings.
 - **Recommendation:** The CJCC should work to adopt a very specific and clearly worded mission and vision statement that brings all the currently occurring issues under one umbrella for potential resolution.
- **Recommendation:** The CJCC should review its membership and charter to ensure that appropriate membership is represented to address all past, current, and future challenges within the criminal justice system.
- **Recommendation:** The CJCC should seek to create subcommittees and/or workgroups tasked with the individual goal of solving each of the proposed issue statements through inter-agency collaboration. These sub committees and work groups should report their progress and findings to the CJCC as directed. As it relates to this and other related projects, the following list of workgroups is recommended for consideration:
 - Technology/Data Sharing
 - Jail Population
 - Data and Research
 - Case Coordination/Resolution
 - Deflection and Diversion
 - Mental Health
 - Recidivism
- **Stillwater Court Building Security:** As a result of the project team’s site visit and review of the Stillwater Building floor plans, our team provided comments and suggestions based upon experience, expertise, and best practices in areas where we felt security measures and functionality were lacking for a modern court facility. The project team was not provided with a complete set of floor plans and the project scope was solely to analyze the court functions and operations. It is expected that some of our comments and recommendations may have already been incorporated into the design.
 - The following areas represent our findings:
 - Panic buttons should be located at public counters or service windows, judges’ bench, and courtroom clerk’s station.

Executive Summary

- Panic buttons should be located under the desk or bench but marked on top to easily identify its location.
- Determine where panic alarm notifications would be sent once pushed. Typically, panic alarm notifications are sent to security control rooms which is manned by security staff monitoring cameras and all things security for a facility of this nature.
- Bullet proof paneling should be installed behind the bench, clerk's station and witness box in each courtroom. (There have been many instances involving defendants that have gained access to security officer's guns inside of a secure courtroom --e.g., Fulton County Georgia Courthouse shooting).
- Jurors, judges, and the public should have limited contact in public areas during court proceedings. Currently the Stillwater building features shared restrooms, corridors, and elevators between judicial staff and the public. Although this issue is difficult to manage in smaller districts or communities, effort should be made where possible to provide separation in these areas to uphold judicial decorum.
- Prosecutors should not have the ability to enter into court spaces or corridors without authorization.
- Numerous windows with clear views from the outside may pose a threat to judges, jurors, and the public. Where possible, windows and glazing should provide natural lighting and views to the outside but should limit the ability for outside threats to target individuals inside of the building. (Window covering solutions are available that allow for lighting and viewing but obscure from the outside looking in.)

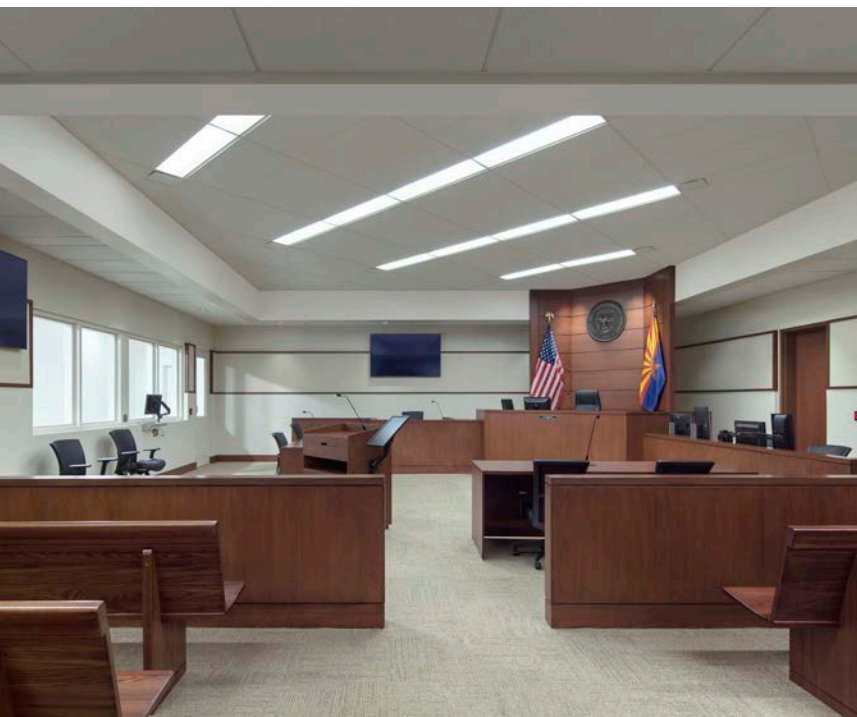


Executive Summary

- Chairs can be convenient weapons. Mounted seating and benches should be considered where appropriate. If chairs are used, they should be very heavy and difficult to pick up.
- Prosecutor and defense positions in the courtrooms should have privacy fronts.
- It is recommended that the judge's bench sit 18-21 inches above the courtroom floor level with approximately a 6" drop to the clerk's position.
- The jury box: It is recommended that the jury box front row of seating be at floor level for ease of access with an increase in elevation of approximately 6" to the second row. Additionally, jury seating between rows should be offset for improved viewing of the judge, witness stand, and well area.
- Sight Lines: The prosecution table is always next to the jury box but should not be so close as to influence jurors. The defense table needs to have line of sight to the witness, given the constitutional right to confront your accuser. The judge needs clear sight of all of the courtroom and participant areas.
- Color schemes: Choice of colors and type of lighting can be important. Indirect lighting and muted colors --greens, grays, etc. can have an effect on attitudes and dispositions. A primary consideration in mental health facilities is associated with color choice and lighting types. It is understood that a large percentage of justice-involved members of the public often suffer from mental health conditions and may suffer from traumatic conditions related to their current or past cases. The deliberate choice of these elements in a criminal justice setting can reduce incidents in public areas and courtrooms.
- Conduit: In anticipation of technological changes and the need to run additional cables or power, access runs if conduit is used, should be large to accommodate future modifications of the building.
- Security staff escort of judges and jury are recommended in the absence of security screening stations, dedicated elevators, and corridors. This includes transfer from the building to the parking area and from the courtroom to the judge's chambers.
- A dedicated security office or control room is recommended to provide sufficient space for security staff to monitor cameras, panic alarms, radio traffic and phone lines.
- The basement should include camera coverage. Cameras should be located near the elevator, parking lot exit/entrance, doorways, parking lot and any other areas, for example blind spots or place for someone to hide.
- Basement parking is recommended to be secured with roll up door or system equivalent and cameras to determine who is entering and exiting area.
- A secure/semi secure area should be provided for jail transportation vehicles to prevent escape during arrival and unloading, loading and departure of in-custody defendants.
- Best practice dictates that any multi-functional/multi-occupancy building that includes judicial proceedings is by default a court building. Given this fact, it is recommended that a full security screening station be placed at the entrance of the building. Additionally, elevators should be programmed in such a way that limit access to court areas from other areas of the building where possible.

Executive Summary

- Consideration should be given to the addition of a secure partition of at least one dedicated judge's elevator from the parking area to the courtroom level.
- The room identified as holding on the second floor in the courts function is to be used for individuals pending transfer from court to jail. It was recommended that this room be hardened with detention grade materials including light fixtures, a camera to monitor individuals in the room, walls, door, door frame, lock, and security glazing being added to the door at a minimum. It was recommended that a window with security glazing be installed in order for staff to have view into this space to make sure individuals do not harm themselves or accidentally be left after hours without being transported to Yellowstone County Detention Facility.
- Consideration to be made to provide separate restrooms on level 2 of the building for the public and staff.



Although all the findings listed above are important and should be considered to be incorporated into the final design, here are the **top recommendations for consideration**:

- **Recommendation:** The City of Billings should consider and investigate further if Montana Code provides justification to designate this building a gun free zone. Based on current design, the public would not be prevented from entering the building with a weapon. Although, other departments such as the City Hall will be co-located with courts operations within the Stillwater Building, many court personnel, individuals from the public, and court operations cross paths on the first and second levels of the building. It is recommended the City of Billings further investigate and decide if the entire Stillwater Building should be a gun free zone utilizing Mont. Code Ann. § 45-8-356 (7) which states the following: within a courtroom or an area of a courthouse in use by court personnel pursuant to an order of a justice of the peace or judge.
- **Recommendation:** The City of Billings should consider reviewing options to place a secure barrier such as a solid wall or wall with a door near the elevator lobby on floor two to prevent someone from the public having access to a judge especially if no screening has taken place in the public lobby on the first floor. At minimum, each judge should be always escorted when they arrive on the second floor and enter the elevator lobby or when they leave the courts area to exit into the elevator lobby.
- **Recommendation:** It should be considered to have at minimum one private restroom for judge use only. Judges and jurors should not cross paths outside of the courtroom.
- **Recommendation:** It should be considered to harden the holding room similar to what you would find to a jail holding cell. The holding room should include at minimum a window on the door to view anyone being held in the room.

BACKGROUND & CURRENT STATE



2



Section 2

BACKGROUND & CURRENT STATE

The Billings Municipal Court operates in a complex environment involving a predominantly criminal caseload that is dependent on interactions between law enforcement, prosecutors, contract public defenders, jail officials, and ancillary support such as victims' specialists, pretrial services, monitoring services, and treatment providers.

Unique Characteristics of the Billings Justice System

Municipal courts across the nation typically address cases involving traffic and misdemeanor offenses primarily filed by municipal law enforcement. In some states, many traffic offenses are classified as civil. However, in other states such as Montana, all traffic offenses are classified as criminal. The exception for Montana is that municipalities may designate some offenses to be cited civilly as a Municipal Infraction (MI).

With two out of every three cases filed in the Billings Municipal Court classified as criminal (TK & CR) as shown in exhibit 1 below, resolving cases involves greater complexity, time, workload, staffing, and expense than in justice systems where the caseload involves a lower percentage of criminal offenses. The impact of minor traffic offenses being charged criminally versus civil can be significant, particularly regarding enforcement.

For example, when a person fails to appear or fails to pay a fine in a civil case, the consequence is typically driver's license suspension and referral to collections. In contrast, when a person fails to appear or comply in a criminal case, the result is often issuance of a warrant. Exhibits 1 and 2 below reflect the most recent years caseload and warrant statistics taken from reports provided by Billings. Of note is that Billings issued over 9,000 warrants in 2022, a number that is equal to over half of the Court's total annual caseload.

Exhibit 1

Cases Filed Annually (2022)	
Case Type	Cases
Civil Protective Order Cases (CV)	388
State Traffic Law Cases (TK)	10,172
Local Municipal Code Cases (MI)	5,637
Criminal Cases (CR)	1,259
Total Annual Caseload 2022	17,456

Background & Current State

Exhibit 2

Warrants Issued Annually (2022)	
Warrant Type	Warrants
Failure to Appear (FTA)	7,597
Failure to Comply (FTC)	1,612
Total Warrants Issued 2022	9,209

Another distinctive feature of the Billings Municipal Court is that it is the largest municipal court in Montana, handling far more cases than its counterparts. Moreover, Billings will become one of the few cities with more than one judge in its municipal court. While the scale of the Billings Municipal Court and justice system may provide some benefits in terms of resources, influence, and efficiency, it also limits its ability to meaningfully network with peer agencies in the State.

Consistent Annual Caseload

A review of Billings Municipal Court caseload from the period 2013-2022 reflects consistency in the total number of cases filed annually. There are two notable variances, the first being an increase in criminal cases as charged through a citation (TK) from 2016-2019 of between 2000-3000 cases each year, returning to pre-2016 levels in 2020. The second variance is a significant increase in Municipal Infractions from 3037 cases in 2021 to 5,637 cases in 2022. An increase of 70 percent.

High Rate of Non-Compliance

A more substantive look at caseload statistics suggests areas of concern. A primary area of attention is MCA 46-18-203 Revocation of a Deferred or Suspended Sentence (Failure to Comply with a Court Order). This violation has demonstrated significant numbers ranging from 1273 in 2019 to 1418 in 2022. For 2022 the figure is equal to 8 percent of the total annual caseload. The violation reflects non-compliance with the requirements of the original case, producing a new violation. This represents significant workload added to the case, effectively doubling the effort to resolve a single case.

Family Violence

Another area of concern relates to MCA 45-5-206 and subsections (1) a, b and c Partner or Family Member Assault. Although the number of violations does not appear unusually large, they are significant enough to warrant attention on the effectiveness of court action, intervention, and prevention. Family violence cases are especially challenging given the complexity of underlying causes, and the potential for violence. The importance related to this violation will require a level of attention.

MCA 45-5-209 Violation of a No Contact Order has consistently numbered around 100 violations. This violation represents a risk to the personal safety of the victim. Although this review has not made a comparison to the total number of orders issued, the effectiveness of no-contact orders remains a matter of concern for victim safety.

Traffic Violations

A review of traffic violations reveals the following:

- **MI 24-301 Speed Restrictions:** Represents the highest number among traffic violations but remains typical.
- **MCA 61-5-212 Driving on a Suspended License:** Has demonstrated a reduction in violations each year from 2020 -2022 from 1219 in 2020 to 876 in 2022.
- **MCA 61-3-312 Expired Registration:** Has shown a significant increase from 1066 in 2021 to 1773 in 2022.
- **MCA 61-5-102 No Driver’s License:** This appears to be a consistent violation remaining at about 300 violations per/year from 2019 through 2022.
- **MCA 61-6-301 No Insurance:** Represents a high number of initial violations and second and third repeat violations.

The following table represents the number of no insurance violations including multiple violations over the past four years.

Exhibit 3

Violation No.	2019	2020	2021	2022
1st Violation	1,663	1,33,	1,100	1,205
2nd Violation	473	425	312	273
3rd Violation	147	159	110	144

Case Aging

One key indicator tracked by most courts is case aging, the amount of time between the filing of charges to the date the case is resolved. Exhibit 4 reflects the breakdown of case aging for cases resolved in the Billings Municipal Court in CY2022.

Exhibit 4

Case Aging Time from Filing to Disposition (2022)	
Days from Filing to Disposition	Cases
0-30	9,643
31-60	1,266
61-90	726
91-120	706
121-150	557
151-180	395
181-210	378
211-240	315
241-270	187
271-300	153
301-330	140
331-360	97
361-534	293

Time standards can serve as an indicator of court performance, and by extension, judicial performance. Over the years, time standards for courts have evolved, aiming to encompass the various factors that influence case progression. Consequently, a certain level of uniformity across different courts can be observed, as well as adherence to nationally recommended time standards.

Background & Current State

In 1983 the Committee on State Court Administrators (COSCA) recommended a 90-day time standard for resolving misdemeanor cases. Following this in 1992, the American Bar Association (ABA) established a time standard for misdemeanor cases stating that 90 percent of cases should be resolved within 30 days and 100 percent within 90 days.

To unify these and other standards the National Center for State Courts (NCSC) published Model Time Standards in 2011 that were approved by COSCA, ABA, the Conference of Chief Justices (CCJ) and the National Association for Court Management (NACM). The new standards suggested that 75 percent of cases be resolved within 60 days, 90 percent within 90 days, and 98 percent within 180 days. The performance of the Billings Municipal Court in relation to these standards is reflected in Exhibit 5 below.

Exhibit 5

Billings	National Model	Within
73%	75%	60 Days
78%	90%	90 Days
90%	98%	180 Days

The National Model applies to misdemeanor cases and would not include traffic, civil infractions, ordinances etc. Because the case aging data for Billings does not break down by case type, the figures above serve only as a generalized comparison.

Courtroom Calendar

Looking at courtroom activity such as the type and number and type of hearings scheduled on the Court's calendar can provide some insight about how cases progress, when cases are resolved, the volume and pace of courtroom activity, enforcement activity, number of resource intensive proceedings such as jury trials, etc.

Exhibit 6 provides a total number of hearings scheduled by type for the entire 2022 year.

Exhibit 6

Hearings by Schedule Type (2022)	
Hearing Type	Hearings
Appearance	2.465
Arrestment	3.690
Change of Plea	2.395
Hearing	322
Hearing on Motion	55
Initial Appearance	7.030
Trail by Judge	745
Jury Conference Hearing	3.289
Jury Instruction Hearing	1
Jury Trial	209
Omnibus	4.973
Order of Protection	617
Order to Show Cause	18
Petition to Revoke	1.310
Restitution	5
Scheduling Conference	1
Sentencing	705
Status Hearing	881
Telephonic	1
Total Hearings by Schedule Type	28.713

Summary

The justice system in Billings demonstrates the typical inter-dependency that exists between justice partners. The efficiency and effectiveness of justice in Billings is reliant upon the expedient exchange of information in the form of documents and data across agencies. Although the current flow of information permits the justice system to operate, integration of technology platforms is needed to substantially streamline overall justice system operations (see Issue Analysis Sections 3-6).

In light of these inter-dependencies, operational efficiency must consider significant changes to the entire business model. Current operations follow a traditional model of determining release, entry of a plea, followed by an “omnibus” hearing and trial. This model appears to protract the case adding time to the process. This analysis will propose a complete shift in emphasis to case resolution at the on-set of the case, exploiting opportunities at the initial appearance and arraignment stages, and the impact on court operations (see Issue Analysis Sections 7-13).

This document is offered as an “Issues Analysis” due to the discussive nature of responses to the primary document of 25 identified problems submitted the 10th of October. A group discussion with all stakeholders to discuss 25 identified problems as well as the best practice and security review of the future court building floor plans was held on October 17th. The major sections and their subsections are derived directly from interviews and notes; the responses are the result of research and applied knowledge. It attempts to maintain consistency with the many comments that came from Billings’s Interviews.

The suggestions emanating from this document recognize that many individuals are currently making extraordinary efforts to make improvements in the areas covered. The document’s intention is to offer further insight and direction in assistance to those efforts.

THREE DOMINANT THEMES

While there are several issues, opportunities, and recommendations presented in this report, most appear to fall within the three following themes.

- **Automation and Information Sharing:** There is a critical need for automating processes and facilitating information sharing among agencies.
- **Jail Capacity:** The issue of limited jail capacity requires attention.
- **Enhancing Justice and Efficiency:** Streamlining processes, prioritizing early resolution, and encouraging voluntary compliance with court requirements offer opportunities for improvement in both justice and efficiency.

The prescription for success in Billings will depend upon commitment and cooperation, but mostly the courage to challenge the comfort and security of existing ways or in other words change.

ISSUE ANALYSIS & RECOMMENDATIONS





Section 3

ISSUE ANALYSIS AND RECOMMENDATIONS

1. Implementing a Second Judicial Division

Issue Statement: The expansion of the Court to include a second judicial division to the Municipal Court requires careful planning and attention to ensure the transition is smooth, goals are met, and thoughtful improvements are delivered.

The ongoing expansion of the Court to a two-judge model can enhance the quality and efficiency of justice services by increasing judicial availability, allowing more time for courtroom interactions, offering more flexibility for scheduling, and providing more opportunities for walk-in appearances.

APPROACH TO ASSIGNMENT OF CASES

In multiple-judge courts, the assignment of cases should prioritize equal workload distribution. This promotes overall justice system efficiency and fosters accountability for elected judges. While other approaches for assigning cases were reviewed, the alphabetical division of cases appears more suitable for the Billings Municipal Court than other methods, as it allows the same judge to deal with all the cases of an offender, which leads to greater efficiency and other benefits. The division of caseload and judicial workload should be actively monitored, and adjustments made as necessary.

- **Recommendation:** The Court should consider assigning cases to judicial officers based on an alphabetical division (defendant last name). This distribution of judicial workload will have the benefit of retaining the original judge for defendants with multiple or recurrent cases. Workload should be monitored for balance and adjustments made as needed.

CALENDARING FOR EFFICIENCY AND INCREASED ACCESS TO JUSTICE

Thoughtful attention to the scheduling of court hearings significantly contributes to the overall efficiency of justice systems. In courts with two judges, it is essential to consider a calendar arrangement that allows one judge greater availability on days when the other judge may have a heavy caseload or a jury trial. This approach promotes judicial availability for critical matters, particularly protective orders. Additionally, it can help reduce instances of failures to appear (FTA) by providing the capacity to address more cases that require immediate attention or decisions by a judge on a walk-in basis. Furthermore, exploring calendar management strategies that allow judicial days off while still maintaining coverage could potentially reduce the need for pro-tem judges to fill in during judicial absences.

To minimize waiting times and encourage adherence to appearance requirements, newly created court calendars should refrain from scheduling an excessive number of cases simultaneously. As a positive change, many courts divide their calendars into smaller groups, scheduling them more frequently.

Issue Analysis & Recommendations

This approach ensures that individuals do not face excessive wait times for their cases to be called. Recognizing that many people have limited flexibility in their ability to take time off work, this practice promotes compliance and demonstrates respect for the time of those served by the courts.

- **Recommendation:** The Court should consider developing schedules for the two divisions in a manner that promotes judicial availability for restraining orders and other matters that may require judicial attention on an immediate or walk-in basis.

HOW TIME AND THE COURTROOM EXPERIENCE IMPACT JUSTICE

The addition of a second judicial division effectively doubles judicial resources and calendar capacity, allowing the workload to be distributed in a manner that provides the opportunity for more time and attention when interacting with people in the courtroom.

It is important to note that the courtroom environment can be significantly improved through calendar management that affords a surplus of time for each case. The courtroom is an intimidating environment for most people and the legal process can be confusing. It is important, especially regarding public trust and confidence in the courts, that individuals come away with a positive impression of the court process. Allotting a surplus of case time also allows for the defendant to receive explanations or ask questions for clarification. It subtly creates a brief but important relationship between the defendant and the judge that may contribute to the defendant's willingness to comply with the court's requirements.

- **Recommendation:** Given the doubling of judicial resources and calendar capacity, the Court should consider modifying schedules in a manner that allocates more time per case on calendars to promote positive courtroom experience and justice outcomes.

THE IMPORTANCE OF JUDICIAL COORDINATION

In a two-judge court, it is crucial for the judges to coordinate as much as possible in the pursuit of equal justice. Despite differing judicial philosophies, defendants should not encounter significantly different outcomes for the same offense.

- **Recommendation:** Judges should coordinate to promote consistency in their delivery of justice such as similar sentencing for similar offenses.

STAFFING REQUIREMENTS

The impact on staff will be a critical concern in the new two-judge environment. The effort required for case and calendar preparation will increase, potentially further pressured by time constraints. Additionally, post-hearing case management tasks, including system updates, paperwork, and communications with case participants, will increase. It is essential to assess the impact on staff promptly, ideally before the additional judge assumes their duties.

The Court Administrator shared their initial assessment of additional staffing needs during an interview, stating that at least two new positions would be required to fulfill courtroom and judicial assistant duties for a second division. This figure appears to align with staffing models of other multi-division courts.

- **Recommendation:** The City should consider funding additional staff positions necessary for the operation of the added court division. Needs for the new division appear to include the functions of a judicial assistant and bailiff.

2. Impact of Jail Overcrowding on Justice and Safety

Issue Statement: Jail overcrowding and limited ability for incarceration when necessary are critical problems and immediate attention is needed.

A limiting factor affecting the justice system is the non-availability of jail services when needed due to overcrowding and the prioritization of detainees in federal and felony cases. The lack of available jail space when needed is threatening the effectiveness of court decisions and the judicial system's role in addressing criminal behavior and community safety.

JAIL CAPACITY & FUNDING

In the long term, there must be a political and funding commitment for jail capacity for the City.

- **Recommendation:** The City should be proactive in seeking additional jail capacity in conjunction with Yellowstone County.

ARRAIGNMENT CENTER CONCEPT

The trend of co-locating court-related functions within jail facilities is on the rise. Although titles may differ, the concept of these co-located court operations are best described as an "arraignment center." These centers handle crucial functions such as initial appearances, arraignments, and often facilitate video proceedings. Arraignment centers often operate as a cooperative justice model, involving multiple jurisdictions working together. This collaborative approach offers significant opportunities for improved efficiency through economies of scale. However, it's essential to allocate judicial, prosecutorial, and defense resources to these centers.

The concept of arraignment centers fosters side-by-side communication and coordination, enabling early resolution in many cases. Moreover, it has the potential to address inter-agency communication challenges and conflicts related to court case management. To explore the feasibility of implementing arraignment centers, a comprehensive study should consider logistics, facility requirements, necessary agreements, costs, and anticipated benefits. Such centers could represent a quantum leap forward for the justice system by streamlining processes and enhancing collaboration across agencies.

- **Recommendation:** The City and other jurisdictions should consider the Arraignment Center concept or similar collaborative approaches when considering jail facility options.

PLANNING FOR COLLABORATIVE COURT OPERATIONS

It is critically important in preparing for co-located and/or collaborative court operations that pre-implementation planning be extensive and all inclusive. All supporting entities, groups and future participants need to be involved in the planning. Collaborative approaches such as those described above can be highly productive in the effort to expeditiously resolve cases; however, operations can be complex, and coordination is essential to success.

- Supporting political entities should be represented where a commitment of funding or logistical support is provided.
- The judges and court administrators of the involved jurisdictions should be involved to assure that judicial needs or concerns are accommodated.
- Prosecutors of the involved jurisdictions should be involved, and their operational needs identified such as space, connectivity for technology, proximity to service representatives, etc.



- The defense bar should be involved, especially those who may appear on behalf of defendants. Issues of space, access to defendants, access to service representatives, and access to private space for attorney-client discussions need to be considered.
- Service providers such as representatives of pre-trial services, mental health services, counseling services, probation services or any service that may be a part of a defendant's disposition should be involved.
- Technology representatives should be involved to identify the infrastructure requirements for the use of automation and information systems.
- Essential staff, especially court and prosecutor staff, and others who facilitate the processing of cases, i.e. data entry, use of forms, preparation of cases, etc. should be involved to identify efficient work-flow processes.
- Police and or sheriff representatives should be involved to identify, defendant handling procedures, access to defendants, secure movement of defendants to and from court areas, meeting with attorneys, and the overall security management procedures.

IMPLEMENTING COLLABORATIVE COURT OPERATIONS

Implementing collaborative operations at or near the “go live” point requires a level of policy consensus. In a situation where a rotation of judges may preside over proceedings, there should be broad agreement about the handling of cases. Dispositions, diversions, or other case resolutions should experience a degree of consistency. This would be especially true in misdemeanor cases that seem to demonstrate typicality, such as trespassing.

It would be recommended that prior to going live that “mock” operations be conducted. Several practice runs will usually point out issues that were not contemplated in planning.

A basic set of metrics or measures should be created to determine the success of operations. These could include:

- Recidivism
- Number of cases concluded at arraignment
- Time and resources pre/case
- Time and resource savings resulting from early case conclusion

Issue Analysis & Recommendations

A management committee should be established to evaluate and assess arraignment center operations. The committee should include essential operational stakeholders. They should be able to decide operations changes, policy changes and make recommendations for additional support or funding.

REVIEW OF JAIL USAGE AND ALTERNATIVES

Pending the availability of increased jail capacity, it is helpful to assess current use including a review of types of offenses subject to incarceration, alternatives to incarceration, length of jail sentences, use of electronic monitoring options and defendant incentives to shorten sentences. Another consideration for misdemeanor jail options could be a private jail contract. There are successful examples of private jail contracts working well for misdemeanor offenses. By addressing these factors, courts can optimize the use of misdemeanor jail capacity and enhance the overall effectiveness of the justice system.

- **Recommendation:** The Court should consider assessing current jail usage to determine if adjustments can be made to sentencing and release practices that may yield capacity for use in other cases.
- **Recommendation:** The Court should consider investigating opportunities to maximize the use of alternatives to incarceration in areas such as electronic monitoring, home detention, probation, community service, etc.
- **Recommendation:** The City of Billings and Yellowstone County should consider conducting a justice system population analysis to better understand who is currently occupying jail beds and for how long. Such analysis will also identify process inefficiencies through the identification of case and offender profiles, model future population projections from current practices, and demonstrate variations to projections utilizing the effect of systematic changes in policy.

IMPACT OF FEES ON RELEASE, OVERCROWDING, JAIL COSTS AND JUSTICE

One factor that contributes to jail overcrowding across the nation is the lack of financial resources possessed by defendants to post bail or pay for monitoring services as a condition of release. The issue of whether a person is held or released pending trial based solely on their economic situation is a topic of national conversation and focus of reform. In response, communities such as Billings have adopted use of the Public Safety Assessment (PSA) tool developed by the Laura and John Arnold Foundation and implemented alternatives to pre-trial incarceration such as the use of monitoring services (see Comment).

In Billings, to be eligible for pre-trial release managed by a monitoring service, defendants are required to pay costs directly to vendors that average about \$10 per day. For defendants unable to pay these fees, grant monies are available to cover the cost of a single monitoring service. However, for defendants that are assigned more than one type of monitoring, grant funding is not sufficient. This creates situations where defendants charged with misdemeanors remain incarcerated only because they cannot afford to pay moderate monitoring fees. This may also result in defendants with misdemeanor charges spending more time in jail waiting for trial than they may have served if convicted and sentenced.

On average, the cost of monitoring is about 80 to 90 percent less than the cost of incarceration, and reduced jail expenditure is just one reason why many government agencies fully fund pre-trial monitoring services. Monitoring costs are often further reduced using competitive bid processes based on economy of scale. See comment below.

- **Recommendation:** The City should consider fully funding pre-trial monitoring services.

Issue Analysis & Recommendations

Comment: Arizona responded to this issue several years ago through Criminal Rule 7.4 (f) which states: “No later than 10 days after the initial appearance the court must determine whether to amend to conditions of release for any defendant held in custody on bond for a misdemeanor.”

It is important to note that the basis for the review is whether the bond is unreasonable, given that the defendant has not been able to post the bond. The underlying constitutional issue is the Eighth Amendment prohibiting excessive bail. These issues further the emphasis on devoting attention and resources to the front end of the criminal justice process.

3. Integration of Criminal Justice Information Systems

Issue Statement: During interviews with agency representatives, a recurring theme emerged: the need for improved access to information stored within the automated systems of other agencies. Case management systems used by entities like the Court and Prosecutor’s Office have the capability to integrate and share information with other systems. However, the limited integration currently in place hinders the development of efficiencies and contributes to delays. To address this, the potential of these systems to share information more effectively should be exploited as a matter of priority.

The capability of information systems to integrate has significantly improved in recent years. Leveraging this capability can yield substantial benefits in terms of efficiency, access to justice, and justice outcomes. Analyzing automation solutions at the local level is crucial. Options that align with existing system capabilities and development of approaches for access to and transfer of information should be explored. Of particular significance is identifying any unmet needs that local resources



Issue Analysis & Recommendations

cannot address. Knowledge of both local capabilities and limitations can be the basis for integration projects, possible data repositories, or leveraging of current technologies to facilitate seamless information exchange across different systems.

USE OF CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS) WORKGROUPS

The potential for more effective access to and transfer of information could justify a minimal investment in existing system modifications. Considering the capabilities of criminal justice information systems to integrate, efforts should be made to exploit opportunities to electronically exchange data, documents, and notifications.

A common strategy employed to promote integration is the creation of a workgroup composed of technology representatives from stakeholder agencies. Our current understanding is that a form of this workgroup already exists. Considerations include:

- A workgroup comprised of agency representatives and information technology professionals with the task of integrating criminal justice information systems should be utilized.
- The workgroup should identify, detail, and document the information needs of each agency and location of related data.
- Integration capabilities should be identified through communication with system managers and manufacturers, and through networking with other justice system agencies using the same or similar technology applications.
- System manufacturers should be consulted to determine the integration standards (technology solutions) involved.
- Integration strategies should be developed, revised, and implemented on an ongoing basis.

Example: Evidence technicians stated a need to know when a court case has concluded, and that all appeal times and legal needs have expired so they may release or dispose of evidence. Court information systems should have the ability to provide limited system access to external agencies, generate notifications and/or integrate with other systems to provide prosecutors with information needed to coordinate the release of evidence by law enforcement. Developing solutions for situations like this could substantially reduce the manual effort and time expended by staff to accomplish this task.

- **Recommendation:** Justice agencies should consider utilizing a workgroup consisting of justice agency representatives and technology professionals to identify the information needs of each agency, determine the integration standards of the systems involved, develop strategies, and implement solutions.

Important Note: Some of the technology recommendations outlined in this report may necessitate collaboration with the Montana Supreme Court. This is due to the fact that the case management system utilized by the Billings Municipal Court is provided and centrally managed by the Montana Judicial Branch. A potential benefit of this could be that any solutions developed in and for Billings may benefit others statewide. It is essential to recognize that this relationship could also pose limitations if the Montana Judicial Branch is unable to accommodate local customization and integrations. As the largest municipal court operation in the state, Billings has the opportunity to take a leadership role in driving system enhancements for the community they serve as well as the entire state. If the Montana Judicial Branch is unable to support improvements sought by Billings, local leaders may need to explore options to management and use of their current technology platforms with state officials and others.

4. The Vital Role of Court Technology

Issue Statement: The Court recently received a new case management system known as FCE. The features and capabilities of the new system appear robust and should be explored for opportunities to automate functions and improve efficiency.

Nearly all processes and functions of the Court can be radically improved through the application of technology. Being persistent about developing, managing, and leveraging technology improves the administration of justice, enhances the quality and accuracy of work, and increases the efficiency and effectiveness of court processes.

THE COURT'S CASE MANAGEMENT SYSTEM

The Montana Supreme Court provides FCE as a standard case management system for all municipal courts. The Court staff received basic training on how to use the system when it was installed. However, it appears that the system's features that allow for automation and integration are not fully utilized. Because FCE is standardized across the state, working with the Supreme Court and the system developer will be necessary when pursuing some system improvements.

- **Recommendation:** The Court should consider exploring the maximum level of support that the Montana Supreme Court and manufacturer of FCE can provide including training, identifying the capabilities of FCE to further automate functions and improve efficiency, identifying potential for local modifications to the system, opportunities to support and provide input for broader technology initiatives, and plans for system upgrades.

- **Recommendation:** Given that FCE is used widely throughout Montana and the nation, the Court should aggressively pursue networking with other courts to identify best practices on use of the system and exploitation of system capabilities. The Court may also want to leverage their position as Montana's largest municipal court to facilitate conversation among FCE users.

PLANNING FOR COURT AUTOMATION

It is advisable for courts to have a "Court Automation Plan" outlining specific goals and objectives for automating court processes. The driving force behind this plan should be the elimination of paper and manual procedures. Courts should not allow system functionality, funding constraints, or staff time limitations to hinder exploration of the best possible option.

In crafting a plan, courts must also consider the information needs of other agencies. Solutions aligned with a plan's goals should consider the technical requirements necessary to accommodate other agency needs. It is most important that a plan should not remain merely "aspirational"; it must be an actionable roadmap. It should delineate specific steps for actual implementation, complete with timelines and measurable outcomes.

Examples of common initiatives undertaken by courts and identified in their plans include the automation of routine processes such as alerts, notices, case updates, issuing of warrants, use of ticklers, and use of electronic signatures.

- **Recommendation:** The Court should consider developing an ongoing plan for automation (Court Automation Plan) that leverages the full capabilities of FCE and other technologies to streamline processes and eliminate manual processes. The plan and its implementation should be coordinated by a workgroup including the Court Administrator as the lead, along with court supervisors, essential court operational staff, and a representative from the City's technology department.

Issue Analysis & Recommendations

Comment: A fully automated court requires wholehearted commitment from judges and staff, along with the support of related agencies. It requires shedding certain comfort levels, particularly those associated with paper-based processes. All court activities and judicial actions can and should be digitally represented, thereby automating the entire process from start to finish.

USE OF AN INTERNAL COURT AUTOMATION WORKGROUP

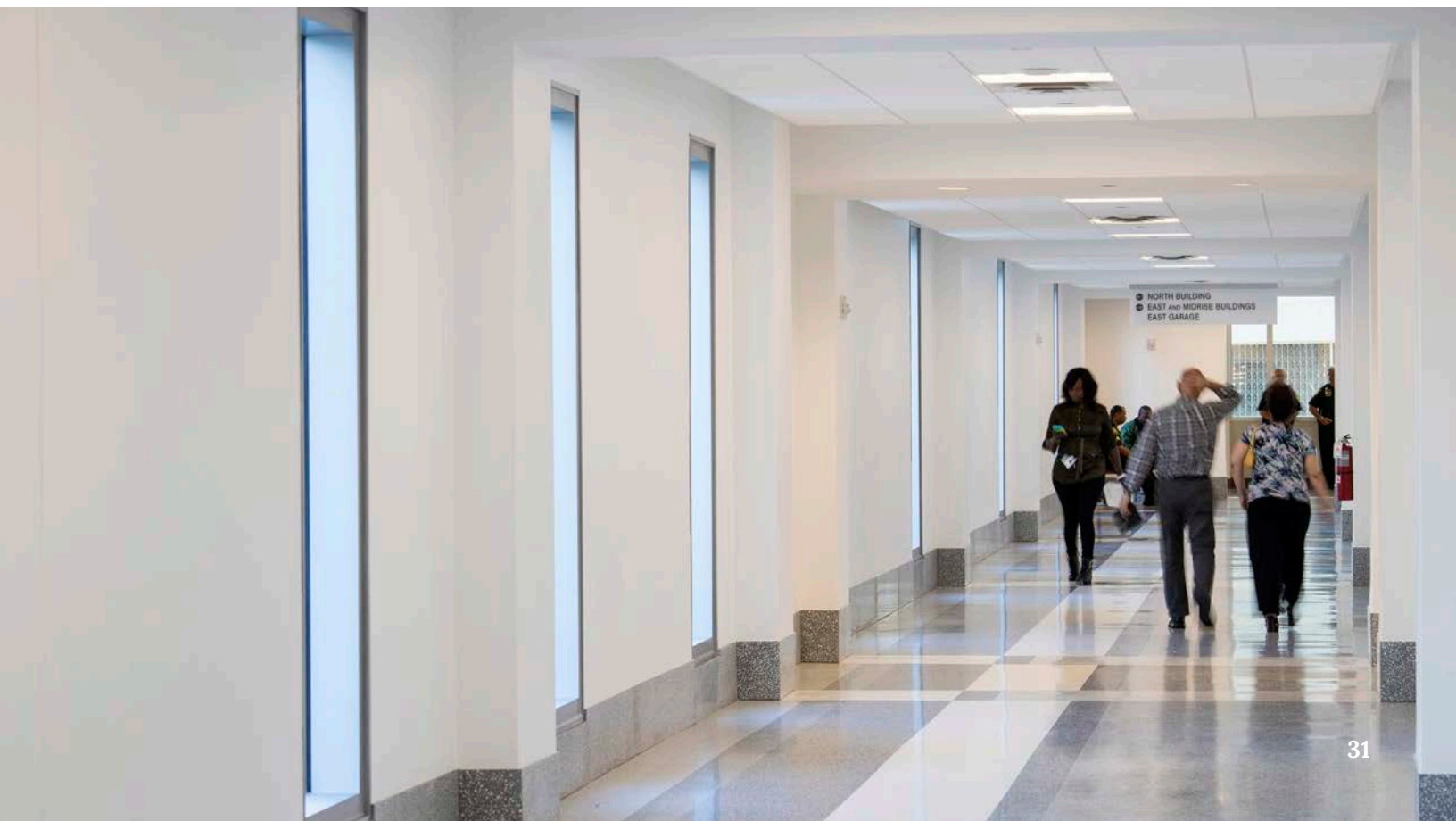
It is common for courts to establish an internal team to help leverage technology more effectively. These court automation workgroups typically include the Court Administrator as the lead, along with supervisors, essential operational staff, and a representative from the City's technology department. The primary responsibility of such workgroups is to construct the Court Automation Plan and guide its implementation.

Plans for court automation should be dynamic, allowing for the addition of new initiatives as existing ones are fulfilled. Automation should be viewed as an ever-evolving process, continuously introducing new efficiencies as technological opportunities arise.

IMPLEMENTING A COURT AUTOMATION PLAN

Court automation workgroups should adopt a somewhat aggressive approach in pursuing the implementation of the plan. A well-developed plan that evaluates resulting efficiencies, long-term cost savings, and improved public service is more likely to gain support from funding authorities. Workgroups should demonstrate courage by challenging existing business practices through the strategic application of technology.

It would be beneficial for the Billings Municipal Court to explore the opportunity to serve as a pilot site, collaborating with the Montana Supreme Court to test new automated processes. These processes may necessitate changes to the Rules of Procedure or statutory initiatives. Additionally, there could be advantages in establishing a direct vendor relationship for FCE improvements. Vendors are often motivated by the chance to enhance their products through real-world testing.



Issue Analysis & Recommendations

KEY ELEMENTS WHEN LEVERAGING TECHNOLOGY

The use of technology is essential for improving and streamlining court functions and processes, as technology is involved in almost everything courts do. Ideally, municipal court case management systems should minimally possess the following functionality:

- An electronic case file should exist containing all events and actions relevant to the case represented as a “record of actions” in the case, in descending order (the most recent action appearing at the top of the list).
- All paper filings with the court should be scanned and attached to the file for selection and viewing.
- Electronic “alerts” should be used to notify the judge that judicial review is required for timely responses to motions or other case actions.
- Judicial actions should be facilitated and recorded electronically in the case file.
- Electronic case information should populate form fields in standard forms and be generated for defendants, attorneys and others needing paper documents.
- Automated notices and warrants should be generated when a defendant non-appearance is recorded, or other obligations do not occur when scheduled.
- Electronic signatures should be used to reduce or eliminate the need for a live signature.
- Automated “routines” should be investigated such that one entry may trigger an automated routine possibly saving time and data entry.

Example: Data entry for a defendant non-appearance could trigger an automated routine to check for any intervening event, such as a motion to continue, or valid notice to the court. Absent any valid reason, an automated warrant could be generated with an electronic signature and downloaded to the police department.





5. Prosecutor's Case Management System

Issue Statement: The prosecutor's information system known as Prosecutor by Karpel (PbK), is not currently connected and exchanging information with the Court's case management system known as FCE. Integration is crucial given that the relationship and communication between the two agencies is a key driver of system efficiency. With over 600 organizations across the nation using the PbK platform, models for integration with FCE are likely available. Transfer of information between these two systems could create opportunities for procedural changes that could speed up the resolution of cases.

Karpel advertising claims that PbK is capable of significant integration with court systems, including the exchange of data and documents, and importing of court events. The information relationship between the Court and the Prosecutor's Office is critical to operational efficiencies. The information flow from police to prosecutor to court should be timely and efficient. Any delays can hinder the prompt resolution of cases and can lead to a backlog of cases and increased costs.

BENEFIT OF EXPLORING THE CAPABILITIES OF KARPEL

The efficiency of resolving cases at the arraignment remains dependent on timely responses from the Prosecutor. Karpel's ability to transfer data, documents, and information to the court, including plea offers, victim's input, sentencing recommendations, etc. should be considered critical to court efficiency.

- **Recommendation:** Similar to and in alignment with recommendations regarding other technology platforms such as FCE in this report, the Prosecutor's Office should network with other users of PbK and engage in activities to explore, plan, and leverage the capabilities of the system to exchange information, eliminate manual processes, and streamline operations.

Comment: Misdemeanor cases demonstrate a degree of repetitiveness. Typical offenses could include a pre-determined position or plea offer from the prosecutor, allowing the court to act without prosecutor presence, saving time and resources.

6. Defendants with Active Cases in Multiple Courts

Issue Statement: It appears common for individuals to have active or prior cases in multiple courts, creating issues that hinder the effectiveness of the justice system. Based on interviews with judges of the District Court, greater information sharing, communication, and coordination among courts would improve justice outcomes.

The disposition of a case where the defendant is experiencing success may be undermined by obligations in other cases further burdening the defendant. The ability to coordinate court to court case management deserves significant attention as a factor in “system” success. Key to addressing this issue is the integration of criminal justice information systems and other collaborative approaches discussed in this report.

COORDINATION OF MISDEMEANOR AND FELONY CASES

Coordination of cases can be difficult given separate jurisdictions and cases occurring at different times. As a result, coordination of cases is not usually done. However, there are significant benefits that should be considered. For example: When a defendant is successfully satisfying the dispositional requirements of a felony case and obtains a misdemeanor charge, the additional requirements of the misdemeanor may further burden the defendant beyond the defendant’s ability to satisfy all the requirements. Consideration of the following approaches may be helpful:

- Courts and judicial officers throughout the County should have access to detailed case information for all jurisdictions. Given that most courts are using the State provided court information system, a

statewide conversation and approach encompassing all jurisdictions may be prudent.

- The totality of the defendant’s obligations in all cases across jurisdictions should be considered by judicial officers.
- If a defendant is serving felony time, or successfully satisfying felony obligations, a co-occurring misdemeanor case should be considered for dismissal, sentencing as an obligation to satisfy the felony requirements, a diversion based on satisfaction of felony requirements, or a minimal disposition. This is intended to prevent overburdening the defendant beyond the defendant’s ability to satisfy requirements. However, this suggestion is not intended to limit the ultimate discretion of the prosecutor or the judge.

Prosecutor participation is essential to this action. Information regarding other pending or concluded cases available through Full Court Enterprise (FCE) or a criminal record database should be investigated. The Court, prosecutors, and assigned defense counsel should have the benefit of this information in considering case coordination.

COORDINATION OF MULTIPLE MISDEMEANOR CASES

Coordination of misdemeanor cases related to the same defendant should be seriously considered for the following reasons:

- Judges should have knowledge of other pending cases or other case obligations.
- Other defendant obligations may satisfy or mitigate sentencing requirements.
- The defendant may not have the financial ability to satisfy several case obligations at the same time.

As previously stated, the Judge, Prosecutor and Defense Council should have the benefit of this information.

Issue Analysis & Recommendations

- **Recommendation:** The Court should consider initiating conversation among justice system agencies to promote a more coordinated response to defendants cases in multiple courts simultaneously. Justice agencies should have access to detailed case information needed to coordinate and align efforts that lead to improved justice outcomes. For more details, please review the related information in this report.

7. Court Processes, Efficiency, and Early Resolution

Issue Statement: Opportunity exists for greater efficiency through streamlining of court processes, expansion of online self-help resources, and focus on opportunities for early case resolution.

The Court's internal processes are directly related to case activity. The amount of effort and resources expended in resolving cases is proportionate in many ways to the number of appearances, continuances, and passage of time involved. Although efficiencies can be achieved through initiatives that leverage automation, the greatest gains, particularly in misdemeanor cases, are achieved by focusing on engagement and resolution early in the court process. One example of this are justice systems that offer plea agreements and diversions at arraignment by advancing their preparations and involvement to an earlier time in the process. Some justice systems are even prepared to resolve cases for some types of offenses at initial appearance. These front-loaded approaches contrast sharply with the traditional models that continue hearings to later dates and bring both prosecutors and public defenders into the process later, after arraignment. Considering the high number of failures to appear (FTA) each year by defendants in Billings, reducing the number of required appearances could lower the number of FTAs. Focusing on opportunities to resolve cases sooner would likely yield great benefit in terms of cost, efficiency, and justice.



Issue Analysis & Recommendations

- **Recommendation:** The Court and the City should consider recruiting and supporting justice system partners in a commitment to resolving cases at the earliest possibility.

EARLY APPEARANCES ARE OPPORTUNITY TO RESOLVE CASES

The timely resolution of cases before the court is essential for promoting fairness, efficiency, and the overall quality of justice administration. Prolonged timelines place a burden on the court's calendar, justice system stakeholders, and available resources. When defendants are required to make multiple appearances, there is an increased risk of them failing to appear, leading to more warrants and a higher demand for jail space, which comes at significant cost. Given the substantial size of the court's calendar, exploring opportunities to resolve cases earlier could yield benefits.

Investing attention on early appearances, such as initial appearance and arraignment, has been demonstrated to substantially reduce the burden later in the justice process. By addressing cases promptly and efficiently, strain on the court system is alleviated, public trust is enhanced, and a more effective administration of justice is ensured. It is suggested that initiatives to promote efficiency in the prompt resolution of cases, particularly those involving minor offenses, be guided by the following three principles:

- Each contact with the defendant should be an opportunity to settle the case, and
- The number of hearings should be reduced, and
- Any manual process, including handwritten documents, should be automated.

THE INITIAL APPEARANCE

The Initial Appearance is the defendant's first court appearance after an arrest. The purpose of which is to determine proper grounds for the arrest, and to decide whether to release the defendant or not, and to set any specific terms and conditions upon release.

This first stage of the criminal process can be an opportunity to resolve the case through an expedited plea and sentence. The presence of a public defender dedicated to the Initial Appearance proceeding can be effective as follows:

- Protecting the rights of the defendant.
- Representing the defendant for release.
- Explaining the legal options for the defendant, including a possible plea.

Comment: Although the Court has employed the "Public Safety Assessment" (PSA) tool established by the Laura and John Arnold Foundation, a Public Defender presence further assures due process in bail proceedings.

Similarly, the presence of a prosecutor dedicated to the Initial Appearance would benefit this process whereby:

- Representing the State's interest in the release of the defendant, and
- Assuring that any victim's concerns are expressed, and
- Offering a plea to resolve the case.

It is not suggested that serious offenses necessarily be resolved in this manner, but there are potentially numerous minor offenses that could be resolved.

- **Recommendation:** The justice system should consider viewing the Initial Appearance as an opportunity to resolve the case, especially minor offenses.

THE ARRAIGNMENT

The Arraignment is the second criminal proceeding after the Initial Appearance. The Montana Criminal Rules of Procedure allow for the Arraignment to be set several days or weeks after the Initial Appearance. The Arraignment offers the best opportunity to affect an early plea and resolve the case. The arraignment process is designed, under the Rules, to facilitate a plea.



This essentially makes the Arraignment the centerpiece of case processing and resolution. It suggests an opportunity to reduce the number of hearings and court time. There are significant implications associated with this approach to case management which are as follows:

- Arraignment times need to be set out far enough to allow for the prosecutor to investigate and prepare a plea offer.
- The court needs to allocate enough time in its calendar for plea and sentencing proceedings.
- Public defenders need to be appointed in advance of the arraignment.
- Ideally, plea negotiations should take place prior to the arraignment to reduce court time.
- The Arraignment should be considered the primary vehicle to resolve defendant decisions concerning a plea. If the defendant decides not to accept the plea offer at the Arraignment, the trial date should be set at that time. This effectively makes the process, and the defendant, more decisive. In the event the defendant decides to accept the plea agreement after the Arraignment but prior to the trial date, court time should be allowed to enter the plea.

- **Recommendation:** The justice system should consider viewing the Arraignment as the centerpiece of procedural efficiency through advanced preparation with the intention of a plea settlement or diversion.

Example: In 2008 the Mesa Municipal Court in Mesa Arizona, population 600,000 and caseloads over 100,000 cases, engaged the National Center for State Courts to recommend a future oriented business model. The National Center recommended the model suggested in 1 and 2 and was characterized as “the up-front settlement of cases”. In the Mesa experience, this model has demonstrated a high number of cases resolved at the Initial Appearance and over 60% of cases were resolved at arraignment. This essentially off-loaded cases from the trial docket allowing more time for more serious offenses and trial time.

VIEWING PROCESSES AND SERVICES FROM A CUSTOMER PERSPECTIVE

Court processes are often perceived as complex and intimidating by those required to appear, even when charges are considered minor. Most are scared to appear given unknowns, and many represent themselves without the benefit of an attorney unless eligible for a court appointed public defender. Given these considerations, a court’s ability to consider and design processes from a customer’s point of view can yield substantial benefits.

Issue Analysis & Recommendations

Items for courts to evaluate in this light include: are forms written in a manner that is easily understood and commensurate with the average reading level of the community around them; are documents and forms free of legal jargon; are options for resolving cases easily understood and concise; are people provided with information (like a brochure) on how to resolve their case when receiving their citation; is the same information available on the court's website; is information about how to request ADA and language assistance easy to find; etc... Being proactive about these issues can substantially streamline processes, reduce workload, and promote more positive justice experiences and outcomes for all stakeholders.

CITING MINOR INFRACTIONS AS CIVIL VIOLATIONS

As highlighted in multiple sections of this document, resolving charges filed criminally involves greater complexity, time, workload, and expense than charges filed civilly. Many government bodies find it advantageous for these and other reasons to allow for some offenses, particularly minor traffic violations, to be cited civilly. Montana state law, MCA 7-1-4150, permits municipalities by ordinance to designate criminal offenses under state law that are punishable only by a fine to be cited as civil municipal infractions. Per this authority granted by the State, Billings Municipal Code Section 18-1308 designates the offenses that can be cited civilly as Municipal Infractions.

- **Recommendation:** Justice system stakeholders should consider reviewing the list of minor offenses of state law listed in Section 18-1308 of the Billings Municipal Code to determine if any additional eligible offenses remain to be considered for inclusion. Additionally, guidelines for when charges should be cited civilly versus criminally if not already developed should be considered to promote consistent application of the law.



Issue Analysis & Recommendations

REMOTE ACCESS TO INFORMATION & SERVICES

One of the primary strategies employed by courts to streamline processes, promote access to justice, resolve cases faster and promote efficiency is to pursue all opportunities to provide information and services remotely (online) so they may be accessed on any device, at any time, and from any location. This is particularly helpful from an access to justice perspective given that many people involved in court cases have challenges with transportation and/or the ability to take time off work.

Maximizing the ability for people to receive services, access information, navigate processes, and even resolve cases remotely (when permitted by law or rules) are among the most effective tools for helping courts resolve cases earlier and more efficiently. To achieve this, it is common for courts to review and enhance their websites to maximize the availability of information and the number of services that can be delivered online. Many courts take the position that if an in-person appearance is not required by rule or statute, the service involved should be available remotely. To the extent possible, remote/online functions should integrate with FCE to reduce staff workload. Examples of court functions/services that are offered online include:

- Payment of fines
- Rescheduling a court appearance (one time)
- Submitting proofs such as insurance or compliance with obligations
- Submitting motions
- Submitting petitions
- Requests for hearings
- **Recommendation:** The Court should consider seeking out best practices among courts across the nation in maximizing the simplicity, intuitiveness, and helpfulness of information and services offered by courts of similar jurisdiction online.

COURT FORMS

It is important for courts to examine their forms for redundancy, excessive “legalese”, and the necessity for judges’, defendants’, and attorneys’ signatures. The use of multi-purpose forms should be investigated to the extent that a single form could consolidate the functions of multiple forms.

- **Recommendation:** The Court should consider utilizing the capabilities of FTE to complete and generate forms online, particularly in the courtroom. To the extent possible, data already within FCE should automatically populate form fields, affix signatures, route, and print for attorneys and defendants.
- **Recommendation:** A justice system review should be conducted to examine “point of origin” data entry. Data entry of one agency should feed downstream agencies, such that the same information is not entered repeatedly among agencies.

PERFORMANCE MEASURES

The National Center for State Courts developed Court Tools; a set of measures specifically designed for trial court use. There are several statistical measures that operate as performance indicators in essential areas of court functions. They are:

- Measure 1: Access and Fairness Survey
- Measure 2: Clearance Rate
- Measure 3: Time to Disposition
- Measure 4: Age of Active Pending Caseload
- Measure 5: Trial Date Certainty
- Measure 6: Reliability and Integrity of Case Files
- Measure 7: Legal Financial Obligations
- Measure 8: Effective Use of Jurors
- Measure 9: Court Employee Satisfaction Survey
- Measure 10: Cost per Case

Issue Analysis & Recommendations

Implementation of all 10 Measures can be a challenge for many courts. However, Measures 1 – 5 could function as essential but critical indicators of court performance. They should be considered important management tools in identifying problems and trends before they become major issues for the court. The Measures can also be used to statistically justify the need for staff or resources if identified as underlying the lack of expected performance.

- **Recommendation:** The Court should consider employing Measures 1 through 5 of the of the National Center for State Courts Court Tools and develop additional metrics pertaining to key operational and judicial process functions as indicators of performance that may be unique to the Billings Municipal Court.

Examples of additional metrics include:

- Tracking time between court events to pinpoint areas of delay.
- Conduct time studies of tasks, such as steps in case preparation, calendar preparation, data entry and case closure tasks.
- Tracking the number of continuances per case type, per attorney.

Comment: Billings should determine a set of goals based on the desired level of service to the public, such as time to disposition, response time to protective orders, performance of diversion programs in reducing traditional case processing etc. Aspire to exceed benchmarks and standards.

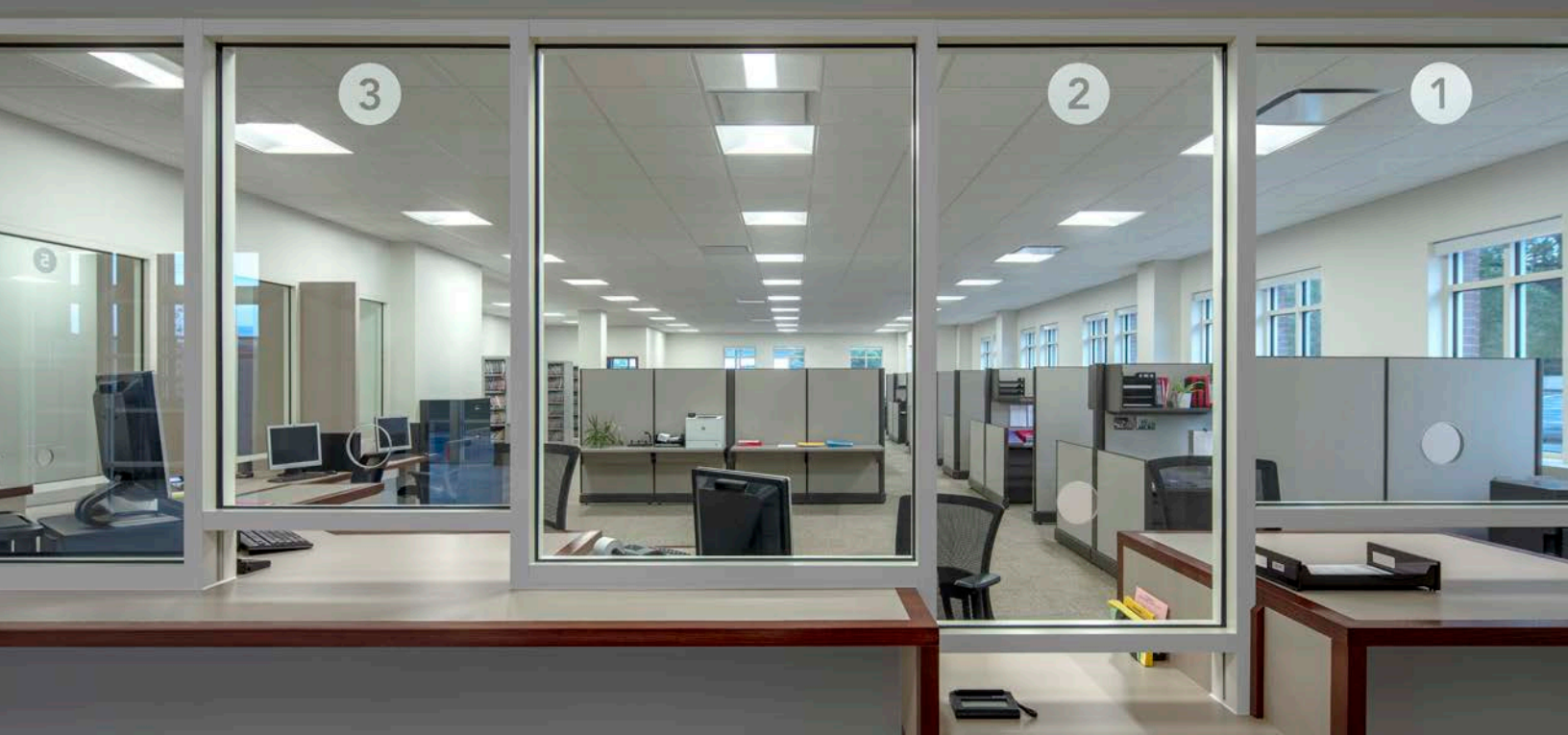
8. Capacity for Continuous Improvement

Issue Statement: Opportunity exists for adjustment to the structure of the Court to more effectively support the functions of leading and managing change, pursuing opportunities for efficiency, and promoting a culture of continuous improvement.

As laws, rules, technology and communities change, justice systems must possess the capacity to lead change, manage change, and facilitate the improvements necessary to ensure compliance, efficiency, and access to justice. In communities the size of Billings, this responsibility is typically shared by the court administrator and presiding judge who work together as a productive pair. Although the presiding judicial officer is ultimately responsible for the Court, much of their time and focus is often spent on adjudicating cases. This leaves a significant portion of leadership responsibility to the court administrator.

ROLE OF THE COURT'S CHIEF APPOINTED OFFICER

Court administrators often have a leading role in planning, setting direction for court operations, engaging in interagency problem solving, maintaining knowledge of trends, and pursuing ongoing improvements. To properly address these functions, court administrators must be assured of the time and availability that is required.



Interviewers noted a concern regarding the duties and responsibilities of the court administrator. It was indicated that court administrator maintains supervisory responsibility for all court staff. The direct day-to-day supervision of staff, as well as other duties, should be reviewed. Courts of similar size typically have one to two supervisors responsible for the majority of staff, providing capacity for the court administrator to focus on the critical functions referenced above.

- **Recommendation:** The Court and the City should consider restructuring the Court in a manner that allocates supervisory responsibility for front-line staff to one or preferably two supervisors, providing the Court Administrator with greater capacity to focus on the management and leadership functions of their role as the Court's senior appointed official.

COURT MANAGEMENT RESOURCES

Many of the challenges that courts face are similar throughout the nation. In working toward a more efficient and accessible court system, court management professionals have formed professional associations that serve as forums for the exchange of ideas, sharing of best practices, publishing of research, and source of professional development. Most associations offer both regular training courses and annual conferences that deliver the benefit of relevant content and opportunity for networking.

The role of the Court Administrator cannot be understated. The limitations on the time and availability of the Chief Judge place a large leadership role on the Court Administrator. The ability to network with other courts and participate in professional organizations will not only contribute to the professional development of the court administrator but will ultimately introduce the court to a broad range of information and resources. The Court Administrator's access to current trends and issues will also allow the court to quickly adapt to new demands and be "ahead of the curve".

- **Recommendation:** The Court Administrator and Chief Judge should be availed of development opportunities sponsored by organizations such as the National Center for State Courts (NCSC), National Association of Court Management (NACM), and National Association of Presiding Judges and Court Executive Officers (NAPCO).

9. Defendant Failure to Appear and Failure to Comply

Issue Statement: Interview statements and court statistics indicate a high rate of Failure to Appear for court hearings and Failure to Comply with court orders by individuals with cases in the Billings Municipal Court.

High rates of Failure to Appear and Failure to Comply (FTC) are issues common to many courts throughout the nation. The negative impacts of FTA and FTC by defendants are numerous and substantial including delayed justice, increased workload for the court and other justice agencies, consumption of law enforcement and jail resources associated with the issuance and execution of related warrants, additional hearings associated with revocation actions, and substantial increases to overall justice system expenditure. Focusing on strategies that promote voluntary compliance represents one of the more substantial areas of opportunity for justice system improvement in Billings.

COMMON CAUSES OF FAILURE TO APPEAR (FTA)

Common factors known to contribute to FTAs include:

- Fear of coming to court –the serious environment, the complexity of court processes, and simply not knowing what to expect.
- Lack of transportation.
- Difficulties associated with children or childcare.
- Inability to take time off from work or school.
- General lack of concern.
- Simply forgetting their appearance date and time.

- Multiple required appearances increase the likelihood of an FTA.
- Fear of being taken into custody.
- Limited flexibility in terms of hours and options for walk-ins to resolve court matters.

APPROACHES TO REDUCING FAIL TO APPEAR (FTA)

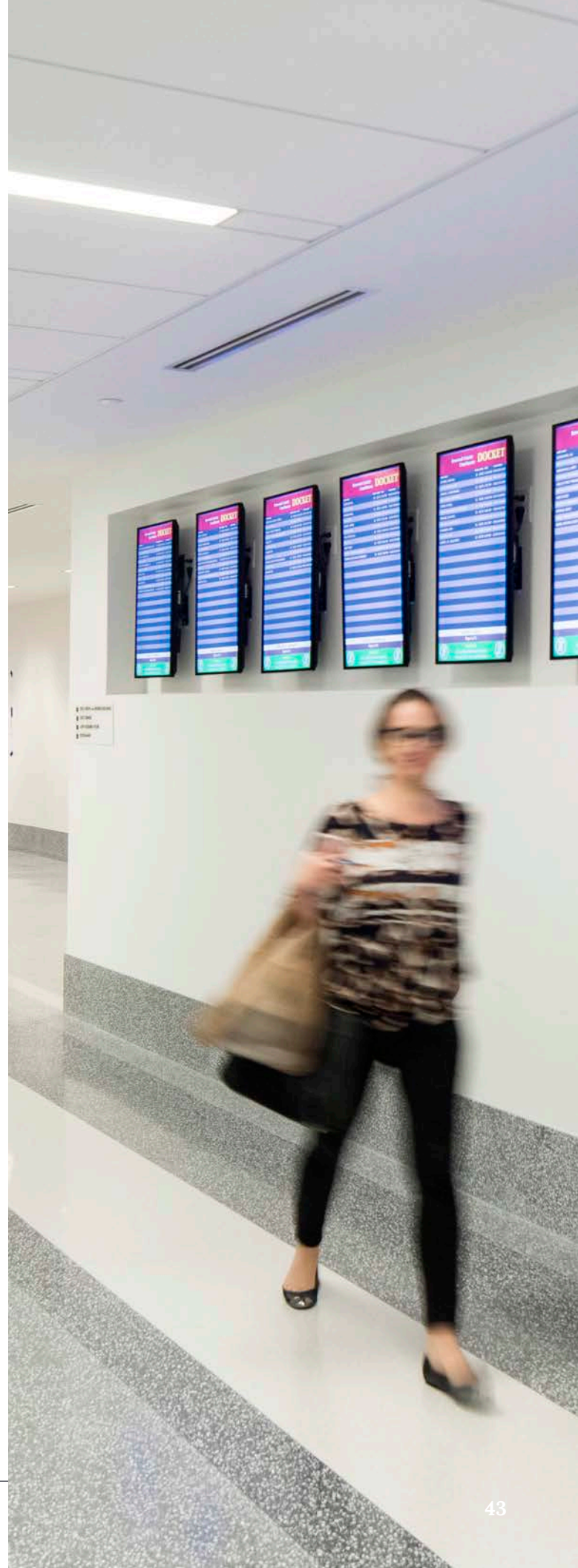
- Providing automated reminders about appearances with texts, emails, and (automated) phone calls.
- Provide opportunities to resolve cases sooner, reducing appearances.
- Seek procedural opportunities to resolve cases with fewer events.
- Emphasize in defendant documents appearance requirements and the consequences of a non-appearance.
- Provide more open times for defendants to come to court to resolve matters. Consider “working them in” between on-going courtroom events if possible. Consider empowering court staff to resolve matters such as rescheduling, accepting proof, or valid reasons for a non-appearance. FTAs impact time and effort for judges and staff, and further complicates matters for the defendant. Reducing FTAs should remain a court priority.

APPROACHES TO REDUCING FAILURE TO COMPLY (FTC)

- Court-imposed requirements should be communicated in a manner that is simple, clear, concise, and easily understood. Information regarding the consequences of non-compliance and what to do or who to contact when compliance issues arise should be included. Defendants should be encouraged to contact the Court to resolve non-compliance when it occurs.

Issue Analysis & Recommendations

- Information should be made available to all defendants on the availability of any alternatives to satisfy fines and fees if indigent. Programs that permit defendants to satisfy fines and fees by performing volunteer hours should be flexible to accommodate considerations of work schedules, transportation, etc. Allowing defendants to complete volunteer hours with any non-profit organization can be a beneficial approach. Such can help address economic disparities, provide valuable community service, and potentially aid in the defendant's personal growth.
- Courts should collaborate with vendors who provide treatment, monitoring, and home detention services to establish flexible payment options. These could include waivers for those who are indigent, or a sliding scale payment system based on the individual's income.
- Automated systems that send reminders about upcoming deadlines for fulfilling sentencing obligations, such as completing treatment programs and paying fines, fees, and restitution should be used. Reminders could be sent via various communication channels like text messages, emails, or phone calls.
- Courts should consider alternatives to full-time post-conviction incarceration such as home detention, monitoring, work release programs, and unsupervised, or semi-supervised probation.
- Designate a dedicated compliance officer within the Court.
- **Recommendation:** Given the significant challenges and costs created by the high level of non-compliance by individuals with cases in the Billings Municipal Court, the Court should consider strategies focused on promoting voluntary compliance with appearance requirements and other court orders. For details, please review the information listed in the following sections of this report: Approaches to reducing Failure to Appear (FTA); and Approaches to Reducing Failure to Comply (FTC).



10. Cases Involving Family Violence & Protective Orders

Issue Statement: Family violence offenses pose a serious concern and risk, according to interview statements. These offenses may not seem very high in number, but the nature and risk associated with these offenses is considerable.

The Billings City Council has recognized the significance and risks associated with domestic violence and is considering a proposal to establish a Family Justice Center. The Prosecutor's Office maintains a Domestic Violence Unit comprised of dedicated Prosecutors and Victim Witness Specialists. The Billings Police Department has also made domestic violence a priority for law enforcement. A review of local resources also suggests a significant and important community commitment to domestic violence issues. Billings should be recognized for creating a continuum of attention to domestic violence from City Council to Police to Prosecutors to Victim Witness Specialists, and the community. Essential to this collective effort is the role of the Court.

ROLE OF THE COURT IN FAMILY VIOLENCE CASES

The role of the Court in domestic violence cases cannot be understated. It is the authority of the Court to compel the compliance of the defendant with separation from the victim, counseling, or other requirements in response to victim safety. However, the priority of victim safety does not exclude other important considerations such as the impact on other family members, especially children. Responding to the fact of family violence possibly driven by mental health issues, and recognizing consequences for the family, makes domestic violence cases the most demanding for the Court.

SAFETY FIRST

The police represent the first response to the safety of the victim. Commonly resulting in the arrest of the defendant. After which it is incumbent upon the court at the Initial Appearance proceeding to determine the measure of risk involved in the release of the defendant. It is important at this stage for the judge to have benefit of all available information regarding the potential for violence on the part of the defendant. The police report, risk assessments, and input from the victim should all be available to the judge in making a release decision. Should release be determined, the court should consider release conditions that operate to the victim's safety. Another consideration is the possibility of affecting a Temporary Restraining Order that can be served on the defendant while detained, and prior to release.

THE CRITICAL IMPORTANCE OF VICTIM INFORMATION

Victim Witness Specialists report issues with timely receipt, accuracy, and completeness of needed information following law enforcement contact with victims. It is of vital importance that victim status i.e. injuries, fear of violence, threats etc. and contact information be ascertained by police in a domestic violence response. The ability for Victim Witness Specialists to provide notifications and other critical services requires that law enforcement obtain and immediately forward needed information each time they have contact with a victim. Particularly important is the need to confirm current contact information.

- **Recommendation:** Upon any contact with a victim, law enforcement officers should obtain victim status as to injuries or threats, victim contact information such as phone number and victim location (and any updates to previously obtained contact information), and promptly ensure that the information is forwarded to Victim Witness Specialists. If an arrest is involved, it is critical that the information be received by Victim Witness personnel prior to Initial Appearance.

Issue Analysis & Recommendations

DOMESTIC VIOLENCE SENTENCING OPTIONS AND DIVERSION PROGRAMS

Although the court only has jurisdiction over the defendant, the court should be aware of family counseling resources that could appropriately be involved. The court could act upon recommendations requiring the defendant to be a part of family counseling, which could be a source of continued support.

RESEARCH AND EDUCATION

The Court, justice system members, and community support agencies should conduct regular meetings to coordinate services, and seek to be informed about domestic violence issues, trends, and research. Policies, procedures, and responses to domestic violence should be informed by research and models evidenced by success.

- **Recommendation:** Justice system partners, representatives of the City of Billings and Yellowstone County, and community members involved in a range of family services should consider meeting to coordinate responses to family violence cases.

PROTECTIVE ORDERS

Temporary Restraining Orders sometimes take multiple days to be signed and forwarded to law enforcement for service. This interview comment suggests a judicial time

and availability issue, possibly produced by a congested calendar issue. Police service time, unknown at this time, may add to the length of time before legal protection of the victim is in place.

- **Recommendation:** Every effort should be made as a matter of highest priority to prepare, sign, and forward Temporary Restraining Orders to law enforcement that are granted the same day, or as soon as possible given that many cases involve domestic violence or the potential for such.

Montana law only allows for temporary protective orders that automatically involve setting a hearing for both parties to appear a few weeks later. Only after the subsequent hearing can a protective order with a longer duration be issued. Many respondents do not appear for these automatic hearings that tie up the court's calendar and likely require service of documents a second time. In some states, regular protective orders are issued for one to two years following an ex parte hearing with the victim, and a full hearing involving both parties is only scheduled and held when the respondent asks for one. Billings position as the largest jurisdiction in the State may want to consider encouraging legislative consideration of amending statutes to reduce the burden of unnecessary hearings and service of documents by the courts and law enforcement.



Issue Analysis & Recommendations

EMERGENCY PROTECTIVE ORDERS

Montana does not have an emergency process for issuing protective orders outside of regular court hours. Some locations around the country provide for after-hours issuance of a regular or temporary emergency order via a remote process, some involving requests channeled through law enforcement to on-call judicial officers. Billings position as the largest jurisdiction in the State may want to consider encouraging legislative consideration of amending statutes to provide such an option for emergency situations.

11. Cases Involving Mental Competency

Issue Statement: Cases involving competency issues and the defendant's mental health are insufficiently resourced. Mental health issues have been a major public health concern in recent years, especially the consequence of many mental health sufferers becoming incarcerated. Police and court responses are critical to the effective and appropriate handling of these cases, reconciling both treatment and public safety.

The mental state of the defendant becomes an essential legal question early in the life of a case and there must be an evaluation of the defendant prior to trial. The legal standard was set forth in *Dusky v. United States* (1960) requiring that the defendant must have "a rational understanding as well as a factual understanding of the proceedings against him" and "sufficient present ability to consult with his attorney". This simple two-element standard becomes complex given the multitude of psychological problems and the vagaries of a person's mental state. In many cases, a defendant's mental stability may be dependent upon prescribed medication, and therefore determined by when and if the medication is taken. As a result, the legal competency of the defendant as defined by *Dusky*, becomes an early challenge for the court.

THE COURT'S RESPONSE TO DEFENDANT COMPETENCY

The Court should maintain available mental health resources meeting the requirements of MCA 46-14-202. There should be the ability to obtain an evaluation of the defendant within a short period of time after an attorney motion or court action for competency. Case progression, attorney time, the legal interests of the defendant, and at times the mental health interests of the defendant are best served with an expedited evaluation. If public mental health services are not available, the Court should consider contracting for one or more doctors to facilitate competency evaluations. They should be familiar with and specifically address the determinations required by *Dusky*.

FAILURE TO APPEAR ISSUES IN COMPETENCY CASES

There is the potential for defendants to fail to appear when referred to a doctor's office or other locations for evaluations. Some courts have solved this problem by conducting an evaluation at the court as a required appearance by the defendant. A secure and private area would be needed given the confidential nature of the evaluation. If this is not possible, clear direction and instructions should be given to the defendant and their attorney.

STRUCTURAL PROBLEMS WITH MISDEMEANORS

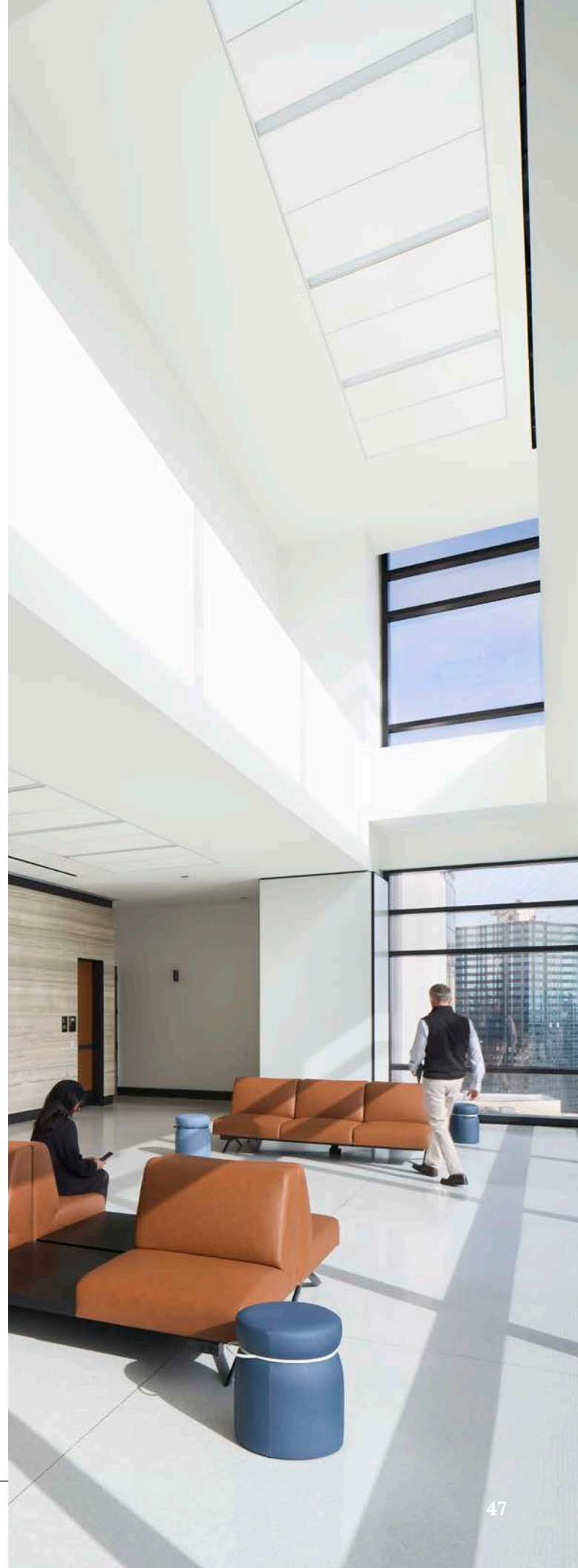
As a result of the evaluation, if the court determines that the defendant lacks the fitness to proceed, "the court shall commit the defendant to the custody of the director of public health" MCA 26-14-221. The statutory requirement for the court to bear all the costs for the care and mental health treatment of the defendant, over several days or months, is a financial burden considered unreasonable given the nature of the offense. Recognition of the costs associated with this situation commonly results in the dismissal of the case. Furthermore, the possibility of a plea agreement resolution is negated by the mental state of the defendant. Consequently, there is not a practical disposition for these cases other than a dismissal.

Issue Analysis & Recommendations

JUSTICE SYSTEM OPTIONS

The problem as outlined above is not unique to Billings but experienced by courts throughout the country. There is a broad and national recognition of the challenges posed by those with mental health problems coming into local justice systems. There is an abundance of research and publications pointing out that diminished mental health resources have resulted in the justice system becoming the de facto mental health system throughout the country. The problems associated with misdemeanor competency are symptomatic of a larger mental health crisis. Responses must come in the form of a system-based approach, involving local government leaders, police and jail operations, prosecutors, the defense bar, courts, and representatives of all available mental health services.

- **Use of Pre-Filing Diversion:** Use of a pre-filing diversion, a diversion through the prosecutor's office, would operate as a voluntary agreement with the defendant to participate in appropriate services to avoid prosecution i.e., filing of the charges. This would circumvent the court process and the statutory requirements imposed by MCA Title 46 Chapter 14. After a filing, a dismissal prior to the evaluation could facilitate a prosecutor diversion since the option to re-file charges remains.
- **The Use of a Task Force:** Establishing a task force has been a common and popular response to the broad challenges of the mentally ill in the community. These efforts typically encompass issues such as homelessness, co-occurring substance abuse, transitional housing, and support services. A principal focus would be to correlate solutions to people coming into the justice system. Task Force recommendations should be implemented and managed by a permanent Community Mental Health Committee.



Issue Analysis & Recommendations

- **The “Sequential Intercept Model:”** The Sequential Intercept Model developed by the Substance Abuse and Mental Health Administration (SAMHSA) states “The SIM helps communities identify resources and gaps in services at each intercept and develop local strategic action plans. The SIM mapping process brings together leaders and different agencies and systems to work together to identify strategies to divert people with mental and substance use disorders away from the justice system into treatment.” Billings’ Justice System partners should investigate SAMHSA’s assistance in setting up workshops and training in consideration of this model. (Subsequent interviews indicated that Billings has implemented the Sequential Intercept Model).
- **Consider Establishing “Community Court:”** Several versions of a “Community Court” exist as models. The concept is to involve community resources as participants in the diversion of a case. Community Courts function as a diversionary court by identifying plans and services addressing the specific needs of the defendant. A range of services need to be available in creating a plan for the defendant based on a “social” and mental health evaluation, but not necessarily motivated by legal competency. Community Courts are often focused on homeless defendants, given their typical needs of housing, mental health assistance, drug abuse, and other issues. The combination of transitional housing, counseling, mental and physical health support, and potential employment typically provides for defendant success. Referral to Community Court can be criteria based, such as limited by designated charges, but greater success has been experienced by an open referral basis, allowing for any entity; police, prosecutors, defense, or a judge in a pending case to refer on the belief that the defendant can benefit from Community Court services. Participating in Community Court is voluntary, but a contracted defense attorney advises Community Court defendants, and a dedicated prosecutor is assigned to manage Community Court cases.

- **Recommendation:** For cases involving mental competency, the Court should have available mental health evaluation services to satisfy the legal requirements for competency, and additionally the general mental state of the defendant.
- **Recommendation:** Cases involving mental competency and mental health are a growing public health concern. In addressing these cases, the justice system should consider the practices discussed in the Justice System Options section of this report.

12. Cases Involving Driving without Insurance

Issue Statement: Driving without insurance as a repeated offense is very high accounting for nearly 10 percent of total charges filed annually. Court statistics indicate a high number of no insurance citations and repeat offenses. Initial impressions are this may be driven by the defendant’s economic circumstances.

Many individuals, particularly those in economically challenging situations such as single-parent households, often struggle to afford and maintain car insurance due to its high cost and other competing financial obligations. The recurring instances of uninsured driving offenses indicate that this issue may be rooted in financial hardship.

OPTIONS TO CONSIDER FOR VEHICLE INSURANCE VIOLATIONS

The Court should consider an initial period after the issuance of a citation to allow the defendant to purchase insurance and provide proof to the Court for a dismissal of the charge or mitigation of a fine. It appears that an option to pay the citation on-line exists, but there is the possibility that paying the fine may be cheaper than the cost of the insurance, thereby creating a financial incentive



to pay the fine, or repeat paying the fine as an alternative to purchasing insurance. This option could operate as a motivation to pay for the insurance, since there would be a pending obligation to pay the fine at the end of the Court's initial grace period.

The Court should conduct a cursory investigation of local insurance factors and requirements to obtain insurance, and options for persons with financial difficulties. This information could be helpful for defendants and could be provided to defendants by the Court or possibly the citing officer. The Court should not however, endorse any insurance company.

- **Recommendation:** For cases involving Driving Without Insurance, the Court should consider the following: 1) Providing an option for the suspension or reduction of a fine, or dismissal if permitted by law, if proof is submitted within a set number of days after the citation, such as 30 or 60 days. 2) Directing individuals toward resources that may provide options for persons in financial difficulty. 3) Advising the defendant concerning the consequences of not obtaining insurance.

13. Prosecution Based Diversion Programs

Issue Statement: There may be opportunity to expand the use of diversion programs and benefit from their positive outcomes.

Before filing charges, diversion programs can be used for several misdemeanor offenses. This can substantially reduce the time, effort, and resources that the traditional court process requires. Diversions can also happen after charges are filed with a notice to the court.

USE OF PROSECUTOR DIVERSIONS, PRE-FILING

Use of prosecutor pre-file diversions provides an opportunity for justice system efficiencies. Except for police citations filed directly with the court, the prosecutor maintains the principal role in initiating the criminal justice process. Prosecutors have discretion in the review of evidence, evaluating the substance of police reports, knowing the status of investigations and essentially all factors underlying criminal charges. Decisions concerning the extent of criminality and the type and severity of charges to be filed reside with the prosecutor.

Issue Analysis & Recommendations

Considerations may include factors such as how serious the offense is, how likely the defendant is to finish a diversion program, the potential for recidivism, the defendant's criminal history, and any issues that mitigate culpability such as health issues, homelessness, indigency, etc. There is an old axiom which states:

“The Prosecutor’s job is not to prosecute, but to do justice.”

-Unknown

Just as there may be significant facts and circumstances that require that charges be filed, there may also be facts and circumstances that suggest that charges not be filed. Such is the reason why communities consider using pre-file diversion programs for some offense types and circumstances.

PROSECUTOR RESOURCES

The effective use of pre-filing diversions has a dependency on available options and therefore resources connected to the prosecutor's office. There should be a significant effort to develop, if not currently available, diversion programs. These resources should be tailored to serve criteria-based cases, such as those characterized by:

- Underlying mental health issues
- Substance abuse
- Severe indigency
- Homelessness
- Non-violent domestic disputes.

This list is only suggestive, is not all inclusive, and recognizes that complete discretion lies with the prosecutor.

- **Recommendation:** The Prosecutor's Office should consider identifying and/or developing resources in support of prosecution-based diversion programs that permit the non-filing of the charges.

- **Recommendation:** The Prosecutor's Office should consider prioritizing diversions in cases with underlying social problems such as mental illness, homelessness, severe indigency, substance abuse, and non-violent domestic disputes.

PROSECUTOR DIVERSIONS, POST FILING

Once charges are filed into court, the formal court process takes place, involving the Initial Appearance, which concerns release of the defendant, Arraignment, which requires the defendant's entry of a formal plea, and subsequent hearings leading to a possible trial. The opportunity for a diversion remains an option throughout this process but is best decided by the early stages of either the Initial Appearance or Arraignment.

Although the use of a diversion is much the same as a pre-filing diversion, there are significant differences. The fact that charges have been filed suggests a level of seriousness. Diversion after filing may involve more requirements and obligations for the defendant to qualify for an eventual dismissal. Another important factor is the implied weight of the formal court process which may serve to motivate defendant compliance.

In summary, the potential for pre-filing, and post-filing diversions can offer the best opportunity to affect an appropriate and just result, without the time, effort, and internal costs of the formal court process. This time savings can operate to permit more available time for the demands of more serious cases.

- **Recommendation:** Post filing diversions should be utilized in cases where compliance is of greater necessity and the weight of possible court action is more apparent to the defendant.

14. Criminal Justice Coordinating Committee

Issue Statement: The Criminal Justice Coordinating Committee has the potential to be the key factor in enhancing the municipal justice system in Billings.

The cornerstone of a successful justice system lies in the effective collaboration of dedicated stakeholders. These representatives play a pivotal role by ensuring seamless coordination, fostering a clear vision, demonstrating strong leadership, and strategically planning for the delivery and enhancement of justice within their community. The role and value of this collaborative body in leading and navigating justice system improvement cannot be overstated.

The members of the Criminal Justice Coordinating Committee (CJCC) in Billings give it a suitable and wide influence. But there might be other groups that oversee some aspects of the justice system and their connection to CJCC should be reviewed for better coordination. This review points out many parts of the municipal criminal justice system that can benefit from improvement and guidance. Inter-agency relationships are very important because improving one part may depend on more than one agency. CJCC can help coordinate these efforts.

ABOUT COORDINATING COUNCILS/ COMMITTEES

In many local and state jurisdictions, criminal justice coordinating councils/committees are commonly utilized to provide a forum in which the efforts of multiple agencies and stakeholder groups can convene on a scheduled basis to coordinate efforts and resources aimed at improvements to the criminal justice process. In some cases, these groups are formed for a very specific and temporary purpose such as a new building project or a task force being assembled to combat a specific aspect of

the system. In other cases, these groups are established and operate as a permanent function of the system with operational charters, mission, and vision statements, elected officers, and an executive committee.

The U.S. Department of Justice through the National Institute of Corrections (NIC) has established national standards and best practices for local jurisdictions who seek to improve the effectiveness of their current councils or those who wish to establish the function from the very ground level.

According to the NIC's guide titled: "CJCC Essential Elements..." The following recommended essential elements for a highly functioning CJCC are as follows:

1. Systemic Focus
2. Participation
3. Leadership
4. Consensus Building
5. Organized Meetings
6. Committees and Work Groups
7. Strategic Planning
8. Data and Research
9. Community Engagement
10. Director and Staff

It is unclear through project interviews and research whether the local criminal justice coordinating committee has developed an all-inclusive committee with equal representation from all criminal justice agencies and the community. As it relates to the issues and recommendations provided in this report, it is further recommended that the composition of the committee re-evaluate its structure and mission to potentially develop a more effective work group to address the issues at hand through the following means:

Issue Analysis & Recommendations

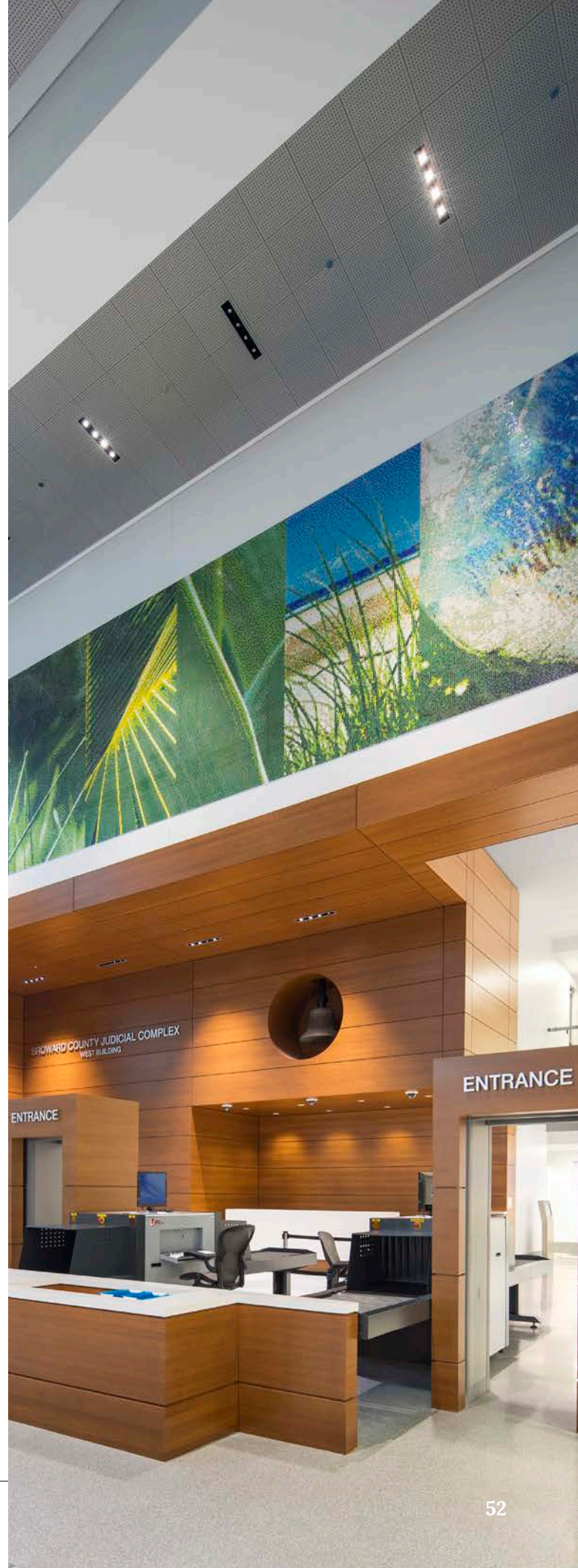
- **Recommendation:** The CJCC should work to adopt a very specific and clearly worded mission and vision statement that brings all the currently occurring issues under one umbrella for potential resolution.

An example mission statement of the CJCC could be as follows:

“Through collaboration and coordination amongst Yellowstone County and the City of Billings criminal justice partners, the Criminal Justice Coordinating Committee aims to provide clear lines of communication, operational efficiency, and improved system outcomes for the local community through its continued efforts to seek excellence in carrying out justice.”

Specifically, the CJCC is focused on:

- The reduction of criminal activity through coordinated strategies of identification, response, containment, and treatment of criminal offenders.
- The reduction of recidivism in the local criminal justice system by identifying criminogenic factors associated with the current risks of justice involved individuals, and subsequently identifying resources to reduce these risks.
- The identification and treatment of those criminal justice involved individuals who suffer from mental health disorders which result in criminal activity.
- The integration of public and private community providers to assist in alternatives to incarceration that weigh public safety risk against available resources.
- The coordination and early resolution of criminal and misdemeanor cases to reduce the system’s footprint in the local community.
- The monitoring and analysis of the incarcerated/jail population to ensure the availability of limited bed space for those that pose a public safety risk to the local community.





- **Recommendation:** The CJCC should review its membership and charter to ensure that appropriate membership is represented to address all past, current, and future challenges within the criminal justice system.

According to the NIC national standards, the following list of criminal justice partners should be included in a high functioning CJCC:

- Chief Judge of felony criminal courts
- Chief Judge of misdemeanor courts
- Police Chief
- Sheriff
- Jail Administrator
- Chief Prosecutor
- Public Defender
- Chief Defense Bar Attorney
- Clerk of the Court
- Probation/Parole Chief
- Pre-Trial Services Director
- Officials of general government (County/City Manager)
- Directors across continuum of care (substance use disorder, mental health, housing)

- **Recommendation:** The CJCC should seek to create subcommittees and/or workgroups tasked with the individual goal of solving each of the proposed issue statements through inter-agency collaboration. These sub committees and work groups should report their progress and findings to the CJCC as directed. As it relates to this and other related projects, the following list of workgroups is recommended for consideration:

- Technology/Data Sharing
- Jail Population
- Data and Research
- Case Coordination/Resolution
- Deflection and Diversion
- Mental Health
- Recidivism

RESOURCES

National Institute of Corrections (n.d.) *National Standards for Criminal Justice Coordinating Councils*.

National Institute of Corrections (n.d.) *CJCC Essential Elements: A Companion to the National Standards for Criminal Justice Coordinating Councils*.

15. Stillwater Court Building Security

The project team was tasked with providing a comprehensive review of the design, layout, and functionality of the Stillwater Building which is undergoing extensive renovations. The primary goal is to provide a thorough operational analysis of the court functions within the Stillwater Building, which includes the public lobby and entrance. The review is intended to provide recommendations to be considered best practice to enhance the safety, security, and functionality of operations at the new Stillwater Building.

The team met with staff from the City of Billings on August 21, 2023, and provided a tour of the Stillwater building, specifically in the area's relating to the Court functions. It is important to note that construction was in the beginning stages of renovation with only outlines on the floor where each room's dividing walls would be located. Upon thorough discussion during the tour and later examination of the floor plans, we have identified 23 areas which require additional discussion. Our comprehensive recommendations for consideration include the following aspects:

- 1. Security/Operational Enhancements:** Opportunities to bolster safety and security measures within the premises, encompassing access control, location of panic alarms, camera surveillance.
- 2. Functional Improvements:** Suggestions aiming to improve the separation of the public and court staff in areas such as restrooms and public corridors.
- 3. Technology Integration:** Proposed integration of technological solutions that facilitate smoother proceedings and data management in a modern court setting. Suggestions made within this document will assist the City in easily adapting to the ever changing technological needs of the future.



FLOOR PLAN REVIEW

As a result of the project team's site visit and review of the Stillwater Building floor plans, our team provided comments and suggestions based upon experience, expertise, and best practices in areas where we felt security measures and functionality were lacking for a modern court facility. The project team was not provided with a complete set of floor plans and the project scope was solely to analyze the court functions and operations.

It is expected that some of our comments and recommendations may have already been incorporated into the current design. The following areas represent our findings:

1. Panic buttons should be located at public counters or service windows, judges' bench, and courtroom clerk's station.
2. Panic buttons should be located under the desk or bench but marked on top to easily identify its location.
3. Determine where panic alarm notifications would be sent once pushed. Typically, panic alarm notifications are sent to security control rooms which is manned by security staff monitoring cameras and all things security for a facility of this nature.

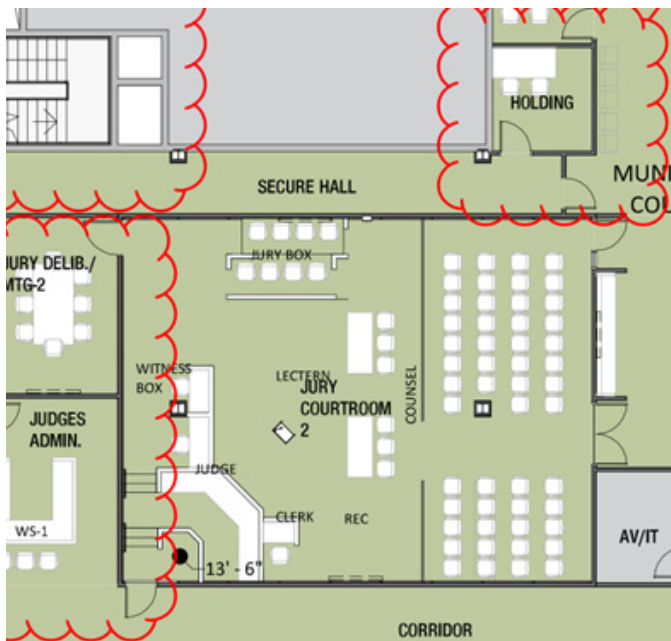
Issue Analysis & Recommendations

4. Bullet proof paneling should be installed behind the bench, clerk's station, and witness box in each courtroom. (There have been many instances involving defendants that have gained access to security officer's guns inside of a secure courtroom --e.g., Fulton County Georgia Courthouse shooting).
5. Jurors, judges, and the public should have limited contact in public areas during court proceedings. Currently the Stillwater building features shared restrooms, corridors, and elevators between judicial staff and the public. Although this issue is difficult to manage in smaller districts or communities, effort should be made where possible to provide separation in these areas to uphold judicial decorum.
6. Prosecutors should not have the ability to enter court spaces or corridors without authorization.
7. Numerous windows with clear views from the outside may pose a threat to judges, jurors, and the public. Where possible, windows and glazing should provide natural lighting and views to the outside but should limit the ability for outside threats to target individuals inside of the building. (Window covering solutions are available that allow for lighting and viewing but obscure from the outside looking in.)
8. Chairs can be convenient weapons. Mounted seating and benches should be considered where appropriate. If chairs are used, they should be very heavy and difficult to pick up.
9. Prosecutor and defense positions in the courtrooms should have privacy fronts.
10. It is recommended that the judge's bench sit 18-21 inches above the courtroom floor level with approximately a 6" drop to the clerk's position.
11. The jury box: It is recommended that the jury box front row of seating be at floor level for ease of access with an increase in elevation of approximately 6" to the second row. Additionally, jury seating between rows should be offset for improved viewing of the judge, witness stand, and well area.
12. Sight Lines: The prosecution table is always next to the jury box but should not be so close as to influence jurors. The defense table needs to have line of sight to the witness, given the constitutional right to confront your accuser. The judge needs clear sight of all the courtroom and participant areas.
13. Color schemes: Choice of colors and type of lighting can be important. Indirect lighting and muted colors --greens, grays, etc. can influence attitudes and dispositions. A primary consideration in mental health facilities is associated with color choice and lighting types. It is understood that a large percentage of justice-involved members of the public often suffer from mental health conditions and may suffer from traumatic conditions related to their current or past cases. The deliberate choice of these elements in a criminal justice setting can reduce incidents in public areas and courtrooms.
14. Conduit: In anticipation of technological changes and the need to run additional cables or power, access runs if conduit is used, should be large to accommodate future modifications of the building.
15. Security staff escorts of judges and jury are recommended in the absence of security screening stations, dedicated elevators, and corridors. This includes transfer from the building to the parking area and from the courtroom to the judge's chambers.
16. A dedicated security office or control room is recommended to provide sufficient space for security staff to monitor cameras, panic alarms, radio traffic and phone lines.
17. The basement should include camera coverage. Cameras should be located near the elevator, parking lot exit/entrance, doorways, parking lot and any other areas, for example blind spots or place for someone to hide.
18. Basement parking is recommended to be secured with roll up door or system equivalent and cameras to determine who is entering and exiting area.

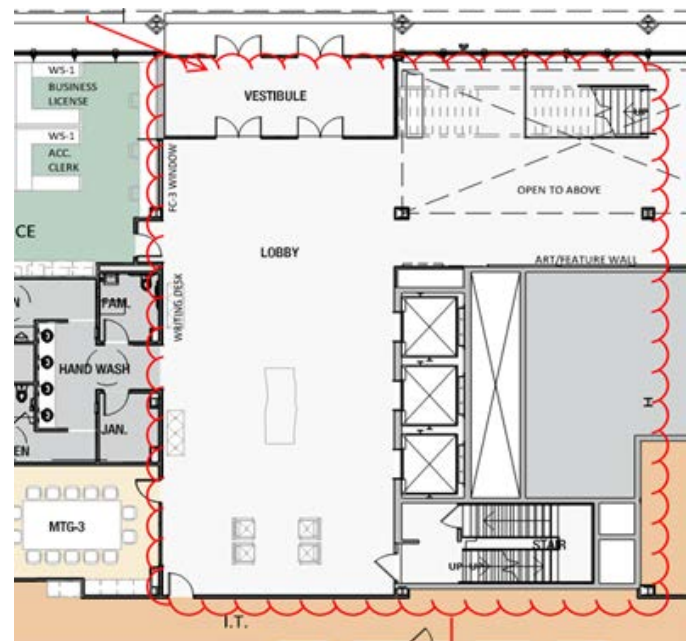
Issue Analysis & Recommendations

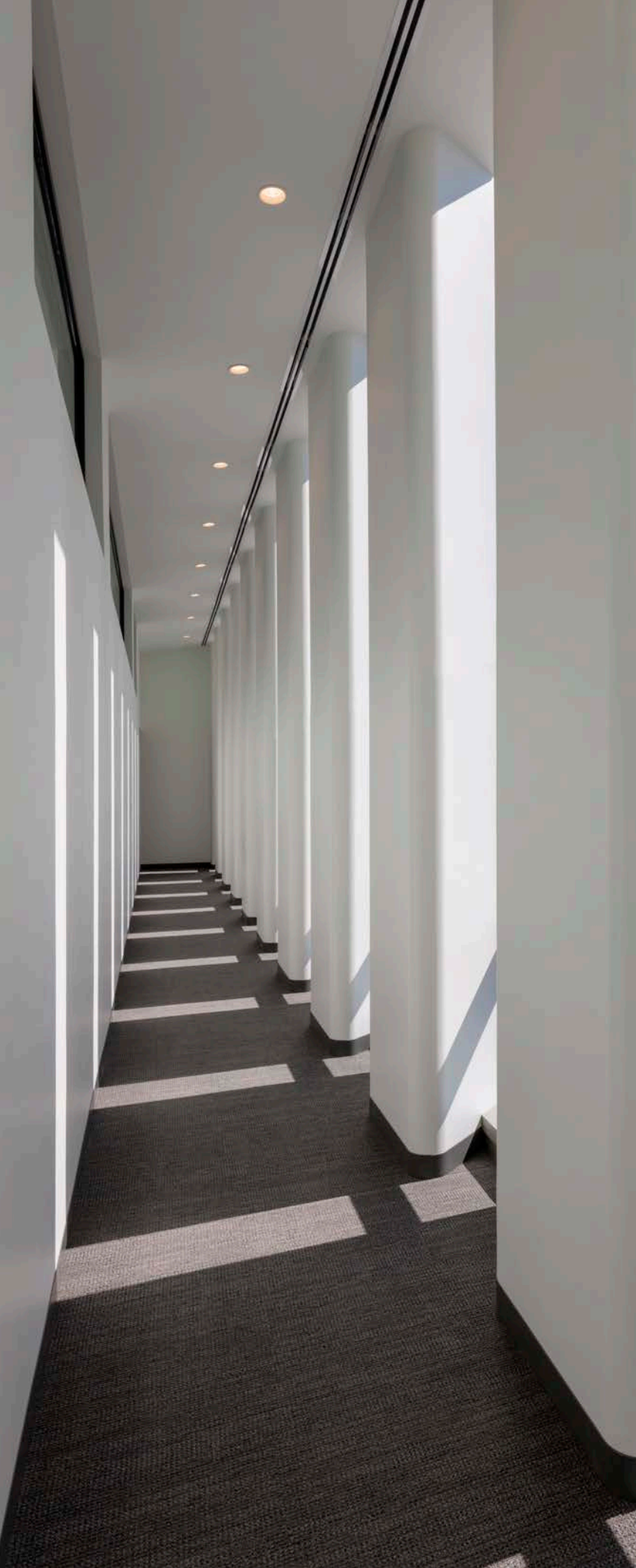
19. A secure/semi secure area should be provided for jail transportation vehicles to prevent escape during arrival and unloading, loading and departure of in-custody defendants.
20. Best practice dictates that any multi-functional/multi-occupancy building that includes judicial proceedings is by default a court building. Given this fact, it is recommended that a full security screening station be placed at the entrance of the building. Additionally, elevators should be programmed in such a way that limit access to court areas from other areas of the building where possible.
21. Consideration should be given to the addition of a secure partition of at least one dedicated judge's elevator from the parking area to the courtroom level.
22. The room identified as holding on the second floor in the courts function is to be used for individuals pending transfer from court to jail. It was recommended that this room be hardened with detention grade materials including light fixtures, a camera to monitor individuals in the room, walls, door, door frame, lock, and security glazing being added to the door at a minimum. It was recommended that a window with security glazing be installed in order for staff to have view into this space to make sure individuals do not harm themselves or accidentally be left after hours without being transported to Yellowstone County Detention Facility.
23. Consideration to be made to provide separate restrooms on level 2 of the building for the public and staff.

RECOMMENDATIONS



Stillwater Building Floor Plans





Although all of the items listed above are of concern, they are incorporated into the design, here are **the top recommendations**.

- **Recommendation 1:** The City of Billings should consider and investigate further if Montana Code provides justification to designate this building a gun free zone. Based on current design, the public would not be prevented from entering the building with a weapon. Although, other departments such as the City Hall will be co-located with courts operations within the Stillwater Building, many court personnel, individuals from the public, and court operations cross paths on the first and second levels of the building. It is recommended the City of Billings further investigate and decide if the entire Stillwater Building should be a gun free zone utilizing Mont. Code Ann. § 45-8-356 (7) which states the following: within a courtroom or an area of a courthouse in use by court personnel pursuant to an order of a justice of the peace or judge.
- **Recommendation 2:** The City of Billings should consider reviewing options to place a secure barrier such as a solid wall or wall with a door near the elevator lobby on floor two to prevent someone from the public having access to a judge especially if no screening has taken place in the public lobby on the first floor. At minimum, each judge should be escorted at all times when they arrive on the second floor and enter the elevator lobby or when they leave the courts area to exit into the elevator lobby.
- **Recommendation 3:** It should be considered to have at minimum one private restroom for judge use only. Judges and jurors should not cross paths outside of the courtroom.
- **Recommendation 4:** It should be considered to harden the holding room with construction materials similar to what you would find in a jail holding cell. The holding room should include at minimum a window on the door to view anyone being held in the room.

APPENDIX A: LIST OF DOCUMENTS AND DATA PROVIDED OR OBTAINED

A photograph of a modern building interior. The scene features a glass and marble wall, a staircase with a metal railing, and several people walking. The floor is covered in a dark blue carpet with a grid pattern. A large white letter 'A' is prominently displayed in the bottom right corner of the image.



Appendix A

LIST OF DOCUMENTS AND DATA PROVIDED OR OBTAINED

Documents and Data Provided or Obtained

City Finance Reports for FY22 and FY23

Case Dispositions Report 2022

Case Docketing and Scheduling Practices

Case Management System Overview

Case Types

Court Workflow

Prosecutor Workflow

Courtroom Schedule

Court Electronic Vs Manual Processes

Court Failure to Appear Warrant Data

Court Hearing Types and Frequency

Court Information Regarding Remote & Virtual Hearings

Court Jail Video Data 11 3 22 to 7 24 23

Links to Benchbook, Best Practices, and Training Guides

Court Organizational Chart

Prosecutor Organizational Chart

Court Recidivism Data

Adult Treatment Court Data

Court Weekly Calendar Overview

Jail Data

Montana Judge's Deskbook

Montana Judicial Branch Goals and Objectives

Montana Recommended Bond-Fine Schedule 2022

Montana State of Judiciary Address 2019

Alternatives Referral

Failure to Comply Data

Freidel Referral

Program Programs and Options

Pre-Adjudication Programs

Caseload Data Reports

APPENDIX B: INTERVIEWS



B



Appendix B

INTERVIEWS

Interviews

Sheila Kolar, Judge

Brittania Park, Court Administrator

Susie Paharik, Lead Account Clerk II

Kelly Pierce, Lead Bailiff

Karen Schexnider, Assistant City Attorney

Chantel Anderson, Prosecutor

Morgan Lix, Prosecutor

Meghann Eckerdt, Legal Assistant

Charlee Marsh, VW Specialists

Stefani Williams, VW Specialists

Becky Shay, Records Supervisor

Brad Mansur, Sergeant

Julie Pierce, Pro Tempore Judge

Cory Harman, Pro Tempore Judge

Katie Heller, Judge Elect

David Carter, Justice of the Peace

District Judge Fehr, Judge

District Judge Harada, Judge

Jennifer Owen, City of Billings Council Member

Lisa Ereth, Pretrial Risk Assessment Coordinator

Jessi Sweeney, Pretrial Risk Assessment Asst Coordinator

APPENDIX C: REFERENCES



C



Appendix C REFERENCES

Montana Code Annotated

MCA 3 - 6 - 103	Municipal Court Jurisdiction
MCA 3 - 6 - 104	Powers and duties of the court
MCA 3 - 6 - 106	Sessions of the court
MCA 45 - 5 - 206	Partner or family member assault
MCA 45 - 5 - 209	Partner or family member assault – no contact order
MCA 45 - 5 - 626	Violation of order of protection
MCA 46 - 7 - 101	Appearance of arrested person
MCA 46 - 7 - 102	Duty of court
MCA 46 - 8 - 101	Right to counsel
MCA 46 - 8 - 102	Waiver of counsel
MCA 46 - 9 - 108	Conditions upon defendant's release
MCA 46 - 9 - 311	Reduction, increase, revocation, or substitution of bail
MCA 46 - 12 - 210	Advice to defendant
MCA 46 - 12 - 211	Plea Agreement procedure
MCA 46 - 12 - 212	Determination of accuracy of plea
MCA 46 - 14 - 202	Examination of the defendant

MCA 46 - 14 - 206	Report of examination
MCA 46 - 14 - 221	Determination of fitness to proceed
MCA 46 - 21 - 201	Proceeding on petition
MCA 46 - 21 - 202	Record of proceeding
MCA 47 - 1 - 201	Public defender division
MCA 47 - 1 - 111	Eligibility and determination of indigency – rules
MCA 53 - 21 - 102	Definitions (Mentally ill)

Cases

Dusky v. United States 362 U.S. 402 (1960)

Drope v. Missouri 420 U.S. 162 (1975)

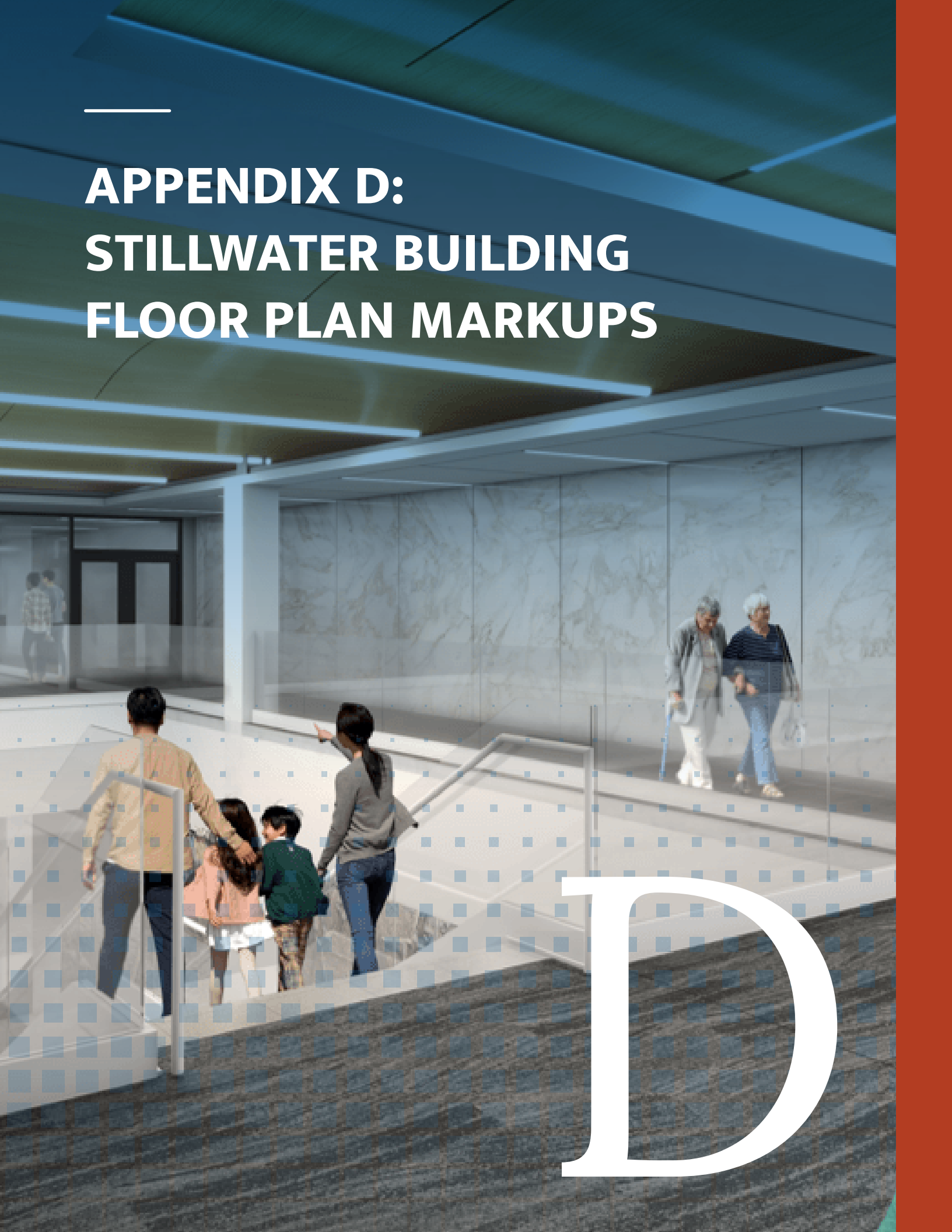
Riverside v. McLaughlin 500 U.S. 44, 111 S. Ct. 1661 (1991)

Documents

“Fact Sheet: Incarceration and Mental Health” Megan J. Wolff, PhD MPH
May 30, 2017, Weill Cornell Medicine Psychiatry

“The Civil Rights Implications of Cash Bail” Briefing Report January 2022, United States Commission on Civil Rights, 1331 Pennsylvania Ave, N.W. Suite 1150, Washington, D.C. 20425

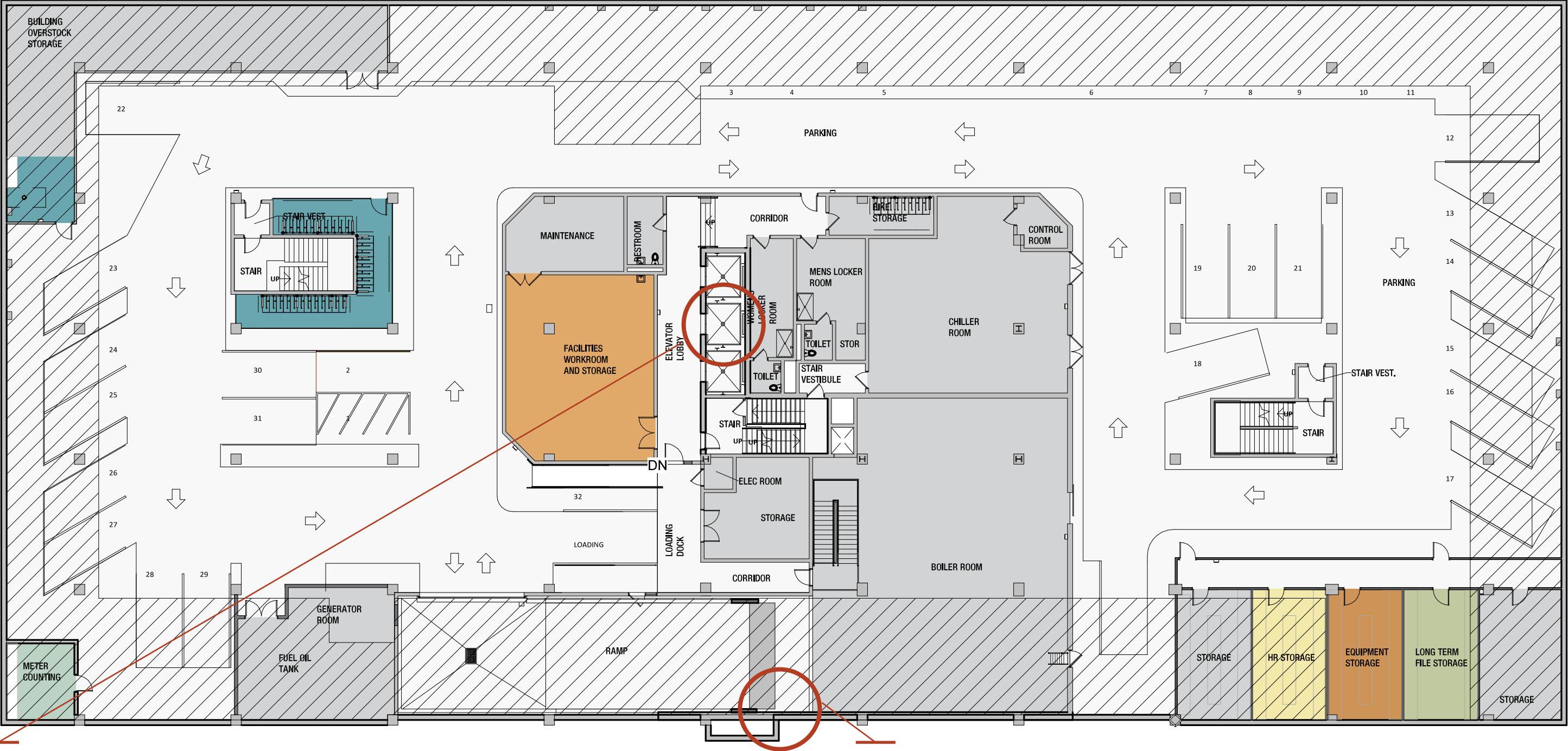
APPENDIX D: STILLWATER BUILDING FLOOR PLAN MARKUPS



Stillwater Building Floor Plan Markups

Will basement include camera coverage? Should include cameras near elevator, parking lot exit/entrance, doorways, parking lot.

Where do individuals being held and sent to jail go for transport? Basement or another level? Will transport vans or cars go into basement?



Confirm only employees have elevator access using key card to allow basement level access. No public access.

Confirm entrance to basement parking is secured with roll up door or system equivalent and cameras to determine who is entering and exiting area.

Appendix D

The city should consider security screening including one or two magnetometers, X-ray machine to screen backpacks and packages similar or same as found in airport security screening used by TSA. All power and data infrastructure should be provided if this space is moved from level 2. If screening is not moved to level 1 from the current area on level 2 you are potentially exposing all areas/levels of the building to security risks as well as employees and judges who do not have a separate secured elevator to access. All elevator are used for both public and employees including judges.



Is this a staff entrance?
If so, will this area have any screening?

Public lobby has no security screening allowing individuals to access any floor via stairs or elevator. City hall chambers on floor five, which will hold meetings with the public who will have received no screening. We are recommending screening on level 1 before accessing the public lobby.

Consider separate restrooms for public and staff on this floor. Public should not have access to mothers room unless required by code.

Look into making one of the elevators judge access only. Would need to look at egress requirements to determine if this is possible. Elevator would be programmed to only go between basement and second level for security.

Ensure proper power and data ports are provided in this area in anticipation future records will be scanned and not held in filing cabinets.



Judges will access the second floor from secure basement parking. Currently, the public would not go through security on first floor and the potential for the public to access this point with a weapon is possible. With no other option for judges to access the secure portion of the judges chamber this is a potential threat that could be eliminated if security screening takes place on the first floor.

Consideration for separate toilet rooms for judges chambers, jury, and public.

Holding area does not appear to have windows or to be hardened with detention grade building materials, or cameras. Recommendation to harden this space with detention grade walls, ceiling, camera, lighting, door, and glazing to allow visual into the space. Potential for individuals to harm themselves, staff, or visitors if they are not in a hardened secure room. Consideration for space to be constructed similar to a jail holding space. Where would individual being held use the restroom?



Implementation of CGL recommendations - City Attorney's Office

Implementing a Second Judicial Division (page 6)

Municipal Court already assigns cases by alphabetical division – defendant last name. The City Attorney's Office divides the Non-DV prosecutors by alphabet as well to assist in the workflow. We went further and changed the way conflicts are reassigned to minimize the amount of time that a prosecutor must straddle dockets of different judges; so, the prosecutors in one judge's court will handle conflicts within that court.

Because there are three DV prosecutors, one prosecutor must appear in both judges' courts while the other two are assigned to one. The DV prosecutors are largely able to handle their own conflicts within the DV Unit. On rare occasions where all three prosecutors have a conflict, the case is assigned by alphabet to one of the general prosecutors.

The establishment of a second judicial division has fulfilled the objectives outlined in the CGL study. As anticipated by CGL, a second judicial division has enhanced judicial availability, facilitated extended courtroom interactions, provided greater scheduling flexibility, and increased opportunities for walk-in appearances. Consequently, the court has expanded opportunities for appearances and case resolution (thereby improving overall efficiency and reducing reliance on *Pro Tem* judges). All stakeholders involved in this transition were committed to its successful implementation. Workflows and processes continue to be looked at critically and adjustments are made if warranted.

Impact of Jail Overcrowding (page 6)

Montana law requires arrest and incarceration of those charged with DV offenses. In practical terms, this means that each offender charged with a DV offense must first appear before a judge before they are eligible to post bond and be released from jail. Depending on the severity of jail overcrowding, this can sometimes be a factor when DV prosecutors make charging decisions. Even in the event of severe overcrowding, Yellowstone County Detention Facility (YCDF) command staff has accommodated DV offenders with rare exceptions. When those exceptions do occur, the DV Prosecutors will work with YCDF to reduce the overall jail population. City prosecutors are available at the initial appearance dockets and strive to resolve cases at the time of initial appearance.

With the exception of misdemeanor offenses punishable by more than 6 months in jail, all cases are expected to be tried in absentia for those defendants who fail to appear for trial. This has led to many more subpoenas being issued to officers for trial and much longer bench trial dockets. However, this also has cut down on the time from case filing to case resolution and the number of cases on recurring on pretrial dockets (omnibus, calendar call). All of these steps have an impact on jail overcrowding.

However, YCDF continues to struggle with overcrowding. While controlling the inmate population is the duty of Yellowstone County, the Billings Municipal Court has been invested in handling its caseload with the greatest degree of efficiency possible while preserving the rights of the accused. The CGL study recommends an arraignment center concept. The City Attorney's

Office has been actively collaborating with partners in the criminal justice system on projects to reduce jail overcrowding. Our office is attending CJCC subcommittees (including for the arraignment court concept and case processing committee). Staff are taking a collaborative approach to this process. As set forth in the CGL study, for the arraignment center concept to be successfully implemented it is essential to allocate judicial, prosecutorial, and defense resources to the development and implementation of an arraignment center. Municipal Court is not yet participating in the arraignment court, which began in February, but is planning to begin participating this spring. Municipal Court and the City Attorney's office will need sufficient resources before participating in the program.

Integration of criminal justice information systems, Vital Role of Court Technology, and Prosecutor's Case Management System (pages 7 & 8)

The state previously responded negatively to requests for establishing an interface between the City Attorney's case management system, Prosecutor by Karpel (PbK) and the state's e-file system. Likewise, the state was unable to support an interface between PbK and Municipal Court's Full Court Enterprise (FCE) because the state was still rolling out FCE to all jurisdictions. The Supreme Court IT division indicated they could not engage in any "ancillary or outside projects until [they've] completed the 2025 biennial roadmap." It is unclear when, or if, this coordination and integration will be prioritized by the state in any way. However, there may be a way for the court to export information from their systems to PbK that will require less cooperation from the state but still will require funding for IT support.

There is potential for integration between law enforcement records management system (LERMS) and PbK. However, this will require dedicated staffing to investigate and direct the project as well as funding for such an interface.

Defendants with Cases in Multiple Courts (page 8)

Municipal Court frequently runs bonds concurrently and allows conditions of sentencing to be met with programs to be completed in satisfaction of Justice and District Court orders.

Prosecutors have access to information in a variety of systems including: LERMS, Corrections, Conweb, and the Montana Public Access Portal. The Montana Public Access Portal has case data from across the state of Montana (including district courts and courts of limited jurisdiction). Staff can also access Full Court for Yellowstone County Justice Court and District Court. These systems identify the nature of the defendant's criminal charges, the parties involved, and the status of the case. Prosecutors are utilizing this technology, to its fullest capabilities, to account for defendants with cases in multiple courts along with employing cross-jurisdictional cooperation and communication.

Court processes, Efficiency, and Early Resolution (page 8)

In response to the CGL study, prosecutors shifted focus to early case resolution and devoted additional resources to open court appearances. An additional prosecutor was added to the in-person open court schedule strictly to resolve cases. This has expedited the judicial process, reduced the backlog of cases, and decreased failures to appear. In addition, prosecutors are available and work to resolve cases during jail arraignments as appropriate. As a result,

prosecutors are noticing positive downstream consequences in their caseloads. The court has advised these efforts have led to a decrease of approximately 20 failures to appear per week.

Early case resolution and avoiding potential future warrants also promote responsiveness and rehabilitation. Defendants are ordered to address the underlying issues contributing to their behavior in closer proximity to when the offense was committed. This is especially important for defendants with substance abuse disorders and mental health issues.

Prosecutors created blank plea offer templates for arraignment, which are being used to facilitate resolution during initial appearances. As the next phase of this project, the prosecutors created charge-specific templates and have requested a dedicated printer to be located in Municipal Court to easily print plea offers specific to defendants.

In addition to improvements made to open court, the prosecutors also created a template in their case management software program for plea offers. They also utilize standardized plea offer language and recommendations to add efficiency to writing offers. This ensures cases are resolved swiftly without impairing case-specific discretion.

Avoiding prolonged court proceedings has yielded tremendous benefits for the justice system overall by reducing costs related to prosecution time, public defender representation, court resources, arrests, officer resources, and cycles of incarceration due to failures to appear.

Capacity for Continuous Improvement (page 9)

Historically, the City has prioritized the urgent to the detriment of the important and there is an acute shortage of staff who hold the ability and intellectual curiosity to see the big picture of how all of the departments relate to each other and how information and work flows through the system. While funding is necessary to improve systems, it is also important to staff in such a way that those who are capable of understanding the systems and designing improvements are relieved of the incessant and urgent work that prevents them from working on longer-term strategies that would create a capacity for continuous improvement.

Defendant Failure to Appear and Failure to Comply (page 9)

A master trial scheduling order has been implemented by the Billings Municipal Court which has dramatically cut down on the number of warrants for failure to appear (FTA). The master trial scheduling order sets trial dates and other deadlines at a defendant's initial appearance instead of requiring additional hearings or appearances by the defendant before scheduling a trial. Other than for serious misdemeanors, the current master trial schedule results in FTA warrants only being issued for failure to appear at the initial appearance or failure to appear at sentencing when convicted in absentia.

The implementation of the master trial schedule has led to notable efficiency improvements. It ensures a prompt response to criminal conduct when defendants fail to appear and are convicted in absentia. As noted above, there are constitutional constraints based upon whether the offense is a "serious" or "petit" misdemeanor. The master scheduling order is best suited towards "petit" misdemeanors (i.e. offenses which carry less than one year in jail). Furthermore, the master trial schedule also requires that defendants are arraigned. They must

appear before a judge to answer to their criminal charge. Due to jail overcrowding, processes such as issuing a notice to appear limit the defendant's initial contact with the court, resulting in downstream consequences and disrupting efficient justice outcomes.

Additionally, general prosecutors are requesting summonses when charging cases, except in situations where victim safety is a concern. This practice has proven effective in ensuring the timely arraignment of voluntary defendants.

Cases involving family violence and protective orders (page 10).

Prosecutors and BPD began a direct filing process prior to the CGL study, and we are starting to see its benefits. "Direct filing" refers to a process where the police officer files a complaint directly to the court with a request for the court to issue a warrant in cases that were previously sent to the City Attorney's Office for review/filing when the offender was no longer at the scene. This avoids any unnecessary delay in getting an initial review completed before charges are filed where the facts and circumstances clearly justify filing charges against a suspect who is not present at the scene of the offense. This direct file warrant process has been a success and is reflected in reduced dismissal and declination rates and increased case filings in 2024.

The CGL recommendations suggest strategies that have already been in place since well before 2015, and reinforcing these strategies with BPD has been an annual priority. Unlike other Victim/Witness programs in the state, the City's VW Specialists are proactive with victim contact. The VW Specialists are empowered to request follow-up from BPD directly in the event that a report is missing critical information or victim contact information. The VW Specialists attempt contact with every single domestic violence victim prior to arraignment, and all information obtained from these contacts are forwarded to the DV Prosecutors prior to arraignment.

While the CGL did not officially recommend increased family counseling services, the DV prosecutors are obligated to vehemently oppose any treatment option that requires victim participation. Couple's counseling is widely discouraged in domestic violence cases and is prohibited by the Violence Against Women Act. As the CGL report notes, the Municipal Court does not have jurisdiction over victims specifically and non-parties generally. Given the possible loss in funding and the danger posed to victims, the DV prosecutors are uniformly opposed to any form of couple's counseling.

The Municipal Court has generally been very protective of domestic violence victims and consistently orders bond conditions requested by the DV prosecutors. With the establishment of the state's first Family Justice Center, coordination and appropriate responses to offender behavior and victim safety will improve.

The issuance of protective orders has dramatically improved with the addition of a second Municipal Court Judge. While the CGL recommends legislative improvements to the protective order process, it seems unlikely the 2025 Legislature will be amenable to changes that alter the due process rights of respondents. The City Attorney's Office is also apprehensive about supporting such a change. The US Attorney's Office previously offered increased prosecutions of unlawful firearm possession cases, so the due process component must be protected in order for these federal laws to be adequately enforced.

Cases involving mental competency (page 11).

First, it is important to distinguish “Fitness to Stand Trial” from generalized concerns about the defendant’s mental health. This section of the CGL study attempts to address both simultaneously. However, there are significant distinctions in how these matters are handled. If there are grounds to believe that the defendant is unfit to stand trial, he or she must be evaluated by either a mental health professional approved by the Court or by the Montana State Hospital.

The state of Montana recently implemented the Community-Based Court-Ordered Evaluations and Stabilization Near-Term Initiative. This was launched on May 8, 2024, based on recommendations made by the Behavioral Health System for Future Generations Commission (BHSFG). This program provides another avenue for Fitness to Stand Trial evaluations to be conducted (and more importantly, paid for). This program also offers a list of community-based providers accepting referrals. One of our prosecuting attorneys, Chantel Anderson, has brought forth information about this initiative and has been in contact with DPHHS. She has been advised that there is funding available for evaluations conducted on behalf of municipal courts. She is coordinating with the court on reimbursement opportunities.

Fitness to stand trial issues are very complicated. There is a balancing of issues taking place (the right of the accused to a speedy trial, the cost of evaluation and restoration, and the interests of victims and public safety). The City and County Attorney’s Office work closely on these issues. The County has remained a strong partner in this area and accepts referrals for involuntary commitments. During the prosecution, it may become evident that a criminal case is not prosecutable because the defendant is unfit to stand trial. However, some of these defendants also present a risk to themselves or others. In these instances, there is coordination between the City Attorney’s Office, Yellowstone County Detention Facility, and the Yellowstone County Attorney’s Office civil division. These individuals are transported to Billings Clinic for a Psychiatric Admission Assessment. Based on the results of that assessment, the involuntary commitment process may begin and may ultimately result in a commitment to the Montana State Hospital. This also prevents the immediate release of individuals into the community who may be a danger to themselves or others. Through this established process, at the very least, the city ensures that a professional has evaluated these defendants and determined they are not a threat to themselves or others.

The Billings Municipal Court has a co-occurring treatment court. This program is available to individuals with co-occurring diagnoses (mental health and substance use disorder). The court has strengthened its partnership with the Mental Health Center. The Mental Health Center has offered a variety of resources to the co-occurring treatment court. The Mental Health Center also has a partnership with Yellowstone County Detention Facility. Staff from the Mental Health Center make referrals to the co-occurring treatment court. They also provide services, including placement in their mental health group home.

Prosecution based diversion programs (page 12).

General prosecutors already regularly utilize this option when appropriate. The DV prosecutors also utilize diversions when appropriate but using diversions as a default resolution is prohibited by the Violence Against Women Act.

Criminal Justice Coordinating Committee (page 12)

The CCJC and its subcommittees continue to meet on a regular basis. The CJCC continues to see strong cross-jurisdictional participation and includes membership from the Billings City Council.

City Council Work Session

Date: 03/03/2025
Title: Crisis Response Unit Models of Service and Current Situation
Presented by: Jason Banfield, Assistant Fire Chief
Department: Fire
Presentation: No
Legal Review: No
Project Number: N/A

RECOMMENDATION

There is no recommendation until community partners support a chosen model and allocate dollars.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Below is from Jon Forte - Riverstone Helath

Mayor Cole, Administrator Kukulski, and Councilmembers -

I've provided a similar update to our Board of County Commissioners and made you a similar promise, during the last SAC Executive Committee Meeting, that I would give you all an update in February on RiverStone Health's progress with taking over the Crisis Diversion Grant from Zack Terakedis and Substance Abuse Connect. Our Billings Gazette beat me to the punch after reviewing our Board of Health Meeting last month.

Regarding the latest Gazette article, I believe we all agree the model needs to be changed and that the Substance Abuse Connect (SAC) name should be retired. However, I assure you that no one is folding and giving up the work. Several key members of the coalition will continue our efforts, and addressing the problem of crime and substance use will continue under my watch. I ask for your support! With this transition, it has always been our plan to focus on building a stronger coalition around this work with new leadership, focus, and accountability by bringing it over to RiverStone Health, your city-county health department. Our primary goal with this transition will be to develop a core set of key performance metrics and deliverables which will direct our work and help you, the City Council, and our constituents hold us accountable for results.

In January, RiverStone Health met with Zack Terakedis, prior SAC Coalition director, and agreed to take over the coordination of the activities that fell under the SAC umbrella as well as oversee the DPHHS Crisis Diversion Grant in partnership with Yellowstone County. We are in the process of developing a plan to move forward with an improved coalition and bring these efforts together in a meaningful way. Melissa Henderson, the Senior Director of Health Promotion, Eric Owen, Chief Operating Officer, and I have all engaged in overseeing this work and we are committed to moving it forward in partnership with a stronger coalition of agencies, as well as City and County Leadership that will be needed to meaningfully address mental health and substance use issues in our community.

Here are a few additional facts on our approach to the Coalition and Crisis Diversion work:

â€¢ RiverStone Health will be posting and hiring a coordinator position to ensure we have dedicated staffing capacity to act as a point person and lead the ongoing work of the coalition. We will be using the Collective Impact Model to move this work forward and are committed to transparent, open and continuous communication. We ask everyone for their little patience while we get this position filled and get a full understanding of where we are picking things up from. This position will be Yellowstone County and the City of Billings' Behavioral Health Systems Improvement Coordinator. Once filled, we will be reaching out to organizations/individuals to continue conversations about how to move forward. In the interim, Melissa, Eric, and I will be leading this work.

â€¢ We recognize the need for a functioning mental health Mobile Crisis Response model as a part of a well-rounded mental health care continuum in Billings. As a community, we have learned valuable lessons from our previous experiences that we can consider while progressively moving this work forward. What I've learned over the past several months is that everyone involved lacks a clear understanding on the Crisis Now framework and there has been too much in-fighting amongst city/county agencies and other partners which led to its demise. The pilot program allowed us to learn valuable lessons about strengths and weaknesses across the community. Now, utilizing the resources of Public Health and best practices from across Montana as well as the United States, we will create a more sustainable model which brings partners to the table and has the support of our Department as well as our elected leaders. We are committed to fixing these issues and moving the mobile crisis program forward sustainably.

We also know RiverStone Health cannot do this work alone. We will need the support and collaboration of multiple community partners to make it happen. Mobile crisis will take the most time to develop and we will take our time to ensure we get it right.

â€¢ The crisis diversion grant from the state is still funded and being dispersed. At this time, all of the organizations that SAC had coordinated with to get contracts in place for funding have either completed their contracts or are in the process of completing them. It is our plan to ensure we work with DPHHS and Yellowstone County fiscal staff to administer this funding moving forward. We will also continue to engage all of you as we seek a better understanding of mill levy funds from the county and city funds through our 872 Commission, as well as other sources that will continue to be essential to this work. RiverStone Health has always been an incredible fiscal steward for our community, and we would welcome the opportunity to coordinate with you on creating the most efficient way to distribute those funds to create the highest level of impact for our community.

My ultimate goal in all of this is to ensure that all public funds are utilized sustainably for public benefit with full accountability and transparency. We will continue developing innovative solutions to our greatest behavioral health, substance use, and crime issues facing our City and our County with existing and new partners who may not have had a seat at the table in the past. I appreciate the partnership we've developed throughout my tenure and look forward to continuing our work together on these difficult issues. We must also come together and generate new solutions, resources, and most importantly SUPPORT for our Crisis Stabilization Center. Marcee Neary and her team are doing amazing work for this community, and we must continue to support them during this critical time. Together with our Billings Healthcare Alliance CEOs (RiverStone Health, Billings Clinic, and Intermountain St. Vincent) we are committed to creating a behavioral health system of care for our region that works and generates results as we seek to improve life, health and safety for all who call Billings home.

If you feel the time is right to provide this update to the City Council and community during a public meeting, please let me know so we can continue to be fully transparent in this process. Thank you.

Jon

Billings Fire:

At a previous work session, the council was given the best options for Billings to support this opportunity. It was parked, waiting on several factors, such as budget, legislation, and finding a partner to meet the required rules for limited reimbursement.

In the interim, the budget remains healthy for the one remaining employee. During this downtime, we supported Dr. Sarah Keller's Homeless High Utilizer Study and are now case-managing high-utilizer housed individuals. We are doing this from a staff of one EMT who works with every community member we can find to help these complex patients.

Our vacated position comes from employees who have moved on to a Portland Police Department position. She is active in the academy.

The budget for current spending is attached, and I will not fill the current vacated position until we are absolutely sure of the model for Billings and the surrounding area.

ALTERNATIVES

City Council update only

FISCAL EFFECTS

N/A

Attachments

CRU Budget FEB
MHN Dollars

City of Billings
Authorized Spending Report

To Date: 02/26/2025
From Account: 1510-22280
To Account: 1510-22280
Run Date: 02/26/2025
User: naylor

Report By: Dept\Div

Segments/Accounts	YTD Budget	Total Budget	MTD Exp	YTD Exp	YTD PreEnc	YTD Enc	YTD Available	YTD Percent	Total Available	Total Percent
22280 : Crisis Response Units										
1510-22280-401128 : Degree Incentive	0	0	0	50	775	0	0	-775	0	-775
1510-22280-401130 : Fire Salaries	110,562	110,562	5,059	56,436	56,436	0	0	54,126	49	54,126
1510-22280-401230 : Fire Overtime	0	0	1,049	21,741	21,741	0	0	-21,741	0	-21,741
1510-22280-401410 : Unemployment Insurance	664	664	17	144	144	0	0	520	78	520
1510-22280-401420 : Industrial Accident	5,002	5,002	490	3,976	3,976	0	0	1,026	21	1,026
1510-22280-401430 : Health Insurance	20,785	20,785	902	13,098	13,098	0	0	7,687	37	7,687
1510-22280-401451 : Deferred Comp Contribution	1,903	1,903	110	1,169	1,169	0	0	734	39	734
1510-22280-401455 : Medicare	1,632	1,632	151	1,207	1,207	0	0	425	26	425
1510-22280-401470 : Fire Retirement	18,862	18,862	1,387	10,564	10,564	0	0	8,298	44	8,298
1510-22280-401480 : Life Insurance	141	141	2	27	27	0	0	114	81	114
1510-22280-401500 : Sick and Vacation Payoff	0	0	4,204	4,204	4,204	0	0	-4,204	0	-4,204
1510-22280-402110 : Office Stationery Expense	500	500	0	0	0	0	0	500	100	500
1510-22280-402120 : Small Items Of Equipment	2,500	2,500	0	1,883	1,883	0	0	617	25	617
1510-22280-402260 : Clothing and Uniforms	3,600	3,600	0	1,427	1,427	0	0	2,173	60	2,173
1510-22280-402290 : Other Operating Supplies	15,000	15,000	0	2,325	2,325	0	0	12,675	84	12,675
1510-22280-402925 : Computer Equipment Under \$5000	5,000	5,000	0	1,699	1,699	0	0	3,301	66	3,301
1510-22280-403350 : Membership Fees/Tuition	500	500	0	0	0	0	0	500	100	500
1510-22280-403510 : Medical Examinations	1,500	1,500	0	0	0	0	0	1,500	100	1,500
1510-22280-403590 : Other Professional Services	1,000	1,000	0	0	0	0	0	1,000	100	1,000
1510-22280-403824 : Management and Professional Develop	5,000	5,000	0	104	104	0	0	4,896	98	4,896
SubTotal : 22280 : Crisis Response Units	194,151	194,151	13,421	120,780	120,780	0	0	73,371	38	73,371
Grand Total :	194,151	194,151	13,421	120,780	120,780	0	0	73,371	38	73,371

PERSONNEL	MONTH			PERSONNEL TOTAL
	OCTOBER	NOVEMBER	DECEMBER	
BANFIELD	\$795.50	\$795.50	\$1,193.25	\$2,784.25
MCCAMLEY			\$826.20	\$826.20
MONTHLY TOTAL	\$795.50	\$795.50	\$2,019.45	
YEARLY TOTAL	\$3,610.45			

City Council Work Session

Date: 03/03/2025
Title: Billings Area Pedestrian Bicycle Master Plan Review
Presented by: Elyse Monat
Department: Planning & Community Services
Presentation: Yes
Legal Review: Not Applicable
Project Number: N/A

RECOMMENDATION

Staff recommends the City Council receive a presentation and hear public comment on the Billings Area Pedestrian and Bicycle Master Plan. The Council will be asked to vote to forward a recommendation of plan adoption to the Policy Coordinating Committee at the Council's regular business meeting on March 10, 2025.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The Billings Yellowstone County Metropolitan Planning Organization (MPO) conducted a Pedestrian and Bicycle Master Plan (Plan) with Alta Planning + Design as the prime consultant and Sanbell as the sub-consultant. The Plan was a collaboration between the MPO, City Engineering, County Public Works, and MDT, along with other stakeholders. The Plan sought to identify and prioritize projects that will improve the safety and convenience of walking, biking, and rolling in the Billings area, and establish strategies for implementing the projects and programs in the future.

While the City's upcoming transportation corridor analysis and outreach will provide guidance and may change some recommendations in this plan, this Plan also provides valuable information for the upcoming transportation corridor analysis work. With the transportation corridor analysis in mind, this Plan helps to narrow down the priority routes to the high comfort network. This approach is a recognition that shared-use paths and bicycling facilities cannot be provided on every street and that, by focusing on a more limited number of routes we can provide higher quality routes to help get residents where they need to go, whether that be to school, work, errands, or other destinations. This plan is supplemented by the Safe Routes to School Plans already being implemented.

The six chapters of the Plan cover the following topics:

- Chapter 1: Introduction, Vision & Goals
- Chapter 2: Progress Report
- Chapter 3: Existing Conditions
- Chapter 4: Community Input
- Chapter 5: Recommendations
- Chapter 6: Implementation Strategy

The Plan sets out several goals of the Billings Area Pedestrian and Bicycle system, including making useful connections, serving a wide variety of people, increasing the safety and health of the community, enabling efficient and sustainable implementation, and expanding transportation choices. Chapter 3 evaluates both the Bicycle Level of Traffic Stress and Pedestrian Level of Traffic Stress which is a network-wide data-driven analysis of roadway segments and how safe it feels to walk or bike on or along them. There is also documentation of existing facilities and pedestrian and bicycle counts. Chapter 4 reports community participation, which included 201 survey responses, 375 map comments over two phases of public outreach, and the results of an in-person poll. Top themes from the survey included infrastructure improvements, connectivity, and safety.

The recommendations in Chapter 5 are split into two categories: High Comfort and Supplemental. While the specific type of facility is not specified, some of the high comfort routes will be shared-use paths and provide high comfort facilities for pedestrians. Additional possible types of facilities include neighborhood bikeways, bike lanes, buffered bike lanes, and separated bike lanes. The decision as to the exact facility type will be made during design with the goal of providing a facility for users of all ages and abilities. Supplemental facilities will be bike facilities that help make a connection, and will likely consist mostly of striped bike lanes and shared lane markings. Recommendations also include suggestions for programs and policies that could make walking, biking, and rolling safer and more appealing in the Billings area. The final chapter uses prioritization criteria established by the steering committee to group projects into four buckets including short term, high priority; long term, high priority; opportunistic priority; and low priority.

STAKEHOLDERS

The local review of the Pedestrian Bicycle Master Plan involves public discussion sessions, work sessions, and regular business meetings of the City Council, Yellowstone County Board of County Commissioners, and Yellowstone County Board of Planning (Planning Board). The Planning Board also conducted a legally advertised public hearing at its meetings on February 11, 2025. The public can provide comments, ask questions at any of these meetings, as well as provide formal public testimony at the Planning Board.

The public participated in this plan throughout the process with two public input periods, and an opportunity to review the draft Plan. A mid-plan progress report was provided to the City Council on June 17, 2024, and BOCC on June 25, 2024.

The Technical Advisory Committee forwarded a recommendation of plan approval to the governing bodies at its meeting on January 30, 2025.

The Planning Board forwarded a recommendation of plan approval to the Policy Coordinating Committee at its meeting on February 25, 2025. The Planning Board members discussed several items at the meeting. One member was concerned about allocating more funding for shared use paths when there was already a maintenance shortfall. Transportation Planner Elyse Monat explained that this plan does not allocate funding; it is a blueprint for the ideal buildout of the system. She specified that there is a disclaimer in the plan that says this, and the member felt comfortable voting for the plan with this disclaimer.

Members expressed several other concerns related to walking, biking, and driving in Billings in general that were generally outside of the scope of the plan. One member questioned if "mixing zones" where a bike lane end temporarily due to a right hand turn lane were safe. Another was concerned about the pedestrian-activated flashing beacons on Shiloh Rd. and said that he could not see the flashers from the far side of the intersection and had to slam on his breaks several times to avoid hitting pedestrians. Ms. Monat said she could share these concerns with the Engineering Division.

ALTERNATIVES

This is a presentation only. Staff recommends that the Council receive the presentation and take any public comment under the Work Session procedures. Council will be asked to vote to forward a recommendation of plan approval to the Policy Coordinating Committee at the Council's March 10 regular meeting.

FISCAL EFFECTS

There are no fiscal effects. This is a plan only. However, the City, County, State, MPO, or other parties, may choose to program funds to implement project recommendations in the future. This plan was approved for completion by the governing bodies in the FY23 Unified Planning Work Program and is 100% funded through Federal PL funds; no local funds were used for this project. Council forwarded a recommendation of approval to use federal funds for this project by approving the FY23 and FY24 UPWPs.

SUMMARY

Staff recommends that the City Council hear a presentation on the Pedestrian Bicycle Master Plan. Council is scheduled to take action on the Pedestrian Bicycle Master Plan at its March 10, 2025 regular business meeting and forward a recommendation to the Policy Coordinating Committee (PCC), which is scheduled to meet on March 18, 2025.

Attachments

Billings Area Pedestrian and Bicycle Master Plan Presentation
Draft Billings Area Pedestrian and Bicycle Master Plan

Billings Area *Pedestrian and Bicycle Master Plan Update*



City Council | March 3, 2025



DISCLAIMER

This is a planning level document only. It is not intended to obligate or mandate development of the projects in the plan or obligate any jurisdiction to implement any or the entire document. In addition, this document does not assume prioritization or commitment of any local funds unless authorized by local government agency.

This document outlines project recommendations as of the adoption date. However, the City of Billings is considering conducting a system-wide plan which, when completed, may contradict some of the recommendations in the Billings Area Pedestrian and Bicycle Master Plan. If the new, system-wide plan contradicts this plan, the new plan will take precedence. If this is the case, the Billings Area Pedestrian and Bicycle Master Plan may be edited to eliminate contradictions between the two plans.

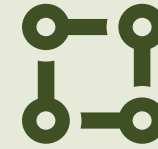
VISION

The Billings community envisions a safe, convenient, and connected active transportation network consisting of bikeways, trails, and sidewalks that serve people of all ages and abilities and trips of all purposes, improving the economic, physical, and mental health of the community and its citizens.



GOALS OF THE PLAN

The Billings Area pedestrian and bicycle system should...



Make useful connections

- To transit
- To schools
- To commercial and civic destinations
- To parks, trailheads, destination trails (e.g., Marathon Loop), and recreation areas
- Close gaps between facilities



Serve a wide variety of people

- The overall network should include a connected all-ages-and-abilities network that everyone from young children to seniors feel comfortable and safe using
- Infrastructure should be clean, easy to understand, and accessible (ADA & PROWAG compliance)
- The system should benefit both recreational and commuter/utility trips
- Emphasis should be placed on demographics that rely on active transportation for their daily needs



Increase the safety and health of the community

- The system should enable physical activity as part of everyday life
- Improvements should contribute to a reduction in the number of crashes involving bicyclists and pedestrians and aim to make streets safer for all roadway users
- The system should increase awareness and visibility of pedestrians and bicyclists
- The system should contribute to improved air quality and a healthier environment



Enable efficient and sustainable implementation

- Policies and initiatives should allow the City and MPO to build the pedestrian/bicycle network at a faster rate than in previous years
- The network should be expanded in a way that can be successfully maintained based on local resources

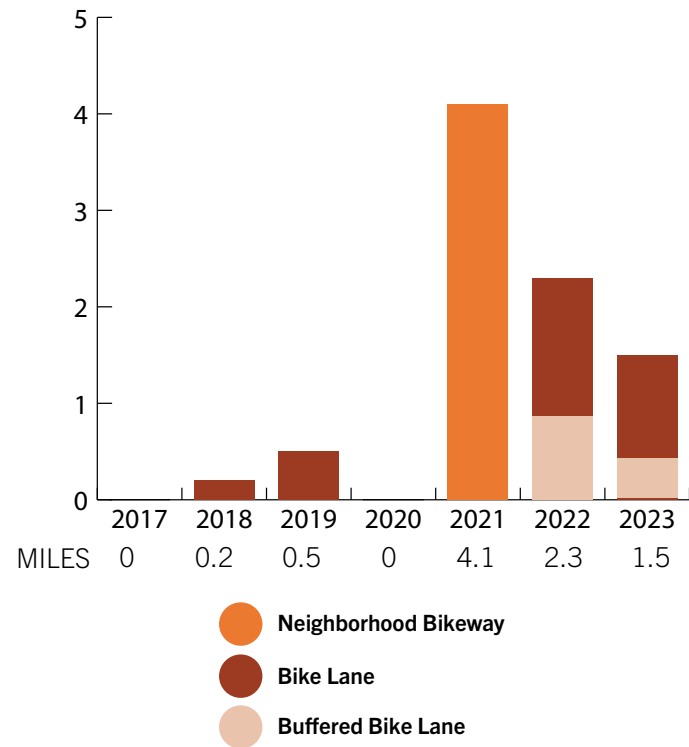


Expand transportation choices

- The system should reduce reliance on motor vehicles
- The system should contribute to an increase in walking and bicycling mode share

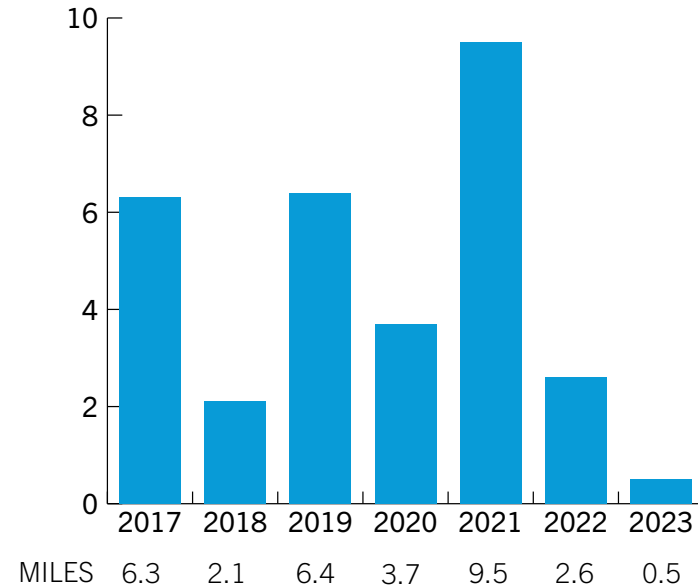
MILEAGE BUILT SINCE 2017

Bikeways



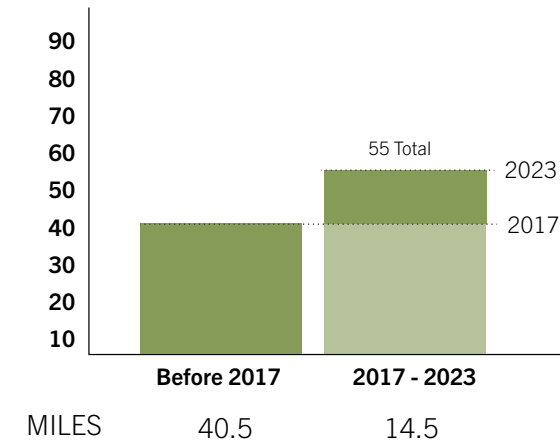
New Bikeway Miles: **8.6**

Sidewalks



New Sidewalk Miles: **33**

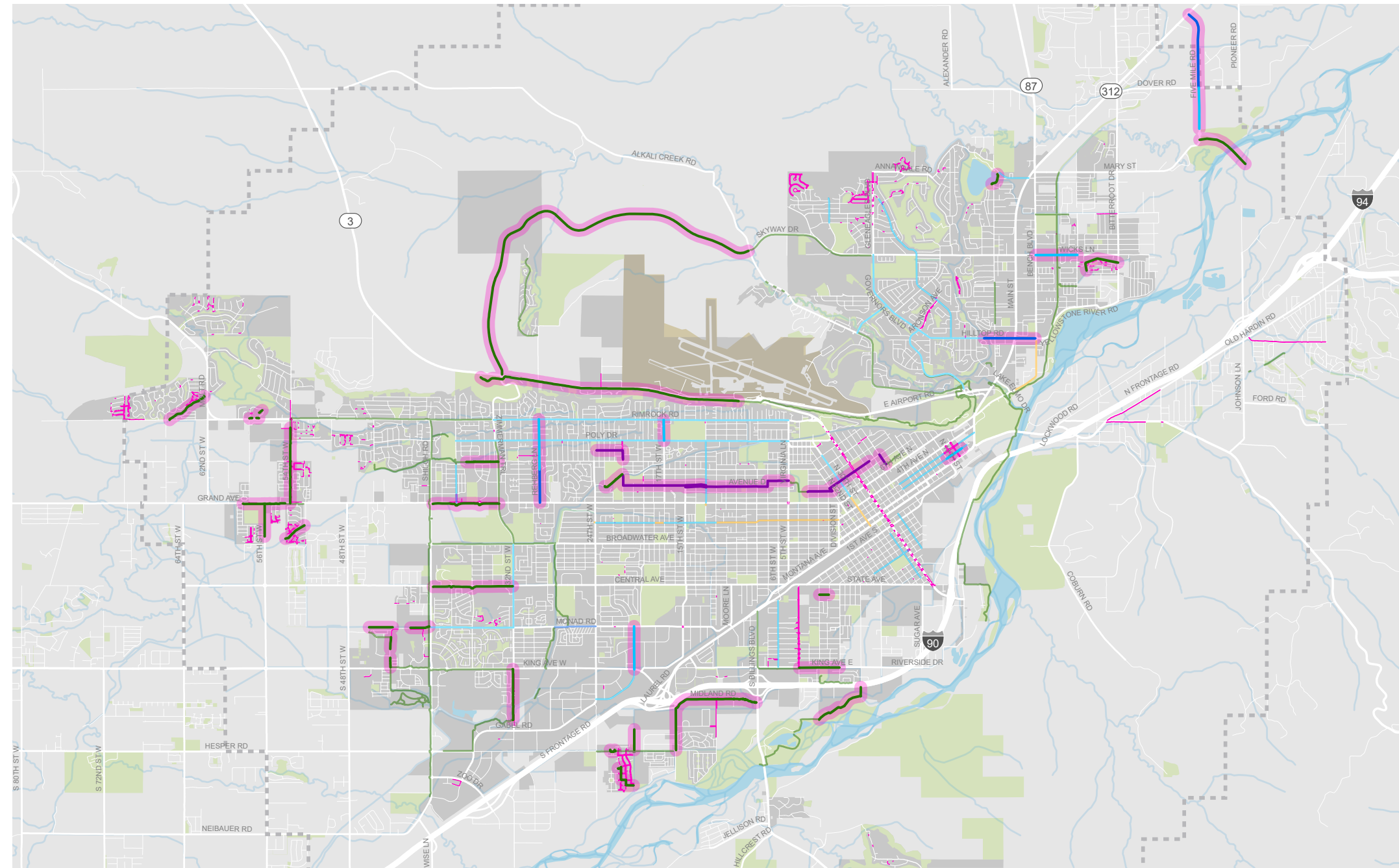
Trails



New Shared Use Path Miles: **14.5**

PROGRESS REPORT

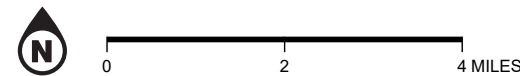
LOCATIONS OF RECENTLY COMPLETED PROJECTS



PROJECTS COMPLETED SINCE 2017

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN

This map highlights Pedestrian and bicycle projects that have been completed since the adoption of the 2017 Billings Area Bikeway and Trails Master Plan.



EXISTING FACILITIES

- Shared Use Path
- Buffered Bike Lane
- Bike Lane
- Neighborhood Bikeway
- Shared Lane Marking
- - - Shared Use Path (in progress)
- Built Since 2017
- Sidewalks completed since 2017
- Billings-Yellowstone Co MPO Boundary
- City of Billings Boundary

Data source: Billings-Yellowstone County MPO, City of Billings

SOME LESSONS LEARNED

- » Funding and staff capacity continue to be limiting factors
- » The MPO has shown it can be successful in obtaining external funding
- » The majority of completed projects came from synergies with other roadway construction and maintenance projects led by Public Works
 - Implementation has been opportunistic as opposed to following 2017 priority list
 - The 2025 plan should more closely consider committed projects (e.g., in the CIP) when determining priority projects
- » Public Works is doing a good job of referencing the Bikeways & Trails Master Plan to ensure that bicycle and pedestrian improvements are included when roadways are reconstructed or repaved
 - But funding for maintenance is not keeping up with demand created by new facilities

OUTREACH EFFORTS

Phase I

- » November 2023 to January 2024
- » Website
- » Online survey
- » Online comment map
- » In-person open house



Phase II

- » July 2024
- » Website
- » Online comment map
- » Poly Drive pop-up event near Veteran’s Park
- » Table at Strawberry Fest



ONLINE COMMENT MAP

Proposed Transportation Network

Pins:

Choose your pin by selecting the pin marker icon on left hand side of the map. Click on the area of the map you wish to make a comment on and the pin will be automatically dropped in the desired spot, and leave us a comment about connections you may or may not agree with, connections we are missing, or a general comment on the proposed network.

Routes:

A route can be create by selecting the polyline tool icon on the left hand side of the map. Place your cursor on the map in the desired location and click on your initial starting point. Continue clicking on your desired path. Once you have drawn your line, drag your cursor to the polygon icon (the same icon you selected to begin your route) and click the finish button. You can also cancel the route or delete the last point you made and start over if you make a mistake.

- Supplemental Existing
- High Comfort Existing
- High Comfort Planned
- Supplemental Planned

NETWORK RECOMMENDATIONS

PEDESTRIAN IMPROVEMENTS

» Shared use paths & other high comfort routes benefit pedestrians

» Guidance for safe pedestrian crossings based on roadway context (FHWA)

» Previous efforts that identify specific pedestrian projects or policies:

- Safe Routes to School (SRTS), Phase I and II
- City of Billings Complete Streets policy
- City of Billings subdivision regulations

» Future City of Billings Transportation Master Plan

Roadway Configuration	Posted Speed Limit and AADT (Annual Average Daily Traffic)								
	Vehicle AADT <9,000			Vehicle AADT 9,000–15,000			Vehicle AADT >15,000		
	≤30 mph	35 mph	≥40 mph	≤30 mph	35 mph	≥40 mph	≤30 mph	35 mph	≥40 mph
2 lanes (1 lane in each direction)	① 2 4 5 6	① 5 6 7 9	① 5 6 7 9	① 4 5 6 7 9	① 5 6 7 9	① 5 6 7 9	① 4 5 6 7 9	① 5 6 7 9	① 5 6 9
3 lanes with raised median (1 lane in each direction)	① 2 3 4 5	① ③ 5 7 9	① ③ 5 7 9	① 3 4 5 7 9	① ③ 5 7 9	① ③ 5 7 9	① ③ 4 5 7 9	① ③ 5 7 9	① ③ 5 9
3 lanes w/o raised median (1 lane in each direction with a two-way left-turn lane)	① 2 3 4 5 6 7 9	① ③ 5 6 7 9	① ③ 5 6 7 9	① 3 4 5 6 7 9	① ③ 5 6 7 9	① ③ 5 6 7 9	① ③ 4 5 6 7 9	① ③ 5 6 9	① ③ 5 6 9
4+ lanes with raised median (2 or more lanes in each direction)	① ③ 5 7 8 9	① ③ 5 7 8 9	① ③ 5 8 9	① ③ 5 7 8 9	① ③ 5 7 8 9	① ③ 5 8 9	① ③ 5 7 8 9	① ③ 5 8 9	① ③ 5 8 9
4+ lanes w/o raised median (2 or more lanes in each direction)	① ③ 5 6 7 8 9	① ③ 5 6 7 8 9	① ③ 5 6 8 9	① ③ 5 6 7 8 9	① ③ 5 6 7 8 9	① ③ 5 6 8 9	① ③ 5 6 7 8 9	① ③ 5 6 8 9	① ③ 5 6 8 9

Given the set of conditions in a cell,

Signifies that the countermeasure is a candidate treatment at a marked uncontrolled crossing location.

● Signifies that the countermeasure should always be considered, but not mandated or required, based upon engineering judgment at a marked uncontrolled crossing location.

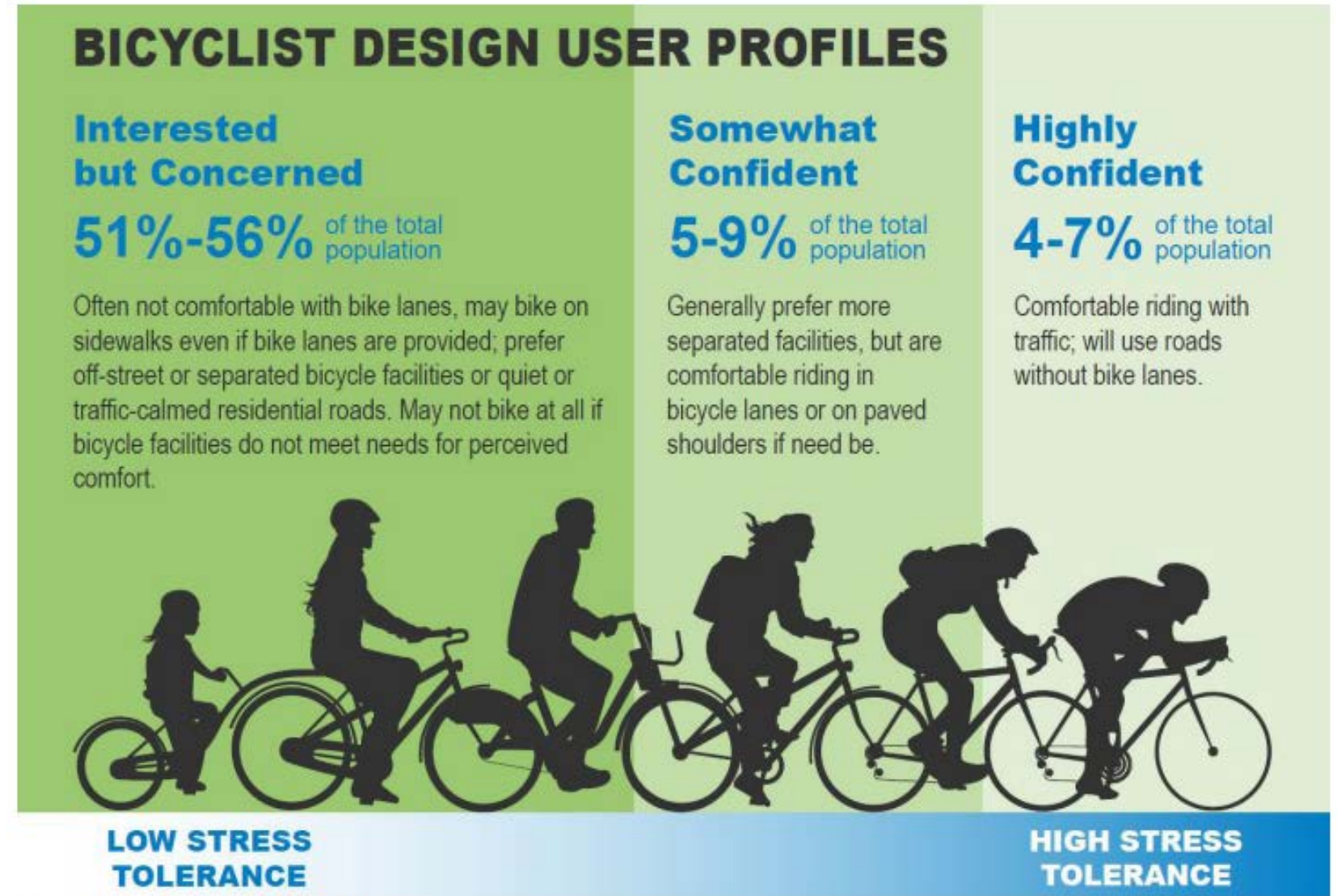
○ Signifies that crosswalk visibility enhancements should always occur in conjunction with other identified countermeasures.*

The absence of a number signifies that the countermeasure is generally not an appropriate treatment, but exceptions may be considered following engineering judgment.

- 1 High-visibility crosswalk markings, parking restrictions on crosswalk approach, adequate nighttime lighting levels, and crossing warning signs
- 2 Raised crosswalk
- 3 Advance Yield Here To (Stop Here For) Pedestrians sign and yield (stop) line
- 4 In-Street Pedestrian Crossing sign
- 5 Curb extension
- 6 Pedestrian refuge island
- 7 Rectangular Rapid-Flashing Beacon (RRFB)**
- 8 Road Diet
- 9 Pedestrian Hybrid Beacon (PHB)**

FHWA APPROACH

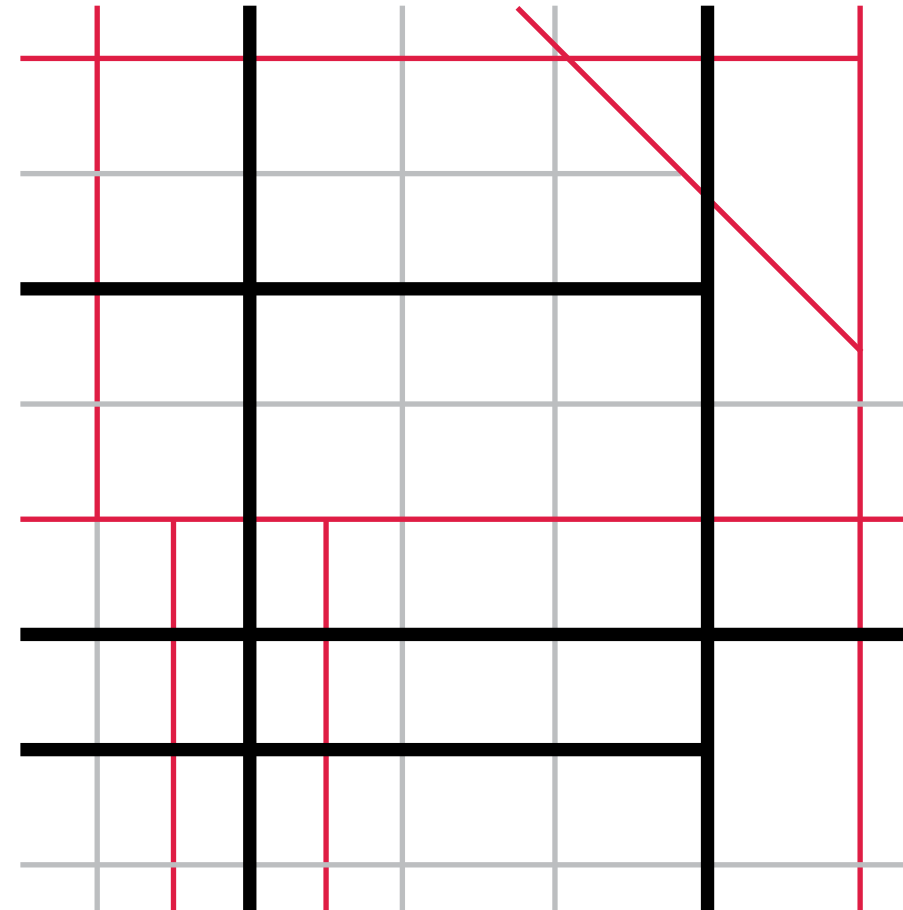
- » The majority of existing and potential cyclists have limited tolerance for exposure to motor vehicle traffic; and if they perceive that their exposure is too high, they'll choose not to ride a bike
- » Designing for the “interested but concerned” in every scenario is likely not feasible



Note: the percentages above reflect only adults who have stated an interest in bicycling.







CREATING A “SPINE” NETWORK

- » Create a **high-comfort** network that creates the most important connections (black)
 - “Interested but concerned” group is the target user
 - “High-comfort” implies separation from motor vehicle traffic or mixed traffic on quiet neighborhood streets
 - Typically prioritized before other connections, but may require more effort and resources
- » Augment with **supplemental** bikeways that make additional connections (red)
 - Supports “highly confident” cyclists and some “somewhat confident” cyclists
 - “Supplemental bikeways” primarily consist of bike lanes and shoulders
 - These can be upgraded through traffic calming or enhanced separation



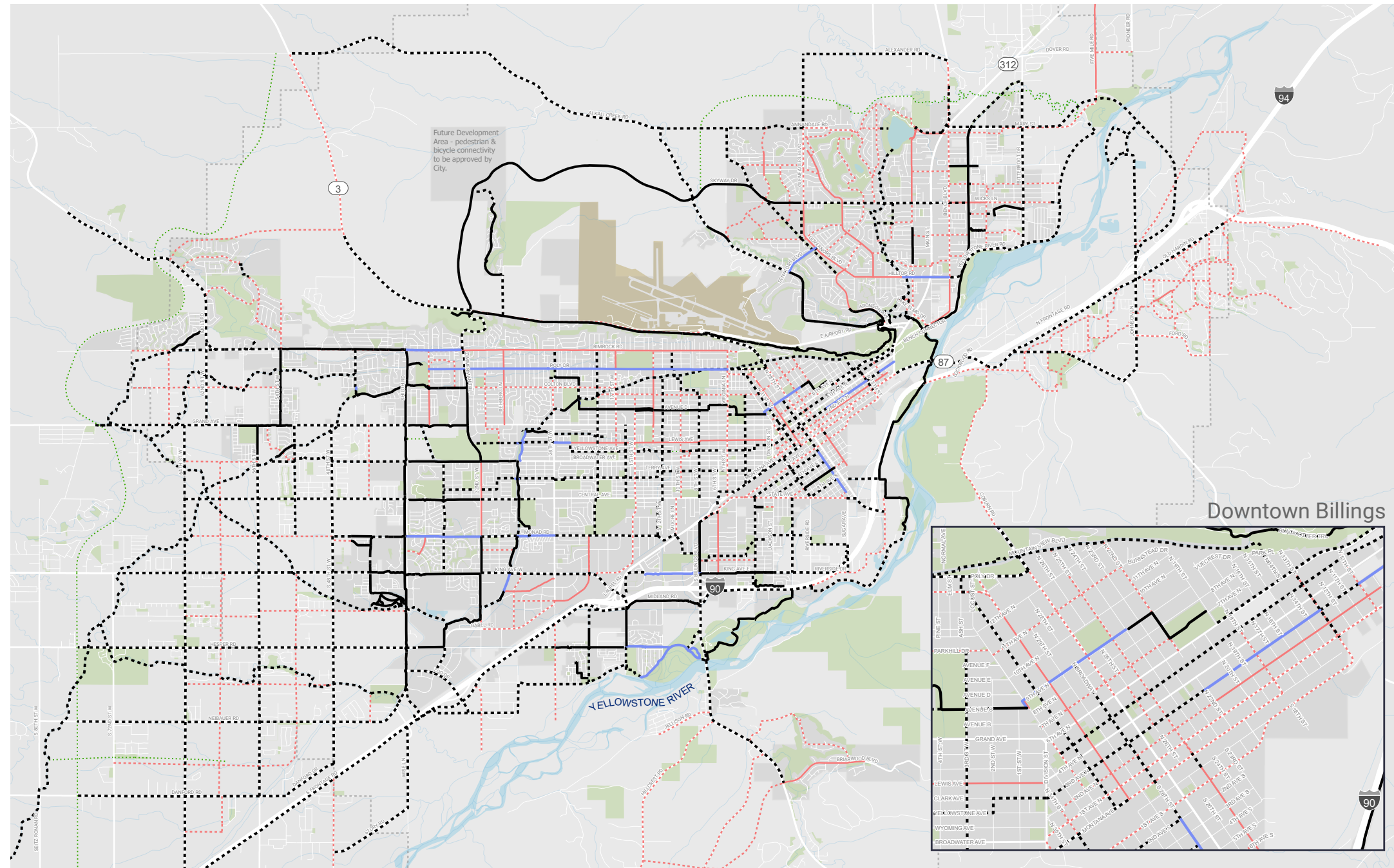
NETWORK RECOMMENDATIONS

DRAFT NETWORK

-  High Comfort: Existing, to remain
-  High Comfort: Existing, future improvement
-  High Comfort: New connection
-  Supplemental: Existing, to remain
-  Supplemental: New connection
-  High Comfort: Future concept

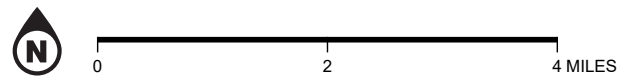
Notes:

1. Route alignments and facility types are subject to change pending further study and public input process.
2. "High-comfort" facility types vary depending on context, but imply physical separation from motor vehicle traffic OR a low-speed, low-volume mixed traffic environment.
3. For "supplemental" routes, high-comfort facilities should always be considered and studied for feasibility.









RECOMMENDED NETWORK

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN



Notes:

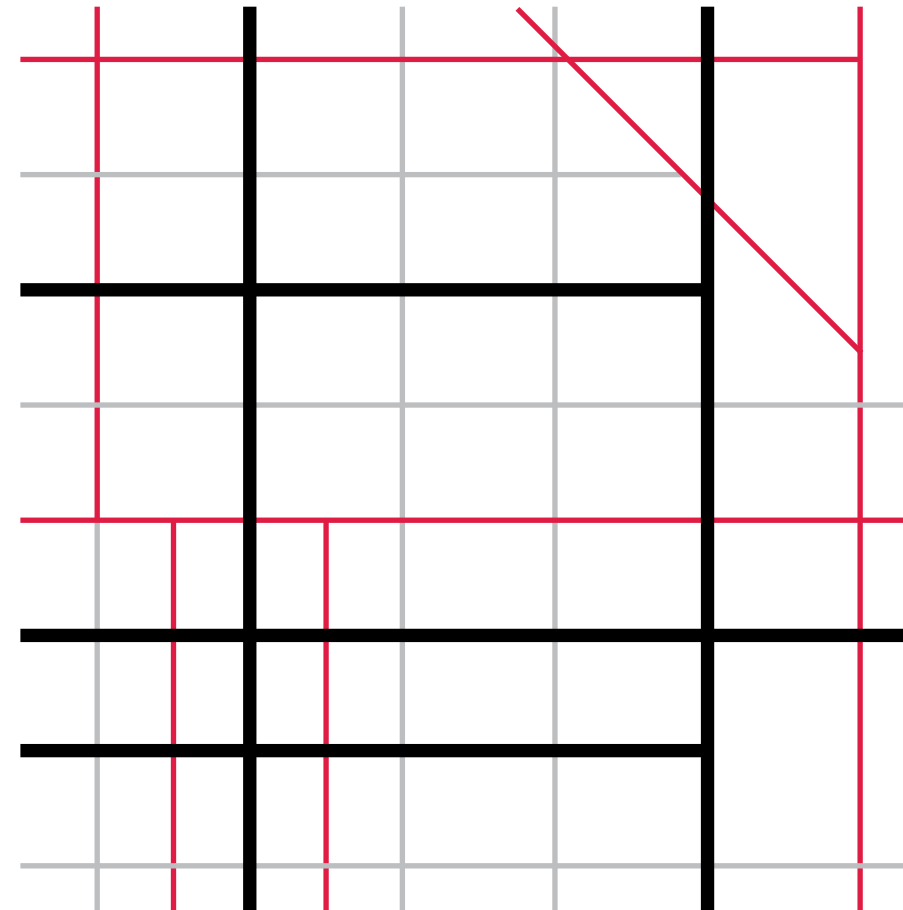
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-  High Comfort: Existing, future improvement
-  High Comfort: New connection
-  Supplemental: Existing, to remain
-  Supplemental: New connection
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WHY THIS APPROACH?

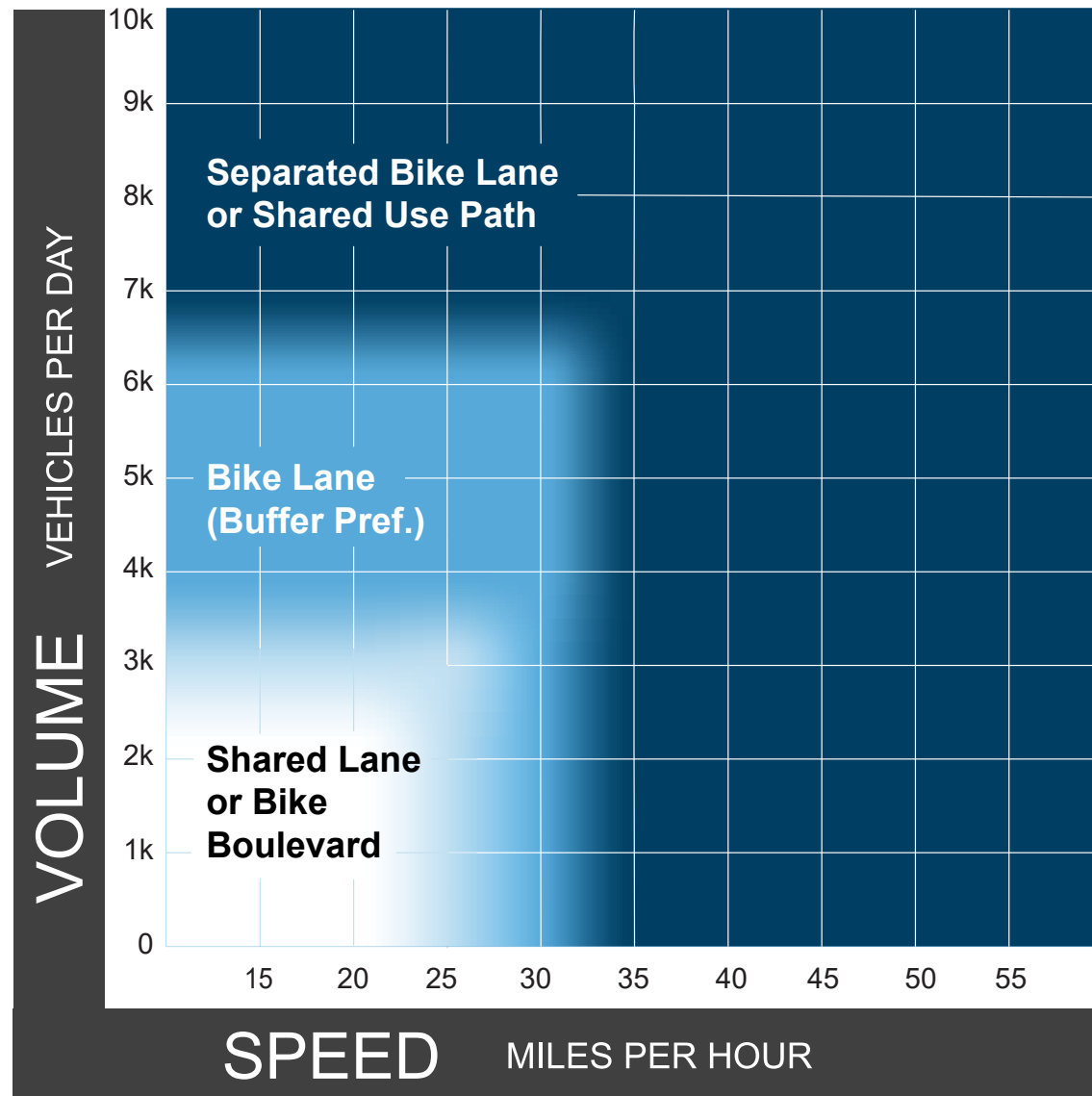
- » Gives Public Works more flexibility to assess each corridor for feasibility and implement the most appropriate facility type on a case-by-case basis
- » Helps the City and County simplify and focus on the most important connections while also making other connections as opportunities arise
- » Achieves the goal of creating a network for people of all ages and abilities while recognizing that it's not feasible for all routes to be low-stress

High Comfort | **Supplemental**



NETWORK RECOMMENDATIONS

BIKEWAY DESIGN GUIDANCE



Separated Bike Lanes

Conflict Markings
If included, green conflict markings display the bicycle right of way and create continuity and connection of the bicycle facility through mixing zones, intersections, and driveway crossings

Physical Barrier
Materials for barriers may include concrete curbing, jersey barriers, bollards, planters,

Buffered Bike Lanes

Buffer Stripping
If a buffer is wider than 3', diagonal hatching or chevron markings shall be applied

Buffer Placement
Buffers may be located between the bike

Neighborhood Bikeways

Traffic Calming
Traffic calming measures can be implemented as required to achieve the desired volume and speed criteria for neighborhood bikeways (e.g., curb bulbouts)

Sharrows
Shared lane markings (sharrows) may be used to assist cyclists with lateral positioning, to alert road users, etc

Signage
Branded wayfinding signage from the approved Billings Wayfinding Signage Plan and regulatory signage as required by the Manual on Uniform Traffic Control Devices (MUTCD) marks the route

Neighborhood Bikeways are generally quiet neighborhood streets with lower vehicle volumes & speeds. Bicyclists and pedestrians are prioritized by managing speeds and volumes via traffic calming elements. Signage, pavement markings, and safe crossings at busy streets are also incorporated. These improvements will need to be determined on a case-by-case basis, studied, and recommended by the project designer.

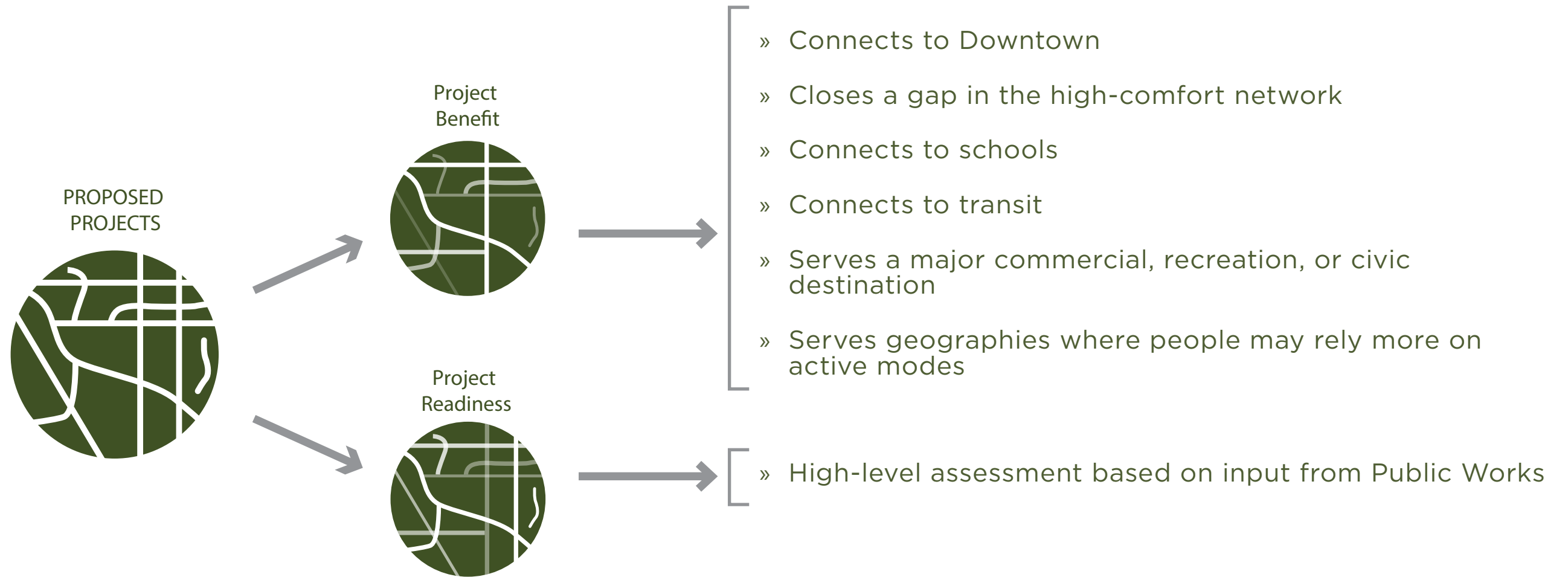
FHWA High-Comfort Guidelines

Volume: ≤ 3,000 vehicles per day

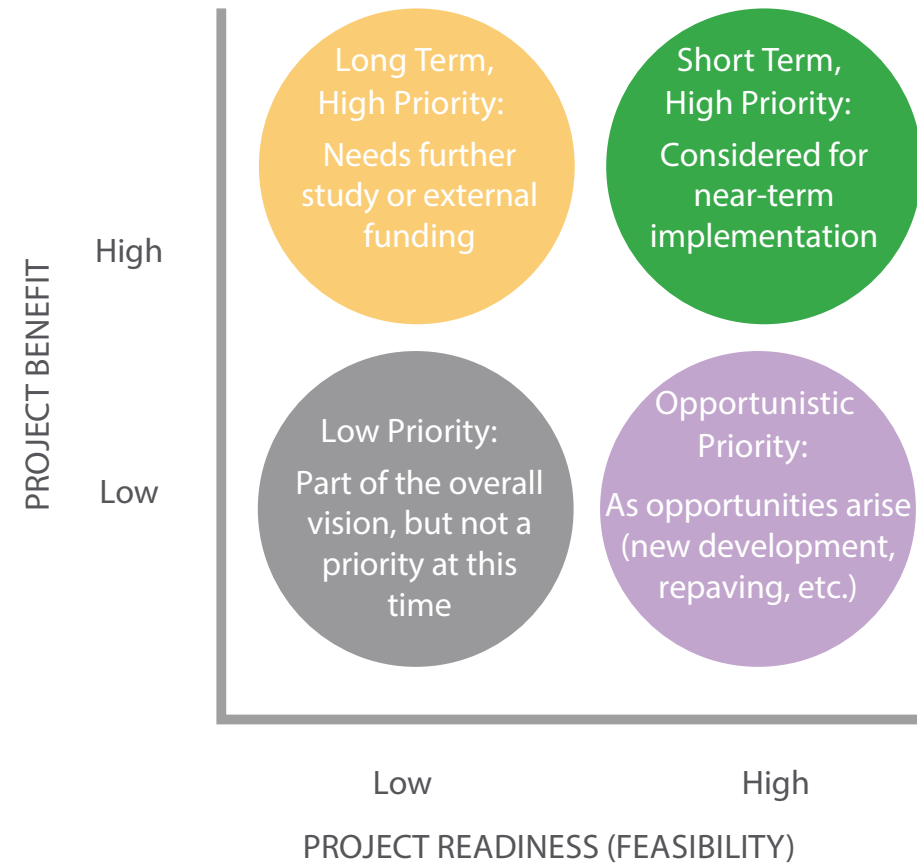
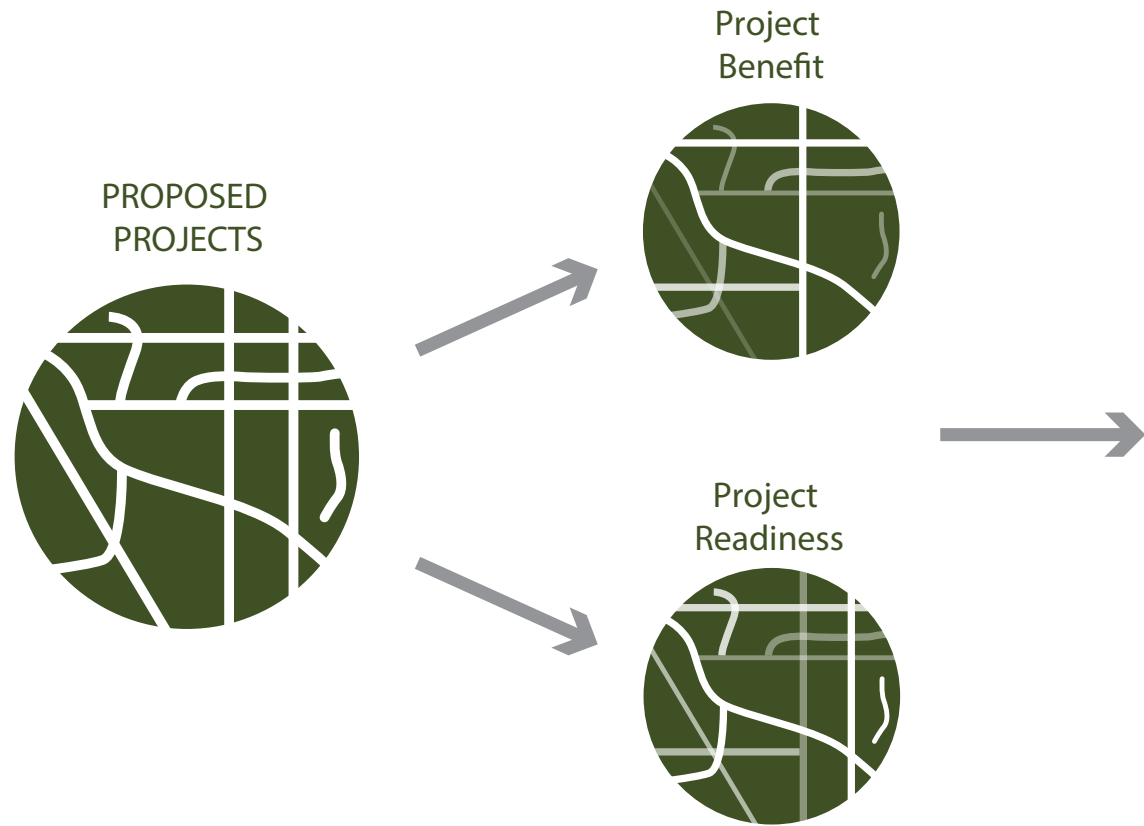
Roadway Speed: ≤ 25 MPH

If Need, Paired With: Traffic Calming, Wayfinding

PROJECT PRIORITIZATION



PROJECT PRIORITIZATION



PROJECT PRIORITIZATION

1. **Short term, high priority:** scores high on project value and high on project readiness

- First on the list to implement
- Ready for design or implementation based on available funding

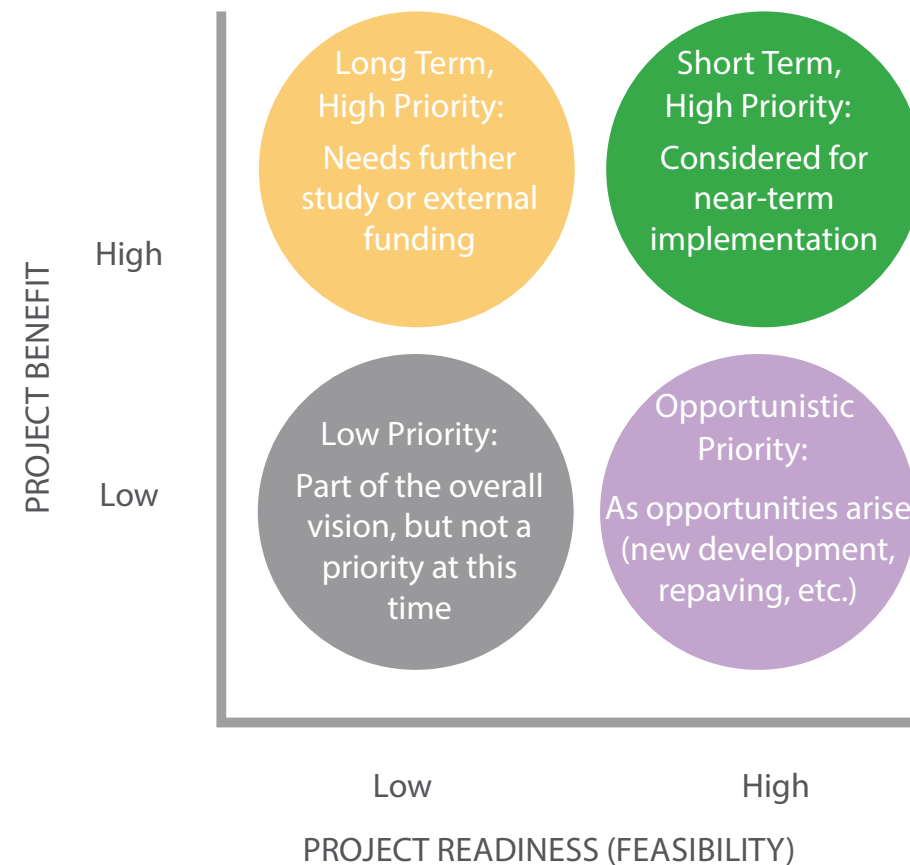
2. **Long term, high priority:** scores high on project value but low on project readiness

- Priority for further study to determine feasibility, constraints, and cost
- Likely requires external funding source

3. **Opportunistic priority:** scores low on project value, but high on project readiness

- May become a priority if an opportunity arises, such as redevelopment or pavement preservation projects

4. **Low priority:** scores low on project value and low on project readiness



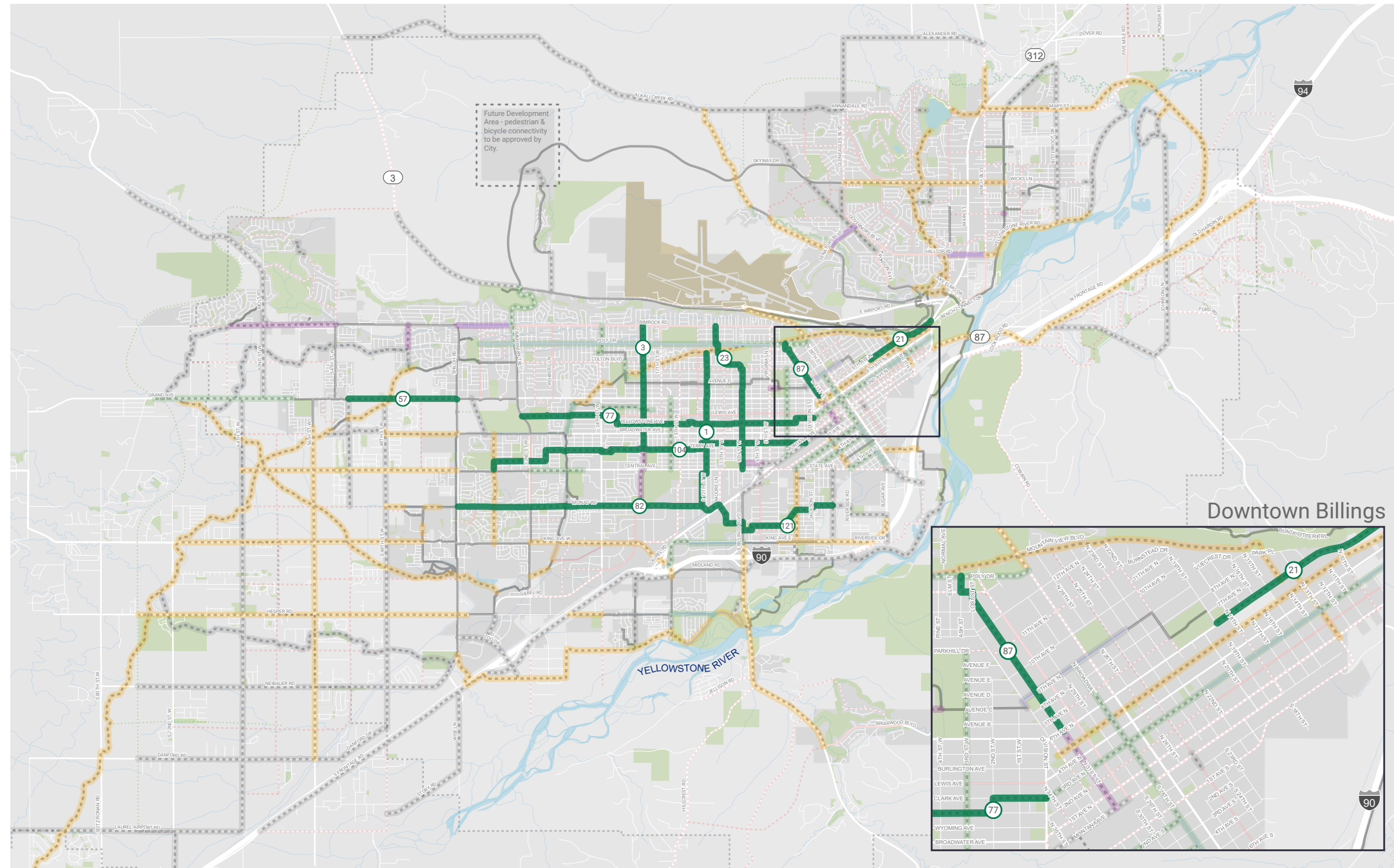
IMPLEMENTATION

PRIORITY PROJECTS

Facility Priority

- █ Top 10 Priority Projects
- █ High Priority, Short Term
- █ High Priority, Long Term
- █ Opportunistic Priority
- █ Low Priority

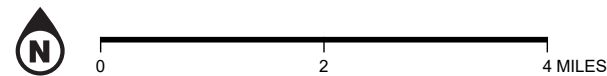
1. 12th St/Plainview St | BBWA Canal/Monad Rd (#1)
2. 6th Ave N | N 19th St/existing trail (#21)
3. 8th St | Rimrock Rd/Central Ave (#23)
4. Yellowstone Ave/Clark/Lewis | Zimmerman/Division (#77)
5. Monad Rd | 32nd St/Billings Blvd (#82)
6. N 31st St | Poly Dr/6th Ave (#87)
7. Terry/Miles/Howard | 36th St. W/1st St W (#104)
8. Phillips St | Billings Blvd/Washington St (#121)
9. 19th St | Rimrock Rd/Miles Ave (#3)
10. Grand Ave | 52nd St. W/Shiloh Rd (#57)



PROJECT PRIORITIZATION

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN

TOP TEN PROJECTS HIGHLIGHTED



Notes:

1. Route alignments and facility types are subject to change pending further study and public input process.
2. "High-comfort" facility types vary depending on context, but imply physical separation from motor vehicle traffic OR a low-speed, low-volume mixed traffic environment.
3. For "supplemental" routes, high-comfort facilities should always be considered and studied for feasibility.

Active Transportation Network

- High Comfort: Existing, to remain
- High Comfort: Existing, future improvement
- - - - - High Comfort: New connection
- Supplemental: Existing, to remain
- - - - - Supplemental: New connection
- · - · - · High Comfort: Future concept

Facility Priority

- █ Top 10 Priority Projects
- █ High Priority, Short Term
- █ High Priority, Long Term
- █ Opportunistic Priority
- █ Low Priority

IMPLEMENTATION

HOW WILL PROJECTS MOVE FORWARD?

- » Public works will continue to reference the master plan ahead of pavement preservation or reconstruction projects
- » High priority, short term projects can move into concept and design phase based on available resources; external funding may be needed
- » High priority, long term projects should be prioritized for future feasibility studies and external funding applications
- » Future development adjacent to identified projects should include bicycle and pedestrian improvements outlined in the plan

2025

Billings Area Pedestrian & Bicycle Master Plan



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APPENDIX A

Planning Level Cost Estimates

APPENDIX B

Full Project List

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CHAPTER 1

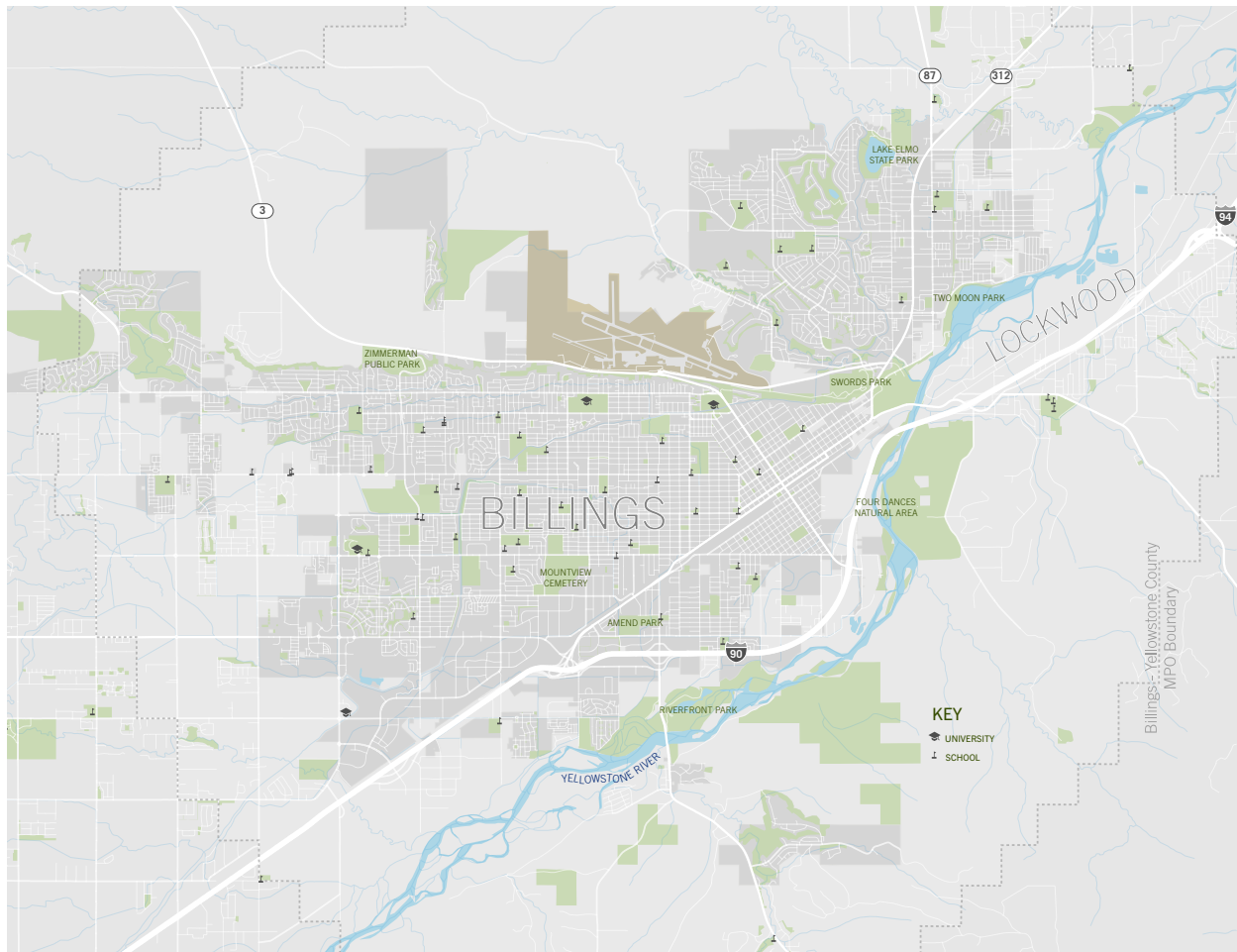
**Introduction,
Vision & Goals**

Introduction

Formerly named the Billings Area Bikeway & Trails Master Plan (2017), the **2024 Billings Area Pedestrian & Bicycle Master Plan** serves as an update to the 2017 plan, and provides the region with a blueprint for improving conditions for active transportation looking forward. The intent of this plan is to identify progress on the system since 2017, identify and prioritize projects that will improve the safety and convenience of walking, biking, and rolling* in the Billings area, and establish strategies for implementing next steps in the process.

This plan combines both pedestrian (shared use path) recommendations and bicycle (neighborhood bikeways, bike lanes, buffered bike lanes, protected bike lanes, and shared use paths) into two categories: high comfort and supplemental. These categories are discussed more in Chapter 5. New in this plan, a Pedestrian Level of Traffic Stress Analysis was conducted for road segments. Chapter 5 also references design guidance for pedestrian crossings. Figure 1.1 shows a map of the study area, which encompasses the City of Billings and immediately adjacent, unincorporated areas served by the Billings-Yellowstone County Metropolitan Planning Organization (MPO).

FIGURE 1.1 - MAP OF STUDY AREA



* **Rolling** refers to the use of any personal mobility device outside of traditional pedal cycles, including wheelchairs, scooters, skateboards, one-wheels, or other human-powered and electric devices. While the spectrum of personal mobility devices continues to expand, the infrastructural needs remain similar to those of pedestrians and bicyclists based on speeds and required space.



Billings Pedestrian + Bicycle Master Plan Update Vision

The Billings community envisions a safe, convenient, and connected active transportation network consisting of bikeways, trails, and sidewalks that serve people of all ages and abilities and trips of all purposes, improving the economic, physical, and mental health of the community and its citizens.

The Billings Area Pedestrian + Bicycle System* should...



Make useful connections

- To transit
- To schools
- To commercial and civic destinations
- To parks, trailheads, destination trails (e.g., Marathon Loop), and recreation areas
- Close gaps between facilities



Serve a wide variety of people

- The overall network should include a connected **all-ages-and-abilities** network that everyone from young children to seniors feel comfortable and safe using
- Infrastructure should be clean, easy to understand, and **accessible** (ADA & PROWAG (Public Rights of Way Accessibility Guidelines) compliant)
- The system should benefit both **recreational and commuter/utility trips**
- Emphasis should be placed on **demographics that rely on active transportation** for their daily needs



Increase the safety and health of the community

- The system should enable **physical activity** as part of everyday life
- Improvements should contribute to a **reduction in the number of crashes involving bicyclists and pedestrians** and aim to make streets safer for all roadway users
- The system should **increase awareness and visibility** of pedestrians and bicyclists
- The system should contribute to **improved air quality** and a healthier environment



Enable efficient and sustainable implementation

- Policies and initiatives should allow the City and MPO to build the pedestrian/bicycle network **at a faster rate** than in previous years
- The network should be expanded in a way that can be **successfully maintained based on local resources**



Expand transportation choices

- The system should **reduce reliance on motor vehicles**
- The system should contribute to an **increase in walking and bicycling mode share**

**The Pedestrian + Bicycle System refers to both the infrastructure (the physical network) and non-infrastructure (policies, programs, and practices) initiatives that enable safe walking/bicycling in the community.*



CHAPTER 2

Progress Report



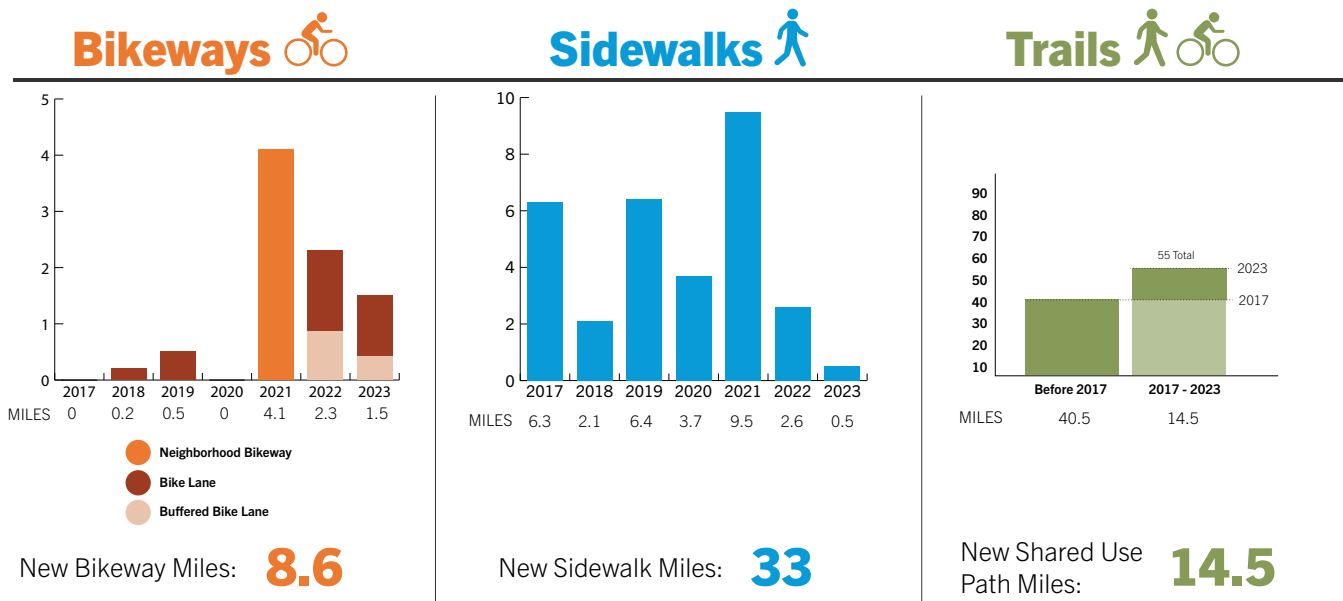
What has happened since 2017?

Much has changed since the adoption of the 2017 Billings Area Bikeway & Trails Master Plan, including the completion of several projects and initiatives based on the plan’s recommendations. This chapter provides a snapshot of recently completed projects; policies, programs, and other initiatives that have been implemented; and changes in the demographics and travel behaviors of residents over the last six years.

Projects Completed Since 2017

Over the last six years (2017–2023), over 61 miles of active transportation facilities have been constructed in the Billings area, including new on-street bikeways, paved trails, and sidewalks (See Figure 2.1). Figure 2.2 illustrates the locations across the area where these investments have been made.

FIGURE 2.1 – BIKEWAYS, PAVED TRAILS, & SIDEWALKS



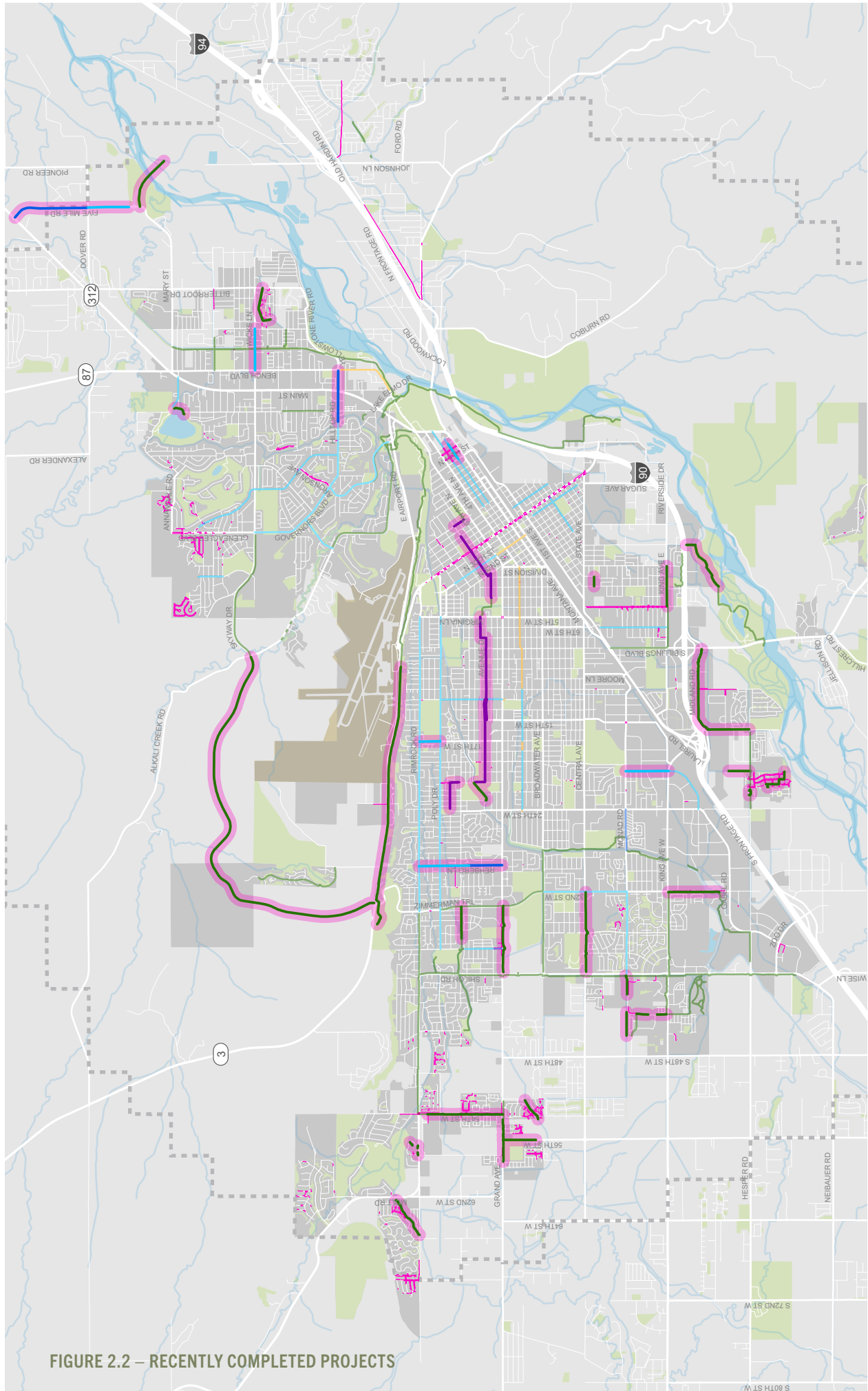


FIGURE 2.2 – RECENTLY COMPLETED PROJECTS

PROJECTS COMPLETED SINCE 2017

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN

This map highlights Pedestrian and bicycle projects that have been completed since the adoption of the 2017 Billings Area Bikeway and Trails Master Plan.

EXISTING FACILITIES

- Shared Use Path
- Buffered Bike Lane
- Bike Lane
- Neighborhood Bikeway
- Shared Lane Marking

- Shared Use Path (in progress)
- Built Since 2017
- Sidewalks completed since 2017
- Billings-Yellowstone Co MPO Boundary
- City of Billings Boundary



Policies, Programs, & Other Initiatives

In addition to investments in physical infrastructure, the City, MPO, and County have dedicated time and resources to the development of new policies, programs, and other initiatives that support active transportation in the Billings area. Table 2.1 summarizes the efforts that were recommended in the 2017 Plan.

TABLE 2.1 – PROGRESS ON POLICIES, PROGRAMS, & OTHER INITIATIVES RECOMMENDED IN THE 2017 PLAN






TYPE	PROGRAM & DESCRIPTION	PROGRESS SINCE 2017
 EQUITY	<p>BICYCLE GIVE-A-WAYS</p> <p>Local businesses and organizations, including Billings TrailNet, Lockwood PTA, Merrill Lynch, and Edward Jones, among others, collaborate to provide funding to give away bicycles to the community. These events have proved to be very popular.</p>	<p>The Lockwood Pedestrian Safety District gives away a few bikes a year to students in need. Kids In Motion (KIM), a free bike repair program for students in Billings Public Schools, helps keep bikes that students already have rideable. In 2023, HDR engineering firm donated 24 bicycles to kindergartners at Highland elementary school.</p>
 ENCOURAGEMENT	<p>MUNICIPAL BIKE FLEET</p> <p>Promote work-related trips by bicycle; reduce daytime auto trips. Bike Share systems in the United States have become a popular form of micromobility (sometimes referred to as small things on wheels). While these systems were initially implemented primarily in large U.S. cities, they are now being implemented in small to mid-size cities like Billings. Rather than implement a municipal bike fleet, the City/County should assess the feasibility of implementing a bike share system.</p>	<p>Bike and Scooter Share Feasibility study was completed in 2020. Several companies have approached Billings about bringing shared micromobility (bike and/or scooter share) to town. However, staff plan to set guidelines by issuing an Request for Proposals (RFP) for a provider. As a smaller community, this will help to make expectations clear up front.</p>
 ENCOURAGEMENT	<p>BICYCLE AND TRAILS MAP (2011 PLAN RECOMMENDATION)</p> <p>Provide route and facility information and highlight walking and bicycling destinations. Entities should coordinate to ensure that the maps distributed have consistent information. A meeting should be held annually to revise maps as needed. TrailNet should continue maintaining the online interactive map on their website.</p>	<p>The Metropolitan Planning Organization added an app with route and facility information</p>

TABLE 2.1 – POLICIES, PROGRAMS, & OTHER INITIATIVES (CONT.)

TYPE	PROGRAM & DESCRIPTION	PROGRESS SINCE 2017
 <p>ENCOURAGEMENT</p>	<p>SAFETY EQUIPMENT USE ENCOURAGEMENT</p> <p>Encourage the use of bicycle lights, helmets and reflective clothing by promoting the use of this equipment and hosting equipment giveaways. Organizations and school districts should coordinate their efforts, share resources, establish best practices and determine program development costs</p>	<p>Lockwood Pedestrian Safety District gives away some helmets and reflective slap bands to 4th graders in May. Previously, the school district had a grant from St. Vincent Healthcare (now Intermountain Health) to sell helmets to students at \$5/helmet. The funding for the discounted helmets was exhausted. Both hospitals sell low cost helmets, but they are not free.</p>
 <p>ENCOURAGEMENT</p>	<p>CONDUCT WALKABILITY, ACCESSIBILITY AND PARK AUDITS</p> <p>Conduct audits in the city’s parks to assess accessibility conditions, lighting and improve safety. To identify assets and barriers in park access, safety and connectivity to other parks</p>	<p>Healthy By Design created a Parks RX program where they evaluated two parks and creating walking route maps showing conditions on the trails. Crime Prevention Through Environmental Design (CPTED) is currently a priority for the City and some parks have received CPTED audits with more audits possible in the future.</p>
 <p>ENFORCEMENT</p>	<p>INCREASE TRAFFIC ENFORCEMENT</p> <p>Increase the budget for traffic enforcement in the City of Billings to allow additional officers to be assigned to traffic detail.</p> <p>The community consistently stated that traffic enforcement for all road users in the Billings Area was perceived to be minimal.</p>	<p>A mill levy that passed a couple of years ago provided more funding for police officers, including traffic enforcement. More officers have been added as a result.</p>
 <p>EVALUATION</p>	<p>ESTABLISH COMPREHENSIVE COUNTS PROGRAM</p> <p>Data on walking and bicycling is necessary to track growth in these modes and determine where investments are necessary. The city should continue collecting data on bicycling and trail use using manual and automated counters.</p>	<p>In recent years, Billings has shifted entirely to automatic counts. This means not as many pedestrian counts have been taken. A new people-counter downtown under Skypoint was installed, but is out of commission. There is also one new set of permanent bike lane counters on Poly. A new permanent counter was also installed on the HWY 87 path which is through the Lockwood Pedestrian Safety District.</p>

TABLE 2.1 – POLICIES, PROGRAMS, & OTHER INITIATIVES (CONT.)

TYPE	PROGRAM & DESCRIPTION	PROGRESS SINCE 2017
 <p>EVALUATION</p>	<p>VISION ZERO</p> <p>The goal of the program is to reduce traffic fatalities and serious injuries to zero.</p>	<p>The Billings Area Community Transportation Safety Plan (CTSP) was updated in 2021 with Vision Zero goals. The CTSP focused on behaviors such as lack of restraint, impaired drivers, and inattentive driving, with a focus on young drivers.</p>
 <p>EVALUATION</p>	<p>MEASURING THE STREET</p> <p>Before and after the installation of new bikeway or trail facility, data should be collected on bicycle, pedestrian and motor vehicle volumes, crashes, and motor vehicle speeds. This data can be used to evaluate how effective new bikeways or trails are in achieving goals</p>	<p>This process of data collection was utilized when implementing the new neighborhood bikeway, which set a precedent to continue this type of evaluation on future facilities.</p>
<p>OTHER</p>	<p>DEVELOP SYSTEM-WIDE WAYFINDING PLAN</p> <p>A wayfinding system should identify destinations that should be signed to, identify trails and bicycle boulevard routes to be signed, adopt standard placement practices for wayfinding signs, and install signage along priority routes</p>	<p>Billings adopted a wayfinding plan in February 2020. Wayfinding signage has been installed along Ave D neighborhood bikeway.</p>
<p>OTHER</p>	<p>BICYCLE PARKING</p> <p>A bike parking code should be part of a future Zoning Code update to standardize rack type and placement practices, and ensure bike parking is installed with new development. A bike parking program, focused on Downtown and other areas of the community, allows the community to request the placement of racks on public lands, and property owners to request racks on their private land (otherwise, these racks may never be installed in areas where they are needed, such as auto-oriented 'strip-mall' developments in the western part of Billings).</p>	<p>Bike parking is now required by City zoning code in some districts. The city established a downtown bike parking program, but the program has run out of funding and is now dormant.</p>

Trends in Travel

Since 2017, the number of people who call the City of Billings home has increased from 109,894 to 118,849 (8% growth over six years, not including unincorporated population growth), placing more pressure on the transportation system and its ability to serve a growing population. Figure 2.4 highlights travel trends based on available American Community Survey (ACS) data, which shows limited changes in mode share. ACS data considers only commute trips to work, and does not account for other daily trips for errands, social life, etc. So while overall biking and walking trips to work decreased between 2014 and 2021 according to ACS data, user count data along Billings' bikeways and trails, as shown in Chapter 3, suggests an upward trend in walking and biking over the last five to six years.

FIGURE 2.3 – POPULATION GROWTH

Source: 2023 Billings Urban Area Long Range Transportation Plan

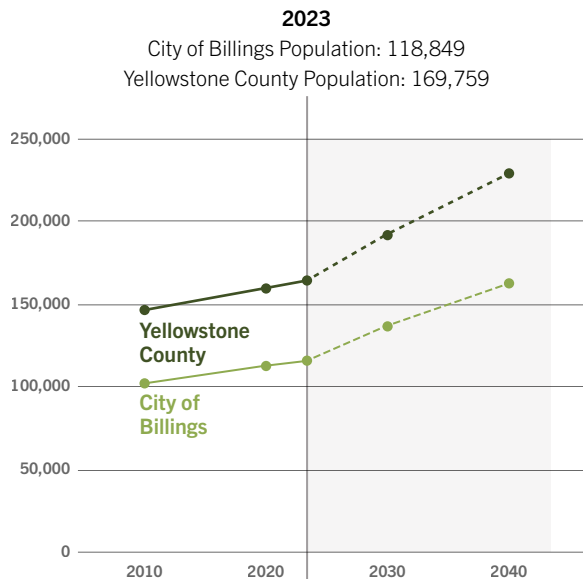
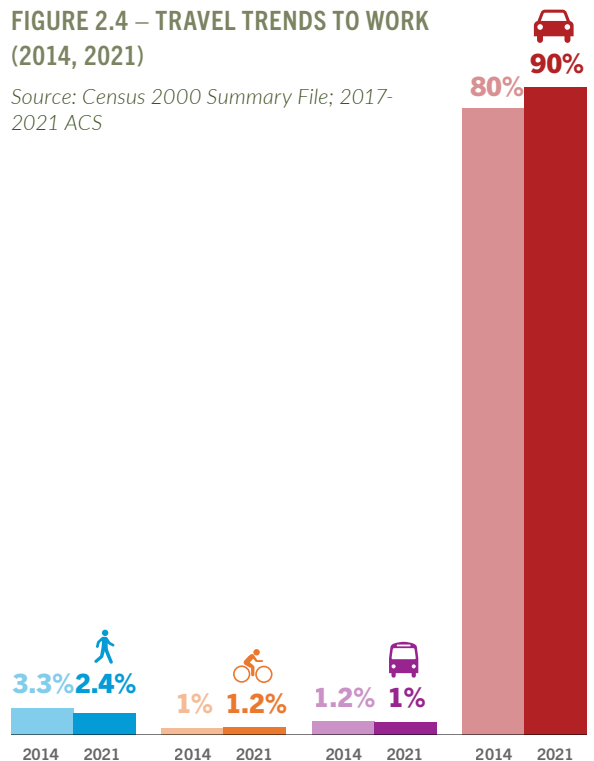


FIGURE 2.4 – TRAVEL TRENDS TO WORK (2014, 2021)

Source: Census 2000 Summary File; 2017-2021 ACS



2017 Recommendations Audit

An audit of the 2017 Plan's recommendations was conducted to identify lessons learned during the last six years of implementation and opportunities to refine the City and MPO's approach moving forward. Both infrastructure (bikeway and trail network) and non-infrastructure (programs, policies, and other initiatives) recommendations were reviewed.

Network Recommendations

Figure 2.5 shows a map of existing bikeways and trails, projects recommended in the 2017 Plan, and priority projects identified in 2017. Some of the questions considered in reviewing the 2017 network recommendations and lessons learned include:



What were some of the primary funding sources for projects that were completed since 2017?

- Local street maintenance funds
- Local gas tax
- Local owner assessments
- Statewide Transportation Improvement Program (STIP)
- State Fish, Wildlife, and Parks Recreational Trails Program Grant
- Federal BUILD Grant (now called RAISE Grant)

Why were some of the 2017 priority projects implemented while others were not?

- Avenue D Neighborhood Bikeway was implemented because it was a new facility type and the top ranked neighborhood bikeway from the plan
- Small section of BBWA Canal Trail between Woody Dr. and 21st St.: no right-of-way constraints; grant received from Recreational Trails Program, with matching contributions from Billings Trail Net, Public Works, and Parks
- Limiting factor for priority projects that were not completed were funding and staff capacity

What led to non-priority projects being completed?

- Several non-priority projects were completed opportunistically in conjunction with Public Works' Pavement Preservation Plan and Capital Improvement Plan (CIP)
- Several shared use paths along roadways (sidepaths) were constructed as part of Public Works' policy that a 10' shared use path (sidepath) is required as part of the reconstruction of any arterial
- The Skyline Trail was pursued because it was a good candidate for a federal BUILD grant

For those projects that were designated in 2017 as “visionary long range bikeways,” has anything changed that would lead us to more specific recommendations?

- Some sections of Grand Avenue are not currently part of the Capital Improvement Plan (CIP), but there have been discussions to add them
- There have been discussions about dedicating funding for concept/feasibility studies for these corridors

Are there any previously recommended projects that are slated for near-term implementation?

- Skyline Trail and Inner Belt Loop were completed while this plan was being developed
- See 5-year CIP and Pavement Preservation Plan

In general, what have we learned over the last six years about developing the active transportation network? Is there anything about the approach that should change?

- External funding is available for larger projects, and Billings was successful in being awarded a handful of grants, but staff capacity can be a limiting factor in taking advantage of all the state and federal grant opportunities
- Public Works is doing a good job of referencing the Master Plan to make sure planned bicycle and pedestrian improvements are included in maintenance and new construction projects
- The prioritization process for this plan should consider Public Works’ CIP project list
- Billings’ Complete Streets Policy has guided Public Works consideration for active modes in implementing the CIP



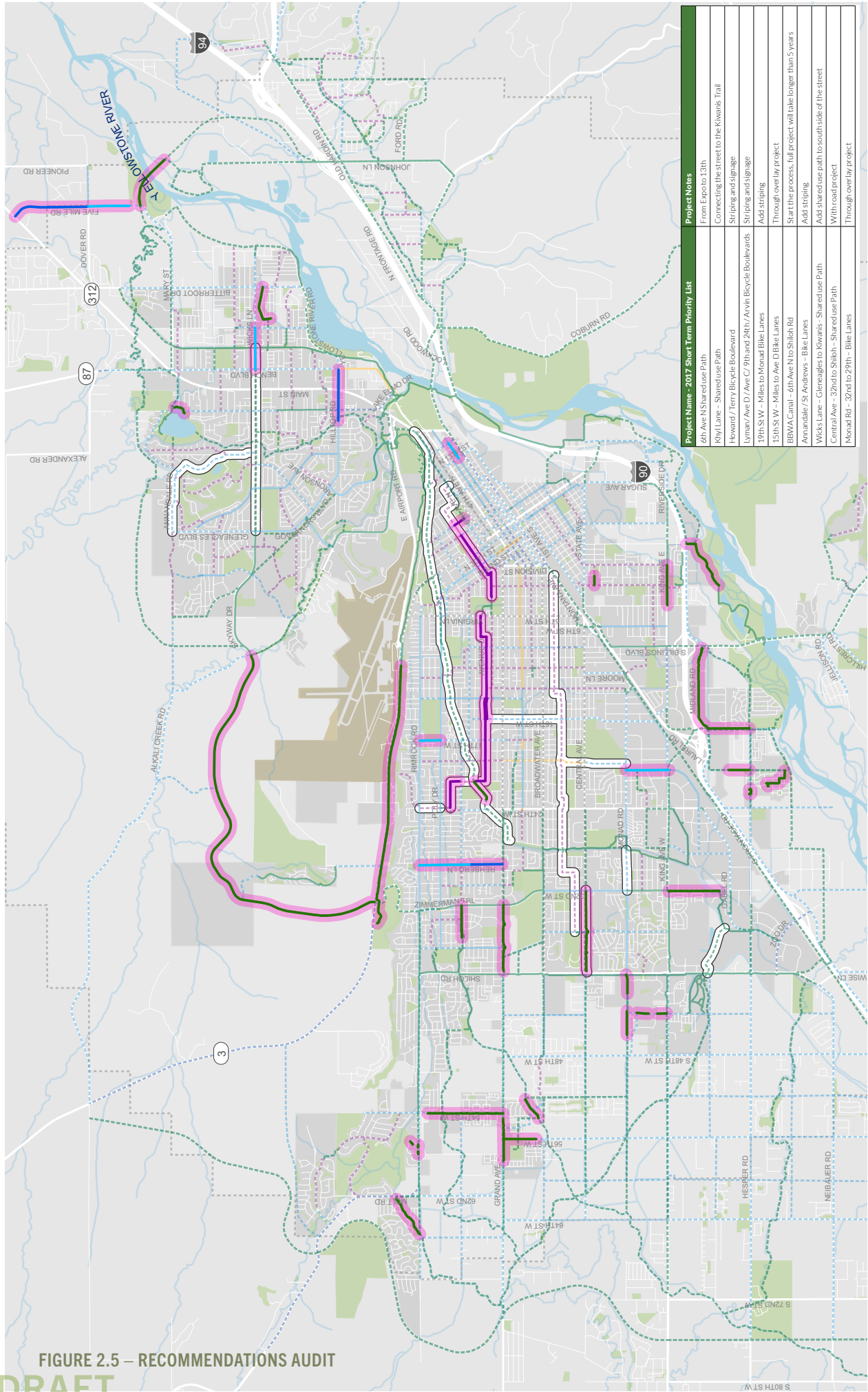


FIGURE 2.5 – RECOMMENDATIONS AUDIT

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PROJECTS COMPLETED SINCE 2017

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN

This map shows projects completed since the 2017 Bikeway and Trails Master Plan was adopted. Projects completed since 2017 are highlighted in pink. Projects listed as priority projects in the 2017 plan are highlighted in white.

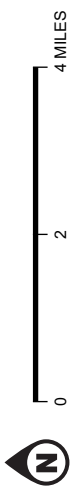
EXISTING FACILITIES

- Shared Use Path
- Buffered Bicycle Lane
- Bike Lane
- Neighborhood Bikeway
- Shared Lane Marking

PLANNED FACILITIES

- Shared Use Path
- Buffered Bicycle Lane
- Bike Lane
- Neighborhood Bikeway
- Shared Lane Marking
- Visionary

- 2017 Priority Projects
- Bikeways & Trails Completed Since 2017



Policy & Program Recommendations

In addition to recommendations for expanding the physical bikeway and trail network, this plan also explores lessons learned from progress made over the last six years in implementing the policies, programs, and other initiatives recommended in the 2017 Plan. Of the 52 initiatives recommended, 32 have seen progress or been completed. Some of the lessons learned from investigating the progress and status of these efforts include:

- The City and MPO have been diligent in pursuing additional planning efforts recommended in 2017, including the completion of the Billings Area Wayfinding and Signage Plan, the Billings Area Bike and Scooter Share Feasibility Study, adding vision zero goals to the 2021 Community Transportation Safety Plan, etc.
- Lack of funding and staff capacity are the primary reasons for some policies, programs, and other initiatives not being implemented; some of these initiatives are no longer priorities, while others

remain important to pursue

- Related to staff capacity, closer coordination between Planning and Geographic Information Systems (GIS) divisions would benefit efforts to keep data and online mapping resources organized and up to date
- It is important to get buy-in from partnering departments or agencies before committing to an initiative in the plan. This can help ensure there is consensus about the proposed recommendations.

See Table 5.2 in Chapter 5 for a complete list of previously recommended policies and programs, their current status, and future recommendations.



Area of Focus	Counting Events											
	Any	Minor	Moderate	Major	Severe	Critical	Very Severe	Extremely Severe	Unacceptable	Unacceptable	Unacceptable	Unacceptable
Young driver involved	21.2%	10.2%	10.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Uninvolved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Disorder/Driver involved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Intoxicated/Driver involved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Speed/Driver involved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Run off Road/Driver involved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Impaired driver/Driver involved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Impaired driver/Group involved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Speed/Involved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Motorist/Involved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Passenger/Involved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Legal/Involved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Other/Involved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Bicycle/Involved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Motorist/Involved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
Passenger/Involved	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%

BILLINGS COMMUNITY TRANSPORTATION SAFETY PLAN (2022)

The original Billings Community Transportation Safety Plan (CTSP), adopted in 2016, was a collaborative effort between the Montana Department of Transportation (MDT) and the MPO. The ongoing purpose of the CTSP is to reduce roadway fatalities and serious injuries in the Billings MPO area. This process uses a data-driven approach to identify safety issues and determine areas in need of increased focus and strategies to reduce roadway fatalities and serious injuries.

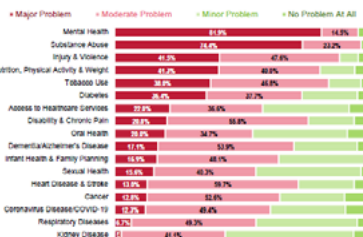


THE NATIONAL COMMUNITY SURVEY REPORT (2022)

The National Community Survey (or NCS) report is about the “livability” of Billings. The survey captures residents’ opinions considering ten central facets of a community, including health and wellness, parks and recreation, community design, and mobility, among others.

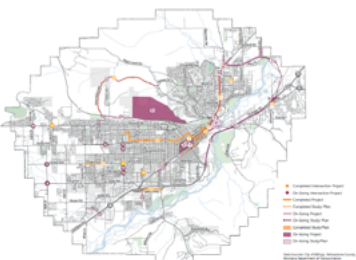
COMMUNITY HEALTH NEEDS ASSESSMENT (2023)

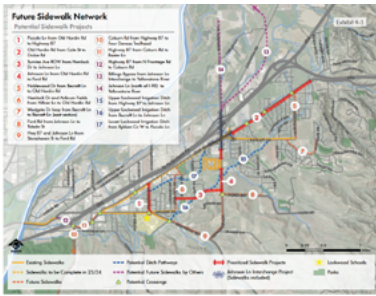
This Community Health Needs Assessment is a systematic approach to determining the health status, behaviors, and needs of residents in Yellowstone County, Montana. This information may be used to inform decisions and guide efforts to improve community health and wellness, including serving as the basis for the county’s Community Health Improvement Plan (CHIP). A Community Health Needs Assessment provides information so that communities may identify issues of greatest concern and decide to commit resources to those areas, thereby making the greatest possible impact on community health status.



BILLINGS URBAN AREA LONG RANGE TRANSPORTATION PLAN (2023)

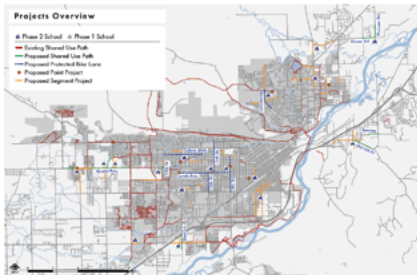
The Billings Planning Area Long Range Transportation (LRTP) is a framework to guide the continued development and implementation of multimodal transportation system projects for the Billings planning area. The LRTP is updated every five years, and the previous iteration was completed in 2018. This LRTP assesses today’s (2023) land use and transportation conditions to forecast the future (year 2045) conditions, which aids in identifying and strategizing transportation improvements for the region.





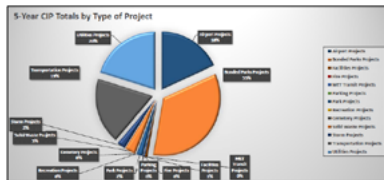
LOCKWOOD NON-MOTORIZED TRANSPORTATION PLAN

Lockwood is a community on the eastern outskirts of the City of Billings and is home to more than 7,000 residents. In 2014, voters passed a measure establishing the Lockwood Pedestrian Safety District to fund sidewalks in the community. The Lockwood Non-Motorized Transportation Plan considered where future investments should be made with funds from the district.



BILLINGS SAFE ROUTES TO SCHOOL PLAN UPDATE, PHASE 2 (2024)

At the encouragement of Billings City Council, a second Safe Routes to School plan was conducted to look at walking, biking, and rolling conditions around additional schools including Billings Public Schools middle schools and private and Yellowstone County schools within the Billings urbanized area.



CITY OF BILLINGS CAPITAL IMPROVEMENT PLAN (FY 2025-2029)

This comprehensive five-year plan identifies needs for construction of capital projects or improvements to the City’s infrastructure and facilities. The City of Billings FY 2024-2028 Capital Improvement Plan (CIP) contains information on how the City plans to invest available resources into key infrastructure and facilities between fiscal years 2024 and 2028. The CIP provides a forecast of funds available for capital projects and identifies all planned capital improvement projects and their estimated costs over the five-year period.

CITY OF BILLINGS TRANSPORTATION MASTER PLAN

The future City of Billings Transportation Master Plan will consider transportation for all modes across the City of Billings. Outcomes of the plan could vary from new street types to identification of specific elements for specific roadways. An extensive public outreach effort will help shape the plan.

A nighttime photograph of a street scene. In the background, there is a brick building with a gabled roof. To the right, a street lamp post holds a traffic light and a sign that says "WELCOME BILLINGS DEPOT" with a logo. There are several yellow pedestrian crossing signs and a left-turn arrow sign. A silver car is blurred in the foreground on the left. The scene is lit by streetlights, and there are bare trees and string lights visible. A large green circle is overlaid in the center, containing the chapter title.

CHAPTER 3

**Existing
Conditions**

Existing Pedestrian and Bicycle Facilities

As outlined in Chapter 2, the network of bicycle and pedestrian facilities in the Billings area continues to grow. The types of bicycle facilities that exist in Billings today include conventional bike lanes, buffered bike lanes, shared use paths, neighborhood bikeways, and shared lane markings. Figures 3.1 and 3.2 show maps of existing bicycle and pedestrian facilities in the Billings area.



SHARED USE PATH 55 MILES IN BILLINGS AREA

Shared use paths, also referred to as Sidepaths when adjacent to a roadway, are paved off-street facilities that are physically separated from roadways and design to accommodate two-way, non-motorized travel. Billings has additional miles of paths that are narrower than 10 feet.



BIKE LANE 41 MILES IN BILLINGS AREA

Conventional bike lanes are on-street bikeways that are visually separated from motor vehicle traffic with white striping. They also include pavement markings and signage.



NEIGHBORHOOD BIKEWAY 5.7 MILES IN BILLINGS AREA

Neighborhood bikeways are mixed traffic facilities—meaning bicyclists and motor vehicles share the same roadway space—that prioritize bicyclist safety and comfort. They are planned along low-volume residential streets and include shared lane markings and bicycle wayfinding signage. In some cases, enhanced crossings and/or traffic calming features are included to create a low-stress bicycling experience. 5.7 miles includes all sharrows in Billings.



BUFFERED BIKE LANE 3 MILES IN BILLINGS AREA

Buffered bike lanes are conventional bike lanes that include additional striping, creating a visual buffer and greater separation between the bike lane and motor vehicle traffic. Buffered bike lanes currently exist in locations such as Monrad Rd., Hilltop Rd., Rehberg Lane and Five Mile Rd.

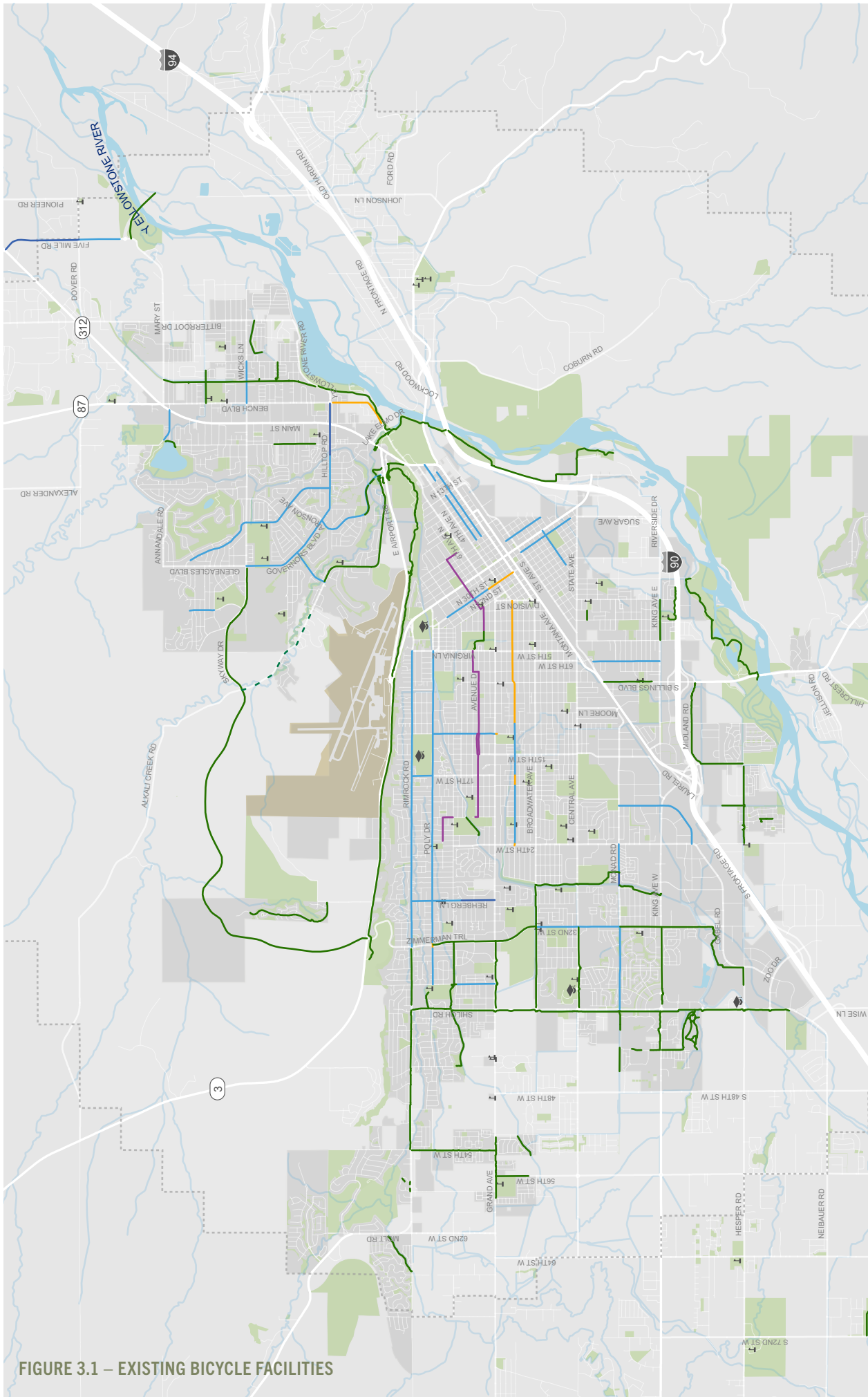
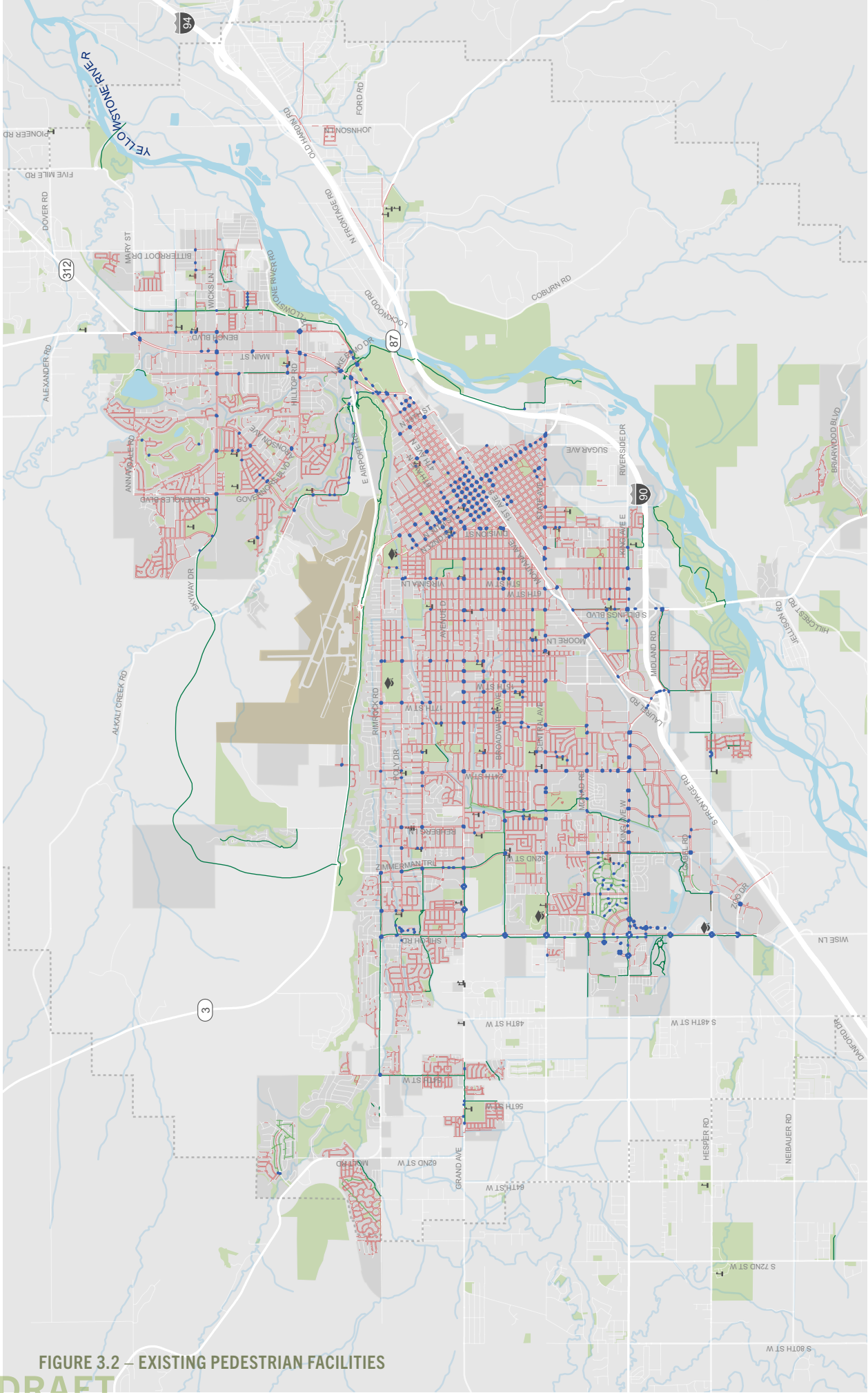


FIGURE 3.1 – EXISTING BICYCLE FACILITIES

- EXISTING**
- Bike Lane
 - Buffered Bike Lane
 - Neighborhood Byway
 - Shared Lane Marking
 - Shared Use Path
- Parks
 - Schools
 - Colleges
 - City of Billings Boundary
 - MPO Boundary

EXISTING BICYCLE FACILITIES

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN



EXISTING PEDESTRIAN FACILITIES

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN

- Parks
- Schools
- Colleges
- City of Billings Boundary
- MPO Boundary

- Crosswalks (1154)
- Sidewalks
- Shared Use Path
- Neighborhood Trail

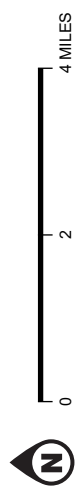


FIGURE 3.2 – EXISTING PEDESTRIAN FACILITIES

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Network Analysis

The existing network maps help to identify existing gaps and opportunities for connections; however, further network analysis and mapping of user count data aid in understanding parts of the network that might benefit from future improvements. This section explores takeaways from analyzing the network’s Level of Traffic Stress (LTS) for both pedestrian and bicycle networks, crash history and safety, and documented use of Billings’ bikeways and trails.

Level of Traffic Stress

A Level of Traffic Stress (LTS) analysis is a method that seeks to quantify the amount of stress a bicyclist or pedestrian is likely to experience on a given corridor, especially related to exposure to motor vehicle traffic. In other words, it gauges how comfortable the network is for people bicycling and walking. LTS analysis is based on research related to bicyclist preferences and behavior, which finds that most people (51–56%) who are interested in using a bicycle for transportation are concerned about safety and prefer lower-stress environments, typically characterized by quiet neighborhood streets or facilities that provide physical separation from motor vehicle traffic. This group is referred to as “interested but concerned” and will usually choose not to ride a bicycle if low-stress bicycle facilities are not provided. Because they make up the majority of the population,

the “interested but concerned” group is the target design user when planning and designing bicycle networks. Figure 3.1 on pg. 25 highlights design user profiles of adults who have stated an interest in bicycling, based on national research. Of note, both LTS analyses only evaluate the roadway segments, not specifically the crossings. Future Plans may evaluate crossings.

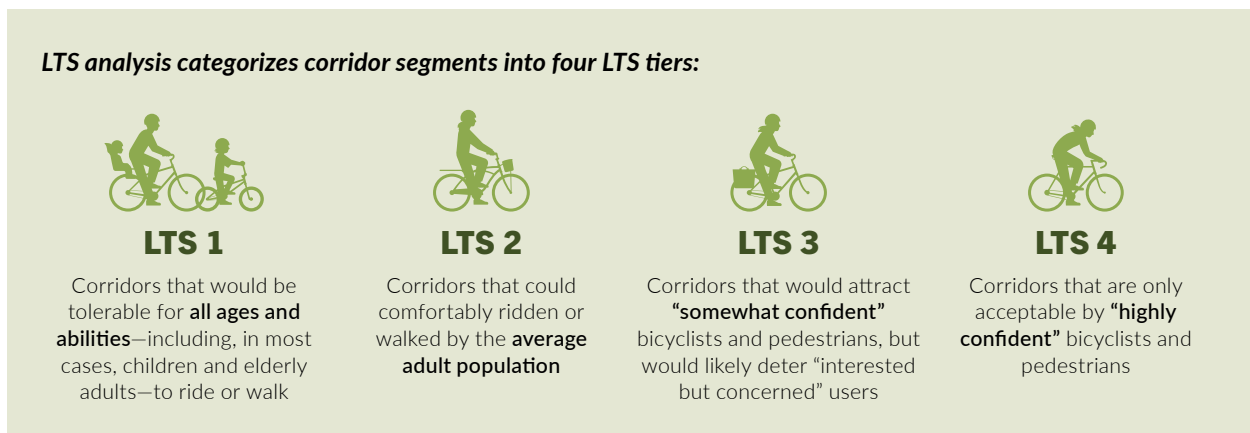
BICYCLE LEVEL OF TRAFFIC STRESS

Bicycle Level of Traffic Stress (BLTS) is measured by evaluating variables such as roadway speeds, traffic volumes, roadway widths (number of lanes), and bicycle facility characteristics. The methodology used for this plan is based on the 2012 Minnesota Transportation Institute (MTI) Report 11-19: Low-Stress Bicycling and Network Connectivity. Figure 3.3 illustrates the results of the BLTS analysis.

PEDESTRIAN LEVEL OF TRAFFIC STRESS

Similar to BLTS, the Pedestrian Level of Traffic Stress (PLTS) analysis considers factors such as sidewalk presence, sidewalk width, sidewalk buffer, roadway speed, motor vehicle volume of the adjacent roadway and roadway width to evaluate the pedestrian experience along a given corridor and is dependent upon the availability and accuracy of existing data. The methodology used for this plan is based on the methodology used by the Oregon Department of Transportation in their Analysis Procedures Manual. Figure 3.4 shows the results of the PLTS analysis for the Billings area.

FIGURE 3.1 – DESCRIPTION OF LTS



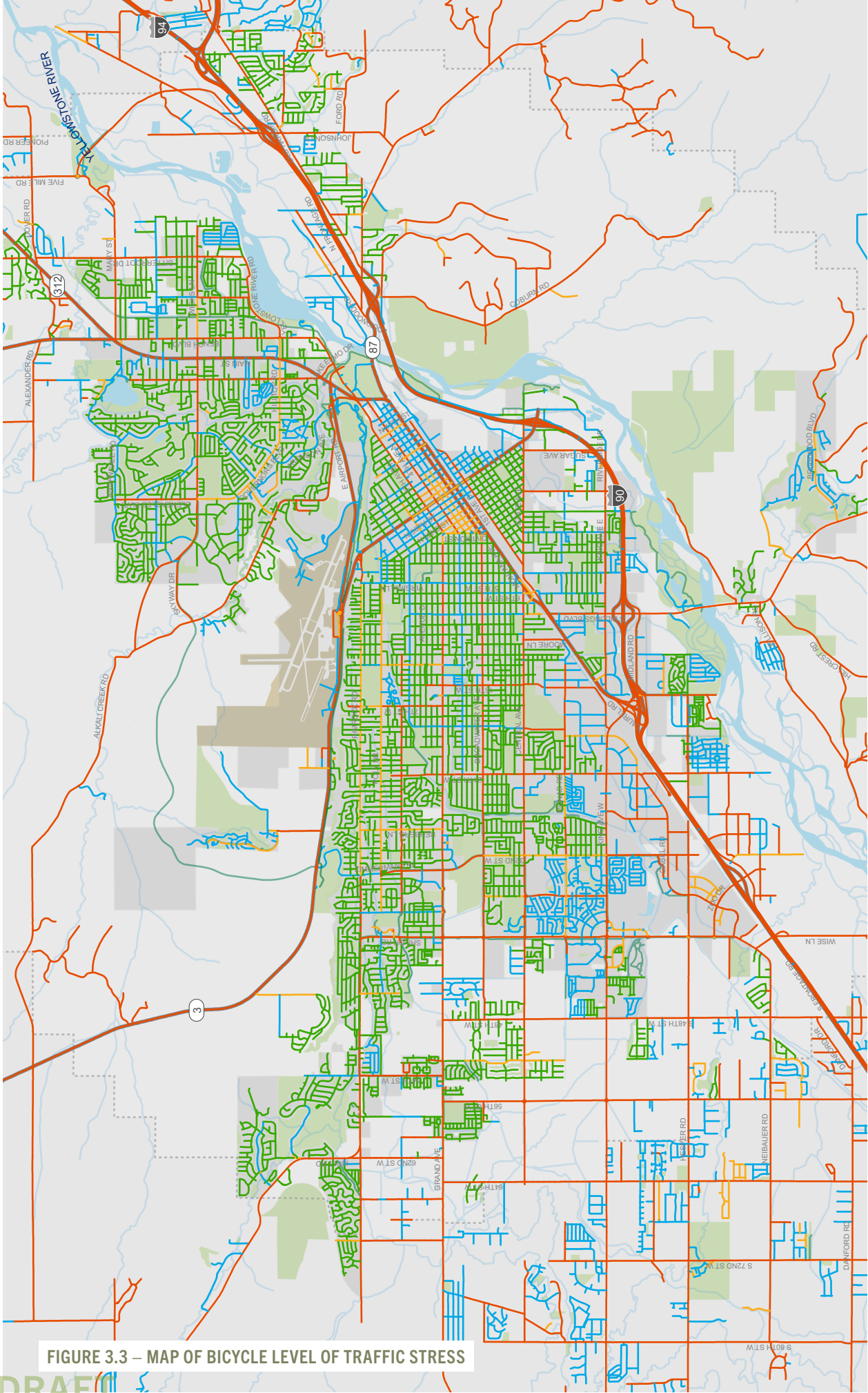


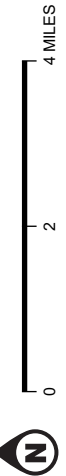
FIGURE 3.3 – MAP OF BICYCLE LEVEL OF TRAFFIC STRESS

BICYCLE LEVEL OF TRAFFIC STRESS

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN

The Bicycle Level of Traffic Stress analysis only evaluates road segments and not crossings. This is evaluated using system-wide data, however, when project move into the design phase careful attention must be paid to factors that affect BLTS.

- LTS SCORE**
- 1 - All Ages and Abilities
 - 2 - Most Adults
 - 3 - Enthusiased and Confident
 - 4 - Strong and Fearless
- Shared Use Path
— MPO Boundary
— City of Billings Boundary



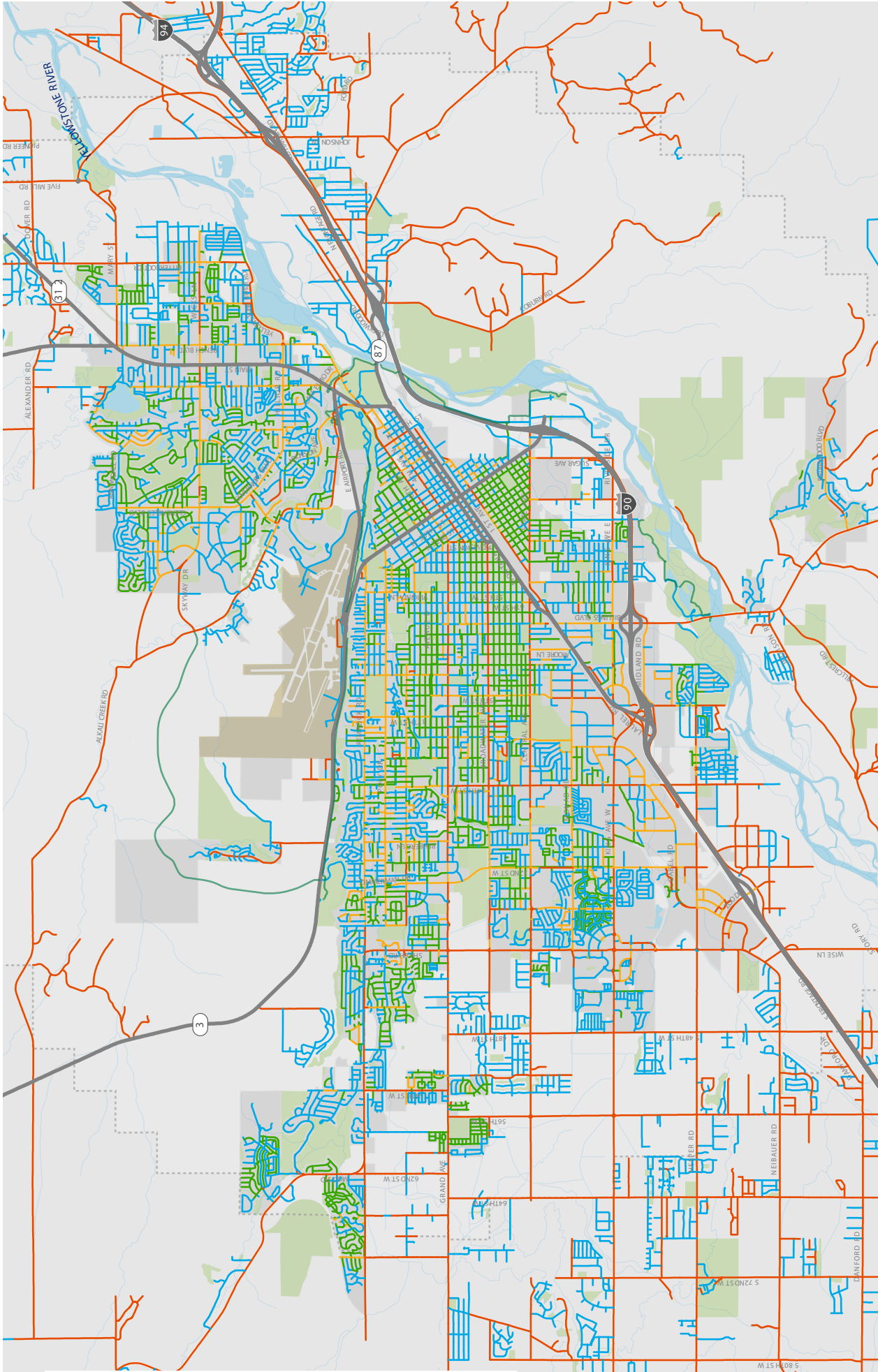


FIGURE 3.4 – MAP OF PEDESTRIAN LEVEL OF TRAFFIC STRESS

PEDESTRIAN LEVEL OF TRAFFIC STRESS

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN

The Pedestrian Level of Traffic Stress analysis only evaluates road segments and not crossings. This is evaluated using system-wide data, however, when project move into the design phase careful attention must be paid to factors that affect BLTS.

LTS SCORE

- 1 - All Ages and Abilities
- 2 - Most Adults
- 3 - Enthusiased and Confident

- 4 - Strong and Fearless
- Shared Use Path
- MPO Boundary
- City of Billings Boundary

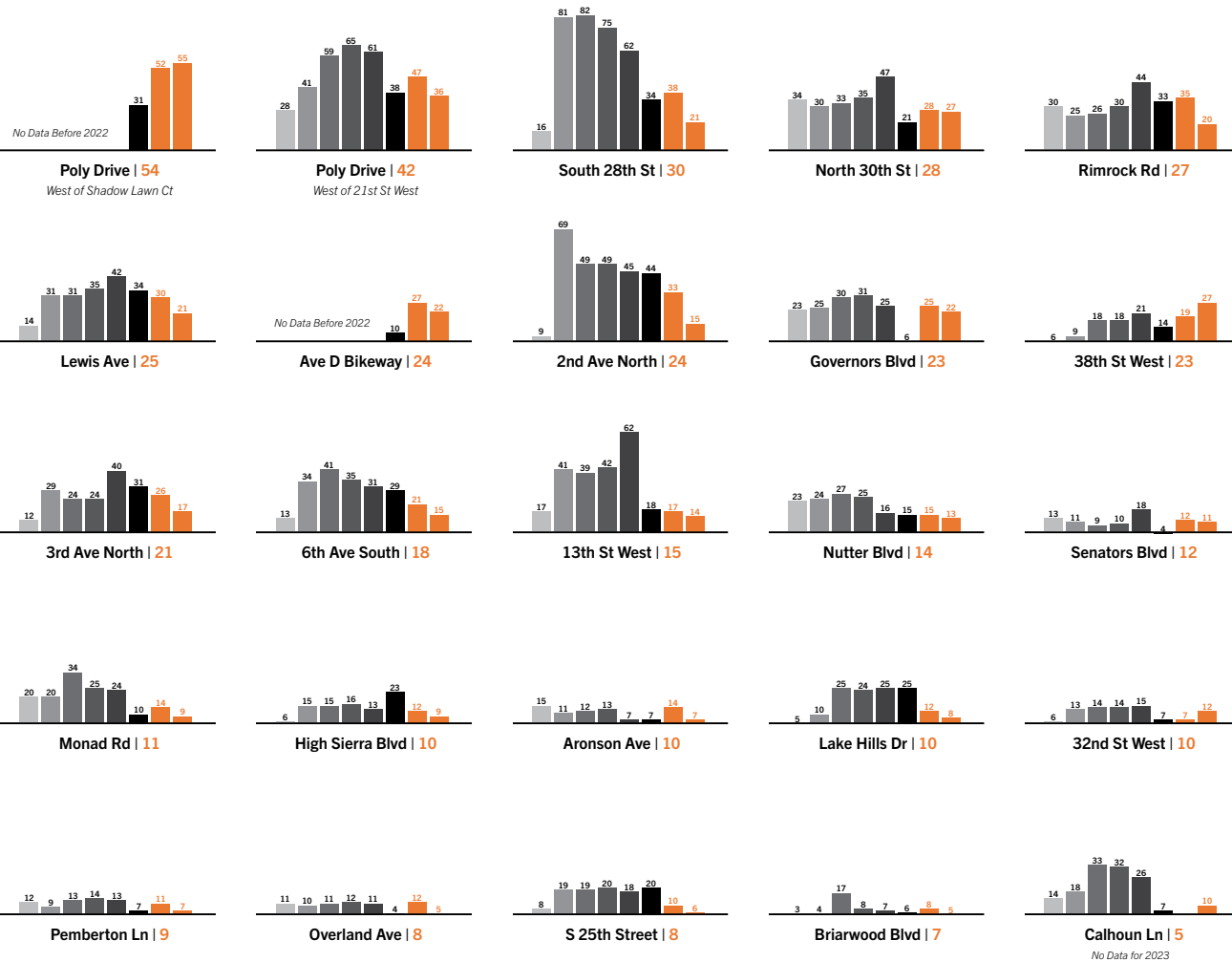
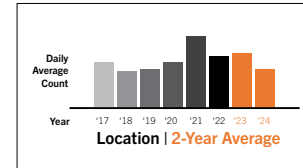
0 2 4 MILES

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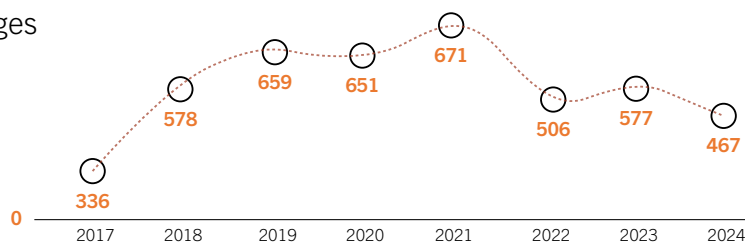
User Count Data

Bike Lane Counts

Daily Average Counts: 2017-2024



Total Daily Averages

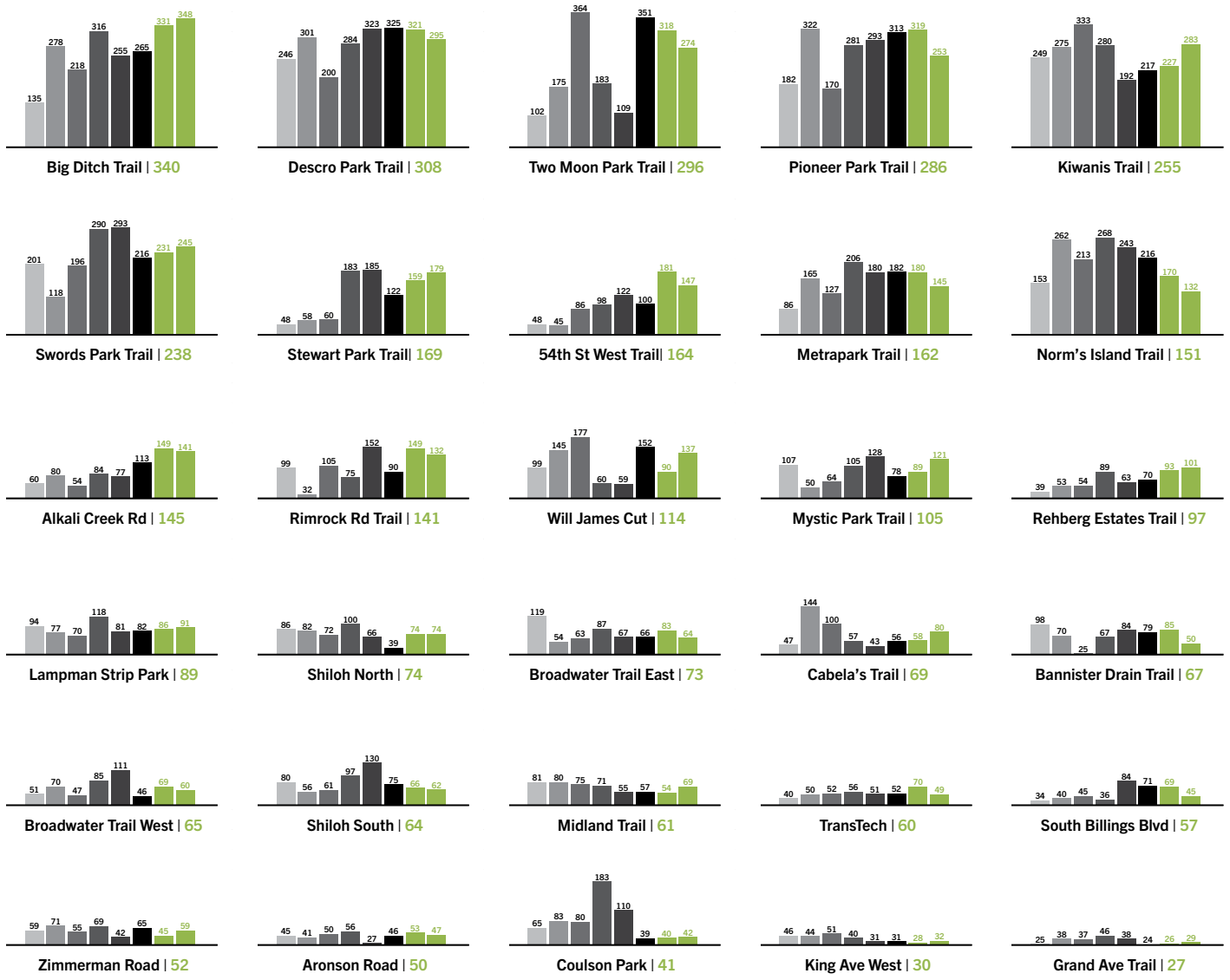
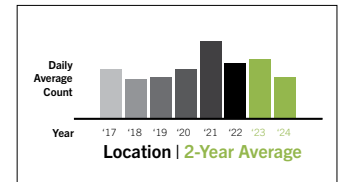


Bike lane counts peaked in many locations during the COVID-19 pandemic bicycling boom of 2020-2021, where many residents turned to biking, walking, and rolling outside to safely stay active, see friends, and relieve stress.

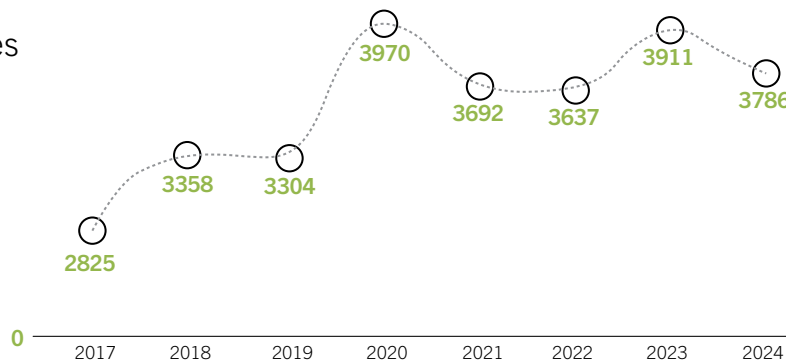
Bike lane counts tend to be higher in areas with a more connected bikeway network, rather than in areas where bike facilities were isolated.

Trail User Counts

Daily Average Counts: 2017-2024



Total Daily Averages



While Shared Use Path (trail) counts peaked during the COVID-19 pandemic, they remain high at less than a 5% decrease in 2024 over 2020.

Shared use paths appeal to a wide variety of users, as can be seen by their high volume of use.

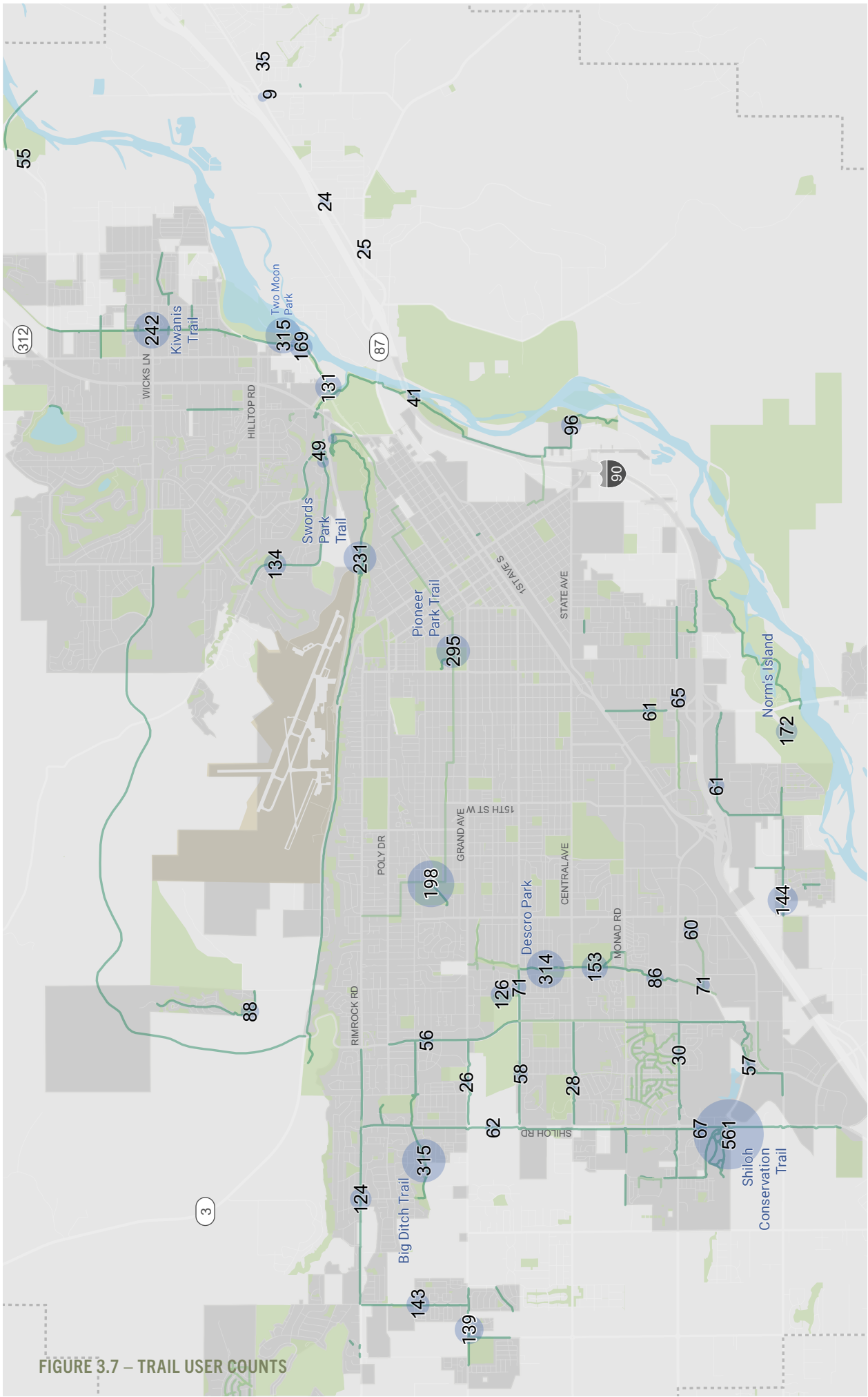


FIGURE 3.7 – TRAIL USER COUNTS

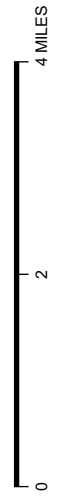
TRAIL USER COUNTS

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN

*Includes all trail users (pedestrians, cyclists, etc.)




- Shared Use Path
- Neighborhood Trail
- MPO Boundary
- City of Billings Boundary



First - what are the most important places to connect to?

Second - Which corridors could be good options to make these connections?

- Consider previous recommended routes and other routes not previously identified
- Are there barriers? If so, is there an alternative routing option?



DATE: 2 STEERING COMMITTEE MEETING #2 1 NOVEMBER 6, 2012

Diane Tolhurst
Diane Tolhurst



CHAPTER 4

Community Input



RECOMMENDATIONS
ATER PLAN

EXISTING FACILITIES

- Sports Club Plaza
- Millbrook Area Land
- Hwy 101
- Hwy 101/102 Interchange
- Hwy 101/102 Interchange

4 MILES

11111111111111111111

Phase I Outreach

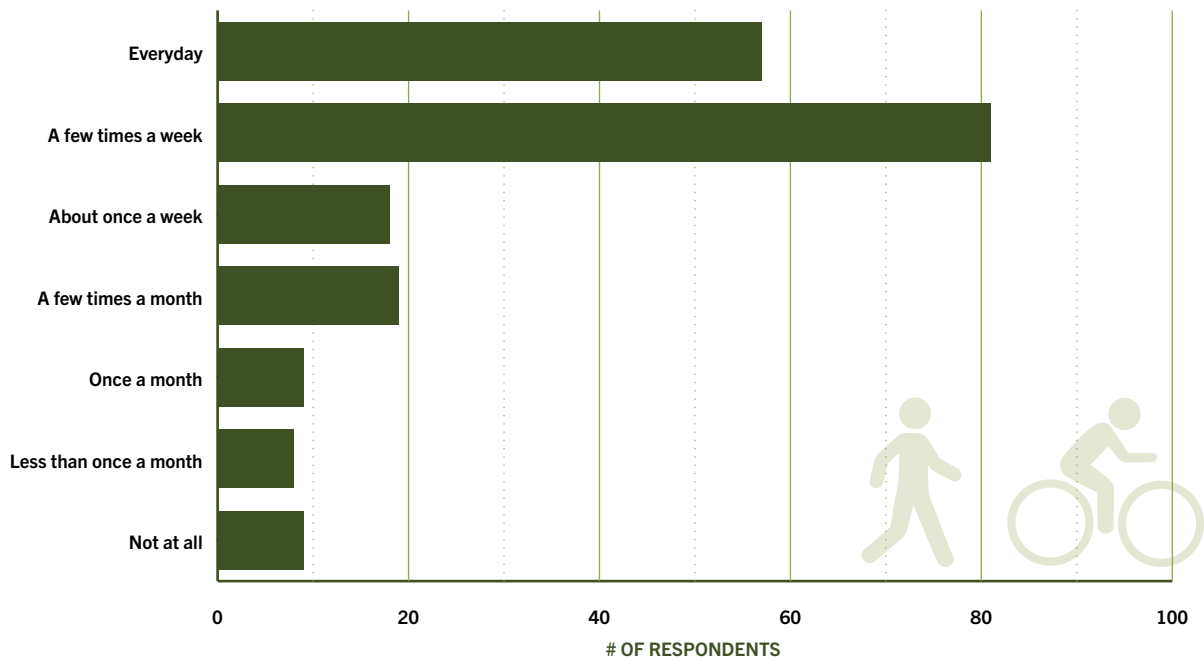
From mid-November 2023 to early January 2024, the general public was engaged in both online and in-person settings to provide input on preference, challenges, and opportunities surrounding bicycle and pedestrian mobility in the Billings Area. Public input was solicited via an online survey and interactive comment map. The in-person open house held in November mirrored the same input opportunities as the online options and are included in this summary of what was heard.

Phase I Participation

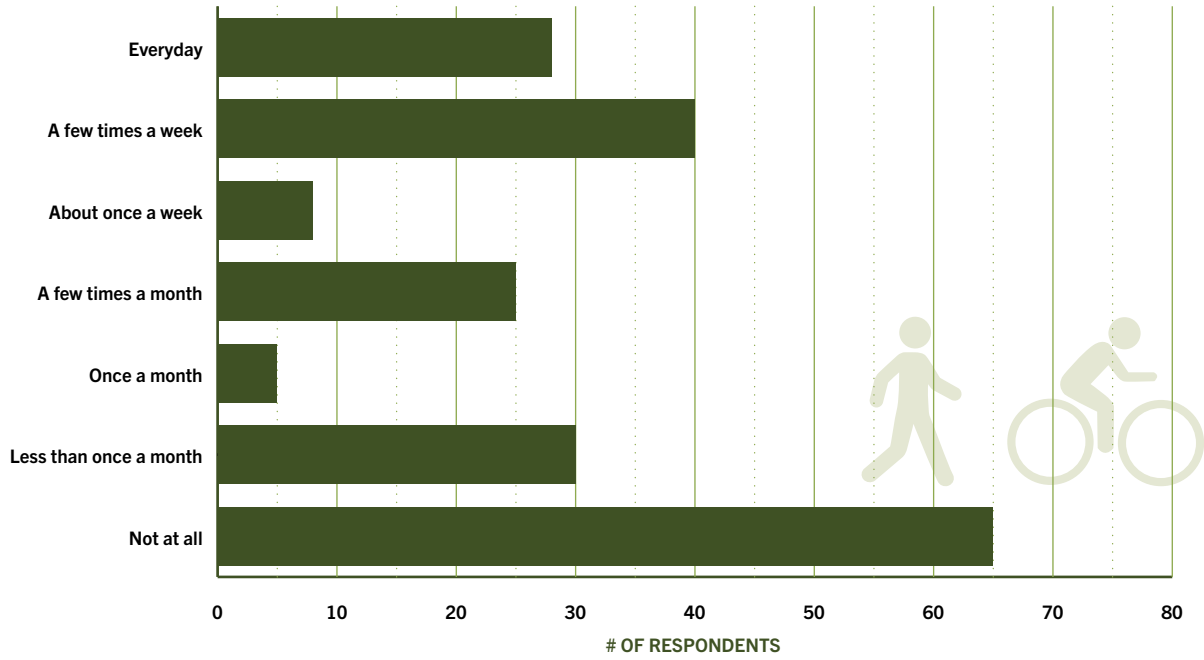
-  **201** survey responses
-  **189** map comments from approx. **64** IP addresses
-  **74** event attendees
-  **1800** website visits from 10/13/23-6/1/24
-  **839** unique website users

Online Survey Results

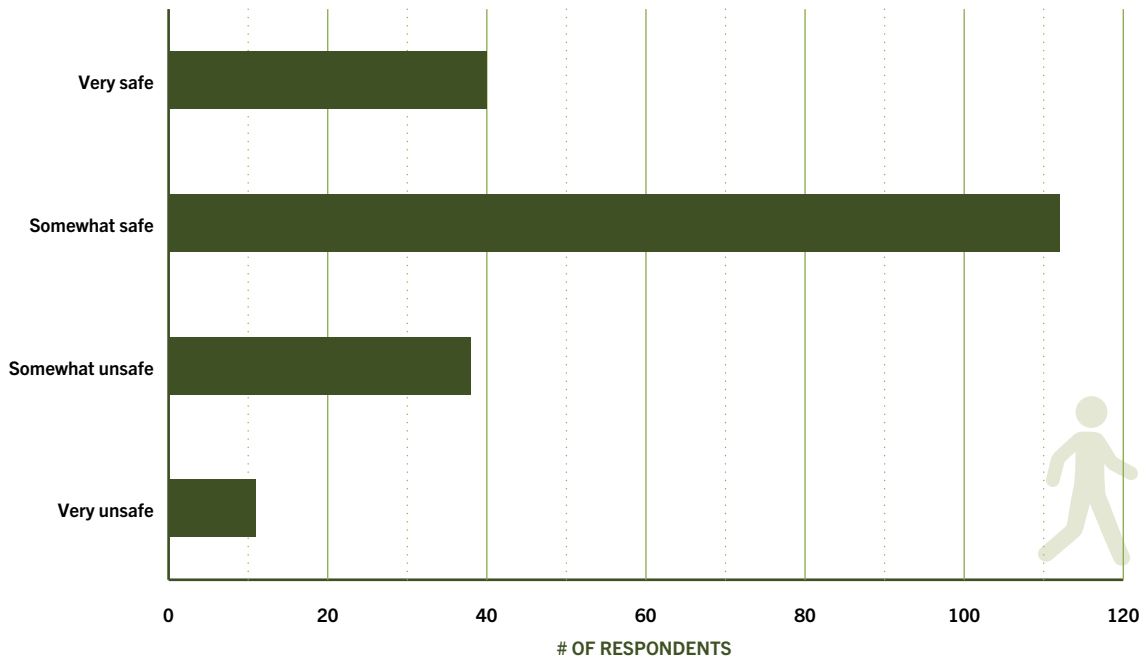
On average, how often do you walk or bike for recreation?



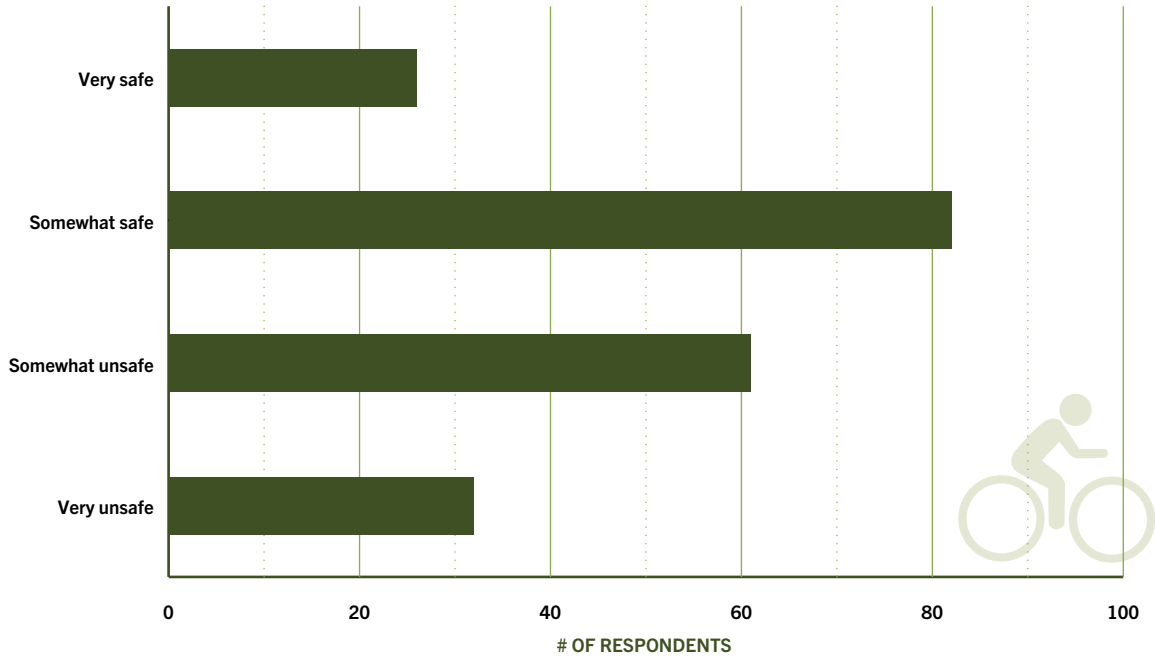
On average, how often do you walk or bike for transportation, including to access transit?



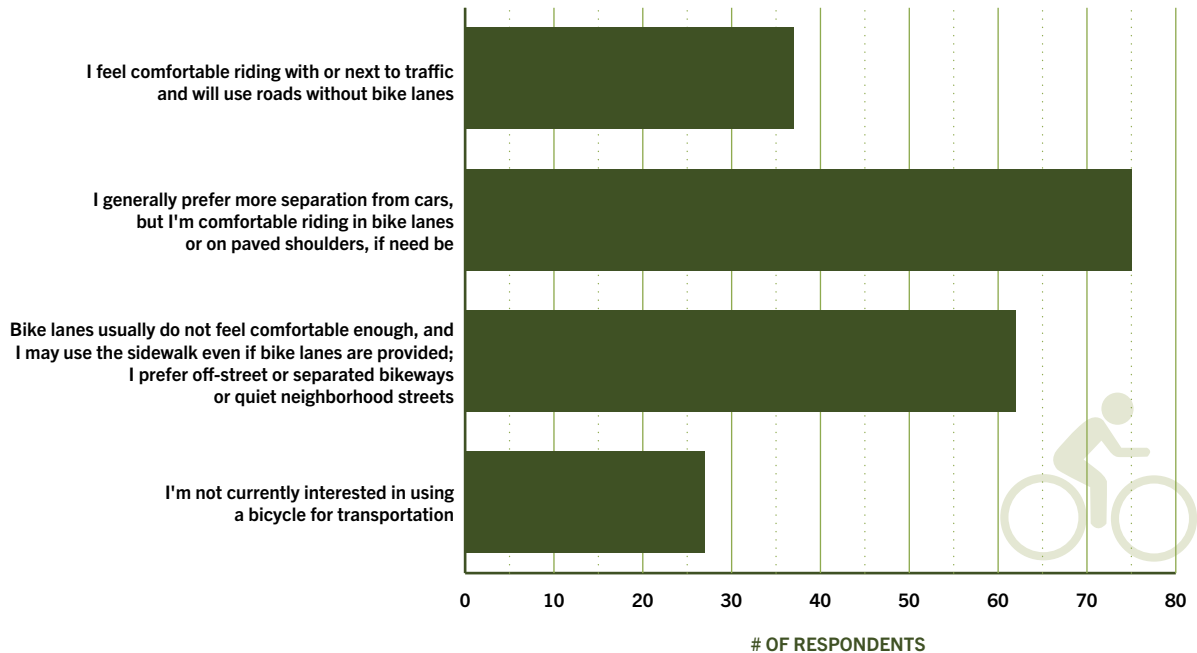
In general, how safe do you feel when walking in Billings?



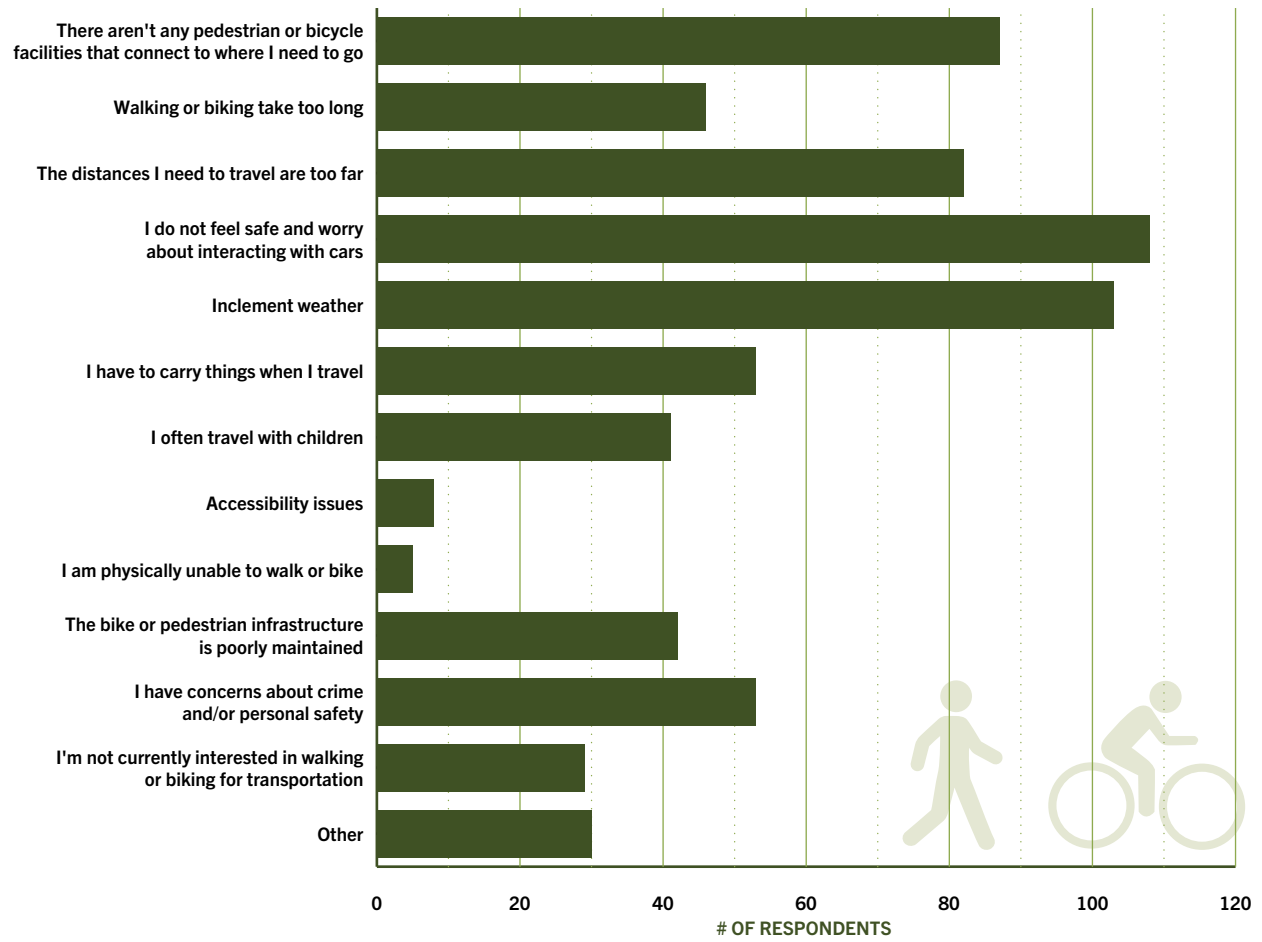
In general, how safe do you feel when biking in Billings?



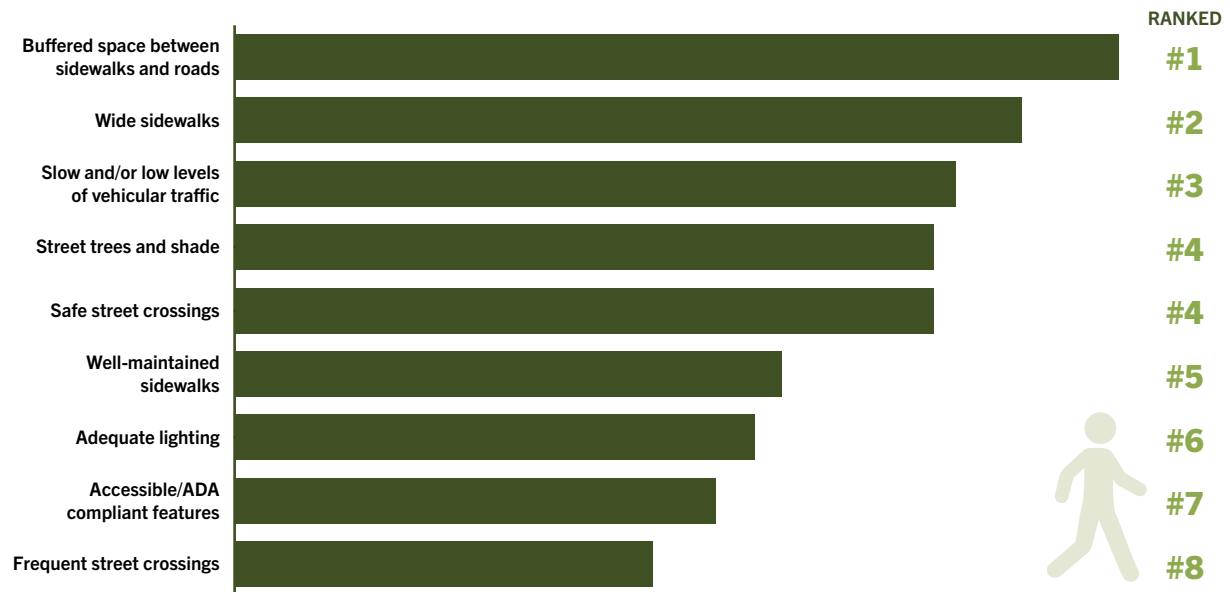
How would you describe yourself when it comes to riding a bicycle?



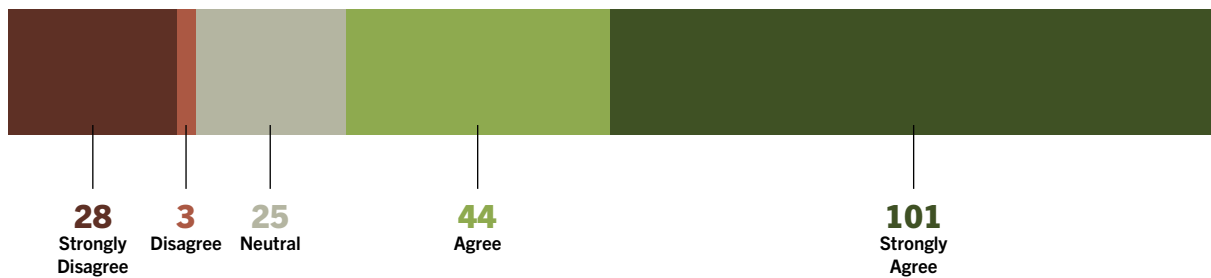
What are some things that prevent you from walking or biking more often?



What is most important to you for a comfortable walking experience? (Ranking question)



I would like to dedicate more investment dollars towards bicycle or pedestrian facilities such as walkways, paved pathways, restrooms, wayfinding signage, etc.



Open-ended Question Response Themes

What would encourage you to walk or bike for transportation more often?

RESPONSE THEME	# COMMENTS	CRITERIA
Infrastructure Improvements	81	Responses indicating a desire for changes in the physical infrastructure , such as the construction of new bike lanes, trails, improved crossings, and general enhancements to support walking and biking.
Connectivity	52	Responses emphasizing the need for improved connectivity between existing paths and trails , including requests for better-connected routes to destinations like workplaces and shopping areas.
Safety	49	Any response that primarily expressed concerns related to personal safety or the potential danger of biking and walking in certain areas.
Weather and Terrain	21	Feedback related to weather conditions impacting the feasibility of walking or biking, as well as comments on the state of sidewalks, trails, and paths in different weather conditions.
Amenities and Comfort	21	Responses indicating a desire for additional amenities , such as benches and trees, along walking and biking routes, as well as requests for bike parking and storage facilities.
Traffic Management	14	Concerns or suggestions regarding traffic management , including speeding issues and recommendations for better traffic control in neighborhoods.
Travel Distance	10	Concerns related to the distance between destinations and ease of getting to destination
Crime and Homelessness	9	Feedback addressing concerns about crime and suggestions related to addressing homelessness , with a focus on how these factors impact safety for pedestrians and bikers.
Public Awareness and Education	8	Any suggestion or concern related to the education of both drivers and the general public regarding pedestrian and bike safety , including calls for awareness campaigns.
Equipment	6	Owning equipment that functions properly or fits the needs of the individual.
Cultural Shift and Community Engagement	4	Responses indicating a desire for a cultural shift to promote walking and biking , as well as suggestions for community engagement initiatives.
Incentives and Workplace Support	3	Suggestions or requests for workplace incentives to encourage walking or biking to work , as well as comments on the availability of bike-friendly facilities at workplaces and tax incentives.
Specific Trail Requests	3	Explicit requests for the development or improvement of specific trails or paths , such as the Skyline Trail or East-West trails.
Public Transportation	2	Feedback expressing a desire for improved public transportation options , especially for commuting purposes, and suggestions for enhancements to existing systems.
Concerns About Tax Spending	2	Dissatisfaction or concerns related to how funds are allocated and the perceived shift from grant-funded projects to taxpayer-funded initiatives.
Physical Limitations	2	Physical limitations that hinder the individuals ability to bike or walk more frequently or for longer distances

What do you like about current walking and biking facilities (trails, sidewalks, bike lanes, neighborhood bikeways, etc.) in Billings and why?

RESPONSE THEME	# COMMENTS	CRITERIA
Trail Quality	111	General comments regarding preference for or state of the trails and paths . For example: Separated from roadways, dedicated bike lanes, well lit areas, wayfinding ease, maintenance of trails/paths, scenic views, specific attributes about trails/paths/routes
Existing Routes	66	Specific comments about existing trails, paths, or routes that are enjoyed or appreciated .
Accessibility and Connection	52	Remarks about connectivity and access to trails/paths/routes , with emphasis on networks of interconnected trails/paths/routes, low- to no-cost, and number of trails/paths.
Infrastructure and Development	26	Feedback on the development of new biking and walking facilities , suggestions for infrastructure improvements, such as better signage, lighting, and overall design, requests for more trails/paths, especially connecting different parts of the City, requests for more dedicated bike lanes to enhance safety, requests for improved connectivity between neighborhoods and various parts of the City.
Concerns	23	General concerns about safety , especially in high vehicle traffic areas, tax burdens, reckless drivers, general concerns with biking/walking in Billings.
Community Health and Recreation	21	Recognition of health benefits of walking and biking , enjoyment of recreational opportunities provided by paths/routes, and general statements about using paths/trails/routes for recreation.

What do you think could be improved about walking and biking facilities (trails, sidewalks, bike lanes, neighborhood bikeways, etc.) in Billings and why?

RESPONSE THEME	# COMMENTS	CRITERIA
Infrastructure Enhancement	96	Responses indicating a desire for changes in the physical infrastructure , such as the construction of new bike lanes, trails, improved crossings, signage, general lighting upgrades, and general enhancements to support walking and biking.
Connectivity and Accessibility	54	Remarks about connectivity and access to trails/paths/routes , with emphasis on networks of interconnected trails/paths/routes, low- to no-cost, number of trails and paths.
More Parks and Paths	36	Suggestions and comments requesting additional parks, build out of paths .
Safety	33	Any response that primarily expressed concerns related to personal safety , the potential danger of biking and walking in certain areas, or crime prevention tactics. Requests for enhanced safety measures such as upgrades/changes to intersections, 4-way stops, flashing crosswalks, lighting for safety purposes, etc.
Education and Awareness	17	Responses indicating a desire for a cultural shift to promote walking and biking , as well as suggestions for community engagement initiatives. Any suggestion or concern related to the education of both drivers and the general public regarding pedestrian and bike safety , including calls for awareness campaigns. Publicizing and encouraging the use of trails.
Traffic Management	16	Concerns or suggestions regarding traffic/vehicle management , including speeding issues and recommendations for better traffic control in neighborhoods.
Maintenance and Cleanliness	14	Requests and general comments regarding the general upkeep of bike lanes and paths , regular litter pickup, and enhanced maintenance.
Amenities and Comfort	14	Responses indicating a desire for additional amenities , such as benches, shade trees, water stations, bathrooms, trash cans, etc. along walking and biking routes, as well as requests for bike parking and storage facilities.
Prioritization	7	Requests for prioritizing infrastructure efforts for active transportation over purely recreational use, and encouragement for cooperative efforts between city and county areas.
Funding	6	General comments regarding the funding of new paths , maintaining paths, or putting funding/dollars towards activities other than biking/walking infrastructure.
Public Transportation	5	Feedback expressing a desire for improved public transportation options , especially for commuting purposes, and suggestions for enhancements to existing systems.

Online Interactive Map

The online interactive map allowed the public to explore the existing bicycle and pedestrian network as well as previously planned projects that have yet to be implemented. Participants were prompted to drop markers and draw lines on the map to voice opinions about locations that need bicycle and pedestrian improvements. Map comments are illustrated in Figures 4.1 and 4.2, and are categorized into one of seven categories:

△ ACCESSIBILITY (6 COMMENTS)

These comments included concerns about barriers to access important destinations or facilities, pointed out facilities that need improvements to accommodate young or inexperienced riders, or identified constrained sidewalks or bike lanes that do not currently meet the needs of all users

⬡ CONNECTIVITY (19)

Concerns regarding connectivity focused on connecting the pedestrian and bike network to important origins and destinations, connecting existing fragmented segments and filling in gaps to create a more complete network, leveraging partnerships with developers and local organizations to fill in gaps, coordinating with transit infrastructure to provide multi-modal integration.

◇ INFRASTRUCTURE UPDATE (14)

Residents pointed out specific infrastructure needing maintenance or otherwise not currently meeting the needs of cyclists and pedestrians. These comments also included proposed improvements to existing infrastructure or desired additions.

⊕ PROTECTION FROM VEHICLES (28)

These are largely areas that feel unsafe for biking and walking due to a lack of protection from cars. Many of these are unprotected intersections or sections of roads with heavy traffic. Many concerns mentioned speeding as well as overly aggressive or distracted drivers as a barrier to walking and biking, and called for traffic calming, lower speed limits, and physically separated facilities.

☆ CROSSING IMPROVEMENTS (34)

Comments around crossing improvements focused on locations that lack safe pedestrian crossings. These include areas where additional crosswalks are needed or crossings need additional facilities to make them safer, such as more signage, curb bulbouts, or lights. Some residents also suggested grade separated crossings.

□ PEDESTRIAN EXPERIENCE (7)

Many comments stated the importance and need for an improved pedestrian experience, such as pointing out gaps in the sidewalks, or calling attention to places where adding wider sidewalks, trees, benches, or art would make walking more enjoyable.

● OTHER (7)

Some of the comments didn't quite fit into the above categories. These included concerns about poor visibility, confusion about trail routes, or questions about specific policies.

LINE SEGMENTS

Some residents chose to draw lines on the map to illustrate their concerns or ideas. These fell into one of two categories: **needed improvements on existing routes**, and **desired new connections**. Needed improvements included comments on trails that need maintenance, better protection from traffic, or other safety improvements to make the experience of walking and biking more comfortable and enjoyable. Comments pointing to new desired connections focused on connecting important origins and destinations that are currently difficult to reach, and suggested extensions of current trails. Corridors that received the most attention included Poly Dr, Broadwater Ave, 6th Ave N, Central and Grand Ave in the West End, and the Yellowstone River.

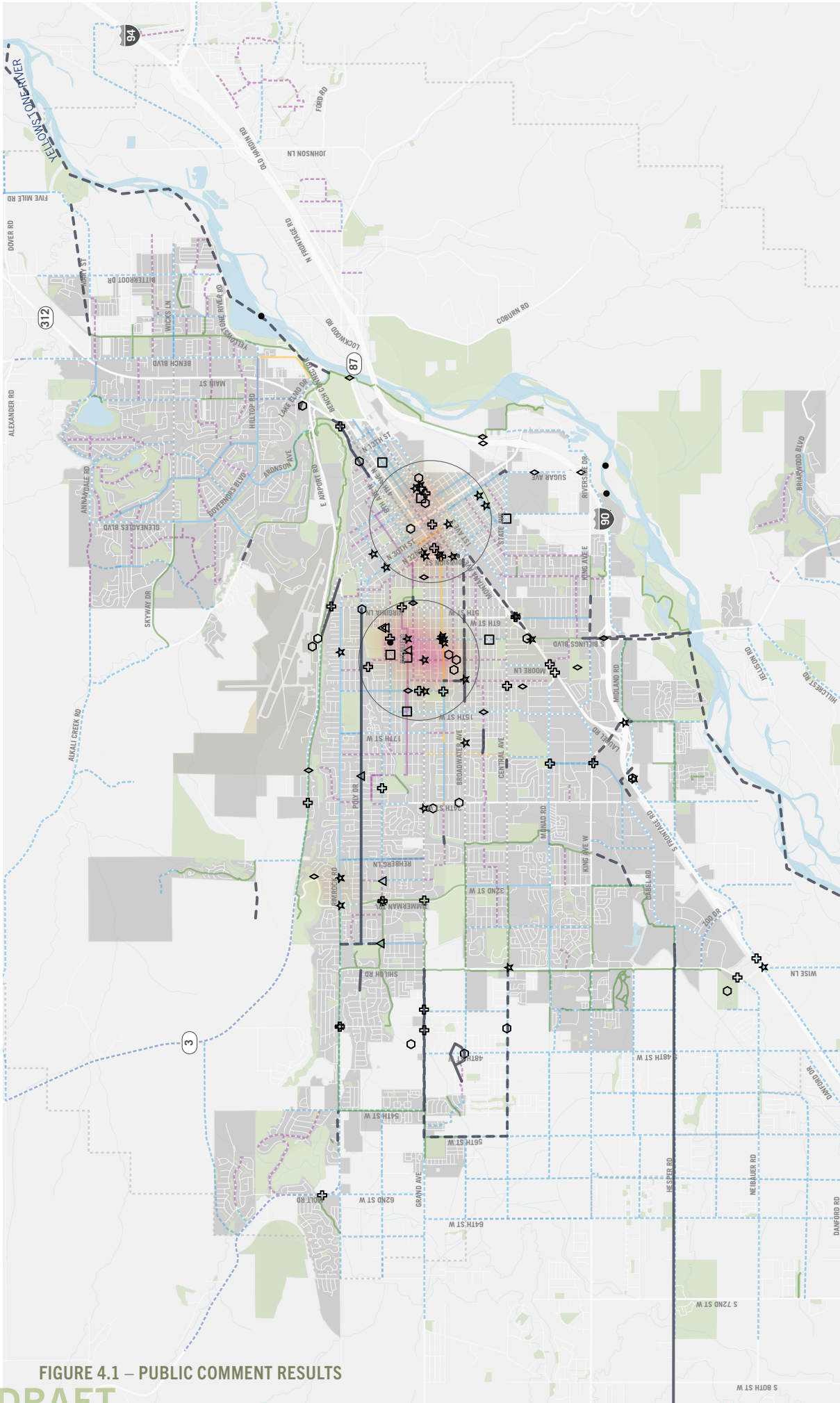


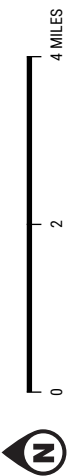
FIGURE 4.1 – PUBLIC COMMENT RESULTS

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PUBLIC COMMENTS

BILLINGS AREA PEDESTRIAN BICYCLE MASTER PLAN &

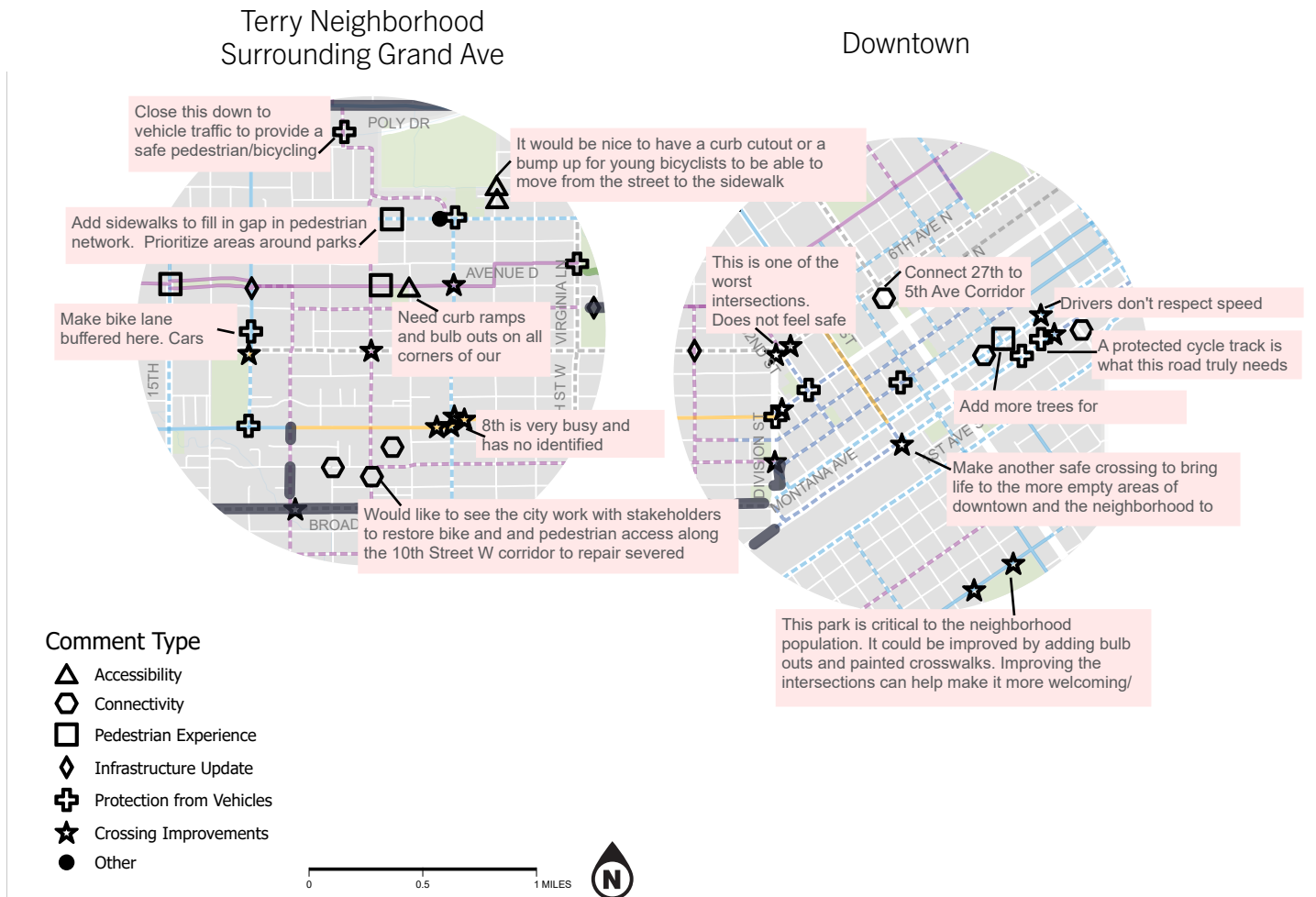
COMMENT CATEGORIES		EXISTING BIKE FACILITIES		PROPOSED FACILITIES	
△	Accessibility	—	Buffered Bike Lane	—	Buffered Bike Lane
○	Connectivity	—	Bike Lane	—	Bike Lane
□	Pedestrian Experience	—	Neighborhood Bikeway	—	Neighborhood Bikeway
◇	Infrastructure Update	—	Shared Lane Marking	—	Shared Lane Marking
⊕	Protection from Vehicles	—	Share Use Path	—	Visionary
★	Crossing Improvements				
●	Other				
□	High Density Areas				
—	Improve Existing				
- - -	New Connection				



Summary

Overall, Billings residents expressed a strong desire for more protection for pedestrians and cyclists, especially young or less experienced riders. Many residents have concerns about speeding cars and distracted drivers and do not feel like popular streets are comfortable without physical buffers and separation from traffic. Many also suggested reduced speeds would help with safety. Lewis Ave, Broadwater Ave, and Division Street were commonly cited as difficult to cross with current infrastructure, traffic speeds and volumes. Montana Ave, Grand Ave, and the downtown area stood out as places where many residents are calling for more protection.

FIGURE 4.2 – AREAS OF FOCUS



Phase II Outreach

Phase II public outreach took place during the month of July 2024; the public was asked to give feedback on the recommended network. Feedback was gathered via the same online interactive mapping tool used in Phase I. In addition to online outreach, the City facilitated a pop-up event along Poly Drive near Veterans Park to drive more traffic to the online comment map and test ideas for a protected bike lane along Poly Drive using temporary materials. MPO staff also talked with more than 200 people at the 2024 Strawberry Fest about what makes a comfortable walking experience.

Phase II Participation



203
map users



186
map comments
from 48 IP
addresses



310
total event
attendees



990
website visits from
7/1/24-8/5/24



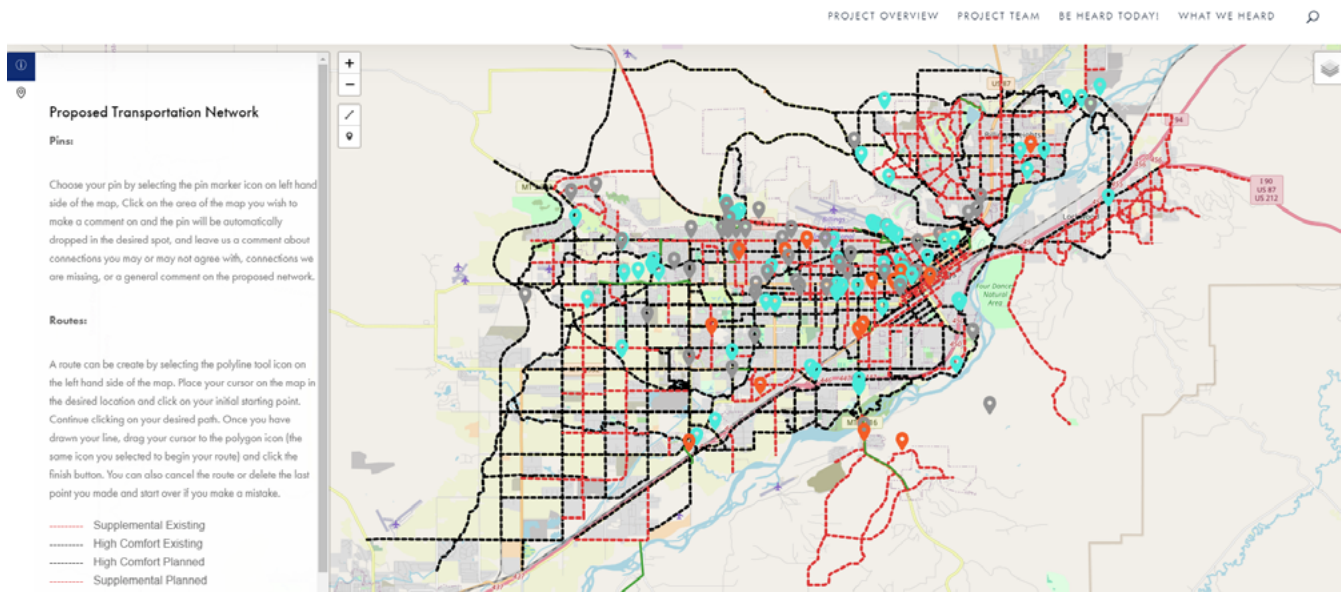
724
unique website users

Online Interactive Map

Similar to Phase I's online interactive map, the Phase II map provided the public with the opportunity to provide feedback on the recommended high-comfort and supplemental networks. Participants were prompted to drop pins along proposed routes and provide feedback to voice support, opposition, or general comments about the project. Figure 4.3 shows a screenshot of the interactive web map. In total, 203 people interacted with the online map and 186 comments were left. Respondents identified things like missing connections and crossings, dangerous path and bike lane conditions, inadequate or poor quality infrastructure, and high speed corridors, among many others. They also indicated what proposed routes they disagreed with and the changes they would make.

Each suggestion from the interactive web map was evaluated by planning and public works staff and considered for inclusion in the final network recommendations based on feasibility and the goals of the plan. Public suggestions that aligned with the plans goals and were evaluated as feasible additions to the network were flagged as "highly possible" or "possible", while others were flagged for further evaluation or no action at all. In all, 11 projects were added to the recommended network based on public suggestions. Figure 4.4 shows the specific locations and feasibility of all the comments that were received.

FIGURE 4.3 – PHASE II PUBLIC COMMENT RESULTS



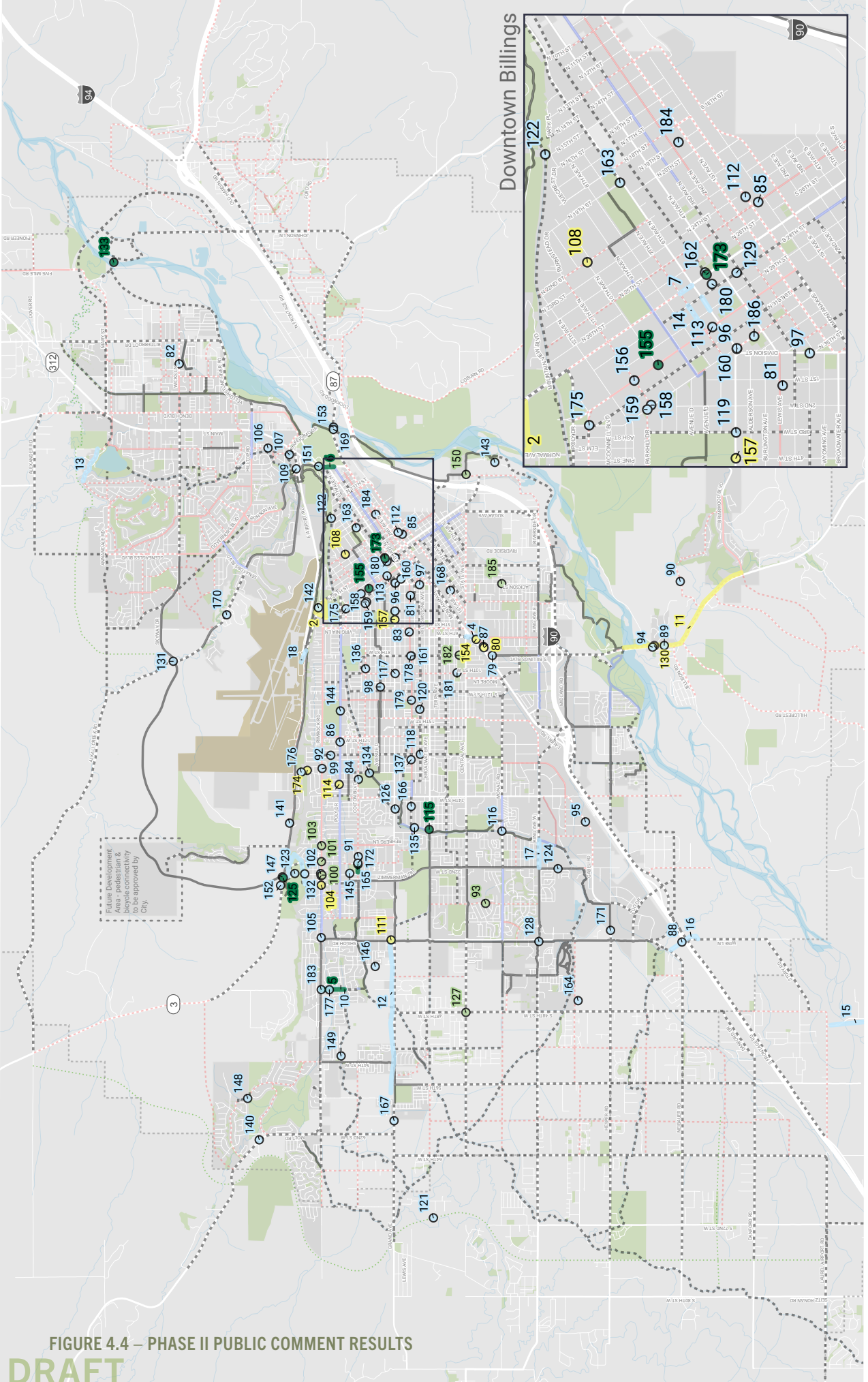
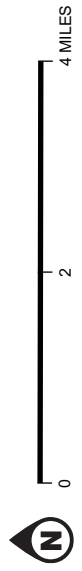


FIGURE 4.4 – PHASE II PUBLIC COMMENT RESULTS

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RECOMMENDED NETWORK PUBLIC COMMENTS

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN



Strawberry Festival

In July, the MPO set up a booth at the annual Strawberry Festival, Billings' largest street festival. Staff gathered input and feedback on people's priorities related to what makes a comfortable walking experience in the City. To engage with the public, they used a pinto bean polling activity, in which each resident who engaged was given three beans to vote on what aspects of comfort were most important to them. 792 votes were cast, and approximately 264 people were engaged during the festival, with the table below providing the details of respondents priorities.

Please note, temperatures topped 100 degrees the day of the outdoor event, which may have influenced the top rank of street trees and shade. During the online outreach, participants said that buffered space between sidewalks and roads, wide sidewalks, and slow and/or low levels of vehicular traffic were most important for a comfortable walking experience. In comparison, Strawberry event attendees were more focused on the condition of the sidewalks and street crossings, in addition to street trees and shade.

What is most important to you for a comfortable walking experience?

PRIORITIES	TOTAL VOTES	PERCENT OF TOTAL VOTES
Street trees and shade	194	24.49%
Well-maintained sidewalk	124	15.66%
Safe street crossings	118	14.90%
Adequate lighting	100	12.63%
Buffered space between sidewalks and roads	66	8.33%
Wide sidewalks	60	7.56%
Slow and low traffic	54	6.82%
Accessibility/ADA compliant features	51	6.44%
Frequent street crossings	25	3.16%



Pop-up Protected Bike Lane

On July 10th, the MPO hosted a pop-up protected bike lane along Poly Dr. near Veterans Park using temporary materials like traffic candles and hay bales. The goal was to test ideas for potential protected bike lanes, promote the plan, and direct more people to the online public comment map for providing feedback on the overall network. In all, 46 people engaged with the demonstration. Feedback on the event was largely positive with attendees remarking that they enjoyed the additional protection from traffic. One attendee remarked that the drivers also seemed more comfortable in their lanes with the additional space afforded to people biking and that drivers tended to swerve away less from the bike lane, indicating that they felt there was a safe distance provided between them and bicyclists in the lane.



CHAPTER 5

Recommendations

The Network

The recommended bicycle and pedestrian network for the Billings Area builds on previously planned improvements from the 2017 Plan, the existing conditions analysis, and public input. Guided by the goals of this plan, the approach to developing the network was focused on establishing an all-ages-and-abilities network that connects to important destinations in the area. As illustrated on the map in Figure 5.2, planned route improvements are organized into two categories: the high-comfort network and the supplemental network. Please note, recommendations in this plan are subject to change based on development of the upcoming future land use map required by state law and the Transportation Master Plan in development by the City of Billings.

High-Comfort Network

The high-comfort network is meant to be the backbone of the bicycle and pedestrian network and aims to serve a wide variety of bicyclists and pedestrians by emphasizing facility quality and low exposure to motor vehicle traffic. While “high comfort facilities” generally refers to bike facilities in transportation planning vocabulary, high comfort facilities in this plan could include multi-use trails, which are shared by both people who walk and people who bike and roll. Where multi-use trails are implemented after consideration of the surrounding land use and expected user profile, additional

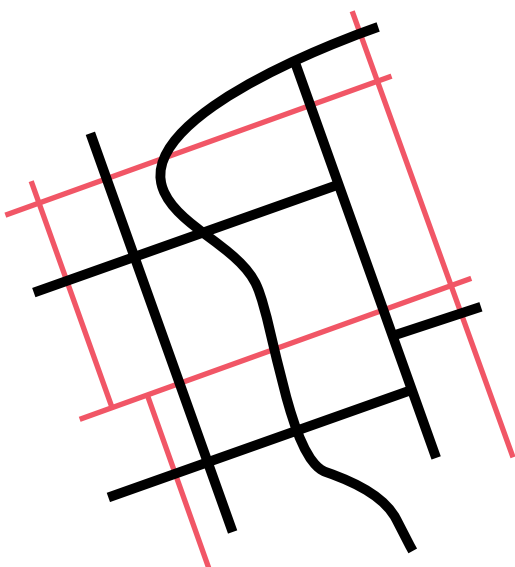
consideration should be given to pedestrian crossings of the street.

When implemented, high comfort routes are intended to provide a high-comfort experience where people of all ages and abilities feel confident and safe. Each route in the high-comfort network will require further engineering analysis and public input to determine what specific improvements are appropriate and feasible, but should aim to achieve a post-construction Level of Traffic Stress (LTS) score of LTS 1. It is understood that when design begins, there may be constraints that make it not possible to achieve LTS 1 for some facilities or parts of facilities. If a significant portion of the proposed route is unable to meet LTS 1, Figure 5.1, which is adopted from the *Bikeway Selection Guide from the Federal Highway Administration* (FHWA), may be used to determine alternative solutions.

High-comfort network improvements are typically prioritized before other connections, but may require more effort and resources to implement. See pages 54-60 for more guidance on selecting the appropriate facility.

Supplemental Network

The supplemental network augments the high-comfort network and includes other connections to destinations. It emphasizes making connections, even if high-comfort facilities are not provided; however, high-comfort facilities should always be considered when implementing the supplemental network. The supplemental network will likely consist primarily of striped bike lanes and shared lane markings. While investments should be focused first on completing the high-comfort network, supplemental network improvements may be implemented before high-comfort connections as opportunities arise (e.g., pavement preservation projects, new development, etc.).



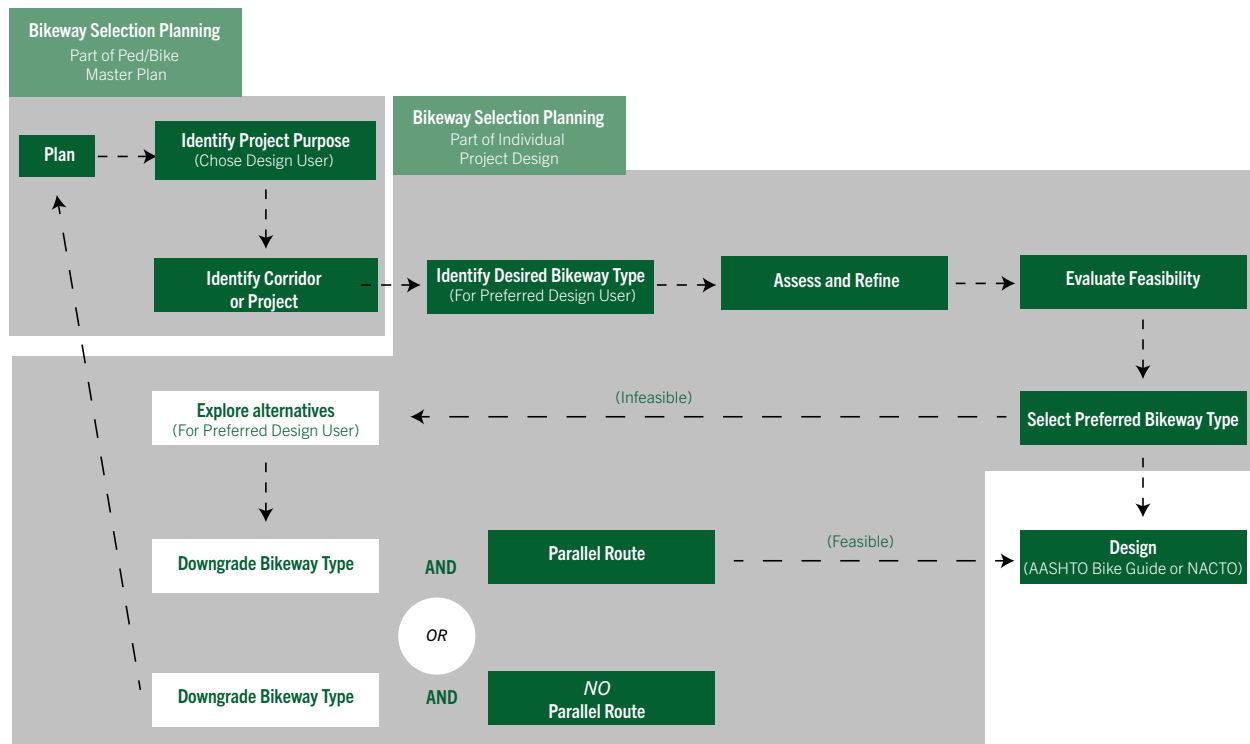
High-Comfort Routes

- Intended to serve all ages and abilities by mitigating exposure to motor vehicle traffic
- Physical separation may not be required depending on roadway context

Supplemental Routes

- Provides additional connections
- May not be feasible or practical to implement high-comfort facilities

FIGURE 5.1 - SUGGESTED PROCESS FOR SELECTING FACILITY TYPE
ADOPTED FROM FHWA BIKEWAY SELECTION PROCESS AND GUIDE OUTLINE



Pedestrian Considerations

Everyone is a pedestrian at some point in their journey, regardless of whether their primary mode is driving, bicycling, riding transit, or walking. Therefore, the Billings area aims for every roadway and trail corridor to be accessible and safe for people walking and using mobility devices. Improvements to the bikeway and trail network inherently benefit both bicyclists and pedestrians. On-street bikeways create a slower, calmer environment for all roadway users, including pedestrians, and shared use paths provide

a physically separated pedestrian way. Converting one-way streets to two-way can help slow traffic and increase pedestrian level of comfort.

Pedestrian improvements should be considered on all routes, not just the network identified in Figure 5.2. As previously mentioned, some of these high comfort routes, in the form of shared use paths, are expected to serve pedestrians as well as people biking. Where shared use paths are implemented, designers can consult, "Safe Transportation for Every Pedestrian" or STEP safety counter measures as a guideline for

improving pedestrian crossings. STEP measures are one tool to use in conjunction with other design guidance and federal requirements. STEP measures come from the Federal Highway Administration and include:

- Raised Crosswalks
- In Street Pedestrian Signs
- Advanced “yield here to” Markings and Signage
- Pedestrian Refuge Islands
- Curb Extensions and Bulbouts
- Road Diets
- Grade Separation

Appropriate countermeasures based on speed, volume, and roadway configuration can be determined by reviewing the following tables for uncontrolled crossings.

While this plan groups pedestrian projects with bike projects, previous and future planning efforts specify

or will specify additional pedestrian improvements, such as missing sidewalks and enhanced crosswalks. The Safe Routes to School Plan Update, Phase 1 and Phase 2, both completed by the MPO, address pedestrian and biking projects around schools in the urbanized area. Additionally, the standard is to include sidewalks with new streets, the City of Billings Complete Streets Policy ensures all modes are considered on arterial road projects, and the City of Billings subdivision regulations require shared-use paths to be installed with some subdivisions.

Additionally, soon after the completion of this plan the City of Billings will develop a Transportation Master Plan, which may include more robust standards and guidelines for the design and construction of pedestrian facilities along Billings’ roadways.

While covered by other documents such as the subdivision regulations, some considerations to guide development of recommended pedestrian realm

TABLE 5.1 – FHWA APPLICATION OF PEDESTRIAN CRASH COUNTERMEASURES BY ROADWAY FEATURE

Roadway Configuration	Posted Speed Limit and AADT (Annual Average Daily Traffic)								
	Vehicle AADT <9,000			Vehicle AADT 9,000–15,000			Vehicle AADT >15,000		
	≤30 mph	35 mph	≥40 mph	≤30 mph	35 mph	≥40 mph	≤30 mph	35 mph	≥40 mph
2 lanes (1 lane in each direction)	① 2 4 5 6	① 5 6 7 9	① 5 6 7 9	① 4 5 6 7 9	① 5 6 7 9	① 5 6 7 9	① 4 5 6 7 9	① 5 6 7 9	① 5 6 7 9
3 lanes with raised median (1 lane in each direction)	① 2 3 4 5	① ③ 5 7 9	① ③ 5 7 9	① 3 4 5 7 9	① ③ 5 7 9	① ③ 5 7 9	① ③ 4 5 7 9	① ③ 5 7 9	① ③ 5 7 9
3 lanes w/o raised median (1 lane in each direction with a two-way left-turn lane)	① 2 3 4 5 6 7 9	① ③ 5 6 7 9	① ③ 5 6 7 9	① ③ 4 5 6 7 9	① ③ 5 6 7 9	① ③ 5 6 7 9	① ③ 4 5 6 7 9	① ③ 5 6 7 9	① ③ 5 6 7 9
4+ lanes with raised median (2 or more lanes in each direction)	① ③ 5 7 8 9	① ③ 5 7 8 9	① ③ 5 8 9	① ③ 5 7 8 9	① ③ 5 7 8 9	① ③ 5 8 9	① ③ 5 7 8 9	① ③ 5 8 9	① ③ 5 8 9
4+ lanes w/o raised median (2 or more lanes in each direction)	① ③ ① ③ 5 6 7 8 9	① ③ ① ③ 5 6 7 8 9	① ③ ① ③ 5 6 8 9	① ③ ① ③ 5 6 7 8 9	① ③ ① ③ 5 6 7 8 9	① ③ ① ③ 5 6 8 9	① ③ ① ③ 5 6 7 8 9	① ③ ① ③ 5 6 8 9	① ③ ① ③ 5 6 8 9
<p>Given the set of conditions in a cell, # Signifies that the countermeasure is a candidate treatment at a marked uncontrolled crossing location. ● Signifies that the countermeasure should always be considered, but not mandated or required, based upon engineering judgment at a marked uncontrolled crossing location. ○ Signifies that crosswalk visibility enhancements should always occur in conjunction with other identified countermeasures.*</p> <p>The absence of a number signifies that the countermeasure is generally not an appropriate treatment, but exceptions may be considered following engineering judgment.</p>					<p>1 High-visibility crosswalk markings, parking restrictions on crosswalk approach, adequate nighttime lighting levels, and crossing warning signs 2 Raised crosswalk 3 Advance Yield Here To (Stop Here For) Pedestrians sign and yield (stop) line 4 In-Street Pedestrian Crossing sign 5 Curb extension 6 Pedestrian refuge island 7 Rectangular Rapid-Flashing Beacon (RRFB)** 8 Road Diet 9 Pedestrian Hybrid Beacon (PHB)**</p>				

treatments in the Transportation Master Plan include:

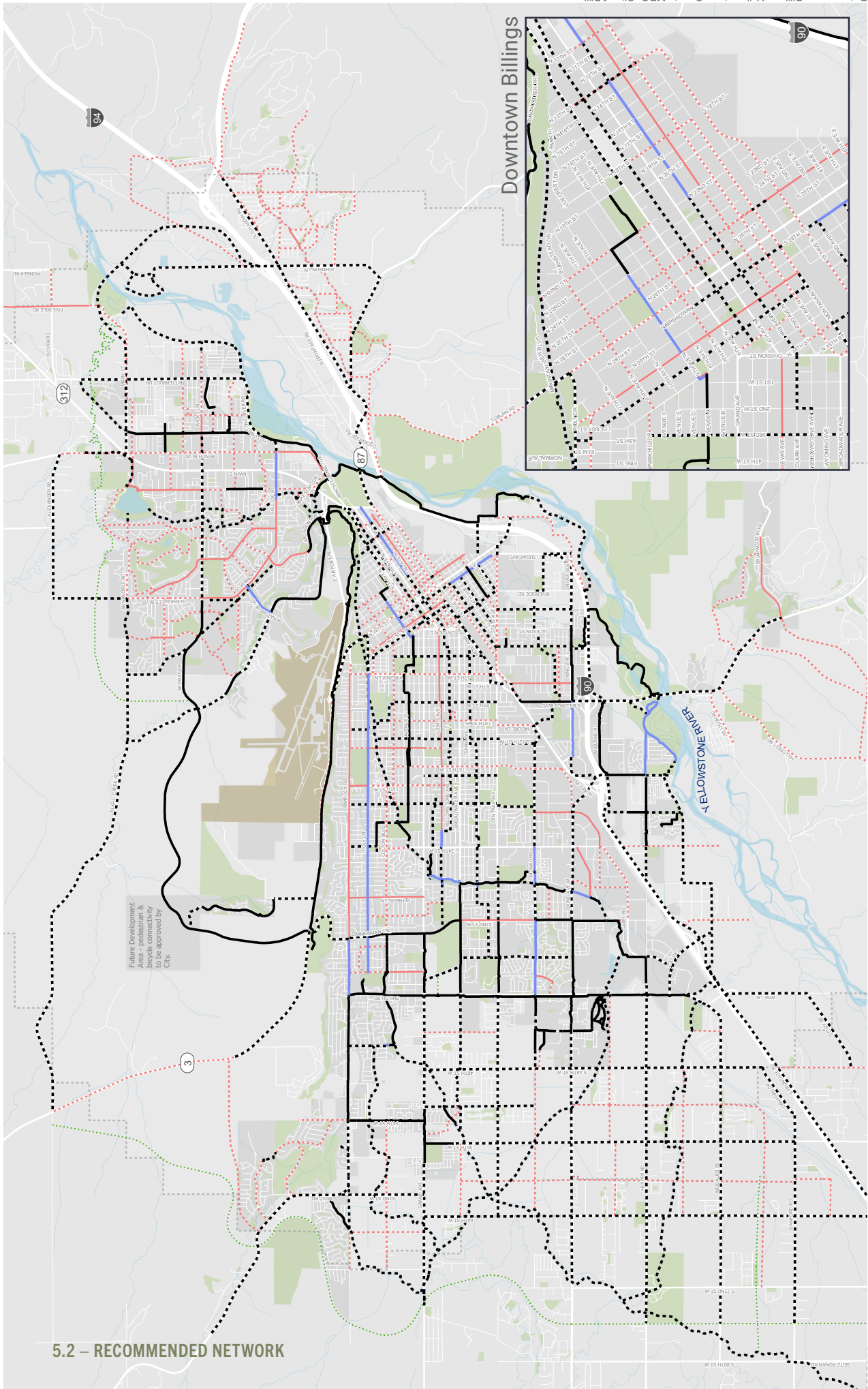
- Sidewalk widths
- How buffer zones, and building frontage zones (if applicable) should react to both pedestrian demand and vehicular roadway characteristics
- Levels of pedestrian demand based on adjacent land uses and by the presence of transit stops. Corridors with a higher density of fronting land uses and transit service typically require greater allocation of space for wider sidewalks, buffer/amenity zones, and space between storefronts and the travelled pedestrian way. Lower intensity adjacent land uses, such as single-family residential neighborhoods, experience less pedestrian demand.

Based on public input from both phases, residents show a clear preference for boulevard sidewalks. Boulevard sidewalks have a buffer, generally 5 feet wide, between the sidewalk and the street which helps increase the level of comfort.

Residents also show a preference for traffic calming, and safe street crossing based on the fact that the highest number of survey respondents responded that they “do not feel safe and worry about interacting with cars” when asked what prevents them from walking and biking more. Slow and/or low levels of vehicular traffic ranked as #3 for the online survey when asking what is most important for a comfortable walking experience. Safe street crossings ranked as the third most important factor for a comfortable walking experience from the Strawberry Festival poll.

TABLE 5.2 – SAFETY ISSUES ADDRESSED PER COUNTERMEASURE

COUNTERMEASURES	CONFLICTS AT CROSSING LOCATIONS	EXCESSIVE VEHICLE SPEED	INADEQUATE CONSPICUITY/VISIBILITY	DRIVERS NOT YIELDING TO PEDESTRIANS	INSUFFICIENT SEPARATION FROM TRAFFIC
Crosswalk visibility enhancement	X	X	X	X	X
High-visibility crosswalk markings	X		X	X	
Parking restriction on crosswalk approach	X		X	X	
Improved nighttime lighting	X		X		
Advanced “yield here to” markings and signage	X		X	X	X
In-Street Pedestrian Crossing sign	X	X	X	X	
Curb extension	X	X	X		X
Raised crosswalk	X	X	X	X	
Pedestrian refuge island	X	X	X		X
Pedestrian Hybrid Beacon	X	X	X	X	
Road Diet	X	X	X		X
Rectangular Rapid-Flashing Beacon	X		X	X	X



5.2 – RECOMMENDED NETWORK

Future Development
Areas are shown in grey &
blue. Projects &
improvements
to be approved by
City.

RECOMMENDED NETWORK

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN



- Notes:
1. Route alignments and facility types are subject to change pending further study and public input process.
 2. "High-comfort" facility types vary depending on context, but imply physical separation from motor vehicle traffic OR a low-speed, low-volume mixed traffic environment.
 3. For "supplemental" routes, high-comfort facilities should always be considered and studied for feasibility.

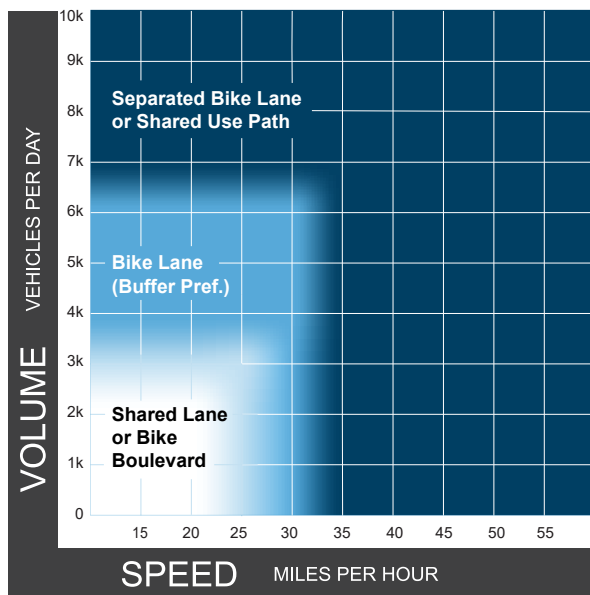
- High Comfort: Existing, to remain
- High Comfort: Existing, future improvement
- - - High Comfort: New connection
- Supplemental: Existing, to remain
- - - Supplemental: New connection
- · · High Comfort: Future concept

Selecting the Appropriate High Comfort Facility

Figure 5.2 does not identify specific facility types, but instead indicates where the MPO intends to prioritize high-comfort facilities. Each project will be addressed individually and assessed for available right-of-way, public support, and any engineering constraints impacting project feasibility. Figure 5.3 is a resource developed by the Federal Highway Administration (FHWA) to guide decision making for appropriate facility type selection based on roadway speeds and volumes.

FIGURE 5.3 – FHWA BIKEWAY SELECTION MATRIX

Chart assumes operating speeds are similar to posted speeds; use operating speeds if available



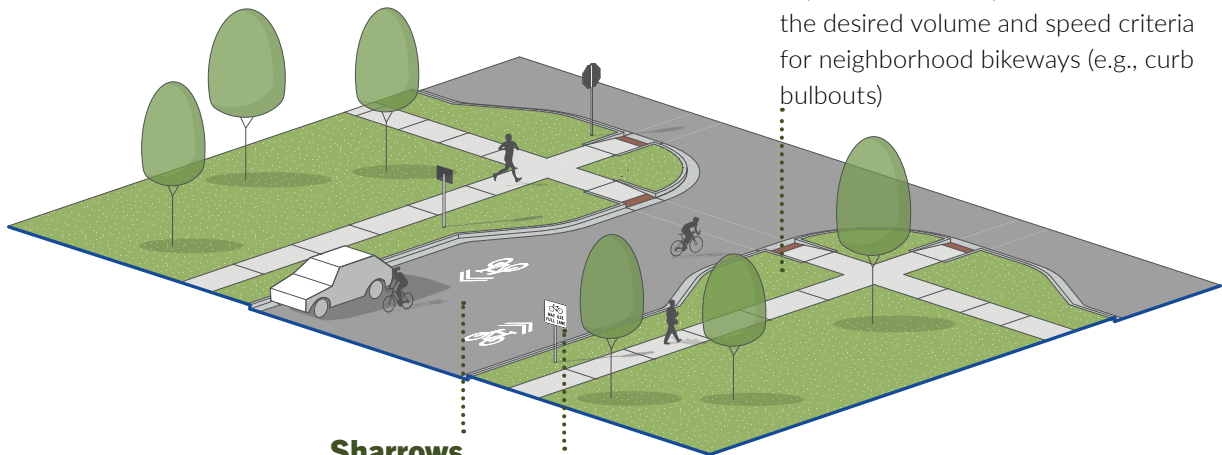
While there is flexibility in the chart above, the [Separated Bike Lanes on High Speed Roadways](#) report from FHWA notes that “The FHWA Bikeway Selection Guide advises planners to propose separated bike lanes on all higher speed roads in order to meet an all-ages-and-abilities goal” and later states that “Higher speed roadways were defined for the purpose of this guide as roadways with a posted speed limit of 35 mph or greater.”

Facility Toolbox

The following pages outline best practices for various bicycle and pedestrian facility types. Thresholds for roadway speeds and volumes are based on national guidance for achieving a high-comfort, or all-ages-and-abilities, network. The designs referenced below are for high comfort facilities; the supplemental network may use facilities like bike lanes on roads with high speeds and volumes than listed below.

When implementing improvements to a route, engineering judgement should be used to determine the most appropriate facility type based on available right-of-way, roadway characteristics, land use context, and public input. In addition to the considerations in this chapter, the City of Billings references the *Heritage Trail Design* document when designing trail and bikeway facilities. Those design standards can be found here: <https://mt-billingspublicworks.civicplus.com/DocumentCenter/View/101/Design-Standards-PDF>. The latest standards for high comfort facilities can be found in publications such as the *Guide for the Development of Bicycle Facilities* from the American Association of State Highway and Transportation Officials (AASHTO) or the *Urban Bikeway Design Guide* from the National Association of City Transportation Officials (NACTO). New versions of both of these documents were published in late 2024 and early 2025 respectively. Additional design guidance from governmental agencies such as FHWA may be referenced during the design process

Neighborhood Bikeways



Traffic Calming

Traffic calming measures can be implemented as required to achieve the desired volume and speed criteria for neighborhood bikeways (e.g., curb bulbouts)

Sharrows

Shared lane markings (sharrows) may be used to assist cyclists with lateral positioning, to alert road users, etc

Signage

Branded wayfinding signage from the approved Billings Wayfinding Signage Plan and regulatory signage as required by the Manual on Uniform Traffic Control Devices (MUTCD) marks the route

Neighborhood Bikeways are generally quiet neighborhood streets with lower vehicle volumes & speeds. Bicyclists and pedestrians are prioritized by managing speeds and volumes via traffic calming elements. Signage, pavement markings, and safe crossings at busy streets are also incorporated. These improvements will need to be determined on a case-by-case basis, studied, and recommended by the project designer.

FHWA High-Comfort Guidelines



Volume: ≤ 3,000 vehicles per day



Roadway Speed: ≤ 25 MPH



If Need, Paired With: Traffic Calming, Wayfinding

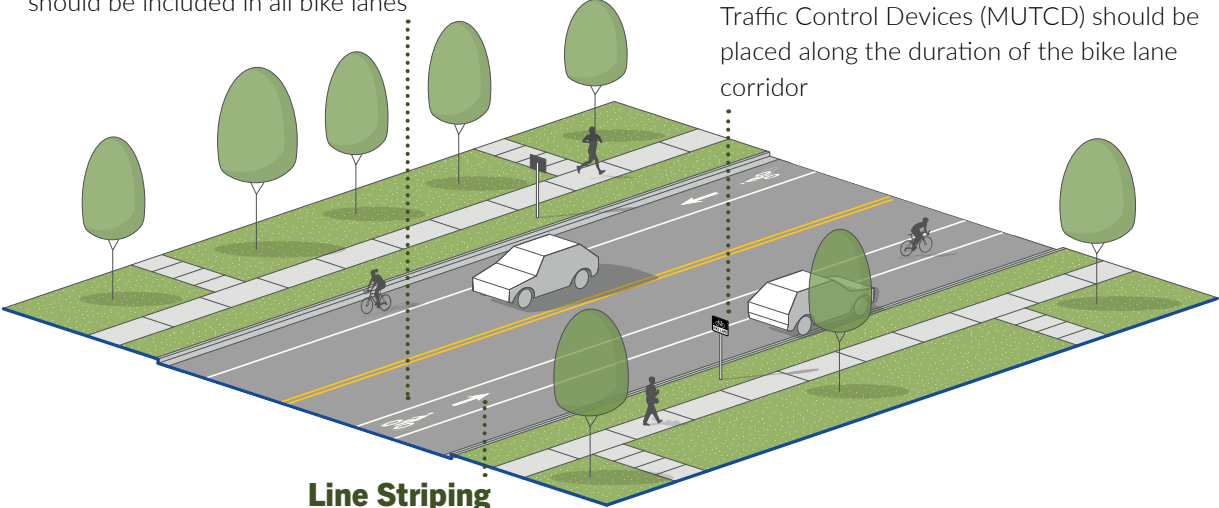
Bike Lanes

Bike Lane Symbol

The standard bike lane pavement legend should be included in all bike lanes

Signage

Branded wayfinding signage from the approved Billings Wayfinding Signage Plan and regulatory signage as required by the Manual on Uniform Traffic Control Devices (MUTCD) should be placed along the duration of the bike lane corridor



Line Striping

Striped lines should be placed to visually separate vehicle traffic and parking spaces from bike lane traffic

Bike Lanes designate exclusive space for bicyclists through the use of striping, pavement markings, and signage. They are located adjacent to motor vehicle travel lanes and are typically used in the same direction of traffic flow, however contra-flow lanes are sometimes implemented along one-way streets. More width should be provided adjacent to on-street parking.

FHWA High-Comfort Guidelines



Volume: ~2,500-less than 7,000 vehicles per day



Roadway Speed: ~25-less than 35 MPH

Width

Refer to latest *Guide for the Development of Bicycle Facilities* from AASHTO or *Urban Bikeway Design Guide* from NACTO

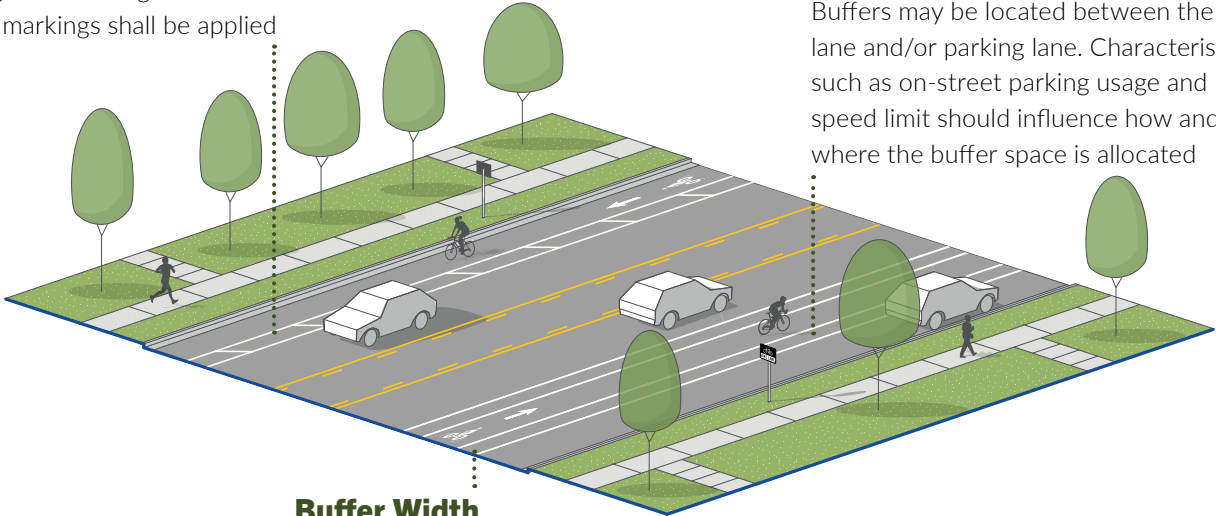
Buffered Bike Lanes

Buffer Striping

If a buffer is wider than 3', diagonal hatching or chevron markings shall be applied

Buffer Placement

Buffers may be located between the bike lane and/or parking lane. Characteristics such as on-street parking usage and speed limit should influence how and where the buffer space is allocated



Buffer Width

Buffers should be a minimum of 18" in width. However, wider is preferred

Buffered Bike Lanes are similar to bike lanes, but include an additional striped buffer to provide visual separation between the bike lane and the adjacent motor vehicle travel lane and/or parking lane.

FHWA High-Comfort Guidelines



Volume: ~2,500-less than 7,000 vehicles



Roadway Speed: 25-less than 35 MPH

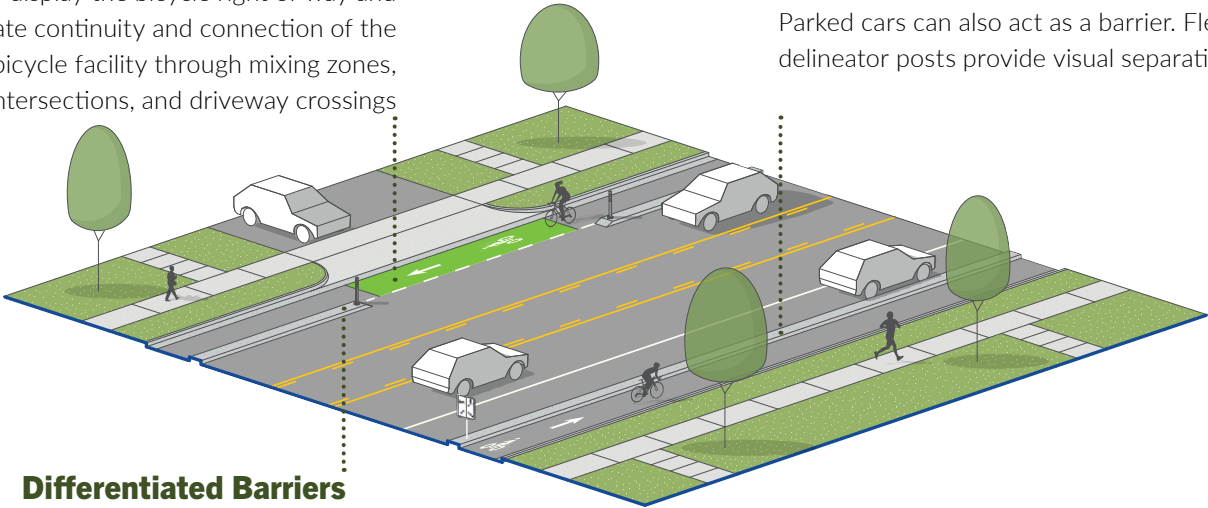
Width

Refer to latest *Guide for the Development of Bicycle Facilities* from AASHTO or *Urban Bikeway Design Guide* from NACTO

Separated Bike Lanes

Conflict Markings

If included, green conflict markings display the bicycle right of way and create continuity and connection of the bicycle facility through mixing zones, intersections, and driveway crossings



Physical Barrier

Materials for barriers may include concrete curbing, jersey barriers, bollards, planters, on-street parking, or other rigid materials. Parked cars can also act as a barrier. Flexible delineator posts provide visual separation

Differentiated Barriers

A physical barrier should be clearly marked at an intersection or driveway through the use of a colored surface and/or delineators

Separated Bike Lanes are on-street bikeways that are physically separated from vehicle traffic by a vertical element between the bikeway and vehicular travel lane. They typically share the same elevation as the travel lanes, but the bikeway could also be raised above the street level, either at or below sidewalk level.

FHWA High-Comfort Guidelines



Volume: 7,000+ vehicles per day



Roadway Speed: 30+ MPH

Width

Refer to latest *Guide for the Development of Bicycle Facilities* from AASHTO or *Urban Bikeway Design Guide* from NACTO

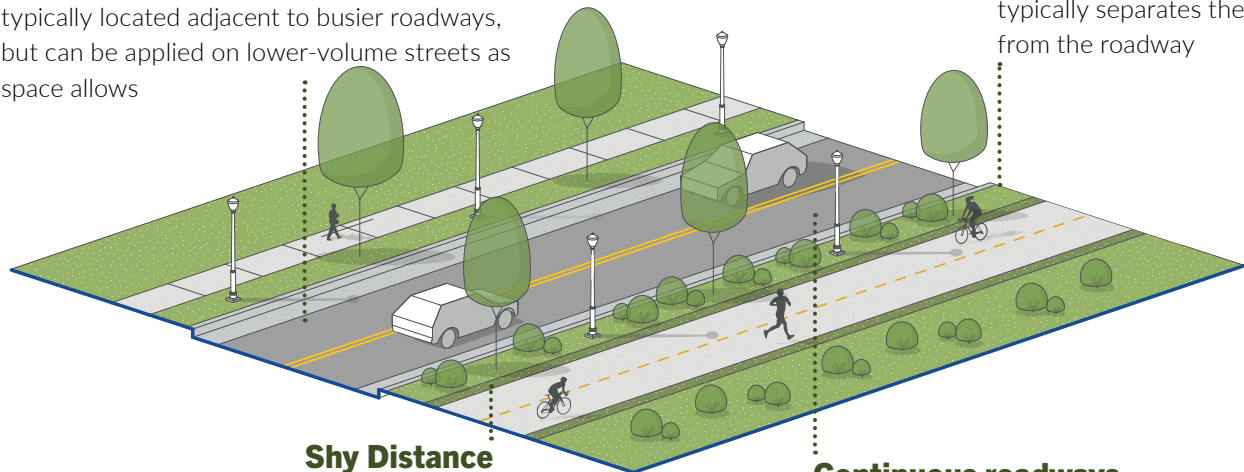
Shared Use Path (Parallel to Roadway)

Typical Location

Shared use paths parallel to roadways are typically located adjacent to busier roadways, but can be applied on lower-volume streets as space allows

Buffer

A paved or landscaped buffer typically separates the sidepath from the roadway



Shy Distance

A clear or shy zone between edge of sidepath and any vertical obstructions such as utility poles, signs, or trees allows the full width of the trail to be used effectively

Continuous roadways

Sidepaths are applied most effectively on roadways with limited driveway entrances/exits. At driveways, sidepaths should maintain the grade wherever possible

Shared Use Paths, parallel to roadways, are paved off-street pathways that run alongside roadways and are designed to accommodate two-way, non-motorized travel, including bicyclists, pedestrians, skaters, wheelchair users, joggers, and other users. They are preferable for bicyclists of all skill levels due to their separation from traffic.

FHWA High-Comfort Guidelines



Volume: 7,000+ vehicles per day



Roadway Speed: 30+ MPH

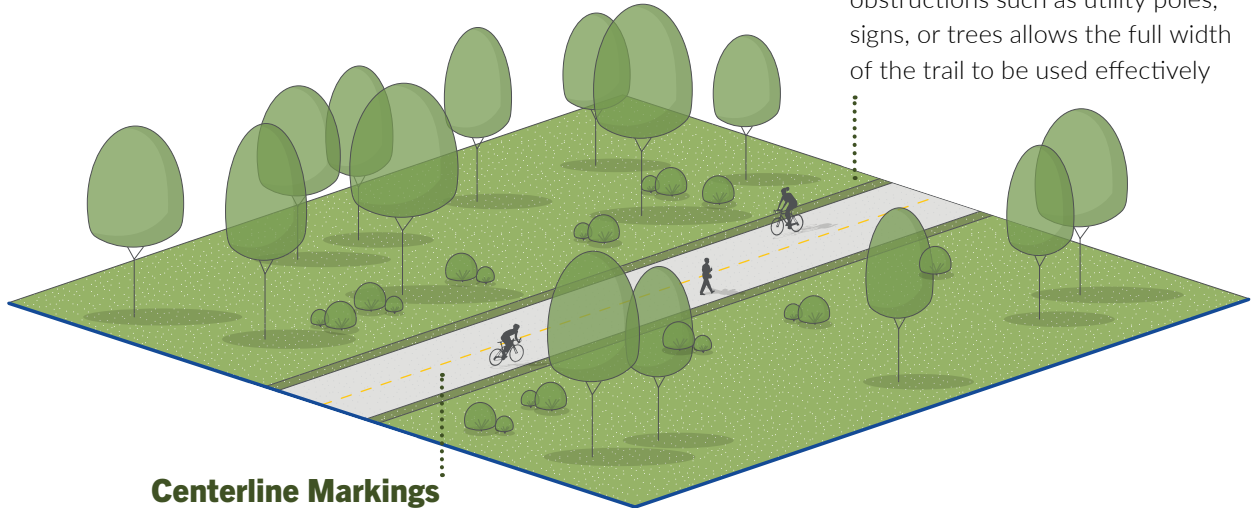
Width

Refer to latest *Guide for the Development of Bicycle Facilities* from AASHTO or *Urban Bikeway Design Guide* from NACTO or local subdivision regulations

Shared Use Path

Shy Distance

A clear or shy zone between edge of sidepath and any vertical obstructions such as utility poles, signs, or trees allows the full width of the trail to be used effectively



Centerline Markings

Centerline markings may be used, and are especially recommended in congested areas, at intersection approaches, or where visibility concerns exist

Shared Use Paths, or trails, are paved off-street pathways that are completely separated from the roadway and can serve both recreation and transportation-related trips. When located away from roadways, they are desirable for all skill levels, given minimal street crossings.

Width

Refer to latest *Guide for the Development of Bicycle Facilities* from AASHTO or *Urban Bikeway Design Guide* from NACTO or local subdivision regulations

Program & Policy Recommendations

In addition to making physical improvements to the bicycle and pedestrian network, the Billings Area is committed to improving the safety and convenience for people walking and bicycling through non-infrastructure initiatives, or programs and policies. Table 5.3 provides a list of program and policy recommendations that aim to make the Billings Area a more walkable and bikeable area.

TABLE 5.3 – PROGRAM & POLICY RECOMMENDATIONS

PROGRAM NAME	TYPE	DESCRIPTION	STATUS	FUTURE RECOMMENDATIONS
Bicycling Skills Training	Education	Provide bicyclists with needed road and riding skills	Current efforts include: Kids In Motion (KIM) curriculum still being distributed to Health Enhancement Teachers prior to KIM visits; Waves and Wheels at the Oasis and the education provided by the Lockwood Pedestrian Safety District. City staff are unsure how many Health Enhancement teachers implement the KIM curriculum. Having a dedicated staff member to provide the teach the lessons to students would be a benefit.	Organize staff member visits to schools
Road User Respect Campaign	Education	Increase respectful behavior between bicyclists, pedestrians, and motorists	Take the Hi Road PSAs, which were a partnership between TrailNet and Public Works still sometimes run.	Discuss with Billings TrailNet to see if they would consider running additional PSAs.
Education about traffic laws and how to use new infrastructure	Education	Educate both drivers and walkers/bikers about the laws related to sharing the road	A Safe Routes to School educational campaign funded by a Safe Streets for All grant from the US Department of Transportation will address this.	Develop campaign. In addition to covering laws such as yielding to crosswalk users, consider educating pedestrians on how to use ped activated lights (RRFBs)
Share the Trail Campaign	Education	Encourage responsible, respectful behavior by trail users	Trail etiquette signs are beginning to be implemented as part of the wayfinding signage. Funding and time is needed to map out signs.	Continue implementing signage and explore other outlets such as social media.
Bicycling and Trails Website	Education	Provide Billings bicycling information on a single website	Website exists, but some information is old	Continue to update

PROGRAM NAME	TYPE	DESCRIPTION	STATUS	FUTURE RECOMMENDATIONS
Coordination with MET Transit	Education and Encouragement	Promote MET Transit to help residents extend active trips	The Commuter Challenge includes MET Transit and recent outreach events, including for this plan, have targeted MET Transit riders. Use of the bike racks on MET buses has skyrocketed from 8,662 uses in 2023 to 14,421 uses in 2024.	Continue to encourage use of MET Transit and explore options to introduce walkers, bikers and rollers to using MET for longer trips or in the winter.
Bike Month	Encouragement	Encouraging bicycling to work and school through fun, social activities and incentives	The program is in progress. In May, RiverStone Health helps organize bike/walk to school competitions. Commuter Challenge takes place in June, which is mainly for adults.	Continue program while brainstorming ways to involve businesses and partners. It may be possible to combine with bicycle benefits program.
Bikeshare System	Encouragement	Promote work-related trips by bicycle; reduce daytime vehicle trips	Bike and Scooter Share Feasibility study completed in 2020. Several companies have approached Billings about bringing shared micromobility to town. Staff want to develop an RFP for potential providers.	City to consider development of an RFP to define priorities and implementation.
Bicycle Benefits Program	Encouragement	Create incentives for bicycling by partnering with local businesses to provide discounts on purchases for registered bicyclists	Incentives offered annually as part of Commuter Challenge but not year round.	Explore options for combining program with Bike Month.
Bicycle and Trails Map	Encouragement	Provide route and facility information, as well as highlight walking and bicycling destinations	An app has also been created. Multiple different entities distribute their own materials. Consolidation of information would ensure consistent information is distributed.	Continue to distribute maps and update app.
Walking to School Promotion	Encouragement	Facilitate activities that get students excited about walking to school.	RiverStone Health currently runs a committee that helps get walking school buses started, "Walktober", and more.	Continue supporting walk to school activities.

PROGRAM NAME	TYPE	DESCRIPTION	STATUS	FUTURE RECOMMENDATIONS
Wayfinding Signage	Encouragement	Increase navigability of the shared use path and bikeway system	Wayfinding signage is being implemented with new shared use path and bikeway projects.	Continue implementing wayfinding signage along new and existing facilities.
Safety Equipment Use	Encouragement	Encourage the use of bicycle lights, helmets, and reflective clothing by promoting the use of this equipment and hosting equipment giveaways	Lockwood Ped. Safety District gives away some helmets and reflective slap bands to 4th graders in May. Previously, the school district had a grant from St. Vincent Healthcare (now Intermountain Health) to sell helmets to students at \$5/helmet, but the grant funding was exhausted. Both hospitals sell low cost helmets, but they are not free. Gifted and talented students from grades 2-3 in Billings Public Schools developed a campaign to fund free helmets and as of this writing have fundraised for about 270 helmets.	Encourage organizations and school districts to coordinate their efforts, sharing resources, establishing best practices, and program development costs.
Organized Bicycle Rides	Encouragement	Organize critical mass rides to raise awareness of bicyclists in the community	Tour de Fleur, a bicycling event by Billings TrailNet, has occurred annually since 2016. The Commuter Challenge has done a "Slow Walk/Roll" for its kickoff event for several years.	Continue to support rides, as well as organize rides with different purposes: accessibility, youth rides, etc.
Fun Runs	Encouragement	Use of trails for running/walking events	Many fun runs/runs exist throughout the community. Some use trails or the neighborhood bikeway.	Continue to organize more events
Conduct walkability, accessibility, and park audits	Encouragement	Conduct audits in the city's parks to assess accessibility conditions, lighting, and improve safety	Healthy By Design completed a Parks RX program where they evaluated two parks and created walking route maps showing conditions on the trails. Crime Prevention Through Environmental Design (CPTED) is a City priority, and the City has conducted CPTED audits on some parks.	Formalize Billings' CPTED criteria and lead walking audits
City of Billings Bicycle Friendly Business (BFB)	Encouragement	Encourage employees to commute by bicycle through programs and on-site bicycle parking	With developments such as the new City Hall containing indoor bike parking, applying for BFB status could lead to the City becoming certified.	City of Billings should apply for BFB status, encouraging businesses around Billings to also take steps to achieve BFB status as well

PROGRAM NAME	TYPE	DESCRIPTION	STATUS	FUTURE RECOMMENDATIONS
Street Trees	Encouragement	Increase the number of street trees in Billings to help provide pedestrians protection from sun and extreme heat.	Street trees and shade rose to the top of the list of elements important for creating a comfortable walking experience during the Strawberry Fest outreach event. Parks and Recreation has a grant to plant street trees in Billings and trees are now required through the City of Billings zoning code in some districts.	Continue implementation of the tree grant from Parks and Recreation and discuss tree planting as an important part of walkability.
Lighting	Encouragement	Promote street lighting as an important element of walkability.	Lighting was one of the top 3 most important elements for creating a comfortable walking experience to Strawberry Festival participants. Lighting is now required in residential subdivisions in the City.	Implement lighting through the subdivision process and look for ways to incorporate lighting into new and existing bicycle and pedestrian facilities.
Boulevard Sidewalks	Encouragement	Continue to require and build sidewalks with a boulevard (buffer) between the sidewalk and the street.	During public outreach, Billings residents showed a clear preference for separation between the sidewalk and the street. Boulevards (buffers) are required by City subdivision regulations and are the standard for City projects, unless space does not allow.	Continue building boulevard sidewalks. Incorporate boulevards into the Transportation Master Plan recommendations.
Volunteer Bike Patrol Unit (VBPU)	Enforcement	The VBPU patrols the city's bike trails and parks and leads bike patrols in identified hot spot areas to report suspicious activities. Volunteers more commonly serve as "trail ambassadors," providing a positive presence on the trail system to help people feel safe.	The program is currently paused, however the Bicycle Advisory Committee would like it to continue.	Follow up with Bicycle Advisory Committee and City Police Volunteer Coordinator
Increase Traffic Enforcement	Enforcement	Increase the budget for traffic enforcement in the City of Billings to allow additional officers to be assigned to traffic detail	A Safety mill levy, which passed several years ago, provided more funding for police officers, including traffic enforcement.	Continue a focus on traffic enforcement

PROGRAM NAME	TYPE	DESCRIPTION	STATUS	FUTURE RECOMMENDATIONS
Establish Comprehensive Counts Program	Evaluation	Collect data on bicycling and trail use using automated counters	In recent years, the City has shifted entirely to automatic counts. Due to this, not as many ped. counts have been taken. There is one counting device available for year round pedestrian counts. It was previously placed at Skypoint, but is out of commission while more permanent housing is made for the counter. There is also one set of permanent bike lane counters on Poly and two permanent trail counters.	Continue current program and add additional counters, both temporary and permanent
Bicycle-Friendly Communities Designation	Evaluation	Assess progress and celebrate success made towards improving bicycling conditions	The application is every couple years. The City recently reapplied and was awarded bronze.	Review report card and reapply when necessary
Measuring the Street	Evaluation	Before and after the installation of new bikeway or trail facilities, collect data on bicycle, pedestrian, and motor vehicle volumes, crashes, and motor vehicle speeds	The City has conducted this process on a neighborhood bikeway, and will continue to conduct them on future facilities.	Continue to conduct studies and develop a findings report for each
Maintenance Documentation and Cost Estimation	Evaluation	Complete assessment the maintenance costs of walking and biking facilities.	The Street and Traffic Division is working on putting together a more accurate cost estimate of maintenance costs for pedestrian and bicycle infrastructure. The Parks Department has an estimated per mile cost of maintaining shared use paths in their care. Additional costs for shared use paths and bike lanes include snow plowing, mowing, water/irrigation, crosswalk painting, replacing Rectangular Rapid Flashing Beacons, adding accessible ramps, seal coating, surface maintenance, and occasional sign replacement. The City maintains shared use paths and trails while property owners are responsible for maintenance of most sidewalks. Future protected bike lanes will also need to consider maintenance of any provided barrier such as flex posts and will see an increased cost of maintenance as it related to snow removal and sweeping and maintenance of any intersection paint.	Continue working on estimation of maintenance costs for existing and future types of pedestrian and bicycle infrastructure.

PROGRAM NAME	TYPE	DESCRIPTION	STATUS	FUTURE RECOMMENDATIONS
Bicycle Kitchen	Equity	Bike Kitchens teach people of all ages and backgrounds how to repair bicycles. Through bike repair and bicycle related projects, bike kitchen organizations promote personal development and provide leadership opportunities.	Currently, no Bicycle Kitchens exist in Billings.	Explore program feasibility and potential partners
Bicycle Giveaways	Equity	Provide bicycles, bike education, bike safety equipment, and locks to low income children, veterans, people in substance abuse programs, and people in half-way houses.	The Lockwood Pedestrian Safety District gives away a few bikes a year to students in need. KIM provides an educational campaign for schools it visits.	Continue and support current programs
Bicycle Advocacy	Equity	Educate local and state governments about the needs of active transportation users.	There are many opportunities for engagement, including BPAC's annual presentation to governing bodies, presentations as part of plans, and others. Bike Walk Montana works with the state legislature.	Continue to engage with state and local governments



CHAPTER 6

Implementation Strategy

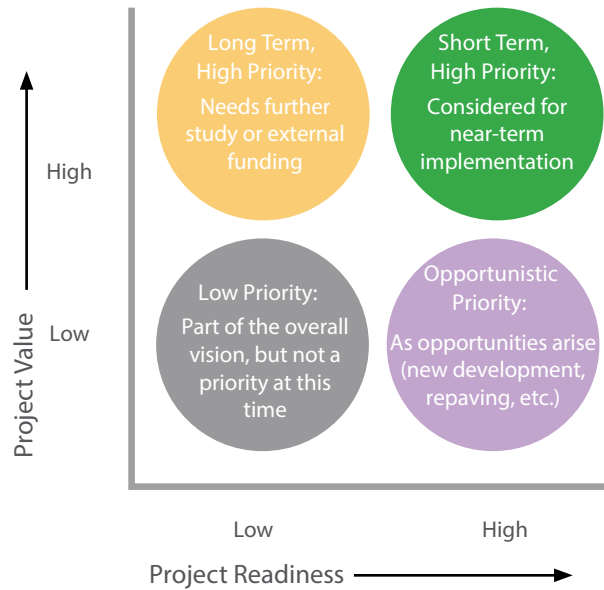
Prioritization & Implementation

Chapter 6 details the MPO’s approach for prioritizing projects, provides planning level cost estimates, and identifies potential funding strategies for implementing the plan.

Project Prioritization

The project prioritization process consists of two evaluations of each project based on: 1) project value, or benefit, and 2) project readiness, or feasibility. Projects are graded as either “High” or “Low” for each evaluation, which results in a project landing in one of four possible priority categories, as shown in Figure 6.1. This approach serves as a guide for local and state governments and agencies who want to implement recommendations from this Plan, in understanding which projects to focus on first; however, agencies should be flexible in their approach. Priorities may change based on future study or as other synergies arise with new development, reconstruction, or other opportunities for cost savings. Grant funding may also shift priorities, as the amount available or the priorities of funding agencies may drive project implementation.

FIGURE 6.1 – PROJECT PRIORITY CATEGORIES



Project Value

Project value, or benefit, is determined by how well projects achieve the goals of the plan in Chapter 1. Table 6.1 provides details about the criterion that were used to evaluate each project. Projects could score either a 0 or 1, with the former indicating that the project did not meet the criteria and the latter indicating that it did. Since some criteria are more important than others, either because they are more effective in achieving the plan's goals or have been designated as a priority by the City, multipliers were added to the evaluation. For example, creating more connections to schools is considered a higher priority than creating more connections to transit.

Project Value Evaluation Results

Figure 6.2 on the following page shows the project value evaluation results. A complete list of recommended active transportation facilities and spot improvements, ranked by project value, are included in Table B.1 in Appendix B.

Project Readiness

Project readiness refers to the feasibility of a project, and is evaluated based on the complexity of a project related to design, funding availability (including funding for additional planning and design), constructability, and maintenance. Projects that only minimally alter the roadway (pavement striping and signage only), such as bike lanes, received a high project readiness rating.

Project Readiness Evaluation Results

Figure 6.3 on the following pages show the project readiness evaluation results.

TABLE 6.1 – PROJECT VALUE CRITERION

CRITERION	DESCRIPTION	MULTIPLIER
Closes gap in spine network	Projects that extend a high-comfort facility or closes a gap between two high-comfort facilities	4
Connects to schools	Projects that create a direct or meaningful connection to any school	3
Connects to transit	Projects that create a direct connection with, run adjacent to, or intersect with designated transit routes	2
Serves major commercial, recreation, or civic destination	Projects that make a direct or meaningful connection to a significant trip generator or OD Zone	2
Serves geographies where people rely on active modes	Projects that make a direct or meaningful connection to areas that are classified as disadvantaged populations	1

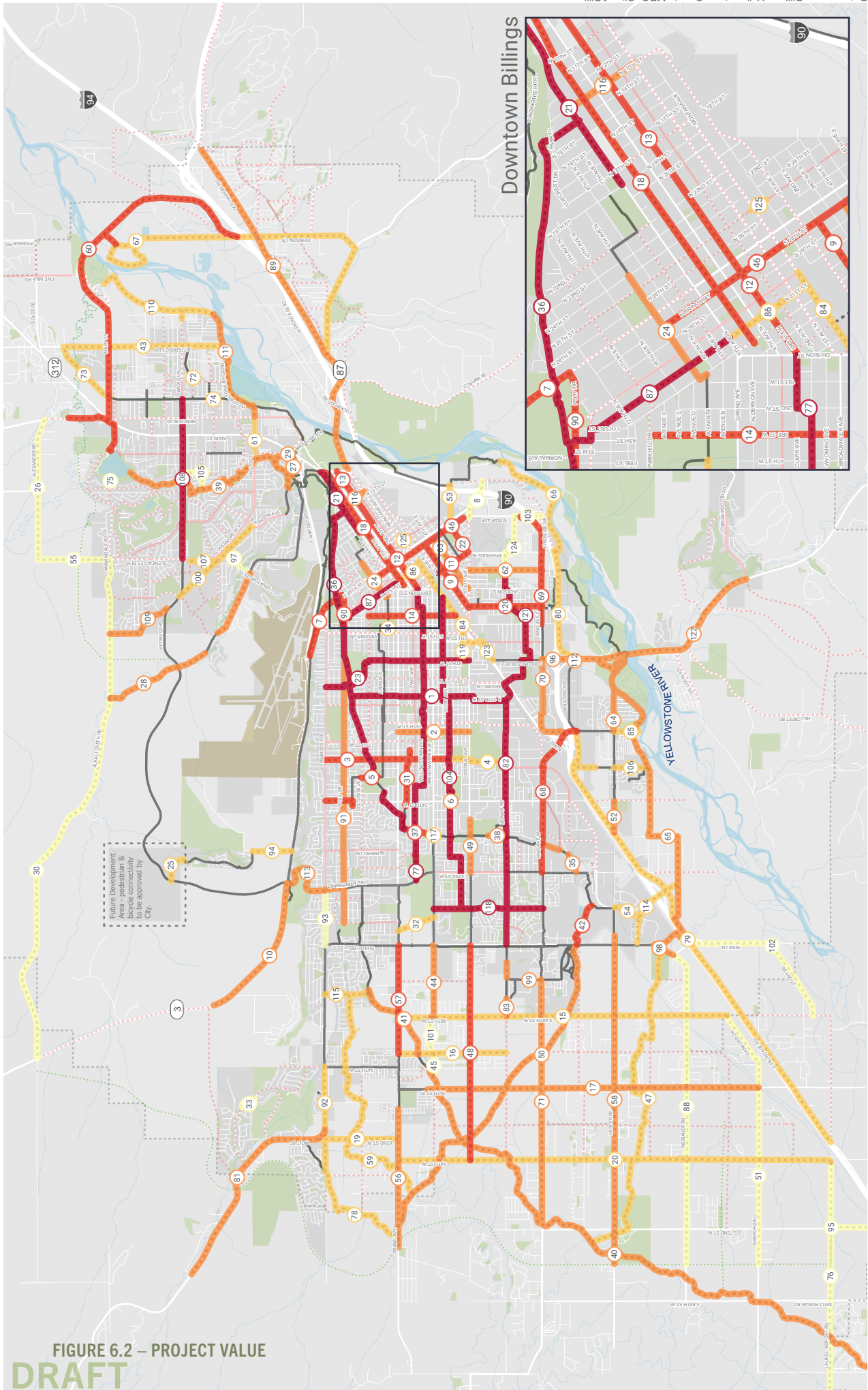


FIGURE 6.2 – PROJECT VALUE

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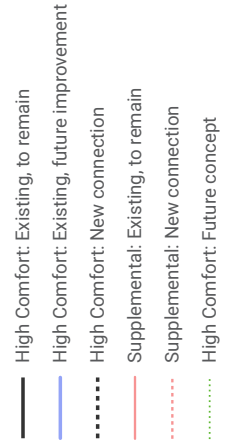
PROJECT VALUE

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN

Project Value

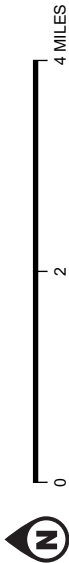


Active Transportation Network



Notes:

1. Route alignments and facility types are subject to change pending further study and public input process.
2. "High-comfort" facility types vary depending on context, but imply physical separation from motor vehicle traffic OR a low-speed, low-volume mixed traffic environment.
3. For "supplemental" routes, high-comfort facilities should always be considered and studied for feasibility.



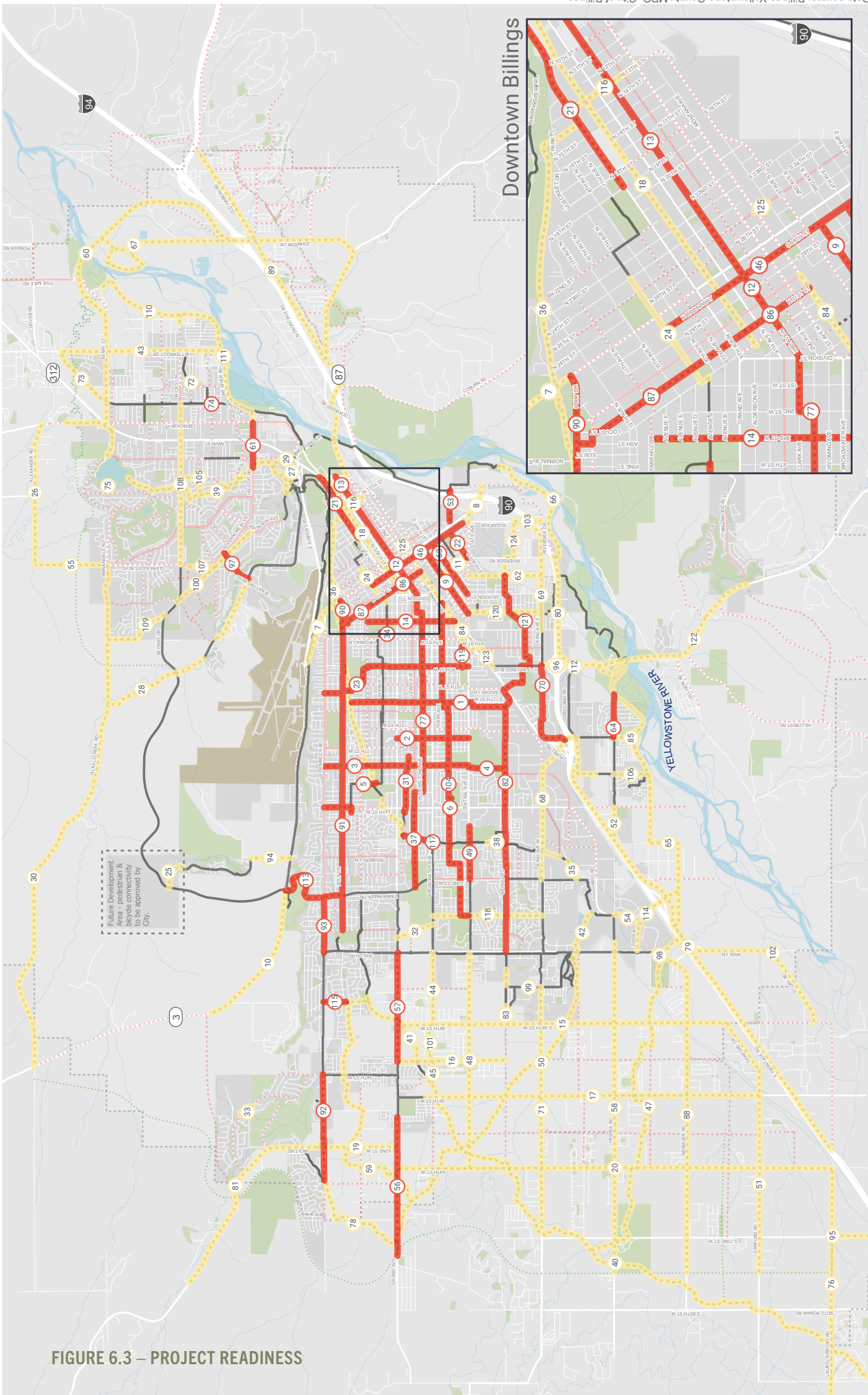


FIGURE 6.3 – PROJECT READINESS

PROJECT READINESS

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN



Priority Project Categories: Project Value & Readiness Combined

- **Short term, high priority:** These projects score high on both project value and readiness, meaning that they achieve several of the plan's goals and are easy to implement. These projects should be considered for near-term implementation and are contingent on funding availability.
- **Long term, high priority:** These projects score high on project value, but low on readiness, meaning that they achieve several of the plan's goals, but may need further feasibility study or require external funding. These projects should be prioritized for further concept and feasibility studies, as well as applications for external grants.
- **Opportunistic priority:** These projects score lower on project value, but high on project readiness, meaning that although they may not achieve as many of the plan's goals, they are easy

to implement. These projects may become a priority after short-term priorities are complete, if an opportunity arises (e.g., new development and pavement preservation), or if safety needs become evident.

- **Low priority:** These projects score low on both project value and readiness, meaning they present a lower benefit and may be more challenging to implement. These projects could be pursued long term but are not a priority currently.

For a complete list of projects, see Appendix (B). The results of this evaluation are subject to change based on further studies, partnership opportunities, funding availability, or other circumstances that may influence the City's ability to implement and maintain improvements. Some of the projects listed will likely be constructed in phases or segments as funding and project limits allow.

Top 10 Priority Projects (Based on Value and Readiness Criteria)

Below are the top ten scoring projects. The number in the parenthesis next to the name lists the project number which can be used to locate the project on the map.

PROJECT	EXTENT	DISTANCE
12th St. W./Plainview St. (#1)	BBWA Canal to Monad Rd.	2.20
6th Ave N (#21)	N. 19th St. to existing trail	1.03
8th St. W./Delphinium/ Azalea/11th/Missouri (#23)	Rimrock Rd. to Central Ave.	2.04
Yellowstone Ave/Clark Ave/Lewis Aves (#77)	Zimmerman Tr. to Division St..	4.26
Monad Rd. (#82)	32nd St. W. to Billings Blvd..	4.20
N 31st St (#87)	Poly Dr. to 6th Ave. N	0.82
Terry/Miles/Howard/St. Johns Aves (#104)	36th St. W. to 1st St. W.	4.53
Phillips St. (#121)	S.. Billings Blvd. to Washington St.	1.43
19th St. (#3)	Rimrock Rd. to Miles Ave.	1.71
Grand Ave (#57)	52nd St. W. to Shiloh Rd.	1.51

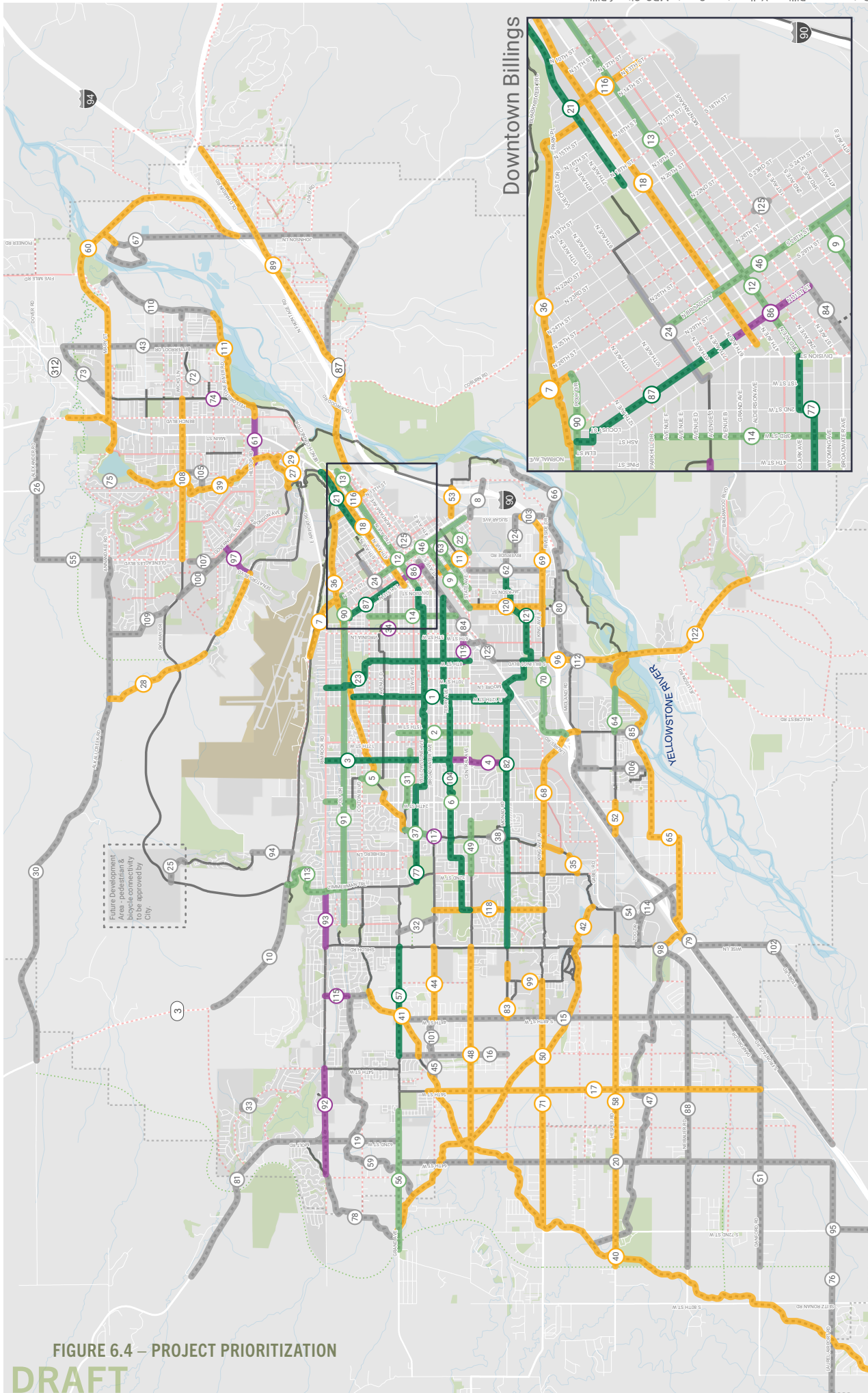


FIGURE 6.4 – PROJECT PRIORITIZATION

DRAFT

PROJECT PRIORITIZATION

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN

Notes:

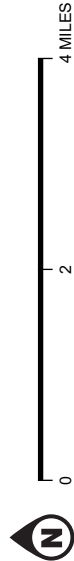
1. Route alignments and facility types are subject to change pending further study and public input process.
2. "High-comfort" facility types vary depending on context, but imply physical separation from motor vehicle traffic OR a low-speed, low-volume mixed traffic environment.
3. For "supplemental" routes, high-comfort facilities should always be considered and studied for feasibility.

Active Transportation Network

- High Comfort: Existing, to remain
- High Comfort: Existing, future improvement
- High Comfort: New connection
- Supplemental: Existing, to remain
- Supplemental: New connection
- High Comfort: Future concept

Facility Priority

- Top 10 Priority Projects
- High Priority, Short Term
- High Priority, Long Term
- Opportunistic Priority
- Low Priority



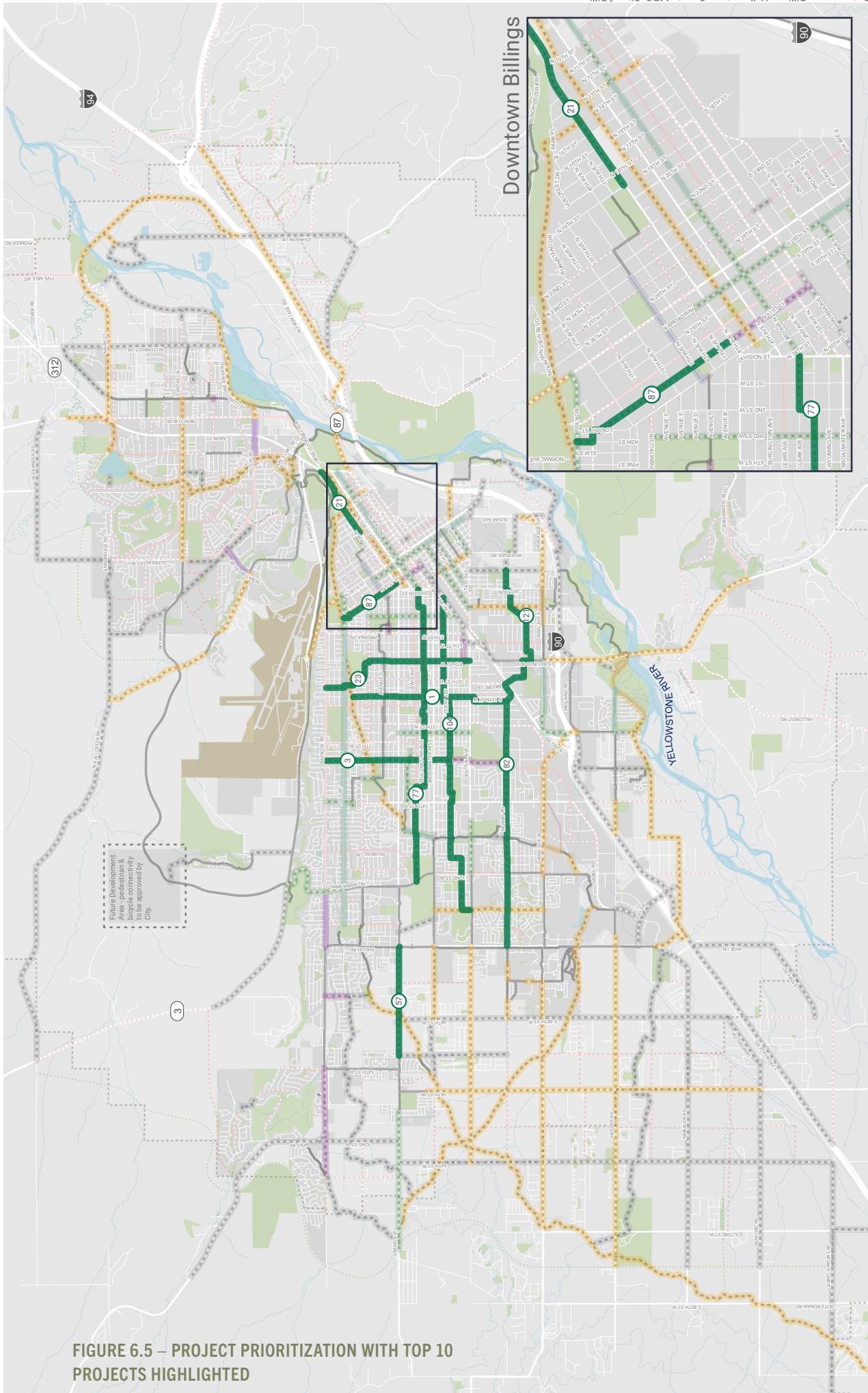


FIGURE 6.5 – PROJECT PRIORITIZATION WITH TOP 10 PROJECTS HIGHLIGHTED

PROJECT PRIORITIZATION

BILLINGS AREA PEDESTRIAN & BICYCLE MASTER PLAN

TOP TEN PROJECTS HIGHLIGHTED

Notes:

1. Route alignments and facility types are subject to change pending further study and public input process.
2. "High-comfort" facility types vary depending on context, but imply physical separation from motor vehicle traffic OR a low-speed, low-volume mixed traffic environment.
3. For "supplemental" routes, high-comfort facilities should always be considered and studied for feasibility.

Active Transportation Network

- High Comfort: Existing, to remain
- High Comfort: Existing, future improvement
- High Comfort: New connection
- Supplemental: Existing, to remain
- Supplemental: New connection
- High Comfort: Future concept

Facility Priority

- Top 10 Priority Projects
- High Priority, Short Term
- High Priority, Long Term
- Opportunistic Priority
- Low Priority



Cost Estimates

Table 6.2 outlines planning level cost estimates for the facility types listed earlier in the plan. Planning level cost estimates are meant to provide a high level understanding of the potential costs associated with a project. Applying these estimates on a network scale can generate potential discrepancies when compared to actual implementation costs. A 20 percent is applied to these planning level cost estimates to account for costs such as final engineering and design, traffic control, permitting, mobilization and demobilization, taxes, bonds, insurance, landscaping, inflation, and others. Additionally, these costs do not account for enhanced crossings as these will be designed as part of the project. Crossing costs will need to be added in to create a more accurate cost estimate for each route. All estimates assume a standard City of Billings street, that the existing curb and gutter will remain, and that no striping needs to be obliterated. There will likely be exceptions to these conditions, so these estimates are starting point. Pairing projects with pavement preservation projects can help lower cost significantly as some of these additional elements can be covered under the pavement preservation project.

Additionally, estimates include a generic cost for signage, while project specific signage costs will vary on a per project basis.

TABLE 6.2 – PLANNING LEVEL COST ESTIMATES*

FACILITY TYPE	COST PER MILE
Neighborhood Bikeways	\$62,652
Bike Lanes	\$88,320
Buffered Bike Lanes	\$124,116
Separated Bike Lane	\$1,523,145
Asphalt Shared/Sidepath	\$553,616
Concrete Shared/Sidepath	\$1,486,546
Unsignalized Mid-Block Crosswalk	\$20,564
Mid-block Crosswalk with Rectangular Rapid Flash Beacon (RRFB)	\$60,170
Marked Crosswalk & Ped Warning	\$280,664
Intersection Reconstruction (Bulbout)	\$176,226

*Each cost estimate includes facility type specific assumptions that can be found in Appendix A.

Funding Sources

Funding plays a pivotal role in Billings’ ability to transform the goals and projects in this plan from ideas into reality. The following tables outline the various funding sources available to support the implementation of bicycle and pedestrian facilities. Leveraging these opportunities will put Billings on the path to realizing this plan’s vision for a safer and more accessible active transportation system.

TABLE 6.2 – FUNDING SOURCES

NAME	SOURCE TYPE	DESCRIPTION	MORE INFORMATION	ELIGIBILITY/REQUIRED MATCH
Safe Streets and Roads for All (SS4A) Grant Program	Federal	The new SS4A Grant Program funds the development or update of a comprehensive safety action plan (Action Plan), conducting planning, design, and development activities in support of an Action Plan, and/or carrying out projects and strategies identified in an Action Plan.	Link	20% state or local match. Cities eligible to apply. Offers planning and demonstration grants or implementation grants.
Active Transportation Infrastructure Investment Program (ATIIP)	Federal	The ATIIP provides grants to states and localities to strategically invest in projects that connect active transportation networks and spines, such as safe bike paths and walking trails, while reducing carbon emissions and creating new jobs. The program will help connect people to destinations within or between communities, including schools, workplaces and other community areas. Active transportation spines can connect communities, metropolitan regions and states.	Link	20% state or local match. Local government organizations eligible to apply.
Transportation Alternatives (TA)	Federal	<p>Transportation Alternatives (TA) is a funding source under the FAST Act that consolidates three formerly separate programs under SAFETEA-LU: Transportation Enhancements (TE), Safe Routes to School (SRTS), and the Recreational Trails Program (RTP). Funds are available through a competitive process. These funds may be used for a variety of projects including:</p> <ul style="list-style-type: none"> * SRTS programs (infrastructure and non-infrastructure programs * Construction, planning, and design of on- and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation, including sidewalks, bikeways, pedestrian + bicycle signals, traffic-calming, lighting, and other safety-related infrastructure * Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for children, seniors, and individuals with disabilities who cannot drive * Construction of rail-trails * Recreational trails program 	Link	13.42% state or local match. Local governments eligible to apply.

NAME	SOURCE TYPE	DESCRIPTION	MORE INFORMATION	ELIGIBILITY/REQUIRED MATCH
Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grants	Federal	RAISE grants, which were originally created under the American Recovery and Reinvestment Act as TIGER grants, can be used for a wide variety of projects, including road, rail, and transit projects. These grants provide capital funding to any public entity, including municipalities and counties.	Link	20% state or local match but includes exceptions. Local governments eligible to apply
Federal Transit Administration (FTA) Grants	Federal	The FTA has several grant programs available to local and state governments to enhance active transportation connections to public transportation facilities.	Link	
Federal Lands Access Program (FLAP)	Federal	The FLAP is intended to improve transportation facilities that provide access to, are adjacent to, or are located within Federal lands. The fund is administered through MDT in coordination with the Central Federal Lands Highway Division, which develops a Programming Decisions Committee. The Committee puts out the call for projects, establishes selection criteria, and prioritizes selected projects. The next call for projects is anticipated to be in 2026.	Link	
Congestion Mitigation and Air Quality Improvement (CMAQ)	Federal	This program provides funds to state DOTs, MPOs and other sponsors to fund projects that will contribute to air quality improvements in ozone, carbon monoxide and/or particulate matter, and provide congestion relief. Many types of projects are eligible under the CMAQ program including electric vehicles and charging stations, diesel engine replacements and retrofits, transit improvements, bicycle and pedestrian facilities, shared micromobility projects including shared scooter systems, and more. In addition to improving air quality and reducing congestion, CMAQ projects can improve equitable access to transportation services, improve safety, and promote application of new and emerging technologies.	Link	20% state and local match, typically. Must apply in partnership with state DOT or MPO. Projects must contribute to the attainment of air quality standards (reducing emissions) in the region.
Recreational Trails Program (RTP)	Federal	The Bipartisan Infrastructure Law continued the Recreational Trails Program (RTP) as a set-aside from the Transportation Alternatives program. The RTP provides funds to states to develop and maintain recreational trails and trail-related facilities for both non-motorized and motorized recreational trail uses. The funds represent a portion of the motor fuel excise tax collected from non-highway recreational fuel use by snowmobiles, all-terrain vehicles, off-highway motorcycles, and off-highway light trucks.	Link	20% state or local match. Local governments eligible to apply.

NAME	SOURCE TYPE	DESCRIPTION	MORE INFORMATION	ELIGIBILITY/REQUIRED MATCH
Surface Transportation Block Grant Program (STP)	Federal	The Infrastructure Investment and Jobs Act's Surface Transportation Block Grant Program (STP) provides funds to states to preserve or improve conditions and performance on any federal-aid highway. Funds are apportioned to Montana and then allocated by the Montana Transportation Commission. The STP Urban, a subset of the program, provides funds for the urban highway system, and can be used for resurfacing, rehabilitation, or reconstruction of bicycle facilities and pedestrian walkways.	Link	13.42% state or local match.
Carbon Reduction Program (CRP)	Federal	The Bipartisan Infrastructure Law's Carbon Reduction Program (CRP) provides funds for projects that reduce transportation emissions. Projects can include the construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation.	Link	13.42% state or local match
Additional Federal Grants/ Programs	Federal	The list above may not be exhaustive and new sources of federal funding may become available. The Federal Highway Administration maintains a spreadsheet of funding opportunities at the link to the right.	Link	
Highway Safety Improvement Program (HSIP)	State	HSIP funds are available for projects aimed at improving safety on all public roads to reduce traffic fatalities and serious injuries. Bike lanes, roadway shoulders, crosswalks, intersection improvements, underpasses, and improved signage are examples of eligible projects. The program is managed by MDT's Safety Engineering Section.	Link	
Trail Stewardship Grant Program	State	The State of Montana funds the Trail Stewardship Grant Program for new trail and shared-path construction, maintenance, and construction of trail side facilities.	Link	10% local match. Local governments and non-profits eligible.
Bond Financing	City	Bonds can be approved by voters to fund a range of projects.		
Special Assessment or Taxing Districts	City	Local municipalities can establish special assessment districts for infrastructure improvements, like sidewalks, that are missing or in need of improvement in certain areas.		
Parking Fees	City	Some cities have instituted parking fees for public parking spaces that are then used to pay for infrastructure improvements.		

NAME	SOURCE TYPE	DESCRIPTION	MORE INFORMATION	ELIGIBILITY/REQUIRED MATCH
Development Impact Fees	City	Development impact fees are one-time charges collected from developers for financing new infrastructure construction and operations and can help fund bicycle and pedestrian improvements. Impact fees are assessed through a city's impact fee program.		
New Construction	City	Future road widening and construction projects are methods of providing improved bike and pedestrian infrastructure. To ensure that roadway construction projects provide these improvements, it is important that the review process includes a review of any relevant active transportation related plans.		
PeopleForBikes Community Grant Program	Private	<p>The PeopleForBikes Community Grant Program supports bicycle infrastructure projects and targeted advocacy initiatives that make biking safer for people of all ages and abilities. PeopleForBikes accepts requests for funding up to \$10,000. Projects that qualify for funding include:</p> <ol style="list-style-type: none"> 1 - Costs related to the development of permanent bike infrastructure, including trails, shared-use paths, bike parks, pump tracks, bicycle playgrounds, neighborhood greenways/bike boulevards, and protected bike lanes 2 - Costs related to "quick-build" or "demonstration projects," provided that any temporary infrastructure is part of a strategy to subsequently develop permanent infrastructure 3 - Land or easement acquisition costs for bike infrastructure 4 - Events or programs that support cultural acceptance and support of specific planned or recently constructed bike infrastructure projects, like "bike buses" or "community bike rides." Such events or programs must show a connection between the event and organizing for permanent infrastructure improvements and must show a likelihood of permanence beyond the term of the grant. 	Link	No required match. Local government agencies are encouraged to apply.
Private Developers	Private	Developers should consider constructing local streets with bike- and pedestrian-oriented facilities within subdivisions, including dedicating right-of-way to trails and parks. In fact, active transportation facilities are now required as part of City of Billings Subdivision regulations. Cities can encourage developers to include additional active transportation amenities during development review.		

APPENDIX



Appendix A

PLANNING LEVEL COST ESTIMATES

ITEM	SPACING (FT)	QTY	ROUNDED	UNIT PRICE	COST PER MILE
Sharrow Markings	250	42.24		44 \$ 500.00 \$	22,000.00
Signage	300	35.2		36 \$ 650.00 \$	23,400.00
			ADMIN	15% \$	6,810.00
				SUBTOTAL \$	52,210.00
			CONTINGENCY	20% \$	10,442.00
				TOTAL \$	62,652.00

**Engineer's Opinion of Probable Cost
for
Neighborhood Bikeways (Cost Per Mile)**

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
101	1	LS	Administrative Cost (15%)	\$ 6,810.00 / LS = \$	6,810.00
102	44	EA	Sharrow Markings	\$ 500.00 / EA = \$	22,000.00
103	36	EA	Signage	\$ 650.00 / EA = \$	23,400.00

**This estimate is assumed that the proper typical section has adequate curb and gutter and existing striping does not need to be obliterated to accommodate the new improvements.*

Subtotal = \$	52,210.00
Total = \$	52,210.00
Contingency (20%) = \$	10,442.00

**Project specific signage will vary on a per project basis. The above estimate is only a generic estimate. Bike lane project signage may include but not be limited to signs such as R3-17, R7-9A, R4-11, W11-1 and R4-4.*

Total Price = \$	62,652.00
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ITEM	SPACING/LENGTH (FT)	QTY	ROUNDED	UNIT PRICE	COST PER MILE
Bike Lane Markings		300	17.6	44 \$ 500.00 \$	22,000.00
Signage		500	10.56	24 \$ 650.00 \$	15,600.00
6" White Epoxy Striping		5280	10560	10560 \$ 1.75 \$	18,480.00
4" White Epoxy Striping		5280	10560	10560 \$ 0.75 \$	7,920.00
			ADMIN	15% \$	9,600.00
				SUBTOTAL \$	73,600.00
				CONTINGENCY 20% \$	14,720.00
				TOTAL \$	88,320.00

**Engineer's Opinion of Probable Cost
for
Bike Lanes (Cost Per Mile)**

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
101	1	LS	Administrative Cost (15%)	\$ 9,600.00 / LS = \$	9,600.00
102	44	EA	Bike Lane Markings	\$ 500.00 / EA = \$	22,000.00
103	24	EA	Signage	\$ 650.00 / EA = \$	15,600.00
104	10560	LF	6" White Epoxy Striping	\$ 1.75 / LF = \$	18,480.00
105	10560	LF	4" White Epoxy Striping	\$ 0.75 / LF = \$	7,920.00

**This estimate is assumed that the proper typical section has adequate curb and gutter and existing striping does not need to be obliterated to accommodate the new improvements.*

Subtotal = \$ 73,600.00

**Estimate for striping assumes that all three white stripes shown in exhibit will be painted as part of this project. The 6-inch stripe shall be on the travel lane side and 4-inch stripe shall be on the parking lane side of the bike lane.*

Total = \$ 73,600.00
Contingency (20%) = \$ 14,720.00

Total Price = \$ 88,320.00

**Project specific signage will vary on a per project basis the above estimate is only a generic estimate. Bike lane project signage may include but not be limited to signs such as R3-17, R7-9A, R4-11, W11-1 and R4-4.*

ITEM	SPACING/LENGTH (FT)	QTY	ROUNDED	UNIT PRICE	COST PER MILE
Bike Lane Markings		300	17.6	44 \$ 500.00	\$ 22,000.00
Signage		400	13.2	28 \$ 650.00	\$ 18,200.00
6" White Epoxy Striping		5280	25344	25344 \$ 1.75	\$ 44,352.00
6" White Epoxy Diagonal					
Hatching		10	1267.2	1268 \$ 1.75	\$ 2,219.00
4" White Epoxy Striping		5280	4224	4224 \$ 0.75	\$ 3,168.00
			ADMIN	15%	\$ 13,490.85
				SUBTOTAL	\$ 103,429.85
*XX% "DEFFICIENCY" factor included for line breaks and intersections				CONTINGENCY	20% \$ 20,685.97
				TOTAL	\$ 124,115.82

**Engineer's Opinion of Probable Cost
for
Buffered Bike Lanes (Cost Per Mile)**

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
101	1	LS	Administrative Cost (15%)	\$ 13,490.85 / LS =	\$ 13,490.85
102	44	EA	Bike Lane Markings	\$ 500.00 / EA =	\$ 22,000.00
103	28	EA	Signage	\$ 650.00 / EA =	\$ 18,200.00
104	25344	LF	6" White Epoxy Striping	\$ 1.75 / LF =	\$ 44,352.00
105	1268	LF	6" White Epoxy Diagonal Hatching	\$ 1.75 / LF =	\$ 2,219.00
106	4224	LF	4" White Epoxy Striping	\$ 0.75 / LF =	\$ 3,168.00

*This estimate is assumed that the proper typical section has adequate curb and gutter and existing striping does not need to be obliterated to accommodate the new improvements.

*The deficiency factors was assumed for any drive approaches and intersections causing line breaks.

*It is assumed that one side of the road with new bike lane would have a diagonally hatched buffer zone. With the other side of the street having a buffer zone 2-feet either side of the bike lane with then an adjacent parking lane between the bike zone and existing curb and gutter.

*Estimate for striping assumes that all three white stripes shown in exhibit will be painted as part of this project. The 6-inch stripe shall be on the travel lane side and 4-inch stripe shall be on the parking lane side of the bike lane.

*It is assumed that the buffer zone for the diagonal hatching would be 3-foot wide and the hatching be 10-feet O.C.

*Project specific signage will vary on a per project basis the above estimate is only a generic estimate. Bike lane project signage may include but not be limited to signs such as R3-17, R7-9A, R4-11, W11-1 and R4-4.

Subtotal =	\$ 103,429.85
Total =	\$ 103,429.85
Contingency (20%) =	\$ 20,685.97
Total Price =	\$ 124,115.82

ITEM	SPACING/LENGTH (FT)	QTY	ROUNDED	UNIT PRICE		COST PER MILE
Bike Lane Markings		300	17.6	44	\$ 500.00	\$ 22,000.00
Signage		400	13.2	28	\$ 650.00	\$ 18,200.00
6" White Dashed Epoxy Striping		5280	2112	2112	\$ 1.75	\$ 3,696.00
4" White Parking Striping		5280	4224	4224	\$ 0.75	\$ 3,168.00
Pin-down Concrete Barrier		5280	15375.36	15376	\$ 60.00	\$ 922,560.00
Flexible Delineators		50	307.52	308	\$ 190.00	\$ 58,520.00
Green Conflict Markings		5280	1408	1408	\$ 10.00	\$ 14,080.00
Yellow Epoxy Curb Paint			15375.36	15376	\$ 4.00	\$ 61,504.00
			ADMIN		15%	\$ 165,559.20
				SUBTOTAL	\$	1,269,287.20
*XX% "DEFFICIENCY" factor included for line breaks and intersections				CONTINGENCY	20%	\$ 253,857.44
				TOTAL	\$	1,523,144.64

**Engineer's Opinion of Probable Cost
for
Separated Bike Lane (Cost Per Mile)**

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
101	1	LS	Administrative Cost (15%)	\$ 165,559.20 / LS = \$	165,559.20
102	44	EA	Bike Lane Markings	\$ 500.00 / EA = \$	22,000.00
103	28	EA	Signage	\$ 650.00 / EA = \$	18,200.00
104	2112	LF	6" White Dashed Epoxy Striping	\$ 1.75 / LF = \$	3,696.00
105	4224	LF	4" White Parking Striping	\$ 0.75 / LF = \$	3,168.00
106	15376	LF	Pin-down Concrete Barrier	\$ 60.00 / LF = \$	922,560.00
107	308	EA	Flexible Delineators	\$ 190.00 / EA = \$	58,520.00
108	1408	SY	Green Conflict Markings	\$ 10.00 / SY = \$	14,080.00
109	15376	LF	Yellow Epoxy Curb Paint	\$ 4.00 / LF = \$	61,504.00

**This estimate is assumed that the proper typical section has adequate curb and gutter and existing striping does not need to be obliterated to accommodate the new improvements.*

**The defficiency factors was assumed for any drive approaches and intersections causing line breaks and the ommision of concrete barriers in that area.*

**The pin-down concrete barrier would be Type A Median Curb set back to back to create a 2 foot wide barrier. The length was calculated assuming every 50 linear feet in the barrier there would be a 5 foot break to accommodate storm water and a defficiency was calculated in for potential intersections and approaches. Additionally flexible delineators would be place atop the barrier on either side of the 5 foot barrier breaks.*

**Project specific signage will vary on a per project basis the above estimate is only a generic estimate. Bike lane project signage may include but not be limited to signs such as R3-17, R7-9A, R4-11, W11-1 and R4-4.*

Subtotal = \$ 1,269,287.20

Total = \$ 1,269,287.20

Contingency (20%) = \$ 253,857.44

Total Price = \$ 1,523,144.64

ITEM	SPACING/LENGTH (FT)	QUANTITY	ROUNDED	UNIT PRICE	COST PER MILE
Signage		400	13.2	28 \$ 650.00 \$	18,200.00
4" Yellow Dashed Centerline		5280	5280	5280 \$ 0.75 \$	3,960.00
10-ft Asphalt Trail (3" Thickness)		5280	5866.667	5867 \$ 40.00 \$	234,680.00
1-1/2" Minus Base Gravel (6" thickness)		5280	1368.889	1369 \$ 44.00 \$	60,236.00
Unclassified Excavation		5280	1368.889	1369 \$ 40.00 \$	54,760.00
Geotextile Fabric		5280	5866.667	5867 \$ 5.00 \$	29,335.00
			ASMIN	15% \$	60,175.65
				SUBTOTAL \$	461,346.65
				CONTINGENCY 20% \$	92,269.33
				TOTAL \$	553,615.98

**Engineer's Opinion of Probable Cost
for
Asphalt Shared/Sidepath (Cost Per Mile)**

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
101	1	LS	Administrative Cost (15%)	\$ 60,175.65 / LS = \$	60,175.65
102	28	EA	Signage	\$ 650.00 / EA = \$	18,200.00
103	5280	LF	4" Yellow Dashed Centerline	\$ 0.75 / LF = \$	3,960.00
104	5867	SY	10-ft Asphalt Trail (3" Thickness)	\$ 40.00 / SY = \$	234,680.00
105	1369	CY	1-1/2" Minus Base Gravel (6" thickness)	\$ 44.00 / CY = \$	60,236.00
106	1369	CY	Unclassified Excavation	\$ 40.00 / CY = \$	54,760.00
107	5867	SY	Non-Woven Geotextile Fabric (Mirifai 140N)	\$ 5.00 / SY = \$	29,335.00

**The unclassified excavation estimate is based off of the volume from existing ground elevation to 6-inches down to subgrade to accommodate 1-1/2' minus base gravel.*

**It is assumed that some of the unclassified excavation will be allocated for new 2-foot wide shoulders adjacent to the new asphalt trail.*

**Project specific signage will vary on a per project basis the above estimate is only a generic estimate. Bike lane project signage may include but not be limited to signs such as R3-17, R7-9A, R4-11, W11-1 and R4-4.*

**If soil conditions worsen the geofabric should be changed to accommodate the on site conditions with the advice of a geotechnical engineer.*

Subtotal = \$ 461,346.65

Total = \$ 461,346.65

Contingency (20%) = \$ 92,269.33

Total Price = \$ 553,615.98

ITEM	SPACING/LENGTH (FT)	QUANTITY	ROUNDED	UNIT PRICE	COST PER MILE
Signage		400	13.2	28 \$ 650.00 \$	18,200.00
4" Yellow Dashed Centerline		5280	5280	5280 \$ 0.75 \$	3,960.00
10-ft Concrete Trail (4" Thickness)		5280	52800	52800 \$ 17.50 \$	924,000.00
1-1/2" Minus Base Gravel (6" thickness)		5280	977.7778	978 \$ 44.00 \$	43,032.00
Unclassified Excavation		5280	1466.667	1467 \$ 40.00 \$	58,680.00
Geotextile Fabric		5280	5866.667	5867 \$ 5.00 \$	29,335.00
			ADMIN`	15% \$	161,581.05
				SUBTOTAL \$	1,238,788.05
				CONTINGENCY 20% \$	247,757.61
				TOTAL \$	1,486,545.66

**Engineer's Opinion of Probable Cost
for
Concrete Shared/Sidepath (Cost Per Mile)**

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
101	1	LS	Administrative Cost (15%)	\$ 161,581.05 / LS = \$	161,581.05
102	28	EA	Signage	\$ 650.00 / EA = \$	18,200.00
103	5280	LF	4" Yellow Dashed Centerline	\$ 0.75 / LF = \$	3,960.00
104	52800	SF	10-ft Concrete Trail (4" Thickness)	\$ 17.50 / SF = \$	924,000.00
105	978	CY	1-1/2" Minus Base Gravel (6" thickness)	\$ 44.00 / CY = \$	43,032.00
106	1467	CY	Unclassified Excavation	\$ 40.00 / CY = \$	58,680.00
107	5867	SY	Non-Woven Geotextile Fabric (Mirifai 140N)	\$ 5.00 / SY = \$	29,335.00

**The unclassified excavation estimate is based off of the volume from existing ground elevation to 9-inches down to subgrade to accommodate 1-1/2' minus base gravel.*

**It is assumed that some of the unclassified excavation will be allocated for new 2-foot wide shoulders adjacent to the new asphalt trail*

**Project specific signage will vary on a per project basis the above estimate is only a generic estimate. Bike lane project signage may include but not be limited to signs such as R3-17, R7-9A, R4-11, W11-1 and R4-4.*

**If soil conditions worsen the geofabric should be changed to accommodate the on site conditions with the advice of a geotechnical engineer.*

Subtotal = \$ 1,238,788.05

Total = \$ 1,238,788.05

Contingency (20%) = \$ 247,757.61

Total Price = \$ 1,486,545.66

Description	QTY	Unit Price		Cost
Sign Assembly	2	\$ 700.00		\$ 1,400.00
24" Solid White Epoxy Striping	110	\$ 30.00		\$ 3,300.00
24" Thermoplastic White Sharks Teeth	30	\$ 45.00		\$ 1,350.00
6" ADA Ramps	250	\$ 30.00		\$ 7,500.00
Curb & Gutter	20	\$ 45.00		\$ 900.00
Unclassified Excavation	5.4	\$ 40.00		\$ 214.81
1-1 1/2" Minus Base Course	5.4	\$ 44.00		\$ 236.30
			ADMIN 15%	\$ 2,235.17
			SUBTOTAL	\$ 17,136.28
			CONTINGENCY 20%	\$ 3,427.26
			TOTAL	\$ 20,563.53

**Engineer's Opinion of Probable Cost
for
Unsignalized Mid-Block Crosswalk**

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
101	1	LS	Administrative Cost (15%)	\$ 2,235.17 / LS =	\$ 2,235.17
102	2	EA	Sign Assembly	\$ 700.00 / EA =	\$ 1,400.00
103	110	LF	24" Solid White Epoxy Striping	\$ 30.00 / LF =	\$ 3,300.00
104	30	SF	24" Thermoplastic White Sharks Teeth	\$ 45.00 / SF =	\$ 1,350.00
105	250	SF	6" ADA Ramps	\$ 30.00 / SF =	\$ 7,500.00
106	20	LF	Curb & Gutter	\$ 45.00 / LF =	\$ 900.00
107	5	CY	Unclassified Excavation	\$ 40.00 / CY =	\$ 214.81
108	5	CY	1-1 1/2" Minus Base Course	\$ 44.00 / CY =	\$ 236.30

**This estimate is assumed that the proper typical section has adequate curb and gutter and existing striping does not need to be obliterated to accommodate the new improvements.*

Subtotal =	\$ 17,136.28
Total =	\$ 17,136.28
Contingency (20%) =	\$ 3,427.26

**This estimate is based on a standard City of Billings local street with a 34' width back of curb to back of curb.*

Total Price = \$ 20,563.53

**This estimate can vary depending on any other accommodations needed for the specific project.*

**The sizing for the ADA ramps is meant to be a 5'x5' ramp with 5' flares tying into an assumed existing sidewalk. Concrete curb and gutter will be laid in front of the width of the ADA ramp (10').*

Description	QTY	Unit Price		Cost
24" Solid White Epoxy Striping	200	\$ 30.00	\$	6,000.00
24" Thermoplastic White Sharks Teeth	150	\$ 45.00	\$	6,750.00
Solar Powered RRFB Signal System	1	\$22,000.00	\$	22,000.00
6" ADA Ramps	250	\$ 30.00	\$	7,500.00
Curb & Gutter	20	\$ 45.00	\$	900.00
Unclassified Excavation	5.4	\$ 40.00	\$	214.81
1-1 1/2" Minus Base Course	5.4	\$ 44.00	\$	236.30
			ADMIN 15%	\$ 6,540.17
			SUBTOTAL	\$ 50,141.28
			CONTINGENCY 20%	\$ 10,028.26
			TOTAL	\$ 60,169.53

Engineer's Opinion of Probable Cost
for
Mid-block Crosswalk with Rectangular Rapid Flash Beacon (RRFB)

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
101	1	LS	Administrative Cost (15%)	\$ 6,540.17 / LS =	\$ 6,540.17
102	200	LF	24" Solid White Epoxy Striping	\$ 30.00 / LF =	\$ 6,000.00
103	150	SF	24" Thermoplastic White Sharks Teeth	\$ 45.00 / SF =	\$ 6,750.00
104	1	LS	Solar Powered RRFB Signal System	\$ 22,000.00 / LS =	\$ 22,000.00
105	250	LF	6" ADA Ramps	\$ 30.00 / LF =	\$ 7,500.00
106	20	LF	Curb & Gutter	\$ 45.00 / LF =	\$ 900.00
107	5	CY	Unclassified Excavation	\$ 40.00 / CY =	\$ 214.81
108	5	CY	1-1 1/2" Minus Base Course	\$ 44.00 / CY =	\$ 236.30

**This estimate is assumed that the proper typical section has adequate curb and gutter and existing striping does not need to be obliterated to accommodate the new improvements.*

**This estimate is based on a standard City of Billings 3-lane commercial street with a 45' width back of curb to back of curb.*

**This estimate can vary depending on any other accommodations needed for the specific project.*

**The sizing for the ADA ramps is meant to be a 5'x5' ramp with 5' flares tying into an assumed existing sidewalk. Concrete curb and gutter will be laid in front of the width of the ADA ramp (10').*

Subtotal	=	\$	50,141.28
Total	=	\$	50,141.28
Contingency (20%)	=	\$	10,028.26
Total Price	=	\$	60,169.53

Description	QTY	Unit Price	Cost	
Sign Assembly	10	\$ 700.00	\$	7,000.00
12" Solid White Epoxy Striping	82	\$ 15.00	\$	1,230.00
24" Thermoplastic White Sharks Teeth	30	\$ 45.00	\$	1,350.00
Pedestrian Hybrid Beacon Traffic Signal	1	\$ 190,000.00	\$	190,000.00
6" Concrete ADA Ramp	100	\$30.00	\$	3,000.00
Detectable Warning Panels	16	\$50.00	\$	800.00
		15%	\$	30,507.00 ADMIN
			\$	233,887.00 SUBTOTAL
		20%		\$46,777.40 CONTINGENCY
			\$	280,664.40 TOTAL

Engineer's Opinion of Probable Cost
for
Marked Crosswalk & Ped Warning

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
101	1	LS	Administrative Cost (15%)	\$ 30,507.00 / LS =	\$ 30,507.00
102	10	EA	Sign Assembly	\$ 700.00 / EA =	\$ 7,000.00
103	82	LF	12" Solid White Epoxy Striping	\$ 15.00 / LF =	\$ 1,230.00
104	30	SF	24" Thermoplastic White Sharks Teeth	\$ 45.00 / SF =	\$ 1,350.00
105	1	LS	Pedestrian Hybrid Beacon Traffic Signal	\$ 190,000.00 / LS =	\$ 190,000.00
106	100	SF	6" Concrete ADA Ramp	\$ 30.00 / SF =	\$ 3,000.00
107	16	SF	Detectable Warning Panels	\$ 50.00 / SF =	\$ 800.00

**This estimate is assumed that the proper typical section has adequate curb and gutter and existing striping does not need to be obliterated to accommodate the new improvements.*

Subtotal = \$ 233,887.00

**This estimate is based on a standard City of Billings 3-lane commercial street with a 45' width back of curb to back of curb.*

Total = \$ 233,887.00
Contingency (20%) = \$ 46,777.40

**This estimate can vary depending on the location of the power source for the signal as well as any other accommodations needed for the specific project.*

Total Price = \$ 280,664.40

**Project specific signage will vary on a per project basis the above estimate is only a generic estimate. Bike lane project signage may include but not be limited to signs such as R1-5L, R11-2, W16-7P, R10-6 and R10-23.*

**It is assumed the ADA ramp to accommodate a crosswalk would be a 5' by 5' ramp with 5' flares to tie into existing sidewalk.*

Description	QTY	Unit Price	Cost	
Demo Curb & Gutter	280	\$ 17.50	\$	4,900.00
Remove Concrete Flatwork	140	\$ 40.00	\$	5,600.00
Remove Asphalt	360	\$ 25.00	\$	9,000.00
Curb & Gutter	300	\$ 45.00	\$	13,500.00
4" Concrete Sidewalk	1900	\$ 13.50	\$	25,650.00
1-1/2" Minus Base Gravel	50	\$ 44.00	\$	2,200.00
6" Concrete ADA Ramp	400	\$ 30.00	\$	12,000.00
Detectable Warning Panels	40	\$ 50.00	\$	2,000.00
12" White Epoxy Striping	240	\$ 15.00	\$	3,600.00
24" White Epoxy Striping	60	\$ 20.00	\$	1,200.00
Yellow Curb Paint	300	\$ 4.00	\$	1,200.00
Storm Drain Inlet (Type II)	4	\$ 3,500.00	\$	14,000.00
Storm Drain Manhole	2	\$ 4,000.00	\$	8,000.00
Storm Drain Pipe	135	\$ 100.00	\$	13,500.00
Asphalt Restoration	35	\$ 250.00	\$	8,750.00
Signage	4	\$ 650.00	\$	2,600.00
		15%	\$	19,155.00 ADMIN
			\$	146,855.00 SUBTOTAL
		20%		\$29,371.00 CONTINGENCY
				\$176,226.00 TOTAL

Engineer's Opinion of Probable Cost
for
Intersection Reconstruction (Bulbout)

ITEM NO.	EST. QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
101	1	LS	Administrative Cost (15%)	\$ 19,155.00 / LS = \$	19,155.00
102	280	LF	Demo Curb & Gutter	\$ 17.50 / LF = \$	4,900.00
103	140	SY	Remove Concrete Flatwork	\$ 40.00 / SY = \$	5,600.00
104	360	SY	Remove Asphalt	\$ 25.00 / SY = \$	9,000.00
105	300	LF	Curb & Gutter	\$ 45.00 / LF = \$	13,500.00
106	1900	SY	4" Concrete Sidewalk	\$ 13.50 / SY = \$	25,650.00
107	50	CY	1-1/2" Minus Base Gravel	\$ 44.00 / CY = \$	2,200.00
108	400	SF	6" Concrete ADA Ramp	\$ 30.00 / SF = \$	12,000.00
109	40	SF	Detectable Warning Panels	\$ 50.00 / SF = \$	2,000.00
110	240	LF	12" White Epoxy Striping	\$ 15.00 / LF = \$	3,600.00
111	60	LF	24" White Epoxy Striping	\$ 20.00 / LF = \$	1,200.00
112	300	LF	Yellow Curb Paint	\$ 4.00 / LF = \$	1,200.00
113	4	EA	Storm Drain Inlet (Type II)	\$ 3,500.00 / EA = \$	14,000.00
114	2	EA	Storm Drain Manhole	\$ 4,000.00 / EA = \$	8,000.00
115	135	LF	Storm Drain Pipe	\$ 100.00 / LF = \$	13,500.00
116	35	SY	Asphalt Restoration	\$ 250.00 / SY = \$	8,750.00
117	4	EA	Signage	\$ 650.00 / EA = \$	2,600.00

**This estimate is based on a standard City of Billings 3-lane commercial street with a 45' width back of curb to back of curb.*

**This estimate can vary depending on the location of existing storm drain manholes and inlets*

**Project specific signage will vary on a per project basis the above estimate is only a generic estimate. Bike lane project signage may include but not be limited to signs such as R11-2 and W16-7P.*

**It is assumed the ADA ramp to accommodate a crosswalk would be a 5' by 5' ramp with 5' flares to tie into existing sidewalk.*

Subtotal	= \$	146,855.00
Total	= \$	146,855.00
Contingency (20%)	= \$	29,371.00
Total Price	= \$	176,226.00

Appendix B

TABLE B.1 FULL PROJECT LIST FOR HIGH COMFORT NETWORK

PROJECT ID	NAME	FROM	TO	STATUS	VALUE SCORE	PROJECT VALUE	PROJECT READINESS	PRIORITIZATION
1	12th St W & Plainview St	BBWA Canal	Monad Rd	Planned	12	High	High	High Priority, Short Term
21	6th Ave	N 19th St	Existing trail	Planned	12	High	High	High Priority, Short Term
23	8th St W, Delphinium, Azalea, 11th, Missouri	Rimrock Rd	Central Ave	Planned	12	High	High	High Priority, Short Term
77	Lewis Ave/Yellowstone Ave/Clark Ave	Zimmerman Trl	Division St	Planned	12	High	High	High Priority, Short Term
82	Monad Rd	32nd St W	Billings Blvd	Planned	12	High	High	High Priority, Short Term
87	N 31st St	Poly Dr	6th Ave N	Planned	12	High	High	High Priority, Short Term
104	Terry/Miles/Howard/St Johns	36th St W	1st St W	Planned	12	High	High	High Priority, Short Term
121	Phillips St	S Billings Blvd	Washington St	Planned	12	High	High	High Priority, Short Term
3	19TH	Rimrock Rd	Miles Ave	Planned	11	High	High	High Priority, Short Term
57	Grand Ave	52nd Street West	Shiloh Rd	Planned	10	High	High	High Priority, Short Term
37	BBWA Canal Trail Corridor	Broadwater Ave	BBWA Canal Trail	Existing: Future Improvement	10	High	High	High Priority, Short Term
5	21ST	Mariposa Ln	Solomon Ave	Planned	9	High	High	High Priority, Short Term
9	2nd Ave S	State Ave	N 28th St	Planned	9	High	High	High Priority, Short Term
12	3rd	Division St	N 22nd St	Planned	9	High	High	High Priority, Short Term
13	3rd Ave N	N 22nd St	Main St	Planned	9	High	High	High Priority, Short Term

PROJECT ID	NAME	FROM	TO	STATUS	VALUE SCORE	PROJECT VALUE	PROJECT READINESS	PRIORITIZATION
14	3rd St W	Parkhill Dr	Montana Ave	Planned	<u>9</u>	High	High	High Priority, Short Term
22	8TH Ave. S.	S 28th St	S 34th St	Planned	<u>9</u>	High	High	High Priority, Short Term
31	Arnold Drain	25th St W	18th St W	Planned	<u>9</u>	High	High	High Priority, Short Term
46	Broadway	9th Ave N	12th Ave S	Planned	<u>9</u>	High	High	High Priority, Short Term
90	Poly Dr	Virginia Ln	N 27th St	Planned	<u>9</u>	High	High	High Priority, Short Term
49	Central Ave	32nd St W	Stewart Park Rd	Planned	<u>8</u>	High	High	High Priority, Short Term
91	Poly Dr	38th St W	Virginia Ln	Existing: Future Improvement	<u>8</u>	High	High	High Priority, Short Term
113	Zimmerman Trail	3	Poly Dr	Planned	<u>8</u>	High	High	High Priority, Short Term
2	16th St W	Grand Ave	Central Ave	Planned	<u>7</u>	High	High	High Priority, Short Term
6	24TH	Howard Ave		Planned	<u>7</u>	High	High	High Priority, Short Term
56	Grand Ave	Shiloh Rd	74th St W	Planned	<u>7</u>	High	High	High Priority, Short Term
63	Jackson St	S 28th St	King Ave E	Planned	<u>7</u>	High	High	High Priority, Short Term
64	Jim Dutcher Trail Corridor	Mullowney Ln	Jim Dutcher Trl	Existing: Future Improvement	<u>7</u>	High	High	High Priority, Short Term
70	King Ave E	King Ave W	S Billings Blvd	Planned	<u>7</u>	High	High	High Priority, Short Term
36	BBWA Canal	Park Pl	6th Ave N	Planned	<u>12</u>	High	Low	High Priority, Long Term
108	Wicks Ln	Gleneagles Blvd	Kiwanis Trl	Planned	<u>12</u>	High	Low	High Priority, Long Term
118	36th St W	Broadwater Ave	King Ave W	Planned	<u>12</u>	High	Low	High Priority, Long Term

PROJECT ID	NAME	FROM	TO	STATUS	VALUE SCORE	PROJECT VALUE	PROJECT READINESS	PRIORITIZATION
42	Billings Canal	South Shiloh Rd	TransTech Trl	Planned	<u>11</u>	High	Low	High Priority, Long Term
48	Central Ave	Shiloh Rd	S 64th St W	Planned	<u>11</u>	High	Low	High Priority, Long Term
120	Hallowell Ln	State Ave	King Ave E	Planned	<u>11</u>	High	Low	High Priority, Long Term
7	27th	Highway 3	5th Ave N	Planned	<u>10</u>	High	Low	High Priority, Long Term
60	Highway 87 Bypass	Roundup Rd	Johnson Ln	Planned	<u>10</u>	High	Low	High Priority, Long Term
69	King Ave	Orchard Ln	Sugar Ave	Planned	<u>10</u>	High	Low	High Priority, Long Term
11	34th	1st Ave S	State Ave	Planned	<u>9</u>	High	Low	High Priority, Long Term
18	5th Ave N	N 28th St	Main St	Planned	<u>9</u>	High	Low	High Priority, Long Term
68	King Ave	32nd St W	Midland Rd	Planned	<u>9</u>	High	Low	High Priority, Long Term
28	Alkali Creek	Future Annandale Rd	Senators Blvd	Planned	<u>8</u>	High	Low	High Priority, Long Term
35	Bannister Drain Trail	32nd St W	King Ave W	Planned	<u>8</u>	High	Low	High Priority, Long Term
50	Cove Ditch	Grand Ave	Shiloh Rd	Planned	<u>8</u>	High	Low	High Priority, Long Term
52	Elysian Rd	Muldowney Ln	S Frontage Rd	Planned	<u>8</u>	High	Low	High Priority, Long Term
71	King Ave W	Big Ditch	South 44th St W	Planned	<u>8</u>	High	Low	High Priority, Long Term
83	Monad Road	S 48th St W	Monad Rd	Planned	<u>8</u>	High	Low	High Priority, Long Term
99	South 44th St W	South 44th St W	Dobrinka Dr	Planned	<u>8</u>	High	Low	High Priority, Long Term
17	56th	Grand Ave	Danford Rd	Planned	<u>7</u>	High	Low	High Priority, Long Term

PROJECT ID	NAME	FROM	TO	STATUS	VALUE SCORE	PROJECT VALUE	PROJECT READINESS	PRIORITIZATION
27	Alkali Creek	Aronson Ave	Main St	Planned	<u>2</u>	High	Low	High Priority, Long Term
29	Alkali Creek	Alkali Creek	Emerald Dr	Planned	<u>2</u>	High	Low	High Priority, Long Term
39	BBWA Canal Trail North	East of Shadow Heights	Aronson Ave	Planned	<u>2</u>	High	Low	High Priority, Long Term
40	Big Ditch	Yard Office Road	Beringer Way	Planned	<u>2</u>	High	Low	High Priority, Long Term
41	Big Ditch	52nd Street West	Rimrock West Park	Planned	<u>2</u>	High	Low	High Priority, Long Term
44	Broadwater Ave	48th St W	Shiloh Rd	Planned	<u>2</u>	High	Low	High Priority, Long Term
58	Hesper Rd	Gabel Rd	East of Kraft Ln	Planned	<u>2</u>	High	Low	High Priority, Long Term
65	Jim Dutcher Trail/ Marathon Loop	Shiloh Rd	Yrpa Conservation	Planned	<u>2</u>	High	Low	High Priority, Long Term
89	Old Hardin Rd	Main St	US 90	Planned	<u>2</u>	High	Low	High Priority, Long Term
96	S Billings Blvd	King Ave E	South Billings Bridge	Planned	<u>2</u>	High	Low	High Priority, Long Term
111	Yellowstone River Rd	Bench Blvd	Erin St	Planned	<u>2</u>	High	Low	High Priority, Long Term
116	N 13th St	6th Ave N	1st Ave N	Planned	<u>2</u>	High	Low	High Priority, Long Term
122	Blue Creek Road	Yellowstone River	Briarwood	Planned	<u>2</u>	High	Low	High Priority, Long Term
53	Lillian Ave	S 26th St	Charlene St	Planned	<u>5</u>	Low	High	Opportunistic Priority
61	Hilltop Rd	BBWA Canal Trail North	Bench Blvd	Existing: Future Improvement	<u>5</u>	Low	High	Opportunistic Priority
86	N 31st St	6th Ave N	Montana Ave	Planned	<u>5</u>	Low	High	Opportunistic Priority
117	Broadwater Ave	Descro Park Trl	Parkview Dr	Planned	<u>5</u>	Low	High	Opportunistic Priority

PROJECT ID	NAME	FROM	TO	STATUS	VALUE SCORE	PROJECT VALUE	PROJECT READINESS	PRIORITIZATION
4	19th St. W	Miles Ave	Monad Rd	Planned	<u>4</u>	Low	High	Opportunistic Priority
34	Avenue C	Virginia Ln	Existing Trail Pioneer Park	Planned	<u>4</u>	Low	High	Opportunistic Priority
74	Kiwanis Trl	Steffanich Dr	Kiwanis Trl	Planned	<u>4</u>	Low	High	Opportunistic Priority
92	Rimrock Rd	Little Cove Creek	54th St W	Planned	<u>4</u>	Low	High	Opportunistic Priority
115	46th St W	Rimrock Rd	Silver Creek Trl	Planned	<u>4</u>	Low	High	Opportunistic Priority
119	St. John's	8th St W	6th St W	Planned	<u>3</u>	Low	High	Opportunistic Priority
93	Rimrock Road Trail	Shiloh Rd	Zimmerman Trl	Existing: Future Improvement	<u>2</u>	Low	High	Opportunistic Priority
97	Senators Blvd	Alkali Creek Rd	Governors Blvd	Existing: Future Improvement	<u>1</u>	Low	High	Opportunistic Priority
10	HWY 3	Shorey Rd	Inner Belt Loop	Planned	<u>6</u>	Low	Low	Low Priority
24	9th Ave	N 32nd St	N 24th St	Existing: Future Improvement	<u>6</u>	Low	Low	Low Priority
38	BBWA Canal Trail Corridor	Monad Rd	BBWA Canal Trail Corridor	Planned	<u>6</u>	Low	Low	Low Priority
62	Jackson St	S 28th St	King Ave E	Planned	<u>6</u>	Low	Low	Low Priority
81	Molt Rd.	Charolais St	Rimrock Rd	Planned	<u>6</u>	Low	Low	Low Priority
98	Shiloh Rd	Neibauer Rd	Shiloh Rd	Planned	<u>6</u>	Low	Low	Low Priority
109	Wicks Ln	Annandale Rd	Skyway Dr	Planned	<u>6</u>	Low	Low	Low Priority
112	Yrpa Conservation Pond Trails	Jim Dutcher Trail/Marathon	S Billings Blvd	Planned	<u>6</u>	Low	Low	Low Priority
15	48TH St. W	Grand Ave	Danford Dr	Planned	<u>5</u>	Low	Low	Low Priority

PROJECT ID	NAME	FROM	TO	STATUS	VALUE SCORE	PROJECT VALUE	PROJECT READINESS	PRIORITIZATION
32	Arnold Drain	Grand Ave	Broadwater Ave	Planned	<u>5</u>	Low	Low	Low Priority
47	Canyon Creek	Big Ditch	Shiloh Rd	Planned	<u>5</u>	Low	Low	Low Priority
66	Jim Dutcher Trl	S Frontage Rd	Jim Dutcher Trl	Planned	<u>5</u>	Low	Low	Low Priority
79	S Frontage Rd	Mullowney Ln	Rudio Rd	Planned	<u>5</u>	Low	Low	Low Priority
80	S Frontage Rd	Riverside Rd	S Billings Blvd	Planned	<u>5</u>	Low	Low	Low Priority
84	Montana	State Ave	30th	Planned	<u>5</u>	Low	Low	Low Priority
85	Mullowney	Elysian Rd	South of Story Rd	Planned	<u>5</u>	Low	Low	Low Priority
106	Walter Creek Blvd	S Frontage Rd	Jim Dutcher Trail/	Planned	<u>5</u>	Low	Low	Low Priority
114	Zoo St	S Shiloh Rd	Entryway Dr	Planned	<u>5</u>	Low	Low	Low Priority
16	52nd St W	Grand Ave	Monad Rd	Planned	<u>4</u>	Low	Low	Low Priority
25	Access	Inner Belt Loop	North of Payton Trl	Planned	<u>4</u>	Low	Low	Low Priority
43	Bitterroot	Elaine St	Wicks Ln	Planned	<u>4</u>	Low	Low	Low Priority
54	Gabel	Hesper Rd	Zoo Dr	Planned	<u>4</u>	Low	Low	Low Priority
59	High Ditch	Cove Ditch	Rimrock West Park	Planned	<u>4</u>	Low	Low	Low Priority
67	Johnson Ln	Old Hardin Rd	Yellowstone River	Planned	<u>4</u>	Low	Low	Low Priority
72	Kiwanis Trail Corridor	Hawthorne Ln	Kiwanis Trl	Planned	<u>4</u>	Low	Low	Low Priority
73	Kiwanis Trail Corridor	Bitterroot Dr	Mary ST	Planned	<u>4</u>	Low	Low	Low Priority

PROJECT ID	NAME	FROM	TO	STATUS	VALUE SCORE	PROJECT VALUE	PROJECT READINESS	PRIORITIZATION
78	Little Cove Creek	Grand Ave	Rimrock Rd	Planned	<u>4</u>	Low	Low	Low Priority
94	Rod and Gun Club	Iron Horse Trl	High Way 3	Planned	<u>4</u>	Low	Low	Low Priority
100	South of Governors Blvd	W Wicks Ln	Aronson Ave	Planned	<u>4</u>	Low	Low	Low Priority
123	Underpass Ave	S Billings Blvd	Calhoun	Planned	<u>4</u>	Low	Low	Low Priority
19	62nd	North of Rimrock Rd	Grand Ave	Planned	<u>3</u>	Low	Low	Low Priority
20	64th	Grand Ave	Laurel Airport Rd	Planned	<u>3</u>	Low	Low	Low Priority
107	West of Governors Blvd	South of W Wicks Ln	Constitution Ave	Planned	<u>3</u>	Low	Low	Low Priority
110	Yellowstone River Corridor	Yellowstone River Rd	Yellowstone River	Planned	<u>3</u>	Low	Low	Low Priority
125	25th St Bridge	Montana Ave	Minnesota Ave	Planned	<u>3</u>	Low	Low	Low Priority
75	Lakewood Ln	Lakewood Ln	Lake Elmo	Planned	<u>2</u>	Low	Low	Low Priority
8	27th St	Sugar Ave	Garden Ave	Planned	<u>1</u>	Low	Low	Low Priority
102	Story Rd / Wise Ln	Duck Creek Rd	Frontage Rd	Planned	<u>1</u>	Low	Low	Low Priority
103	Sugar	State Ave	King Ave E	Planned	<u>1</u>	Low	Low	Low Priority
105	Uinta Park/Twin Oaks Park	Wicks Ln	Ditch Trail	Planned	<u>1</u>	Low	Low	Low Priority
124	Kratz Ln	Washington St	Sugar Ave	Planned	<u>1</u>	Low	Low	Low Priority
26	Alexander Rd	Gleneagles Blvd	Roundup Rd	Planned	<u>0</u>	Low	Low	Low Priority
30	Alkali Creek Rd/Annandale Rd	HWY 3	Gleneagles Blvd	Planned	<u>0</u>	Low	Low	Low Priority

PROJECT ID	NAME	FROM	TO	STATUS	VALUE SCORE	PROJECT VALUE	PROJECT READINESS	PRIORITIZATION
33	Autumnwood Dr	Autumnwood Dr	Ben Hog Ave	Planned	<u>0</u>	Low	Low	Low Priority
45	Broadwater Ave	Big Ditch	52nd St W	Planned	<u>0</u>	Low	Low	Low Priority
51	Danford	S 48th St W	West of Evening Star	Planned	<u>0</u>	Low	Low	Low Priority
55	Gleneagles Blvd	Alexander Rd	Annandale Rd	Planned	<u>0</u>	Low	Low	Low Priority
76	Laurel Airport	S 64th St W	Buffalo Trail Rd	Planned	<u>0</u>	Low	Low	Low Priority
88	Neibauer	Autumn Ln	East of Holly Ln	Planned	<u>0</u>	Low	Low	Low Priority
95	S 72nd St W	Laurel Airport Rd	S Frontage Rd	Planned	<u>0</u>	Low	Low	Low Priority
101	Stone Ridge	48th St W	52nd St W	Planned	<u>0</u>	Low	Low	Low Priority