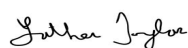


I. EXECUTIVE SESSION

The Board of Public Safety met in Executive Session on Wednesday, October 20, 2021 at 8:37 a.m. with Board Members Luther Taylor, Daniel Jones, Darryl Heller, Lee Ross, and Attorneys Tom Panowicz and Sandra Kennedy. The meeting was held virtually via Microsoft Teams for the purposes specified in I.C. 5-14-1.5-6.1(b)(6)(A) and I.C. 5-14-1.5-6.1(b)(2)(B) regarding disciplinary action and litigation strategy. An update was also provided per I.C. 5-14-1.5-6.1(b)(2)(A). The meeting ended at 9:12 a.m.

BOARD OF PUBLIC SAFETY



 Luther Taylor, President



 Daniel Jones, Member



 Darryl Heller, Member



 Lee Ross, Member

ATTEST:



 Clerk
II. REGULAR MEETING

October 20, 2021

The Board of Public Safety met in the Regular Meeting at 9:18 a.m. on Wednesday, October 20, 2021, with Board Members Luther Taylor, Daniel Jones, Darryl Heller, and Lee Ross present. Also present were Attorneys Tom Panowicz and Sandra Kennedy and Board Clerk Anne Fuchs. The meeting was held virtually via Microsoft Teams at the following link: <https://tinyurl.com/BPS10202021>

Attorney Panowicz asked that everyone mute their microphone when not speaking and reminded attendees that comments from the public should be saved for the Privilege of the Floor portion of the meeting. Attorney Panowicz then read through the agenda to note any additions or corrections. Attorney Panowicz added an item to Section C. Fire Department, #6. Acknowledgement of Voluntary Step Down in Rank from Captain to Firefighter- Chad Ammerman. Chief Ruszkowski stated he would like items #3 and #4 switched in Section B and added #10 Approve Administrative Leave Without Pay -Timothy Barber. With no other additions noted, the meeting moved forward.

Board President Luther Taylor introduced and welcomed the new Board Member Pastor Lee Ross. He then welcomed the public, called roll, and confirmed the presence of Board Members.

A. APPROVE MINUTES OF PREVIOUS MEETINGS

Upon a motion by Dan Jones seconded by Darryl Heller and carried by roll call, the Board approved the Minutes of September 15, 2021. Upon a motion by Darryl Heller and seconded by Dan Jones and carried by a roll call, the Special Meeting Minutes of September 17, 2021, were also approved as presented.

B. POLICE DEPARTMENT1. APPROVE SWEARING IN OF PROBATIONARY POLICE OFFICERS

Chief Scott Ruszkowski submitted to the Board the Recommendation that Dominick Delijo Rodriquez and Kiel Chase Lovekin be accepted for employment as probationary police

officers with the SBPD effective October 20, 2021. Chief stated that Dominick graduated from the Indiana Law Enforcement Academy on September 17th, and Kiel is a transfer from another agency. Both officers met all the requirements; therefore, Chief asked the Board to approve the officers to be sworn in. The Board congratulated and welcomed the officers. Upon a motion by Dan Jones, seconded by Darryl Heller and carried by a roll call the swearing in of the Probationary Officers were approved.

2. SWEARING IN OF PROBATIONARY POLICE OFFICERS

Biographies of the officers were provided by Lieutenant Fulknecky, highlighting their talents and achievements, education, and interests. City Clerk Dawn Jones administered the oath. The Board and the Clerk congratulated Officers Dominick Deligo Rodriquez and Kiel Chase Lovekin on their employment with the SBPD effective October 20, 2021.

3. APPROVE PROMOTION TO LIEUTENANT IN SPECIAL ASSIGNMENT – SERGEANT KAYLA MILLER

Police Chief Scott Ruzzkowski submitted a letter requesting the promotion for Kayla Miller PN#2204 from the rank of Sergeant to the rank of Lieutenant in Special Assignment for one (1) year in the Investigative Bureau effective October 20, 2021. Chief Ruzzkowski stated she has gone above and beyond and is a part of the Shooting Response Team, Metro Investigative Homicide Unit, Crime Stoppers, and the Shred Events. Chief Ruzzkowski stated this Special assignment includes additional training and evaluations to be completed during a probationary period of one year. Upon a motion by Dan Jones, seconded by Darryl Heller and carried by a roll call, the Promotion was approved by the Board. President Taylor congratulated Lieutenant Miller.

4. APPROVE APPLICATION AND DECLARATION FOR RETIREMENT - OFFICER KEITH VERGON

Police Chief Scott Ruzzkowski submitted a letter to the Board for approval of the Application and Declaration for Retirement for Officer Keith Vergon effective October 3, 2021. Officer Vergon is retiring in good standing with the Department for twenty-four (24) years, seven (7) months, and three (3) days. Chief Ruzzkowski asked the Board to join him in wishing Officer Vergon success in his future endeavors and thanking him for his many years of service with the SBPD. Upon a motion by Darryl Heller, seconded by Dan Jones and carried by a roll call, the Application and Declaration for Retirement was approved.

5. ACCEPT LETTER OF RESIGNATION – OFFICER MATTHEW TADEVICH

Police Chief Ruzzkowski submitted the letter of resignation for Officer Matthew Tadevich effective October 1, 2021. Officer Tadevich has served the South Bend Police Department since February 20, 2019. President Taylor stated with regret on behalf of the Board they accept his resignation and wish him the best as he moves forward.

6. APPROVE 2021 HALLOWEEN TRICK OR TREAT HOURS

Police Chief Scott Ruzzkowski submitted a letter to the Board for the SBPD Halloween Trick or Treat hours to be held on Sunday, October 31, 2021, from 5:00 pm to 7:00 pm. Upon a motion by Darryl Heller, seconded by Lee Ross, and carried by a roll call the Halloween Trick or Treat Hours were approved.

7. APPROVE RESOLUTION NO. 03-2021 – ESTABLISHING THE 2022 HOLIDAY SCHEDULE FOR THE SOUTH BEND POLICE DEPARTMENT

Police Chief Ruzzkowski submitted the Resolution for the SBPD Holiday Schedule, stating that this year, New Year's Eve will be celebrated or recognized on a Friday due to it falling on the weekend. He stated all contractual issues have been clarified. Upon a motion by Dan Jones, seconded by Darryl Heller, and carried by a roll call, the following resolution was approved.

RESOLUTION NO.: 03-2021

A RESOLUTION OF THE BOARD OF PUBLIC SAFETY OF THE CITY OF SOUTH BEND, INDIANA ESTABLISHING THE 2022 HOLIDAY SCHEDULE FOR THE SOUTH BEND POLICE DEPARTMENT

WHEREAS, the Board of Public Safety of the City of South Bend, Indiana, is empowered by law to establish rules and regulations for the South Bend Police Department; and

WHEREAS, it is in the interest of the City of South Bend that the Police Department holidays be set with certainty.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Safety of the City of South Bend:

SECTION I. That for all sworn police officers who are assigned to work as their regular schedule, Monday through Friday, 5 days on and 2 days off or 4 days on and 3 days off, the following holidays shall apply:

New Year’s Day (observed)	Friday, December 31, 2021*
Martin Luther King, Jr. Day	Monday, January 17, 2022
Memorial Day	Monday, May 30, 2022
Independence Day	Monday, July 4, 2022
Labor Day	Monday, September 5, 2022
Veteran’s Day Friday,	November 11, 2022
Thanksgiving Day	Thursday, November 24, 2022
Day after Thanksgiving	Friday, November 25, 2022
Christmas Day (observed)	Monday, December 26, 2022

*Note that the New Year’s Day holiday will be observed on December 31, 2021. In accordance with Sec. 2-120(b) of the South Bend Municipal Code, this holiday shall be treated as if it fell into 2022 for the purposes of designating 10 holidays.

In addition to the nine (9) designated holidays above, employees may choose one (1) additional floating holiday subject to South Bend Municipal Code Sec. 2-121 (a), which can be any day of the employee’s choosing subject to supervisor’s pre-approval. And

SECTION II. That for all sworn police officers who are assigned to work as their regular work schedule, 6 days on and 3 days off, there shall be no paid holidays. The following dates are designated as Critical Duty Days:

New Year’s Day	Saturday, January 1, 2022
Memorial Day	Monday, May 30, 2022
Independence Day	Monday, July 4, 2022
Labor Day	Monday, September 5, 2022
Thanksgiving Day	Thursday, November 24, 2022
Christmas Eve	Saturday, December 24, 2022
Christmas Day	Sunday, December 25, 2022
New Year’s Eve	Saturday, December 31, 2022

For purposes of the Critical Duty Day stipend, the Critical Duty Day shall start at 6:00 a.m., and last 24 hours. And

SECTION III. That officers assigned to the South Bend Community School Corporation shall, while so assigned, follow the holiday schedule set by the South Bend Community School Corporation for its clerical employees. Officers so assigned shall be eligible for Critical Duty Day pay only if assigned temporarily to a regular detail or otherwise eligible.

ADOPTED this 20th day of October 2021.

CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC SAFETY
s/ Luther Taylor
s/ Dan Jones
s/ Darryl Heller
s/ Lee Ross

ATTEST:

s/Anne Fuchs, Clerk

8. FILE QUARTERLY REPORT FOR SPECIALIZED SCHOOLS

Police Chief Ruskowski submitted the 3rd quarter report for specialized schools. He stated that during the period of July, August, and September 2021, the Board Members received a breakdown of the training, personnel, and amounts. He stated that these are not on-site schools, these are elsewhere outside the SBPD, and the total cost is \$25, 637.99 and that is what they spent on these schools away from the PD. President Taylor thanked Chief Ruskowski for the report and accepted the quarterly report on behalf of the Board.

9. FILE MONTHLY STATISTICAL ANALYSIS REPORT – SEPTEMBER 2021

Police Chief Ruskowski noted that there is an 11% increase in Part One Crimes. He stated when he looked at the report, something did not make sense and he investigated it with the DOJ and FBI. He stated the SBPD was victim reporting and not incident reporting. The Chief gave the example that if there were ten (10) people in a house and a bullet went into a home’s kitchen, but only one (1) person was in the kitchen while nine (9) other people were elsewhere in the home, all ten (10) would be counted as victims. He said in speaking with the FBI and the DOJ there is a proximity component, and the SBPD erred in a way where all ten (10) people in the home were reported as victims in that one (1) incident. In Chief Ruskowski’s example, when taking proximity into account, only the person who was in the kitchen where the bullet struck should be reported as a legitimate victim, but others in the home could be counted as witnesses or participants. Chief Ruskowski stated they will have the department go back to correct past reportings to ensure reported victims were legitimate victims. Chief Ruskowski clarified for the Board that the department will continue to victim report until the end of this year, and he made the Board aware that when the SBPD switches from victim reporting to incident reporting in 2022, specifically for aggravated assaults, the numbers will look much different. President Taylor commended the Police Department and accepted the monthly report for filing.


The SEPTEMBER 2021 analysis is as follows:

<u>PART 1 OFFENSES</u>	<u>YEAR TO DATE</u>					
	<u>2020</u>	<u>2021</u>	<u>CHANGE</u>	<u>2020</u>	<u>2021</u>	<u>CHANGE</u>
HOMICIDE	1	1	0	17	13	-4
JUSTIFIABLE HOMICIDE	0	0	0	0	1	1
RAPE	15	2	-13	64	47	-17
ROBBERY	30	46	16	229	258	29
AGGRAVATED ASSLT	122	205	83	1094	1642	548
BURGLARY RES	34	43	9	341	334	-7
BURGLARY NON RES	22	24	2	179	143	-36
LARCENY	287	254	-33	2055	1950	-105
MOTOR VEH THEFT	54	57	3	359	457	98
ARSONS	8	6	-2	34	29	-5
GRAND TOTAL	573	638	65	4372	4873	501

Respectfully submitted,


 Scott Ruskowski
 Chief of Police

Month: **SEPTEMBER 2021**

<u>PART 1 OFFENSES</u>	<u>2020</u>	<u>2021</u>	<u>CHANGE</u>
HOMICIDE	17	13	-24%
JUSTIFIABLE HOMICIDE	0	1	0%
RAPE	64	47	-27%
ROBBERY	229	258	13%
AGGRAVATED ASSLT	1094	1642	50% 
BURGLARY RES.	341	334	-2%
BURGLARY NON RES.	179	143	-20%
LARCENY	2055	1950	-5%
MOTOR VEH THEFT	359	457	27%
ARSONS	34	29	-15%
GRAND TOTAL	4372	4873	11%

11% CHANGE IN PART 1 CRIMES THROUGH SEPTEMBER 2021

10. APPROVE ADMINISTRATIVE LEAVE WITHOUT PAY – TIMOTHY BARBER

Police Chief Ruszkowski stated Timothy Barber was relieved of duty with pay on October 6th, 2021, pending investigation of a criminal matter. Chief stated he was made aware last night that criminal charges were filed, and Timothy Barber was arrested. In accordance with I.C. 36-8-3-4(n), Chief notified the Board and asked for a vote regarding paid or unpaid leave for Officer Barber. President Taylor stated his recommendation is to continue the leave without pay. Darryl Heller asked Chief to describe the charges to the Board in detail. Police Attorney Kylie Connell introduced herself and stated the charges filed as of yesterday were Child Seduction, Level 5 felony; Public Indecency, a Class A Misdemeanor; Official Misconduct, a level 6 felony; Public Nudity, a Class B Misdemeanor; and Official Misconduct, a level 6 felony. Lee Ross asked to confirm if this police officer has been arrested and charged, and Chief Ruszkowski confirmed. Dan Jones stated based on the information presented to the Board, his recommendation is to proceed with Administrative Leave without pay. Darryl Heller stated that he supports President Taylor and Dan Jones' recommendation of Administrative Leave without pay. Upon a motion by Dan Jones, seconded by Darryl Heller, and carried by roll call, the Administrative Leave without pay was approved.

C. FIRE DEPARTMENT

1. APPROVE APPLICATION AND DECLARATION OF RETIREMENT – CAPTAIN PAUL APPLGATE

Fire Chief Carl Buchanan submitted a letter for the Declaration of Retirement for Captain Paul Applegate BN#364. Chief Buchanan stated that Captain Applegate was appointed to the SBF on October 9, 1991, and has served with loyalty and diligence both in Fire Suppression and as a Paramedic. His effective date of Retirement was October 11, 2021, giving him thirty (30) years and two (2) days of serving South Bend. Chief Buchanan asked the Board to join him in appreciation and gratitude to Captain Applegate for his commitment and distinguished service to the South Bend Fire Department and the residents of South Bend. Chief Buchanan wished him many years of happiness in his retirement. Upon a motion by Dan Jones, seconded by Lee Ross, and carried by a roll call, the Application for Retirement was approved.

2. APPROVE PROMOTIONS TO CAPTAINS IN SPECIAL ASSIGNMENT

(a) Chief Buchanan submitted a letter for the promotion to Captain for Firefighter Shawn Kuminecz Badge #362. Chief stated a Captain's list was comprised and firefighters were ranked to be eligible to fill this position as a Captain in Special Assignment for one (1) year on a Probationary Status, after which they would accumulate four (4) evaluations to determine if they will be recommended for promotions to Captain. Chief Buchanan stated Firefighter Kuminecz has proven leadership skills in fire suppression and EMS job functions admirably. Firefighter Kuminecz is an EMT-P, a member of the Swiftwater and Tactical

Rescue Team, and an Instructor with the Indiana River Rescue School. He is respected by his fellow firefighters and is recommended by Battalion Chief Chris Baker. Chief Buchanon stated it is his recommendation that Firefighter Kuminecz be assigned to Captain in Special Assignment effective October 20, 2021.

(b) Chief Buchanon submitted a letter for the promotion of Captain for Firefighter Kyle Wyszynski #579. Chief stated a Captain's list was comprised and firefighters were ranked to be eligible to fill this position as a Captain in Special Assignment for one (1) year on a Probationary Status, after which they would accumulate four (4) evaluations to determine if they will be recommended for promotions to Captain. Chief Buchanon stated Firefighter Wyszynski has proven leadership skills in fire suppression and EMS job functions admirably, as well as being a member of the Swiftwater and Tactical Rescue Team. Firefighter Wyszynski is respected by his fellow firefighters and is recommended by Battalion Chief Mike Szucs. Chief Buchanon stated it is his recommendation that Firefighter Wyszynski be assigned to Captain in Special Assignment effective October 20, 2021.

Upon a motion by Lee Ross, seconded by Darryl Heller, and carried by a roll call the Promotions to Captains in Special Assignment were approved.

3. ACKNOWLEDGMENT OF COMMENDATIONS

Fire Chief Carl Buchanon submitted commendations. A brief summary of the commendations is as follows:

David Pritz was recognized for showing outstanding lifesaving efforts towards a victim who was hanging from a tree approximately 30 yards from shore. He made verbal contact with the victim and went into action. Captain Pritz removed his PFD (life jacket) and handed it to Firefighter Kuminecz to put on the victim. The victim was evaluated by the medical staff on scene and found to be uninjured. The location and water conditions of this incident made this a very dangerous situation. The quick actions of the SBF D personnel assisted by the SBPD prevented this incident from becoming a tragedy.

Shawn Kuminecz was recognized for showing outstanding lifesaving efforts towards a victim who was hanging from a tree approximately 30 yards from shore. He made verbal contact with the victim and went into action. Firefighter Kuminecz put a PFD (life jacket) on the victim and entered the water with a rope and swam out to the victim clinging to a tree. The victim was pulled to shore by the other three rescuers and the victim was evaluated by the medical staff on the scene and found to be uninjured. The location and water conditions of this incident made this a very dangerous situation. The victim was only 50 yards upstream of the dam hanging on the last strainer possible. The quick actions of the SDFD personnel assisted by the SBPD prevented this incident from becoming a tragedy.

Dawn Jones was recognized for going above and beyond to meet with a family with an individual in mental distress, and her medical skills and training allowed her to adequately assess the health needs of the patient. She patiently listened to the family concerns, provided several options, and made referrals to the local social services. The assistance and outcome will allow for a better quality of life for this family.

President Taylor thanked Chief Buchanon and stated the Board commends Captain Pritz and Firefighter Kuminecz for their actions and for risking their lives to go into the river and save another. President Taylor also asked Clerk Fuchs to get Commendation coins for both the Firefighters and Police Officers who assisted. He then thanked Dawn Jones for her care and Paramedicine skills that she provided. Board Members Darryl Heller, Lee Ross, and Dan Jones also thanked the individuals for all they do.

4. RECEIVE FIRE DEPARTMENT DISCIPLINE MATRIX

President Taylor stated that there would be no vote today but accepted the Fire Department Discipline Matrix for review. Chief Buchanon stated this matrix is a continuation and improvement on the Fire Department's duty manuals, emphasizing that they want to stay current and progress with clear guidelines about how Firefighters are expected to do their jobs. He also stated this will be a living document. President Taylor asked if this will be ready for the next Board meeting. Chief Buchanon stated he wanted to give the Board Members, the Mayor's Office, Legal, and their Local time to review. President Taylor stated

they will review it and will be ready for the next meeting.

Darryl Heller asked if the Discipline Matrix is a public document for the residents to review. Clerk Fuchs stated she can upload the Matrix to the City’s Website following the meeting, and Mr. Heller stated that would be good and thanked Clerk Fuchs. Chief Buchanon stated that the Local, City Admin, Legal, and Fire Chief Staff are the only ones that have reviewed the Matrix. Clerk Fuchs stated she will have it published following the meeting.

5. FILE MONTHLY STATISTICAL ANALYSIS REPORT FOR SEPTEMBER 2021

Fire Chief Carl Buchanon presented the monthly statistical analysis report, stating that they have increased their total inspections and the Bureau is still trying to maneuver through the pandemic. He stated for September alone, they had 4,948 calls, which is up from last September, and they are continuing their risk reduction efforts by providing smoke detectors and carbon monoxide detectors. Chief Buchanon thanked the local organization who provides the smoke detectors and continues to make sure the citizens are safe. President Taylor thanked Chief for the report.

SEPTEMBER 2020	SEPTEMBER 2021
STRUCTURE FIRES Property Damage--Buildings & Contents (Estimates)	
\$199,000	\$185,500
INSPECTION DIVISON	
73 Inspections 0 Re-Inspections	292 Total Inspections 147 Re-Inspections
INVESTIGATION DIVISON	
17 Investigations	10 Investigations
4 Incendiary 5 Accidental 0 Natural 4 Undetermined	2 Incendiary 4 Accidental 0 Natural 1 Undetermined

6. ACKNOWLEDGEMENT OF VOLUNTARY STEP DOWN IN RANK OF CAPTAIN TO FIREFIGHTER - CHAD AMMERMMAN

Fire Chief Carl Buchanon stated on October 7, 2021, Chad Ammerman BN# 423 voluntarily stepped down from the position of Captain to return to Firefighter 1st Class. Chief Buchanon stated Firefighter Ammerman has served admirably and with honor as a Captain with the Sbfd since around 2007 and stated Firefighter Ammerman cited this was due to personal reasons and not a reprimand by the Fire Chief or anything to do with a disciplinary matter. Chief asked the Board to acknowledge the voluntary step down and thank Firefighter (former Captain) Ammerman for his many years of supervision to the men and women who served under him. He added this decision involved Firefighter Ammerman really getting back to his EMS skill set as he plans for his future retirement next year. Upon a motion by Darryl Heller, seconded by Lee Ross, and carried by a roll call, the acknowledgment was accepted.

PRIVILEGE OF THE FLOOR

Attorney Panowicz reminded the public to use the hand-raising function of Microsoft Teams to indicate their desire to speak during Privilege of the Floor. He reminded attendees that they would be allotted three (3) minutes to speak.

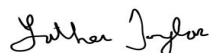
President Luther Taylor introduced himself as President of Board of Public Safety. He stated he wanted to make a brief comment regarding the Clerk leaving. He stated Clerk Anne Fuchs has been with the Board approximately one year and is moving on to bigger things. He stated they regret losing someone with great skills and knowledge. President Taylor thanked Clerk Fuchs and wished her the best. Clerk Fuchs thanked the President and the Board Members and stated it is bittersweet to leave a job she loves so much and everyone that she has become so close to. Clerk Fuchs stated it was a difficult decision and truly appreciates the opportunity and will miss everyone dearly.

Jordan Hatfield introduced himself as ABC 57 News Reporter, 1380 Nelson Rd, Michigan. He stated that ABC57 spoke with Ken Cotter, District Attorney and expressed some concerns about Metro Homicide being disbanded in the sense of the Homicide Detectives possibly being out of practice. Jordan asked if this was also a concern of the Board. President Taylor stated it is certainly a concern, but that this is not a matter involving the Board of Public Safety at this time. Jordan Hatfield thanked President Taylor.

ADJOURNMENT

There being no further business to come before the Board, upon a motion by Dan Jones and a second by Darryl Heller and carried by roll call, the meeting was adjourned at 10:29 a.m.

BOARD OF PUBLIC SAFETY



Luther Taylor, President



Daniel Jones, Member



Darryl Heller, Member



Lee Ross, Member

ATTEST:

 / Acting

Clerk