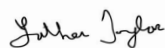


I. EXECUTIVE SESSION

The Board of Public Safety met in Executive Session on Wednesday, November 17, 2021 at 8:31 a.m. with Board Members Luther Taylor, Daniel Jones, Melissa Colpitts, Darryl Heller, and Attorney Tom Panowicz, and Attorney Sandra Kennedy. Attorney Sandra Kennedy left the meeting at 8:55 a.m. The meeting was held virtually via Microsoft Teams for the purposes specified in I.C. 5-14-1.5-6.1(b)(2)(A), I.C. 5-14-1.55-6.1(b)(2)(B), and I.C. 5-14-1.5-6.1(b)(6)(A) regarding discussion of collective bargaining strategy, litigation and disciplinary action. The meeting ended at 9:03 a.m.

BOARD OF PUBLIC SAFETY



Luther Taylor, President



Daniel Jones, Member



Melissa Colpitts, Member



Darryl Heller, Member

Lee Ross, Member

ATTEST:

 / Acting

Clerk

II. REGULAR MEETING

November 17, 2021

The Board of Public Safety met in the Regular Meeting at 9:16 a.m. on Wednesday, November 17, 2021, with Board Members Luther Taylor, Daniel Jones, Melissa Colpitts, and Darryl Heller in attendance. Also present was Attorney Tom Panowicz and Acting Board Clerk Hillary Horvath. The meeting was held virtually via Microsoft Teams at the following link: <https://tinyurl.com/BPS11172021>

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. Police Chief Ruszkowski stated that items B1 and B2 on the agenda, needed to be removed due to a delay for the approval by the State Pension Funding for the swearing in of Emanuel Garcia. Chief Ruszkowski also noted that there was a scrivener's error with a PN badge number and it will be addressed in the regular business. Attorney Panowicz stated for the Executive Session I.C. 5-14-1.5-6.1(b)(2)(B) litigation and 5-14-1.5-6.1(b)(6)(A) disciplinary action was added and discussed. With no other additions noted, the meeting moved forward.

Board President Luther Taylor 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 October 20, 2021. Upon a motion by Melissa Colpitts and seconded by Darryl Heller and carried by a roll call the Special Meeting Minutes of November 3, 2021, as presented. Darryl Heller abstained from the Special Meeting Minutes roll call due to being absent for the November 3, 2021 meeting.

B. POLICE DEPARTMENT

1. APPROVE PROMOTION TO SERGEANT IN SPECIAL ASSIGNMENT – PATROLMAN KEENAN LANE

Police Chief Scott Ruskowski submitted a letter requesting the promotion for Keenan Lane PN#2084 from the rank of Patrolman 1st Class to the rank of Sergeant in Special Assignment for one (1) year effective November 17, 2021. Chief Ruskowski clarified the scrivener's error in his letter to the Board had the PN as 20841. Chief Ruskowski stated Officer Lane was sworn into the SBPD in April of 2002 and is a nuisance and abatement officer. Officer Lane will participate in the South Bend Police Supervisor Training and Orientation (STO) program, which is designed to develop leadership-starting within, as a critical first line supervisor. Upon a motion by Dan Jones, seconded by Melissa Colpitts and carried by roll call, the promotion was approved by the Board.

2. APPROVE PROMOTIONS TO PATROLMAN 1ST CLASS

Police Chief Scott Ruskowski submitted a letter to the Board for approval of Promotions for the following officers from the rank of Patrolman 2nd Class to the rank of Patrolman 1st Class effective November 18, 2021.

- (a) John Bies
- (b) Jalin Diggins
- (c) Larry Harris
- (d) Jalen Lee
- (e) Elijah Tyler

Chief Ruskowski stated these officers have exceeded expectations this past year of employment. Chief praised the officers for their involvement in the community as police officers but also as residents which makes these officers even more deserving of the promotion. President Taylor thanked Chief and stated it is good to hear that the officers are still performing well a year later and wished the officers the best of luck in their continued service to their community. Upon a motion by Melissa Colpitts, seconded by Dan Jones and carried by roll call, the promotions to Patrolman 1st class were approved.

3. FILE MONTHLY STATISTICAL ANALYSIS REPORT – OCTOBER 2021

Chief Ruskowski stated that Part One Crimes for October was 10% which is a 1% drop from prior months. In order to avoid shock from the Board and the public when they view the reports, Chief stated he wanted to clarify a few key issues that his department has had with reporting. He reminded the Board that he has presented these issues at prior Board meetings and said he will continue to readdress the issues that the department has had with reporting for the next several Board meetings to come. Chief said the department transitioned from UCR (Uniform Crime Reporting) at the end of 2017 to NIBRS (National Incident-Based Reporting). The switch caused some reporting confusion which led to the department erroring on the side of extreme and skewing the department's statistics. He shared that victims had been reported instead of incidents. Chief gave the example that if there are 100 shootings with one person at each shooting, that would be 100 incidents. However, if there are ten (10) people at each of the 100 incidents, that could be reported as 1000 victims and would lead to a difference of 900 in reporting depending on if the data was entered as incident-based or victim-based. In regards to the South Bend Police Department, when data was entered into NIBRS, the data entered was victim-based when the data entered shouldn't have been victim reporting. Chief reiterated his example of a bullet that is shot and goes into an upstairs bedroom window while there are ten (10) people elsewhere in the house. A bulk of the department's reports of aggravated assault have included everyone in the home as a victim even though there was no realistic way that they would be affected as victims to the incident which has led to the department's large skew in data that is sure to appear shocking to those who view the reports. Chief reemphasized the importance of officers needing to evaluate the proximity of persons near an incident before labeling them as victims over labeling them as witnesses or participants to the incident. Chief Ruskowski has asked the DOJ and FBI to come assist in going back and correcting skewed aggravated assault reports or have them come perform an audit ahead of the department's scheduled audit. Chief made it clear to the Board that correcting this issue was a priority for his department so that the department could present true, factual numbers for the public to see.

When asked if there were any questions, Board Member Colpitts asked how non-victims, which have been inaccurately reported as victims in past reports should be listed in future reports. Chief stated that they would be listed as other participants or possible witnesses. He

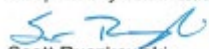
stated if someone heard gunshots but they did not see the shooter, they would be a witness, unless they were in close proximity to the incident, then they would be reported as a victim. Board Member Colpitts then asked what would be the proximity that would list someone as a victim. Chief stated if ten (10) people were in a room where a bullet entered, or in an adjacent room, they would all be considered victims. Due to some grey areas of labeling persons as victims in different types of scenarios, Chief has reached out to the DOJ and FBI to get more clarification that will allow for more accurate reporting which the SBPD strives for. Board Member Heller asked if a bullet went through one room with a person in the room and the bullet also traveled to an adjacent room with another person, would both people be victims. Chief Ruszkowski stated yes, both would be reported as victims in that example.

President Taylor thanked Chief Ruszkowski for taking the time to explain how the department has erred with reporting and the steps that they are taking to fix past reports and future reporting. President Taylor emphasized how without the Chief’s explanation, the statistics in the report would be alarming to residents and viewers of the report. President Taylor thanked Chief Ruszkowski again for the update and the clarification.

The OCTOBER 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	5	2	-3	22	15	-7
JUSTIFIABLE HOMICIDE	0	0	0	0	1	1
RAPE	9	8	-1	73	55	-18
ROBBERY	30	38	8	259	296	37
AGGRAVATED ASSLT	135	141	6	1229	1783	554
BURGLARY RES	42	34	-8	383	368	-15
BURGLARY NON RES	25	12	-13	204	155	-49
LARCENY	248	224	-24	2303	2174	-129
MOTOR VEH THEFT	50	63	13	409	520	111
ARSONS	2	1	-1	36	30	-6
GRAND TOTAL	546	523	-23	4918	5396	478

Respectfully submitted,


 Scott Ruszkowski
 Chief of Police

SR/jjj

Month: OCTOBER 2021

<u>PART 1 OFFENSES</u>	<u>2020</u>	<u>2021</u>	<u>CHANGE</u>
HOMICIDE	22	15	-32%
JUSTIFIABLE HOMICIDE	0	1	100%
RAPE	73	55	-25%
ROBBERY	259	296	14%
AGGRAVATED ASSLT	1229	1783	45%
BURGLARY RES.	383	368	-4%
BURGLARY NON RES.	204	155	-24%
LARCENY	2303	2174	-6%
MOTOR VEH THEFT	409	520	27%
ARSONS	36	30	-17%
GRAND TOTAL	4918	5396	10%

10% CHANGE IN PART 1 CRIMES THROUGH OCTOBER 2021 

C. FIRE DEPARTMENT

1. APPROVE REQUEST FOR FIREFIGHTERS’ LOCAL PENSION BOARD TO HOLD A HEARING REGARDING FIREFIGHTER’S COVERAGE – DANIEL DOBSKI

Fire Chief Carl Buchanon submitted a letter to the Board to approve an action to request that the 1977 Police Officers' and Firefighters' Pension and Disability Fund local pension board hold a hearing to determine whether Firefighter Daniel Dobski has a covered impairment, pursuant to I.C. 36-8-8-12.7. Assistant Chief Damiano stated he was filling in for Chief Buchanon and stated he was able to answer any questions regarding the agenda items. President Taylor asked if this is a request for the local pension board to hold a hearing and to send the information down to the state on behalf of Firefighter Dobski. Assistant Chief stated that is correct for the local pension to have a hearing regarding pension disability benefits. Board member Darryl Heller asked what role did the Board of Public Safety have in this matter. President Taylor stated that the local pension board does not have the authority to hold a hearing without Board of Public Safety approval. Attorney Panowicz stated it is specific to the Indiana Statute 36-8-8 and his understanding, is that the scope of this request is purely to get this process started and the Board has to request a hearing by letter to the local pension board to hold a hearing to determine if there is a covered impairment. Attorney Panowicz stated there is not a lot of information that can be given due to medical information involved, but the Board would be involved as the process gets further along. Attorney Panowicz stated that all that SBF is asking of the Board is to initiate the process by requesting a hearing. Darryl Heller thanked Attorney Panowicz for answering his question. Upon a motion by Darryl Heller, seconded by Dan Jones and carried by a roll call, the request for Firefighters' Local Pension Board to hold a hearing regarding Firefighter Daniel Dobski was approved.

2. APPROVE FIRE DEPARTMENT DISCIPLINE MATRIX

President Taylor asked the Board Members if they have had enough time to review the matrix document. Darryl Heller had a question regarding level three (3), the item "lost or failure to secure department issued firearm or Knox box key". He asked to what extent of firefighters are in possession of firearms. Assistant Chief stated they have three (3) fire investigators as well as the Fire Marshall under Indiana Law and with the approval with SBPD. These three (3) investigators have the ability to carry a firearm while doing the investigations. They go through training with the SBPD to qualify their marksmanship and their gun safety training annually and they are authorized to carry while on duty. Darryl Heller asked if they are the only members of the department to do so and Assistant Chief stated they were however, he is not 100 percent sure regarding the Fire Chief and that there is an Indiana Code that pertains to this matter. President Taylor stated this Discipline Matrix is very well organized, and well needed. He thanked the Fire Department for doing the research to create this document. He also suggested that this is closely monitored and if there is something that needs to be changed or updated to the matrix, that it does come back to the Board for approval. Assistant Chief stated that this will be an evolving document and it did have input from several departments. Melissa Colpitts asked if it is available for the public to view. Assistant Chief stated that it is available to the public and at the last meeting date it was uploaded to The City of South Bend website for public viewing. Upon motion by Melissa Colpitts, seconded by Darryl Heller and carried by roll call, the Discipline Matrix was approved for the fire department.

3. FILE MONTHLY STATISTICAL ANALYSIS REPORT FOR OCTOBER 2021

Assistant Chief Damiano stated he had no additional comments regarding this report. He stated there had not been any significant changes. President Taylor asked in regards to the new fire station on Mishawaka Ave., if it has been able to equalize the run pattern with the EMS services, the ambulance in particular. Assistant Chief stated it has helped with the distribution of the EMS calls. He also stated station nine (9) which is now medic nine (9) also runs up to the northeast side of the city and also goes to Notre Dame which was much needed. He noted that they are quite busy but it has been an improvement. President Taylor thanked Assistant Chief Damiano for his report.

OCTOBER 2020	OCTOBER 2021
STRUCTURE FIRES Property Damage--Buildings & Contents (Estimates)	
N/A	\$3,599
INSPECTION DIVISON	
92 Inspections 77 Re-Inspections	180 Total Inspections 90 Re-Inspections
INVESTIGATION DIVISON	
N/A Investigations	3 Investigations
Incendiary Accidental Natural Undetermined	0 Incendiary 3 Accidental 0 Natural 0 Undetermined

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 9:56 a.m.

BOARD OF PUBLIC SAFETY

Luther Taylor

Luther Taylor, President

Dan Jones

Daniel Jones, Member

Melissa Colpitts

Melissa Colpitts, Member

Darryl Heller

Darryl Heller, Member

Lee Ross, Member

ATTEST:

Hillary R. Hornick / Acting

Clerk