

I. EXECUTIVE SESSION

The Board of Public Safety met in Executive Session on Wednesday, February 16, 2022, at 8:35 a.m. with Board Members Daniel Jones, Melissa Colpitts, Darryl Heller, Lee Ross, Al Kirsits and Attorney Danielle Weiss. The meeting was held virtually via Microsoft Teams for the purposes specified in I.C. 5-14-1.5-6.1(b)(6)(A) regarding disciplinary action and I.C. 5-14-1.5-6.1(b)(7) regarding confidential records. The meeting ended at 9:06 a.m.

BOARD OF PUBLIC SAFETY



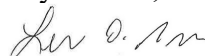
Daniel Jones, President



Melissa Colpitts, Member



Darryl Heller, Member



Lee Ross, Member



Alfred Kirsits, Member

ATTEST:



Theresa Heffner, Clerk

II. REGULAR MEETING

February 16, 2022

The Board of Public Safety met virtually in the Regular Meeting at 9:17 a.m. on Wednesday, February 16, 2022, with President Dan Jones and Board members Melissa Colpitts, Darryl Heller, Lee Ross, and Al Kirsits. Also present was Attorney Danielle Weiss and Acting Board Clerk Hillary Horvath. The meeting was held virtually via Microsoft Teams at the following link: <https://tinyurl.com/BPS02162022>

Attorney Weiss 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 Weiss then read through the agenda to note any additions or corrections. Chief Carl Buchanon stated that there were also three (3) firefighters that were in the CISA program at the end of 2021 and did not get a formal pinning. Chief Buchanon asked if the Board would allow to have those three (3) firefighters be pinned with the other four (4) individuals during the meeting. Attorney Weiss asked if the three (3) firefighters (Kyle Wyszynski, Shawn Kuminecz, Adrian Kaser) had already been promoted and if the requested pinning during the current meeting would just be for the ceremonial aspect of promotion. Chief Buchanon confirmed so Attorney Weiss accepted the additional pinnings for the agenda. With no other additions noted, Attorney Weiss welcomed the public, called roll, and confirmed the presence of all Board Members.

A. APPROVE MINUTES OF PREVIOUS MEETING

Upon the agenda item presented for approval and asking for roll call vote, the Board unanimously approved the Minutes of the January 19, 2022 regular meeting.

B. FIRE DEPARTMENT

1. APPROVE PROMOTION OF CAPTAINS IN SPECIAL ASSIGNMENT

Chief Buchanon submitted a letter to the Board requesting the approval of Promotions of Captains in Special Assignment for Aaron LaCava, Scott Mellen, Ben Norton, and Karl Hopkins. Chief Buchanon noted the pinning ceremony would start with the three (3) individuals who are already in the Captain in Special Assignment Program: Kyle Wyszynski,

Shawn Kuminecz, and Adrian Kaser. Chief Buchanon then turned the meeting over to Captain Metzger who gave a brief biography of the firefighters' tenure on the job. The firefighters were pinned by family members and given Captain helmets. Upon a motion by Al Kirsits, seconded by Darryl Heller, and carried by roll call, the Board approved the Promotions of Captains in Special Assignment for Aaron LaCava, Scott Mellen, Bend Norton, and Karl Hopkins.

2. APPROVE APPLICATIONS AND DECLARATIONS OF RETIRMENTS

Firefighter Douglas Applegate
Firefighter Ted Carlson III
Captain Darrell Eiler
Firefighter William Fox
Captain Edwin Meyer
Captain Joseph Wagner

Chief Buchanon submitted letters to the Board for approval of the Applications and Declarations for Retirement for the above listed officers. Chief Buchanon stated that within these firefighters' careers there is a combined experience of 178 years of being part of the SBFD and serving the South Bend community. He emphasized these individuals will be greatly missed due to their vast knowledge, experience, and all of the goodwill they have provided to the South Bend community. Chief Buchanon also acknowledged that these individuals served with pride, and the administration is very grateful that they served for such a long length of time and did so admirably and with honor. Chief asked the Board to join him in wishing the firefighters a healthy and safe retirement. Therefore, upon the agenda item presented for approval and asking for roll call vote, the Applications and Declarations for Retirements were approved unanimously.

3. ACCEPT LETTER OF RESIGNATION - CAPTAIN RYAN TAKACS

Chief Buchanon submitted a letter of Resignation to the Board for Captain Ryan Takacs. Chief Buchanon updated the Board stating Captain Takacs was a great asset to the SBFD and served with honor for the past ten (10) years. Chief Buchanon commended Captain Takacs for wanting to concentrate on taking care of himself and his family. Chief Buchanon asked the Board to join him in wishing Captain Takacs good health and the best of luck in his future endeavors. President Jones echoed Chief Buchanon's sentiment and accepted the resignation on behalf of the Board.

4. FILE MONTHLY STATISTICAL ANALYSIS REPORT – JANUARY 2022

Chief Buchanon stated that monthly the department has been able to complete more inspections and did over 205 inspections. There have been more fires due to the nature of inclement weather and the public having utilize different methods for heating their residences. Chief Buchanon stated they have eight (8) investigations into fires that were suspicious in nature, but they are ongoing investigations. He noted the monthly total for making calls to the public for the month of January was 5,122 calls for the combined unit which is an increase from the previous year, but stated again, a lot of times fire patterns are affected by weather conditions and to the public being home more due to the pandemic.

JANUARY 2021	JANUARY 2022
STRUCTURE FIRES Property Damage--Buildings & Contents (Estimates)	
\$348,300	\$102,300
INSPECTION DIVISON	
118 Inspections 56 Re-Inspections	205 Inspections 105 Re-Inspections
INVESTIGATION DIVISON	
15 Investigations	8 Investigations
2 Incendiary 2 Accidental 0 Natural 4 Undetermined	2 Incendiary 6 Accidental 0 Natural 0 Undetermined

5. FILE 2021 ANNUAL STATISITCAL ANALYSIS REPORT

Chief Buchanon submitted the 2021 Annual Statistical Analysis Report to the Board. Chief Buchanon noted that overall, for the year of 2021, \$2,000,000 in damages to property were sustained, which he stated is staggering, but less so when one thinks of it being over a twelve (12) month period. He stated the department accumulated almost 23,000 calls that were responded to for the year of 2021, which Chief Buchanon clarified that for the department in the size of our city, is relatively normal. Chief Buchanon stated the department takes pride in making sure that they respond to every call accordingly. Chief Buchanon stated they put themselves in a lot of positions with fires, alarms, EMS calls, and even calls that come to the station which do not come through the dispatching system. Chief Buchanon stated he appreciates that the department is able to provide the statistics that were reported at the meeting, and he added that he could not be prouder of the firefighters for putting on a uniform and going out, no matter what the situation is, and giving the best that they can give to the public. President Jones accepted the Monthly and Annual Statistical Analysis Reports on behalf of the Board.

2020 ANNUAL	2021 ANNUAL
STRUCTURE FIRES Property Damage--Buildings & Contents (Estimates)	
\$3,387,350	\$2,090,119
INSPECTION DIVISON	
838 Inspections 293 Re-Inspections	1450 Inspections 517 Re-Inspections
INVESTIGATION DIVISON	
180 Investigations	103 Investigations
29 Incendiary 62 Accidental 2 Natural 58 Undetermined	14 Incendiary 51 Accidental 0 Natural 41 Undetermined

C. POLICE DEPARTMENT

1. APPROVE PROMOTIONS TO PATROLMAN 1ST CLASS

Kiel Lovekin

Trent Mamazza

Jose Aguilar

Chief Scott Ruskowski submitted a letter for Promotions to Patrolman 1st Class for Keil Lovekin, Trent Mamazza, and Jose Aguilar. He stated Lovekin and Mamazza would be promoted effective January 29th and Aguilar would be effective January 26th. Upon a motion by Darryl Heller, seconded by Al Kirsits, and carried by roll call, the Promotions to Patrolman 1st Class were approved.

2. APPROVE APPLICATION AND DECLARATION OF RETIREMENT- OFFICER CORI BAIR

Chief Ruskowski submitted a letter for the Application and Declaration of Retirement for Officer Cori Bair effective February 26, 2022. He stated that Officer Bair has been with the SBPD for twenty-seven (27) years, nine (9) months and twenty-seven (27) days. Upon a motion by Lee Ross, seconded by Darryl Heller, and carried by roll call, the Application for Retirement was approved.

3. ACCEPT LETTERS OF RESIGNATION

Officer Kyle Brownfield

Officer Brittany Bayles

Chief Ruskowski submitted a letter of Resignation for Officer Kyle Brownfield effective February 25, 2022. He stated Officer Brownfield has been with the department since November 5, 2013 and is resigning for family reasons. Chief Ruskowski stated Officer Brittany Bayes effective resignation date was February 14, 2022 and said she will be going into the federal sector. Officer Bayles was sworn in the SBPD in November of 2015. The Letters of Resignation were accepted by Dan Jones on behalf of the Board.

4. APPROVE LETTER OF RECOMMENDED DISCIPLINARY ACTION- OFFICER JOSHUA LAWSON

Chief Ruskowski submitted a letter of Recommended Disciplinary Action for Officer Joshua Lawson. Chief Ruskowski stated Officer Lawson did not contest the proposed discipline and asked the Board to approve the discipline.

Darryl Heller asked for a reasoning behind the disciplinary action. Chief Ruskowski stated he was limited on what he could share prior to the Board's approval. He clarified that the discipline severity was based on using the Discipline Matrix for a guideline and disciplinary action for this incident as well as a prior investigated incident would be made available to the public upon the Board's approval.

Upon a motion by Melissa Colpitts, seconded by Al Kirsits, and followed by a roll call, the Letter of Recommended Disciplinary Action was approved.

5. ACCEPT CHIEF'S LETTER RECOMMENDING DISMISSAL- OFFICER JUSTIN TIDEY

Chief Ruskowski submitted a letter of Recommendation for Dismissal of Officer Justin Tidey from the South Bend Police Department. Chief Ruskowski stated he was unable to comment anymore by law since Officer Justin Tidey had asked for a hearing. He noted that SBPD Attorney, Kylie Connell, was virtually in attendance of the meeting and could field questions from the Board, if any. Attorney Weiss stated the Board is acknowledging that the letter was filed with the Board and then the next item would be approving the request for the hearing. President Jones accepted the Chief's Letter Recommending Dismissal of Officer Justin Tidey on behalf of the Board.

6. APPROVE REQUEST FOR HEARING – JUSTIN TIDEY

On February 11, 2022, Officer Justin Tidey submitted a letter requesting a hearing. Attorney Weiss noted that there was a timely request for a hearing by the officer, and he is entitled to a hearing under the statutes, and she added that this part of the process is more of a formality for the Board to approve the request for a hearing. Upon a motion by Darryl Heller, seconded by Melissa Colpitts, and carried by roll call, the letter requesting a hearing for Officer Justin Tidey was approved.

7. FILE MONTHLY STATISTICAL ANALYSIS REPORT FOR JANUARY 2022

Chief Ruszkowski stated this would be the SBPD's January 2021 to January 2022 comparison. Chief Ruszkowski stated one of his grievances has been with the part-one offenses, specifically the aggravated assault category. Chief Ruszkowski recapped that they have been overcounting victims, not incidents, and he continued to say that every incident is documented well, but he admitted the SBPD did not do a good job of vetting who the actual victims were in each incident due to grey areas in the reporting system. For clarification, Chief Ruszkowski gave the example of a bullet which happens to go into an upstairs window while there are three (3) people downstairs in the basement. In past reporting with the SBPD, those three (3) persons would often be classified as victims of aggravated assault; however, if the people were in the basement, then there is no reasonable proximity to the incident (the bullet entering the upstairs window) that would label the three (3) people as victims to aggravated assault, but rather they would be classified as other participants or witnesses to the incident. Chief Ruszkowski stated that during their internal and external audits, it was determined that the SBPD was overreporting victims, but the incidents reported were found accurate.

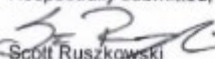
Chief Ruszkowski stated there is a twenty-six percent (26%) decrease overall in part-one crimes and notably within that has been a thirty percent (30%) decrease of aggravated assaults with the number of victims varying based on true and legitimate victims within those incidents. It was noted larceny had decreased by forty-two percent (42%) which examples include a license plate being stolen from a vehicle, something being stolen from inside a vehicle, or shoplifting. He noted there are a lot of subcategories within larceny. Chief Ruszkowski added that the department will be going back with external audits through the entire year of 2021 to correct past reporting.

Chief Ruszkowski also wanted to note for the Board that on the second page of the report, there is an asterisk next to justifiable homicide classification, and stated they do not count those into the actual figures and stated that it would still be counted as somebody who died. He stated this is a matter on how the prosecutor rules whether a homicide was justifiable or not, or whether it was a murder or not. For clarification, Darryl Heller asked Chief Ruszkowski if there was a reason to keep justifiable homicide as a category if it is not really being documented, as it was being folded into general homicides. Chief Ruszkowski replied that this question came up from the Board of Safety several years ago, because the prosecutor is the only one who can make a ruling on justifiable homicide. He continued that a lot of people were curious as to know what the progress was on a shooting and specifically a homicide. Chief Ruszkowski explained that, from a classification perspective for reporting with NIBRS (National Incident-Based Reporting System) or UCR (Uniform Crime Reporting), not every homicide is a murder, but every murder is a homicide. Chief Ruszkowski said with a justifiable homicide, the numbers do not get reported to the FBI. They just see it as a homicide and the number will always remain regardless of what the circumstances were involved. Chief stated there are many subcategories within manslaughter, involuntary manslaughter, and justifiable homicide.

Darryl Heller rephrased his question and asked if there was a reason to keep justifiable homicide in the report. Chief Ruszkowski stated that would be up to the Board, and he said people have previously asked during the Community Action Group (CAG) meetings, and the neighborhood meetings to have those in the reports. Chief stated without the reporting, concerned residents would not get to know the results of the incidents, but notifications would be done when an arrest is made. Chief stated it is up to the Board if they would like to keep it or remove it. Darryl Heller thanked Chief Ruszkowski.

The JANUARY 2022 analysis is as follows:

PART 1 OFFENSES				YEAR TO DATE		
	2021	2022	CHANGE	2021	2022	CHANGE
HOMICIDE	1	1	0	1	1	0
JUSTIFIABLE HOMICIDE*	0	0	0	0	0	0
RAPE	6	8	2	6	8	2
ROBBERY	20	17	-3	20	17	-3
AGGRAVATED ASSLT	115	81	-34	115	81	-34
BURGLARY RES	28	39	11	28	39	11
BURGLARY NON RES	13	23	10	13	23	10
LARCENY	224	129	-95	224	129	-95
MOTOR VEH THEFT	54	46	-8	54	46	-8
ARSONS	3	1	-2	3	1	-2
GRAND TOTAL	464	345	-119	464	345	-119

Respectfully submitted,

 Scott Ruskowski
 Chief of Police

Month: JANUARY 2022

PART 1 OFFENSES	2021	2022	CHANGE
HOMICIDE	1	1	0%
JUSTIFIABLE HOMICIDE*	0	0	0%
RAPE	6	8	33%
ROBBERY	20	17	-15%
AGGRAVATED ASSLT	115	81	-30%
BURGLARY RES.	28	39	39%
BURGLARY NON RES.	13	23	77%
LARCENY	224	129	-42%
MOTOR VEH THEFT	54	46	-15%
ARSONS	3	1	-67%
GRAND TOTAL	464	345	-26%

-26% CHANGE IN PART 1 CRIMES THROUGH JANUARY 2022

PRIVILEGE OF THE FLOOR

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

Attorney Danielle Weiss noted that there is a new Board of Public Safety Clerk and introduced Theresa Heffner.

Theresa Heffner, Clerk to the Board of Public Safety introduced herself and stated she is coming from Indiana University, South Bend for the past thirteen (13) years and is excited and happy to start a new chapter in her life working with the City.

Attorney Weiss and the Board Members welcomed her to the Board.

ADJOURNMENT

There being no further business to come before the Board, upon a motion by Darryl Heller, seconded by Al Kirsits, and carried by roll call, the meeting was adjourned at 10:02 a.m.

BOARD OF PUBLIC SAFETY



Daniel Jones, President



Melissa Colpitts, Member



Darryl Heller, Member



Lee Ross, Member



Alfred Kirsits, Member

ATTEST:



Theresa Heffner, Clerk