

I. EXECUTIVE SESSION

The Board of Public Safety met in Executive Session on Wednesday, June 15, 2022, at 8:30 a.m. with Board President Daniel Jones, and Board Members Melissa Colpitts, Darryl Heller, Lee Ross, Al Kirsits, and Attorney Danielle Weiss. The meeting was held in the Command Staff Room, South Bend Police Department, 701 West Sample Street, South Bend, Indiana, and virtually via Microsoft Teams for the purposes specified in I.C. 5-14-1.5-6.1(b)(7) regarding confidential medical records and I.C. 5-14-1.5-6.1(b)(9) regarding job performance evaluation of an individual employee. The meeting ended at 9:07 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

June 15, 2022

The Board of Public Safety met in the Regular Meeting at 9:15 a.m. on Wednesday, June 15, 2022, with Board President Dan Jones, and Board Members Melissa Colpitts, Darryl Heller, Lee Ross, Al Kirsits present. Also present were Police Chief Scott Ruskowski, Fire Chief Carl Buchanon, and Attorneys Danielle Weiss and Kylie Connell. Board Clerk Theresa Heffner was also present. The meeting was held in the South Bend Police Department Auditorium, 701 West Sample Street, South Bend, Indiana and virtually via Microsoft Teams at the following link: <https://tinyurl.com/BPS06152022>

Attorney Weiss welcomed the public and asked everyone attending remotely to 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 Ruskowski noted that item B.4 should read as “Submit for Review Lexipol Policy Updates.” Chief Buchanon noted that item C.2.b. should read as “Policy 1022 – Personnel Complaints.” Attorney Weiss noted the changes and then turned the meeting over to President Jones to call the roll and confirm the presence of all Board Members.

A. APPROVE MINUTES OF PREVIOUS MEETINGS

Upon a motion by Al Kirsits, seconded by Lee Ross and carried by roll call, the Board approved the Minutes of the May 18, 2022, regular meeting. Darryl Heller abstained from the vote as he was not in attendance at the meeting.

Upon a motion by Melissa Colpitts, seconded by Al Kirsits and carried by roll call, the Board approved the minutes of the May 20, 2022, and May 27, 2022 special meeting minutes. Darryl Heller abstained from the vote as he was not in attendance at the May 20, 2022 and May 27, 2022 special meeting.

B. POLICE DEPARTMENT

1. ACKNOWLEDGE PROMOTION TO CAPTAIN - KATHY FULNECKY

Police Chief Scott Ruskowski submitted a letter to the Board acknowledging the promotion of Lieutenant Kathy Fulnecky to Captain effective June 15, 2022.

Chief Ruskowski spoke briefly about Captain Fulnecky and then introduced Division Chief Dan Skibins to announce the promotion of Fulnecky to Captain. Division Chief Skibins noted that this also includes an appointment by Mayor Mueller and Chief Ruskowski. Assistant Chief Skibins continued to provide a biography of Captain Fulnecky's career with the South Bend Police Department noting that she has been with the South Bend Police Department for twenty-five (25) years in several different divisions. It was noted that as a lieutenant, Kathy Fulnecky has led the Training and Recruitment Division for the past six (6) years which was distinguished in 2021 for being a meritorious unit award recipient under her leadership. Division Chief Skibins exclaimed that if it were not for that unit and the rigorous work over the past two (2) years, the SBPD would be struggling with its manpower. Lastly, Division Chief Skibins added that Captain Fulnecky is a great addition to the Command Staff, and she will be the first female on the Command Staff in five (5) years.

2. APPROVE APPLICATIONS AND DECLARATIONS OF RETIREMENT

Mark Chabot
Christopher Kronewitter
Ronald Kaszas
Alan Delinski

Chief Ruskowski submitted a letter to the Board requesting the approval of the Applications and Declarations of Retirement for the above officers. Chief Ruskowski listed the retiring officers with their years of service: Mark Chabot, thirty-four (34) years and twenty (20) days; Christopher Kronewitter, twenty-four (24) years and five (5) months; Ronald Kaszas, twenty-eight years and seven (7) months; Alan Delinski, twenty-six (26) years and two (2) months.

Upon a motion by Lee Ross, seconded by Al Kirsits, and carried by roll call, the Board approved the Applications and Declarations of Retirement for all four (4) officers.

3. APPROVE FINDINGS OF FACT - JUSTIN TIDEY

Attorney Weiss read the Findings of Fact that were prepared by Hearing Officer Roland Chamblee. Attorney Weiss noted that some of the findings would not be publicly read due to medical privacy reasons but clarified the Board was able to review the whole document outside of the regular meeting.

Attorney Weiss read that Police Chief Scott Ruskowski had submitted a letter to the Board requesting dismissal of Officer Justin Tidey pursuant to IC 36-8-3-4 (b)(2)(D) on the basis that Officer Tidey was not fit for duty and Officer Tidey contested and requested a hearing before the Board which was conducted on May 20, 2022 and reconvened on May 27, 2022. Attorney Weiss continued to read that in October 2020, officer Tidey suffered an injury to his knee while on duty and over the course of twenty (20) months post-injury, he had four (4) separate fit for duty evaluations to which he was found unfit to return to full duty. The average light duty on the department is three (3) to six (6) weeks, but since the October 2020 injury, Officer Tidey served various light-duty assignments with the SBPD until being placed on administrative leave in November 2021 as there are no permanent light-duty positions available for officers.

Upon a vote by roll call, the Board Approved the Findings of Fact and Officer Justin Tidey was dismissed from employment as an officer with the South Bend Police Department. Al Kirsits Voted "Nay", and Darryl Heller abstained from voting due to his absence at the hearings.

4. SUBMIT FOR REVIEW LEXIPOL POLICY UPDATES

Policy 203 - Training
Policy 306 - Vehicle Pursuits
Policy 315 - Discriminatory Harassment
Policy 320 - Standards of Conduct

Chief Ruszkowski submitted changes to the above Lexipol Policy updates for the Board to review and then approve at a future meeting.

Attorney Kylie Connell quickly summarized that the majority of changes being made: Policy 203 was mostly language changes, omitting of an irrelevant paragraph on training, and the addition of a code/citation for part-time/reserve officers; policy 306 changed the wording to differentiate types of roadblocks; policy 315 updated the policy so that the wording better reflects the City of South Bend’s existing employment handbook policy; policy 320 included updating HR procedures and an update in language for protected classes to be consist with the current policy of the SBPD, the City’s policy, and any updates in federal law.

Chief Ruszkowski suggested that future grammar, spelling, pronoun changes, or IC changes not go to the Board for approval but rather it be taken care of in-house and then the Board could still get copies of any changes made to policies that did not need to be formally approved at a meeting. The Board agreed that any substantive changes should still be brought to the Board for consideration, and if there’s ever doubt as to whether the Board may need to review a change, they should err on the side of including it on the agenda, or else have the attorneys review to decide. The same guidelines would also apply to any Fire Department Lexipol Policy updates.

5. ACKNOWLEDGE NOTICE OF THE 15TH ANNUAL INDIANA FALLEN OFFICER BLOOD DRIVE

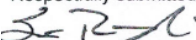
Chief Scott Ruszkowski asked to have this notice of the 15th Annual Indiana Fallen Officer Blood Drive distributed, and he highlighted that this blood drive benefits everyone in the community. He stated they usually have a decent turn out but would like to have a packed house and get as many donors as they can.

6. FILE MONTHLY STATISTICAL ANALYSIS REPORT MAY 2022

Chief Ruszkowski submitted the May 2022 monthly report to the Board. He stated violent crimes such as robberies and aggravated assaults have dropped by twenty percent (20%) and thirty-nine (39%) in the last month, giving May a total of a twenty-one percent (21%) decrease in Part One Crimes.

The MAY 2022 analysis is as follows:

PART 1 OFFENSES	YEAR TO DATE					
	2021	2022	CHANGE	2021	2022	CHANGE
HOMICIDE	0	3	3	9	9	0
JUSTIFIABLE HOMICIDE*	0	1	1	0	2	2
RAPE	6	8	2	27	31	4
ROBBERY	50	18	-32	120	96	-24
AGGRAVATED ASSLT	245	118	-127	785	477	-308
BURGLARY RES	35	38	3	155	171	16
BURGLARY NON RES	12	29	17	56	97	41
LARCENY	223	202	-21	1023	869	-154
MOTOR VEH THEFT	47	49	2	246	179	-67
ARSONS	4	2	-2	16	6	-10
GRAND TOTAL	622	467	-155	2437	1935	-502

Respectfully submitted,

 Scott Ruszkowski
 Chief of Police

<u>PART 1 OFFENSES</u>	<u>2021</u>	<u>2022</u>	<u>CHANGE</u>
HOMICIDE	9	9	0%
JUSTIFIABLE HOMICIDE*	0	2	0%
RAPE	27	31	15%
ROBBERY	120	96	-20%
AGGRAVATED ASSLT	785	477	-39%
BURGLARY RES.	155	171	10%
BURGLARY NON RES.	56	97	73%
LARCENY	1023	869	-15%
MOTOR VEH THEFT	246	179	-27%
ARSONS	16	6	-63%
GRAND TOTAL	2437	1935	-21% ^A

-21% CHANGE IN PART 1 CRIMES THROUGH MAY 2022

C. FIRE DEPARTMENT

1. APPROVE APPLICATION AND DECLARATION OF RETIREMENT

Chad Ammerman
Michael Filipski

Fire Chief Carl Buchanon submitted Applications and Declarations of Retirement for the above firefighters.

Chief Buchanon gave a quick biography of former Captain/Firefighter 1st Class Chad Ammerman, Badge #423. Chief Buchanon stated he was appointed to the SBFD on March 20, 1997 with many of those years being a paramedic for the Department. His effective date of retirement was June 2, 2022. Chief Buchanon moved on to Pump Engineer Michael Filipski badge #250, and stated he was appointed to the SBFD on February 3, 1988 and served with loyalty and diligence for more than 34 years, and many of those years were also as a paramedic. His effective date of retirement was June 4, 2022.

Chief Buchanon asked the Board to approve the retirements and help him show appreciation for the distinguished service to the SBFD and the City of South Bend that Firefighters Ammerman and Filipski provided. President Jones also noted the appreciation to the Firefighters and the years they provided.

Upon a motion by Darryl Heller and seconded by Al Kirsits and carried by roll call, the Applications and Declarations of Retirement were approved.

2. SUBMIT FOR REVIEW LEXIPOL POLICY UPDATES

Policy 1010 – Discriminatory Harassment
Policy 1011 – Personnel Complaints

Chief Buchanon stated that the SBFD is trying to adopt and evolve the duty manual into Lexipol and the Department is attempting to cover more things to stay present and relevant with what is going on in the world today. He also hopes to make sure employees understand the expectations that are on paper are established policies that needs to be followed.

Chief Buchanon stated that discrimination and harassment will not be tolerated in the Department. If an individual needs to make a formal or informal complaint, the forms are available at the fire stations and there is a plan to have them online in the future. Chief Buchanon stated he wants transparency on what they are doing and to make sure everyone has an opportunity to express their concerns.

President Jones asked if Chief Buchanon was asking for an approval or review of the policies. Chief Buchanon replied that he is asking for approval but said he was fine if the Board would rather review at this meeting and approve at a future meeting. To be consistent with the Police Lexipol review, the Board Members unanimously preferred to review both policies and vote at the next meeting.

3. FILE MONTHLY STATISTICAL ANALYSIS REPORT FOR MAY 2022

Fire Chief Buchanon submitted the monthly statistical analysis report for May 2022. Chief Buchanon stated that the structure fire and property damage category has increased. He speculated that the higher costs of supplies and labor post-pandemic have caused the cost of the damaged structures to be increased at a faster rate.

Chief Buchanon stated that the inspections division has been able to increase the number of inspections from last year due to being able to get into the buildings unlike during the pandemic. Chief Buchanon also noted that the number of calls that all of the units responded to were 4,950 which includes Fire, EMS, and all specialties combined.

MAY 2021	MAY 2022
STRUCTURE FIRES Property Damage--Buildings & Contents (Estimates)	
\$134,320	\$163,980
INSPECTION DIVISION	
234 Inspections 112 Re-Inspections	278 Inspections 144 Re-Inspections
INVESTIGATION DIVISION	
9 Investigations	5 Investigations
1 Incendiary 4 Accidental 0 Natural 4 Undetermined	1 Incendiary 2 Accidental 0 Natural 2 Undetermined

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.

ADJOURNMENT

There being no further business to come before the Board, upon a motion by Darryl Heller and a second by Al Kirsits and carried by roll call, the meeting was adjourned at 9:50 a.m.

BOARD OF PUBLIC SAFETY



Daniel Jones, President



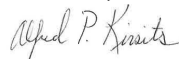
Melissa Colpitts, Member



Darryl Heller, Member



Lee Ross, Member



Alfred Kirsits, Member

ATTEST: 

Theresa Heffner, Clerk