



OFFICE OF THE CITY CLERK

DAWN M. JONES, CITY CLERK

Health and Public Safety August 08, 2022, 3:30 P.M.

Committee Members Present: Eli Wax, Karen White, Troy Warner, Canneth Lee (virtual),
Rachel Tomas Morgan

Citizen Members Present: Desmond Upchurch

Other Council Present: Lori Hamann, Henry Davis Jr.

Others Present: Dawn Jones, Victoria Trujillo, Bob Palmer, Justin LePla

Presenters: Lori Hamann

Agenda: Bill No. 22-36 - The Establishment & Immediate
Implementation of a Mental Health Crisis Response Team
within the South Bend Fire Department

Full audio dialogue of the meeting is available upon request from the City Clerk's Office.

Committee Vice Chair Eli Wax called to order the Health & Public Safety meeting at 3:30 p.m.

Committee Vice Chair Karen White made a motion to hear the second substitute Bill No. 22-36. The motion was seconded by Committee Member Troy Warner and was carried out by a vote of six (6) ayes.

Committee Chair Wax requested the presenter.

Committee Member Lori Hamann stated that Bill No. 22-36 is in response to the passing of Dante Kittrell, an autistic adult. Hamann shared the challenges of her son who is an autistic adult and described behaviors that may be present in autistic citizens. Hamann asked the Council to consider families who have members with mental health challenges and to consider the second substitute resolution so the City can move forward to protect residents of the community suffering from mental health issues.

Committee Member Henry Davis Jr. agreed with his co-sponsor Committee Member Hamann and stated his son is on the spectrum of autism, and that he has a difficult time responding to people he doesn't know. The substitute bill is an attempt to protect families and public safety officers. Public officers deserve the support of finance and training, and their departments need to be provided with the necessary resources. This is one way of responding to something that has been an issue for a long time. This conversation was brought before the Council during the last budgeting session regarding counselors and mental health support within the Police Department. Davis stated a response was not given at that moment, and this is a way

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to start the conversation again. Davis stated he looks forward to the budgeting session and hopes to come up with something that will be substantial.

Committee Vice Chair White stated it was not the intent of the substitute bill to cause confusion.

Committee Member Canneth Lee stated he supports the response to the mental health crisis, however, the rush caused confusion. It is necessary to take the time to talk to individuals from various departments to gather their input. Lee asked if the Committee had any conversations with various departments.

Committee Chair Wax asked for the public to remain silent during this portion of the meeting.

Committee Member Lee requested time to prepare a good bill regarding mental health to avoid confusion.

Committee Vice Chair White stated she supports the resolution, and there have been misunderstandings about what support looks like. The goal of the bill is to address the issue of mental health in the community.

Committee Member Rachel Tomas Morgan stated that mental health is too important of an issue to rush. Tomas Morgan asked what the timeline looked like, and what conversations had there been before drafting the bill.

Committee Member Davis replied that the conversations were had approximately a week ago and asked if there are directives concerning the timeline of a bill regarding the Municipal Code.

Committee Member Tomas Morgan replied that the question reflects the kind of work put into the resolution.

Committee Member Davis stated that he had spoken to Chief Buchanan. Davis asked what the rules are for presenting a bill.

Committee Member Hamann stated there was a reasonable and respectful amount of work that went into the bill. They have been in contact with numerous organizations and mental health providers, and along with the e-mail that was sent to the Council, the current substitute bill was sent on the previous Saturday and is not new to the Council.

Citizen Hari Rau-Murthy, Bauer Road, South Bend, IN, 46637 stated his support of Substitute Bill *No. 22-36*. Rau-Murthy stated he has been a resident for the past six years and urges the Council to do the right thing and not let justice be denied. The Council will not say they won't support the bill but will ask questions regarding timelines and conversations. Rau-Murthy asked for the bill to be passed and if needed, address the timeline later. There are various circumstances surrounding the death of Dante Kittrell, and the system was not prepared to deal with this.



Citizen Rebecca Go, 921 Cottage Groove, South Bend, IN 46616, requested the Committee to take the bill to the full Council. Go stated she is a member of Faith in Indiana and has been working between mental health and incarceration for over two (2) years. The mobile crisis response team was not called during the Dante Kittrell's escalating situation. If they had been, there would have been trained mental health providers on scene and they could have helped. As the bill stands, it is a good working bill because it includes all the important partners, although it also needs to include language around working in collaboration with mental health providers and the South Bend Fire Department. Any reason to slow the bill would be unnecessary, and even though the Council has not been a part of conversations, mental health providers have. Go stated the bill comes from hard work and a need for change.

Council Vice President Sheila Niezgodski stated the need for someone to formally ask for additional time due to the next scheduled committee meeting.

Committee Member Davis stated there is a bill in Residential and Neighborhoods that will be asked to be stricken from the record. There are also two bills in Health & Public Safety/Residential Neighborhoods that need to be continued over again. With each change in the agenda, minutes can be added on to this committee meeting.

Committee Vice Chair Wax formally asked Committee Vice Chair White for additional time from her scheduled committee meeting.

Committee Vice Chair White formally gave additional time to Committee Vice Chair Wax's meeting

Citizen Cassandra Selsor, 735 Lincolnway East, Mishawaka, IN 46544, stated she is speaking in favor of Bill *No. 22-36*. Selsor stated she is schizophrenic and lives with it daily. She has had many suicidal thoughts over the years and has attempted suicide resulting in hospitalization twice. Those feelings will come again, and it is part of her mental illness regardless of medication. Suicidal people want to end their lives to rid others of the agony of their mental illness. In times of crisis, even with her family's care, they don't know how to respond to stressful situations when she feels hopeless and alone. Her uncle committed suicide and there was a lack of help in his moment of need. Dante Kittrell was murdered by police after only forty (40) minutes of negotiation while his mother and pastor were present. His blackness was a factor, and he should have walked away with community resources. There is a need in the community for a mental health response team. Selsor requested the last moments of her allotted time be in silence for Dante Kittrell.

Citizen Jordan Geiger, 424 S. Michigan St, South Bend, IN 46601, stated there are concerns being brought up around procedures that are not relevant to the resolution. The conversation has been had and continued back in 2018 and it was about having more mental health services. The additional help that was brought up talked about mental health professionals and alternatives to policing. The Breath Act was talked about in February of 2021 as an alternative to police responses. There are also additional options for funding such as allocations to support mental health professionals as first responders. The writing of the black people's budget was told on record that it would be taken into consideration and in that budget, the solutions were



outlined. Dan Parker said it would give the Council quarterly feedback along with having five million eight hundred thousand dollars (\$ 5,800,000.00) set aside for county partnerships to address mental health and homelessness. So far there has not been an update since then. The conversations are currently happening but not in administration. Even though there are residents who are deeply involved in the work, no one can give concrete steps that the administration has taken to implement a mobile crisis unit. Geiger stated he applauds Committee Members Davis and Hamann for their attempt to move the Council in the right direction and hold the administration accountable.

Citizen Carmonache Wheeler, 1628 S. Carlisle Street, South Bend, IN, stated that the Council won't vote for the bill due to bullying within the Council. She has been an activist since 2012 and has three children who attend South Bend Schools and have severe mental health issues. Wheeler shared her mental health state as her son was sent to prison for a murder he did not commit and stated the city needs to be examined. The Council should know the procedures of filing a bill as elected officials. There are real issues in South Bend that go unaddressed such as the denial of citizen complaint forms. The Council is not seen in the districts and constantly shuts each other down in council meetings. The resolution should be rewritten and include all leadership in the city. Wheeler stated her advocacy for mental health is due to her son being criminalized due to his mental health challenges.

Citizen Dr. Jerry Cassey, Professor of Labor Studies at Indiana University South Bend, Professor of Criminal Justice at John Jay College of Criminal Justice in New York City, stated he has worked with the National Research Center on issues of Criminal Justice. There are at least three other cities he knows of that have implemented a similar resolution. The press conference was shameful and the revision for the resolution was previously handed in. There is a timeline for progress against racial police conduct. There has been bragging about the Chief of Police and the complications of Internal Affairs. There are many groups that are working towards the resolution and there is a lack of a track record for the Community Review Board. There are also many lawsuits against community schools, and the retirement of the police is outpacing recruitment. The Council is elected, and the community is looking at how they are voting for the city.

Citizen Charlotte Pfeifer, 1013 W. Washington St., South Bend, IN, stated her support for the formation of this group. Pfeifer stated she has been involved with the DART team (Drug Abuse Recovery Team) and their affiliation with the police and fire department. The team has had successes and encourages the Council to look at what worked for them in the past. The group must not overlook recovering individuals as they can be the best assets in forming the group and encouraged the Council to give them consideration.

Citizen Brianna Johnson, 1102 S Twyckenham Dr, South Bend, IN. 46615, stated she is in favor of the bill being passed and thanked Council Member Davis. Johnson stated she was present when Dante Kittrell was shot and witnessed the mother and pastor being unable to speak to Dante. Johnson stated that she would like the Council to think about the community and the traumatic effects they can have on the community.



Paul Mitchler, 421 Manato Pl., South Bend, IN 46616, stated he supports the bill. Mitchler emphasized the importance of the bill regarding crises in social and political life. It can be very difficult to receive mental health care. There are numerous problems around policing the black and brown communities and response from the police have been unhelpful. The crisis requires both the police and fire department as well as the community to be involved. The funding must be distributed equally by the city. The city police did not evaluate the situation properly, and the City must recognize the seriousness of this. A black man with mental illness is sixteen (16) times more likely to be shot by the police. There is a link between the need for the mental health of the community and the need to extricate the police from racism.

Citizen Member Desmont Upchurch stated the mental health team could not have done anything once the gun was on the premise. The bill needs to be rewritten to focus on mental health and not to determine which department gets assistance from the response team. Upchurch stated that he does believe the response team is necessary and that mental health is very serious nationwide. The team should not be limited to the South Bend Fire Department.

Committee Member Lee stated his appreciation to the members of the community. A mental health crisis team is necessary, but his issue with the proposed bill is the language it is written in. The funding shouldn't be held up for the fire department. The killing of Dante Kittrell was tragic for the whole community, and the possession of a gun by Kittrell on school property was dangerous and serious. Lee stated he is in full support of having a mental health team.

Committee Vice Chair White clarified her comment previously and stated there is a need for the Council to have accountability when constructing a substitute bill. White stated her appreciation to Councilmember Hamann for addressing the new substitute bill and stated there needs to be collaboration on the bill as well as timeliness.

Committee Member Troy Warner stated there is a need for mental health services. Warner stated he supports a mobile mental health crisis team along with its funding; however, the bill does not provide funding, or the creation of any teams and lacks details. It is a non-binding document with no action steps. Warner stated he supports putting together a mobile crisis team and would like to know the full details of the officer's response to the Kittrell incident. Warner stated he has concerns for the teams going into armed situations and has questions about feasibility and realistic implications. Warner stated the bill is not good and along with activists can bring confusion. Warner stated he does not support the bill at this time without more details and specifics.

Committee Member Tomas Morgan stated she supports the mental health services and crisis response teams. There have been protests at her home that were conducted by Black Lives Matter due to their unknowing of her support on the matter. Tomas Morgan stated she attempted to meet with Black Lives Matter but there has been no movement from the group to meet. The group uses bullying tactics rather than productive civil dialogue. Tomas Morgan stated she was not contacted by the sponsors of the bill prior to Saturday which caused confusion. A second substitute bill was shared on Saturday and the second substitute bill was given minutes before the committee meeting. Tomas Morgan stated this is a rush project and



there is a lack of collaboration over the proposed bill on a critical issue in the community. Tomas Morgan stated that she approved the five million eight hundred-thousand-dollar (\$ 5,800,000.00) budget spending on partnerships surrounding the mental health crisis, but extensive collaboration is still needed for the success of the bill. The bill in its current form is unrealistic and irresponsible. Tomas Morgan stated this is not responsible governing.

Committee Member Davis stated the resolution is a letter to the mayor's office. The resolution is asking the administration for consideration during budgeting time for the mental health crisis. Davis stated he is a black man, and another black man's death bothers him. Davis asked why the Council is stopping the cart looking for something "more" perfect. The Council needs to move on it and act like black people are partners in the community and not sacrifices. Davis stated people will eventually respond the opposite way of what the resolution is asking for.

Committee Member Hamann stated the Council received the second substitute bill which is the same one that was sent out Saturday. The same arguments were presented around the Citizen Review Board and an entire year was spent on procedural arguments. The arguments are being used rather than stating the Council's opposition. Hamann stated there is no satisfying the Council.

Committee Chair Wax entertained a motion.

Committee Member Warner made a motion to table the second Substitute Bill *No. 22-36* until October 10th, 2022. The motion was seconded by Citizen Member Upchurch. The motion did not pass with a vote of three (3) ayes (Eli Wax, Troy Warner, Desmont Upchurch) and three (3) nays (Karen White, Canneth Lee, Rachel Tomas Morgan).

Committee Member Tomas Morgan made a motion to table the second Substitute Bill *No. 22-36* until December 12th, 2022. The motion did not have a second.

Committee Vice Chair White made a motion to send the second Substitute Bill *No. 22-36* to the full Council with no recommendation. The motion was seconded by Committee Member Lee. The motion did not pass with a vote of four (4) nays (Eli Wax, Troy Warner, Rachel Tomas Morgan, Desmont Upchurch) and two (2) ayes (Karen White, Canneth Lee).

Committee Member Tomas Morgan made a motion to postpone Bill *No. 22-36* indefinitely. The motion was seconded by Committee Chair Wax. The motion was carried out by a vote of four (4) ayes (Eli Wax, Troy Warner, Rachel Tomas Morgan, Desmont Upchurch) and two (2) nays (Karen White, Canneth Lee).

Committee Chair Wax stated Bill *No. 22-36* will be tabled indefinitely.

Attorney Palmer stated the bill can be brought back to the Council through the Committee.

With no further business, Committee Chair Wax adjourned the Health and Public Safety Committee meeting at 4:44 p.m.



Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Eli Wax', written over a horizontal line.

Eli Wax, Committee Chair