


I. EXECUTIVE SESSION

The Board of Public Safety met in Executive Session on Wednesday March 15, 2023, at 8:36 a.m. with Board President Daniel Jones (Joined virtually at 8:45 a.m.), and Board Members Lee Ross, Al Kirsits, Pamela Claeys and Attorney Tom Panowicz. Board Member Darryl Heller was not present. The meeting was held in the Command Staff Room, South Bend Police Department, 701 West Sample St., South Bend, Indiana and virtually via Microsoft Teams for the purposes specified in I.C. 5-14-1.5-6.1(b)(6)(A) to receive information concerning an individual's alleged misconduct. The meeting ended at 8:56 a.m.

BOARD OF PUBLIC SAFETY



 Daniel Jones, President



 Lee Ross, Member

 Alfred Kirsits, Member



 Pamela Claeys, Member

ATTEST:



 Theresa Heffner, Clerk
I. REGULAR MEETING

March 15, 2023

The Board of Public Safety met in the Regular Meeting at 9:19 a.m. on Wednesday, March 15, 2023, with Board President Daniel Jones (Virtual), and Board Members Lee Ross, Al Kirsits, and Pamela Claeys also present. Also present were Police Chief Scott Ruszkowski, Fire Chief Carl Buchanon, and Attorneys Tom Panowicz, Kylie Connell, Adam Taylor, and Board Clerk Theresa Heffner was also present. Board Member Darryl Heller was not present. The meeting was held in the Auditorium, South Bend Police Department, 701 West Sample St., South Bend, Indiana and virtually via Microsoft Teams at the following link: <https://tinyurl.com/2023BPSHybrid>

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 stated that there is an amendment under Fire Department number 4. Approve Notice of Dismissal – Chief's Letter Recommending Termination – Fernando Lopez. It will be changed to, Accept Letter of Resignation - Fernando Lopez.

A. ROLL CALL OF MEMBERS

Board President Dan Jones welcomed the public, called roll, and confirmed the presence of Board Members, and noted Darryl Heller was not present.

B. APPROVE MINUTES OF PREVIOUS MEETINGS

Upon a motion by Al Kirsits, seconded by Lee Ross and carried by a roll call, the Board approved the Minutes of the February 15, 2023 regular meeting.

C. APPROVE RESOLUTION NO. 02-2023 ADOPTING A WRITTEN FISCAL PLAN AND ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO AN ANNEXATION AREA IN THE GERMAN TOWNSHIP (RESURRECTION LUTHERAN ANNEXATION AREA)

Michael Divita Principal Planner with Community Investments did a summary of the below resolution. Michael noted that this area would be part of Police Beat 22 and Fire Station 11.

RESOLUTION NO. 02-2023
A RESOLUTION OF THE BOARD OF PUBLIC SAFETY OF THE CITY OF
SOUTH BEND, INDIANA, ADOPTING A WRITTEN FISCAL PLAN AND
ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO AN
ANNEXATION AREA IN GERMAN TOWNSHIP
(RESURRECTION LUTHERAN ANNEXATION AREA)

WHEREAS, there has been submitted to the Common Council of the City of South Bend, Indiana, an Ordinance and a petition by all (100%) property owners which proposes the annexation of real estate located in German Township, St. Joseph County, Indiana, which is more particularly described at Page 13 of Exhibit "A" attached hereto; and

WHEREAS, the territory proposed to be annexed encompasses approximately 1.2 acres of vacant land, which property is at least 12.5% contiguous to the current City limits, i.e., 100.0% contiguous, generally located at the southeast corner of Nimtz Parkway and Olive Road (53000 block of Olive Road). It is anticipated that the annexation area will be used for a parking lot; and

WHEREAS, this use will require a basic level of municipal public services, including the provision of police and fire protection; and

WHEREAS, the Board of Public Safety now desires to establish and adopt a fiscal plan and establish a definite policy showing: (1) the cost estimates of police and fire protection to be furnished to the territory to be annexed; (2) the method(s) of financing those services; (3) the plan for the organization and extension of those services; (4) that those services will be provided to the annexed area within one (1) year after the effective date of the annexation, and that they will be provided in the same manner as those services are provided to areas within the corporate boundaries of the City of South Bend, regardless of similar topography, patterns of land use, or population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria; and (5) the plan for hiring the employees of other governmental entities whose jobs will be eliminated by the proposed annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF SOUTH BEND, INDIANA, AS FOLLOWS:

Section I. It is in the best interest of the City of South Bend and the area proposed to be annexed that the real property described more particularly at Page 14 of Exhibit "A" attached hereto be annexed to the City of South Bend.

Section II. It shall be and hereby is now declared and established that it is the policy of the City of South Bend, by and through its Board of Public Safety, to furnish to said territory police and fire services within one (1) year of the effective date of annexation in a manner equivalent in standard and scope to similar services furnished by the City to other areas regardless of similar topography, patterns of land use, or population density and in a manner consistent with federal, state and local laws, procedures, and planning criteria.

Section III. The Board of Public Safety shall and does hereby now establish and adopt the Fiscal Plan, attached hereto and incorporated herein as Exhibit "A", and made a part hereof, most particularly those provisions pertaining to police and fire protection at pages 7 and 8 of Exhibit "A", for the furnishing of said services to the territory to be annexed.

Adopted the 15th day of March, 2022.

s/Daniel Jones, President
s/Lee Ross, Member
s/Al Kirsits, Member
s/Pamela Claeys, Member

ATTEST:
s/Theresa Heffner/Clerk

Upon a motion by Al Kirsits, seconded by Pamela Claeys and carried by roll call, the Board approved Resolution No. 02-2023.

D. POLICE DEPARTMENT

1. APPROVE HIRING IN OF PROBATIONARY POLICE OFFICERS

Donzell Brown
Daniel Butcher
Jonathan Campbell Jr.
Spencer Davis
Madeline Durbin
Max Ellison
Alan Froula
Luis Gutierrez
Owen Hoggard
William Krager
Austin Minix
Zachary Mullins
Joshua Pennington
Luke Primerano
Jaime Martinez
Terry Redden

Chief Ruszkowski submitted a letter of recommendation for the hiring of the Probationary Police Officers listed above effective March 15, 2023. Chief stated the following individuals have met the requirements of the application process of the South Bend Police Department and graduated from the Indiana law Enforcement Academy held at the South Bend Police Department on Friday, February 24, 2023.

Captain Fulnecky and Officer Brady gave a brief biography of the Officers highlighting their talents, achievements, education, and interests.

Upon a motion by Lee Ross, seconded by Pamela Claeys and followed by a roll call, the Board approved the hiring of the above Probationary Police Officers.

2. SWEARING IN OF PROBATIONARY POLICE OFFICER

City Clerk Dawn Jones administered the oath which was then followed by the badge pinning.

3. APPROVE PROMOTIONS TO PATROLMAN 1ST CLASS

Ryan Hintz
Zachery Wells
Robert DeLee
Summer Lindsey

Chief Ruszkowski submitted Letters of recommendations for the above officers to be promoted to Patrolman 1st Class. Chief stated the above officer's have successfully met the requirements outlined in the working agreement to become Patrolman 1st Class within the SBPD. Chief Ruszkowski noted that Officer Hintz's effective date was February 26, 2023, Officer Well's effective date was March 1, 2023, Officer DeLee's effective date was March 4, 2023, and Officer Lindsey's effective date is March 16, 2023.

Upon a motion by Pamela Claeys, seconded by Al Kirsits, and followed by a roll call, the Board approved the promotions to Patrolman 1st Class.

4. APPROVE APPLICATION AND DECLARATION FOR RETIREMENT - ERIC CRITTENDON

Chief Ruszkowski submitted a Letter of Application and Declaration for Retirement for Patrol Division Chief Eric Crittendon, PN429. Chief Ruszkowski stated Division Chief Crittendon is retiring in good standing from the SBPD effective April 8, 2023. He will have been with the Department for thirty-two (32) years, four (4) months and ten (10) days. Chief asked the Board to join him in wishing him success in his new endeavors and thanked him for his many years of service.

Board Members congratulated Division Chief Crittendon and stated he will be missed, and it

was a great honor to know Chief Crittendon and wished him all the best.

Upon a motion by Al Kirsits, seconded by Pamela Claeys, and followed by a roll call the Applications and Declaration for Retirement was approved.

5. APPROVE LEXIPOL POLICIES PROPOSED CHANGES

- 306 – Vehicle Pursuits
- 314 – Adult Abuse
- 329 – Death Investigations
- 500 – Traffic
- 501 – Traffic Crashes
- 1006 – Communicable Diseases

Police Attorney Kylie Connell submitted the proposed changes for the Lexipol Policies for the above sections and asked for approval. Attorney Connell gave a summary of the above policies.

Upon a motion by Pamela Claeys, seconded by Al Kirsits, and followed by a roll call the proposed changes for the Lexipol Policies were approved.

6. FILE MONTHLY STATISTICAL ANALYSIS REPORT FEBRUARY 2023

Chief Scott Ruskowski submitted the monthly statistical analysis report for February 2023. Chief Ruskowski stated that there was an overall Part 1 Offenses increase of thirty-four percent (34%) when comparing February 2022 to February 2023, most notably in the robbery category. Chief stated they are still working through those and made some arrests last month. There is an increase in larceny, “larceny shoplift”, and it is not regulated to South Bend, this is a national issue and in St. Joseph County as well and is over a fifty percent (50%) increase.

The FEBRUARY 2023 analysis is as follows:

PART 1 OFFENSES	YEAR TO DATE					
	2022	2023	CHANGE	2022	2023	CHANGE
HOMICIDE	1	0	-1	2	2	0
JUSTIFIABLE HOMICIDE*	1	0	-1	1	1	0
RAPE	4	7	3	12	11	-1
ROBBERY	13	30	17	30	67	37
AGGRAVATED ASSLT	55	61	6	136	146	10
BURGLARY RES	21	32	11	60	80	20
BURGLARY NON RES	10	10	0	33	17	-16
LARCENY	113	161	48	242	367	125
MOTOR VEH THEFT	29	35	6	75	99	24
ARSONS	1	2	1	2	2	0
GRAND TOTAL	247	338	91	592	791	199

Respectfully submitted,


 Scott Ruskowski
 Chief of Police

SR/jjj

Month: FEBRUARY 2023

<u>PART 1 OFFENSES</u>	<u>2022</u>	<u>2023</u>	<u>CHANGE</u>
HOMICIDE	2	2	0%
JUSTIFIABLE HOMICIDE*	1	1	0%
RAPE	12	11	-8%
ROBBERY	30	67	123%*
AGGRAVATED ASSLT	136	146	7%
BURGLARY RES.	60	80	33%
BURGLARY NON RES.	33	17	-48%
LARCENY	242	367	52%
MOTOR VEH THEFT	75	99	32%
ARSONS	2	2	0%
GRAND TOTAL	592	791	34%

34% CHANGE IN PART 1 CRIMES THROUGH FEBRUARY 2023

E. FIRE DEPARTMENT1. ACKNOWLEDGMENT OF COMMENDATIONS

Andrew Petrie
Eric Nevorski
John Nickison

Chief Carl Buchanon submitted a letter of Commendation for Captain Andrew Petrie, Firefighter Eric Nevorski and Pump Engineer John Nickison. Chief Buchanon stated on Thursday, March 2, 2023 at approximately 23:10, the SBFD was dispatched to a residential structure fire, and within three (3) minutes of the dispatch, E-9 was on the scene reporting smoke in the area and a working fire in a residence and initiated a fire attack. Chief stated before E-9 could pull the hose line, Captain Andy Petrie announced that a victim was found and immediately started to remove this victim and seconds after that, Firefighter Nevorski, without protection of a hand line and putting his safety in jeopardy, went inside the structure and conducted a search and was able to locate another victim who was a child and immediately removed him. Chief stated through training, quick decisions, and actions of E-9 personnel, they were able to get the child to the hospital.

Board Members commended the above firefighters, congratulated them, and thanked them for their services.

2. APPROVE APPLICATION AND DECLARATION FOR RETIREMENT - ERIC DEVEREAUX

Chief Carl Buchanon submitted a letter of Application and Declaration for Retirement for Firefighter Eric Devereaux Badge #449. Chief wrote that Firefighter Devereaux was appointed to the SBFD on February 11, 1998, and served as a Paramedic, Peer Support Team Coordinator, and Driver Engineer for most of his years on the Department. His effective date of retirement was February 23, 2023. Chief Buchanon asked the Board to join them in appreciation and gratitude for his commitment and distinguished service to the SBFD and the citizens of the City of South Bend and wished him many years of good health and happiness in his retirement.

Upon a motion by Al Kirsits, seconded by Pamela Claeys, and followed by a roll call the Application and Declaration for Retirement was approved.

3. ACCEPT LETTER OF RESIGNATION - SACHEL CARNINE

Chief Carl Buchanon submitted a Letter of Resignation for Firefighter Satchel Carnine. Chief stated Firefighter Carnine was appointed to the SBFD on February 14, 2020 and his effective date of Resignation was March 9, 2023.

4. ACCEPT LETTER OF RESIGNATION - FERNANDO LOPEZ

Chief Carl Buchanon stated originally this item was approve notice of dismissal but has been changed to Accept Letter of Resignation and the documents have been submitted to the Board. Chief stated Firefighter Lopez Badge number 654, was appointed to the SBFD on March 18, 2020 and effective date is March 18, 2023.

5. RECEIVE LEXIPOL POLICIES

100 – Fire Service Authority
101 – Oath of Office
102 – Policy Manual
200 – Organizational Structure
201 – Emergency Action Plan and Fire Prevention Plan
202 – General Orders
203 – Training Orders
204 – Liability Claims
205 – Electronic Mail
206 – Administrative Communications
207 – Minimum Staffing Levels
208 – After Action Reviews
209 – Annual Planning Master Calendar

210 – Daily Activity Log - Journal

Attorney Adam Taylor submitted the above Lexipol Policies for review and did a summary of each item above.

Pam Claeys asked that the word “manpower” in policy number 203.6.2 be changed to staffing. Attorney Taylor noted that this change would be made before the next meeting where they will be approving the proposed changes.

6. FILE MONTHLY STATISTICAL ANALYSIS REPORT FOR FEBRUARY 2023

Chief Carl Buchanon submitted the monthly statistical analysis report for February 2023. Chief noted that the Fire Department in general did a total of 4,289 runs, 1,679 were broken down to specific categories, with 1,296 being EMS calls. Chief Bucanon noted that due to the increasing number of fire related calls and the amount of damages that have been accumulated, they are sending individuals out to remind residents that they can get a working smoke detector, or a carbon monoxide detector.

FEBRUARY 2022	FEBRUARY 2023
STRUCTURE FIRES Property Damage--Buildings & Contents (Estimates)	
\$220,000	\$222,500
INSPECTION DIVISION	
114 Inspections 124 Re-Inspections	206 Inspections
INVESTIGATION DIVISION	
7 Investigations	11 Investigations
1 Incendiary 4 Accidental 0 Natural 2 Undetermined	1 Incendiary 6 Accidental 0 Natural 4 Undetermined

F. 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.

Board Member Lee Ross, on behalf of the Board, wanted to express their gratitude to Retired Officer “Doc” Milliken. Lee Ross stated that Officer Milliken was on the force for over fifty (50) years and wanted to thank Doc and commend him with a BPS commendation coin for his many years of service. President Jones stated the Board would absolutely get him a coin.

G. ADJOURNMENT

There being no further business to come before the Board, upon a motion by Al Kirsits, seconded by Pamela Claeys, and carried by roll call, the meeting was adjourned at 10:52a.m.

BOARD OF PUBLIC SAFETY



Daniel Jones, President



Lee Ross, Member

Alfred Kirsits, Member



Pamela Claey, Member

ATTEST:



Theresa Heffner, Clerk