

I. REGULAR MEETING

May 17, 2023

The Board of Public Safety met in the Regular Meeting at 9:18 a.m. on Wednesday, May 17, 2023, with Board President Daniel Jones, and Board Members Darryl Heller, Lee Ross, Al Kirsits and Pamela Claeys were present. Also present were Police Chief Scott Ruszkowski, Fire Chief Carl Buchanon, and Attorneys Danielle Campbell Weiss, Kylie Connell, Adam Taylor, and Board Clerk Theresa Heffner. The meeting was held on the 4<sup>th</sup> Floor Council Chambers Room, 227 W. Jefferson Blvd., South Bend, Indiana and virtually via Microsoft Teams at the following link: <https://tinyurl.com/2023BPSHybrid>

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.

A. ROLL CALL OF MEMBERS

Board President Dan Jones welcomed the public, called roll, and confirmed the presence of the Board Members.

B. APPROVE MINUTES OF PREVIOUS MEETINGS

Upon a motion by Al Kirsits, seconded by Pamela Claeys, and carried by a roll call, the Board approved the Minutes of the April 19, 2023 regular meeting.

C. FIRE DEPARTMENT1. RECEIVE LETTERS OF RESIGNATION

Chad Bartalone  
Kate Smith

Chief Carl Buchanon submitted Letters of Resignation for Firefighter/Paramedic Chad Bartalone, Badge No. 582, and Firefighter Kate Smith, Badge No. 678. Chief Buchanon stated that Firefighter Chad Bartalone was appointed to the SBF on October 19, 2011, and his effective date of resignation was April 24, 2023. Chief also stated Firefighter Kate Smith was appointed to the SBF on February 2, 2021 and her effective date of resignation was May 7, 2023. President Jones accepted the Letters on behalf of the Board.

2. APPROVE LEXIPOL POLICIES

- 300 – Incident Man
- 301 – Emergency and Non-Emergency Responses
- 302 – Urban Search and Rescue
- 303 – Response Time Standards
- 304 – Safely Surrendered Baby Law
- 305 – News Media and Community Relations
- 306 – Scene Preservation
- 307 – Child Abuse
- 308 – Disposition of Valuables
- 309 – Performance of Duties
- 310 – Adult Abuse
- 311 – Traffic Accidents
- 312 – Line of Duty Death and Serious Injury Investigations
- 313 – National Fire Incident Report System
- 314 – Ride-along Program
- 315 – Grocery Shopping On-Duty
- 316 – Active Shooter and Other Violent Incidents
- 317 – Duty Firearms and Use of Force (previously approved by BOPS)
- 318 – Mobile and Portable Audio/Video Recorders
- 319 – Unmanned Aerial Systems

Attorney Taylor submitted the above Lexipol Policies for approval, and reminded the Board Members and the public that the above policies were submitted to the Board at the April 2023 Board of Public Safety Meeting.

Mr. Heller asked about Lexipol Policy 317, if when grievances are made regarding excessive force and whether they are in consultation with the Citizen Review Board.

Chief Buchanon noted that there is a difference between excessive use of force and use of force. The Fire Department's use of force is used when restraining a patient in an EMS sense. If a patient requires assistance and they are combative, they may need to use soft restraints, that is their only use of force.

Chief Buchanon added that the Duty Firearms also included under this policy, are primarily for the fire investigators and arson investigators that have undergone training at the SBPD and the State to legally carry a firearm. This is to protect them and provide safety and security when they are left at the scenes all hours of the night by themselves. This is the only time any firearms are allowed on any firetruck.

Attorney Weiss added that the Citizen Review Board is actually titled Community Police Review Board and will only apply to the police department at this time.

Attorney Taylor advised that Lexipol Policy 317.12.1 talks about a Use of Force Review Committee where in any instance where an investigator needs to restrain an individual, they would be subject to an internal review pursuant to the policy.

Mr. Heller asked about Lexipol Policy 318.6.1 which states surreptitious use of audio/video recorders and asked if an example of when this would be applicable could be provided. Chief Buchanon gave the example of an investigator being open and transparent about using a recording device to collect information for their investigation, noting it is only for review by the investigator involving the case to ensure any information documented is accurate.

Dr. Heller pointed out a typo under Lexipol Policy 319.8.

Upon a motion by Lee Ross, seconded by Darryl Heller, and followed by a roll call the proposed changes for the Lexipol Policies were approved.

### 3. RECEIVE LEXIPOL POLICIES

400 – Fire Inspections

401 - Fire Investigations

402 – Code Enforcement

403 – Community Fire Station Tour Programs

404 – Fireworks Displays

405 – Hazardous Materials Disclosures

406 – Maximum Occupancy – Overcrowding

407 – Youth Firesetter Referrals

408 – Fire Watch Services

409 – Quality Assurance for Enforcement and Inspection Programs

Attorney Adam Taylor submitted the above Lexipol Policies for review by the Board and to be considered for approval at the next Board Meeting. Attorney Taylor did a summary of each item above.

Ms. Claeys asked if the City charges for Fire Inspections or if it is a service that is provided.

Attorney Taylor explained that currently it is a service that is provided, but there has been some discussion about this due to the cost of staffing hours to provide the inspections. The ordinance specific to re-inspections does not allow for fee collection, but we have discussed amending the ordinance so they can recoup the cost for re-inspections, particularly for businesses that are non-compliant numerous times.

Chief Buchanon added that this has been discussed for several years that we are providing a service, particularly for businesses that are receiving a profit. Some of the businesses need the inspection to be able to meet regulations to operate their businesses. The pandemic slowed things down, so it has taken a lot of staffing hours to get all the businesses back up and running.

Ms. Claeys asked if the fire investigators are Fire Department personnel. Chief Buchannon responded, yes. Investigators and Inspectors are all sworn Firefighters.

President Jones accepted the received Lexipol polices for review.

- 4. FILE MONTHLY STATISTICAL ANALYSIS REPORT FOR APRIL 2023  
 Chief Carl Buchanon submitted the monthly statistical analysis report for April 2023.

APRIL 2022	APRIL 2023
<b>STRUCTURE FIRES</b> Property Damage--Buildings & Contents (Estimates)	
<b>\$280,200</b>	<b>\$175,900</b>
<b>INSPECTION DIVISON</b>	
<b>388 Inspections</b> <b>200 Re-Inspections</b>	<b>187 Inspections</b>
<b>INVESTIGATION DIVISON</b>	
<b>11</b> <b>Investigations</b>	<b>16</b> <b>Investigations</b>
<b>1 Incendiary</b> <b>6 Accidental</b> <b>0 Natural</b> <b>4 Undetermined</b>	<b>3 Incendiary</b> <b>9 Accidental</b> <b>0 Natural</b> <b>4 Undetermined</b>

Chief Buchanon noted that the Fire Department only has three (3) inspectors, and they did 187 inspections for the month and that does not include re-inspections.

Chief Buchanon noted that when there are fires happening in certain areas frequently, they let residents know to call the fire department if they need a smoke detector or a carbon monoxide detector and the SBFD is happy to assist.

**D. POLICE DEPARTMENT**

- 1. RECEIVE LETTER OF PROMOTION TO PATROL DIVISION CAPTAIN TOMAR THOMAS

Chief Ruszkowski submitted a Letter informing the Board, that Sergeant Tomar Thomas, PN2085 has been appointed to the rank of Captain in Patrol Division 2<sup>nd</sup> Detail, reporting to Patrol Division Chief Leszczynski. Chief stated Captain Thomas was sworn into the department April 24, 2002, and his effective date of this assignment is May 20, 2023. Chief asked the Board to join him in congratulating Captain Thomas on his promotion.

- 2. APPROVE LETTERS OF PROMOTIONS TO LIEUTENANT

Maranda Baker  
 Kyle Drury

Chief Ruszkowski submitted a letter of recommendation for the promotion of Sergeant Maranda Baker PN2183, to the rank of Lieutenant, in special assignment in the Patrol Division, with a probationary period of one year. Chief stated Lieutenant Baker was sworn into the department June 2, 2010 and the effective date of the promotion is May 17, 2023. Chief Ruszkowski also noted that Lieutenant Baker will participate in the SB Police Supervisor Training and Orientation (STO) program, which is designed to develop leadership. The purpose is to train and evaluate performance throughout the process, assuring she has met the expectations and requirements.

Upon a motion by Darryl Heller, seconded by Al Kirsits, and followed by a roll call the Promotion to Lieutenant in Special Assignment was approved.

Chief Ruszkowski submitted a letter of recommendation for the promotion of Sergeant Kyle Drury PN2171, to the rank of Lieutenant in special assignment in the Patrol Division, with a probationary period of one (1) year. Chief Ruszkowski stated Lieutenant Drury was sworn into the department on August 11, 2008 and the effective date of promotion is May 17, 2023.

Chief Ruskowski also noted that Lieutenant Drury will participate in the SB Police Supervisor Training and Orientation (STO) program, which is designed to develop leadership. The purpose is to train and evaluate performance throughout the process, assuring he has met the expectations and requirements.

Upon a motion by Pamela Claeys, seconded by Al Kirsits, and followed by a roll call, the Board approved the promotion to Lieutenant in Special Assignment.

3. APPROVE PROMOTION TO SERGEANT ANDREW HINES

Chief Ruskowski stated on May 18, 2022, Patrolman 1<sup>st</sup> Class Andrew Hines, PN2178 was placed in a special assignment as a Sergeant in the Detective Bureau, and this special assignment required monthly evaluations over the next year to note the progress he was making as a supervisor. Chief Ruskowski stated that it is his recommendation that Sergeant Hines be promoted permanently to the rank of Sergeant, no longer in special assignment, and the effective date of this promotion is May 18, 2023.

Upon a motion by Al Kirsits, seconded by Pamela Claeys, and followed by a roll call, the Board approved the promotion to Sergeant, no longer in special assignment.

4. APPROVE PROMOTIONS TO SERGEANT IN SPECIAL ASSIGNMENT

Randy Goering  
Anthony Dawson  
Tyler Donlon

Chief Ruskowski submitted letters informing the Board that Officer Goering, Officer Dawson, and Officer Donlon were promoted to the rank of Sergeant in special assignment, with a probationary period of one (1) year, with an effective date of May 17, 2023. The Chief stated all three (3) officers will participate in the SB Supervisor Training and Orientation (STO) program, which is designed to develop leadership-starting within, as a critical first line supervisor. The orientation process is two-fold: first, it is designed to ease the supervisor's transition from patrolman first class setting to the actual supervisory duties which they will be assigned. Secondly, the purpose is to train and evaluate the new supervisors' performance throughout the process, assuring he has met the expectations and requirements of the program.

Upon a motion by Pamela Claeys, seconded by Al Kirsits, and followed by a roll call, the Board approved the promotions to Sergeant in Special Assignment.

5. APPROVE PROMOTIONS TO PATROLMAN 1<sup>ST</sup> CLASS

Nicholaus Baab  
Dakota Cremeans  
Devonte Spratt  
Brock Staton  
Nathan Stoll  
Michael Dube

Chief Ruskowski submitted Letters of recommendation for the above officers to be promoted to Patrolman 1<sup>st</sup> Class. Chief stated the above officers have successfully met the requirements outlined in the working agreement to become Patrolman 1<sup>st</sup> Class with the SBPD. Chief Ruskowski stated Officer Baab, Officer Cremeans, Officer Spratt, Officer Staton, and Officer Stoll's effective date is May 18, 2023, and Officer Dube's effective date is May 19, 2023.

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

6. APPROVE APPLICATION AND DECLARATION FOR RETIREMENT SHELDON SCOTT

Chief Ruskowski submitted a Letter of Application and Declaration for Retirement for Officer Sheldon Scott, PN 2103. Chief stated Officer Scott is retiring in good standing, from the SBPD, effective April 25, 2023, he will have been with the Department for twenty (20) years and three (3) days. Chief Ruskowski asked the Board to join him in wishing him success in his new endeavors along with thanking him for his many years of service with the SBPD.

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

7. ACCEPT LETTERS OF RESIGNATION

Lance Balsley  
Dakota Brink  
Larry Harris

Chief Ruskowski submitted Letters of Resignation for the above Officers. Chief stated Officer Balsley and Officer Brink were sworn into the department December 7, 2022, and Officer Balsley's effective date was May 1, 2023 and Officer Brink's effective date was May 11, 2023. Chief stated Officer Harris was sworn into the Department on February 3, 2020 and his effective date of resignation was May 10, 2023. President Jones accepted the Letters on behalf of the Board.

8. FILE QUARTERLY REPORT FOR SPECIALIZED SCHOOLS

Chief Scott Ruskowski submitted the quarterly report for specialized schools for January, February, and March of 2023.

Quarterly Reports for Specialized Schools  
January-February-March 2023

Officer's Name	Name of Training	Career Path Development?	Location	Start Date	End Date	Training Hours	# Officers Attended	Total Hours	Estimated Cost	Fee	Hotel	Per Diem	Air Fare	Rental Car	Misc	Actual Cost
Civilian-Brianne Trenton	Correctional Gang Intelligence & Information Sharing Network - Prison Gangs & Regional Trends - Virtual 301 Training	Yes	Virtual Webinar South Bend, IN	1/23/2023	1/26/2023	4.00	3.00	4.00	\$ 25.00	\$ 23.00						\$ 25.00
Civilian-Sheria Inglehead	Current Trend Search and Comparison Techniques	Yes	Long Beach, CA	1/22/2023	1/28/2023	32.00	3.00	32.00	\$ 3,357.93	\$ 650.00	\$ 1,185.10	\$ 207.88	\$ 531.40		\$ 284.47	\$ 2,808.96
Officer Henry Wright, Sam Dzul, Brandon Stac and Corey Calvert	Harriage Negotiations and Crisis Intervention	Yes	Mishawaka, IN	1/30/2023	3/3/2023	40.00	4.00	160.00	\$ 2,600.00	\$ 2,600.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,600.00
Officer Corey Leuth and Travis Kufka	Emergency Vehicle Operations Instructor Course	Yes	Plainfield, IN	1/6/2023	2/3/2023	28.00	2.00	56.00	\$ 1,697.00	\$ -	\$ 1,168.40	\$ 412.00	\$ -	\$ -	\$ -	\$ 1,580.40
Officer Timothy Taylor	Understanding the Mindset of a Fire Officer	Yes	Virtual Webinar South Bend, IN	3/7/2023	3/8/2023	20.00	1.00	20.00	\$ 995.00	\$ 995.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Officer Nyle Domkowski, Rodolfo Esparra, NIVAN RUSH	IDEA-2023 Drug Conference	Yes	Indianapolis, IN	2/16/2023	2/17/2023	20.00	2.00	40.00	\$ 2,269.52	\$ 1,050.00	\$ 855.58	\$ 395.04	\$ -	\$ -	\$ -	\$ 2,855.33
Officer Iwanan Lofe, Tony Pacheco, Dominic Chikanski and Larry Harris	Shine Crisis Intervention Training	Yes	Mishawaka, IN	2/15/2023	2/17/2023	13.00	4.00	48.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Officer Emmanuel Garcia	Indiana Department of Technology - Machine Operator	Yes	Indianapolis, IN	3/6/2023	3/6/2023	7.00	1.00	7.00	\$ 900.00	\$ 900.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 900.00
Officer Dominic Hall	ILTA Instructor	Yes	Plainfield, IN	5/12/2022	5/17/2022	21.00	1.00	21.00	\$ 824.00	\$ -	\$ -	\$ 210.83	\$ -	\$ -	\$ -	\$ 210.83
Officer Anthony Dawson	First Responder Wellness and Treatment	Yes	Noblesville, IN	8/27/2022	9/27/2022	3.00	1.00	3.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Officer Dominic Hall	STOPS Instructor	Yes	Plainfield, IN	8/28/2022	9/30/2022	31.00	1.00	31.00	\$ 843.00	\$ -	\$ 196.00	\$ 124.82	\$ -	\$ -	\$ -	\$ 870.82
<b>TOTAL</b>						<b>210.00</b>	<b>19.00</b>	<b>414.00</b>	<b>\$ 11,380.40</b>	<b>\$ 5,000.00</b>	<b>\$ 3,446.12</b>	<b>\$ 1,342.24</b>	<b>\$ 531.40</b>	<b>\$ -</b>	<b>\$ 286.47</b>	<b>\$ 19,183.31</b>

\*Does not count no-cost training\*gc

Mr. Heller asked about the training for IDEA where it lists three (3) officers, but only two (2) of them attended the training. Chief Ruskowski recalled that one (1) of them was unable to attend, but he would verify and get back to the Board members.

Ms. Claeys asked about the local providers. Chief Ruskowski explained that the SBPD is a regional academy and they host many trainings and there is a cost associated. They try to offer a lot of training in-house, but some training requires expertise.

9. FILE MONTHLY STATISTICAL ANALYSIS REPORT APRIL 2023

Chief Scott Ruskowski submitted the monthly statistical analysis report for April 2023.

The APRIL 2023 analysis is as follows:

PART 1 OFFENSES	YEAR TO DATE					
	2022	2023	CHANGE	2022	2023	CHANGE
HOMICIDE	3	3	0	6	8	2
JUSTIFIABLE HOMICIDE*	0	0	0	1	1	0
RAPE	3	3	0	23	23	0
ROBBERY	28	18	-10	78	94	16
AGGRAVATED ASSLT	111	131	20	359	362	3
BURGLARY RES	30	27	-3	133	148	15
BURGLARY NON RES	23	16	-7	68	58	-10
LARCENY	208	165	-43	667	748	81
MOTOR VEH THEFT	25	31	6	130	169	39
ARSONS	2	3	1	4	6	2
GRAND TOTAL	433	397	-36	1468	1616	148

Respectfully submitted,

Scott Ruskowski  
Chief of Police

SR/jjj

Month: APRIL 2023

<u>PART 1 OFFENSES</u>	<u>2022</u>	<u>2023</u>	<u>CHANGE</u>
HOMICIDE	6	8	33% ↑
JUSTIFIABLE HOMICIDE*	1	1	0%
RAPE	23	23	0%
ROBBERY	78	94	21% ↑
AGGRAVATED ASSLT	359	362	1%
BURGLARY RES.	133	148	11%
BURGLARY NON RES.	68	58	-15%
LARCENY	667	748	12%
MOTOR VEH THEFT	130	169	30% ↑
ARSONS	4	6	50% ↑
<b>GRAND TOTAL</b>	<b>1468</b>	<b>1616</b>	<b>10%</b>

10% CHANGE IN PART 1 CRIMES THROUGH APRIL 2023

President Jones asked if there has been any drop in the quality of the candidates due to the Streamlined process for new officers.

Chief Ruszkowski explained that the streamlined process gets the officers through the testing phases quicker, but they are noticing a higher quality of applicants.

F. 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.

**Police Chief Scott Ruszkowski** noted that in all of his years of service he has never seen a female lieutenant on patrol, so that is very notable.

G. ADJOURNMENT

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

BOARD OF PUBLIC SAFETY



\_\_\_\_\_  
Daniel Jones, President



\_\_\_\_\_  
Darryl Heller, Member

\_\_\_\_\_  
Lee Ross, Member



\_\_\_\_\_  
Al Kirsits, Member



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Pamela Claeys, Member

ATTEST:



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Theresa Heffner, Clerk