

COMMUNITY POLICE REVIEW OFFICE 2026 CASE SUMMARY REPORT

Prepared by: Community Police Review Office (CPRO)

Date: March 19, 2026

Report Type: **CONFIDENTIAL** - Privacy-Redacted, For CPRB Use

Executive Summary

This report contains the 2025 citizen complaints currently under review by the Community Police Review Office (CPRO). The summary includes allegations, investigative findings, applicable South Bend Police Department (SBPD) policy references, evidence reviewed, and formal CPRO recommendations. All personally identifiable information (PII) has been redacted. The report is intended for formal review by the Community Police Review Board (CPRB) and relevant city officials.

Key Questions for CPRB Board Members to Consider

1. Are the allegations well-founded based on the preponderance of evidence?
 2. Were departmental policies and legal standards followed in each case?
 3. What recommendations should the board consider regarding training or policy changes to enhance SBPD and minimize incidents of misconduct?
 4. Are there common themes in the complaints that indicate patterns of police misconduct?
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Case Disposition Definitions (For SBPD classification of dispositions, please refer to Policy 1007.6.4)

Sustained: The investigation determined that the officer's actions violated department policy or procedures.

Not Sustained: The investigation could not determine whether the alleged misconduct occurred. There is insufficient evidence to prove or disprove the allegation.

Unfounded: *The investigation determined that the alleged incident did not occur.*

THIS OUTCOME NEEDS TO BE ADDED TO THE DETERMINED OUTCOMES TO BE ALIGNED WITH THE SBPD.

Exonerated: The investigation found that the incident occurred, but the officer's actions were lawful and in compliance with policy. Or the investigation found the complaint to be false or unfounded.

Withdrawn: The complainant voluntarily requested that no further action be taken.

Filed in Clerk's Office

MAR 19 2026

Bianca Tirado
City Clerk, South Bend, IN

CASE: CPRB2025-019

DATE OF INCIDENT: [REDACTED]

LOCATION OF INCIDENT: [REDACTED]

SBPD CASE: [REDACTED]

SBPD Outcome: Exonerated. The investigation found that the incident occurred, but the officer's actions were lawful and in compliance with policy. Or the investigation found the complaint to be false or unfounded.

Summary of Complaint

The complainant alleges improper handling of a trespass removal, excessive force during arrest, and failure to de-escalate adequately before physical engagement.

Incident Summary

Officers were dispatched to a local school in response to a reported disturbance involving a parent and the school security director. According to dispatch information, the caller reported that a parent was inside the school office yelling at the principal. The caller reported a verbal confrontation and that the individual involved was gesturing aggressively, though it was unclear whether any physical contact occurred.

School staff reported that a parent entered the office and began verbally confronting the principal, using profanity. The school security director attempted to calm the situation and de-escalate the encounter as the parent was disrupting the main office's daily operations. Despite these efforts, the individual reportedly refused to comply and continued arguing with staff and the arriving law enforcement officers.

Additional officers were dispatched to assist. Upon arrival, responding officers attempted to de-escalate the situation through verbal communication and instructed the individual to leave the school property. Officers emphasized that the situation needed to be resolved peacefully and informed the individual that failure to leave the property could result in arrest for criminal trespass.

Based on officer reports and available video footage, the individual refused to comply with repeated instructions to leave and continued to verbally challenge the officers while remaining on the premises. Officers again directed the individual to vacate the property and issued clear warnings that refusal to comply could result in arrest. The complainant then exited the building but remained on the property in front of the school.

During this interaction, the individual began moving away from the officers after being told to vacate the property. When the officer approached her, she ultimately ran, apparently to evade detention, prompting a brief foot pursuit when she lost her footing. Officers pursued the individual and ultimately detained the complainant. During the attempt to take the individual into custody, a physical struggle occurred. Officers used control techniques to restrain the individual after a short altercation and subsequently placed the individual under arrest. No physical strikes were performed.

Following the arrest, the individual complained of leg pain. Emergency medical services were requested in accordance with department protocol. The individual was transported to a local hospital for evaluation by medical personnel. After being assessed by medical staff, the individual declined further medical treatment and was later transported to the Jail for booking. Officers documented the incident and submitted reports detailing the events.

In a statement provided by the complainant following the incident, the individual described the confrontation as arising from a dispute with school administrators regarding disciplinary action involving a child. The complainant stated that after leaving the school building, they stepped onto a grassy area outside while speaking on the phone. The complainant alleged that an officer tackled them during the encounter, resulting in a serious hip injury. The complainant further stated that the injury significantly affected their physical mobility and daily activities and created ongoing physical and emotional challenges.

SBPD Policy

Policy 300 — Use of Force

“This policy provides guidelines on the necessary and reasonable use of force. Every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, necessary, reasonable, and ethical manner.” - **SEE PAGE 7 FOR THE FULL POLICY.**

CPRO Evidence Reviewed

Evidence Reviewed	Evidence Description	Source	Notes
Complaint Materials	Citizen Complaint Form	CPRO	Original complaint submitted for review
Police Reports	Initial Incident Report	SBPD	Primary responding officer report
Police Reports	Supplemental Officer Reports	SBPD	Additional narratives from assisting officers
Video Evidence	Body Worn Camera Footage Primary Officer	SBPD	Officer assigned to initial contact
Video Evidence	Body Worn Camera Footage Assisting Officers	SBPD	Additional responding officers
Video Evidence	Dash Camera Footage	SBPD	In-car camera recordings, if available
Administrative Records	Internal Affairs / OPS Case File	SBPD	Internal investigation file
Policy Materials	SBPD Duty Manual	SBPD	SBPD Duty Manual Provided

CASE: CPRB2025-009

DATE OF INCIDENT: [REDACTED]

LOCATION OF INCIDENT: [REDACTED]

SBPD CASE: [REDACTED]

SBPD Outcome: Exonerated. *The investigation found that the incident occurred, but the officer's actions were lawful and in compliance with policy. Or the investigation found the complaint to be false or unfounded.*

Summary of Complaint

The complainant alleges unlawful search and seizure during a traffic stop and excessive force during arrest.

Incident Summary

According to police reports and materials reviewed during this investigation, officers initiated a traffic stop after observing a vehicle failing to stop at a stop sign in a residential neighborhood. Officers activated their emergency lights and siren to conduct the stop. The vehicle continued for approximately one additional block before stopping.

Two officers approached the vehicle, one from the front and the other from the rear. Officers requested that the driver lower the vehicle's window. According to the officer's report, once the rear window was lowered, one of the responding officers reported detecting a strong odor of burnt marijuana coming from inside the vehicle.

Additional officers arrived on scene during the encounter. Officers then approached the driver's side of the vehicle and instructed the driver to exit the vehicle based on the reported odor of marijuana. According to police reports, the driver did not comply with the initial command to exit the vehicle. A second officer issued a similar directive, which was also not followed.

Officers subsequently opened the vehicle door and issued a third command for the driver to exit. The driver questioned the request and remained in the vehicle.

According to police reports, officers then attempted to remove the driver from the vehicle to place the individual in custody. During the encounter, officers deployed a conducted energy device (commonly referred to as a taser). Documentation reviewed during this investigation indicates that two initial deployments were unsuccessful. A third deployment resulted in the individual being subdued. Officers then placed the individual under arrest.

Following the arrest, officers searched the vehicle. Records reviewed as part of this investigation indicate that no marijuana, drug paraphernalia, or other contraband were located during the search.

The individual was arrested for Resisting Law Enforcement under Indiana Code 35-44.1-3-1, a Class A Misdemeanor. Court records reviewed during the investigation indicate that the charge was later dismissed.

In a statement provided to the review office, the complainant described a different account of portions of the encounter. The complainant stated that during the traffic stop, an officer indicated that marijuana was smelled coming from the vehicle. The complainant reported that he questioned the legality of the search and remained in the vehicle while requesting clarification from officers.

The complainant further stated that officers removed him from the vehicle by pulling him from the driver's seat and that he was subsequently tased during the encounter, causing him to fall to the ground. The complainant indicated that he believed he had complied with the officer's instructions, aside from his reluctance to exit the vehicle, and questioned the reason for the search.

The complainant also reported that during the arrest process, officers pulled on his clothing, which he stated caused damage to his clothing and left him feeling exposed and humiliated. The complainant stated that the incident caused him significant distress and raised concerns regarding the level of force used during the stop.

According to the complainant, he did not believe he posed a threat to officers or the public during the encounter and requested that a supervisor respond to the scene.

The complainant subsequently filed a formal complaint requesting that the South Bend Police Department and the Community Police Review Board examine the circumstances surrounding the traffic stop, the use of force during the arrest, and whether officers' actions were consistent with department policy.

According to South Bend Police Department protocol, use-of-force incidents require supervisory review. Department procedures indicate that a supervisor is responsible for reviewing body-worn camera footage and relevant documentation to evaluate the accuracy of the reporting officer's account. Use-of-force incidents are also subject to review by the department's Internal Affairs/Office of Professional Standards and the department's use-of-force review processes.

SBPD Policy

Policy 312 — Search and Seizure

"Both the federal and state constitutions provide every individual with the right to be free from unreasonable searches and seizures. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched." -

SEE THE FULL POLICY ON PAGE 10.

Policy 300 — Use of Force

"This policy provides guidelines on the necessary and reasonable use of force." - **SEE THE FULL POLICY ON PAGE 7.**

CPRO Evidence Reviewed

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Police Reports	Supplemental Officer Reports	SBPD	Additional narratives from assisting officers
Police Reports	Arrest Report	SBPD	Documentation of arrest procedures
Video Evidence	Body Worn Camera Footage Primary Officer	SBPD	Officer assigned to initial contact
Video Evidence	Body Worn Camera Footage Assisting Officers	SBPD	Additional responding officers
Video Evidence	Dash Camera Footage	SBPD	In-car camera recordings, if available
Photographic Evidence	Injury Photographs	SBPD	Photographs documenting injuries
Administrative Records	Internal Affairs / OPS Case File	SBPD	Internal investigation file
Policy Materials	SBPD Duty Manual	SBPD	SBPD Duty Manual Provided

SBPD POLICE DEPARTMENT POLICIES

The full text of the applicable policies from the SBPD Duty Manual is included so the board can review the officer's actions alongside the governing standards.

POLICY 300

Use of Force – LETB Uniform Statewide Policy

300.1 PURPOSE

In accordance with IC 5-2-1-1, the Indiana Law Enforcement Training Board (LETB) hereby establishes this consistent and uniform statewide deadly force policy in order to ensure the public safety and general welfare of the people of the state of Indiana and to promote equity for all segments of society. This policy may not be added to, modified, or altered in any way by any Indiana law enforcement agency, office, or department.

300.2 POLICY

It is the policy of the LETB to value and preserve the sanctity of human life. Law enforcement officers shall only use force, non-deadly or deadly, in compliance with the law, this policy, and the Board-established training program to further an enforcement action. Officers shall use only the force that is objectively reasonable, while protecting the safety of officers and others. Officers shall use only the level of force that a reasonably prudent officer would use under the same or similar circumstances.

300.3 DEFINITIONS

The following definitions correspond to terminology used within this policy and the statewide training program:

A. CHOKE HOLD (IC 35-41-3-3)

Applying pressure to the throat or neck of another person in a manner intended to obstruct the airway of the other person.

B. DEADLY FORCE (IC 35-31.5-2-85)

Force that creates a substantial risk of serious bodily injury.

C. DEADLY WEAPON (IC 35-31.5-2-86)

Means the following:

1. A loaded or unloaded firearm.
2. A destructive device, weapon, device, taser (as defined in IC 35-47-8-3) or electronic stun weapon (as defined in IC 35-47-8-1), equipment, chemical substance, or other material that in the manner it is used; could ordinarily be used; is intended to be used; is readily capable of causing serious bodily injury.
3. An animal (as defined in IC 35-46-3-3) which is readily capable of causing serious bodily injury, and which is used in the commission or attempted commission of a crime.

4. A biological disease, virus or organism which is capable of causing serious bodily injury.

The term does not include:

- a taser (as defined in IC 35-47-8-3);
- an electronic stun weapon (as defined in IC 35-47-8-1);
- a chemical designed to temporarily incapacitate a person;
- another device designed to temporarily incapacitate a person;

If the device described in the subdivisions above is used by a law enforcement officer who has been trained in the use of the device and who uses the device in accordance with the law enforcement officer's training and while lawfully engaged in the execution of official duties.

D. DE-ESCALATION

Actions are taken to stabilize the situation and reduce or eliminate the need to use force against subjects.

E. FORCIBLE FELONY (IC 35-31.5-2-138)

A felony that involves the use or threat of force against a human being or in which there is imminent danger of bodily injury to a human being.

F. RESISTANCE

1. PASSIVE RESISTANCE

A non-forcible act intended to impede, hinder, or delay complying with a lawful order or effecting an arrest (e.g., going limp, dead weight, ignoring commands, holding onto something while refusing orders).

2. ACTIVE RESISTANCE

Physical actions that prevent an officer from exercising lawful duties (walking away after being told to stop, fleeing, tensing, pulling away).

Passive resistance may turn into active resistance.

3. FORCIBLE RESISTANCE

The use or imminent use of force directed toward an officer that interferes with lawful duties (hitting, punching, or using weapons).

G. SERIOUS BODILY INJURY (IC 35-31.5-2-292)

Impairment of physical condition which creates a substantial risk of death or causes serious permanent disfigurement, unconsciousness, extreme pain, permanent or protracted loss or impairment of the function of a bodily member or organ, or loss of a fetus.

300.4 PROCEDURE

A. De-escalation

An officer shall attempt to engage in de-escalation prior to using force when safe and feasible.

B. Use of Vehicles as Weapons

Officers shall use police vehicles only as a weapon in situations where deadly force is permitted by law.

However, the use of a precision immobilization technique (PIT) maneuver when used in accordance with training guidelines is not considered deadly force.

C. Officers shall not

1. Discharge any warning shot.
2. Discharge a firearm at or from a vehicle except where deadly force is authorized by law.

(Policy continues further with deadly force standards and reporting language in the manual.)

POLICY 308

Officer Response to Calls

308.1 PURPOSE AND SCOPE

This policy provides officers with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether dispatched or self-initiated.

308.2 POLICY

It is the policy of this department to appropriately respond to emergency and non-emergency calls for service or requests for assistance.

308.3 RESPONSE TO CALLS

Officers responding to non-emergency calls shall proceed accordingly unless redirected to a higher priority call and shall obey all traffic laws.

308.3.1 EMERGENCY CALLS

Officers responding to an emergency call shall:

- proceed immediately
- continuously operate emergency lighting and siren as required by law (I.C. § 9-21-1-8)

Even when operating a vehicle in emergency mode, officers are legally responsible to drive with due regard for safety.

Members may disable the siren only when the call requires a silent response. If running silently, officers must exercise extra caution. Emergency lighting must remain on.

Emergency responses should only occur when circumstances reasonably indicate an emergency, including:

- pursuit or apprehension of a violator
- felony in progress
- crimes in progress
- emergency involving injury, death, or major property damage
- immediate assistance requested by another officer or agency

If an officer determines emergency response is appropriate, the officer shall notify dispatch immediately.

Officers not responding in emergency mode shall:

- obey traffic laws
- not use lights or siren.

POLICY 312

Search and Seizure

312.1 PURPOSE AND SCOPE

Both federal and state constitutions provide individuals the right to be free from unreasonable searches and seizures. This policy provides guidelines for SBPD personnel dealing with search and seizure issues.

312.2 POLICY

It is the policy of the South Bend Police Department to respect the fundamental privacy rights of individuals. Members will conduct searches in strict observance of constitutional rights. All seizures will comply with federal and state law.

312.3 SEARCHES

The U.S. Constitution generally requires a valid warrant for a search to be valid.

Exceptions include:

- valid consent
- search incident to lawful arrest
- community caretaking
- vehicle searches
- exigent circumstances

Other lawful activities may include:

- seizure of abandoned property
- observations in open public areas

Further exceptions include:

- Terry pat-down searches
- crime scene protective sweeps
- inventory searches
- plain view doctrine
- emergency aid

Officers are expected to follow current case law and training when determining search legality.

Whenever practicable, officers should consult a supervisor regarding search and seizure issues.

312.4 SEARCH PROTOCOL

When conditions permit:

- Searches should be conducted with dignity and courtesy.
- Officers should explain the reason for the search and how it will be conducted.

POLICY 323

Report Preparation

323.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members who complete investigations and reports.

323.2 POLICY

Members shall act with promptness and efficiency in the preparation and processing of reports.

323.3 RESPONSIBILITY FOR REPORTING

Members shall complete all reports required by their assignment or the incident.

Reports should:

- accurately document events
- contain complete and factual information
- be submitted in a timely manner

323.4 REQUIRED REPORT CONTENT

Reports should include:

- date and time of occurrence
- involved persons
- location
- description of events
- evidence collected
- actions taken by officers

323.5 SUPPLEMENTAL REPORTS

Supplemental reports may be required when additional officers are involved or additional information is obtained.

323.6 CORRECTIONS

If a report requires correction:

- The original report must not be altered improperly
- Corrections must follow departmental reporting procedures.

Appendix B: Considerations Regarding Legal Protections and Limitations on Information Disclosure

The legal protections outlined below define the information boundaries within which the Community Police Review Office (CPRO) may share information with the Community Police Review Board (CPRB) or the public. These guidelines are based on state statutes, collective bargaining agreements, legal precedents, and department policies, and we are committed to following them while promoting transparency and collaboration.

1. Collective Bargaining Agreement (Working Agreement)
 - Information in the Office of Professional Standards is confidential in the personnel file (CBA, p. 14).
 - The Board of Public Safety (BPS) may not read or view such a file until it is introduced into evidence (CBA, p. 15). While the CBA does not explicitly reference CPRB, the South Bend Police Department applies the same limitation to access to CPRB reviews.
 - Office of Professional Standards files shall not be made available for inspection except as provided in the agreement, by court order, or if the employee consents (CBA, p. 15).
2. Access to Public Records Act (APRA) – Indiana Code § 5-14-3-4(b)(8)
 - Personnel files are exempt from disclosure except for the following:
 - a) Name, compensation, job title, business address and phone number, job description, education and training, prior work history, and dates of employment.
 - b) Status of formal charges, if any, against the employee.
 - c) The factual basis for a disciplinary action in which final action has been taken and that resulted in suspension, demotion, or discharge.
3. South Bend Police Department Policy
 - In accordance with Indiana Code § 5-14-3-4(b)(8), SBPD only discloses records identified in the statute.
 - Witness statements are not disclosed to the officer under investigation or the CPRB members.
4. Indiana State Law – Indiana Code § 36-8.2-1-5(5)
 - There is no legal requirement to disclose the complainant's identity to the officer involved in the complaint.

5. Garrity Statement – Garrity v. New Jersey, 385 U.S. 493 (1967)
 - Officers may be compelled to answer questions from the Office of Professional Standards under threat of termination.
 - These statements, known as Garrity-protected statements, are not considered public records and are not accessible to the CPRB or the public.

The following provisions explain why the Review Office may refrain from sharing detailed investigative information, even if such data is in internal records. These limitations strike a balance between transparency and the essential legal obligations of privacy, fairness, and due process.