

I. EXECUTIVE SESSION

The Board of Public Safety met in the Executive Session on Wednesday, February 21, 2024 at 8:30 a.m. with Board President Daniel Jones, and Board Members, Darryl Heller, Lee Ross, Al Kirsits, Pamela Claeys and Attorney Danielle Weiss. The meeting was held in the 13th Floor Boardroom, County-City Building, 227 W. Jefferson Blvd., South Bend, Indiana and virtually via Microsoft Teams for the purposes specified in I.C. 5-14-1.5-6.1(b)(2)(B) for discussion of strategy with respect to litigation that is either pending or has been threatened specifically in writing.

BOARD OF PUBLIC SAFETY



Daniel Jones, President



Darryl Heller, Member

Ross Lee, Member



Al Kirsits, Member



Pamela Claeys, Member

ATTEST:



Theresa Heffner, Clerk

I. REGULAR MEETING

The Board of Public Safety met in the Regular Meeting at 9:18 a.m. on Wednesday, February 21, 2024, 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 Ruskowski, Fire Chief Carl Buchanan, Attorneys Danielle Campbell Weiss, Adam Taylor, Jenna Throw, and Board Clerk Theresa Heffner. The meeting was held on the 4th Floor Council Chambers Room, 227 W. Jefferson Blvd., South Bend, Indiana and virtually via Microsoft Teams at the following link: <https://tinyurl.com/2024BPSHybrid>

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 Lee Ross, seconded by Pam Claeys, and carried by roll call, the Board approved the Minutes of the January 17, 2024, regular meeting.

C. FIRE DEPARTMENT

1. APPROVE HIRING OF LATERAL FIREFIGHTERS

Charles Barnes
Tim Perry

Chief Carl Buchanan requested the Board approve the lateral hiring of the above firefighters. Chief Buchanan gave a brief biography, highlighting their talents, achievements, education, and interests, and noted they currently hold the minimum Indiana state certifications required for appointment to the Sbfd and will serve a one-year probationary period upon Board approval.

Upon a motion by Darryl Heller, seconded by Pam Claeys, and followed by a roll call, the Board approved the hiring of the above Lateral Firefighters.

2. SWEARING IN OF LATERAL FIREFIGHTERS

City Clerk Bianca Tirado administered the Oath which was then followed by the badge pinning.

3. APPROVE APPLICATION AND DECLARATION FOR RETIREMENT - BRIAN REPLOGLE

Chief Carl Buchanon submitted a letter of Application and Declaration for Retirement for Firefighter/EMT-A, Brian Replogle, Badge #511. Chief noted that Firefighter Replogle was appointed to the SBFD on June 18, 2003, spending most of his years as the pump engineer on Engine #4 A-Shift, and his effective date of retirement was February 7, 2024. Chief Buchanon asked the Board to join him in appreciation and gratitude to Firefighter Replogle for his dedication and commitment to the SBFD, and the citizens of the City of South Bend for over twenty years (20) years of service. Chief stated Firefighter Replogle was a member of the Association for the Disabled of Elkhart County (ADEC), speaking to groups about caring for children with specialized needs and disabilities while also participating in numerous rooftop sit-ins to help bring awareness and raise money in their honor.

Upon a motion by Pam Claeys, seconded by Darryl Heller, and followed by a roll call, the Application and Declaration for Retirement was approved.

4. RECEIVE LEXIPOL POLICY 1043 – OUTSIDE EMPLOYMENT

Attorney Adam Taylor submitted Lexipol Policy 1043: Outside Employment to be considered for approval at the next Board Meeting. Attorney Taylor did a brief summary. Attorney Taylor noted that the purpose of policy 1043: Outside Employment is to create more accountability within the Department for firefighters that are working outside. It's been normal practice given a firefighter's schedule, they have time to work, and it is often that they do work. There is a gap in the City policy that currently applies in the City Handbook, which specifies that for outside employment for a typical city employee, they need to get approval from Corporation Council and the Legal department, just to make sure that there are no conflicts with their city duties. As it currently stands, that policy says it does not apply to sworn people, which should include police officers or firefighters. The police do have a policy that has some similarities to this, but they have different needs than Fire has, and Police has different types of work opportunities that often do not apply to the fire department. This policy attempts to address differences and creates an obligation for them to provide notice, submit a form of documentation indicating the general nature of the work, expected work hours, and to make sure that the work does not conflict with their duties in the South Bend Fire Department.

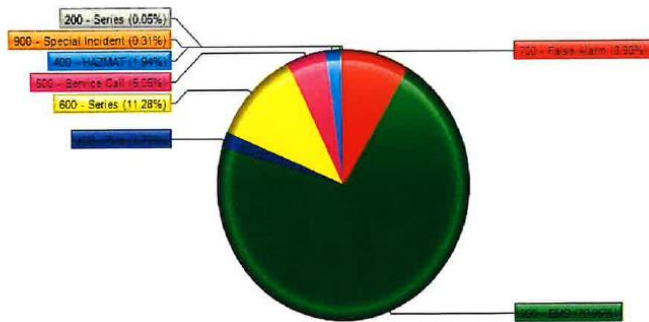
Ms. Claeys asked about policy 1043.7, in the work approval process there is a distinctive omission on what they need to submit to the Fire Chief. Attorney Taylor explained that it should be a designated approval form, which he was not sure if it had been approved yet and that is why it might be omitted from the actual policy at this time.

5. FILE MONTHLY STATISTICAL ANALYSIS REPORT JANUARY 2024

Chief Carl Buchanon submitted the monthly statistical analysis report for January 2024.

JANUARY 2023	JANUARY 2024
Property Loss	
\$874,920	\$447,400
INSPECTION DIVISION	
138 Inspections	192 Inspections
INVESTIGATION DIVISION	
14 Investigations	11 Cause of Ignition
0 Incendiary 9 Accidental 2 Undetermined 3 Investigation	4 Intentional 5 Unintentional 2 Under Investigation

2024 January	Fire Department
Incident Type	Monthly Breakdown
100 - Fire	35
200 - Series	1
300 - EMS	1390
400 - HAZMAT	38
500 - Service Call	99
600 - Series	221
700 - False Alarm	169
900 - Special Incident	6
Monthly Total	1959



Chief Buchanon noted of the documents that have been submitted to the Board, the SBFDF is still heavily involved in the inspection division. 192 inspections were completed by only (3) three inspectors for the city. He noted there are only so many days in a month that these individuals can be out there to complete their inspections. Considering the size of the city, the inspectors are doing a great job of getting out there and trying to make sure that whatever buildings or spaces that current and future local businesses will occupy, they are being held to a high safety standard not only for the business owners but also for the consumers.

Chief Buchanon continued to go over the incident types, and the monthly breakdown for January for all incident types were 1,959 responses, however, that does not identify the total number of calls that all apparatuses responded to for the month of January which total was 4,923. The SBFDF is averaging annually somewhere between 50,000 and 60,000 calls a year. Similar to our counterparts in and on the Police Department, we get calls that may not necessarily be fire department related, but if the public has a concern, the fire department responds and we're proud to be able to do that and give our best care for our citizens.

Chief Buchanon noted that even though more smoke alarms and carbon monoxide alarms were installed in January for residents, the tragic residential house fire in South Bend that occurred in January presented a lot of conversations in the community and boosted people's awareness as far as making sure their own homes and properties are safe for themselves and their families. He emphasized that we as a society need to be better at and more diligent about how we are taking care of ourselves and our families and not just relying on law enforcement or the fire department even though they are a resource to the community. He stated the departments need mutual collaboration from inside the home before we get there (alarms, detectors, extinguishers, escape plans). Chief Buchanon stated the department has involved themselves aggressively, not only with the school corporations but with some of our local clergy to make sure we get the message out that we are available and that we want make sure that every home has working smoke alarms and working carbon monoxide detectors. He added there has also been collaboration with the American Red Cross but also other local entities in providing the department with the means to be able to provide these services.

President Jones wanted to comment that as sorrowful as we are for the loss of life in January's residential housefire, our concerns are also for the firefighters that had to go through what they did.

Chief Buchanon thanked President Jones for the sentiments. He stated that his job as Chief is to make sure that his personnel get all of the care that they need to not only to be able to do their job, but to also live a prosperous life after the job. We talk a lot about our mental health and mental care, not only in our city, but in this country. It would be a disservice to ignore our personnels' mental health capacity when having to deal with something tragic like this, and we need to make sure that there are avenues for them to cope and heal from workplace trauma.

D. POLICE DEPARTMENT

1. APPROVE PROMOTIONS TO PATROLMAN 1ST CLASS

Matthew Stewart
Terry Mireles
Karl Thomas

Chief Scott Ruszkowski submitted letters of recommendations for the above officers to be promoted to Patrolman 1st Class and stated the officers have successfully met the requirements outlined in the working agreement to become a PFC within the SBPD and continue with their year of probationary status. Chief Ruszkowski stated Officer Stewart's promotion was effective February 7, 2024, Officer Mireles's promotion was effective February 13, 2024, and Officer Thomas's promotion was effective February 16, 2024 all with retro pay.

Upon a motion by Lee Ross, seconded by Al Kirsits, and followed by a roll call, the Promotions to Patrolman 1st Class were approved.

2. APPROVE APPLICATION AND DECLARATION FOR RETIRMENT - CHRISTOPHER VOROS

Chief Ruszkowski submitted a letter of Application and Declaration for Retirement for Officer Christopher Voros. Chief stated Officer Voros is retiring in good standing from the SBPD, effective February 18, 2024. He will have been with the Department for twenty-three (23) years, three (3) months, and one (1) day. Chief Ruszkowski asked the Board to join him, wishing him success in his endeavor, along with thanking him for his many years of service with the SBPD.

Upon a motion by Darryl Heller, seconded by Lee Ross, and followed by a roll call the Board approved the Application and Declaration for Retirement for Officer Voros.

3. RECEIVE LEXIPOL POLICY 203 - TRAINING

Attorney Kylie Connell submitted Lexipol Policy 2023, Training, in Attorney Connell's absence Attorney Jenna Throw stated this is to make the Board aware that SBPD has added the updated Training Policy to include a new Statewide required Defensive Tactics Training Program Policy, and stated the updates in this policy would not require BPS approval.

Dr. Heller noted that there have been several conversations over time about additional training, more people skills like de-escalation training, and implicit bias training. He asked where this was in the manual.

Chief Ruszkowski advised that it is a double section, so we actually have the de-escalation section and the use of force policy as well.

Attorney Campbell Weiss advised that Chief Lancaster put in the video chat the policy numbers. Policy 300 is the use of force, 300.3 is the de-escalation policy and 410.6 is the de-escalation policy with crisis intervention.

Chief Ruszkowski noted that he was glad Dr. Heller asked that question. He added that their command staff, the defensive tactic instructors, and himself are not happy with this change. He explained that the community, more than anyone, has had input in the use of force policy. The Council and the Board of Public Safety have also had input on that policy and now the state has decided that they are going to change it and make it their way. He

explained that he understands that the state wants every department to have the same rules, but South Bend is not the same as everywhere else. The state is now adding things like chokeholds and the SBPD has never taught that. We are still not going to teach this, but by law we must show what the tactics are.

Chief Ruszkowski briefly noted a change in how things are approved regarding Fire and Police. A new merit system would essentially be a union rather than the Board of Public Safety having authority. It is being reviewed and will be voted on by the Fire Department Union and the Fraternal Order of Police among others and will begin in 2025.

4. FILE MONTHLY STATISTICAL ANALYSIS REPORT FOR JANUARY 2024

Chief Scott Ruszkowski submitted the monthly statistical analysis report for January 2024, and stated there was a thirty-six percent (36%) decrease in Part One Offenses.

The JANUARY 2024 analysis is as follows:

PART 1 OFFENSES	YEAR TO DATE					
	2023	2024	CHANGE	2023	2024	CHANGE
HOMICIDE	2	1	-1	2	1	-1
JUSTIFIABLE HOMICIDE*	1	1	0	1	1	0
RAPE	4	5	1	4	5	1
ROBBERY	37	26	-11	37	26	-11
AGGRAVATED ASSLT	85	62	-23	85	62	-23
BURGLARY RES	48	38	-10	48	38	-10
BURGLARY NON RES	7	9	2	7	9	2
LARCENY	206	118	-88	206	118	-88
MOTOR VEH THEFT	64	27	-37	64	27	-37
ARSONS	0	2	2	0	2	2
GRAND TOTAL	453	288	-165	453	288	-165

Respectfully submitted,


 Scott Ruszkowski
 Chief of Police

Month: **JANUARY 2024**

<u>PART 1 OFFENSES</u>	<u>2023</u>	<u>2024</u>	<u>CHANGE</u>
HOMICIDE	2	1	-50%
JUSTIFIABLE HOMICIDE*	1	1	0%
RAPE	4	5	25%
ROBBERY	37	26	-30%
AGGRAVATED ASSLT	85	62	-27%
BURGLARY RES.	48	38	-21%
BURGLARY NON RES.	7	9	29%
LARCENY	206	118	-43%
MOTOR VEH THEFT	64	27	-58%
ARSONS	0	2	200%
GRAND TOTAL	453	288	-36%

-36% CHANGE IN PART 1 CRIMES THROUGH JANUARY 2024

Dr. Heller asked what was contributing to the declines in crime across most of the categories of Part One Offenses.

Chief Ruszkowski noted three (3) contributing factors: the community stepping up and reporting things, the significant increase in our real time crime center, and more cops on the force. As an example, he noted the increase in officers has led to traffic stops increasing 138%.

E. 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.

Board Member Pamela Claeys thanked the Fire Department and the Police Department for attending the safety summit and IUSB thanked everyone for making it inclusive.

Ms. Claeys read a few paragraphs from St. Margaret’s Newsletter to the Board. It was about a tenant that had an issue with her toilet, but did not have the money to call a plumber to get it fixed, so she went to one of the guest services associates at St. Margaret’s House and asked if there were any resources available to her. The associate remembered getting a card from a firefighter that had helped out once before, and they were able to assist her with her toilet. Ms. Claeys wanted to thank the firefighter for going above and beyond to help someone in need.

F. ADJOURNMENT

There being no further business to come before the Board, upon a motion by Darryl Heller, seconded by Lee Ross, and carried by roll call, the meeting was adjourned at 9:56 a.m.

BOARD OF PUBLIC SAFETY



Daniel Jones, President



Darryl Heller, Member

Ross Lee, Member



Al Kirsits, Member



Pamela Claeys, Member

ATTEST:



Theresa Heffner, Clerk