

I. EXECUTIVE SESSION

The Board of Public Safety met in the Executive Session on Wednesday, March 13, 2024 at 9:03 a.m. with Board President Daniel Jones, and Board Members, Darryl Heller (virtual), Lee Ross, Al Kirsits, Pamela Claeys and Attorney Danielle Weiss. Also, present were Police Chief Scott Ruskowski, and Attorney Kylie Connell. The meeting was held in the Chief’s Conference 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 concluded at 9:18 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

I. SPECIAL MEETING

The Board of Public Safety met in the Special Meeting at 9:30 a.m. on Wednesday, March 13, 2024, with Board President Daniel Jones, and Board Members Darryl Heller (virtual), Lee Ross, Al Kirsits, and Pamela Claeys were present. Also, present were Police Chief Scott Ruskowski, and Attorneys Danielle Campbell Weiss, Kylie Connell, and Board Clerk Theresa Heffner. The meeting was held in the Auditorium of the South Bend Police Department, 701 West Sample St., South Bend, Indiana and virtually via Microsoft Teams at the following link: <https://tinyurl.com/BPS-Special-Mtg03132024>

Attorney Weiss asked that everyone mute their microphone and 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. POLICE DEPARTMENT

1. DETERMINE ADMINISTRATIVE LEAVE PAY STATUS PURSUANT TO I.C. § 36-8-3-4(n)—RICO BUTER

Chief Scott Ruskowski submitted a letter to the Board stating Officer Rico Butler was officially relieved of duty (ROD) and placed on paid administrative leave (with pay) due to an ongoing investigation involving criminal allegations and subsequent charges against him. Chief Ruskowski Stated the St. Joseph County Prosecutor’s Office filed in cause #71D01-2403-FD-5000087, two (2) counts of child seduction against Butler, each count is a separate Level 5 Felony.

I.C. § 36-8-3-4 (n) states:

“ If the member is subject to criminal charges, the Board may place the member on administrative leave until the disposition of the criminal charges in the trial court. Any

other action by the Board is stayed until the disposition of the criminal charges in the trial court. An administrative leave under this subsection may be with or without pay, as determined by the Board. If the member is placed on leave without pay, the Board, in its discretion, may award back pay if the member is exonerated in the criminal matter.”

Upon a motion by Al Kirsits, seconded by Pam Claeys, and followed by a roll call, the Board approved placing Officer Butler on unpaid administrative leave effective March 13, 2024.

Darry Heller stated that he agreed with the motion partly because our police officers must be held to a higher standard and even beyond the perception of impropriety. In this case, he stated he thinks that the charges themselves and the gravity and the imbalance of power requires that we hold this officer accountable. He is innocent until proven guilty, however, for the public's sake and the perception of impropriety, it requires us to support the motion that Al Kirsits put forward.

C. ADJOURNMENT

There being no further business to come before the Board, upon a motion by Lee Ross, seconded by Al Kirsits and carried by roll call, the meeting was adjourned at 9:35 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