

AGENDA
BOARD OF PUBLIC SAFETY
Tuesday January 25, 2022
9:00 A.M.
Council Chambers

Municipal Building, 229 S. Second Street, Elkhart, IN 46516
<https://coei.webex.com/coei/j.php?MTID=maa2798e1a6ce3e7ab7de7e569e631ff8>
1-415-655-0001 Meeting number 2300 483 9585
Password Safety22

- 1. ROLL CALL**
- 2. APPROVE AGENDA**
- 3. ELECTION OF 2022 OFFICERS**
- 4. APPROVE MINUTES: Regular Meeting December 14, 2021**
- 5. POLICE DEPARTMENT**
 - **Policy 332 Death Investigation**
 - **Policy 500 Traffic**
 - **Policy 505 Operating While Intoxicated**
 - **Policy 1000 Recruitment and Selection**
 - **Policy 1023 Personal Appearance Standards**
- 6. FIRE DEPARTMENT**
- 7. COMMUNICATIONS CENTER**
 - **November and December 2021 Month End Reports**
- 8. BUILDING AND CODE ENFORCEMENT**
 - **December 2021 Month End Report**
- 9. OTHER PUBLIC SAFETY MATTERS**
 - **Police and Fire Merit Commission Minutes**
- 10. PUBLIC PARTICIPATION**
- 11. ADJOURNMENT**

BOARD OF PUBLIC SAFETY
Tuesday, December 14, 2021

Chairman Robert Woods called a regular meeting of the Board of Public Safety to order at 9:00 a.m., Tuesday, December 14, 2021. Robert Woods, Corinne Straight, and Charlie Cross were present. Carol Loshbough was present on WebEx. Anthony Coleman was absent. Elkhart Council liaison Arvis Dawson was absent.

1. APPROVE AGENDA

On motion by Charlie Cross, seconded by Corinne Straight and carried 4-0 the agenda was adopted as presented.

2. MINUTES of Regular Meeting November 23, Special Meeting November 29, 2021, and Executive Session November 23, 2021

On motion by Corinne Straights, seconded by Charlie Cross and carried 4-0, the minutes from November 23, 2021 were approved as presented. On motion by Corinne Straight, seconded by Charlie Cross and carried 4-0, the minutes from the Special Meeting November 29, 2021 were approved as presented. On motion by Charlie Cross, seconded by Corinne Straight and carried 4-0, the Board approved the Memorandum of Understanding from the Executive Session on November 23, 2021.

3. POLICE

Chief Kris Seymore presented an Agreement with Critical App for approval. Critical App is the software service application the Police Department began using last year. It has proven successful enabling the Department to share critical news and messages instantaneously, with the option of feedback transparently and anonymously within the Department. On motion by Charlie Cross, seconded by Corinne Straight and carried 4-0, the Board approved an Agreement for software service with Critical App, LLC for \$10,000.00 annually.

Chief Seymore presented an Addendum to the Contract with Flock Safety to add ten additional cameras. In addition, Flock Safety is offering, for one year at no charge, one square mile of Raven Technology. On motion by Charlie Cross, seconded by Corinne Straight and carried 4-0, the Board approved the Addendum to the Flock Safety Contract.

4. FIRE

Chief Shaun Edgerton presented the November Month End Report. On motion by Corinne Straight, seconded by Charlie Cross and carried 4-0, the Board accepted the November Month End Report for the Fire Department.

Chief Edgerton asked for an extension of Medical Leave for Firefighter Kevin Mann until a final determination of benefits is issued by PERF. A motion was made by Charlie Cross, and seconded by Corinne Straight to approve an extension of Medical Leave for Firefighter Kevin Mann. On motion by Carol Loshbough, seconded by Charlie Cross and carried 4-0, the motion was amended to extend the leave of Firefighter Kevin Mann until December 31, 2021 and reassess at the first meeting in January.

5. BUILDING & CODE ENFORCEMENT

Henry Terrazas presented the November Month End report. On motion by Charlie Cross, seconded by Corinne Straight and carried 4-0, the Board accepted the Building and Code November Month End Report and placed it on file.

BOARD OF PUBLIC SAFETY
Tuesday, December 14, 2021

6. ADJOURNMENT

On motion by Charlie Cross, seconded by Corinne Straight and carried 4-0, the Board of Public Safety meeting was adjourned at 9:35 a.m.

_____ Robert Woods, Chairman

Attest: _____ Nancy Wilson, Clerk of the Board

Death Investigation

332.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers initially respond to and investigate the circumstances of a deceased person.

Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The thoroughness of death investigations and use of appropriate resources and evidence-gathering techniques is critical.

332.2 POLICY

It is the policy of the Elkhart Police Department to respond, document and investigate incidents where a person is deceased. Investigations involving the death of a person, including those from natural causes, accidents, workplace incidents, suicide and homicide, shall be initiated, investigated and properly documented.

332.3 INVESTIGATION CONSIDERATIONS

Emergency medical services shall be called in all suspected death cases unless death is obvious (e.g., decapitated, decomposed).

A supervisor shall be notified as soon as possible to assist and provide appropriate personnel and resources. The on-scene supervisor should determine whether follow-up investigation is required and request Dispatch to notify the on-call Elkhart County Homicide Investigator as necessary. The Watch Commander will make notification to command staff in accordance with the Major Incident Notification Policy.

332.3.1 REPORTING

All incidents involving a death shall be documented in RMS and using the appropriate form.

332.3.2 CORONER REQUEST

Officers are not authorized to pronounce death unless they are also Coroners, Deputy Coroners or appointed Coroner investigators. The Coroner shall be called in all sudden or unexpected deaths or deaths due to other than natural causes. State law requires that the Coroner be notified when any person dies (I.C. § 35-45-19-3):

- (a) As a result of violence, suicide or accident.
- (b) Suddenly when in apparently good health.
- (c) While unattended.
- (d) From poisoning or an overdose of drugs.
- (e) As a result of a disease that may constitute a threat to public health.
- (f) As a result of a disease, an injury, a toxic effect or unusual exertion incurred within the scope of the deceased person's employment.

Elkhart Police Department

Policy Manual

Death Investigation

- (g) Due to sudden infant death syndrome.
- (h) As a result of a diagnostic or therapeutic procedure.
- (i) Under any other suspicious or unusual circumstances.

332.3.3 SEARCHING DEAD BODIES

- (a) The Coroner, his/her assistant and authorized investigators are generally the only persons permitted to move, handle or search a dead body.
- (b) An officer may make a reasonable search of an individual who it is reasonable to believe is dead, or near death, for the purpose of identification or for information identifying the individual as an anatomical donor. If a donor document is located, the Coroner or his/her assistant shall be promptly notified.
- (c) The Coroner, with the permission of the Department, may take property, objects or articles found on the deceased or in the immediate vicinity of the deceased that may be necessary for conducting an investigation to determine the identity of the deceased or the cause or manner of death.
- (d) Should exigent circumstances indicate to an officer that any other search of a known dead body is warranted prior to the arrival of the Coroner or his/her assistant, the investigating officer should first obtain verbal consent from the Coroner or his/her assistant when practicable.
- (e) Whenever reasonably possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain nearby the scene and available to the officer pending the arrival of the Coroner or his/her assistant. The name and address of this person shall be included in the narrative of the death report.
- (f) Whenever personal effects are removed from the body of the deceased by the Coroner or his/her assistant, a receipt shall be obtained. This receipt shall be attached to the death report.

332.3.4 SUSPECTED HOMICIDE

The purpose of the Elkhart County Homicide Unit is to thoroughly investigate all apparent or suspicious unnatural deaths; such as homicide, suicide, death of a child less than eighteen (18) years of age and vehicular deaths where it appears the vehicle was used as a weapon. The Homicide Unit will also investigate all use of deadly force incidents by law enforcement officers resulting in serious bodily injury or death arising within Elkhart County, State of Indiana. If the Elkhart County Homicide Unit assistance is required, the on-scene supervisor shall request Dispatch to contact the on-call Homicide Investigator. The Elkhart County Homicide Unit will assume command of the scene upon arrival and proceed with their investigative protocol.

Elkhart Police Department

Policy Manual

Death Investigation

332.3.5 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this department who responds to and determines that a death, serious illness, or serious injury has occurred as a result of an accident at or in connection with the victim's employment should ensure that the regional Occupational Safety and Health Administration (OSHA) office is notified of all pertinent information.

332.4 UNIDENTIFIED DEAD BODY

If the identity of a dead body cannot be established, the handling officer will request from the Coroner a unique identifying number for the body. The number shall be included in any report.

332.5 DEATH NOTIFICATION

When reasonably practicable, and if not handled by the Coroner's Office or the Elkhart County Homicide Unit, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification.

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports.

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Elkhart Police Department

Policy Manual

Death Investigation

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Elkhart Police Department

Policy Manual

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Traffic

500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

500.2 POLICY

It is the policy of the Elkhart Police Department to educate the public on traffic-related issues and to enforce traffic laws. The efforts of the Department will be driven by such factors as the location and/or number of traffic accidents based on citizen complaints, traffic volume, traffic conditions and other traffic-related needs. The ultimate goal of traffic law enforcement and education is to increase public safety.

500.3 DEPLOYMENT

Enforcement efforts may include such techniques as geographic/temporal assignment of department members and equipment, the establishment of preventive patrols to deal with specific categories of unlawful driving and a variety of educational activities. These activities should incorporate methods that are suitable to the situation; timed to events, seasons, past traffic problems or locations; and, whenever practicable, preceded by enforcement activities.

Several factors will be considered in the development of deployment schedules for department members. State and local data on traffic accidents are a valuable resource. Factors for analysis include, but are not limited to, the following:

- Location
- Time
- Day
- Violation factors
- Requests from the public
- Construction zones
- School zones
- Special events

Department members assigned to uniformed patrol or traffic enforcement functions will emphasize the enforcement of violations that contribute to traffic accidents, and also will consider the hours and locations where traffic accidents tend to occur. Members will take directed enforcement action on request, and random enforcement action when appropriate. Members shall maintain high visibility while working general enforcement, especially in areas where traffic accidents frequently occur.

Elkhart Police Department

Policy Manual

Traffic

500.4 ENFORCEMENT

Traffic enforcement will be consistent with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas. The number of arrests or summons issued by any member shall not be used as the sole criterion for evaluating member overall performance.

Several methods are effective in the reduction of traffic accidents including but not limited to:

500.4.1 WARNINGS

Warnings are a non-punitive option that may be considered by the member when circumstances warrant, such as when a minor violation was inadvertent.

500.4.2 TRAFFIC INFORMATION AND SUMMONS

Traffic information and summons should be issued when a member believes it is appropriate. When issuing a summons for a traffic violation, it is essential that the rights and requirements imposed on motorists be fully explained. At a minimum, motorists should be provided with (I.C. § 9-30-3-6):

- (a) An explanation of the violation or charge.
- (b) The court appearance procedure, including the optional or mandatory appearance by the motorist.
- (c) A notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

500.4.3 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses. These cases usually deal with, but are not limited to:

- (a) Accidents resulting in death (I.C. § 9-26-1-1.1).
- (b) Felony or misdemeanor hit-and-run (I.C. § 9-26-1-1.1).
- (c) Felony and misdemeanor driving under the influence of alcohol or drugs (I.C. § 9-30-5-1 et seq.).
- (d) Refusal to sign a notice to appear (I.C. § 9-30-2-4).

500.5 SUSPENDED OR REVOKED LICENSES

If an officer contacts a traffic violator who is also driving on a suspended or revoked license, the officer should issue a traffic information and summons or make an arrest as appropriate (I.C. § 9-24-19-1; I.C. § 9-24-19-2; I.C. § 9-24-19-3).

500.6 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members, who may be exposed to hazards presented

Elkhart Police Department

Policy Manual

Traffic

by passing traffic or will be maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; I.C. § 22-8-1.1-2).

500.6.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn when increased visibility would improve the safety of the department member or when the member will be exposed to the hazards of passing traffic, maneuvering or operating vehicles, machinery and equipment (I.C. § 22-8-1.1-2).

Examples of when high-visibility vests should be worn include traffic control duties, traffic accident investigations, lane closures and disaster scenes.

When emergency conditions preclude the immediate donning of the vest, members should retrieve and wear the vest as soon as conditions reasonably permit.

Use of the vests shall also be mandatory when directed by a supervisor.

500.6.2 CARE AND STORAGE

High-visibility vests shall be maintained in the trunk of each patrol and investigation vehicle, in the side box of each police motorcycle and in the gear bag of each patrol bicycle. Each vest should be stored inside a resealable plastic bag to protect and maintain the vest in a serviceable condition. Before going into service, each member shall ensure that a serviceable high-visibility vest is properly stored.

A supply of high-visibility vests will be maintained and made available for replacement of damaged or unserviceable vests. The Quartermaster should be promptly notified whenever the supply of vests needs replenishing.

Traffic

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Elkhart Police Department

Policy Manual

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Elkhart Police Department

Policy Manual

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Operating While Intoxicated

505.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of drivers operating vehicles while intoxicated (OWI).

505.2 POLICY

The Elkhart Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Indiana's OWI laws.

505.3 INVESTIGATIONS

officers

The Patrol Captain will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any OWI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

- (a) The field sobriety tests (FSTs) administered and the results.
- (b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- (c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- (d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- (e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in Indiana or another jurisdiction.

505.4 FIELD TESTS

The Patrol Captain should identify standardized FSTs for officers to use when investigating violations of Indiana OWI laws.

505.5 CHEMICAL TESTS

A person implies consent to a chemical test or tests, and to providing the associated chemical sample, under any of the following (I.C. § 9-30-6-1 et seq.; I.C. § 9-30-7-2):

- (a) The officer has probable cause to believe that the person has committed an offense under any of the following:
 1. OWI (I.C. § 9-30-5-1 et seq.)

Elkhart Police Department

Policy Manual

Operating While Intoxicated

2. Implied Consent (I.C. § 9-30-6-1 et seq.)
3. Circuit Court Alcohol Abuse Deterrent Programs (I.C. § 9-30-9-1 et seq.)
4. Open Alcoholic Beverage Containers/Consumption of Alcohol in Motor Vehicles (I.C. § 9-30-15-1 et seq.)

An officer may administer more than one chemical test during the course of an OWI investigation (I.C. § 9-30-6-2; I.C. § 9-30-7-3).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

505.5.1 STATUTORY NOTIFICATIONS

Officers should advise a person that in order to comply with the implied consent laws of Indiana, the person must submit to each chemical test offered (I.C. § 9-30-6-2).

505.5.2 BREATH SAMPLES

The Watch Commander shall ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Watch Commander.

505.5.3 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples. The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task (I.C. § 9-30-6-6).

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test shall not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

505.5.4 PORTABLE BREATH TEST

A portable breath test (PBT) shall not be offered when an officer has reasonable suspicion to believe that a person is OWI or has been involved in an accident resulting in actual or imminent death, or serious bodily injury (I.C. § 9-30-6-6).

Elkhart Police Department
Policy Manual

Operating While Intoxicated

505.6 REFUSALS

When an arrestee refuses to provide a chemical sample, officers (I.C. § 9-30-6-7; I.C. § 9-30-6-8):

- (a) Should advise the arrestee of the requirement to provide a sample.
- (b) Should audio- and/or video-record the admonishment and the response when it is practicable.
- (c) Shall document the refusal in the appropriate report.
- (d) Shall prepare a probable cause affidavit to be forwarded to the prosecuting attorney of the county where the alleged offense occurred.

505.6.1 STATUTORY NOTIFICATIONS UPON REFUSAL

Upon refusal to submit to a chemical test, officers shall inform the person that refusal will result in the suspension of his/her driving privileges and take possession of the person's driver's license or permit. The officer shall issue the person a receipt (I.C. § 9-30-6-7).

505.6.2 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

- (a) A search warrant has been obtained.
- (b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts, such as a lengthy time delay resulting from an accident investigation or medical treatment of the person.
 - 1. An exigent circumstance occurs when the officer has probable cause to believe that the person has violated OWI laws and has been involved in an accident that caused serious bodily injury or death of another and the offense occurred no more than three hours prior to the sample being requested (I.C. § 9-30-6-6).

505.6.3 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes, a viable form of testing in a timely manner.
- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer), and attempt to persuade the individual to submit to providing such a sample without physical resistance.

Elkhart Police Department

Policy Manual

Operating While Intoxicated

1. This dialogue should be recorded on audio and/or video when appropriate and practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner (I.C. § 9-30-6-6).
- (e) Ensure that the forced blood draw is recorded on audio and/or video when appropriate and practicable.
- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances (I.C. § 9-30-6-6)
- (g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform the duties of a supervisor, as set forth above.

505.7 ARREST AND INVESTIGATION

If an officer has probable cause to believe that a person committed an OWI offense, the person may be arrested. However, if the chemical test results in prima facie evidence that the person is intoxicated, the person shall be arrested for an OWI offense (I.C. § 9-30-6-3).

505.7.1 TIME TO ADMINISTER TEST

All chemical tests shall be administered to a person within three hours after an officer has made the determination that the person is OWI or that the person has been involved in an accident resulting in serious bodily injury, or actual or imminent death (I.C. § 9-30-6-2; I.C. § 9-30-6-6; I.C. § 9-30-6-7).

505.7.2 MEDICAL TEST RESULTS

For the criminal investigation, officers should obtain chemical test results conducted by medical personnel acting under the direction or protocol of a physician. The test results shall be provided to an officer even if the person has not consented or authorized his/her release (I.C. § 9-30-6-6).

505.8 RECORDS RESPONSIBILITIES

The Records Personal will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

505.9 ADMINISTRATIVE HEARINGS

The Records Personal will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to the Indiana Bureau of Motor Vehicles (BMV).

Any officer who receives notice of required attendance at an administrative license suspension hearing should promptly notify the prosecuting attorney.

Elkhart Police Department

Policy Manual

Operating While Intoxicated

An officer called to testify at an administrative hearing should document the hearing date and the BMV file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified.

Operating While Intoxicated

505.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of drivers operating vehicles while intoxicated (OWI).

505.2 POLICY

The Elkhart Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Indiana's OWI laws.

505.3 INVESTIGATIONS

officers

The Patrol Captain will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any OWI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

- (a) The field sobriety tests (FSTs) administered and the results.
- (b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- (c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- (d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- (e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in Indiana or another jurisdiction.

505.4 FIELD TESTS

The Patrol Captain should identify standardized FSTs for officers to use when investigating violations of Indiana OWI laws.

505.5 CHEMICAL TESTS

A person implies consent to a chemical test or tests, and to providing the associated chemical sample, under any of the following (I.C. § 9-30-6-1 et seq.; I.C. § 9-30-7-2):

- (a) The officer has probable cause to believe that the person has committed an offense under any of the following:
 1. OWI (I.C. § 9-30-5-1 et seq.)

Elkhart Police Department

Policy Manual

Operating While Intoxicated

2. Implied Consent (I.C. § 9-30-6-1 et seq.)
3. Circuit Court Alcohol Abuse Deterrent Programs (I.C. § 9-30-9-1 et seq.)
4. Open Alcoholic Beverage Containers/Consumption of Alcohol In Motor Vehicles (I.C. § 9-30-15-1 et seq.)

An officer may administer more than one chemical test during the course of an OWI investigation (I.C. § 9-30-6-2; I.C. § 9-30-7-3).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

505.5.1 STATUTORY NOTIFICATIONS

~~Officers should~~ Officers should advise a person that in order to comply with the implied consent laws of Indiana, ~~they must~~ the person must submit to each chemical test offered (I.C. § 9-30-6-2).

505.5.2 BREATH SAMPLES

The Watch Commander shall ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Watch Commander.

505.5.3 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples. The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task (I.C. § 9-30-6-6).

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test shall not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

505.5.4 PORTABLE BREATH TEST

A portable breath test (PBT) shall not be offered when an officer has reasonable suspicion to believe that a person is OWI or has been involved in an accident resulting in actual or imminent death, or serious bodily injury (I.C. § 9-30-6-6).

Elkhart Police Department

Policy Manual

Operating While Intoxicated

505.6 REFUSALS

When an arrestee refuses to provide a chemical sample, officers (I.C. § 9-30-6-7; I.C. § 9-30-6-8):

- (a) Should advise the arrestee of the requirement to provide a sample.
- (b) Should audio- and/or video-record the admonishment and the response when it is practicable.
- (c) Shall document the refusal in the appropriate report.
- (d) Shall prepare a probable cause affidavit to be forwarded to the prosecuting attorney of the county where the alleged offense occurred.

505.6.1 STATUTORY NOTIFICATIONS UPON REFUSAL

Upon refusal to submit to a chemical test, officers shall inform the person that refusal will result in the suspension of his/her driving privileges and take possession of the person's driver's license or permit. The officer shall issue the person a receipt (I.C. § 9-30-6-7).

505.6.2 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

- (a) A search warrant has been obtained.
- (b) ~~The officer can~~ The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts, such as a lengthy time delay resulting from an accident investigation or medical treatment of the person. ~~The officer has~~
 1. An exigent circumstance occurs when the officer has probable cause to believe that the person has violated OWI laws and has been involved in an accident that caused serious bodily injury or death of another and the offense occurred no more than three hours prior to the sample being requested (I.C. § 9-30-6-6).
 - 2.

505.6.3 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes, a viable form of testing in a timely manner.

Elkhart Police Department
Policy Manual

Operating While Intoxicated

- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer), and attempt to persuade the individual to submit to providing such a sample without physical resistance.
 - 1. This dialogue should be recorded on audio and/or video when appropriate and practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner (I.C. § 9-30-6-6).
- (e) Ensure that the forced blood draw is recorded on audio and/or video when appropriate and practicable.
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All chemical tests shall be administered to a person within three hours after an officer has made the determination that the person is OWI or that the person has been involved in an accident resulting in serious bodily injury, or actual or imminent death (I.C. § 9-30-6-2; I.C. § 9-30-6-6; I.C. § 9-30-6-7).

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Elkhart Police Department
Policy Manual

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Recruitment and Selection

1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Elkhart Police Department and that are promulgated and maintained by the Human Resources Department.

1000.2 POLICY

In accordance with applicable federal, state, and local law, the Elkhart Police Department provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

1000.3 RECRUITMENT

The Service Captain should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.
- (e) Employee referral and recruitment incentive programs.
- (f) Consideration of shared or collaborative regional testing processes.

The Service Captain shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

Elkhart Police Department

Policy Manual

Recruitment and Selection

1000.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Polygraph, truth telling device, or voice stress analyzer (VSA) examination (when legally permissible)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment

1000.4.1 EXAMINER QUALIFICATIONS

Polygraph, truth telling device, or VSA examiners should have a certification on file with the Service Captain.

1000.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Elkhart Police Department.

1000.5.1 INVESTIGATOR TRAINING

Members who conduct background investigations should receive department-approved training in collecting the required information.

1000.5.2 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

Elkhart Police Department

Policy Manual

Recruitment and Selection

1000.5.3 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private or protected information, the Service Captain should not require candidates to provide passwords, account information or access to password-protected social media accounts.

The Service Captain should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate and validated.
- (c) The Department fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Service Captain should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.4 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

1000.5.5 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.6 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors

Elkhart Police Department

Policy Manual

Recruitment and Selection

- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law. Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Human Resources Department should maintain validated standards for all positions.

1000.7.1 STANDARDS FOR OFFICERS

Candidates shall meet minimum standards established by Indiana law, including the following (I.C. § 36-8-3.5-12; 250 IAC 2-3-1 et seq.):

- (a) Be a citizen of the United States.
- (b) Be at least 21 years of age, but less than the maximum age as established by law when applicable.
 1. Veterans are exempt from the maximum age restriction (I.C. § 36-8-4.7-5).
- (c) Have obtained a high school degree or a recognized equivalent.
- (d) Be free from any felony convictions or any other crime or series of crimes that would indicate to a reasonable person that the applicant is potentially dangerous, violent, or has the propensity to break the law.
- (e) Demonstrate successful completion of minimum agility and aptitude tests.
- (f) Be free from any physical, emotional, or mental condition that might adversely affect the exercise of police powers.
 1. Before a candidate may be selected as an officer, he/she shall be examined by a licensed medical doctor according to the requirements in I.C. § 36-8-8-19, which must include the following:
 - (a) A general medical history.
 - (b) A determination of the candidate's ability to perform the essential functions of the position of officer.
 2. Before a candidate may be selected as an officer, he/she must obtain a positive recommendation of emotional and mental fitness.
- (g) Be of good moral character as determined by a thorough background investigation and criminal history investigation.

Elkhart Police Department
Policy Manual

Recruitment and Selection

- (h) Possess a valid driver's license.
- (i) Be fingerprinted for both a state and federal criminal records check.
- (j) The Elkhart Police Department may establish additional standards for selection of a candidate for the position of officer pursuant to I.C. § 36-8-3.2-6.

1000.8 JOB DESCRIPTIONS

The Service Captain should ensure that a current job description is maintained for each position in the Department.

1000.9 PROBATIONARY PERIODS

In the absence of a collective bargaining agreement stating otherwise, a probationary period of at least 12 months should be required before employees are considered for permanent status. The probationary period should include periodic performance reviews and documentation upon the successful completion of the probationary period.

If an employee does not successfully complete probation, it is within the discretion of the Chief of Police to determine what actions will be taken.

1000.10 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

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- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
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- (h) Polygraph, truth telling device, or voice stress analyzer (VSA) examination (when legally permissible)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)

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Elkhart Police Department
Policy Manual

Recruitment and Selection

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- (j) Review board or selection committee assessment
- (k) Entire employment file from law enforcement agencies that have employed, or currently employ, a law enforcement officer candidate, including findings and orders related to prior disciplinary action or internal investigations (I.C. § 36-8-2-2)

1000.10.1 EXAMINER QUALIFICATIONS

Polygraph, truth telling device, or VSA examiners should have a certification on file with the Service Captain.

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1000.10.2 HIRING PREFERENCE

The Department will provide preference as required by I.C. § 36-8-10-10.4.

1000.11 SELECTION PROCESS

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- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment
 - (a) The Chief of Police should establish qualifications and prerequisites, devise and administer examinations, and prepare a list of applicants jointly with the approval of the merit board when required (I.C. § 36-8-10-10).
- (k) Entire employment file from law enforcement agencies that have employed, or currently employ, a law enforcement officer candidate, including findings and orders related to prior disciplinary action or internal investigations (I.C. § 36-8-2-2)

Elkhart Police Department
Policy Manual

Recruitment and Selection

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1000.12 PROBATIONARY PERIODS

The Service Captain should coordinate with the Elkhart Human Resources Department to identify positions subject to probationary periods and procedures for (I.C. § 36-8-3.5-12):

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.
- (d) Documenting successful or unsuccessful completion of probation.

Recruitment and Selection

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Elkhart Police Department
Policy Manual

Recruitment and Selection

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Elkhart Police Department

Policy Manual

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Elkhart Police Department

Policy Manual

Recruitment and Selection

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- (d) Be free from any felony convictions or any other crime or series of crimes that would indicate to a reasonable person that the applicant is potentially dangerous, violent, or has the propensity to break the law.
- (e) Demonstrate successful completion of minimum agility and aptitude tests.
- (f) Be free from any physical, emotional, or mental condition that might adversely affect the exercise of police powers.
 1. Before a candidate may be selected as an officer, he/she shall be examined by a licensed medical doctor according to the requirements in I.C. § 36-8-8-19, which must include the following:
 - (a) A general medical history.
 - (b) A determination of the candidate's ability to perform the essential functions of the position of officer.
 2. Before a candidate may be selected as an officer, he/she must obtain a positive recommendation of emotional and mental fitness.
- (g) Be of good moral character as determined by a thorough background investigation and criminal history investigation.

Elkhart Police Department

Policy Manual

Recruitment and Selection

- (h) Possess a valid driver's license.
- (i) Be fingerprinted for both a state and federal criminal records check.
- (j) The Elkhart Police Department may establish additional standards for selection of a candidate for the position of officer pursuant to I.C. § 36-8-3.2-6.

1000.8 JOB DESCRIPTIONS

The Service Captain should ensure that a current job description is maintained for each position in the Department.

1000.9 PROBATIONARY PERIODS

In the absence of a collective bargaining agreement stating otherwise, a probationary period of at least 12 months should be required before employees are considered for permanent status. The probationary period should include periodic performance reviews and documentation upon the successful completion of the probationary period.

If an employee does not successfully complete probation, it is within the discretion of the Chief of Police to determine what actions will be taken.

1000.10 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Polygraph, truth telling device, or voice stress analyzer (VSA) examination (when legally permissible)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)

Elkhart Police Department

Policy Manual

Recruitment and Selection

- (j) Review board or selection committee assessment
- (k) Entire employment file from law enforcement agencies that have employed, or currently employ, a law enforcement officer candidate, including findings and orders related to prior disciplinary action or internal investigations (I.C. § 36-8-2-2)

1000.10.1 EXAMINER QUALIFICATIONS

Polygraph, truth telling device, or VSA examiners should have a certification on file with the Service Captain.

1000.10.2 HIRING PREFERENCE

The Department will provide preference as required by I.C. § 36-8-10-10.4.

1000.11 SELECTION PROCESS

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- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Polygraph, truth telling device, or voice stress analyzer (VSA) examination (when legally permissible)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment
 - 1. The Chief of Police should establish qualifications and prerequisites, devise and administer examinations, and prepare a list of applicants jointly with the approval of the merit board when required (I.C. § 36-8-10-10).
- (k) Entire employment file from law enforcement agencies that have employed, or currently employ, a law enforcement officer candidate, including findings and orders related to prior disciplinary action or internal investigations (I.C. § 36-8-2-2)

Elkhart Police Department
Policy Manual

Recruitment and Selection

1000.11.1 EXAMINER QUALIFICATIONS

Polygraph, truth telling device, or VSA examiners should have a certification on file with the Service Captain.

1000.11.2 HIRING PREFERENCE

The Department will provide preference as required by I.C. § 36-8-10-10.4.

1000.12 PROBATIONARY PERIODS

The Service Captain should coordinate with the Elkhart Human Resources Department to identify positions subject to probationary periods and procedures for (I.C. § 36-8-3.5-12):

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) ~~Extending probation.~~
- (d) Documenting successful or unsuccessful completion of probation.

Personal Appearance Standards

1023.1 PURPOSE AND SCOPE

This policy provides guidelines for the personal appearance of members of the Elkhart Police Department.

Requirements for department uniforms and civilian attire are addressed in the Uniforms and Civilian Attire Policy.

1023.2 POLICY

Elkhart Police Department members shall maintain their personal hygiene and appearance to project a professional image that is appropriate for this department and for their assignments. Department personal appearance standards are primarily based on safety requirements, appearance conformity and the social norms of the community served, while considering matters important to members of the Department.

1023.3 GROOMING

Unless otherwise stated and because deviations from these standards may present officer safety issues, the following appearance standards shall apply to all members, except those whose current assignments would deem them not applicable, and where the Chief of Police has granted an exception.

1023.3.1 PERSONAL HYGIENE

All members must maintain proper personal hygiene. Examples of improper personal hygiene include, but are not limited to, dirty fingernails, bad breath, body odor and dirty or unkempt hair. Any member who has a condition due to a protected category (e.g., race, physical disability) that affects any aspect of personal hygiene covered by this policy may qualify for an accommodation and should report any need for an accommodation to the Chief of Police.

1023.3.2 HAIR

Hair shall be clean, neatly trimmed or arranged, and of a natural hair color. Hairstyles with shaved designs in the scalp are prohibited. Hair adornments shall be primarily for the purpose of securing the hair and must present a professional image.

Hairstyles for male department members must not extend below the top edge of a uniform or dress shirt collar while assuming a normal stance.

No dread locks or corn rows are permitted.

When working a field assignment, hairstyles for female department members must not extend below the bottom edge of a uniform or dress shirt collar while assuming a normal stance. Longer hair shall be worn up or in a tightly wrapped braid or ponytail that is secured to the head above the bottom edge of the shirt collar.

Elkhart Police Department

Policy Manual

Personal Appearance Standards

1023.3.3 MUSTACHES

Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip and shall be short and neatly trimmed.

1023.3.4 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

1023.3.5 FACIAL HAIR

Facial hair, other than sideburns, mustaches and eyebrows, is prohibited, unless authorized by the Chief of Police or the authorized designee.

1023.3.6 FINGERNAILS

Fingernails shall be clean and neatly trimmed to a length that will not present a safety concern. The color of fingernail polish shall present a professional image.

1023.4 RELIGIOUS ACCOMMODATION

The religious beliefs and needs of department members should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The Chief of Police should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings or certain hairstyles or facial hair for religious reasons should generally be accommodated absent unusual circumstances.

Personal Appearance Standards

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No dread locks or corn rows are permitted.

When working a field assignment, hairstyles for female department members must not extend below the bottom edge of a uniform or dress shirt collar while assuming a normal stance. Longer hair shall be worn up or in a tightly wrapped braid or ponytail that is secured to the head above the bottom edge of the shirt collar.

Elkhart Police Department
Policy Manual

Personal Appearance Standards

1023.3.3 MUSTACHES

Mustaches shall not extend more than three quarters of an inch(REMOVE) below the corners of the mouth or beyond the natural hairline of the upper lip and shall be short and neatly trimmed.

1023.3.4 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

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Rod Roberson
Mayor

Adam Amsden
Interim Department Head



574.293.2175
Fax: 574.294.5530

Elkhart City Communications
135 East Franklin Street
Elkhart, Indiana 46516

Date: December 27, 2021

To: Mayor Rod Roberson
Elkhart City Board of Public Safety
Common Council

From: Adam Amsden, Interim Department Head
Elkhart Communications Center

Re: **November 2021 Month End Report**

We processed 11,105 incoming & outgoing emergency and non-emergency phone calls. This was an increase of 858 calls from August of 2019. Below is a summary of the calls we handled in Communications.

CALL SOURCES	911 *This includes Landlines, Wireless, VoIP, TextTY, and abandoned.* (as reported by ECats State reporting online)	Administrative (non-emergency)	TOTAL (including outbound)
	2197	4972	9060
2020 TOTALS	2183	7333	9516

By shift, we entered 6586 calls into the CAD, a decrease of 73 calls from November of 2020. Below is a breakdown of the call volume by shift.

	POLICE CALLS	FIRE CALLS	OTHER	TOTALS
Day Shift	1970	359	204	2533
Afternoon Shift	2107	354	255	2716
Midnight Shift	1079	165	93	1337
All Shifts	5156	878	552	6586
2020 TOTALS	5041	851	621	6513

*Other Calls refers to calls made to communications that either required a response by other departments, such as Parks Dept., Street Dept., etc. This also includes calls that are dispatched out as attempts to locate, repossessions and/or private impounds.

OTHER BUSINESS

- For the month of November 2021 we handled 61 AUDIO REQUESTS for the Prosecutor's Office and Police Dept. We provided 17 (FOIA) Public Records Requests to individuals.

Call Summary

Elkhart City 911 Communications Center

135 E. Franklin St

Elkhart, IN 46516

County: Elkhart

Year: 2021

Agency Affiliation: Police

Report Date: 12/07/2021 15:01:56

Report Date From: 11/01/2021

Report Date To: 11/30/2021

Period Group: Month

Days Of Week: All

Call Type: All

Abandoned Filters: Include Abandoned

NSI Filters: NSI Included in 911 Totals

Agency Affiliation: All

	November 2021	Total	County Average	
911	Inbound	2,156	2,156	2,974
	Abandoned	40	40	268
	Abandoned %	1.82%	1.82%	8.26%
	Unparsed	1	1	1
	Total	2,197	2,197	3,243
10-Digit Emerg	Inbound	0	0	0
	Abandoned	0	0	0
	Outbound	0	0	0
	Unparsed	0	0	0
	Total	0	0	0
Administrative	Inbound	4,972	4,972	3,943
	Abandoned	7	7	40
	Outbound	1,884	1,884	1,656
	Unparsed	0	0	6
	Total	6,863	6,863	5,645
	Avg Call Duration	85.5	85.5	93.1
	Total	9,060	9,060	8,890

Rod Roberson
Mayor

Adam Amsden
Interim Department Head



574.293.2175
Fax: 574.294.5530

Elkhart City Communications
135 East Franklin Street
Elkhart, Indiana 46516

Date: January 1, 2022

To: Mayor Rod Roberson
Elkhart City Board of Public Safety
Common Council

From: Adam Amsden, Interim Department Head
Elkhart Communications Center

Re: **December 2021 Month End Report**

We processed 9,802 incoming & outgoing emergency and non-emergency phone calls. This was an increase of 667 calls from December of 2020. Below is a summary of the calls we handled in Communications.

CALL SOURCES	911 *This includes Landlines, Wireless, VoIP, TextTTY, and abandoned.* (as reported by ECats State reporting online)	Administrative (non-emergency)	TOTAL
	2220	7582	9802
2020 TOTALS	2007	7128	9135

By shift, we entered 7,193 calls into the CAD, an increase of 718 calls from December of 2020. Below is a breakdown of the call volume by shift.

	POLICE CALLS	FIRE CALLS	OTHER	TOTALS
Day Shift	2085	364	222	2671
Afternoon Shift	2142	328	273	2743
Midnight Shift	1414	206	159	1779
All Shifts	5641	898	654	7193
2020 TOTALS	5172	739	564	6475

*Other Calls refers to calls made to communications that either required a response by other departments, such as Parks Dept., Street Dept., etc. This also includes calls that are dispatched out as attempts to locate, repossessions and/or private impounds.

OTHER BUSINESS

- For the month of December 2021 we handled 51 AUDIO REQUESTS for the Prosecutor's Office and Police Dept. We provided 17 (FOIA) Public Records Requests to individuals.
- As of January 1st we have 3 openings with one resignation accepted and will be effective the first week of the January.

Call Summary

Elkhart City 911 Communications Center

135 E. Franklin St

Elkhart, IN 46516

County: Elkhart

Year: 2021

Agency Affiliation: Police

Report Date: 01/01/2022 17:43:04

Report Date From: 12/01/2021

Report Date To: 12/31/2021

Period Group: Month

Days Of Week: All

Call Type: All

Abandoned Filters: Include Abandoned

NSI Filters: NSI Included In 911 Totals

Agency Affiliation: All

		December 2021	Total	County Average
911	Inbound	2,189	2,189	3,035
	Abandoned	31	31	288
	Abandoned %	1.40%	1.40%	8.67%
	Unparsed	0	0	0
	Total	2,220	2,220	3,323
10-Digit Emerg	Inbound	0	0	0
	Abandoned	0	0	0
	Outbound	0	0	0
	Unparsed	0	0	0
	Total	0	0	0
Administrative	Inbound	5,304	5,304	4,162
	Abandoned	3	3	59
	Outbound	2,274	2,274	1,856
	Unparsed	1	1	6
	Total	7,582	7,582	6,083
	Avg Call Duration	86.7	86.7	92.6
	Total	9,802	9,802	9,408

Building Dept Monthly Report - 2021

December Inspections

		Commercial	Residential	Commercial Violations	Residential Violations	Commercial Abated	Residential Abated	Totals
Building Inspector	Building	24	23	1	2			47
	Electrical							0
	Mechanical							0
	Plumbing							0
	Fire							0
Mechanical Inspector	Building	3	4					7
	Electrical							0
	Mechanical	33	22					55
	Plumbing	0	2					2
	Fire							0
Plumbing Inspector	Building							0
	Electrical							0
	Mechanical							0
	Plumbing	33	18	1				51
	Fire	2						2
Electrical Inspector	Building							0
	Electrical	67	27					94
	Mechanical							0
	Plumbing							0
	Fire							0
Totals		162	96	2	2	0	0	258

Building Permits By Category

Building Permit Category	Number of Permits	Value	Average Value	Permit Fees
Residential New	1	\$180,091.00	\$180,091.00	\$216.00
Residential Alteration/Addition	41	\$779,578.00	\$19,014.10	\$1,852.00
Commercial New	2	\$116,000.00	\$58,000.00	\$520.00
Commercial Alteration/Addition	20	\$7,247,960.00	\$362,398.00	\$12,296.00
Manufactured House Set-up	0	\$0.00	n/a	\$0.00
Fire Suppression Systems	2	\$85,057.00	\$42,528.50	\$120.00
Storage Tank Install/Removal	0	\$0.00	n/a	\$0.00
Building Demolition/Move	3	\$25,257.00	\$8,419.00	\$120.00
Swimming Pool Install	0	\$0.00	n/a	\$0.00
Res/Com Accessory Structures	7	\$47,900.00	\$6,842.86	\$240.00
Canopies, Tents, Other.			No Value	

Building Permits Issued	76	\$8,481,843.00	\$15,364.00
Electrical Permits Issued	26		\$2,180.00
Mechanical Permits Issued	84		\$5,665.00
Plumbing Permits Issued	16		\$1,395.00
Total Permits Issued	202		

Total Permit Fees Collected	\$24,604.00
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Date:

December, 2021

CODE OFFICER	INCIDENTS	ACTIVE	CLOSED	# OF TICKETS	FINE AMOUNT	NOTES
TRENT AVANCE	117	30	87	3	\$300.00	
BRUCE ANGLEMYER	79	35	44	0	\$0.00	
MAYFIELD TIMMONS	108	25	83	1	\$100.00	
KEN HUNT	75	31	44	2	\$200.00	
MONEY COLLECTED (UNSAFE FUND)						
Total	379	121	258	6	\$600.00	

POLICE MERIT COMMISSION
Monday, December 13, 2021

President James Rieckhoff called a meeting of the Police Merit Commission to order at 9:00 a.m., Monday, December 13, 2021. Clerk of the Commission Nancy Wilson called the role. Commissioners James Rieckhoff, Clifton Hildreth, Brad Billings and Thomas Barber attended in person. Jean Mayes attended on WebEx.

1. APPROVE AGENDA

On motion by Brad Billings, seconded by Cliff Hildreth and carried 5-0, the agenda was approved as presented.

2. MINUTES- Regular Meeting November 8, 2021

On motion by Clifton Hildreth, seconded by Brad Billings and carried 5-0, the minutes from November 8, 2021 were approved as presented.

3. POLICE DEPARTMENT

Chief Kris Seymore presented a notice of resignation from Cpl. Nathan Lanzen. His last day was November 29, 2021. On motion by Cliff Hildreth, seconded by Tom Barber and carried 5-0, the resignation of Cpl. Nathan Lanzen was accepted.

Chief Kris Seymore presented a Change of Status promotion for Sgt. Anthony Tweedy to the rank of Criminal Investigation Division Lieutenant effective December 6, 2021. On motion by Brad Billings, seconded by Cliff Hildreth and carried 5-0, Anthony Tweedy was promoted to Probationary Lieutenant.

Chief Seymore presented a disciplinary notice for Cpl. Jeffrey Gorbali. An external complaint was generated on October 4, 2021 and investigated. The investigation recommended the allegation of violating Policy 320.5.9(f) Conduct: discourteous, disrespectful or discriminatory treatment of any member of the public, or any member of this department or the city be sustained. Chief Seymore agreed with the findings. The initial recommendation for this incident was a five-day suspension. It was determined that twenty days would be issued due to the fifteen-day suspension Cpl. Gorbali received in November 2020, in that it was along the same misconduct to the last incident. Progressive discipline, with five days added, would make the total twenty days. Chief Seymore noted Cpl. Gorbali signed the discipline and did not request a hearing. On motion by Cliff Hildreth, seconded by Tom Barber and carried 5-0, the Police Merit Commission approved a twenty-day suspension without pay for Cpl. Jeffrey Gorbali.

Chief Seymore presented a disciplinary notice for Ptl. Adam Northcutt. An external complaint was generated on October 13, 2021 and investigated. The investigation recommended the allegation of violating Policy 300.3 Use of Force, Policy 300.3.5 Alternative tactics- De-Escalation, Policy 320.5.9 Conduct (f), (i), Discourteous, disrespectful of discriminatory treatment of any member of the public, or any member of this department or the city. Violating these policies, in the manner which Ptl. Northcutt did, was inappropriate and offensive to a citizen of our community, as well as the Elkhart General Hospital security personnel. The Captain's Review Board recommended a three-day suspension. Chief Seymore issued a five-day suspension, based on conduct and actions in the incident. Department training was not followed. Ptl. Adam Northcutt signed the discipline and did not request a hearing. President Rieckhoff accepted communication of the discipline from Chief Seymore. He thanked the person who commented on

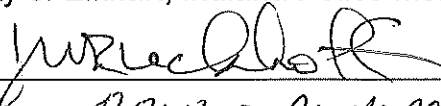
POLICE MERIT COMMISSION
Monday, December 13, 2021

Facebook, noting the more information they receive from the public, the better they are able to do their job reflecting the attitudes of the public. He thanked the person who responded as well.

On motion by Brad Billings, seconded by Tom Barber and carried 5-0, the Commissioners approved the 2022 Police Merit Commission Meeting dates.

4. ADJOURNMENT

On motion by Brad Billings, seconded by Jean Mayes and carried 5-0, the City of Elkhart, Indiana Police Merit Commission was adjourned at 9:18 a.m.


James Rieckhoff, President

Attest: 
Clifton Hildreth, Secretary

POLICE MERIT COMMISSION
Monday, January 3, 2022

President James Rieckhoff called a special meeting of the Police Merit Commission to order at 9:00 a.m., Monday, January 3, 2022. Clerk of the Commission Nancy Wilson called the role. Commissioners James Rieckhoff, Clifton Hildreth, Brad Billings and Thomas Barber attended in person. Jean Mayes attended on WebEx.

1. APPROVE AGENDA

On motion by Brad Billings, seconded by Cliff Hildreth and carried 5-0, the agenda was approved as presented.

2. ELECTION OF 2022 OFFICERS

On motion by Jean Mayes, seconded by Brad Billings and carried 5-0, the Commissioners retained the current officers in 2022, James Rieckhoff President, Brad Billings Vice-President, and Clifton Hildreth Secretary.

3. POLICE DEPARTMENT

Assistant Chief Dan Milanese presented prospective officer Tyler Koepfel for hire. He passed all of the required medical and psychological screenings, as well as the appropriate background searches necessary to become employed with the Elkhart Police Department as a police officer. Asst. Chief Milanese requested that the Commissioners approve the hiring of Tyler Nathaniel Koepfel and swear him in. On motion by Brad Billings, seconded by Clifton Hildreth and carried 5-0, the Commissioners approved the hiring of Tyler Nathaniel Koepfel.

Assistant Chief Dan Milanese presented prospective officer Cody Vicary for hire. He passed all of the required medical and psychological screenings, as well as the appropriate background searches necessary to become employed with the Elkhart Police Department as a police officer. Asst. Chief Milanese requested that the Commissioners approve the hiring of Cody Lee Vicary and swear him in. On motion by Brad Billings, seconded by Thomas Barber and carried 5-0, the Commissioners approved the hiring of Cody Lee Vicary.

Assistant Chief Dan Milanese presented prospective officer Cody Simon for hire. He passed all of the required medical and psychological screenings, as well as the appropriate background searches necessary to become employed with the Elkhart Police Department as a police officer. Asst. Chief Milanese requested that the Commissioners approve the hiring of Cody Joseph Simon and swear him in. On motion by Jean Mayes, seconded by Thomas Barber and carried 5-0, the Commissioners approved the hiring of Cody Joseph Simon.

Mayor Rod Roberson spoke to the families about the team of Police Officers and the Elkhart Community. He talked about the level of service, and the way we all serve is what makes us all the same. He thanked the parents and grandparents and told them they are a part of this oath. He thanked the children and told them they are a part of this family. He asked the officers to raise their right hand and repeat the oath as follows: "I, swear that I will diligently, honestly, faithfully and impartially, perform all of my duties as a Police Officer of the City of Elkhart, according to the law. I will support and defend the Constitution of the United States; and the Constitution of the State of Indiana. I will observe the rules and regulations established by the Police Merit Commission, and the Chief of Police of the Elkhart Police Department." The Mayor told them they are duly sworn, and thanked them for their service.

POLICE MERIT COMMISSION
Monday, January 3, 2022

4. ADJOURNMENT

On motion by Brad Billings, seconded by Cliff Hildreth and carried 5-0, the City of Elkhart, Indiana Police Merit Commission was adjourned at 9:35 a.m.

James Rieckhoff James Rieckhoff, President

Attest: Clifton R. Hildreth Clifton Hildreth, Secretary

FIRE MERIT COMMISSION
Monday, October 11, 2021

President Jim Rodino called a regular meeting of the Fire Merit Commission (FMC) to order at 3:30 p.m., Monday, October 11, 2021. Clerk Nancy Wilson called the role. Commissioners Jim Rodino, Mandy Leazenby, Cary Miller, and Doug Bowlby attended in-person. Rev. Stuart was absent.

1. AGENDA

On motion by Mandy Leazenby, seconded by Cary Miller and carried 4-0, the agenda was approved as presented.

2. MINUTES September 13, 2021

On motion by Mandy Leazenby, seconded by Cary Miller and carried 4-0, the minutes from September 13, 2021 were adopted.

3. FIRE DEPARTMENT

Chief Edgerton presented disciplinary notice for Firefighter Andrew Gray. He was issued a five-day suspension for an incident that happened off-duty.

On motion by Cary Miller, seconded by Mandy Leazenby and carried 4-0, the Commissioners upheld the five-day suspension discipline for Firefighter Andrew Gray.

4. IAFF

Carrie Sullivan, Secretary for the IAFF said they only thing they have was the Merit Rules they have been trying to work on since April, so that is about seven months now they have stalled promotions. She said they feel the Administration and the Union are close to having it nailed down, but that is a long time to move people up without actually letting them promote. She asked to continue the promotional process with the current rules as stated, and they will continue to work with the Administration and City Legal to get a better handle on the Merit Rules. Mandy agreed with her and stated she does not want to hold anything up. Chief Edgerton agreed with the statement and said they need to move forward with the rules as they are stated. He said they will work diligently from this point on to see if they can come up with something that is agreeable to the Administration and the Union. City Attorney Rose Rivera reminded them it is a State Statute that prohibited them from moving forward. It's not a matter of the Commission voting yes or no, right now the State Statute says that there's a problem which we discussed, which is the reason we are trying to adjust the Merit Rules. The State Statute is prohibiting us from promoting people. State Statute says you can't even test for a position unless it's the position directly above you. As you may recall, right now there is a bottleneck at Driver/Operator. Driver/Operator people do not want to test up, but everyone below them does. The problem we are having is the State Statute prohibits us from promoting, so we we're trying to adjust the rules. Right now, the ranks are in a way so that you cannot promote. We are trying to adjust the rules to move the ranks around. That is why it is so important that we get the rules right, so we can promote. Carrie added they do have a fair amount that do want to promote to Driver/Operator, and Driver/Operators that want to promote to Lieutenant. There are a lot of positions

FIRE MERIT COMMISSION

Monday, October 11, 2021

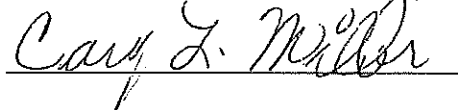
being covered by move up pay instead of actually being promoted to that rank. Our promotional pool is not as large as it would be if the rules were changed. Rose clarified they would have no objections to doing that. They just do not want to do anything that would violate State Statute.

Jim Rodino asked if there was any public participation or comments on the web. Nancy said that 10 people were watching and there were no comments.

5. ADJOURNMENT

On motion by Mandy Leazenby, seconded by Doug Bowlby and carried 4-0, the City of Elkhart, Indiana Fire Merit Commission was adjourned 3:43 p.m.

 Jim Rodino, President

Attest:  Cary Miller, Secretary