

AGENDA
POLICE MERIT COMMISSION
Monday, May 13, 2024 9:00 a.m.
Council Chambers

Municipal Building, 229 S. Second Street, Elkhart, IN 46516
<https://coei.webex.com/coei/j.php?MTID=me82071ddf93af0b254fc92ebc885076e>

Meeting Number 2315 070 2034
Password Police24

- 1. Call to Order**
- 2. Roll Call**
- 3. Approve Agenda**
- 4. Approve Minutes- Regular Meeting March 25, 2024**
- 5. Police Department**
 - Change of Status- Ptl. Fitzgerald, Ptl. Vicary, Ptl. Brown, Ptl. Martin**
 - Promotions- Ptl. Youngblood, Ptl. Cripe, Ptl. Jackson**
 - Disciplinary Notice- Cpl. Hackett**
 - Administrative Leave- Cpl. Jones**
- 6. Public Participation**
- 7. Adjournment**

POLICE MERIT COMMISSION
Monday, March 25, 2024

President Jim Rieckhoff called a regular meeting of the Police Merit Commission (PMC) to order at 9:00 a.m., Monday, March 25, 2024. Clerk Nancy Wilson called the role. Commissioners Jim Rieckhoff, Thomas Barber, and Clifton Hildreth attended in person. Commissioners Jean Mayes and Brad Billings were absent.

1. APPROVE AGENDA

On motion by Clifton Hildreth, seconded by Thomas Barber and carried 3-0, the agenda was approved as presented.

2. APPROVE MINUTES: Regular Meeting March 11, 2024

On motion by Thomas Barber, seconded by Clifton Hildreth and carried 3-0, the minutes from March 11, 2024 were adopted.

3. POLICE DEPARTMENT

Request to Hire

Chief Milanese presented prospective officer Jerod Anton Bechtold for hire. Mr. Bechtold 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. He asked the Commissioners to hire him and that he be sworn in. On motion by Clifton Hildreth, seconded by Tom Barber and carried 3-0, the PMC hired Jerod Anton Bechtold as a Police Officer for the Elkhart Police Department.

Mayor Rod Roberson swore him in as follows: "I swear that I will diligently, honestly, faithfully and impartially, perform all 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."

4. ADJOURNMENT

On motion by Clifton Hildreth, seconded by Thomas Barber and carried 3-0, the City of Elkhart, Indiana Police Merit Commission was adjourned at 9:17 a.m.

_____ Brad Billings, Vice-President

Attest: _____ Clifton Hildreth, Secretary



Police Department
175 Waterfall Dr.
Elkhart, IN 46516

574.295.7070
Fax: 574.293.0679

Rod Roberson
Mayor

Daniel Milanese
Chief

May 8, 2024

Police Merit Commission
229 S. Second Street
Municipal Building
Elkhart, IN 46516

Re: Change of Status
Patrolman Dustin Fitzgerald #514

Dear Commissioners:

On May 22, 2024 Ptl. Dustin Fitzgerald will complete his first year of service as a police officer with the Elkhart Police Department. His status will be changed from 3rd class, P-1 to 2nd class, P-2.

Respectfully Submitted,

Daniel Milanese
Chief of Police

C: Personnel File
Payroll

Rod Roberson
Mayor

Daniel Milanese
Chief



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May 8, 2024

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Re: Change of Status
Ptl. Dylan Vicary #502

Dear Commissioners:

On May 23, 2024 Ptl. Dylan Vicary will complete his second year of service as a police officer with the Elkhart Police Department. His status will be changed from 2nd class to 1st Class.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Dan Milanese", is written over a white background.

Dan Milanese
Chief of Police

C: Personnel File
Payroll
Ptl. Vicary

Rod Roberson
Mayor

Daniel Milanese
Chief



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175 Waterfall Dr.
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May 8, 2024

Police Merit Commission
229 S. Second Street
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Re: Change of Status
Ptl. Clayton Brown #503

Dear Commissioners:

On May 23, 2024 Ptl. Clayton Brown will complete his second year of service as a police officer with the Elkhart Police Department. His status will be changed from 2nd class to 1st Class.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Dan Milanese", is written over the typed name.

Dan Milanese
Chief of Police

C: Personnel File
Payroll
Ptl. Brown

Rod Roberson
Mayor

Daniel Milanese
Chief



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May 8, 2024

Police Merit Commission
229 S. Second Street
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Re: Change of Status
Ptl. Andrew Martin #504

Dear Commissioners:

On May 23, 2024 Ptl. Andrew Martin will complete his second year of service as a police officer with the Elkhart Police Department. His status will be changed from 2nd class to 1st Class.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Dan Milanese", is written over a horizontal line.

Dan Milanese
Chief of Police

C: Personnel File
Payroll
Ptl. Martin



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Rod Roberson
Mayor

Daniel Milanese
Chief

April 22, 2024

Police Merit Commission
Municipal Building
229 S. Second Street
Elkhart, IN 46516

RE: Change of Status
Ptl. Seth Youngblood
Corporal

Dear Commissioners,

Ptl. Seth Youngblood successfully participated in the promotional process recently for the rank of corporal, culminating with an interview answering numerous questions and demonstrating his proficiency as a police officer.

The Review Board agreed that Ptl. Youngblood exhibits the knowledge and experience necessary to be promoted to the rank of corporal. I concur with the Review Board's assessment and at this time I am requesting that you approve this promotion effective April 22, 2024

Respectfully submitted,

Daniel Milanese
Chief of Police

C: Personnel File

Rod Roberson
Mayor

Daniel Milanese
Chief



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175 Waterfall Dr.
Elkhart, IN 46516

574.295.7070
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April 22, 2024

Police Merit Commission
Municipal Building
229 S. Second Street
Elkhart, IN 46516

RE: Change of Status
Ptl. Thomas Cripe
Corporal

Dear Commissioners,

Ptl. Thomas Cripe successfully participated in the promotional process recently for the rank of corporal, culminating with an interview answering numerous questions and demonstrating his proficiency as a police officer.

The Review Board agreed that Ptl. Cripe exhibits the knowledge and experience necessary to be promoted to the rank of corporal. I concur with the Review Board's assessment and at this time I am requesting that you approve this promotion effective April 22, 2024

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "D. Milanese", is written over the typed name.

Daniel Milanese
Chief of Police

C: Personnel File

Rod Roberson
Mayor

Daniel Milanese
Chief



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175 Waterfall Dr.
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April 22, 2024

Police Merit Commission
Municipal Building
229 S. Second Street
Elkhart, IN 46516

RE: Change of Status
Ptl. Adam Jackson
Corporal

Dear Commissioners,

Ptl. Adam Jackson successfully participated in the promotional process recently for the rank of corporal, culminating with an interview answering numerous questions and demonstrating his proficiency as a police officer.

The Review Board agreed that Ptl. Jackson exhibits the knowledge and experience necessary to be promoted to the rank of corporal. I concur with the Review Board's assessment and at this time I am requesting that you approve this promotion effective April 22, 2024

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Daniel Milanese", is written over the "Respectfully submitted," line.

Daniel Milanese
Chief of Police

C: Personnel File



Rod Roberson
Mayor

Daniel Milanese
Chief

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April 26, 2024

Police Merit Commission
Municipal Building
229 S. Second St.
Elkhart, IN 46516

RE: Cpl. Davin Hackett #457
Disciplinary Action

Dear Commissioners:

Due to the violation of the policies listed below Cpl. Hackett has received a written reprimand.

**SUSTAINED: Policy 320.5.2(f) Ethics
Policy 320.5.8(i) Performance
Policy 703.4(a) Operating Requirements
City Ethics and Conduct**

ACTION: Written Reprimand

Respectfully,

Daniel Milanese
Chief of Police

C: Personnel File
Professional Standards
Captain Moore

Rod Roberson
Mayor

Daniel Milanese
Chief



Police Department
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Elkhart, IN 46516

574.295.7070
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May 1, 2024

Corporal Steven Jones #462
Elkhart Police Department
175 Waterfall Dr.
Elkhart, IN 46516

Corporal Jones,

I have received Professional Standards investigation IAI24-1-1 regarding the incident documented in EPD case number 2023-0313-002. I am satisfied with the investigation and require no additional follow up at this time.

It was found that during this incident you operated a department vehicle in a pursuit with an alleged burglary suspect fleeing on foot. It was determined that during the pursuit you made a decision to maneuver your department vehicle off the roadway in close proximity to the fleeing subject, and also a small shed like structure.

While maneuvering the vehicle in a very narrow space, the vehicle you were operating came in contact with the subject, striking the subject causing the subject to receive a fracture to the hip, three broken ribs, as well as appearing to lose consciousness (multiple sternum rubs were used to gain a response shortly after the crash).

The decision you made to operate your vehicle close to the subject leaving the roadway and driving too fast for the weather conditions (wet road surface and snow covered grass) are all contributing factors that caused the injuries.

The investigation focused on violations for Policies 300.3.1, 300.4 and 300.5. I also considered Policy 309.5 "Officer Response to Calls / SAFETY CONSIDERATIONS". I have reviewed the investigation, the Captain's Review Board recommendation, your previous discipline record and considered your input during our meeting.

I have sustained policy violations 300.3.1, 300.4 and 309.5. I believe the investigation shows you operated your department issued vehicle without due regard and in a manner that ultimately placed your vehicle in a situation that caused unnecessary force to be used against the subject fleeing causing serious bodily injury that violated the above policies.

I will recommend to the Police Merit Commission that your employment with the Elkhart Police Department be terminated. I am placing you on administrative leave pending the outcome of the Police Merit Commissions decision on this recommendation.

Sincerely,



Daniel Milanese
Chief of Police

I.C. 36-8-3.5-17(c) If the chief of the department, after an investigation within the department, prefers charges against a member of the department for an alleged breach of discipline under subsection (b), including any civilian complaint of an alleged breach of discipline under subsection (b)(2)(F), (b)(2)(G), or (b)(2)(H), a hearing shall be conducted upon the request of the member. If a hearing is requested within five (5) days of the chief preferring charges, the parties may by agreement designate a hearing officer who is qualified by education, training or experience. If the parties do not agree with the five (5) day period, the commission may hold the hearing or designate a person or board to conduct the hearing, as provided in the commission's rules. The designated person or board must be qualified by education, training or experience to conduct such a hearing and may not hold an upper level policy making position. The hearing conducted under this subsection shall be held within thirty (30) days after it is requested by the member.