

AGENDA
POLICE MERIT COMMISSION
Monday, January 27, 2025 9:00 a.m.
Council Chambers

Municipal Building, 229 S. Second Street, Elkhart, IN 46516

<https://signin.webex.com/join>

Meeting Number 2301 481 2747

Password Police25

1. **Call to Order**
2. **Roll Call**
3. **Approve Agenda**
4. **Approve Minutes- Special Meeting January 13, 2025**
5. **Police Department**
 - **Disciplinary Notice- Cpl. Jordan Sears, Sgt. Michael VanScoik**
6. **Public Participation**
7. **Adjournment**

POLICE MERIT COMMISSION
Monday, January 13, 2025

President Jim Rieckhoff called a regular meeting of the Police Merit Commission (PMC) to order at 9:00 a.m., Monday, January 13, 2025. Clerk Nancy Wilson called the role. Commissioners Jim Rieckhoff, Brad Billings, Thomas Barber, and Clifton Hildreth attended in person. Jean Mayes was absent.

1. APPROVE AGENDA

On motion by Brad Billings, seconded by Clifton Hildreth and carried 4-0, the agenda was approved as presented.

2. ELECTION OF 2025 OFFICERS

On motion by Thomas Barber, seconded by Brad Billings and carried 4-0, the 2024 Officers were retained in 2025, Jim Rieckhoff, President, Brad Billings Vice-President, and Clifton Hildreth Secretary of the Police Merit Commission. Congratulations!

3. APPROVE MINUTES: Special Meeting December 13, 2024

On motion by Brad Billings, seconded by Thomas Barber and carried 4-0, the minutes from December 13, 2024 were approved.

4. POLICE

Chief Dan Milanese presented a Change of Status for Cpl. Kenneth Ulanowicz to Acting Detective. Jim Rieckhoff formally accepted the notification and placed it on file.

Chief Milanese presented a Disciplinary Notice for Cpl. Derek Eller. He violated Policy 300.3 Use of Force, Policy 320.58(i) Standard Conduct/Performance (discrediting behavior), Policy 320.59(b) Standard of Conduct/Conduct (improper use of force), and Policy 320.5.9(f) Standard of Conduct/Conduct (discourteous conduct). He was issued a 5-day suspension without pay and De-Escalation Training. Jim Rieckhoff formally accepted the notification and placed it on file.

Chief Milanese presented a Disciplinary Notice for Sgt. Jeremy Snow. He violated Policy 422.5(b) In-car Mobile Camera Use and Policy 320.5.10(d) Safety and received a 2-day suspension without pay and Corrective Training. Jim Rieckhoff formally accepted the notification and placed it on file.

Chief Milanese presented a Commendation for Sgt. Jesus Carlos Contreras. Carlos was on his way home from working an extended 12-hour shift when he heard the call go out. He recognized that he could benefit the investigation and most parties involved by speaking Spanish. He went to the call knowing he would work several more hours. Lt. Walsh of the Elkhart County Homicide Unit said Carlos was knowledgeable on the progress of the investigation which greatly assisted when they were communicating with people. He assisted the homicide unit with interviews. He said Carlos helped the investigation and his efforts and willingness to do what he knew needed to be done were appreciated. Sgt. Contreras was commended for his hard work and taking the initiative to support his fellow officers on a complex call after working an extended shift.

Chief Milanese presented a Commendation for Det. Jesse Morganthaler. Sgt. Snow formally commended Cpl. Morganthaler for his exceptional productivity and initiative in combating the issues of drug-related crimes and gun violence within our community. His dedication to getting dangerous subjects off the streets has significantly contributed to public safety. Det. Morganthaler's collaborative efforts

POLICE MERIT COMMISSION
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with fellow officers and various agencies have not only led to successful investigations but have fostered a spirit of teamwork that is essential in our line of work. Captain Hamlin agreed with Sgt. Snow and commended Det. Morganthaler for all of the hard work and dedication he puts forth in the profession. Every day he shows up to work with a passion that is unmatched. Congratulations!

5. ADJOURNMENT

On motion by Brad Billings, seconded by Clifton Hildreth and carried 4-0, the City of Elkhart, Indiana Police Merit Commission was adjourned at 9:12 a.m.

_____ Jim Rieckhoff, President

Attest: _____ Clifton Hildreth, Secretary

Rod Roberson
Mayor
Dan Milanese
Chief



Police Department
175 Waterfall Dr.
Elkhart, IN 46516
574.295.7070
Fax: 574.293.0679

January 7, 2025

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

RE: Corporal Jordan Sears
Disciplinary Action

Dear Commissioners:

Due to the violation of the policies listed below, I am requesting that Cpl. Jordan Sears receive a 10 day suspension without pay.

The request for 10 days of suspension without pay comes after it was determined that Cpl. Sears' actions on November 23rd 2024 caused a vehicle crash at the intersection of CR 6 and Emerson Dr. Cpl. Sears was operating his Department issued vehicle when he rear-ended a vehicle in front of him. This crash caused significant damage to the squad car as well as damage to the vehicle that was struck. The squad car was determined to be a total loss.

Cpl. Sears has been involved in four other vehicle crashes while operating City owned squad cars within the past 4 years. One of those vehicles was also determined to be a total loss due to damage sustained during the crash. Cpl. Sears has received previous unpaid suspension days for being involved in an at-fault vehicle crash.

Cpl. Sears will also receive additional training for vehicle operations and be suspended from the take-home vehicle program for 60 days for his action which caused the vehicle crash on November 23rd 2024.

I met with Cpl. Sears on January 6th, 2025 and notified him of my decision regarding the discipline listed below.

SUSTAINED: Safety 320.5.10(d)
Safety 320.5.10(e)

ACTION: 10 Days suspension without pay (requested)
Corrective Training
60 suspension from take-home vehicle program

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.

Respectfully,



Daniel Milanese
Chief of Police

cc: Personnel File
Captain Hamlin (email copy)
Professional Standards (email copy)
Captain Snider (email copy)
E.P.D. Payroll (email copy)

Rod Roberson
Mayor
Dan Milanese
Chief



Police Department
175 Waterfall Dr.
Elkhart, IN 46516
574.295.7070
Fax: 574.293.0679

January 22, 2025

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

RE: Sgt. Michael VanScoik
Disciplinary Action – IAI24-8-9

Dear Commissioners:

Due to the violation of the policies listed below, Sgt. Michael VanScoik has received 3 days suspension without pay, training regarding supervisor responsibilities and debrief of entire incident. An internal complaint revolved around a shooting that occurred on August 4th, 2024. Sgt. VanScoik was the primary supervisor at the scene and therefore responsible for managing the Elkhart Police Department's response to that incident. Sgt. VanScoik's actions as a supervisor on scene greatly affected the investigation regarding the incident that took place on August 4th 2024. Sgt. VanScoik also improperly operated his department issued body camera during the incident.

I met with Sgt. VanScoik on January 8th, 2025 and notified him of my decision regarding the discipline listed below.

SUSTAINED: Policy 320.3.2(a) – Supervisor Responsibilities
Policy 320.5.7(a)(b) – Efficiency
320.5.9(L) – Conduct
422.3(e2) – Mobile Audio/Video

ACTION: 3 days suspension without pay
Training regarding supervisor's responsibilities
Debrief of entire incident as directed by Cpt. Hamlin

Respectfully,

Daniel Milanese
Chief of Police

cc: Police Merit Commission
Personnel File