

RESOLUTION NO. 02-2025
A RESOLUTION OF THE BOARD OF PUBLIC SAFETY OF THE CITY OF SOUTH BEND CONCERNING THE MEETING AND ELECTION PROCEDURES FOR THE POLICE MERIT BOARD

WHEREAS, the South Bend Board of Public Safety (“Board”) exists and operates pursuant to I.C. § 36-4-9-5 and Ind. Code § 36-8-3-2 and has exclusive control over all matters relating to the South Bend Police Department; and

WHEREAS, the City of South Bend has adopted a Police Department Merit Board (Police Merit Board) under Ordinance No. 11165-24; and

WHEREAS, the Police Merit Board is to consist of five (5) total members, with two (2) of the members elected by the active members of the South Bend Police Department (“SBPD”);and

WHEREAS, Police Merit Board election is to be held pursuant to I.C. § 36-8-3.5-8, the Board is required to set the meeting and establish applicable procedures for the election of members by the active members of the SBPD; and

WHEREAS, the Board must give at least three (3) weeks’ notice of said election meeting to all active members of the department; and

WHEREAS, the Board now desires to set a date for said meeting and establish the process for election.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Safety of the City of South Bend:

1. A meeting of the members of the South Bend Police Department is hereby set for **February 7, 2025, at 9:15 a.m.** in the **Council Chambers** on the **4th floor** of the **County-City Building, 227 W. Jefferson Boulevard, South Bend, IN 46601** AND **February 10, 2025 at 4:00 p.m.** in the **1308 Conference Room** on the **13th floor** of the **County-City Building, 227 W. Jefferson Boulevard, South Bend, IN 46601** for purposes of electing two (2) members to the newly established Police Merit Board. These meetings will also be held virtually at <https://tinyurl.com/2025PMBElection> .

2. In accordance with I.C. § 36-8-3.5-8, the election meeting shall be closed to the public and may only be attended by active sworn members of the SBPD.

3. Individuals interested in being considered as a candidate for an elected member must apply on a website managed by the City of South Bend: [https:// southbendin.gov/meritboard](https://southbendin.gov/meritboard).

4. The application format will be determined by the assigned Assistant City Attorneys of the City Legal Department with the City’s Corporation Counsel designating the assigned attorneys.

5. The deadline to submit merit board member applications shall be 4:00 p.m. EST on

February 4, 2025.

6. The City Legal Department will screen applications initially to determine whether each application is complete and whether each satisfies all of the minimum requirements of eligibility:

- a. Not an active member of a police department;
- b. Not receiving remuneration as salary from the City of South Bend;
- c. Candidate is a person of good moral character.

7. The members of the SBPD will be provided with access to the relevant information submitted by the eligible applicants.

8. The members of the SBPD may discuss or hear from prospective candidates on their own schedule prior to February 7, 2025.

9. At the election meeting, a member of the Fraternal Order of Police Lodge #36 executive board will open the meeting and a chair (the "Chair") will be selected as determined by majority of the membership in attendance. The Chair will announce the opening of the online voting portal will be at 9:30 a.m. February 7, 2025 and the closing of the online voting portal will be at 3:00 p.m. February 10, 2025. The Chair will confirm the portal is live. The Chair will announce the meeting will continue on February 10, 2025 at 4:00 p.m.

10. The City of South Bend will provide access to an online portal for voting on eligible applicants starting on February 7, 2025 at 9:30 a.m. through February 10, 2025 at 3:00 p.m. (all times in EST). This online voting portal will allow for secret voting.

11. The City Clerk or their designee will be the only authorized party that can access the voting results to determine the election results, and will prepare a certified report of the results in a sealed envelope.

12. The Chair will retrieve the City Clerk's sealed envelope containing the results of electronic voting on February 10, 2025. At the election meeting on February 10, 2025 at 4:00 p.m., the Chair shall open and read aloud the results.

13. The newly elected Police Merit Board member with the most votes will serve a five (5) year term. The other member elected will serve a two (2) year term. In the event of a tie, the SBPD members present will vote for who will serve a five (5) year term, by majority vote. The elected member not receiving majority vote will serve a two (2) year term.

14. The Chair of the election meeting will provide notice of the election results to the Clerk of the Board of Public Safety ("Clerk") by noting the duration of terms, signing and dating the election results and giving that document to the Clerk before 4:30 p.m. on February 10, 2025.

15. The Clerk shall issue notice of the elected members and their terms to the Board and the newly elected members within 7 days of February 10, 2025.

16. The election meetings may be attended by members through electronic means. No quorum of any kind (in-person attendance or otherwise) shall be required.

17. The Board further approves a notice of the called meetings, attached hereto as Exhibit A. The notice must be read during shift roll calls, and will be posted along with this resolution in prominent locations at the Police Department station, and comply in all other respects with the requirements of I.C. § 36-8-3.5-8.

18. This Resolution will be in full force and effect upon its adoption.

(Signatures on the following page)

ADOPTED this 15th day of January, 2025.

BOARD OF PUBLIC SAFETY



Daniel Jones, President



Darryl Heller, Member

Lee Ross, Member



Alfred Kirsits, Member



Pamela Claeys, Member

ATTEST:



Theresa Heffner, Clerk



CITY OF SOUTH BEND

NOTICE

**FRIDAY, FEBRUARY 7, 2025 and MONDAY FEBRUARY 10, 2025
MEETING AGENDA**

I. SPECIAL ELECTION MEETING - at 9:15 A.M. –Hybrid Meeting – Council Chambers, County-City Building, 4th Floor, 227 W. Jefferson Blvd., South Bend, IN AND Virtually via Microsoft Teams with the link:

<https://tinyurl.com/2025PMBElection>

The Board of Public Safety called a special meeting for the purposes as specified in I.C. 36-8-3.5-8 for the election by active members of the South Bend Police Department to the Police Merit Board.

- A. **Fraternal Order of Police Member confirms only active members of the Police Department may be present and vote.**
- B. **Selection of the Chair by active members present.**
- C. **Chair announces opening of the online voting portal will be at 9:30 a.m. and closing will be at 3:00 p.m. on February 10, 2025.**
- D. **Chair confirms that the portal is live.**
- E. **Adjournment.**

II. SPECIAL ELECTION MEETING - at 4:00 P.M. –Hybrid Meeting – 1308 Conference room, County-City Building, 13th Floor, 227 W. Jefferson Blvd., South Bend, IN AND Virtually via Microsoft Teams with the link:

<https://tinyurl.com/2025PMBElection>

The Board of Public Safety called a special meeting for the purposes as specified in I.C. 36-8-3.5-8 for the election by active member of the South Bend Police Department to the Police Merit Board.

- A. **Chair announces the voting results.**
- B. **Terms are determined.**
- C. **Adjournment.**

Exhibit A
