

701 W. SAMPLE STREET
SOUTH BEND, INDIANA 46601-2890



PHONE 574/ 235-9311
FAX 574/ 288-0268

CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR
SOUTH BEND POLICE DEPARTMENT
SCOTT A. RUSZKOWSKI, CHIEF OF POLICE

Date: 11.08.2017

Officer [REDACTED]
701 West Sample Street
South Bend, IN 46601

Dear Officer [REDACTED]

Attached to this letter, please find the Chief's recommended disciplinary action to be levied against you.

If you would like to request a public hearing on this matter, you may submit a written request to the Board of Public Safety. Per I.C. 36-8-3-4.1(b), such a request must be submitted to the Board of Public Safety within forty-eight (48) hours after receiving notice of this action.

Sincerely,

Scott A. Ruszkowski
Chief of Police

Attachments
(Page 01 of 03)

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Honorable Board of Public Safety,

In accordance with IC 36-8-3-4.1(b), and section 302.00 A-1 of the South Bend Police Duty Manual, I have determined that a Letter of Reprimand (LOR), and verbal counseling is appropriate discipline for Officer [REDACTED] neglect of duty and violation of rules.

Officer [REDACTED] was negligent in securing his assigned police equipment, violating Section VII of the Police Department General Order titled; "Firearms and Ammunition", and Section 302.00 A-31 of the Duty Manual.

1. General Order/Firearms and Ammunition (Section VII)

"Police personnel are entrusted with the duty to safeguard all Department issued or authorized firearms so they may not fall into the hands of an unauthorized person. In the event a firearm is to be left unattended in a vehicle, the firearm will be stored in the most secure area available within the vehicle. If there is a firearm locking device installed in the vehicle then it will be utilized when the firearm is not in use."

Officer [REDACTED] violated this section by not appropriately securing/safeguarding his Department issued firearm. In failing to do so, the firearm fell from atop his vehicle and landed in a busy roadway. The firearm was unsecured for six (6) minutes.

2. Duty Manual Section (302.00 A-31).

"Shall utilize Department property for its intended purpose and shall not abuse, damage or lose through negligence. Officers who have knowledge of damaged Departmental property will report the circumstances to their supervisor without delay."

On 09.17.2017, Off. [REDACTED] damaged Departmental property by not properly securing his Department issued firearm-which caused it to fall from his police vehicle and sustain damage from contacting the pavement. Additional damage occurred to the firearm due to a vehicle or vehicles running over it.

Officer [REDACTED] has received one prior discipline in 2009 for a car accident. Thus, the current discipline of a LOR and verbal counseling is the appropriate disciplinary step.

On 11.9.17 @ 2:30^{pm}, Officer [REDACTED] received notice that I have levied this discipline against him.
Per IC 36-8-3-4.1(b), Officer [REDACTED] has forty-eight (48) hours from the date of that notice, or until 11.11.17 @ 2:30^{pm}, to submit a written request to you, the Board, should he desire a public hearing on this matter.

Sincerely,


Scott Ruskowski
Chief of Police

cc: City of South Bend Legal Dept. [REDACTED]

Officer [REDACTED] receipt acknowledgement [REDACTED]

Personnel File