

**POLICE SPECIAL SERVICE DISTRICT COUNCIL  
INDIANAPOLIS, MARION COUNTY, INDIANA  
SPECIAL MEETING  
Monday, November 22, 1982**

A Special Meeting of the Police Special Service District Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building at 7:09 p.m., Monday, November 22, 1982. President Stewart in the Chair.

**ROLL CALL**

The Chair instructed the Clerk to take the roll. Nineteen members being present, she announced a quorum.

*PRESENT: Borst, Boyd, Brinkman, Campbell, Durnil, Hawkins, Holmes, Howard, Journey, McGrath, Page, Rader, Rhodes, Sawyers, Stewart, Strader, Tintera, Vollmer, West*

*ABSENT: Nickell*

**CORRECTION OF THE JOURNAL**

The Chair called for additions or corrections to the Journal of November 8, 1982. There being no additions or corrections to the Journal, the minutes were approved as distributed.

**OFFICIAL COMMUNICATIONS**

The Chair called for the reading of Official Communications. The Clerk read the following:

**TO THE MEMBERS OF THE POLICE SPECIAL SERVICE DISTRICT  
COUNCIL OF INDIANAPOLIS-MARION COUNTY, INDIANA:**

**Ladies and Gentlemen:**

**You are hereby notified that there will be a SPECIAL MEETING of the Police Special Service District Council held in the City-County Building, in the Council Chambers, on Monday, November 22, 1982, at 6:30 p.m. The purpose of such MEETING being to conduct any and all business that may properly come before the special meeting of the Council.**

**Respectfully,**

**s/Betty Stewart, President  
Police Special Service District Council**

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE  
POLICE SPECIAL SERVICE DISTRICT COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on November 11 and 18, 1982, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Police Special Service District Fiscal Ordinance Nos. 6 and 7, 1982, to be held on Monday, November 22, 1982, at 6:30 p.m. in the City-County Building.

Respectfully,

s/Beverly S. Rippy  
City Clerk

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE  
POLICE SPECIAL SERVICE DISTRICT OF THE CITY OF  
INDIANAPOLIS AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the Indianapolis NEWS and the Indianapolis COMMERCIAL on November 11 and 18, 1982, a copy of NOTICE TO TAXPAYERS of a Public Hearing on Police Special Service District Fiscal Ordinance Nos. 6 and 7, 1982, to be held on Monday, November 22, 1982, at 6:30 p.m., in the City-County Building.

Respectfully,

s/Beverly S. Rippy  
City Clerk

**TO THE HONORABLE PRESIDENT AND MEMBERS OF THE  
POLICE SPECIAL SERVICE DISTRICT OF THE CITY OF  
INDIANAPOLIS AND MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

I have this day approved with my signature and delivered to the Clerk of the Police Special Service District, Mrs. Beverly S. Rippy, the following ordinance and resolution:

**FISCAL ORDINANCE NO. 5, 1982**, amending the Police Special Service District Annual Budget for 1982 (P.S.S.D. Fiscal Ordinance No. 4, 1981) appropriating an additional Twenty-seven Thousand Thirty dollars (\$27,030) in the Police General Fund for purposes of the Police Division, Department of Public Safety and reducing the unappropriated and unencumbered balance in the Police General Fund.

**SPECIAL RESOLUTION NO. 2, 1982**, authorizing the officer of the Police Special Service District to appeal to the State Board of Tax Commissioners for an increase in the tax rate and levy as fixed by the County Board of Tax Adjustment and for an approval of a tax rate and levy sufficient to fund certain appropriations as originally submitted to the Marion County Board of Tax Adjustment.

Respectfully submitted,

s/William H. Hudnut, III  
Mayor

## SPECIAL ORDERS, PUBLIC HEARING

P.S.S.D. F.O. NO. 6, 1982. This proposal authorizes the issuance of tax anticipation time warrants for the Consolidated City Police Force Account and the Police Pension Fund. Councillor Holmes reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 4-0 on November 17, 1982. The President called for public testimony at 7:12 p.m. There being no one present to testify, Councillor Holmes moved, seconded by Councillor Tintera, for adoption. P.S.S.D. F.O. NO. 6, 1982, was adopted on the following roll call vote; viz:

18 YEAS: *Borst, Boyd, Brinkman, Campbell, Hawkins, Holmes, Howard, Journey, McGrath, Page, Rader, Rhodes, Sawyers, Stewart, Strader, Tintera, Vollmer, West*  
NO NAYS

2 NOT VOTING: *Durnil, Nickell*

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 6, 1982, reads as follows:

### POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 6, 1982

A FISCAL ORDINANCE approving temporary tax anticipation borrowing and authorizing temporary loans for the use of the Consolidated City Police Force Account and Police Pension Fund during the period January 1, 1983, to June 30, 1983, in anticipation of current taxes levied in the year 1982, and collectible in the year 1983, authorizing the issuance of tax anticipation time warrants to evidence such loans; pledging and appropriating the taxes to be received in said Account and Fund to the payment of said tax anticipation time warrants including the interest thereon; and fixing the time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the Special Service District Council of the Police Special Service District of the City of Indianapolis now finds that there will be insufficient funds in the Consolidated City Police Force Account to meet the current expenses payable from said Account prior to June, 1983, distribution of taxes levied for said Account; and

WHEREAS, the June, 1983, distribution of taxes to be collected for said Consolidated City Police Force Account will amount to more than eight million three hundred thousand dollars (\$8,300,000) and the interest cost of making a temporary loan for said Consolidated City Police Force Account; and

WHEREAS, the Controller has represented and the Special Service District Council of the Police Special Service District now finds that there will be insufficient funds in the Police Pension Fund to meet the current expenses for the payment of pensions and benefits to retired members and dependents of deceased members and other death benefits payable from said Fund prior to the June, 1983, distribution of taxes levied for said Fund; and

WHEREAS, the June, 1983, distribution of taxes collected for said Police Pension Fund will amount to more than one million eight hundred thousand dollars (\$1,800,000) and the interest cost of making a temporary loan for said Police Pension Fund; and

WHEREAS, a necessity exists for the making of temporary loans for said Account and Fund in anticipation of current revenues for said Account and Fund actually levied and in course of collection for the year 1983; now, therefore:

BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL  
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Consolidated City Police Force Account of said City in the amount of eight million three hundred thousand dollars (\$8,300,000) in anticipation of current tax revenues actually levied and in course of collection for said accounts of the year 1983, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates per annum not to exceed the maximum rate provided by law, the exact rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided, and said warrants to be substantially in the form set forth in Section 4. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on June 28, 1983. Said warrants including interest shall be payable from the Consolidated City Police Force Account, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Consolidated City Police Force Account from the June, 1983, distribution of taxes for said Consolidated City Police Force Account, viz: eight million three hundred thousand dollars (\$8,300,000), to the 1983 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and to the 1983 Budget Fund No. 084, Character 3, Other Services and Charges, Interest (Temporary Loans) the amount of interest on said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by successful bidder or bidders for said warrants.

SECTION 2. The City of Indianapolis is authorized to borrow on a temporary loan for the use and benefit of the Police Pension Fund of said City the amount of one million eight hundred thousand dollars (\$1,800,000) in anticipation of current tax revenues actually levied and in course of collection for said Fund for the year 1983, which loan shall be evidenced by tax anticipation time warrants bearing interest at a rate or rates of interest to be determined by competitive bidding at advertised public sale as hereinafter provided and said warrants to be substantially in the form set forth in Section 4. Said warrants shall be dated as of the date or dates of delivery of said warrants and the interest accruing on the warrants to the date of maturity shall be added to and included in the face value of the warrants. Said warrants shall mature and be payable on June 28, 1983. Said warrants including interest shall be payable from the Police Pension Fund, and there is hereby appropriated and pledged to the payment of said warrants including interest a sufficient amount of the current revenues to be received in said Police Pension Fund from the June, 1983 distribution of taxes for said Police Pension Fund, viz., one million eight hundred thousand dollars (\$1,800,000), to the Police Pension 1983 Budget Payment of Temporary Loans (hereby created) for the payment of the principal of the warrants evidencing such temporary loan, and the Police Pension Fund 1983 Budget Fund No. 085, Character 3, Other Services and Charges, Interest (Temporary Loans) the amount of interest of said principal computed from the date or dates of said warrants to the date of maturity at the interest rate or rates bid by the successful bidder or bidders for said warrants.

SECTION 3. Said tax anticipation time warrants shall be executed in the name of the City of Indianapolis by the Mayor of said City, countersigned by the Controller of said City, the corporate seal of said City to be affixed thereto and attested by the Clerk. Said warrants shall be payable at the office of the Marion County Treasurer, ex officio Treasurer of the City of Indianapolis.

SECTION 4. Said tax anticipation time warrants shall be issued in substantially the following form (all blanks, including the appropriate Fund or Account, amounts, dates, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. \_\_\_\_\_ Principal and Interest \$ \_\_\_\_\_

CITY OF INDIANAPOLIS  
TAX ANTICIPATION TIME WARRANT  
\_\_\_\_\_  
(FUND) (ACCOUNT)

On the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the City of Indianapolis, in Marion County, Indiana, promises to pay to the bearer, at the office of the Marion County Treasurer, ex officio Treasurer of the City of Indianapolis, the sum of \_\_\_\_\_ including interest on the principal amount of this warrant from the date hereof to maturity, payable out of and from taxes levied in the year 19\_\_\_\_, and payable in the year 19\_\_\_\_, which said taxes are now in course of collection for the \_\_\_\_\_ (FUND) (ACCOUNT) of the City of Indianapolis, with which to pay general and current operating expenses of \_\_\_\_\_.

This Tax Anticipation Time Warrant is one of a series of warrants aggregating a sum of \_\_\_\_\_ exclusive of interest added thereto to maturity, evidencing a temporary loan in anticipation of taxes levied and in course of collection for the (FUND)(ACCOUNT) of said City.

Said temporary loan was authorized by an ordinance duly adopted by the \_\_\_\_\_ of the City of Indianapolis, at (a) meeting(s) thereof duly and legally convened and held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, for the purpose of providing funds for the \_\_\_\_\_ (FUND) (ACCOUNT) of said City of Indianapolis, in compliance with I.C. 36-3-4-22.

The consideration of said warrant is a loan made to the City of Indianapolis in anticipation of taxes levied for the \_\_\_\_\_ (FUND)(ACCOUNT) of said City for the year 19\_\_\_\_, payable in the year 19\_\_\_\_, and said taxes so levied are hereby specifically appropriated and pledged to the payment of said Tax Anticipation Time Warrants.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution, and delivery of said warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused this warrant to be signed in its corporate name by its Mayor and attested by the Clerk of the City-County Council, the corporate seal of said City hereunto affixed, and countersigned by the Controller of the City of Indianapolis.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

CITY OF INDIANAPOLIS

By: \_\_\_\_\_  
Mayor of the City of Indianapolis  
COUNTERSIGNED:

By: \_\_\_\_\_  
Controller of the City of Indianapolis

(SEAL)

ATTEST:  
By: \_\_\_\_\_  
Clerk of the City-County Council

SECTION 5. The Controller is hereby authorized and directed to have said tax anticipation time warrants prepared, and the Mayor, the Controller, and the Clerk are hereby authorized and directed to execute said tax anticipation time warrants in the manner and substantially the form hereinbefore provided. The Controller shall sell said warrants at public sale. Prior to the sale of said warrants, the Controller shall cause to be published a notice of sale once each week for two consecutive weeks in two newspapers of general circulation, printed in the English language and published in the City of Indianapolis, as provided by law. All bids for said warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name a separate rate of interest for each issue of warrants, or portion thereof bid for, of each Fund or Account. The warrants of each Fund or Account, or portion thereof bid for, shall be awarded to the bidder or bidders therefore submitting the lowest interest rate or rates. In the event two bidders submit the same interest rate for all or a portion of the warrants of an issue, such warrants shall be awarded to the bidder submitting the greatest premium. Any premium bid

shall be used solely for the repayment of the principal of and interest on the warrants of the particular issue. No bid for less than par shall be considered, and the Controller shall have the right to reject any and all bids. The proper officers of the City are authorized to deliver the time warrants to the purchaser or purchasers of the agreed purchase price. The warrants of any issue may all be delivered at one time or in parcels from time to time, pursuant to any agreements or understanding with respect to said delivery by and between the Controller and the purchaser or purchasers of the warrants.

**SECTION 6.** This ordinance shall be in full force and effect from and after its passage and compliance with all laws pertaining thereto.

P.S.S.D. F.O. NO. 7, 1982. This proposal transfers and appropriates \$473,000 for the Police Division to purchase motorcycles and for increased interest expense. Councillor Holmes reported that the Public Safety and Criminal Justice Committee recommended passage of the proposal by a vote of 3-1-1 on November 17, 1982. The President called for public testimony at 7:20 p.m. After discussion, Councillor Holmes moved, seconded by Councillor Rader, for adoption. P.S.S.D. F.O. NO. 7, 1982, was adopted on the following roll call vote; viz:

16 YEAS: *Boyd, Campbell, Durnil, Hawkins, Holmes, Journey, McGrath, Page, Rader, Rhodes, Sawyers, Stewart, Strader, Tintera, Vollmer, West*

2 NAYS: *Borst, Howard*

2 NOT VOTING: *Brinkman, Nickell*

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 7, 1982, reads as follows:

**POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 7, 1982**

A FISCAL ORDINANCE amending the Police Special Service District Annual Budget for 1982 (P.S.S.D. Fiscal Ordinance No. 4, 1981) transferring and appropriating an additional Four Hundred Seventy-three Thousand dollars (\$473,000) in the Police General Fund for purposes of the Department of Public Safety, Police Division and reducing certain other appropriations for that division and the unappropriated and unencumbered balance in the Police General Fund.

**BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

**SECTION 1.** To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the Police Special Service District Annual Budget for 1982, be, and is hereby amended by the increases and reductions hereinafter stated for the purposes of providing funds to purchase motorcycles and to pay increased interest expense. Revenue is provided from proceeds from the sale of police vehicles.

**SECTION 2.** The sum of Four Hundred Seventy-three Thousand dollars (\$473,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriations and the unappropriated balances as shown in Section 4.

**SECTION 3.** The following additional appropriations are hereby approved:

<b>DEPARTMENT OF PUBLIC SAFETY</b>	
<b>POLICE DIVISION</b>	
3. Other Services & Charges	<b>POLICE GENERAL FUND</b>
Total Increase	<u>\$473,000</u>
	<u>\$473,000</u>

SECTION 4. The said additional appropriations are funded by the following reductions:

DEPARTMENT OF PUBLIC SAFETY POLICE DIVISION	POLICE GENERAL FUND
1. Personal Services	\$ 30,000
Unappropriated and Unencumbered	
Police General Fund	<u>443,000</u>
Total Reduction	\$473,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### SPECIAL ORDERS, FINAL ADOPTION

P.S.S.D. G.O. NO. 1, 1982. This proposal amends the Code by adding a new Part III, Fire Merit Law. Councillor Holmes reported that the Public Safety and Criminal Justice Committee recommended passage by a vote of 4-0 on November 17, 1982. He stated that this proposal was a result of the Home Rule Bill. Councillor Holmes moved, seconded by Councillor Rader, for adoption. P.S.S.D. G.O. NO. 1, 1982, was adopted on the following roll call vote; viz:

15 YEAS: *Borst, Campbell, Durnil, Hawkins, Holmes, Howard, Journey, McGrath, Page, Rader, Rhodes, Sawyers, Stewart, Vollmer, West*

NO NAYS

5 NOT VOTING: *Boyd, Brinkman, Nickell, Strader, Tintera*

POLICE SPECIAL SERVICE DISTRICT GENERAL ORDINANCE NO. 1, 1982, reads as follows:

#### POLICE SPECIAL SERVICE DISTRICT GENERAL ORDINANCE NO. 1, 1982

A GENERAL ORDINANCE of the Police Special Service District concerning a merit system for members of the Indianapolis Police Department.

#### BE IT ORDAINED BY THE POLICE SPECIAL SERVICE DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Appendix B of the "Code of Indianapolis and Marion County, Indiana", is hereby amended by adding a new Part III to read as follows:

#### PART III. POLICE MERIT LAW

##### Sec. 1. Chief.

The director shall appoint a chief of the consolidated city police force who shall serve at the pleasure of the director.

If the chief is selected from the force, he shall hold the permanent rank of lieutenant or above, and shall have a minimum of ten (10) years' continuous service with the force. If the chief is selected from outside the force, he shall hold at least a bachelor's (degree) or its equivalent and have a minimum of ten (10) years' full time public police service, and a minimum of five (5) years' experience as an administrator in a police force. In selecting the chief, the director shall give reasonable consideration to selecting a qualified person from the force.

The chief shall have general charge of the daily operations of the consolidated city police force and may appoint any number of executive assistants who shall hold the temporary rank and title of assistant and deputy chief of the consolidated city police force as he deems necessary to allow him to efficiently discharge his executive duties. The chief shall select the assistant and deputy chiefs from among those holding the permanent rank of major, captain or lieutenant in the consolidated city police force.

The chief shall have the authority to deputize and authorize the chief of the consolidated city fire force and other members of the consolidated city fire force to exercise police powers.

## Sec. 2. Merit board.

There shall be established a consolidated city police merit board which shall consist of five (5) members who shall be appointed by the director. The director shall appoint members to the merit board from among resident citizens of the consolidated city and no member appointed to the merit board shall be a member of the consolidated city police force or hold another elective or appointive office in either a city, town, township, county or the state government. All appointments to the merit board shall be for a term of four (4) years and all persons appointed shall serve during their respective terms and until their respective successors shall be appointed and qualified. Any member of said merit board may be removed by the director with or without cause without right of hearing.

The director shall endeavor to appoint to the merit board one (1) experienced person from each of the following fields:

- a. Professional education;
- b. Business administration, police administration or criminology;
- c. Personnel administration;
- d. Medicine or psychiatry.
- e. Law -- such member shall be an attorney admitted to and engaged in the general practice of law in the state of Indiana.

The chief shall be an ex officio member of the merit board without voting power.

Each member of the merit board shall be a resident of the consolidated city. In the event a vacancy occurs on the merit board, the director shall designate a replacement to serve the unexpired term. A member of the merit board may be reappointed for successive terms. The merit board shall set rules for the government of the merit board and included in said rules shall be the time and place for the holding of regular monthly meetings and such special meetings throughout each year as may be deemed necessary to transact its business. Each year the merit board shall select from its members a president, vice-president and secretary.

The merit board shall administer the merit system established by this appendix and shall supervise all appointments of persons to the force in conformity with the merit selection and appointment procedure created by this appendix.

## Sec. 3. Qualifications of members of force.

Any person except those transferring to the force from a police force of a first-class city or an excluded city or from the county sheriff's force pursuant to this section including a person seeking reappointment or reinstatement, shall be appointed to the force only in conformity with the following merit selection and appointment procedure created by this section and such rules and regulations as may be established by the merit board, which rules and regulations may change the order of the procedure but not the substance of the procedure as established by this section.

Any resident citizen of the United States of the age of twenty-one (21) years or above and not over the age of thirty-three (33) years having at least a high school education or equivalent shall be eligible to make application to become a member of the force, provided, that the age requirement shall not apply to a member of the force who has previously been employed thereby. In time of national emergency when the amount of eligible applicants is at a minimum as declared by the merit board and the mayor, the age limit imposed by this section shall be increased to thirty-seven (37) years. Applicants shall not be required to be a resident of the county or state in which the force is established in order to apply for appointment. Applicants shall obtain an application form from the personnel section and shall comply with the following requirements:



1. Shall undergo a complete physical examination and have a psychological and/or psychiatric examination at the expense of the applicant.

2. Shall take a written examination to evaluate both aptitude and intellectual capacity for police work.

3. Shall have an oral interview.

The rules and procedures for the above requirements shall be set by the merit board with approval of the chief of police.

The personnel section shall prepare a final list of those applicants eligible for appointment ranked in order of their total combined scores.

Beginning with the highest scoring applicant on the eligibility list, the police force shall conduct a background investigation into the personal history and character of the applicant. In the event the applicant has been found guilty of a felony, said applicant is ineligible for appointment and the chairman of the personnel section shall so notify the applicant. Any information indicating that the applicant has engaged in any conduct or activities that would warrant the disqualification of the applicant from appointment to the force shall also be forwarded to the chairman of the personnel section and shall be made a part of the applicant's file. The file shall be presented to the merit board which shall determine whether said conduct or activities are such as to disqualify the applicant for appointment.

Except as otherwise provided in this appendix, when an applicant for original appointment reaches his thirty-fourth (34th) birthday, his name shall automatically be removed from the list of eligibles. All persons on the eligible list shall continue on said list for two (2) years after which they must reapply as an applicant; provided, that those not having previously served in the consolidated city police force must be within the eligible age limit.

Any applicant who personally or through any other person solicits any member of the merit board to favor his appointment or reinstatement to the force shall be thereby rendered ineligible to any such appointment.

#### Sec. 4. Appointment to force; training school for probationers.

The chief shall appoint to the probationary rank of patrolman such applicant or applicants as shall be necessary to fill any vacancies which exist in the force. Eighty percent (80%) of said vacancies to be appointed at one time by the chief shall be filled by taking the highest applicant on the eligibility list and proceeding down the list in order, then the chief shall fill the remaining twenty percent (20%) of the vacancies by selecting any person remaining on the eligibility list. An appointment of a person shall be made without regard to the members of the force being equally divided politically. Each such person so appointed to the force shall be on probation for a period of one (1) year of actual service after graduating from the police training school or academy. During the probationary period, the chief may discharge or temporarily suspend a probationer for cause, without right to any hearing before the merit board.

The chief, with approval of the merit board, shall organize and maintain a police training school for probationers. No probationer shall be assigned to regular active duty until he has attended and successfully completed the training course prescribed by the chief with the approval of the merit board. Failure to complete the school successfully shall result in the probationer's dismissal from the force. After completing the training course, the probationer shall serve the remainder of the probationary period on regular active duty and shall be evaluated quarterly during this period by his immediate superior pursuant to the evaluation system provided for in this appendix.

The appointment of the probationer shall become permanent when he has successfully completed the one (1) year probationary period.

The personnel section with the approval of the director shall be authorized to conduct such recruiting and publicity campaigns in any county or state as it may determine to be necessary to attract an adequate number of qualified persons to become members of the force.

#### Sec. 5. Retirement.

A member of the police force shall be required to retire from the force no later than the day of his sixty-fifth (65th) birthday.

Sec. 6. Classification of ranks.

There is hereby created the following classification of ranks within the force and the minimum compensation to be paid annually to the respective ranks:

Probationary patrolman	\$ 6,000.00
Patrolman	\$ 6,600.00
Sergeant	\$ 7,300.00
Lieutenant	\$ 8,000.00
Captain	\$ 9,000.00
Major	\$10,000.00

Except as otherwise provided by law, the chief, with the approval of the director, shall establish a scale of compensation for the various grades of officers in the force. The compensation so fixed shall be based on the rank held by the officer of the force as shall be determined under the merit system of this appendix, the length of service of the officer in each rank, and the special technical competence of job assignment of the officer. The scale of compensation shall be required to apply uniformly to all officers similarly situated with respect to rank, length of service in rank, and special technical competence and job assignment.

Except as otherwise provided in this appendix, all appointments to said ranks shall be permanent.

Sec. 7. Rules and regulations.

Within the limits of this appendix, the chief, with the approval of the director, shall prescribe, adopt, and put into effect such rules and regulations for the government of the force as, from time to time, he deems appropriate. Within the limits of this appendix, the chief, with the approval of the merit board, shall establish a classification of ranks, grades, and positions in the force and shall designate the authority and responsibilities of each rank, grade and position. The chief shall have authority to assign and reassign any member of the force to serve at any police station within the police special service district and within the limits of the appendix to perform such duties as he shall designate providing such duties are in accordance with the member's rank, grade and position. The chief shall be authorized to make maximum use of civilian employees in any position in the force so as to release police officers to perform essential police functions.

Sec. 8. Merit promotion system.

There shall be established a consolidated city police merit promotion system which shall be administered by the merit board. All promotions of members of the force shall be made in conformity with the promotion procedure established by this appendix, except in the case of the appointment of the chief by the director of public safety and of the appointment of deputy chiefs by the chief.

Sec. 9. Evaluations.

The chief, with the approval of the merit board, and with the assistance of the personnel section, shall formulate and establish a system for the evaluation of the performance of each member of the force. The personnel section shall maintain a record of all the evaluations of each member under this system.

Sec. 10. Requirements for promotion.

No member of the force shall be eligible for promotion to the next highest rank unless said member has spent the following minimum time in the rank held at the time he is considered for promotion: five (5) years in rank of patrolman for promotion to sergeant, except that the merit board may waive up to three (3) years on the basis of the member's college or other equivalent educational experience; two (2) years in rank of sergeant for promotion to lieutenant; two (2) years in rank of lieutenant for promotion to captain; two (2) years in rank of captain for promotion to major. A member shall only be promoted to the next highest rank.

Within the limits of this appendix, the chief, with the approval of the merit board, shall set standards in conformity with the most widely approved standards of comparable police departments, and shall establish reasonable prerequisites of training, education and experience for each rank, grade and position in the department.

Sec. 11. Procedures for promotion.

Any member who shall have fulfilled the time and rank requirement set by this appendix for promotion to the next highest rank shall be deemed eligible to compete for

the next highest rank in conformity with the procedure established by the chief with the approval of the merit board which shall include:

1. A written examination with a minimum passing score, the results of which shall be sealed and placed in a safe or other secure place and not made available to the captain's board.

2. For promotion to sergeant or lieutenant, an interview with a captain's board consisting of one (1) captain from each division of the force. The selection of an interview board of captains shall be by lot by the officer determined in the same manner as the selecting officer is chosen to draw the names of the officers to serve on the disciplinary boards. The drawing of names shall be from a list of eligible captains to be drawn no earlier than seventy-two (72) hours prior to the beginning of interviews. Whenever possible, eligible officers from the same grade seeking promotion to the same higher grade should be interviewed by the same interview board.

3. For promotion from lieutenant to captain, or from captain to major, an interview with a board consisting of three (3) majors appointed by the merit board from a list of majors furnished by the chief.

The interview score shall be based on the interview and on previous evaluations contained in the candidates' file. The scores on the written examination and the interview shall be combined by the chairman of the personnel section with the written exam contributing not less than fifty percent (50%) of the total combined score. All candidates shall be ranked on promotion lists for the respective ranks commencing with the highest total promotion score. Such lists shall be submitted to the merit board for approval and certification. After the certification, officers eligible for promotions may see their tests and scores. The chief shall then promote the candidates as vacancies occur beginning with the candidate receiving the highest promotion score who in the opinion of the chief and the merit board is best qualified for the position. New lists of candidates eligible for promotion to the rank of sergeant and lieutenant shall be constituted every two (2) years in conformity with the procedure of this appendix and shall supersede immediately preceding promotion lists. The candidate whose total promotion score is placed on a promotion list may remain on the promotion list for the respective rank for two (2) additional successive years and the merit board shall establish a procedure to maintain a single promotion list by the re-ranking of scores each time new scores are added thereto, or he may repeat the examination and interview process in which case his new total promotion score shall be used.

Upon promotion the new rank of the officer shall be probationary for a period of one (1) year. Prior to the expiration of such one (1) year period, the chief, with the approval of the merit board, may reduce the officer to his former rank for good cause. The rank of deputy chief shall be temporary and each deputy chief shall retain his previous permanent rank, unless promoted in accordance with the merit system. Any applicant for promotion who personally or through any other person solicits any member of the merit board to favor his promotion shall be rendered ineligible for promotion for one (1) year.

#### Sec. 12. Discipline.

(a) The chief shall have the ultimate authority to discipline all members of the force, however, the authority may be delegated by the chief in a manner provided in this section. The authority of the chief to discipline shall be subject only to the officer's right to appeal to the police merit board as provided in this section.

1. All disciplinary actions within the department shall be based on one or more of the following infractions:

- (i) violation of any rule, regulation, or order of the department;
- (ii) any breach of discipline;
- (iii) insubordination;
- (iv) neglect of duty;
- (v) immoral conduct;
- (vi) conduct unbecoming an officer;
- (vii) substandard performance;
- (viii) violation, with the determination by the chief based on a preponderance of the evidence, of any federal, state or local law; and
- (ix) failing to cooperate or be truthful.

2. Pending an investigation and hearing involving one or more of the above infractions, the chief may suspend any member of the force without a hearing and with or without pay. If the suspension is without pay, it shall not exceed ten (10) days. Any suspension pending hearing shall be subject to reinstatement with pay by the chief. Whenever an officer is found not guilty or any infraction under subsection (a) of this section, any pay he may have lost due to a suspension shall be paid to him.

(b) The disciplinary board of captains, hereinafter referred to as the board in this section, shall assist the chief in departmental disciplinary matters. The board shall be subordinate and advisory to the chief and shall consist of three (3) officers with the permanent rank of captain who shall serve for a period of three (3) months. Each captain shall be selected at random. The names of the officers shall be drawn from a list of all eligible captains by a police officer ranking first on the most current sergeant's promotion list who shall serve for a period of three (3) months who shall then be succeeded by the next highest ranking officer on such list who shall serve for a three (3) month period and so forth. However, if a vacancy occurs on the board of captains by reason of a board member becoming unable to perform his duties and serve on said board, the vacancy shall be filled in the same manner in which the board is selected. All disciplinary matters shall go before the board for investigation except cases where the direct or delegated authority of the chief to discipline without hearing is involved. These matters may be referred to the board in writing by any person or member of the force. The board shall, after conducting an investigation or having an investigation conducted, on disciplinary matters, commit its findings of facts and recommendations to writing. These recommendations shall include a decision as to whether or not any disciplinary charges should be placed against any officer and, if so, what charges. A copy of these findings and recommendations shall be sent to the department of public safety and the chief of police.

(1) After receiving these findings, the chief or his designee, if the chief so determines, may cause any member of the force to be brought before the board upon any charges authorized in this section including any charges which are recommended by the board. The board shall conduct a hearing on the charges referred to the board by the chief or his designee.

(2) Any officer so charged shall be notified in writing of the charges and a time and date for the hearing. The officer has the right to have witnesses subpoenaed by the board to testify in his behalf upon advance notice to the board. All testimony before the board shall be under oath and any officer appearing before the board shall cooperate fully with the board and answer all questions truthfully and directly. The hearing before the board shall be conducted in accordance with written directives of the chief, and after the hearing, the board, shall, after majority vote, reduce to writing its findings of either guilty or not guilty. If the finding is guilty, it shall also make its recommendations for punishment. The findings and recommendations shall then be referred to the chief or his designee for his determination and shall be made available to the accused officer.

(3) For the purpose of all hearings before the chief, the captain's disciplinary board, and the merit board, each shall have subpoena power enforceable by the circuit or superior court of the county.

(c) After receiving the findings and recommendations, the chief or his designee may, with or without hearing, concur with the board or may reverse the board in full or in part. After making his determination, the chief or his designee may:

(1) suspend any officer without pay for up to six (6) months. If the suspension does not exceed a total of ten (10) days, suspension shall be without the right of appeal to the police merit board. However, that portion of any suspension exceeding a total of ten (10) days may be appealed to the police merit board within thirty (30) days;

(2) demote the officer in rank. However, any demotion may be appealed to the police merit board within thirty (30) days;

(3) may recommend to the merit board that the officer be discharged, in which case the merit board shall consider such a recommendation in the same manner as an appeal of a chief's determination for suspension or demotion; and

(4) reinstate with pay any officer who has been previously suspended without pay.

(d) The chief may delegate the authority to discipline as herein provided but that authority shall not exceed the following if the discipline is without hearing:

(1) Any deputy or assistant chief may suspend without hearing any officer for a total of ten (10) days without pay pending an investigation and hearing of the disciplinary board of captains. The suspension shall be subject to reinstatement with pay by the chief at any time.

(2) Any officer including the chief, down to and including the rank of captain, may suspend without pay any subordinate for a period of twenty-four (24) working hours.

(3) Any officer with the rank of lieutenant may suspend any subordinate officer without pay and without hearing for sixteen (16) working hours.

(4) An officer with the rank of sergeant may suspend any subordinate without pay and without hearing for a period of eight (8) working hours. Any such suspension by a sergeant shall, upon request of the officer who is suspended, be subject to immediate review by the lieutenant in charge at the time the suspension is made.

The chief also may delegate to any assistant or deputy chief the authority to discipline, the same as that provided for the chief.

(e) A written report of every suspension under subsection (d) of this section shall be sent to the disciplinary board of captains by the suspending officer within three (3) days after said suspension. The board of captains may conduct an investigation of the matter and shall refer its findings and recommendations to the chief as well as the officer in question. The chief may reinstate the officer with or without pay as he so determines.

A copy of all findings of fact and recommendations of the board as well as the chief's determination shall be made a permanent part of the officer's personal record. A copy of all of the findings of fact and recommendations of the board as well as the chief's determination shall also be referred to the department of public safety within fifteen (15) days.

(f) Any member of the force may appeal the following to the merit board within thirty (30) days:

- (1) that portion of any suspension without pay exceeding ten (10) days;
- (2) any demotion in rank.

The hearing before the merit board shall be an administrative hearing, shall be de novo and shall be a hearing of record. The evidence before the board shall consist of the findings of fact and recommendations of the disciplinary board of captains, the written charges and the determination of the chief of police upon said charges, and any other evidence requested by the board or presented by the aggrieved officer.

Any officer appealing any decision of the chief shall be given at least fifteen (15) calendar days notice prior to the hearing before the merit board.

The appealing officer may be represented by his legal counsel before the merit board and the chief of police shall be represented by the city attorney or a designee of the city attorney.

(g) The merit board may fully or partially affirm or completely reverse any portion of the chief's determination which is appealable. In the case of a demotion, the merit board may demote an officer only one (1) permanent rank at any one time. The board may order an officer reinstated with pay for any suspension appealable hereunder.

After hearing the evidence, the board shall, by majority vote, reduce its finding and decision to writing. A copy of the finding and decision shall be forwarded to the officer in question and to the department of public safety and shall also become a permanent part of the police officer's personal record.

(h) Any aggrieved member of the force shall have the right to file a verified petition in the superior or circuit court of the county for a review of the merit board decision. The petition for review must be filed within thirty (30) days after the written decision of the board. The consolidated city shall be the sole defendant in the petition for review. Within thirty (30) days after receipt of summons, the consolidated city shall cause the merit board to file a true and complete copy of the transcript of the hearing with the court. The court, without jury, shall review the record and render its decision as in other administrative reviews. The clerk of the court shall send a copy of the court's decision to the department of public safety and the appealing officer. Either party may appeal the decision of the court.

SECTION 2. (a) The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

(b) An offense committed before the effective date of this ordinance, under any ordinance expressly or impliedly repealed or amended by this ordinance shall be prosecuted and remains punishable under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

#### ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 7:26 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Police Special Service District Council of Indianapolis, Marion County, Indiana, held at its Special Meeting on the 22nd day of November, 1982.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

ATTEST:

*Betty Stewart*  
President

*James H. Hays*  
Clerk of the Police Special  
Service District Council

(SEAL)