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STATE OF INDIANA  
COUNTY OF MONROE  
IN THE MONROE CIRCUIT COURT

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COUNTY RESIDENTS AGAINST  
ANNEXATION, INC., an Indiana  
not for profit corporation,  
et al.,

Remonstrators/  
Appellants/  
Petitioners,

v.

THE COMMON COUNCIL of the City  
of Bloomington, Monroe County,  
Indiana, et al.,  
Respondents.

Cause No.  
53C06-2203-PL-  
000509

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VIDEOCONFERENCE DEPOSITION OF  
PAUL POST

DATE: Thursday, March 7, 2024  
TIME: 2:04 p.m.  
LOCATION: Remote Proceeding  
Bloomington, IN  
REPORTED BY: Andrew Pronschinske  
JOB NO.: 6504457

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A P P E A R A N C E S

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P R O C E E D I N G S

1  
2 THE REPORTER: Good afternoon. My name  
3 is Andrew Pronschinske; I am the reporter assigned by  
4 Veritext to take the record of this proceeding. We  
5 are now on the record at 2:04 p.m.

6 This is the deposition of Paul Post  
7 taken in the matter of County Residents Against  
8 Annexation, Incorporated, an Indiana not for profit  
9 corporation, et al. vs. The Common Council of the City  
10 of Bloomington, Monroe County, Indiana, et al. on  
11 March 7, 2024, virtually over Zoom.

12 I am a notary authorized to take  
13 acknowledgments and administer oaths in Indiana.  
14 Parties agree that I will swear in the witness  
15 remotely.

16 Additionally, absent an objection on  
17 the record before the witness is sworn, all parties  
18 and the witness understand and agree that any  
19 certified transcript produced from the recording of  
20 this proceeding:

- 21 - is intended for all uses permitted  
22 under applicable procedural and  
23 evidentiary rules and laws in the  
24 same manner as a deposition recorded  
25 by stenographic means; and

1                   - shall constitute written stipulation  
2                   of such.

3                   At this time will everyone in  
4 attendance please identify yourself for the record,  
5 beginning with the noticing attorney.

6                   MR. UNGER: All right. Stephen Unger,  
7 Bose McKinney & Evans on behalf of the city. And with  
8 me is Andrew McNeil, also of my firm, on behalf of the  
9 city.

10                  MR. BEGGS: Bill Beggs, Bunger &  
11 Robertson, on behalf of the petitioners.

12                  MR. POST: Paul Post. I'm the  
13 president of the Fraternal Order of Police Lodge 88 in  
14 Bloomington, Indiana.

15                  THE REPORTER: Thank you. Hearing no  
16 objection, I will now swear in the witness.

17                  Please raise your right hand.

18 WHEREUPON,

19                                 PAUL POST,  
20 called as a witness and having been first duly sworn  
21 to tell the truth, the whole truth, and nothing but  
22 the truth, was examined and testified as follows:

23                  THE REPORTER: Thank you.

24                  We may proceed.

25         //

EXAMINATION

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BY MR. UNGER:

Q Good afternoon, Mr. Post. It's nice to meet you.

A You, too.

Q I'm Stephen Unger. Again, I represent the city. I don't think we've ever met before, have we?

A Okay.

Q You don't recall?

A Not in person, no. I've seen your name, but not in person. Correct.

Q Okay. Have you ever been deposed before?

A Yes, sir.

Q Okay. In criminal matters, could I assume?

A Yes. I'm a City of Bloomington police officer, so I've been through a few depositions.

Q Okay. Ever in a civil matter?

A I don't believe so for civil, no.

Q Okay. Well, I'm just going to remind you of a few things. As you know, you're under oath; correct?

A Correct.

Q And so it's -- we have a reporter that's going to be typing down everything that we say. It's important that you answer questions yes and no instead

1 of nodding your head yes or no because --

2 A Got you.

3 Q -- don't show up.

4 A Correct. Got you.

5 Q And second thing is it'll be very helpful  
6 for the reporter, and it can be a little harder on a  
7 Zoom deposition like this, not talking over each  
8 other. I'll do my best to not talk over you if you do  
9 your best to let me finish my questions, and I'll try  
10 to let you finish, as well. Okay?

11 A Makes sense.

12 Q Okay. And if you need a break, just let us  
13 know, okay, and we'll make sure we accommodate.

14 A Okay.

15 Q So you understand that I'm going to ask you  
16 questions, and your responsibility is to answer my  
17 questions as truthfully and completely and honestly as  
18 you can; do you understand that?

19 A Yes, I understand that.

20 Q Okay. If for whatever reason I ask you a  
21 question and you don't understand it or there's some  
22 reason you can't answer it completely or truthfully,  
23 will you agree to let me know?

24 A Yes.

25 Q Okay. What did you do to prepare for your

1 deposition today?

2 A I talked to one of my shift reps who does  
3 the numbers for us and got the March reporting numbers  
4 for our staffing and went over those so I made sure I  
5 had the current numbers in front of me.

6 Q Okay. Who was that that you got those from?

7 A Jeff Rodgers.

8 Q Anything else? Did you do anything else to  
9 prepare?

10 A Not today, no. I actually just got off  
11 shift at 2 p.m., so I rushed right in here and changed  
12 real fast, and that was it.

13 Q Anything before today? Did you talk to  
14 anybody else in preparation for the deposition?

15 A Not specifically about the deposition. I've  
16 talked to Mr. Beggs a few times about some questions  
17 they had. I talked to, this would be back maybe a  
18 week or so ago, I talked to the Indiana State FOP  
19 Labor Council, my field rep, and notified them that  
20 the deposition was taking place.

21 Q What did Mr. Beggs want to know about  
22 generally?

23 A He was asking questions about the, I guess,  
24 the staffing and the manpower situation with the  
25 Bloomington Police Department.



1 Q Do you have, you mentioned, March reporting  
2 numbers that you got from Jeff Rodgers; do you have  
3 any notes or anything with you?

4 A I've got that sheet with me, yes. I mean,  
5 is that something I can share through that text or the  
6 thing that Abbi sent?

7 Q Okay. Probably not at this point. Is there  
8 -- let me ask you this. I want to just make sure I'm  
9 clear because again, we're not in the same room. So  
10 normally I would see if you have other papers in front  
11 of you; is there anything else that you have, notes or  
12 anything?

13 A I have the subpoena which was with my  
14 notebook sitting here, yeah. I have a folder.

15 Q Okay. What's in your folder?

16 A Oh, it's just my -- my FOP folder when I --  
17 I just have stuff with me. Yeah.

18 Q Okay. Understood. And thank you. Can you  
19 -- yeah, would you be able to email the -- those --

20 MR. UNGER: Actually, let's go off the  
21 record for a minute.

22 THE WITNESS: Okay.

23 THE REPORTER: Off the record at 2:09  
24 p.m.

25 (Off the record.)

1 THE REPORTER: We're now back on the  
2 record at 2:12 p.m.

3 BY MR. UNGER:

4 Q Mr. Post, just to clarify for the record.  
5 Off the record, we kind of went through and you, I  
6 understand, have taken a picture or emailed us a copy  
7 of the March report numbers that you referenced  
8 earlier; correct?

9 A Correct. I sent an email to all three of us  
10 -- or all three of you.

11 Q The three attorneys that are --

12 A Yes.

13 Q -- here today. Okay. Good. And we'll take  
14 a look at that after a little bit, so I want to go  
15 through some other stuff first.

16 Q Could you tell me what your, briefly, your  
17 employment history has been in with the Bloomington  
18 Police Department?

19 A I've been employed with BPD since 2002. I'm  
20 a senior patrol officer currently assigned to the day  
21 shift which is in the mornings. I've worked all three  
22 of the patrol shifts over the course of my 21-plus  
23 years.

24 Q Have you always been a patrol officer?

25 A Correct.

1 Q Have you worked for any other police  
2 departments?

3 A Prior to this, I worked for the Anderson  
4 University Police Department while I was in college  
5 going to Anderson University.

6 Q What are your, as a senior patrol officer,  
7 what are your responsibilities?

8 A I'm assigned to the uniformed patrol  
9 division, so each day I'm assigned to a patrol  
10 district and, you know, full uniform, marked car,  
11 drive around my district and, you know, look for  
12 whether it's answering calls or looking for -- for  
13 crimes that are occurring or traffic incidents, things  
14 like that.

15 Q Is it always the same district? Or is it a  
16 different district?

17 A It can rotate. I'm senior enough that it  
18 tends to be usually the same one. But we have  
19 rotating numbers, so depending on needs of the shift,  
20 yeah, it could rotate.

21 Q Do you have, like, seniority via preference  
22 on what district?

23 A We get to put in a preference, yes, on  
24 district. But again, you know, depending on the needs  
25 of the day, we can get moved.

1 Q Is that considered an upper level policy-  
2 making position?

3 A No.

4 Q Are you -- do you consider yourself a policy  
5 maker in your role as a city employee?

6 A No.

7 Q Do you have any spending authority in that  
8 role?

9 A No.

10 Q Do you as a city employee have any  
11 involvement in the budgeting process?

12 A Other than as an observer, no.

13 Q Do you in your role as a city employee, do  
14 you have -- do you work with other city departments?

15 A Yes.

16 Q What exactly?

17 A We interact with a lot of other city  
18 employees throughout, you know, our days. It could  
19 be, you know, on a traffic incident it could be Parks  
20 and Rec making a complaint about, you know, maybe some  
21 vandalism in a park or someone calling in a prior  
22 incident they want to report. We interact with lots  
23 of them.

24 Q Do you have as a city employee any role in  
25 helping to decide how city funds are budgeted among

1 different departments?

2 A No.

3 Q So I understand you're a union member?

4 A Correct.

5 Q What's the union that --

6 A The collective bargaining unit at the  
7 Bloomington Police Department is comprised of police  
8 officers and detectives, so it's uniformed officers  
9 and detectives who are of the rank officer first class  
10 and senior police officer.

11 Q Is there a -- I guess my -- is it an FOP?  
12 Because it's the Fraternal Order of Police?

13 A Correct. That bargaining unit is  
14 represented by the Fraternal Order of Police Lodge 88.  
15 Lodge 88 is comprised of multiple agencies across  
16 Monroe and Brown County.

17 Q How long have you been a member of the  
18 union?

19 A I joined in 2002 shortly after I was hired.

20 Q And what's your role with the union?

21 A Currently I'm the president of the lodge.

22 Q What does that entail?

23 A So for lodge-specific duties, it's running  
24 meetings, running any sort of services we may hold,  
25 memorial services, things like that. Organizing some

1 of our charitable events that we do like Shop With a  
2 Cop in December. Specifically to the collective  
3 bargaining unit at the Bloomington Police Department,  
4 FOP 88 is the group that represents that bargaining  
5 unit in terms of contract negotiations and bargaining.

6 Q Are you testifying in this case today, and  
7 if at trial, in your official role as a union  
8 representative?

9 A Correct. Yes.

10 Q So you're -- are you speaking for the  
11 Fraternal Order of Police in general or just the  
12 lodge?

13 A In this particular case, I'm representing  
14 the members of the Bloomington Police Department  
15 collective bargaining unit.

16 Q How many members are there of Lodge 88? And  
17 I'll split it up. How many members are there at Lodge  
18 88 and how many are there members of -- the  
19 Bloomington Police Department are members of the  
20 union?

21 A The bargaining unit at BPD is I want to say  
22 somewhere in the 60s. I don't know, I'd have to look  
23 up the number exactly. And then the lodge itself is  
24 80-some-odd members with different -- different  
25 agencies.

1 Q How many Monroe County sheriff's employee --  
2 deputy -- sheriff's office employees do you have that  
3 are members?

4 A I'd have to have that list in front of me.  
5 I don't know. There's -- there's a handful, yeah.

6 Q It's voluntary; is that correct?

7 A Correct.

8 Q Do officers or members pay dues?

9 A Yes, members of the lodge pay yearly dues.

10 Q Is that a requirement to be a member?

11 A It is.

12 Q If somebody doesn't pay their dues, what's  
13 the penalty?

14 A So basically to join the lodge, you have to  
15 agree and pay your dues each year. And then if you're  
16 not a paying member, you get dropped from the lodge  
17 roll.

18 Q Okay. What's -- how much -- what are the  
19 dues?

20 A For this year, they are \$130 per year.

21 Q Does that come directly out of somebody's  
22 paycheck usually?

23 A So we have -- it's not an easy answer. For  
24 some City of Bloomington Police Department employees,  
25 it can, yes. Well, no, let me correct that. The

1 lodge dues do not. The membership in the -- the dues  
2 that the BPD members pay into the labor council dues  
3 come out electronically.

4 Q And is that in addition to the \$130?

5 A Correct. So the -- the bargaining unit at  
6 the -- at BPD elected to join the Indiana FOP, the  
7 state FOP Labor Council for legal representation.  
8 That's a separate amount than the lodge dues for  
9 membership.

10 Q Do you know what that is, the legal counsel  
11 dues?

12 A I want to say it's like \$17 a month. It's  
13 an odd amount. It's like 17 and change, I don't  
14 remember the exact amount.

15 Q And am I correct in understanding that you  
16 can -- you don't have to be a member of a local lodge  
17 to be able to join the legal council fund at the FOP?

18 A Correct. So some members of the bargaining  
19 unit at BPD are not members of the local lodge,  
20 correct. They are just represented by us.

21 Q Okay. So is that -- so in other words, that  
22 would be like saying probably more than 60 officers  
23 are members of the -- pay to the labor council fund?

24 A I don't think it's that -- I don't know the  
25 exact number of the BPD officers that pay into the



1 labor council. I would have to get the list from the  
2 controller to see what this year's number is. Again,  
3 the bargaining unit is about 60 total officers, I  
4 believe, at BPD. But again, that list is different  
5 than the list of members of the lodge itself.

6 Q Do -- are there -- and I'll get a little bit  
7 more into your collective bargaining agreement. But  
8 do the -- there's not a separate set of rules at the  
9 police department for members of the lodge or FOP than  
10 there are for other members; correct?

11 A No. No.

12 Q So if I'm a police officer that has chosen  
13 not to be a member of the lodge, do I receive the same  
14 benefits under the collective bargaining agreement as  
15 members?

16 A Correct. The collective bargaining unit --  
17 or collective bargaining agreement at BPD covers all  
18 of those members who are part of that bargaining unit,  
19 yes.

20 Q Are more police officers in Monroe County  
21 and in Bloomington a good thing for the union?

22 A A good thing meaning financially? Or like  
23 fraternally? Or what?

24 Q Both, either?

25 A Well, again, because you don't -- they're

1 not required to join the lodge. The potential is  
2 there, yes, if more of them were hired in the county  
3 they could potentially join the lodge and bring more  
4 dues in. Again, we don't require them to do so. It's  
5 a voluntary, if they wish to join, so potentially.

6 Fraternally, I'd say yes if we have more  
7 members, more members that participate, it makes --  
8 makes things easier for some of our charitable  
9 outreach work that we do.

10 Q Is one of the union's goals to boost  
11 compensation and benefits for its members?

12 A Correct.

13 Q What are other goals of the union?

14 A Well, to protect the rights of the members  
15 to ensure that, you know, they're seeing due process  
16 with the contracts that, you know, that's collective  
17 bargaining.

18 Fraternally, it's, you know, we try to  
19 encourage the members from different agencies to  
20 interact with each other. It's a way for them to get  
21 to know people from other agencies and recognize those  
22 people.

23 And then, again, with the charitable  
24 outreach, it's good to have those members involved in  
25 the community itself and doing good things.

1           Q     Is the union opposed to the city's  
2 annexations of area 1A and 1B?

3           A     We are, let's say, fearful of annexation  
4 because we currently don't have enough officers for  
5 what we have, and adding large areas like area 1A and  
6 1B without doing some of the prep work to staff those  
7 areas is why I think most of the members are so  
8 fearful of it.

9           Q     Other than that, is there any other reason  
10 that the union is opposed other than those concerns?

11          A     No. Most of the members don't -- don't live  
12 in the city or live in those areas, so it's not like  
13 you have, you know, people who are, you know,  
14 concerned about their homes or their taxes in that  
15 sense, no.

16          Q     Was there any kind of a membership vote  
17 concerning the city's annexation?

18          A     Not specific to annexation, no. That would  
19 be -- we've done polls of the membership for other  
20 things. I don't know that we've done one about that  
21 specifically.

22          Q     Have you done polls for things that relate  
23 to the annexation?

24          A     We've done polls largely with BPD. It's  
25 about compensation or about, you know, things,

1 directions that we want to do. You know, whether it's  
2 reaching out to city council on issues, whether it's,  
3 you know, taking numbers for voting on contract  
4 issues, that sort of thing.

5 Q And is it your understanding that cities and  
6 towns in Indiana are not required to collectively  
7 bargain for -- with police and fire?

8 A I think that's right. I'm trying to  
9 remember all the -- all of that case law, but I  
10 believe that's correct.

11 Q You're not aware of a requirement that  
12 municipalities must engage in collective bargaining  
13 with the police union, are you?

14 A Correct.

15 Q When was the last collective bargaining  
16 agreement negotiated?

17 A The current CBA runs from years 2023 through  
18 2026, so it would have been signed and negotiated in  
19 2022.

20 Q Is that -- are they normally four-year  
21 terms?

22 A Correct.

23 Q Are those -- what was your role in the 2022  
24 collective bargaining agreement negotiations?

25 A I was also the president at that time of the

1 union.

2 Q Were you one of the negotiators then?

3 A Correct. So the team that does that is  
4 comprised of a representative of each uniformed shift  
5 and detectives, and then an FOP representative; in  
6 this case, that was me, yes.

7 Q So there -- is that a five-person team when  
8 --

9 A Correct. BPD uses it. We have five people,  
10 and then with the last two contracts after they joined  
11 the labor council, there are times where there may  
12 have been an attorney or there may have been a field  
13 representative from the labor council in attendance,  
14 as well.

15 Q What were the union's primary concerns in  
16 that last negotiating process? Or what were their --  
17 what were the things that you guys wanted to  
18 accomplish in it?

19 A You know, largely compensation. BPD has  
20 consistently ranked well behind our peer agencies in  
21 terms of compensation and what you would lump under  
22 benefits, let's say. We see that as affecting our  
23 ability to compete in the marketplace and recruit and  
24 then also retain employees. We've lost a lot of  
25 employees to other agencies who pay better than BPD or

1 have better benefits than BPD.

2 Q Is there anything else?

3 A So doing a contract, I mean, it's a multi-  
4 part thing. So, I mean, that's the general header of  
5 it is largely compensation. I mean, there's a lot of  
6 different areas of that contract that I could, if I  
7 had it in front of me we could go through them line by  
8 line, but.

9 Q What was the result in -- I understand there  
10 was a pay increase that came out of that collective  
11 bargaining agreement?

12 A There was. The -- so each year of this  
13 four-year contract, there was a percentage increase.  
14 The first year was the larger of the four years, and  
15 then it's a different amount each year since -- or for  
16 '24, '25, and '26.

17 Q Do you remember what the first year  
18 percentage increase was?

19 A For officer first class, it was 13.-  
20 something percent, and for senior police officer it  
21 was 12.6 percent, something like that. For year two,  
22 it's 2.8 percent increase for everyone, for year three  
23 it's 2.9 percent, and year four it's 3 percent.

24 Q Do you -- did you view those as successful  
25 negotiations and a successful collective bargaining

1 agreement?

2 A The membership voted on it and accepted it  
3 as acceptable, yes. It was definitely one of the  
4 larger increases they have seen, and so, yeah, they  
5 felt good about it at the time.

6 Q I haven't read it, but I would assume it  
7 doesn't prohibit the city from raising pay greater  
8 than that that's in the agreement?

9 A No. There's a section in there that talks  
10 about, you know, if both parties to the agreement  
11 agreed that there needed to be some sort of change  
12 made, both parties could come back to the table and,  
13 yeah, do that if they wanted to.

14 Q What role did annexation play in the  
15 collective bargaining agreement negotiations in 2022?

16 A You know, annexation's been talked about for  
17 a long time, so obviously it was mentioned during  
18 that, I'm sure. Basically it's the same -- same  
19 concept, you know.

20 The officers view annexation as something  
21 that, you know, if we don't do something now to begin  
22 recruiting new officers and filling in the gaps we  
23 have as well as adding new positions, BPD has  
24 traditionally been rather understaffed for population,  
25 call volume, crime statistics.

1           And, you know, obviously we're 20 officers  
2 short today, so, you know, I'm sure it was discussed  
3 in terms of that where, you know, we're trying to find  
4 a way, you know, whether it's increasing compensation  
5 and benefits to attract new officers here and retain  
6 the officers that we currently have.

7           Q       Was it something that the union raised  
8 specifically during negotiations?

9           A       I'm sure we did, yeah.

10          Q       And as in was it a -- I'm trying to think  
11 how to phrase this. Was it an issue that affected  
12 compensation?

13          A       I think that it was an issue that where we  
14 were looking at it as, you know, the more compensation  
15 or the better way we can position BPD to attract  
16 either recruiting a new officer or retaining existing  
17 officers, obviously the higher we can position  
18 ourselves as a marketable agency, the better we will  
19 be.

20                   That's been the, kind of the big issue for a  
21 number of years is being able to hire officers and  
22 then keep them long-term.

23          Q       The pay increases, they're not contingent on  
24 the annexation being successful or unsuccessful, are  
25 they?



1           A     No. The annexation is not mentioned in any  
2 way in the current collective bargaining agreement,  
3 no.

4           Q     So the annexation doesn't affect the pay  
5 increases or the collective bargaining agreement?

6           A     No, it's not a mentioned section in the  
7 agreement, no.

8           Q     Was -- so I'm looking at my timing here.  
9 Prior to that, the prior collective bargaining  
10 agreement negotiations would have been in 2018; is  
11 that correct?

12          A     I think that one went maybe a little bit  
13 into 2019. There was, I think it was that year that  
14 we did go into our evergreen year. I don't believe we  
15 came to an agreement by the end of it, and we went in  
16 a little bit to the next year.

17          Q     By "evergreen," you just mean the prior  
18 agreement just continued for an extra year?

19          A     Correct.

20          Q     Okay. Was annexation an issue during those  
21 collective bargaining agreement negotiations?

22          A     It was probably mentioned because I believe  
23 the city started the annexation in 20 -- was it 2017,  
24 2018, somewhere in there, so it probably was mentioned  
25 at that time just because of the closeness of it.

1           Q     You talked about a little bit of the  
2 staffing concerns. Do you agree that police  
3 departments around the country are having trouble  
4 right now attracting new officers?

5           A     Yes, I would agree with that.

6           Q     Sorry, can you repeat that? I think you  
7 tuned out a minute.

8           A     Sorry. Yes, I would agree with that.

9           Q     There's a shortage of police officers  
10 nationwide?

11          A     Correct.

12          Q     Is it pretty competitive nationwide to  
13 attract officers?

14          A     Yeah, it's a very competitive hiring market  
15 right now.

16          Q     Are there fewer people that want to be  
17 police officers?

18          A     There's -- there's some research that says  
19 yeah, the pool is a lot less just based on national  
20 trends and some of the media stuff that's been out the  
21 last, you know, let's say, you know, eight to ten  
22 years. So yeah, you probably do have fewer people  
23 applying for those jobs.

24          Q     Why do you think that is?

25          A     You know, a lot of the media reports, you

1 know, in the last eight to ten years have been, you  
2 know, very negative about law enforcement. There was  
3 a period of time where law enforcement was really  
4 getting a bad rap, and, you know, it's -- it swings  
5 back and forth.

6 If you've done this long enough, you know,  
7 in law enforcement you see that where sometimes, you  
8 know, everyone loves you, sometimes everyone hates  
9 you. It just goes back and forth, and we're just kind  
10 of in the midst of that.

11 Q When do you think -- I understand your  
12 position is there's a staffing shortage; when you do,  
13 in Bloomington PD, when do you think that problem  
14 started to occur?

15 A Really in the last about five years, I think  
16 is where we really saw, you know, we were losing more  
17 than we were able to bring in and retain. I'd have to  
18 have, you know, multi years in front of me, but I want  
19 to say 2019, 2020, somewhere in there, the last bit.

20 Q You don't think it was a problem before  
21 that?

22 A Well, this is my opinion. It was because  
23 Bloomington's obviously always been a little bit under  
24 kind of the national number of, you know, where you  
25 see police officer totals. I think it was two mayors

1 ago they made a big push they were going to try to add  
2 two new positions each year during his terms.

3 We added for a number of years, you saw  
4 regular retirements, but we were still continuing to  
5 add, and we can still hire people with, you know,  
6 relative regularity, let's say.

7 And then here in the last, I'd say about  
8 five years or so, it's become harder to hire people  
9 because you have, you know, fewer people putting in,  
10 and then we were losing people who may be retiring,  
11 whether it's early or more than -- instead of people  
12 staying for, let's say, 25 years, they were getting  
13 out right at 20 years type thing.

14 Q And do you think that's consistent  
15 nationwide, too? Officers retiring earlier?

16 A I do. You see quite a bit of that, and  
17 that's really, you know, again why recruiting and  
18 retaining have to go hand in hand.

19 Q Do you know -- I believe there was a change  
20 in the law at some point concerning where officers can  
21 reside; are you familiar with that?

22 A Yeah, 'cause it used to be, I think there  
23 was like, there was a certain mileage put on it. And  
24 then I know that changed, and then now I don't think  
25 there's an actual number on it, if I remember

1 correctly.

2 Q There's no restriction for Bloomington  
3 police officers on where they can live, is there?

4 A Not that I'm aware of. We have several  
5 officers who live outside of the city, outside of the  
6 county, yes.

7 Q Like I, for example, I think Carmel has  
8 police officers that probably come from Monroe County;  
9 are you familiar with that?

10 A I don't know of any, you know, specifically  
11 people who live here and drive there, no.

12 Q You mentioned a minute ago that within the  
13 last five years is when -- or, I'm sorry, you said,  
14 and I'm just trying to make sure I understand it, I  
15 think, Bloomington's always been under the national  
16 totals was something you -- what do you base that off  
17 of when you say, "national totals"?

18 A Oh. Bloomington, you know, for population  
19 size, for call volume, for, you know, crime that goes  
20 on, you know, we've as a bargaining unit have always  
21 felt like we should have more officers to cover what  
22 we have.

23 Traditionally, you know, it's usually viewed  
24 between two and three officers per thousand people is  
25 kind of a generally benchmark that you see a lot of

1 times. I don't think anyone has it really written  
2 down like you must have X number, or something like  
3 that.

4 But for a population size, we've seen that  
5 in talking to the city, you know, people in the past,  
6 the argument has been brought out that well, we have  
7 the city police but you also have Indiana University  
8 police, there's the sheriff's office, the state  
9 police. There are several other law enforcement  
10 agencies who cover this area. And so, you know, we  
11 can get by with fewer officers in the city.

12 Q Because I want to make sure I understand it,  
13 you said two to three officers per thousand; there's  
14 not a national statistic or guideline out there that  
15 lists that number, is there?

16 A So you see it come up. If you search  
17 online, you do the research on it, you see it  
18 mentioned by, you know, agencies like the FBI, you see  
19 it mentioned by organizations like the, what is it,  
20 the International Association of Chiefs of Police. I  
21 think that's the acronym.

22 You know, a lot of them use -- use those  
23 kind of numbers of, you know, kind of benchmarks for  
24 where cities or municipalities should be aiming for.  
25 Again, the city of Bloomington doesn't actually have a

1 number written down that say, you know, we have to  
2 have X number of officers per whatever, no.

3 Q And I'm talking about nationwide, too,  
4 there's not a -- I mean, I will tell you, I've not  
5 seen, and so that's why I'm asking you if you've seen  
6 a specific study that says here's the recommended  
7 number of officers per thousand people.

8 A Again, yeah, it's one of those like you see  
9 if you look online, I mean, I don't think the FBI  
10 comes right out and says you must have X number per  
11 thousand.

12 What you see is research where it's, you  
13 know, that's kind of the numbers they use for cities  
14 and towns for how they do things for looking at  
15 things, population size, crime reporting, or crime  
16 statistics, that sort of thing.

17 Q Do you believe Bloomington has good police  
18 officers?

19 A I do.

20 Q How would you compare Bloomington's police  
21 department to other departments in Indiana in terms of  
22 the service that they provide? Is it better? Is it  
23 worse? Is it comparable?

24 A Multi-part answer, there. I would say for  
25 the terms -- in terms of the service that they receive

1 from the officers in terms of, you know, how we  
2 respond to calls, how we treat the citizens, how we do  
3 things, I'd put us at exceptional. We have a very  
4 good group of officers, and that's -- it's -- we do an  
5 excellent job of training officers, which is why they  
6 get poached by other agencies with some regularity.

7           There are times as an agency where we're,  
8 you know, this is part of, you know, the staffing  
9 numbers where we're unable to respond to calls in a  
10 timely manner, so there, you know, compared to other  
11 agencies we may be behind. There's times where we  
12 have to pend calls for service for citizens calling  
13 about something because we just don't have any units  
14 available.

15           So in terms of the service you receive from  
16 the officers, great. In terms of, you know, timing  
17 and our ability to handle, you know, large-scale  
18 things, quite a bit less.

19           Q     That's not unusual in other departments  
20 around the state, though, is it, right? You agree?

21           A     I don't know all of them for, you know,  
22 their response time, so I really don't have a way to  
23 respond specifically to all of them like that.

24           Q     So your measure is response times? Is that  
25 your measure?



1           A     It's one part of it. You know, the  
2 citizens, when they call 9-1-1, they expect that  
3 someone's going to respond to a call. We get citizens  
4 who, you know, get irritated with us when it takes,  
5 you know, a bit of time to respond to something, or  
6 they get a, you know, a phone call instead of an  
7 actual person showing up, or they get one of the  
8 civilian employees versus a sworn officer, that sort  
9 of thing.

10          Q     What do you believe is a adequate response  
11 time when somebody calls 9-1-1?

12          A     Well, I think, Steve, it would really depend  
13 on what type of call or what it is they're calling  
14 about. And that would be more of a department  
15 question about what they view, you know, adequate time  
16 or response. I don't have any of that data in front  
17 of me.

18          Q     I mean, do you have a -- you don't have a  
19 specific opinion yourself, though, of what would be an  
20 appropriate response time?

21          A     Well, it would depend on what the call was.  
22 We use a four-tier system of prioritizing calls in the  
23 computer. One is -- so there's 1, 2, 3, 4; 1 is, you  
24 know, a very quick response, priority call; 2 can pend  
25 for about 15 minutes; 3 and 4 can pend 30 to 60

1 minutes, like that.

2 So depending on the type of call would be  
3 the way to, you know, I'd have to know exactly what  
4 the call was. Then obviously every call is different.  
5 You know, it may be put in the computer as one thing,  
6 but when you read the notes you realize it's something  
7 completely different or there's some issue with it.  
8 So it's hard to -- to put a true number to that, I  
9 guess, without a more detailed, specific example.

10 Q Have you reviewed -- and, I'm sorry, I  
11 haven't seen the email that you sent us; does it  
12 include tall time data? Or is it just shift staffing  
13 data?

14 A It's just staffing.

15 Q Okay. Do you review regularly the call time  
16 data?

17 A I don't in my role, no. That would be a  
18 department question.

19 Q Are you familiar with, I guess -- are you  
20 familiar with the current run-time data for  
21 Bloomington Police Department?

22 A I can't say that I've seen it. No.

23 Q Are you aware that the call -- the response  
24 call time is shorter than it is for the Monroe County  
25 Fire -- or Police -- Monroe County Sheriff's

1 Department?

2 A I'm not necessarily aware of it, but I  
3 wouldn't be surprised by it just for geography.

4 Q Why is that if you could explain?

5 A So city is obviously, you know,  
6 geographically just one area. And we have, you know,  
7 usually more officers working than the county does in  
8 a smaller area. They would have larger distances to  
9 travel between calls.

10 Q How many officers during the afternoon  
11 shift, for example, does Bloomington Police Department  
12 have patrolling?

13 A I think afternoon shift's minimum is nine.  
14 I don't currently work that shift, so I'd have to look  
15 that one up. But I believe it's around nine.

16 Q What's the -- is that the busiest shift?

17 A In terms of call volume, yes. Second shift  
18 is the busiest one, yes.

19 Q What's the maximum?

20 A Well, so for example, I'm trying to think,  
21 it's on here. So afternoon shift currently has 16  
22 officers assigned that'd be broken up into three  
23 rotations. So let's say you have five, five, and six  
24 of the three rotations. If you had -- and you always  
25 have two rotations working at a time. So in one

1 instance you may have ten people total possible, or  
2 you may have the other one that'd be a five and a six,  
3 you'd have eleven possible working if no one was off,  
4 no one was in training, no one was sick, like that.

5 Q Is -- do you know how many sheriff's deputy  
6 at that same shift time are patrolling the county?

7 A I do not know that number.

8 Q And you understand that your -- do sheriff's  
9 deputies, do they patrol inside the city, as well?

10 A I don't think they -- I mean, they  
11 obviously, if they're in their vehicles and they see a  
12 crime occurring or traffic, you know, something like  
13 that, they would -- they would be able to take action.  
14 They don't specifically patrol inside the city for, I  
15 guess, patrol area. Their district or areas are  
16 outside of the city.

17 Q But their headquarters is in the city, isn't  
18 it?

19 A Right. And so the headquarters, the jail,  
20 that's why -- I mean, obviously they transit the city  
21 just like there are areas of -- of, you know, around  
22 the edge of the county where the city -- a city  
23 officer may transit bits of the county.

24 Q But they -- you understand it's the -- it's  
25 -- inside the city is also the sheriff's department's

1 jurisdiction, as well?

2 A Sure. They're county-wide.

3 Q Is -- do you think 16 officers in the --  
4 during the second shift is an appropriate number to be  
5 patrolling the city during that time?

6 A Well, let me correct you there, Steve.  
7 Sixteen is the total number assigned to that shift.

8 Q Thank you. Thank you for correcting me.  
9 Let's say nine to ten?

10 A Nine to ten is -- is, let's say, light.  
11 It's short.

12 Q How many do you believe should be patrolling  
13 the current city's boundaries right now during the  
14 second shift?

15 A Well, if we had -- if we were fully staffed  
16 at 105 officers, we had 20 more than we currently do,  
17 and we say we put another, you know, five onto that 16  
18 that already exists, we'd have 21 officers to draw  
19 from. You could split that, you know, three ways, and  
20 then you'd have, you know, a few more working on each  
21 one.

22 I don't know the -- I wouldn't be the person  
23 that would set the number of officers for that. That  
24 would be more like a chief question. Obviously if we  
25 had a fully staffed 105 officers, you know, they'd be

1 able to do that and staff second shift with, you know,  
2 at least five more, let's say.

3 Q When you say, "fully staffed at 105," what  
4 do you base the 105 on?

5 A That's the number that's budgeted by the  
6 city for the authorized staffing of the police  
7 department.

8 Q Do you know what that number is based off  
9 of?

10 A I do not. That's the number that's set by,  
11 you know, folks above my pay grade.

12 Q Do you base -- so to you, fully staffed is  
13 based off of what the council budgets?

14 A That's one way to look at it, yeah. I mean,  
15 they -- that's the number that's reported as part of  
16 the budgeting process, and then that's set by, you  
17 know, obviously the chief and the mayor, you know, in  
18 working on their budget.

19 Q I mean, aside from that 105 number from the  
20 budget, is there anything else that you would base off  
21 of saying we need more officers during the second  
22 shift?

23 A Well, the last staffing or organizational  
24 study that was done by the city was, I want to say,  
25 2018, 2019, somewhere in there. That one did

1 recommend on our current shift schedule having more  
2 officers. So we've talked about that with city  
3 council and publicly, as well, in the past. I believe  
4 that one put us at 121 officers at our current patrol  
5 schedule is what they recommended.

6 Q Besides that and the budget, is there  
7 anything else that you would base it off of? Any  
8 other data that you have about needing more officers?

9 A Well, those are the two, you know,  
10 obviously, you know, the 105 is set by the city.  
11 That's not something we really base it off of. That's  
12 just what's available. The staffing study is one that  
13 we think is, you know, data, you know, that an outside  
14 organization came in and said, hey, this would be it.

15 If you look at the traditional, you know,  
16 idea of having two to three officers per thousand,  
17 again that's, you know -- I'd have to do the math in  
18 front of me for what we have.

19 And there's some question there as to the  
20 actual census number for Bloomington and how many  
21 people actually live in Bloomington. We've had that  
22 debate, as well, in the past. And I know the city was  
23 upset with the last census number because they felt it  
24 was underreported.

25 Q Is the two to three officers per thousand,

1 that's -- is that total officers in the department, or  
2 is that a shift staffing recommendation?

3 A Usually where you see that stuff, you know,  
4 for whether it's FBI or whoever else is talking about  
5 it, it's based on total numbers. I don't think anyone  
6 breaks it down for an actual, like, shift  
7 recommendation. No.

8 Q Like the plain clothes detectives, civilian  
9 staff, as well?

10 A Yeah, I mean -- well, so total number of  
11 officers would be your sworn personnel. The total  
12 number of employees of an agency would include your  
13 non-sworn, your civilian, you know, whether it's  
14 records clerks, dispatch, those folks, yeah.

15 Q Maybe the way I want to ask it is that two  
16 to three would include upper level policy-making  
17 detectives, or detectives and upper level policy-  
18 making sworn officers?

19 A It would, yeah. I mean, that's -- if you're  
20 looking at sworn positions, that's the 105 that we use  
21 locally as the budgeted number includes everyone from  
22 the chief down.

23 Q If there were 105 sworn officers, would that  
24 address your concerns about current staffing levels?

25 A I think it would help the members, you know,



1 obviously in their day-to-day lives with, you know,  
2 call volume and what they're doing. It would --  
3 again, you know, if we could follow the actual  
4 organizational recommendation that said, hey, you guys  
5 should have 121, that would be even better. That was  
6 based on data from -- and, again, I want to say it was  
7 like 2019, somewhere in there -- in terms of call  
8 volume.

9 We've seen call volume and crime stuff go up  
10 the last few years. I know last year specifically our  
11 call volume went up quite a bit. So, you know, we'd  
12 almost have to do another organizational or staffing  
13 study to see if those numbers are still recommended or  
14 what they would put it at.

15 Q Do you agree that city police officers  
16 respond to calls in the annexation areas from time to  
17 time?

18 A It depends on the type of call, and it would  
19 depend on a supervisor, a city supervisor saying,  
20 yeah, go -- that's okay to respond to that.

21 So we -- we have a kind of a -- a rule,  
22 let's say, where, you know, obviously the areas around  
23 the edge of the city are some. If you are driving  
24 through one of those areas around the edge of the town  
25 and you come upon, let's say, a motor vehicle crash.

1 Most of the time, the officer who encounters it would  
2 just go ahead and work it rather than call the other  
3 agency or the county sheriff's office to work it.

4 Obviously they're not driving well into the  
5 county jurisdiction working crashes or taking a call  
6 like that unless the other organization or the other  
7 agency was to say, hey, you know, we're busy, could  
8 you guys send someone to respond to this particular  
9 call in our jurisdiction, which does happen from time  
10 to time.

11 Q So the sheriff's department would say, we're  
12 too busy, even though this area is outside of the  
13 city's boundaries, can the -- can a city officer come  
14 and take this call, and will do that from time to  
15 time?

16 A Correct.

17 Q Including in the annexation areas, I assume?

18 A Yeah, I mean, I'd have to look at the  
19 addresses, but yeah, I'm sure we've done something in  
20 those areas.

21 Q You said that there was a rule, you used the  
22 term "rule"?

23 A Yeah.

24 Q Is there a -- I just want to make sure we're  
25 clear on that. Is that a written rule, is it kind of

1 an unspoken rule? Has anybody told you that?

2 A You know, we've been told that by our shift  
3 supervisors. It's not like a written rule that's  
4 written down in a general order or something, no.

5 Q What about like a priority one call, right,  
6 you guys will respond to that without asking, I would  
7 assume?

8 A So generally what would happen, you know, as  
9 a patrol guy, you're going to maybe start that way if  
10 you hear the call, but we're asking our supervisor  
11 over the radio, you know, hey, did you hear the call  
12 and can I respond? And obviously they're going to  
13 take half a second, look at the call, and say yes or  
14 no or make that decision.

15 But, you know, obviously if there was, let's  
16 say, an active shooter incident at a school outside of  
17 the city jurisdiction, most of us would begin  
18 responding to that, yes.

19 Q When it comes from dispatch, do they say if  
20 it's -- whose jurisdiction it is? Or do they just say  
21 it's here and you figure out whose jurisdiction it is  
22 on the way or later?

23 A No, we -- well, for all the calls, we would  
24 only -- city would get dispatched to city  
25 jurisdiction, county would get dispatched to county

1 jurisdiction. In the computer, I can see all of those  
2 calls if I have it set, you know, I could see all the  
3 ambulance calls or all the fire calls, or whatever.  
4 Or I could narrow it down and just see, you know, my  
5 agency, let's say.

6 Q Do you agree that Bloomington Police  
7 Department officers interact with residents in the  
8 annexation areas every day?

9 A I wouldn't really have a way to answer that.  
10 I'd -- it's possible, I suppose, but I don't -- I  
11 don't know for sure.

12 Q Do you agree that the additional population  
13 and businesses right outside the city's boundaries  
14 impact the manner in which we provide police service?

15 A I would say that --

16 MR. BEGGS: Object -- show objection to  
17 the form of the question.

18 BY MR. UNGER:

19 Q Go ahead and answer, Paul?

20 A What I was going to say is I think that  
21 adding a large population or large area would affect,  
22 you know, things because obviously you're adding both,  
23 you know, people and, you know, land mass. It's time  
24 to cover those areas, so potentially.

25 Q Are you familiar with the Walmart located in

1 annexation area 1B?

2 A I am.

3 Q Do you think there's a crime problem at the  
4 Walmart in area 1B?

5 A I don't know that I would classify it as a  
6 crime problem. I would say it's a higher call volume  
7 address in the county jurisdiction, yes.

8 Q Are you aware of county officers ever  
9 asking, you know, your rank and file to make the calls  
10 to -- make the runs on the calls to the Walmart?

11 A One of them did today during my shift this  
12 morning where one of our officers was assisting county  
13 with, I think they were looking for a suspect or  
14 something that the call had originated at Walmart.

15 Q Are you aware of the county sheriff's  
16 deputies ever asking Bloomington Police Department to  
17 just take over all of the calls to the Walmart?

18 A I'm not aware or familiar with that, no.

19 Q Do you agree that shorter response times are  
20 a benefit to a resident or a business?

21 A I think that a resident or a business would  
22 say that, yes, that they would -- they would, you  
23 know, say, hey, you know, we want the police to  
24 respond in a timely manner.

25 Q Do you have -- are you aware of any data

1 that showing that calls are going unanswered in  
2 Bloomington based off of the current staffing levels?

3 A You would probably have to ask the  
4 department that question. I don't have that data to  
5 where I've seen a list of -- I know that calls  
6 sometimes get marked "no units available" and they  
7 will pend. I don't know of calls that -- of a list of  
8 those calls. That would be more of a department data  
9 question.

10 Q But, I guess, are you aware of any specific  
11 evidence of calls being unanswered because -- all  
12 together unanswered because of short staffing or  
13 crimes not being addressed because of short staffing?

14 A Well, we see it pretty frequently on my  
15 shift where calls get marked, you know, "no units  
16 available" and they'll just sit for a while until we  
17 can free someone up, yes. I mean, that's just my  
18 personal experience seeing it day to day.

19 Again, I don't know how many total calls  
20 that constitutes. That would be a department  
21 question.

22 Q Do you know -- I would assume even with the  
23 105 officers, there would still be calls that would go  
24 -- be marked as "no units available" because they  
25 would find things to do; do you agree?

1           A     I think it's potentially possible, yeah. I  
2 mean, no matter how many officers you have and then  
3 depending on the type of calls that are coming in  
4 could you see a circumstance where, you know, all of  
5 the officers get tied up on a major event, yeah.

6           Q     Would the -- if I were to look at the  
7 run-time data, would it reflect that the, for example,  
8 if something went unanswered for three minutes, that  
9 would show up in the run-time data, that would be a  
10 part of it?

11          A     Kind of a dispatcher department question. I  
12 -- I would think so. There's a -- there's a call time  
13 counter on the calls that we can see. Again, the four  
14 priority listings, you know, have -- dispatch uses a  
15 timer, let's say, of, you know, things have to be  
16 dispatched within a certain amount of time.

17                So I would assume you could extract that  
18 somewhere, but I'm not the person to ask about that.

19          Q     Any other -- I just want to make sure I've  
20 exhausted this -- kind of any other data or evidence  
21 about crimes being unsolved or supporting short --  
22 that were short-staffed?

23          A     As to crimes not being solved, or something  
24 like that, clearance rates would be either detective  
25 division or a department-level question. I can't

1 speak to clearance rates, that sort of thing. I don't  
2 have that data.

3 Q And so you haven't studied it, clearance  
4 data?

5 A I know that number exists because I've heard  
6 people talk about it. I don't particularly have it in  
7 front of me or know it off the top of my head. No.

8 MR. UNGER: I'm going to -- let's go  
9 off the record for one second.

10 THE REPORTER: Off the record at 3:05  
11 p.m.

12 (Off the record.)

13 THE REPORTER: We are now back on the  
14 record at 3:12 p.m.

15 BY MR. UNGER:

16 Q Mr. Post, I've now put in front of you a  
17 document that's labeled as Exhibit 53 titled "City of  
18 Bloomington Police Department Organizational  
19 Assessment Final Report August 2020"; do you see that?

20 (Exhibit 53 was marked for  
21 identification.)

22 A Yes, I do.

23 Q Can you read it okay on your screen?

24 A Yes, I can.

25 Q If you can't, let me know and I'll zoom in



1 or whatever you need.

2 A Okay.

3 Q You mentioned a report around 2019 that  
4 talks about 121 officers -- schedule; is this the  
5 report that you were referencing?

6 A Yes, correct.

7 Q Any other reports besides this one  
8 concerning staffing that you're aware of?

9 A This was the one that talked about staffing.  
10 I know the city had conducted a salary study which is  
11 different reporting. I believe even a different  
12 company.

13 Q When was the salary study?

14 A I believe that was done prior to this report  
15 if I remember correctly.

16 Q Do you remember what the recommendations  
17 were in the salary study?

18 A Number-wise, no. I don't remember specific,  
19 no. And that one's probably been 2018, 2017, 2018,  
20 somewhere in there.

21 Q Do you recall did the union agree with the  
22 recommendations in that, the salary study report?

23 A I don't remember the specific numbers to say  
24 yes or no to that. I don't remember off the top of my  
25 head.

1 Q So I'm going to call this the Novak report.

2 A Okay.

3 Q For ease of reference. Do you -- what's  
4 your understanding as to why the Novak report was  
5 prepared?

6 A It was done at the direction of the city and  
7 the current mayor at that time. I don't know if there  
8 was something else that prompted them to do that.

9 Q And so do you know -- are you -- have you  
10 studied the Novak report?

11 A I've read this report a few times, yes.

12 Q Do you agree with all of the recommendations  
13 in the Novak report?

14 A I would say no. I mean, it has several  
15 different recommendations for different things. I  
16 know there's, I think, four different proposals, let's  
17 say, of different shift hours. You know, we  
18 obviously, the patrol division currently works eight  
19 and a half hour shifts. I think there was -- I want  
20 to say it was four different recommendations in there  
21 about ways you could put the shift hours.

22 MR. BEGGS: If I could just interject  
23 to pose an objection. I think the witness said he's  
24 aware of it, but I don't know when he's last seen it.  
25 I don't know -- he's clearly not seen it today in this

1 deposition.

2                   And so when asked if he agrees with all  
3 of its recommendations or not, I think it would be  
4 fair to let the witness take a look at it.

5                   MR. UNGER: Yeah. I'll -- well, you  
6 can do that, though, on your part, if you'd like.  
7 That's fine.

8 BY MR. UNGER:

9           Q       The -- you agree with the recommendation for  
10 121 officers?

11           A       Again, that's my recollection of the  
12 recommendation they made of our current eight and a  
13 half hour patrol schedule, yes. And that was -- that  
14 was from obviously, you know, four -- not quite four  
15 years ago based on numbers at that time.

16           Q       And you, I think, alluded to this, you  
17 understand that the report recommendations moving to  
18 ten-hour shifts; is that correct?

19           A       If I remember correctly, the report had, it  
20 was eight hours, maybe eight, ten, and twelve were the  
21 others that it talks about.

22           Q       And do you recall the report finding that  
23 the eight and a half hour shifts, current shifts, were  
24 inefficient?

25           A       I don't remember the language off the top of

1 my head. No.

2 Q Do you dispute that eight and a half hour  
3 shifts are inefficient?

4 A I don't really have an answer to that off  
5 the top of my head, and that would be something more  
6 of a department question as to staffing numbers and  
7 how they view that.

8 Q I mean, if the Novak report says it's  
9 inefficient, would you dispute the Novak report?

10 A Well, again, Steve, I mean, there's a lot of  
11 different things in that report. It's several pages  
12 if I remember correctly. You know, obviously I don't  
13 have it right in front of me other than what's on your  
14 screen, so I'm not really sure how to answer that.

15 Q Do you know, do you recall how many officers  
16 the report says the city -- they recommend that the  
17 city add if it changes to a ten-hour shift?

18 A I don't recall that number.

19 Q If the city followed the recommendations of  
20 the Novak report for shifting and staffing, do you  
21 have any reason to think that the city would still be  
22 short-staffed?

23 A Not having the direct numbers in front of  
24 me, I'm not sure I can answer that. You know, that  
25 would be more of like a, like you said, the policy

1 level or the chief level type thing to compare, you  
2 know, numbers that they used when the report was  
3 written versus now. Again, I know last year they said  
4 our call volume went up considerably, so I don't know.

5 Q I think what I'm trying to understand is  
6 you're basing your belief that the city is short-  
7 staffed on this report. And what I'm trying to  
8 understand -- that's what I understand your testimony  
9 to be.

10 If the city follows the recommendations in  
11 the report, would you agree that the city would be no  
12 longer short-staffed according to the report?

13 A Well, I don't know that I would agree with  
14 phrasing it like that because, again, this is old  
15 data. And I know that, you know, we've talked about  
16 there's different recommendations for different shift  
17 staffing, and then based on, you know, numbers that  
18 way.

19 So at the time, the discussion, if I  
20 remember correctly, was, you know, did -- did we as an  
21 agency want to change to a different patrol hour  
22 schedule. And the answer was no. So I think that  
23 that's why we focused solely on the -- the eight and a  
24 half hour section because that's what we currently --  
25 that's what we use is the eight and half hour shifts.

1           Q     When you say we as an agency did not want to  
2 change to the ten-hour shift, do you mean the union  
3 didn't want to change to the ten-hour shift?

4           A     I remember -- I remember at some point that  
5 that conversation was had with -- with, you know at  
6 least with the chief and, you know, from that level  
7 down of, you know, is this something that we're going  
8 to -- is the agency going to change hours. And the  
9 answer was no to the union.

10          Q     If changing to the ten-hour shifts allowed  
11 the city to be more efficient in its policing, would  
12 the union oppose that?

13          A     I think we would have to, you know, that  
14 would be a specific question I'd have to put to the  
15 membership as to, you know, their opinion on ten hour  
16 specifically. And then we would have to see what that  
17 patrol schedule would look like.

18                   I know there's a couple different ways you  
19 can do a ten-hour shift, and so I don't know how the  
20 members would specific look at that if it's, you know,  
21 set days off or rotating days off, or there's kind of  
22 several -- several moving parts to that, I think.

23          Q     I think it also outlined the possibility of  
24 a 12-hour shift; do you know, would the union oppose  
25 12-hour shifts?

1           A     Again, it's something that I would have to,  
2     you know, poll all of the members directly with  
3     specific information, you know, as to what was being  
4     proposed.

5           Q     Hold on a second, please. Do you know at  
6     the time the Novak report was prepared, was there a  
7     debate in the city at that time about appropriate  
8     levels of policing?

9           A     I'm trying to remember which year it was.  
10    There was a particular year where then Mayor Hamilton  
11    proposed lowering the number of officers from 105 to  
12    100, yes.

13          Q     Was that a hot issue?

14          A     Yeah, I mean, I think it was for the city  
15    council because, you know, it had been discussed for  
16    some time of getting to 105, and we had never been  
17    able to get to that point in terms of our hiring. And  
18    so, you know, we obviously didn't want to see, you  
19    know, our goal number, let's say, shortened when we  
20    were, you know, trying to achieve that 105.

21          Q     Is it your -- I assume, I read in the news,  
22    I'm not a police officer, but I've heard of the, what  
23    I'll loosely call the defund the police movement.  
24    You're familiar with that?

25          A     I am.

1 Q Do you feel like there's -- there are people  
2 in the Bloomington community that you felt were active  
3 in the defund the police movement?

4 A I can't say to, you know, citizens involved  
5 directly in the movement. Were there people who were  
6 voicing those types of, you know, rhetoric, yes. We  
7 heard that at the time. I think the membership would  
8 have said, you know, at that time, hearing from then  
9 Mayor Hamilton, that was how they took his -- his  
10 proposal, let's say.

11 Q They took his proposal as kind of consistent  
12 with that movement?

13 A Sure.

14 Q Like, what -- let me ask you. What does  
15 "defund the police" mean to you? Like, what's -- what  
16 is that?

17 A Well, I think originally what it was  
18 designed or what was put out was the idea of taking  
19 funding from police departments and putting it into  
20 other social service things, whether that's, you know,  
21 other agencies or other responses to services that a  
22 city does.

23 I think now it's -- it's kind of morphed a  
24 little bit into the idea of trying to, you know, maybe  
25 re-evaluate what things police officers respond to



1 specifically and not necessarily as much as the  
2 funding aspect. I think early on it was very -- very  
3 dollar oriented.

4 Q Is that a lightning rod to police officers?

5 A I think it can be. You know, obviously  
6 police officers try to do the best thing they can for  
7 their communities, and, you know, with that specific  
8 language, yeah, I mean, that can be kind of an issue  
9 where, you know, we're going hey, we're trying, and  
10 now you're saying, you know, do more with less,  
11 basically. So, sure.

12 Q Were -- did that -- was -- do you view it as  
13 there was money in Bloomington taken from the police  
14 department and moved to other services?

15 A I'm trying to remember all the language from  
16 that particular budget year. I don't -- I don't think  
17 there was money that was taken from the police line  
18 and moved to other services.

19 I think the proposal of moving to 100  
20 officers was that, you know, we weren't filled -- we  
21 had open positions that weren't filled, and Mayor  
22 Hamilton wanted to use that funding somewhere else I  
23 think was how it went.

24 Q The -- there's a special unit in the police  
25 department, and forgive me, the name's not coming to

1 me, that does -- that's kind of like a downtown unit?

2 A We have what's called a downtown resource  
3 officer.

4 Q Yes, I believe that's it.

5 A Okay.

6 Q They do more of a community policing; is  
7 that correct?

8 A Community policing is a very umbrella of  
9 activities, but what that particular group is designed  
10 to do is to focus on homeless outreach with -- with,  
11 you know, the homeless population we have in  
12 Bloomington.

13 Q Do they do other things besides address  
14 homelessness?

15 A They're sworn officers, so, I mean, they can  
16 respond to, you know, any type of patrol call as  
17 needed. I mean, they're obviously still members,  
18 sworn members of the police department, so, you know,  
19 they do -- they do at times do other things than just  
20 that.

21 Q When we -- when you talked about the nine  
22 minimum officers on the second shift, that does not  
23 include the downtown resource officers; correct?

24 A For second shift, no, I don't think it does,  
25 no. I think they are a separate line.

1 Q Are those downtown resource officers, are  
2 they members of the union?

3 A So currently we have only two people in that  
4 unit, so there's a sergeant and an officer. And we  
5 have -- so the officer, you know, by his rank is, and  
6 then the sergeant is not. Sergeants are not included  
7 in the bargaining unit.

8 Q Do you agree at least that there are people  
9 in the Bloomington community that believe policing  
10 should be cut?

11 A Oh, yes. We've heard from them. I mean,  
12 you hear that publicly.

13 Q Are there also people in the community that  
14 believe that the way policing is done should be  
15 changed?

16 A Yes, we've heard that.

17 Q What does that mean to you?

18 A Well, currently there's been a push, I  
19 forgot the name of the commission, or whatever, but  
20 there's an organizational group that is wanting to  
21 basically change the type of calls that police would  
22 respond to and to come up with, I think, like a  
23 third-party response to, you know, particular types of  
24 calls so it's not an armed police officer responding  
25 to them.

1 Q Is that a local Bloomington community thing?

2 A Yeah, there's a commission that was started  
3 under Mayor Hamilton that was looking at that. I  
4 don't -- I think they had proposed making a new city  
5 department, and I don't believe it was ever enacted.

6 Q Did the union have a position on that?

7 A As to the making a new department, or taking  
8 the calls, or?

9 Q As to taking the calls and moving them to  
10 non-uniformed sworn police officers?

11 A Kind of a multi-part answer, Steve. We  
12 already -- the department itself already has civilian  
13 employees who handle some lower level calls. I'm not  
14 sure what all type of calls this other group was  
15 proposing would be handled by this unnamed third  
16 party, so I can't really speak to -- to everything.

17 I know that we did have officers from BPD  
18 that participated in a study, I guess, which looked at  
19 types of calls and response types. I think it was  
20 like a 9-1-1 response committee, something like that,  
21 I don't remember what it was called, that we  
22 participated in with, you know, other members of the  
23 city staff.

24 Q Was it your understanding that if that was  
25 implemented, that would involve cuts to the police

1 department?

2 A I don't know for sure because I don't know,  
3 like, specific dollars or anything like that, and I  
4 know, you know, it would -- cuts in terms of  
5 financial, or cuts in terms of type of calls that we  
6 respond to, I guess two different things there.

7 Q I think I was asking in terms of officers,  
8 in terms of sworn officers?

9 A I haven't heard anyone say that, no.

10 Q So I want to talk about compensation for a  
11 little bit, and I know you touched on it a little bit  
12 earlier. How does Bloomington's compensation for  
13 police officers compare to others in the region or  
14 around the state; can you talk about that?

15 A Sure. So locally within Monroe County, I  
16 believe we -- BPD is the fourth overall, fourth or  
17 fifth.

18 So state police I believe is currently the  
19 highest paid agency in the county. Sheriff's officer  
20 IU depending on their numbers for this year, the MCCSC  
21 school police pay more for the position for that line  
22 than a patrol officer does at BPD. And then BPD.  
23 Like, I want to say we'd be, what, fourth or fifth  
24 there.

25 That's just within the county. Some of the

1 times, what we do is we look at the, what's called the  
2 certified salary list, which is a list of agencies who  
3 pay into the pension fund that we belong to. So it's  
4 not every law enforcement agency in the state, it's  
5 only agencies, cities and towns that pay into the 1977  
6 Police and Fire Fund if that makes sense.

7 So on that list, you know, we look at where  
8 we rank compared to our peers in that group, and then  
9 we can, you know, agency by agency, we can compare  
10 ourselves, you know, let's say if we wanted to compare  
11 ourselves to another sheriff's office. Sheriff's  
12 offices tend to not be in that same pension structure,  
13 so if we wanted to compare ourselves, to, say,  
14 Hamilton County or Lake County or something like that,  
15 we would have to do that agency to agency looking at  
16 numbers.

17 Sheriff's offices tend to have different  
18 rank structures, so it gets a little muddier with is  
19 it an officer to deputy, is it officer to, you know,  
20 like how they track. Within the 1977 Police and Fire  
21 Pension Fund, most agencies will have at least the  
22 rank of officer first class and then some other ranks  
23 around it, so the benchmark that is used is officer  
24 first class pay plus 20 years of longevity, assuming a  
25 member had stayed for a 20-year career.

1           Then that's what's considered each year the  
2 certified salary number that gets put out so agencies  
3 can look basically at the list and say, you know, this  
4 is where we land.

5           Q     So I want to -- when you -- the Monroe  
6 County, you say we rank fourth in Monroe County,  
7 fourth or fifth; is that based off of base pay for a  
8 first class officer, or is that based off the first  
9 class officer plus 20 years?

10          A     So the number, the certified number is  
11 officer first class plus 20 years of longevity. You  
12 can compare starting salary to several different, you  
13 know, agencies and not just in the pension fund.  
14 That's an easy one that translates across, whether  
15 it's like a city to a sheriff's office or city to the  
16 school corporation like that.

17          Q     What -- let me ask, what's the base pay for  
18 a first class officer in Bloomington? Do you know?

19          A     I'd have to have the contract in front of me  
20 to know exactly the dollar amount this year. I don't  
21 know off the top of my head.

22          Q     Does \$68,184 sound correct?

23          A     Probably something like that, yeah.

24          Q     All right. Okay. But do you know what it  
25 is for a state police in Monroe County, for a state

1 police trooper?

2 A Their starting -- their advertised starting  
3 salary I think was 70,000 is what the numbers they had  
4 put out, then it went up from there. I don't know  
5 what their first -- obviously that's a starting  
6 salary. I don't know what their first, like, rank  
7 would be after that.

8 Q Would, like, you don't know what that  
9 includes? Would that include, like, a signing bonus  
10 or?

11 A For the state police, I don't know that  
12 specifics. No.

13 Q So in the -- where does Bloomington rank in  
14 terms of the '77 fund to your understanding of that?

15 A Again, I don't have the sheet in front of  
16 me. I believe we're in the 60s this year.

17 Q In the -- meaning in like the 60th  
18 percentile?

19 A So, like, 64th on the list, you know, from  
20 the top. Something like that.

21 Q Do you know about how many agencies are in  
22 that?

23 A I want to say, like, 170, 180, somewhere in  
24 there.

25 Q So Bloomington pays in the upper half?



1           A       That's a way to describe it, yeah.

2           Q       Okay. I just want to make sure I'm  
3 understanding what's number 1 and what's number 170.

4           A       I don't remember who number 1 is this year,  
5 but yeah, that's generally how it's looked at.

6           Q       Let me -- a couple more questions here, and  
7 then we'll take a break. Do you know what the -- so  
8 Bloomington police officers also receive incentive pay  
9 on top of that; correct?

10          A       I'd want to clarify what you mean by  
11 incentive pay, but they can receive specialty pay  
12 depending on if they belong to a specialty team. They  
13 can receive longevity pay which is based on years of  
14 service. They can receive education pay if they show  
15 documentation of higher education degrees.

16          Q       Are you aware of any data comparing what  
17 Bloomington pays compared to other departments  
18 including longevity and incentives and those things?

19          A       You'd have to do almost agency to agency  
20 direct comparison to see if, you know, taking a  
21 particular agency and then comparing, you know, the  
22 education line. Because not everyone has the same  
23 benefits packages, let's say.

24                    You know, some people have an education  
25 benefit, some people don't. Some people may have --

1 longevity is one I know that changes quite a bit  
2 across the state, you know, for in terms of the  
3 amounts put into that.

4 MR. UNGER: Let's take a break there  
5 and go off the record.

6 THE WITNESS: Okay.

7 THE REPORTER: All right. Off the  
8 record at 3:38 p.m.

9 (Off the record.)

10 THE REPORTER: We're now back on the  
11 record at 3:46 p.m.

12 BY MR. UNGER:

13 Q Mr. Post, do union members or police  
14 officers have the ability in Bloomington to work  
15 overtime?

16 A Yes.

17 Q That's a -- you would agree that's a benefit  
18 to those officers?

19 A I -- I think they view it as a financial  
20 benefit, yeah. They can earn more money potentially.

21 Q I understand some of them work substantial  
22 overtime; is that true?

23 A Correct.

24 Q Do you happen to know how much the highest  
25 paid -- or do you know who the highest paid employee

1 is in the City of Bloomington?

2 A I do not.

3 Q Do you know how much the highest patrol  
4 officer, the highest paying patrol officer made in  
5 2023?

6 A I do not.

7 Q Did you know that with overtime, there are  
8 many officers that make more than the mayor?

9 A It wouldn't surprise me considering the  
10 number of hours I know some people work, yeah.

11 Q Is -- you understand if the city hires more  
12 officers, that will reduce the amount of overtime  
13 that's available?

14 A Yeah, I think the officers understand that,  
15 you know, that the overtime that's available now is  
16 only there because we are 20 officers short, yeah.

17 Q Are there -- do you think are some officers,  
18 would they be concerned about losing some of their  
19 overtime, or?

20 A Without talking to each of them  
21 specifically, I mean, I don't know. I don't have a  
22 way to answer for all of them on that.

23 Q Are you aware, can you talk about some of  
24 the recent changes that the city's made to attract  
25 more officers and attract and retain more officers?

1           A       There's been several efforts that the past  
2 administration undertook, yes.

3           Q       What are those?

4           A       There is a rental assistance program. They  
5 were trying to set up a mortgage assistance program  
6 that hasn't really come to fruition. There is a --  
7 it's a city-wide effort, but officers can apply to it,  
8 as education benefit. I don't know of anyone that's  
9 been able to participate in that.

10                    There's been some hiring bonuses, I guess  
11 would be the word, that were put out for officers --  
12 or hiring of officers in the last year or two, I want  
13 to say. And then I know last year, the city started a  
14 health clinic which is again, a city-wide thing but  
15 would certainly benefit officers.

16           Q       Do you think those efforts will help attract  
17 and retain more officers?

18           A       Well, I think the majority of those are --  
19 are more directed toward attracting the new hire,  
20 let's say. Recruiting really has to be broken down  
21 into two parts.

22                    So obviously you can recruit a brand-new,  
23 you know, young person, you know, 22 years old.  
24 We'll, you know, hire this young person, put them  
25 through the full academy, put them through a full

1 training program, and then they can go out on their  
2 own, versus recruiting a already certified officer who  
3 maybe has a few years of experience.

4 Those are kind of two different -- two  
5 different recruiting focuses, let's say. Some of the  
6 bonus stuff that was put out was specific to those two  
7 different groups. There was, you know, hiring versus  
8 hiring a lateral or certified officer.

9 Q There's a lot of, I think you mentioned it  
10 earlier, poaching that goes on of lateral officers,  
11 isn't there, around Indiana?

12 A There is. There is, yeah.

13 Q And even I feel like I've seen, I want to  
14 say, Seattle advertises in Indianapolis for police  
15 officers?

16 A Yeah, Seattle's one that has done it.  
17 Several major agencies do it. Indianapolis, for  
18 example, had two billboards down here in Monroe County  
19 for quite a while. I haven't driven past one. I'd  
20 have to go look and see if they're still up or not.  
21 But, yeah, I mean, that goes on across the state.

22 Q In particular for lateral officers because  
23 you don't have to train them?

24 A Well, you don't have to pay to put them  
25 through the academy and take that time, yes. You

1 still -- most agencies are still going to train them  
2 to agency-specific standards, location orientation for  
3 that particular area.

4           You know, obviously if you're hiring someone  
5 who's certified within the state of Indiana already,  
6 you don't have to put them through, you know, criminal  
7 law, traffic law, that sort of thing. They're a lot  
8 quicker and a lot cheaper to get up and on their own.

9           Q     Are you aware of any plans of the current  
10 administration to address officer recruiting and  
11 retention?

12           A     Specifically to Mayor Thomson? Is that who  
13 you're referring to, administration?

14           Q     Correct, yes?

15           A     One area that we have talked to her about as  
16 a union has been starting a take-home car program  
17 which, you know, would give us a little bit more  
18 parity, let's say, with, you know, comparing ourselves  
19 or trying to recruit that lateral officer from our  
20 local area specifically, you know, within a county or  
21 two.

22                     If you look at recruiting someone from  
23 outside of Monroe County but they're still allowed to  
24 keep their residence, let's say, in Lawrence County,  
25 right, and they have a take-home car, that person may

1 consider, you know, that commute being okay, versus if  
2 they don't have a take-home car, now it's going to  
3 cost them, you know, X number of dollars in gas to  
4 drive to work.

5 That's the one that we've spoken to to Mayor  
6 Thomson about specifically, yes.

7 Q But when you say the city is short-staffed  
8 from the 105, let's say, what is it currently about,  
9 do you know?

10 A That's on the form that I sent to you guys.  
11 The March number is 85 total sworn on the payroll.

12 Q Why do you -- and I think we've talked about  
13 this a little bit, but I want to make sure I'm  
14 clear -- is it -- why do you believe that the city has  
15 fewer than 105 officers?

16 A It's kind of multi-party, and certainly,  
17 one, we've had people that have -- we've had officers  
18 that have been poached by other agencies that have  
19 become, you know, lateral hires and gone somewhere  
20 else.

21 We've had a number of people who I would  
22 consider people that we could have maybe kept for a  
23 few more years, but they chose to retire, so that's a  
24 retention issue.

25 We've had, you know, several people who we

1 have in a hiring process and are trying to get them  
2 started with us, and then they get a job with someone  
3 else who maybe pays more, has different benefits type  
4 thing.

5 Again, it's a very competitive hiring market  
6 for police officers.

7 Q I mean, let me ask. Is it purely a  
8 compensation issue? Or are there other factors?

9 A You know, compensation tends to be the big  
10 thing that's out in front of everybody because you can  
11 compare those numbers. There's also, I mean, take-  
12 home cars is one issue that comes up frequently, and  
13 Bloomington, I believe, is the only class II city in  
14 Indiana that does not have a take-home car program.

15 So, you know, if you have an officer who is,  
16 let's say, a Bedford officer, Bedford City police  
17 officer, right? He may look at Bloomington and say,  
18 okay, yeah, currently they pay more than I'd make in  
19 Bedford, so I would get a raise if I went to  
20 Bloomington. But then I don't have a take-home car,  
21 so I've got to add gas. Is it worth that sort of  
22 thing?

23 So some people will, you know, your lateral  
24 or certified officer tends to have a few years of  
25 service on. They are going to look at things



1 differently than, say, a brand-new recruited officer.  
2 A brand-new young hire may only look at the salary  
3 line or may only look at that direct compensation.

4           Whereas trying to recruit a certified  
5 officer, you know, this is a person who may already  
6 have a home. They have kids in different schools.  
7 You know, they may have established, you know,  
8 residency somewhere else that they don't necessarily  
9 want to have to change. So they'll look at things a  
10 little bit differently than your brand-new recruit  
11 would.

12           Q     And you would acknowledge, would you not,  
13 that even at a -- it's rare that the city is ever  
14 going to have a fully staffed to budget department?

15           A     I don't know. It's one of those -- we hope  
16 for it. I think that there are several things that we  
17 could do to better position ourselves to fill those  
18 numbers, but what you run into then is, you know, how  
19 do you train and get all those positions filled in a  
20 timely manner.

21                    Could we hire 20 people tomorrow and start  
22 them? No. You run into some bottlenecks with  
23 training and the academy and things like that, so it  
24 becomes kind of a timing issue. It would be good to  
25 have 105, but it's not a quick fix to get to 105.

1           Q     In your time in Bloomington, do you know if  
2 it's ever been fully staffed to the budget number?

3           A     I don't know for sure. I know for a while  
4 we were right at 100 officers for a period of time,  
5 but I don't remember what our staffing number was,  
6 what the budget number was when we were there, if it  
7 was 99 or 100 or where we were if that was considered  
8 fully staffed.

9           Q     So you said, and I want to make sure I'm  
10 clear, you said that we can put ourselves in a better  
11 position to fill numbers, there's things we can do; is  
12 that -- are there other things besides compensation  
13 and take-home cars?

14                     Those are the two I heard. Are there other  
15 things you think the city should be doing to better  
16 fill the numbers?

17           A     Well, those are your two big primary things.  
18 Equipment-wise, we're currently talking with the  
19 mayor's office about starting a taser program. This  
20 is kind of an aside, here, but a taser or an  
21 electronic stun device is something that's pretty  
22 universally recognized in American law enforcement as  
23 a less lethal option.

24                     And Bloomington, I believe, is the only  
25 agency in Monroe County that still does not use

1 that -- that tool. So it makes you stand out when  
2 you're trying to recruit someone from another agency  
3 who maybe gets paid less but they have a take-home car  
4 or they have a taser, you know, they may consider  
5 their equipment level in a better position than BPD.

6 So there's some internal things like that  
7 that we could do to better attract that particular  
8 certified hire.

9 Q Is that because there are people that are  
10 opposed to police officers having tasers?

11 A In the last eight years, yes. Then Mayor  
12 Hamilton was directly opposed to us having that and  
13 would waffle back and forth on, well, you know, we  
14 have to have some sort of public, you know, meeting  
15 about it and the community has to be okay with it.  
16 Or, you know, the chief has to bring it to me. Or  
17 there was always some sort of, you know, speed bump to  
18 it.

19 But tasers, I mean, they've been talked  
20 about for -- for a long time. They've been around. I  
21 mean, most people assume a police officer has a taser.  
22 It's just a very common, you know, accepted tool. And  
23 so a lot of people are actually surprised when they  
24 speak to a Bloomington officer that they don't have a  
25 taser that -- on their belt.

1           Q     But -- so there's people that are opposed to  
2 police officers, not just Mayor Hamilton, former Mayor  
3 Hamilton, but there's a set of the population out  
4 there that is generally opposed -- I was not aware of  
5 that, so that's why I'm -- opposed to police officers  
6 carrying tasers?

7           A     I would say yeah. I mean, we've heard  
8 people over the years that have -- that were opposed  
9 to it. Any time you make a, you know, an equipment  
10 change, you'll have someone who will complain about it  
11 in some sense, whether it's right or wrong or not, but  
12 you run into that with the public.

13          Q     I think you mentioned this earlier, I just  
14 want to make sure. Do you live in any of the  
15 annexation areas?

16          A     I do.

17          Q     Okay. Where do you live?

18          A     I live in area 4, one of the islands.

19          Q     Do you own property -- you or your family  
20 own property in any of the other annexation areas?

21          A     No.

22          Q     Did you -- are you personally opposed to the  
23 annexation by the city?

24          A     It's kind of a difficult answer, but I'd say  
25 overall, yeah, I'm opposed to it.

1 Q Why?

2 A One, I think the county's done a very poor  
3 job of raising assessed values to, you know, what the  
4 property is actually worth. And then, you know, to  
5 see your taxes go up on top of that, when I know  
6 specifically police service, you know, is not going to  
7 improve or change.

8 Fire service, if I understand it correctly,  
9 there's some question about whether the townships or  
10 the city fire, you know, that's a different timeline.

11 I already have city water that I pay a  
12 higher rate for, so I guess my water rate would go  
13 down, but I would wind up paying more for the city  
14 sanitation, the city trash service, so it's kind of a  
15 wash there in the end, so.

16 Q So is it fair to say it's a financial thing?

17 A Yeah, for my particular, you know, my  
18 individual answer is financial based, yeah.

19 Q Did you sign a remonstrance petition?

20 A I did.

21 Q Do -- are you opposed to the city annexing  
22 areas 1A and 1B --

23 A -- see me individually, you know,  
24 personally, I don't really own any -- I don't own any  
25 property in those areas, so I don't really have any --

1 any, I guess, issue there that I can say, like, oh,  
2 it's financially bad for me 1A and 1B.

3 Q As a police officer, are you opposed to the  
4 city working for annexing the urban areas right  
5 outside its boundaries?

6 A A complicated answer again. As a police  
7 officer with my lived experience in terms of what has  
8 been proposed for, you know, it's not just right  
9 outside the area at the edge of the city, it's a very  
10 large chunk of land, large population addition. It's  
11 several high crime areas that the sheriff's office  
12 services.

13 So yes, as a police officer, looking at it  
14 from my current position of, you know, knowing how  
15 many officers we have, knowing my day-to-day call  
16 volume and what I do, yeah, I would say that would be  
17 correct. I'd be opposed to it.

18 Q And understand I'm talking about just areas  
19 1A and 1B in this case; do you understand this case is  
20 only about areas 1A and 1B?

21 A I am, yeah, and those are the two largest  
22 areas, so obviously as a police officer, you know,  
23 those are going to still be a large area that we would  
24 be responding to.

25 We currently have, you know, on my shift in

1 particular, again I work morning shift, today we had  
2 seven police officers covering the entire city of  
3 Bloomington.

4 Adding to, and I don't have the number in  
5 front of me as to what the land mass and population  
6 mass is from 1A and 1B, but adding to that without  
7 having added any additional personnel would be very  
8 concerning to me.

9 Q If the city adds additional personnel to  
10 help patrol those areas, would that address your  
11 concern?

12 A It would start to, but we get back to,  
13 Steve, the idea of timelines. You know, can we add,  
14 you know, appropriate levels of personnel in a timely  
15 manner, and I think that's most of the officers'  
16 concern is when would this, you know, actually go into  
17 effect and become their problem, let's say.

18 One -- and I forget, 1A is the northern  
19 section, 1B is the southern section?

20 Q I call 1A the west and 1B would be  
21 southwest.

22 A Okay. Southwest. So from my personal, you  
23 know, experience, I generally work the southwest  
24 district of the city. What you're saying is the two  
25 officers who are assigned to that district today would

1 have, you know, that extra land mass to cover.

2 That, you know, that would include Walmart,  
3 let's say, on the southwest side of the city, and  
4 we've already discussed how Walmart is a, you know,  
5 call volume generator, whether that's crime or just  
6 crashes or, you know, issues like that.

7 So yeah, I mean, as a police officer, that  
8 is concerning to see that and then know that we don't  
9 really have a plan to add personnel in a timely  
10 manner.

11 Q What would -- let me ask. Have you studied  
12 how many officers are needed for areas 1A and 1B to be  
13 able to effectively provide service to those areas?

14 A I'm going to refer you to the department on  
15 that. I know at some point the department did put out  
16 kind of a recommended number, I think, of what they  
17 thought would be needed to add to each of the areas.  
18 I don't know what that is for 1A and 1B, no.

19 Q Do you have any reason to dispute the  
20 numbers that the department put out?

21 A I don't remember what they are, so I don't  
22 have an answer to that.

23 Q You talked about effective timing; what's  
24 your view on timing, I guess, how long do you think it  
25 would take before the department could have, in your



1 view, a sufficient number of officers to cover those  
2 areas?

3 A Well, and I'll get long-winded here. The  
4 idea right now is, you know, if we're budgeted for 105  
5 officers but we only have 85, we currently cover a  
6 large area. Again, today we had seven officers  
7 working this morning. We all felt the pinch of that.  
8 You know, that's seven of us trying to cover the call  
9 volume for, you know, a large city on a weekday.

10 If, you know, if we were to be at 105 and a  
11 true 105 sworn staffing, we wouldn't feel that same  
12 way. We could say, okay, yeah, this probably feels a  
13 little bit easier to handle.

14 If we were at the 121 that the Novak report  
15 spoke about at our current patrol shift schedule, the  
16 eight and a half hour shifts, you know, we'd feel even  
17 better about it. Okay, yeah, we probably can absorb  
18 this a little easier.

19 Knowing right now how long it takes to hire  
20 and train and get a new officer out on their own to  
21 actually count for manpower, I mean, I can tell you  
22 even if we hired someone today, it would be better  
23 part of a year before they were any help to manpower.

24 So, you know, I guess that goes back to the  
25 question of the timeline for -- for this annexation,

1 you know, for 1A and 1B is if the court proceeding  
2 goes through and then they're turned on, you know,  
3 immediately, you're going to have officers who, you  
4 know, the officers who are already kind of on the  
5 fence or looking at other agencies for whatever  
6 reason, they're going to really look at those things  
7 and go, yeah, okay, it's time to get out.

8           It's going to become harder to recruit  
9 officers at the same time going hey, we're, you know,  
10 X number of officers short, we just absorbed all this  
11 land, all this people, all this call volume, but it'll  
12 be fine, don't worry about it. That's not really a  
13 response, you know.

14           Q     You said there's high crime areas besides  
15 Walmart; what other areas in area 1A or 1B would you  
16 say are high crime areas?

17           A     I'd have to have the exact map in front of  
18 me where the boundaries are for 1A and 1B. I know  
19 that to the west side there are a couple of trailer  
20 parks that would be picked up, which the county  
21 considers high call volume areas.

22                     Menard's is another business specific like  
23 Walmart where it's a high call volume. I'm trying to  
24 think where those lines are for what you were  
25 describing.

1           Those are the big ones off the top of my  
2 head, Steve.

3           Q     Are those, when you say high volume, do you  
4 mean, like, Walmart's not probably a priority one, a  
5 lot of priority one calls, they're more low priority  
6 calls?

7           A     -- not really studied the type of calls at  
8 Walmart specifically. Any place can have a priority  
9 one call at any point. Walmart or the businesses like  
10 that tend to be your thefts, frauds, motor vehicle  
11 crashes.

12           But, you know, the same time you can have a  
13 lost child, you could have a domestic in the parking  
14 lot between, you know, a married couple who decides to  
15 get into an argument.

16           I know in the recent past at Walmart  
17 specifically we've had issues with a subject with some  
18 type of weapon inside the store, I want to say a  
19 machete, maybe. You know, obviously that's a higher  
20 priority than a traffic crash, but it's still a call  
21 for service at that particular address.

22           Q     Have you aside from Bloomington's  
23 annexation, have you studied any other annexations or  
24 reviewed any other annexations around the state?

25           A     No.

1           Q     Have you studied -- do you know what the  
2     fiscal plan is when I talk about the fiscal plan?

3           A     Uh-huh.

4           Q     Have you studied the fiscal plan for  
5     Bloomington's annexations?

6           A     I looked it over when it -- when it was  
7     released. That's been some time ago. I don't  
8     remember the last time I looked at it.

9           Q     Do you -- are you aware of any deficiencies  
10    in the fiscal plan with respect to policing?

11          A     Again, I don't remember specific numbers  
12    from that. It's been some time since I've looked at  
13    that particular document.

14                   MR. UNGER: We could go off the record  
15    for a minute.

16                   THE REPORTER: Off the record at 4:10  
17    p.m.

18                   (Off the record.)

19                   THE REPORTER: We're now back on the  
20    record at 4:12 p.m.

21    BY MR. UNGER:

22          Q     Mr. Post, I am showing you what's the fiscal  
23    plan for the annexations by Bloomington. I've marked  
24    it as Exhibit 54. Can you see that on your screen?

25    //

1 (Exhibit 54 was marked for  
2 identification.)

3 A Yes, I can.

4 Q Just give me a second here. Okay, I'm on  
5 page 62; can you see this okay?

6 A Yes.

7 Q So I want to show you, you can see a line  
8 here for "sworn personnel annexation estimates"; do  
9 you see that heading?

10 A I do. Is it possible to enlarge it at all?

11 Q Yeah, let me take a minute. Is that better?

12 A Much better, thank you.

13 Q Sorry the mouse isn't showing up very well.  
14 There it goes. Is that better? Can you see that?

15 A Yes, thank you.

16 Q So you see the sworn officer -- sworn  
17 personnel annexation areas for -- in the chart for  
18 areas 1A and 1B?

19 A Correct.

20 Q Okay. And do you see here that total sworn  
21 where it has that minimum for area 1A at 6.42 and  
22 maximum for 9.75?

23 A Correct, yes.

24 Q Okay. And then also for area 1B the minimum  
25 of 7.4 and a maximum 11.25?

1 A Yes.

2 Q Okay. And then if I go down to the  
3 "civilian personnel," for 1A it's a minimum of 1.5,  
4 maximum 1.5; and area 1B of 2; do you see that?

5 A Correct, yes.

6 Q Okay. So do you understand the fiscal plan  
7 is suggesting that the city would provide service for  
8 that area with an additional approximately 14 to 21  
9 sworn officers and three to four civilian officers if  
10 areas 1A and 1B were annexed?

11 A That is what I'm reading on there, yes.

12 Q Okay. Do you have any reason to dispute  
13 that with 14 to 21 additional sworn officers, the city  
14 will be able to provide service to the annexation area  
15 in the same manner it's currently provided in the  
16 city?

17 A What I would say is, what I would want to  
18 ask, I guess, is a better way to put it, is has this  
19 been updated any time recently? I know that the --  
20 this particular document came out some time ago; has  
21 it been updated with the most recent call volume and  
22 numbers?

23 Q Yeah, so the report, this came out in 2021?

24 A Right. So I guess that would be the only  
25 dispute I would have to it is obviously, you know,

1 some time has passed since this was put together. Has  
2 it been updated in any way to reflect maybe updated or  
3 changed call volume or crime statistics?

4 Q If -- but so, I mean, do you have anything,  
5 any reason to believe that that would not be  
6 sufficient?

7 A I'd ask one other question there. I think  
8 it would be helpful. I can't really answer to  
9 sufficient. Is it in addition to the 105 goal? Or  
10 is it in addition to the 121 goal, which was  
11 recommended by the Novak report? So I guess there's  
12 two different answers there.

13 If we're looking at 121 plus these  
14 personnel, I think we're much closer to being able to  
15 provide that service if we're fully staffed at that  
16 number. That's the problem is we're not.

17 At this point, if we added, you know, let's  
18 say 10 and, what is it, 10 and 12 or whatever it is,  
19 you know, to our 85; well, then you're still not even  
20 getting up to the 105 we're budgeted for the existing  
21 size city.

22 So, you know, that I think gets back to  
23 where the officers' fears come from is it's all well  
24 and good to say yes, this is the plan to annex X -- or  
25 to add this many officers. Can we do it is a better

1 question, and currently we're well short of that.

2 Q But what I'm asking you is 14 to 21 sworn  
3 officers, do you have any reason to believe that's not  
4 a sufficient number of officers to cover area 1A and  
5 1B?

6 MR. BEGGS: And I guess I'm just going  
7 to show objection to form. I think he's been asked  
8 that at least twice, if not three times in a row now.  
9 And I think he's answered that question.

10 BY MR. UNGER:

11 Q Go ahead and answer, Paul, if you can?

12 A Just so I have it clear, Steve, could you  
13 repeat it for me?

14 Q Yeah. I'm saying just considering areas 1A  
15 and 1B alone --

16 A Uh-huh.

17 Q -- do you have any reason to believe 14 to  
18 21 additional sworn officers is not sufficient for  
19 area 1A and 1B alone?

20 MR. BEGGS: Same objection.

21 A And what I'm going to say, Steve, is that I  
22 think it would be helpful, but I don't know  
23 specifically with current call volume if that  
24 answer -- if that's -- if that is going to be exactly  
25 enough or not.



1 Q Do you think it was enough in 2021 at the  
2 time of this report?

3 A I think that it probably was looked at with  
4 people higher than me who put this together, and it's  
5 kind of more a department question, a policy maker  
6 question as how they reached those particular numbers.  
7 But again, I would say that they have probably looked  
8 at, you know, call volume and numbers from what, I  
9 think you said 2021. Obviously, you know, things have  
10 changed, so.

11 Q You know, you're going to be a -- you don't  
12 know how these numbers were arrived at; is that safe  
13 to say?

14 A Correct.

15 Q Did you raise any concerns with the fiscal  
16 plan in 2021 to anybody at the city?

17 A I don't know when we talked about it.  
18 Whenever we first saw this particular document, it  
19 probably was discussed as part of the, you know, the  
20 ongoing conversation then. Whether it was starting  
21 from 105 or starting from 121 I think would be the  
22 best way.

23 I mean, that's been our main concern is, you  
24 know, what is the real goal here. Do we need 121  
25 officers to start with the existing city size and then

1 we add to that with the annexation areas? Or is it,  
2 you know, we're staying at 105 and then adding to the  
3 annexation areas?

4 Q Who first approached you about testifying in  
5 this case?

6 A Margaret Clements.

7 Q When was that?

8 A Oh, sometime in 2023, I don't remember  
9 exactly when.

10 Q Okay. Have you communicated with her via  
11 email?

12 A I'm sure we have, yeah.

13 Q About this case?

14 A It would have -- it would have been about  
15 annexation. I don't -- specifically to 1A and 1B, I  
16 don't think specifically to these.

17 Q Can I ask you what email address you would  
18 have used for those communications?

19 A It would have been, I have an FOP-specific  
20 email address which is all one word paulpost, P-A-U-L-  
21 P-O-S-T @FOP88.org.

22 Q That's separate from your City of  
23 Bloomington email?

24 A Correct.

25 Q Would have you used your City of Bloomington

1 emails to communicate with her about annexation?

2 A I don't remember. I -- I don't remember  
3 doing that specifically. FOP stuff I try to keep on  
4 my FOP email specifically and then work stuff on my  
5 Bloomington city one.

6 Q Do you have any other emails that you use,  
7 addresses that you use --

8 A I have a personal gmail account.

9 Q Would you have had any communications  
10 relating to annexation with anybody on your personal  
11 email account?

12 A Off the top of my head, I don't remember.

13 Q What's that one, just --

14 A All one word paulrpost, so P-A-U-L-R-P-O-S-T  
15 @gmail.com.

16 Q Have you communicated with anybody else  
17 besides Margaret Clements about the annexation and  
18 opposition to the annexation?

19 A Just Mr. Beggs reached out, and I don't  
20 remember when exactly it was. We've talked a couple  
21 times on the phone and once in person.

22 Q Are you a member of County Residents Against  
23 Annexation?

24 A Am I a member like am I a paid member of?  
25 No.

1 Q Have you donated to it?

2 A No, I have not.

3 Q Okay. Did you participate in any of their  
4 meetings?

5 A I have not been to any of their meetings.  
6 The extent to my connection to them is I do -- I have  
7 gotten one of their signs in the past, like the yard  
8 signs. That'd be about it.

9 Q Did you do anything to assist in organizing  
10 the remonstrance effort to sign petitions?

11 A No, and I don't remember the lady who did my  
12 particular area. There was a lady who did area 4, and  
13 I don't remember -- I don't remember her name, but  
14 other than her coming and, you know, my talking to her  
15 at that point, that was it.

16 Q You didn't -- did you go out and collect  
17 petitions yourself?

18 A No.

19 Q How would you describe the relationship  
20 between the union and the city under the Hamilton  
21 administration?

22 A Strained.

23 Q Why is that?

24 A Mayor Hamilton seemed to have a attitude of  
25 kind of a anti-law enforcement bend, and at least to

1 the members and, you know, myself seemed to be  
2 unwilling to listen to concerns that we brought to  
3 him.

4 Q How would you describe the relationship  
5 between union and the city under the new  
6 administration, the Thomson administration?

7 A Cordial, I guess. We've only -- the shift  
8 rep team has only met with her once, so I don't really  
9 have a large data group to look at in terms of, like,  
10 they're getting together with her or doing things with  
11 her.

12 Q Do you perceive her as having an anti-law  
13 enforcement bend as you did with Hamilton?

14 A I don't have a large group of -- of  
15 experience with her to really savvy. I haven't had  
16 anything to suggest that yet. But again, it's a very  
17 small level of interaction with her so far.

18 MR. UNGER: We'll go off the record  
19 here for a minute.

20 THE REPORTER: Off the record at 4:25  
21 p.m.

22 (Off the record.)

23 THE REPORTER: We're now back on the  
24 record at 4:37 p.m.

25 //

1 BY MR. UNGER:

2 Q Mr. Post, I'm showing you a document that's  
3 been marked as Exhibit 28. It's titled "The Amended  
4 and Supplemented Answers of County Residents Against  
5 the Annexation, Inc. to the City of Bloomington's  
6 Interrogatories"; do you see that?

7 (Exhibit 28 was marked for  
8 identification.)

9 A Yes, I do.

10 Q Have you -- do you know what interrogatories  
11 are? Have you seen something of them before?

12 A I have seen them before, yes.

13 Q Okay. Have you seen these?

14 A I do not believe so, no.

15 Q So these were the responses from County  
16 Residents Against Annexation's to the written requests  
17 from the City of Bloomington, actually supplemental  
18 responses; and I'm going to show you one of the  
19 responses.

20 On page 2, where to question number 3 it  
21 says "Identify each fact witness you plan to call to  
22 testify in this lawsuit and provide a summary of their  
23 anticipated testimony." And it's under "Supplemental  
24 answer"; do you see where your name is?

25 A Yes.

1           Q       Okay.  And it says "Mr. Post will be called  
2       in his capacity as a union representative.  If called,  
3       he would be asked to testify about operations of  
4       Bloomington's police department, police protection in  
5       Bloomington, and the impact of annexation upon  
6       extending those operations."

7                       We've talked a lot today about police  
8       protection, annexation in Bloomington, police  
9       protection in Bloomington, and the impact of  
10      annexation; besides what we've talked about today, is  
11      there anything else that you would add to this?

12                    MR. BEGGS:  Object to the form of the  
13      question.

14                    You may answer.

15                    THE WITNESS:  Not that I can think of.

16      BY MR. UNGER:

17            Q       Is there anything else that you would  
18      testify concerning Bloomington's police department,  
19      police protection, or the impact of annexation other  
20      than what we've already talked about?

21                    MR. BEGGS:  Object to the form of the  
22      question.

23            A       No, I don't think so.

24            Q       Any other concerns from a policing  
25      perspective with respect to the annexation of areas 1A

1 and B other than the items we've already talked about?

2 MR. BEGGS: Object to the form of the  
3 question.

4 A Steve, my answer would be that, you know, my  
5 concern and the members' concern is call volume and  
6 amount of things that we would be expected to take on  
7 in an unknown timeline.

8 Q You know Jeff Rodgers?

9 A I do.

10 Q Who's Jeff Rodgers?

11 A Jeff is a detective with the Bloomington  
12 Police Department and is the detective shift  
13 representative.

14 Q Is also a union representative?

15 A He was the vice president last year. He is  
16 not the vice president this year. I believe he is a  
17 trustee of the lodge this year if I remember  
18 correctly.

19 Q Does Jeff Rodgers, are you aware if he has  
20 any knowledge concerning police protection within  
21 Bloomington or the annexation areas that is different  
22 than yours?

23 A I wouldn't necessarily want to -- want to  
24 answer specifically to everything he would know or  
25 would potentially say. It would largely be the same.



1 I mean, we have worked together on a couple of  
2 different contracts and things in the past few years.

3 Q I mean, do you have any reason to think he  
4 would answer any of the questions I've asked you today  
5 differently than you've answered?

6 MR. BEGGS: Object to the form of the  
7 question.

8 A I don't think so off the top of my head.  
9 And, Steve, bear with me. I'm going to try to plug my  
10 laptop in real quick here.

11 Q Yeah.

12 A It's fighting me. That means I have to take  
13 it outside. Can you hear me?

14 Q Yeah.

15 A Okay, there we go. Now I'll just talk in  
16 the car.

17 Q Okay. Is that your police car, your city  
18 police car?

19 A Yeah, this is -- I'm using the laptop from  
20 my car, yeah. I thought I had enough battery but you  
21 went a little long today.

22 Q I mean, would Jeff Rodgers have access to  
23 sources of information that are different than the  
24 information you have available to you concerning --

25 MR. BEGGS: Object to the form of the

1 question.

2 BY MR. UNGER:

3 Q Go ahead?

4 A Hang on. Can you hear me?

5 Q Yes.

6 A Okay. Sorry, it popped up with a microphone  
7 change there. I don't know why it did that.

8 I don't believe so. No, Steve.

9 MR. UNGER: I don't have any further  
10 questions.

11 Bill?

12 EXAMINATION

13 BY MR. BEGGS:

14 Q FOP President Post, I just have a few  
15 questions for you. You were shown a report that was  
16 marked as Exhibit 53 which Counsel identified as the  
17 Novak report, and you were shown one page of that; are  
18 you with me as to what I'm talking about now?

19 A Yes.

20 Q And I think, is it your testimony you have  
21 reviewed that document in the past?

22 A Yes.

23 Q How long ago?

24 A Probably, I look at it probably last month.

25 Q So when you were asked about all of anything

1 you disagree with or agree with, it would be about a  
2 month ago since you've looked at a 56-page report;  
3 would that be right?

4 A Correct.

5 Q Is it possible if you had 45 minutes or an  
6 hour to review that carefully, you might have other  
7 opinions about it?

8 A Correct.

9 Q The document that you brought with you today  
10 to answer Counsel's questions, and I'm going to ask  
11 the court reporter if he would please mark this as 55?

12 MR. BEGGS: And I don't know if you've  
13 got this, Andrew, or not, but I'll ask this be marked  
14 as Exhibit 55 and made part of the deposition.

15 (Exhibit 55 was marked for  
16 identification.)

17 BY MR. BEGGS:

18 Q FOP President Post, is this a review of data  
19 for the Bloomington Police Department for the months  
20 of January, February, and March of 2024?

21 A Yes.

22 Q And does this show -- when it says "85  
23 payroll," what does that mean, please?

24 A That means there's 85 sworn officers  
25 currently on the payroll from the chief down to the

1 most junior officer.

2 Q Okay. And then if I look at -- I don't know  
3 if you have it handy, but I'm looking at March of 2024  
4 to the -- in green to the right it says "71 available  
5 to work after subtracting various things"; please  
6 explain what that means?

7 A So what that means is that the 71 number is  
8 who is actually available to respond to calls or take  
9 calls.

10 In this particular box, it shows taking out  
11 the admin, which is the top four, chief, deputy chief,  
12 captain and captain, and then the administrative  
13 sergeant.

14 Sick, injured, or light duty is any officer  
15 who's out on long-term medical leave, or light duty is  
16 someone -- and I'm not going to talk about their  
17 medical issues, but we have a couple officers out with  
18 things which will not preclude them from coming back  
19 but they cannot work on the street right now.

20 Military would be a officer who is on  
21 military leave but expected to return after a period  
22 of time. And then the final one down there, FTO/ILEA,  
23 that is officers who are still in training or at the  
24 police academy and are not currently certified to be  
25 out on their own.

1 Q "FTO" stands for what, please?

2 A Field training officer. And "ILEA" is the  
3 Indiana Law Enforcement Academy.

4 Q And then if you would, please, go to the  
5 left of that, so it'd be the second column that says  
6 "second shift" which you were asked about before?

7 A Yes.

8 Q And I think maybe this will help me  
9 understand the entire document, but I follow March 2  
10 of 2024, and I follow second shift, and then I see  
11 columns that rose, I think, for lieutenant, sergeant,  
12 officer, chief, and then "DC" in capitals; what's  
13 "DC"?

14 A DC is deputy chief, and then captain is  
15 there's an operations captain and a administrative  
16 captain.

17 Q Okay. So there is no chief, DC, or captain  
18 on the second shift of that report; is that right?

19 A Correct. Those are the top level positions.  
20 They're reflected to the right under the -- the admin  
21 column.

22 Q Okay. And what's the "16"? If I'm moving  
23 upwards, what's the "16" on the officer row?

24 A So that is patrol officers, whether they're  
25 officer first class or senior police officer rank.

1 That is the working uniformed officer that you would  
2 see in a patrol car.

3 Q And does that mean that there were -- for  
4 March of 2024, there are 16 on the street sworn  
5 officers during the second shift?

6 A No. What that means is there are 16  
7 officers assigned to that second shift period which is  
8 1:30 p.m. to 10 p.m. So the potential is I think that  
9 shift is split up 5, 5, and 6. So there could be 10  
10 if the two 5's are working, or there could be 11 if  
11 the 5 and the 6 rotation are working. So the maximum  
12 you could have would be 11 officers working.

13 Q Do they sometimes overlap?

14 A On that particular shift, or any of the  
15 shifts, what the overlap is when you have three  
16 rotations, you only have two that work at any given  
17 time. So that's what I'm saying, you could have the  
18 two groups of 5 or the group of 5 and 6 working  
19 together, but you're always going to have one rotation  
20 that is on their regular scheduled days off.

21 Q Have you ever, Officer Post, FOP President  
22 Post, have you ever heard the current mayor or her  
23 predecessor state publicly or even privately that the  
24 City of Bloomington has a full staffing of officers?

25 A Not that I can remember. We've --

1 especially under -- the entirety of Mayor Thomson,  
2 which is very short, but I believe under most of Mayor  
3 Hamilton, we were short-staffed, as well.

4 Q You mentioned earlier in your testimony  
5 today, you made reference to FBI guidelines and  
6 International Association of Chiefs of Police  
7 guidelines; and do I understand correctly that the FBI  
8 recommends as a guideline 2.3 officers per thousand  
9 residents and that the IACP recommendations 3.4 per  
10 thousand?

11 A So there -- it's a little difficult. They  
12 talk about those numbers, but whether it's actually  
13 written as a recommendation at two agencies is usually  
14 not how it's taken.

15 They use -- I'm saying, "they." The FBI or  
16 the International Association of Chiefs of Police use  
17 those numbers in terms of how they look at statistics.  
18 I don't think there's a document that you can find  
19 where the FBI says a city should have, you know, X  
20 number of officers.

21 But it's very common to see those particular  
22 types of numbers put forth in, you know, research  
23 online or documents and stuff. Like I said, the two  
24 three officers, that's -- I was just kind of rounding  
25 there from what I remember. Yours sound much more

1 particular.

2           You know, that's a very common thing that  
3 you see. I've heard that numerous times over my  
4 career.

5           MR. BEGGS: I'll just ask that 55 be  
6 made part of the deposition.

7           I have no further questions at this  
8 time. Thank you, sir.

9           THE WITNESS: Uh-huh.

10                             EXAMINATION

11 BY MR. UNGER:

12           Q     Mr. Post, just a couple of questions on this  
13 Exhibit 55?

14           A     Yes.

15           Q     The -- who prepared the green part at the --  
16 on the right-hand side? Who would have added that?

17           A     This is a internal document that's put  
18 together, I believe, by one of the administrative  
19 secretaries.

20           Q     Do they -- so this -- is this a normal  
21 document they create in the department?

22           A     Yes.

23           Q     Okay. With the available to work pieces at  
24 the end in the green --

25           A     Yes.



1 Q Okay.

2 A Yes, I've seen that over multiple years.

3 MR. UNGER: Okay. Nothing further.

4 EXAMINATION

5 BY MR. BEGGS:

6 Q FOP President Post, when you say, "multiple  
7 years," if I wanted to find reports like this over the  
8 course of multiple years, where would I find or see  
9 those, please?

10 A I believe you'd have to ask the department  
11 specifically. This is just the most recent one. I  
12 asked for it directly this week knowing that this  
13 deposition was going to take place. I would say reach  
14 out to the chief's office.

15 MR. BEGGS: Thank you. No further  
16 questions.

17 THE REPORTER: All right. Mr. Unger,  
18 are you ordering this transcript?

19 MR. UNGER: Yes.

20 THE REPORTER: Mr. Beggs, do you need a  
21 copy? Mr. Beggs, you're muted.

22 MR. BEGGS: -- you.

23 THE REPORTER: What did you --

24 MR. BEGGS: No, thank you. Andrew, do  
25 you have Exhibit 55, or do I need to email that to

1 you?

2 THE REPORTER: I don't have -- unless  
3 you put it in the Exhibit Share, I don't have it. How  
4 would you like to provide that?

5 MR. BEGGS: I will forward it right --  
6 Steve, tell me if this is agreeable. I will forward  
7 right now the email that you and I received from FOP  
8 President Post transmitting this today; does that  
9 work?

10 MR. UNGER: That's fine.

11 THE REPORTER: Okay. And signature?

12 MR. BEGGS: What address for you,  
13 Andrew?

14 THE REPORTER: I'll provide that in  
15 just a moment.

16 MR. UNGER: Okay.

17 THE REPORTER: But first, signature?

18 MR. UNGER: I don't care.

19 FOP President Post, you have the right  
20 to review the transcript and then sign off that you  
21 have reviewed it or make corrections or errors on an  
22 errata sheet. Or you have the right to waive that.  
23 You can do whichever unless the city's attorneys  
24 request that you review and sign.

25 MR. UNGER: We don't care. It's up to

1 you, Mr. Post.

2 THE WITNESS: I'm okay to waive it.

3 That's fine.

4 THE REPORTER: Okay. In that case, we  
5 are now off the record at 4:54 p.m.

6 (Signature waived.)

7 (Whereupon, at 4:54 p.m., the  
8 proceeding was concluded.)

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CERTIFICATE OF DEPOSITION OFFICER

I, ANDREW PRONSCHINSKE, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



ANDREW PRONSCHINSKE

Notary Public in and for the  
State of Indiana

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CERTIFICATE OF TRANSCRIBER

I, REBECCA CAMERON, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



REBECCA CAMERON

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Indiana Rules of Trial Procedure  
Depositions Upon Oral Examination

Rule 30

(e) Submission to witness--Changes--Signing.

(1) When the testimony is fully transcribed, the deposition shall be submitted to the witness for reading and signing and shall be read to or by him, unless such reading and signing have been waived by the witness and by each party. "Submitted to the witness" as used in this subsection shall mean (a) mailing of written notification by registered or certified mail to the witness and each attorney attending the deposition that the deposition can be read and examined in the office of the officer before whom the deposition was taken, or (b), mailing the original deposition, by registered or certified mail, to the witness at an address designated by the witness or his attorney, if requested to do so by the witness, his attorney, or the party taking the deposition.

(2) If the witness desires to change any answer in the deposition submitted to him, each change, with a statement of the reason therefor, shall be made

by the witness on a separate form provided by the officer, shall be signed by the witness and affixed to the original deposition by the officer. A copy of such changes shall be furnished by the officer to each party.

(3) If the reading and signing have not been waived by the witness and by each party the deposition shall be signed by the witness and returned by him to the officer within thirty (30) days after it is submitted to the witness. If the deposition has been returned to the officer and has not been signed by the witness, the officer shall execute a certificate of that fact, attach it to the original deposition and deliver it to the party taking it. In such event, the deposition may be used by any party with the same force and effect as though it had been signed by the witness.

(4) In the event the deposition is not returned to the officer within thirty (30) days after it has been submitted to the witness, the reporter shall execute a certificate of that fact and cause the certificate to be delivered to the party taking it. In such event, any party may use a copy of the



deposition with the same force and effect as though  
the original had been signed by the witness.

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ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.  
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2019. PLEASE REFER TO THE APPLICABLE STATE RULES  
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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