



MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Ash Kulak, Deputy Administrator / Deputy Attorney

Date: November 1, 2024

Re: [Resolution 2024-21](#) – Resolution of the Common Council of the City of Bloomington, Rejecting the Establishment of a Merit System for the Bloomington Police Department

Synopsis

This resolution rejects the establishment of a merit system for the Bloomington Police Department in accordance with the provisions of Indiana Code Title 36-8-3.5-5.5.

Relevant Materials

- [Resolution 2024-21](#)
- Staff memo from Chris Wheeler

Summary

The Indiana General Assembly passed [House Enrolled Act 1016](#) on May 4, 2023, which went into effect July 1, 2023. The Act provides that a merit system will automatically be established for eligible police departments within Indiana cities and towns by January 1, 2025, unless the unit adopts a resolution rejecting the establishment of a merit system.

Under the Act's newly adopted provisions within [Indiana Code 36-8-3.5-5.5\(e\)](#), the resolution rejecting the establishment of a merit system must be adopted by an affirmative vote of at least a majority of the members of the unit's legislative body and the active full-time, paid members of the department. The legislative body votes on the resolution first and, if passed, will then be presented to the paid members of the police department for a vote. If passed by a majority, a merit system will not be established January 1, 2025.

This resolution would be the first step in rejecting the establishment of a merit system for the Bloomington Police Department (BPD), which is an eligible department under I.C. 36-8-3.5-5.5(c). The staff memo by Assistant City Attorney Chris Wheeler explains why BPD does not want to create a merit system. Notably, the Board of Public Safety already exists to perform much of the same functions a merit system would.

Should the Council pass this resolution, it would then need to be voted on by the active, full-time, paid members of BPD. The process for how that works is detailed in [I.C. 36-8-3.5-4](#), and is listed extensively in the staff memo.

Contact

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