

TIMOTHY B. HOWARD
SHERIFF OF ERIE COUNTY



April 25, 2011

The Honorable
Erie County Legislature
25 Delaware Avenue
Buffalo, New York 14202

RE: Erie County Sheriff's Office – K9 Retirement

Honorable Members:

Attached please find a proposed resolution and accompanying memorandum from the Erie County Sheriff's Office requesting authorization to allow Deputy Anthony Burdzy (canine Drago), Deputy Michael O'Connor (canine Nina), and Correction Officer Scott Priester (canine Tina) to keep their K-9 partners, upon the canine's retirement on April 29, 2011.

I kindly request the Erie County Legislature consider and approve the resolution at its earliest possible session. If your Honorable Body requires any further information, kindly contact the Sheriff's Office and we will be happy to accommodate your request.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy B. Howard".

TIMOTHY B. HOWARD
SHERIFF OF ERIE COUNTY

Attachments

PROPOSED RESOLUTION

RE: Erie County Sheriff's Office - K9 Retirement

WHEREAS, Deputy Burdzy's K-9 partner Drago was purchased in the year 2000 with seized asset funds and was trained in drug detection with Deputy Burdzy as his only handler exclusively since that date; and

WHEREAS, Drago is now eleven (11) years old and is no longer able to carry out the duties of a police agency K-9 and in fact has not been able to perform the function for an extended period of time; and

WHEREAS, Deputy O'Connor's partner Nina was purchased in the year 2003 with seized asset funds and was trained in drug detection with Deputy O'Connor as her handler exclusively since that date; and

WHEREAS, she is now eight (8) years old and given the extended length of time that Nina has been assigned to one handler it would not be possible to reassign her to another handler, therefore ending her ability to function as a drug detection K-9; and

WHEREAS, Correction Officer Priester's partner Tina was purchased in the year 2003 with seized asset funds and was trained in drug detection with Officer Priester as her handler exclusively since that date; and

WHEREAS, she is now eight (8) years old and given the extended length of time that Tina has been assigned to one handler it would not be possible to reassign her to another handler, therefore ending her ability to function as a drug detection K-9; and

WHEREAS, Deputies Burdzy and O'Connor and Correction Officer Scott Priester have agreed to sign agreements to assume full responsibility for said dogs and to hold the County of Erie/Erie County Sheriff's Office harmless against any and all liability; and

WHEREAS, the Sheriff's Office conferred with the Comptroller's Office and the County Attorney to determine that by Legislative Resolution the transfer of ownership could occur.

NOW, THEREFORE, BE IT

RESOLVED, that at the time of the K-9's retirement, their long time handlers will be allowed to retain possession of their K-9 partners, Drago, Nina and Tina, and be it further,

RESOLVED, that the Office of the Sheriff is hereby authorized to enter into purchase agreements with Deputy Burdzy, Deputy O'Connor and Correction Officer Priester for the consideration of one (1) dollar for the transfer of ownership of Drago,

Nina, and Tina respectively. Deputy Burdzy, Deputy O'Connor and Correction Officer Priester shall assume full responsibility for the dogs under any such agreement and shall further hold the County of Erie and Erie County Sheriff's Office harmless against any and all liability, and be it further,

RESOLVED, that certified copies be forwarded to the Erie County Comptroller, the County Attorney and the Office of the Sheriff for implementation.

ACCOMPANYING MEMORANDUM

RE: Erie County Sheriff's Office - K9 Retirement

I. SUMMARY OF RECOMMENDED ACTION

The attached resolution requests authorization to allow Deputy Anthony Burdzy, Deputy Michael O'Connor and Correction Officer Scott Priester to maintain possession of their K-9 partners, Drago, Nina and Tina respectively upon the K-9's retirement from duty on May 1, 2011.

II. FISCAL IMPLICATIONS OF PROPOSAL

No fiscal effect on County Funds. The Sheriff's Office Seized Asset Account was used to fund the K-9 purchases.

III. REASON FOR RECOMMENDATION

Deputy Burdzy has trained and cared for Drago for eleven years. Drago is no longer physically able to function as a police canine and now has a diminished value to the county.

Deputy O'Connor has trained and cared for Nina for eight years. Nina's productivity is falling off with age, diminishing her value to the County.

Correction Officer Priester has trained and cared for Tina for eight years. Tina's productivity is falling off with age, diminishing her value to the County.

IV. CONSEQUENCES OF NEGATIVE ACTION

The County would be obligated to pay for the costs of keeping Drago, Nina and Tina kenneled until an alternative transfer of ownership can be accomplished.

V. STEPS FOLLOWING APPROVAL OF MEASURE

Certified copies of this resolution will be forwarded to the Erie County Comptroller, the County Attorney and the Office of the Sheriff for implementation.