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December 10, 2014

The Honorable
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Erie County Sheriff's Office – K9 Transfer
Immediate Consideration Requested

Honorable Members:

Attached please find a proposed resolution and accompanying memorandum from the Erie County Sheriff's Office requesting authorization to transfer ownership of "Storm", an Explosive Detection canine, assigned to the Police Services Deputy James Kelley, a certified K9 handler. Storm was accepted into Erie County Sheriff's Office service from the New York State Police in October 2012. Deputy Kelley is retiring as of December 20, 2014 and due to the training and relationship built between Storm and Deputy Kelley, assigning the canine to a different Deputy is not possible for an effective partnership.

I kindly request the Erie County Legislature's consideration and approval at the December 18, 2014 meeting of your Honorable Body. Representatives of the Sheriff's Office will be available to answer any questions.

Very truly yours,

TIMOTHY B. HOWARD
SHERIFF OF ERIE COUNTY

Attachments

ACCOMPANYING MEMORANDUM

RE: Erie County Sheriff's Office
K9 Transfer

I. Summary of Recommended Action

The attached resolution requests authorization to transfer ownership of Storm to Deputy Kelley upon his retirement on December 20, 2014.

II. Fiscal Implications of Proposal

No negative fiscal effect on County funds. The Sheriff's Office accepted ownership of the canine at no cost from the New York State Police.

III. Reasons for Recommendation

Deputy Kelley is retiring after many years of service to the Erie County Sheriff's Office and since the handler/canine relationship is special and unique it cannot be replicated by in a new handler/canine partnership, it is appropriate to transfer ownership. Furthermore, since the canine and Deputy have trained together, the canine may not accept a new handler and become unproductive.

IV. Consequence of Negative Action

The Sheriff's Office would be required to send a new handler and Storm to further training. This training would be expensive and provide no guarantee that the new partnership would be productive.

V. Steps Following Approval of Measure

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

PROPOSED RESOLUTION

Re: Erie County Sheriff's Office
K9 Transfer

WHEREAS, Storm was accepted from the New York State Police and was trained as an Explosion Detection canine, and

WHEREAS, Deputy James Kelley is retiring from the Erie County Sheriff's Office on December 20, and that the relationship built between a Deputy and canine partner is special and unique, and

WHEREAS, even with additional training for a new handler and Storm, there is no guarantee that the new partnership would be effective and productive, and

WHEREAS, the Sheriff's Office conferred with the Director of Purchasing 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 Deputy Kelley's retirement, he would be allowed to retain possession of his K9 partner, Storm; and be it further

RESOLVED, that the Office of the Sheriff is hereby authorized to enter into a purchase agreement with Deputy James Kelley for the consideration of one dollar for the transfer of ownership of Storm. Deputy Kelley shall assume full responsibility for the canine under such agreement and shall further hold the County of Erie and the Erie County Sheriff's Office harmless against any and all liability;

And be it further

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