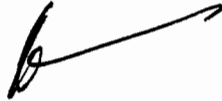


AGENDA REPORT

TO: Mayor & City Commission
FROM: Ken Hibl, City Manager
DATE: October 2, 2009
RE: Police K-9 Proposal



For the Agenda of October 5, 2009

Background. As the City Commission is likely aware, Officer Brian Gregory personally owns and manages a police K-9 certification academy (Northern Michigan K9). He has owned and managed the academy for approximately ten years; is regionally renowned for his expertise in this field; and draws a customer base from police agencies from throughout northern and central United States.

Officer Gregory is also a full-time, certified police officer of the Clare Police Department. A Michigan police department recently donated a certified police K-9 (a Belgian Melinois by the name of Swiper – a dog originally trained and certified by Officer Gregory through his K-9 academy) due to budget constraints.

Officer Gregory could easily seek multiple dispositions regarding this dog, to include selling him or provide him to another K-9 unit, but he has opted to offer the dog and his services to the City of Clare to allow us to initiate our own K-9 program. Chief Midge and Officer Gregory have offered a brief outline (*copies att'd*) of the program.

Officer Gregory and Chief Miedzianowski will be present at Monday's meeting to provide an overview of the department's proposed new program and to answer any questions of the City Commission and the public. Following this discussion, the Commission will be asked to briefly adjourn and observe a demonstration by Officer Gregory and Officer Swiper in the City's parking lot (in the downstairs hallway of City Hall in the event of inclement weather) highlighting their capabilities and abilities. Subsequently, the Commission will be asked to consider the approval of adopting/approving the commencement of a K-9 program for the Clare Police Department.

Issues & Questions Specified. Should the City Commission approve the proposal/offer to initiate a K-9 program for the Clare Police Department.

Alternatives.

1. Approve the proposal.
2. Disapprove the proposal.
3. Set aside decision regarding this matter to a later date.

Financial Impact. The cost to initiate a K-9 program is approximately \$50K (*see copy of att'd cost breakdown offered by Officer Gregory*). As reflected in the cost breakdown, the City's costs would be absolutely minimal (note the donations of his K-9 academy, the donation of food for the dog, the fact that Officer Gregory is already trained and certified as a police K-9 handler, and the donation of special vehicular equipment). Any incidental costs would be minimal and would be borne by already-appropriated departmental operational dollars. And as there is no long-term commitments (the program could be terminated at any time by either the City or the department due to change of circumstances of either entity, e.g., unexpected departure of Officer Swiper or Officer Gregory, unanticipated, future budgetary cuts by the City, etc.) to the program, there are no long-term costs.

Recommendation. I recommend that the City Commission approve the commencement of a K-9 program for the Clare Police Department by adoption of Resolution 2009-097 (*copy att'd*).

Attachments.

1. Program Outlines.
2. Cost Breakdown.
3. Resolution 2009-097.

CITY OF CLARE K-9 PROPOSAL

In the past the City police department has had to rely on outside jurisdictions when the use of a K-9 is required. This has not been time effective because on scene Clare city officers have had to wait long periods of time for the requested jurisdiction K9 officer to arrive. This is not a good use of time and not cost affective. Having our own K9 available would increase arrival times which put the officers back into routine patrol in the city much quicker.

Due to the increase of walkaway's from some of our local elderly care facilities and the increase of property crimes. Having a well trained K9 team to help better serve the citizens of Clare is the next logical step for the city police department.

An excellent example of quick arrival and a quality K9 team is the track and arrest of the subject who hit 2 local residents on a motorcycle with his vehicle. The suspect fled first in his vehicle a short distance then ran on foot. The K9 team from the Saginaw Chippewa Tribal police, which was trained by Ofc. Brian Gregory. Arrived at the scene, began tracking and located the suspect hiding approximately ½ mile away. That suspect has since plead guilty to 3 felony counts and is to be sentenced shortly in Isabella County. A task such as that would take multiple officers several hours to attempt and more than likely have negative results. Where using the K9 team took 2 officers less than half hour from the start of the track until the apprehension.

Specialty trained K9's are rapidly becoming popular in smaller departments across the country. Their ability to assist with officer safety, apprehension of fleeing suspects, and the detection of illegal narcotics have made police departments much more efficient. Their presence alone at crime scenes are a remarkable deterrent. The dog's ability to go from apprehending a suspect to socializing with our kids in the classroom is an excellent public relation tool for the city.

At the last department that Officer Gregory work at and started their K9 program. Breaking and entering crimes dropped 33% after the first year. That program still thrives today because of setting a solid foundation. That is our intention here, to lay a foundation of professionalism and quality training to serve the citizens of Clare for years to come.

The City has a very unique opportunity at this particular time. See the following page which lists normal costs and the comparison of costs that could be incurred by the city.

CLARE CITY POLICE K-9 PROPOSAL

This proposal will deal with these important considerations. The cost/benefit ratios, safety or liability issues, the specific need for the service provided and compatibility with department goals and services.

The benefits derived from a police K-9 program are many and vary according to what tasks the K-9 team is prepared to perform. The City of Clare and its police department would most benefit for what is termed a "dual purpose" K-9. This would consist of narcotic detection, tracking of humans, building searching, area searching, evidence recovery and handler protection.

A successful K-9 program requires a long-term and ongoing commitment from administrators. A typical K-9 unit is a support unit trained in providing specialized services and providing added capabilities unavailable from other departments or members within the agency.

Liability, safety, and legal issues are a concern of every police administrator. Since 1985, and primarily following U.S. Supreme Court case Tennessee v. Garner, which regarded the use of lethal force, law enforcement now trains officers in less-than-lethal force options in an effort to reduce the use of lethal force. The K-9 is another force-option tool available to the law enforcement officer and, in many situations, is the best possible use of less-than-lethal force.

When compared to other less-than-lethal force options tools, the K-9 presents much less liability to the law enforcement agency. There are many studies available and statistics showing the number of deaths caused by less-than-lethal tools in the past 10 years. There have been several deaths caused by these tools, however there has been only one death caused by the use of a K-9. (Robinette v. Barnes) The Court then ruled that the use of the K-9 was not "lethal" force. The Court also stated that, "the use of dogs can make it more likely that the officers can apprehend suspects without the risk of attendant to the use of firearms in darkness. Thus frequently enhancing the safety of the officers, bystanders, and suspects."

The advantages and benefits provided by K-9 teams far outweigh the costs. The cost/benefit ratio is usually quickly determined and the benefits are easily seen once the K-9 team is on the street. The man-hour savings are recognized early on with the use of "dual purpose" K-9 teams in searches, tracking and other apprehension and evidence recovery tasks. A narcotic detection K-9 can be responsible for drug related cash and property seizures with the ability to locate hidden narcotics that officers would not be able to find.

**CLARE CITY POLICE
K-9 PROPOSAL**

Page 2

So can a K-9 program benefit the City of Clare? It can be one of the best tools available for improving police services to the citizens of Clare. A quality K-9 program is a must and a long term commitment is needed from handlers and administrators. With good planning and preparation we can add a valuable asset to the Clare city police department.

With my 25 years of training and handling experience, I would be honored to not only train the departments first dog, but to also be the handler.

CITY OF CLARE K-9 PROPOSAL

COST BREAKDOWN

Normal cost for new program

K9 and training.....\$11,000

Vehicle and equipment\$35,000

Also new program involves a handler being out of service for 4 weeks while in training. Approximate wages, meals and lodging expense would be included in this breakdown.....\$4,040

Total for new program.....\$50,040

Opportunity at this time for Clare City

K9 and training.....\$0 Northern Michigan K9 has a trained/certified dog ready for service. Officer Gregory would be the handler of the dog so no time away from department and no schedule changes.

Vehicle and equipment.....\$ 0 Equipment is being donated and current vehicle would be refurbished and utilized as K9 vehicle. Cost to refurbish is being researched.

Johnston Elevator will donate food for the dog.

As of this date the City of Clare has the opportunity to start a "quality" K9 program at virtually "NO COST"

RESOLUTION 2009-097

A RESOLUTION OF THE CLARE CITY COMMISSION APPROVING A PROPOSAL TO INITIATE A POLICE K-9 PROGRAM WITHIN THE CLARE POLICE DEPARTMENT.

WHEREAS, Clare Police Officer Brian Gregory, a full-time Clare Police Officer who is a trained and certified police dog handler and concurrently owns and manages a Police K-9 Training and Certification Academy (Northern Michigan K-9), has offered to provide a trained and certified police dog, hereafter identified as Officer Swiper, and his (Officer Gregory's) services as a police K-9 handler to the Clare Police Department serving concurrent with his normally assigned police duties and at no additional cost to the City; and

WHEREAS, said proposal is deemed to be an immense benefit to the City while vastly expanding the operational capabilities and services provided by the Clare Police Department; and

WHEREAS, the Clare City Commission considers acceptance of said proposal to be in the best public safety interests of the community.

NOW THEREFORE BE IT RESOLVED THAT the Clare City Commission accepts the proposal of Officer Brian Gregory to initiate a Police K-9 Program for the Clare Police Department with no additional appropriation of funds to commence and maintain said K-9 Program.

BE IT FURTHER RESOLVED THAT the decision to initiate said Police K-9 Program shall be evaluated on an annual basis for a determination of costs and benefits of said program in conjunction with the adoption of the annual budget appropriation of the City and may be terminated without penalty or cost if said determinations are deemed to be less than beneficial.

ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INsofar AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME ARE HEREBY RESCINDED.

The Resolution was introduced by Commissioner _____ supported by Commissioner _____. The Resolution declared adopted by the following roll call vote:

YEAS:

NAYS:

ABSENT:

Resolution approved for adoption on this 5th day of October 2009.

Diane Schmidt, City Clerk

Isabella County Sheriff's Department



Sheriff Leo Mioduszewski
207 Court St., Mt. Pleasant, MI 48858
Phone (989) 772-5911
Fax (989) 779-8375

September 17, 2009

To: City of Clare Commissioners
From: Sheriff Leo Mioduszewski
Re: K-9 program

Dear Commissioner:

Chief Dwayne Miedzianowski told me that he is interested in obtaining a K-9 for the City of Clare. I strongly believe a K-9 program will be beneficial for the citizens of Clare, as well as all law enforcement agencies in Clare and Isabella Counties.

Illegal drugs have a direct effect on the quality of life in both Clare and Isabella Counties. Illegal drugs have a significant impact on the lives of individuals and their families. It has been shown there is a direct correlation between the use of illegal drugs and criminal activities such as burglaries, damage to property, thefts and auto accidents. A K-9 unit will help local law enforcement officers locate illegal drugs that may not be detected without the presence of a trained narcotics dog.

It will also be a great benefit to have a K-9 that is trained to track criminals that flee from police, missing persons, Alzheimer's patients, lost children and lost hunters.

The K-9 unit is also a great public relations tool. As a K-9 Handler myself, I know how valuable a K-9 can be when used to educate young people on the dangers of drug use. The K-9 unit can also be used to attend local events in order to perform demonstrations to members of your community. It is a great way to show your citizens that the Clare Police Department is working hard to be proactive in combating illegal drug use.

If you have any questions or would like more information from me, please do not hesitate to give me a call.

Best wishes,

Leo Mioduszewski

Leo Mioduszewski
Sheriff, Isabella County