



# **City of Grand Island**

**Tuesday, December 02, 2008**

**Council Session**

## **Item G14**

**#2008-342 - Approving Interlocal Agreement for CANDO Drug Compact**

**Staff Contact: Steve Lamken**

# **Council Agenda Memo**

**From:** Steven Lamken, Police Chief

**Meeting:** December 2, 2008

**Subject:** CANDO Drug Compact

**Item #'s:** G-14

**Presenter(s):** Steven Lamken, Police Chief

## **Background**

The Compact for Apprehension of Narcotic Dealers, CANDO, is a regional task force of municipal and county law enforcement agencies dedicated to lower and middle level drug dealer enforcement. The agencies participating in CANDO are: Adams County Sheriff, Hastings PD, Buffalo County Sheriff, Kearney PD, Kearney County Sheriff, Minden PD, Phelps County Sheriff, Holdrege PD, Franklin County Sheriff, Franklin PD, Hall County Sheriff and the Grand Island PD. CANDO has been working since 1987 when Federal drug grant funds were first made available for regional drug task forces. CANDO has been a success story and an effective effort in providing drug enforcement in Grand Island and surrounding area. The CANDO compact is no longer receiving Federal drug grant funds and is now being fully funded by the cities and counties that are members of the compact. The compact has been restructured with this change and a new inter-local government agreement is needed for the compact.

## **Discussion**

The local regional drug task force, CANDO has been working since 1987 when Federal drug grant funds were first made available for regional drug task forces. CANDO has been a success story and an effective effort in providing drug enforcement in Grand Island and surrounding area. The Grand Island Police Department is an active member of CANDO and dedicates personnel and funding to CANDO drug enforcement efforts. GIPD has one full time investigator working CANDO drug cases and using CANDO funds in the investigations.

The CANDO compact has received Federal grant funds that have paid for the majority of operating costs for the compact since 1987. The funding levels have varied over years but our grants have been in the area of \$60,000 for the past several years. The majority of grant funds were used to pay for the services of a full time Nebraska State Patrol

Investigator for the CANDO compact area. We were informed in the fall of 2008 that the Nebraska Crime Commission had awarded CANDO approximately \$1200 for the 2008/2009 grant year. The Compact members declined the grant as the reporting requirements were more cumbersome than the value of the award. The \$1200 grant would not fund one month of drug enforcement efforts in the compact area.

The Compact members determined that we could continue to fund drug enforcement efforts with our annual contributions to CANDO and provide local agencies buy money and operations funding; however, we would not be able to pay for the full time NSP investigator. The current annual contribution for the GIPD is the same amount as we were contributing when the compact was receiving grant funding. The local contributions will provide funds for buy money, payments to informants, officer overtime related to CANDO investigations and operations expenses. The Compact members felt that it was vital to maintain the level of cooperation and information sharing among the Compact members to remain more effective in our drug enforcement efforts in central Nebraska. CANDO will continue to work in conjunction with the Tri City Drug Task Force and the Nebraska State Patrol in maintaining a strong enforcement effort in our area.

The Compact members have drafted new governing policies and procedures reflecting the needed changes. A new participating government agreement is required to continue the compact as a local inter-government compact. A draft of the agreement is provided and the original will be sent to each of the local government bodies for signature. A copy of the draft with all signatures will be returned to each local government.

### **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **Recommendation**

City Administration recommends that the Council approve the continued participation of the Grand Island Police Department in the CANDO drug task force and have the Mayor sign the inter-local agreement.

### **Sample Motion**

Move to approve the continued participation of the Grand Island Police Department in the CANDO drug enforcement task force and have the Mayor sign the inter-local agreement.

**Interlocal Cooperation Act Agreement  
Compact for Apprehension of Narcotics Dealers and Offenders  
C.A.N.D.O.**

Now on this \_\_\_\_\_ day of \_\_\_\_\_, 2008, this agreement is made and entered into by and between the following entities: Adams County Sheriff's Office, Buffalo County Sheriff's Office, Franklin County Sheriff's Office, Hall County Sheriff's Office, Kearney County Sheriff's Office, and Phelps County Sheriff's Office, all in the State of Nebraska, and the cities of Franklin, Grand Island, Hastings, Kearney, Minden and Holdrege, also all in the State of Nebraska. This Inter-local agreement shall be referred to as a compact, and more specifically, as the Compact for Apprehension of Narcotics Dealers and Offenders, (C.A.N.D.O.) The aforementioned members hereby enter into an inter-local agreement consistent with Neb. Rev. Statutes S13-802 et. seq. Laws 1963, c. 333, § 1, p. 1071; R.S.1943, (1983), § 23-2201; Laws 1991, LB 731, § 2; Laws 1996, LB 1177, § 14.

1. This agreement shall be made by and between the aforementioned political subdivisions of the State of Nebraska, and shall take effect on the date hereof and shall remain in effect until the C.A.N.D.O. project is terminated by mutual agreement of a majority of the participating members.
2. At any time during the operative dates of this agreement, any member of this compact that wishes to terminate its participation in the compact, may do so by providing written notice of such intent not less than thirty days prior to said termination date.
3. The purpose of this compact shall be to identify, investigate, apprehend and facilitate the prosecution of narcotics dealers and offenders in the compact region and within the jurisdictions of the aforementioned participating agencies. Specific attention will be directed at narcotic and drug activity that involves hand to hand or individual sales as well as illegal activities between the seller and their supplier. Narcotics offenses include those involving controlled substances as defined by Nebraska Statutes in S28-416 et seq.

**Interlocal Cooperation Act Agreement**  
**Compact for Apprehension of Narcotics Dealers and Offenders**  
**C.A.N.D.O.**

4. The Sheriff or Chief of Police for each of the participating member agencies will make up the C.A.N.D.O. Governing Board for the compact. The Governing Board will develop policies and procedures which govern the compact as well as direct the activities of the Officers and employees of the agencies as it pertains to the C.A.N.D.O. compact. The Governing Board will develop necessary forms for the recording and reporting of expenditures and hours committed to the activities of the compact. The Governing Board will develop an operating budget, and manage and approve expenditures of said budget; determine dues and see that an accounting of funds is made on a regular basis and kept current.
5. The compact will establish a committee which will consist of one person from each participating agency who will function as a C.A.N.D.O. Coordinator for the agency. The Governing Board will select and appoint a person from this group who will be designated Chief Coordinator who will administer the operations and actions of the committee under standard parliamentary procedures.
6. Each member agency of the compact will supply adequate manpower to assist in investigations of Narcotics violations and offenders within the jurisdictional boundaries of the compact members. Each member agency will provide manpower to assist in the investigations, execution of any search or arrest warrants and provide surveillance activities and provide court testimony as required.
7. It is the responsibility of each agency coordinator to promptly and accurately complete all required forms and reports and insure that these and investigatory reports are forwarded to the Chief coordinator in a timely and regular fashion.
8. Any sheriff, deputy sheriff, marshal, deputy marshal, police officer or peace officer employed by any Party shall have the power and authority to enforce the laws of the State of Nebraska and to perform the functions of his or her office anywhere within the geographic territory of any Party when acting or participating in a cooperative investigation or cooperative

**Interlocal Cooperation Act Agreement  
Compact for Apprehension of Narcotics Dealers and Offenders  
C.A.N.D.O.**

law enforcement activity at the request of any Party's Sheriff or Chief of Police or an authorized designee of any such Sheriff or Chief of Police.

9. At all times while acting or participating in a cooperative investigation or cooperative law enforcement activity, any such participating sheriff, deputy sheriff, marshal, deputy marshal, police officer or peace officer shall remain the employee of the Party supplying such officer. Each Party shall provide liability insurance and indemnification for its own personnel as provided in Neb.Rev.Stat. §13-1802.
10. Any seizure of property or funds and the distribution of those items resulting from an investigation by members of the C.A.N.D.O. compact will be returned to the respective jurisdiction consistent with State and Federal guidelines, regulations and laws.
11. Any modification of this agreement shall be in writing and signed by all active members of the compact.
12. Any and all resolutions passed by the governing political subdivisions of the participating agencies to this inter-local agreement, shall become a part of this agreement by reference and are hereto attached.

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Adams County Board  
Chairperson

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Adams County Sheriff's  
Office, Sheriff Gregg  
Magee

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Buffalo County Board  
Chairperson

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Buffalo County Sheriff's  
Office, Sheriff Neil Miller

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Franklin County Board  
Chairperson

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Franklin County Sheriff's  
Office, Sheriff Jerry  
Archer

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Hall County Board  
Chairperson

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Hall County Sheriff's  
Office, Sheriff Jerry  
Watson

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**Interlocal Cooperation Act Agreement  
Compact for Apprehension of Narcotics Dealers and Offenders  
C.A.N.D.O.**

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Kearney County Board  
Chairperson

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Kearney County Sheriff's  
Office, Sheriff Scott  
White

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Phelps County Board  
Chairperson

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Phelps County Sheriff's  
Office, Sheriff Tom Nutt

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City of Franklin, Mayor

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City of Franklin Police  
Chief Byron Detlefsen

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City of Grand Island,  
Mayor

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City of Grand Island  
Police Chief, Steve  
Lamken

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City of Hastings,  
Administrator

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City of Hastings Police  
Chief, Larry Thoren

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City of Kearney, City  
Manager

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City of Kearney Police  
Chief, Dan Lynch

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City of Minden,  
Administrator

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City of Minden Police  
Chief, Jim Huff

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City of Holdrege,  
Administrator

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City of Holdrege Police  
Chief. Dennis DeMoude

RESOLUTION 2008-342

WHEREAS, The Compact for the Apprehension of Narcotic Dealers, CANDO, has been an effective drug enforcement task force in Central Nebraska, and

WHEREAS, the Police Department has been a member of the inter-local CANDO drug enforcement compact in cooperation with other local law enforcement agencies in central Nebraska for many years, and

WHEREAS, Federal grant funding for CANDO has been reduced to a level that is too small to be accepted by the compact agencies, and

WHEREAS, the CANDO member agencies have adopted new governing policies and procedures to continue operating as a municipal and county government inter-local drug task force, and

WHEREAS, a new inter-local agreement is needed to continue the drug enforcement efforts of the CANDO task force.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that that the Mayor be, and hereby is, authorized and directed to sign the Compact for the Arrest of Narcotic Dealers inter-local agreement :

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Adopted by the City Council of the City of Grand Island, Nebraska, December 2, 2008.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 24, 2008	☐ City Attorney