



# City of Grand Island

Tuesday, April 13, 2010

Council Session

## Item G3

**#2010-95 - Approving Interlocal Agreement for Compact for Apprehension of Narcotics Dealers and Offenders (CANDO)**

Staff Contact: Steve Lamken

# Council Agenda Memo

**From:** Steven Lamken, Police Chief

**Meeting:** April 13, 2010

**Subject:** Compact for Apprehension of Narcotics Dealers and Offenders Interlocal Agreement

**Item #'s:** G-3

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

## Background

The Police Department has been a member agency of the Compact for Apprehension of Narcotics Dealers and Offenders, CANDO, for over two decades. CANDO has served successfully as a regional effort in combating drug abuse and distribution in central Nebraska and in our City. Federal funding for the Compact has been increased and allowed us to contract with an agency for an investigator who will work mainly in the more rural areas of the Compact. The Interlocal agreement has been amended to reflect the contracted investigator as part of the Compact and needs the approval of the participating governing bodies.

## Discussion

CANDO is a regional drug enforcement compact that has historically been supported by Federal Byrne grant funds. CANDO targets mid and lower level drug dealers for enforcement and works closely with the Tri City Drug Task Force. CANDO has historically used funding to contract for law enforcement officers to work as drug investigators for the compact.

Byrne funding decreased in recent years to where the compact could no longer afford to contract for investigators. The compact used the funding that was received to support agency investigations with buy money and overtime support. The loss of the contract investigators left a void in enforcement in the more rural areas of the compact. This loss affects all areas of the region including Grand Island. There is no pressure on dealers living in the rural areas who are selling drugs in our cities. We also lose important intelligence about drug activity in these areas. The smaller member agencies do not have personnel they can assign to drug investigations.

This year Federal funding for Byrne grants was restored and CANDO received grant funding that allows for the contracting of one investigator who is a member of the Phelps County Sheriff's Office. The restoration of this position will provide for more effective drug enforcement in our region. The Compact will support the investigator position so long as adequate Federal grant funding is available. The amending of the CANDO Interlocal and contracting for the investigator will not have an impact on City's match funding being provided to the compact.

### **Alternatives**

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

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

### **Recommendation**

City Administration recommends that the Council approve the Compact for Apprehension of Narcotics Dealers and Offenders inter-local agreement.

### **Sample Motion**

Move to approve the Compact for Apprehension of Narcotics Dealers and Offenders inter-local agreement.

**INTER-LOCAL COOPERATION ACT AGREEMENT  
COMPACT FOR APPREHENSION OF NARCOTICS  
DEALERS AND OFFENDERS (C.A.N.D.O.)**

Now on this \_\_\_\_\_ day of \_\_\_\_\_, 2009, 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 §13-802 et. seq.; Laws 1963, c. 333 §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 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 (30) 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 narcotics 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 §28-416 et. seq.
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 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, through the C.A.N.D.O. Project Director/Coordinator or Assistant Director/Coordinator, will contract with the Phelps County Sheriff's Office for a full-time drug investigator who will

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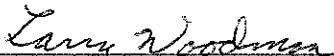
carry out investigations pertaining to the illegal use and distribution of controlled substances on a full-time basis throughout the geographic territory of the member agencies but who will place greatest/primary emphasis in the counties of Kearney, Franklin and Phelps; and the cities of Minden, Franklin and Holdrege. This position is guaranteed through December 31, 2011; and its continuance will be reviewed on a yearly basis after that time.


6. The C.A.N.D.O. Drug Investigator contracted through the Phelps County Sheriff's Office 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 (C.A.N.D.O. agency) while so contracted.
7. At all times while serving as the contracted C.A.N.D.O. Drug Investigator, this individual shall remain the employee of the Phelps County Sheriff's Office. The Phelps County Sheriff's Office shall provide liability insurance and indemnification for its own personnel as provided by Neb.Rev.Stat. §13-1802.
8. It is the responsibility of the C.A.N.D.O. Drug Investigator and/or his or her departmental supervisor to promptly and accurately complete all required forms and reports and insure that these and investigatory reports are forwarded to the Chief Project Director/Coordinator in a timely and regular fashion.
9. 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 Project Director/Coordinator who will administer the operations and actions of the committee under standard parliamentary procedures.
9. 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 testimony as required.

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11. 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 Project Director/Coordinator in a timely and regular fashion.
12. Any sheriff, deputy sheriff, marshal, deputy marshal, police officer or peace officer employed by any party (C..A.N.D.O. member agency) 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 (C.A.N.D.O. agency) when acting or participating in a cooperative investigation or cooperative law enforcement activity at the request of any Party's (member agency's) Sheriff or Chief of Police or an authorized designee of any such Sheriff or Chief of Police
13. 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 (member agency) supplying such officer. Each Party(member agency) shall provide liability insurance and indemnification for its own personnel as provided by Neb.Rev.Stat. §13-1802.
14. 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 guideline, regulations and laws.
15. Any modification of this agreement shall be in writing and signed by all active members of the compact.
16. 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 hereby attached.


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Chairperson, Adams County Board  
of Supervisors

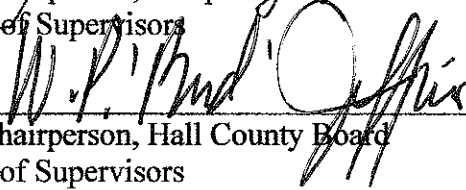
  
Adams County Sheriff's Office  
Sheriff Gregg Magee

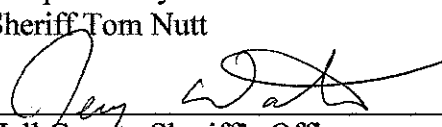
Chairperson, Buffalo County Board  
of Supervisors

Buffalo County Sheriff's Office  
Sheriff Neil Miller

  
Chairperson, Phelps County Board  
of Supervisors

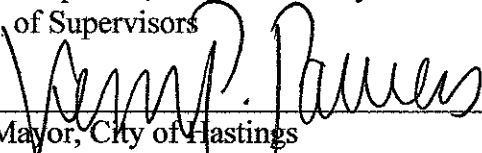
  
Phelps County Sheriff's Office  
Sheriff Tom Nutt

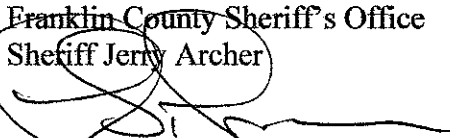
  
Chairperson, Hall County Board  
of Supervisors

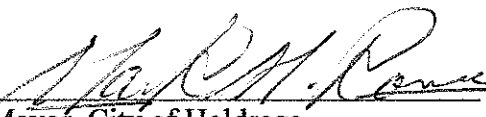
  
Hall County Sheriff's Office  
Sheriff Jerry Watson

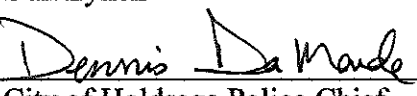
Chairperson, Kearney County Board  
of Supervisors

Kearney County Sheriff's Office  
Sheriff Scott White

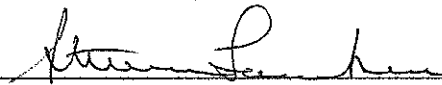
Chairperson, Franklin County Board  
of Supervisors  
  
Mayor, City of Hastings

Franklin County Sheriff's Office  
Sheriff Jerry Archer  
  
City of Hastings Police Chief  
Larry Thoren

Mayor, City of Kearney  
  
Mayor, City of Holdrege

City of Kearney Police Chief  
Dan Lynch  
  
City of Holdrege Police Chief  
Dennis DeMoude

Mayor, City of Grand Island

  
City of Grand Island Police  
Chief Steve Lamken

Mayor, City of Minden

City of Minden Police Chief  
Jim Huff

Mayor, City of Franklin

City of Franklin Police Chief  
Bryon Detlefsen

R E S O L U T I O N    2010-95

WHEREAS, The City of Grand Island has been a member of the Compact for Apprehension of Narcotics Dealers and Offenders, CANDO, inter-local drug enforcement effort, and

WHEREAS, CANDO has been an effective program in drug enforcement against mid and lower level drug dealers, and

WHEREAS, CANDO has received restored Federal Byrne grant funding to provide for the contracting of a drug investigator, and

WHEREAS, The Phelps County Sheriff's Office has agreed to provide a deputy to serve as the contract drug investigator,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute the inter-local agreement with the Compact for Apprehension of Narcotics Dealers and Offenders.

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Adopted by the City Council of the City of Grand Island, Nebraska, April 13, 2010.

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

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk