




BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Sheriff
Department No.: 032
For Agenda Of: January 8, 2019
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: 4/5ths

TO: Board of Supervisors

FROM: Department Sheriff Bill Brown 
Director(s)
Contact Info: Sgt. Jarrett Morris ext. 4114

SUBJECT: Transfer of Ownership of Retired Sheriff's Canine

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors

- a. Approve the retirement and transfer of ownership of Sheriff's Canine, "Aco Vom Brachtpetal" to Senior Deputy Kenneth Rushing for the sum of One Dollar; and
- b. Determine that this action is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5), which exempts organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment.

Summary Text:

Canine "Aco" was placed into service with the Santa Barbara County Sheriff's Office on February 23, 2012, when he was approximately 2-years old. Aco was assigned to canine handler, Deputy Kenneth Rushing. During Aco's career, he worked as a patrol canine, a tracking canine and a narcotics detection canine, assigned to the Sheriff's Office Patrol Division.

Aco's handler, Senior Deputy Rushing, has worked with two other canines since 2003. Senior Deputy Rushing was recently transferred to another assignment. Due to the fact that Aco is 8-years old, it would not be in the best interests of the canine or the agency to train and assign him to yet another handler. Based on collaboration between Senior Deputy Rushing, the Sheriff's Office Canine Unit, and Sheriff's

Command Staff, it was determined that Aco has reached the end of his law enforcement service life. He will be officially retired on January 1, 2019.

Senior Deputy Rushing has requested permission to purchase Aco. Senior Deputy Rushing will take on the responsibility for the care and associated costs related to Aco's health.

Background: The Santa Barbara County Sheriff's Office is responsible for the care and feeding of departmental canines. The department is also liable for the actions of the canines. Once sold to the handler, these responsibilities rest with the new owner.

The handlers historically purchase retired canines. Senior Deputy Rushing has expressed an interest in purchasing Aco and he will execute a standard release and indemnification agreement, approved as to form by County Counsel.

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis:

Other existing canine teams will cover the patrol duties, narcotic detection and tracking vacated by the retirement of Aco. Our agency will be acquiring another canine of the same breed in February 2019. This canine will be trained in the same skill set as Aco.

Special Instructions:

Please forward a copy of the minute order to the Sheriff's Office, Attn: Sgt. Jarrett Morris

Authored by:

Jarrett Morris, Sergeant, Sheriff's Office ext. 4114

**HOLD HARMLESS, INDEMNIFICATION,
AND TRANSFER AGREEMENT**

I agree to and shall fully indemnify, defend, keep and hold the County of Santa Barbara, the Santa Barbara County Sheriff's Office, the Sheriff of Santa Barbara County and all the County's officers, agents, board members, elected and appointed officials and officers, employees, volunteers and authorized representatives harmless from any and all costs, liability, damage or expense, of every description whatsoever, including cost of suits, attorney's fees and staff time of County Counsel or private counsel claimed by anyone by reason of injury to or death of any person or persons, or damages to or destruction of property in any way arising out of or connected or related to any act or omission of or by the 8-year old canine named "Aco Vom Brachtpetal" described as a 8-year old male German Shepard.

It is the intent of this Agreement that the County of Santa Barbara, the Santa Barbara County Sheriff's Office, the Sheriff of Santa Barbara County and none of the County's officers, agents, board members, elected and appointed officials and officers, employees, volunteers or authorized representatives have any financial liability whatsoever resulting from the future action of the above-named canine and that Kenneth Rushing shall be fully and solely responsible for the same.

I, Kenneth Rushing, understand and recognize the above terms and conditions and assume all risks therefor with full knowledge that the canine "Aco Vom Brachtpetal" has been trained as a Patrol Narcotics Detection and Tracking Canine and has been used in police service in the past for the aforementioned skillset.

In considerations of the above, and for payment of one dollar (\$1.00), I hereby accept transfer to me of all rights, title and interest in the above-named Police Service Canine, including his kennel and all related accessories.

1-1-19
Date

Kenneth Rushing #2548
Kenneth Rushing

Acknowledging receipt of one dollar (\$1.00), the County of Santa Barbara Sheriff's Office transfers all rights, title, and interest to the above-named canine effective on the date this Agreement is executed by the Sheriff or his designee.

12/2/18
Date

[Signature]
Sheriff or His Designee

Approved as to form:
Michael C. Ghizzoni, County Counsel

[Signature]
By: Michelle Montez
Senior Deputy County Counsel