



VILLAGE OF KEY BISCAYNE

Office of the Village Manager

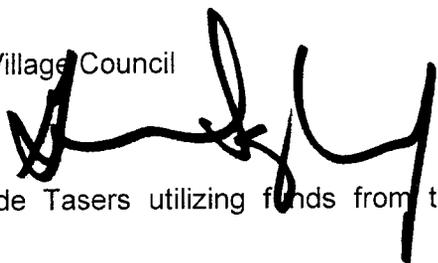
Village Council
Robert L. Vernon, *Mayor*
Michael Davey, *Vice Mayor*
Enrique Garcia
Robert Gusman
Michael E. Kelly
Jorge E. Mendia
Thomas Thornton

January 5, 2009

Village Manager
Genaro "Chip" Iglesias

MEMORANDUM

TO: Honorable Mayor and Members of the Village Council

FROM: Village Manger Genaro "Chip" Iglesias 

RE: Key Biscayne Police Department Wide Tasers utilizing funds from the Federal Asset Sharing Account

RECOMMENDATION

It is recommended that the Village Council approve the Police Department request to implement a Department Wide Taser Program to reduce the probability of injury to our officers and provide a safe and effective method to overcome a subject's combative intent, physical resistance and/or assaultive behavior. The expenditure will be from the Federal Asset Sharing Account.

BACKGROUND

In April 2005, pursuant to Resolution No. 2005-14, the Village Council authorized the Department request to launch an experimental program permitting department members of the rank of Sergeant to carry a Taser. Over the past two (2) years, the X-26 Tasers have been proven to be a safe and effective method to overcome a subject's combative intent, physical resistance and/or assaultive behavior. In an effort to reduce the probability of injury to both Village officers and subjects, the Village of Key Biscayne desires to equip certain officers with X-26 Advanced Tasers, Holsters, required cartridges and required training.

Currently, as of December 31, 2009 the balance of this account is in excess of \$268,000.00. Chief Charles R. Press and I respectfully request to utilize an amount not to exceed \$28,000.00 to cover the costs of the purchase for fifteen (15) Tasers, ancillary equipment and the conduct of the initial training necessary to implement the Taser Program.

The Federal Asset Sharing Program permits law enforcement agencies to share in the proceeds of property forfeited as a result of Police Department members working in conjunction with federal agencies. Said proceeds may be used for programs that are supportive of and consistent with a law enforcement effort, policy or initiative.

RESOLUTION NO. 2009-_____

A CAPITAL PROJECT RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE PURCHASE AND EXPENDITURE OF AN AMOUNT NOT TO EXCEED TWENTY-EIGHT THOUSAND DOLLARS (\$28,000) FROM THE LAW ENFORCEMENT TRUST FUND FOR X-26 ADVANCED TASERS.

WHEREAS, pursuant to Resolution No. 2005-14, the Village Council authorized the purchase of a limited number of X-26 advanced tasers, together with holster and cartridges (collectively, "Tasers"); and

WHEREAS, pursuant to Resolution No. 2005-14, the Tasers were purchased and issued to certain Sergeants within the Key Biscayne Police Department; and

WHEREAS, over the past two years, the Tasers have been proven to be a safe and effective method to overcome a subject's combative intent, physical resistance, and/or assaultive behavior; and

WHEREAS, the Tasers have been effective in preventing certain injuries that may have been received by our Sergeants but for the presence and/or use of the Tasers; and

WHEREAS, to reduce probability of injury to both Village officers and subjects, the Village of Key Biscayne desires to purchase, equip, and train certain officers with X-26 Advanced Tasers, Holsters and required cartridges, the purchase price of which is approximately Twenty-Eight Thousand Dollars; and

WHEREAS, the Chief of Police now desires to purchase additional Tasers for other officers together with the required training and certification; and

WHEREAS, the funding for such purchase and training shall be from Federal Asset Sharing Funds held within the Village's Law Enforcement Trust Fund Account; and

WHEREAS, these monies are the result of seized assets from joint investigations between the Key Biscayne Police Department and federal law enforcement agencies; the monies were not derived from tax revenue; and

WHEREAS, The Police Department's adopted Policy on the use of tasers is consistent with current Accreditation standards; and

WHEREAS, the Chief of Police has recommended adoption of this Resolution and determined that the proposed expenditure complies with the U.S. Department of Justice's Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies.

[signatures appear on the next page]

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF
KEY BISCAIYNE, FLORIDA AS FOLLOWS:**

Section 1. That the recitals stated above are hereby adopted and confirmed.

Section 2. The Village Council hereby authorizes the purchase of fifteen (15) X-26 advanced tasers, together with holster and cartridges.

Section 3. The Village Council hereby authorizes the expenditure in the amount not to exceed Twenty-Eight Thousand Dollars (\$28,000) to be made from the Law Enforcement Trust Fund.

Section 4. That this resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this ____ day of January, 2009.

ROBERT VERNON, MAYOR

ATTEST:
CONCHITA H. ALVAREZ, CMC

VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Village Attorney