

Throwing Carson taxpayers a bone

NOVEMBER, 1 2004
NEVADA APPEAL EDITORIAL

Now that Luke the drug-sniffing dog has found a home, at least temporarily, with Sheriff Kenny Furlong, it's time to examine how Carson City ended up barking up the wrong tree in this whole canine-cops affair.

First of all, it's not Furlong's fault or anybody else's in the current administration for the situation that led him to re-examine the canine program.

The case brought by former canine officer Paula Leever has garnered wide attention in the circles of employment law since it was decided by the 9th Circuit Court of Appeals in March. It was only last week, however, that Carson City supervisors had to bite the bill - \$63,000 in overtime pay and attorneys' fees.

That's what prompted Furlong to wonder whether his department could afford to keep four-legged deputies on the payroll, suspend the program, and send labrador Luke to the shelter for a few days.

The city and the deputies' union reached an agreement in 1995 to compensate officers at \$60 a pay period for extra work involved in the canine unit. When Leever sued for overtime pay under the Fair Labor Standards Act, the city argued it had made a reasonable agreement with the union.

The appeals court decided otherwise. The judge's main point was that neither the city nor the union made an attempt to determine just how many hours were involved in caring for a canine, so they had no basis for agreeing that \$60 was fair.

While \$60 does seem low, Leever's claim seems a bit high: 28 hours a week caring for, cleaning up after, and exercising her assigned dog, Scout. (In another case, though, an officer claimed to spend 45 hours a week on his dog.)

What's indisputable is that Carson City taxpayers wound up holding the doggy bag. Also clear is that the arrangement went on for three years, until 1999, and only in hindsight was it determined to be a bad deal.

Furlong's right to evaluate whether he can afford to pay an officer that kind of overtime to take care of a dog - even ones as likeable as Luke and the now-retired Scout. It's the taxpayers he's trying to keep out of the doghouse.

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