



Nutmeg State K-9, LLC

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To: Committee on General Law
Reference: Raised Bill No. 5393

(An act concerning the use of seized controlled substances and drugs for training narcotic detection canines.)

Joseph Clark III and Gary Pendleton are retired Groton Town K-9 Police Officers with a combined thirty eight (38) years of K-9 experience. We were instrumental in the formation and use of police canines for the Town of Groton Police Department and the program is still in use today. These police canines are dual purpose, meaning they are trained and certified in finding narcotics and patrol use. We have been certified as narcotic dog handlers since 1990 with the North American Work Dog Association.

Our company, Nutmeg State K-9 LLC, possesses both Federal and State Controlled Substances licenses. Our business trains dogs for the purpose of narcotic detection. These dogs will be used for the use of various law enforcement agencies at the Municipal, State and Federal levels, including the Department of Homeland Security. Critical to the training process is the exposure by the dogs to various controlled substances.

Although an entity with the proper State and Federal Controlled Substance Licenses can purchase controlled substances through private companies, such purchases are not practical for a number of reasons. Not only are such controlled substance purchases cost prohibitive, they are also not "street strength". Such drugs cannot be cut pursuant to existing law and thus are nearly unusable in the training of canines. Also, the shelf life for these controlled substances is about one year. The Federal and State Substance Licenses ensure that strict protocols are used to verify that these controlled substance are inventoried, monitored, and disposed of in a proper manner.

However, controlled substances that are seized as part of a criminal prosecution offer an opportunity for this specialized training of narcotic detection canines. The Connecticut General Statutes in Sections 54-36a and 54-36g specify what can be done with such seized substances. CGS 54-36a(g) states that "if the court finds such seized property is a controlled drug, a controlled substance or drug paraphernalia as defined in subdivision (8), (9), or (20) of section 21a-240, the court shall order the forfeiture and destruction of such property or order it delivered to the Commissioner of Consumer Protection pursuant to section 54-36g."



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CGS 53-36g indicates that the prosecuting official in a criminal proceeding can petition the court for the destruction of seized drugs or other controlled substances or the transfer to the Commissioner of Consumer Protection. CGS 21a-262 allows the Commissioner of Consumer Protection to deliver, upon application, to any hospital, laboratory, incorporated college, scientific institution or any state or municipal agency or institution not operated for private gain, any controlled substances that have come into his custody by authority of this section.

Our request is that CGS 21a-262 should be amended to also authorize the transfer of the seized materials to "persons or entity which holds both State and Federal licenses to possess, transport, and control such controlled drug, controlled substance or drug paraphernalia. Such person or entity shall use such controlled drug, controlled substance or drug paraphernalia for the purpose of training narcotic detection canines."

Amending the aforementioned statute will afford an opportunity for such seized substances to be put to good use to train narcotic detection canines. This definitely serves the general public welfare and safety of the citizens of Connecticut. The fact that the proposed legislative amendment limits the transfer of such substances to persons or entities which possess both State and Federal Controlled Substance licenses, will safeguard against the improper use of the controlled substances. The Federal and State Substance Licenses ensure that strict protocols are used to verify that these controlled substances are inventoried, used, and disposed of in a proper manner. In addition, the narrow limitation of the proposed language for the purpose of training narcotic detection canines will ensure that the seized substances are put to use for the common good.

Joseph Clark and Gary Pendleton are both willing to testify at a public hearing regarding this proposed legislation. We appreciate the drafting of this legislation for the committee's consideration. Please let us know if you need any further information.

Respectfully,

Gary L. Pendleton

Joseph A. Clark III