

March 14, 2018
San Jose City Council
200 E Santa Clara St.
San Jose, CA 95113

Dear San Jose City Council members,

Writing you in support of your City Park Rangers. My name is Shannon Jay. I am a full time Sworn National Park Ranger and work at Golden Gate National Recreation area in San Francisco and Marin Counties. I have been employed as such for thirty years with seventeen of those years spent at GGNRA. Additionally I am the lead firearms instructor at the Santa Rosa Junior College Public Safety Training Center's National Park Service law enforcement Ranger Academy for the last twelve years. I have personally trained your City Rangers at this very academy. The curriculum is a comprehensive 17 week academy covering all aspects of police work to include, firearms(rifle, pistol, shotgun), use of force, defensive tactics, policy, tactics, arrest techniques, scenarios, use of force legal aspects, conflict and de-escalation, laws of arrest and search and seizure, etc.

Your Rangers are performing urban law enforcement duties on a daily basis and much of that work entails handling incidents and calls involving homeless persons and homeless encampments. I have been apprised of a number of documented assaults and attacks on Rangers there in which homeless subjects were armed with edged weapons and with a number of firearms incidents documented.

In the policing world, homeless person encounters are known high risk calls. It is no secret that homeless/transients citizens are very often mentally disturbed, violent and often suffer from dangerous drug addictions. In my work at GGNRA I have handled literally hundreds of homeless person calls and many times those calls involved those fueled by dangerous drugs, psychotic episodes and violent tendencies. Numerous officers in my park have been injured in assaults involving combative homeless persons with weapons, including myself. These persons are highly unpredictable and dangerous to deal with, so much so that we have a minimum two officer contact protocol when handling these types of calls.

That your Rangers are doing this very same work without a firearm is frightening and I fear the day will come when one of them is seriously injured or killed. The old maxim I convey to students and new officers I train is this- When something goes wrong in goes wrong fast. The notion that the Rangers can "disengage" or "walk away" when faced with violent, combative subjects is courting disaster. I understand that some managers in that agency have suggested this as a method for Rangers to avoid assault. Many times this mantra is impossible. When a person becomes violent and assaultive, very little warning, if any, is presented to the officer and they may suddenly find themselves fighting for their lives. Walking away may very well further endanger the Ranger if they are being actively pursued and attacked by a violent subject. What if the violent subject is attacking a

park visitor? Again, when these events transpire they do so quickly and very often with no warning. Any contact made with a citizen in the course of our duties is an unknown risk event. We have no idea who this person is, whether he is a dangerous criminal, under the influence of drugs, mentally disturbed, or what he may be hiding.

Without a firearm and other tools to protect the Rangers and innocent civilians from lethal threats, escaping serious injury can and has come down to simply getting lucky. This is an untenable model when it comes to performing law enforcement work.

Your Rangers have been trained to a very high standard in all aspects of police work, to include carrying/using firearms and the application of reasonable use of force. They should be appropriately equipped to carry out their duties, to protect the public and themselves when faced with lethal violence. From my talks with San Jose Rangers, these dangerous encounters are increasing in frequency. I urge you to take action and seriously consider arming your Rangers. Sincerely,

Shannon Jay
USNPS #936

March 13th, 2018

Dear Council Members,

Thank you for taking a moment to read my respectful comments regarding the employees currently working in your city parks as Park Rangers. My name is John Eleby and I work as a Law Enforcement Ranger with the National Park Service (NPS), currently serving as a Supervisory Law Enforcement Ranger at Point Reyes National Seashore. I have worked as a Law Enforcement Ranger for 16 years in several parks including Fire Island NS, Glen Canyon NRA and Zion NP. I have also had the opportunity to be part of the National Park Service Honor Guard, as well as the Pacific West Regional Special Events Team. I am a Control Tactics instructor and have taught Control Tactics, Patrol Skills, Use of Force, and other topics both within the NPS and at the Santa Rosa Junior College (SRJC) Program. I have been working as an Instructor at SRJC for the last 7 years.

In my time working for the Park Service, I received a significant amount of training to prepare me for the possibility of a serious assault against me, a visitor, or a co-worker. Although most people hope not to get assaulted at work, the likelihood of such an encounter in Law Enforcement is high, ever increasing, and most prevalent in officers who work in remote areas. When I first heard from students that they would be working in a law enforcement capacity without the equipment needed to safely do so, I was extremely concerned. I voiced my opinion to them then, and have repeatedly since, that I would never accept such a position due to the inherent risk. One of my former students has asked that I share that opinion with you, which I am more than willing to do.

As you may know, prior to the 1970's the National Park Service employed "generalist rangers" whose duties included maintenance, interpretive programs, and issuing citations for violations. Through several events the agency realized that this was no longer feasible. One such event was Stoneman Meadow Riots in Yosemite, in which untrained park personnel were tasked with dispersing a large crowd. The lack of training resulted in charges of excessive force and poor tactics resulted in significant damage to property. A more tragic event was the murder of Park Ranger Ken Patrick in Point Reyes NS in 1973. Prior to his murder, Rangers were often discouraged from wearing their firearms. Training was not professionalized or standard throughout the service. Access to dispatch services or backup were rare. His murder prompted a

professionalization of Law Enforcement in the National Park Service, an evolution that is still occurring today. Although Ken Patrick's murder is often seen as a major catalyst for change in the NPS, he was not the first.

Park Ranger James A. Cary was the first NPS Ranger to be feloniously killed in the line of duty in March of 1927. He was murdered by bootleggers while on patrol in Hot Springs NP in Arkansas. Park Ranger Karl Jacobson was shot and killed in Acadia NP in 1938 by a man who claimed he had mistaken him for a deer. Robert Lewis McGhee Jr was shot and killed in 1990 when he unknowingly stopped a car containing two escaped convicts. Ranger Joseph Kolodski was killed in 1998 while responding to a report of a man with a rifle threatening visitors. He was ambushed and shot in the chest by a high powered rifle. Ranger Steve Makuakane-Jarrell was killed in 1999 responding to a report of a man with three unleashed dogs. Ranger Kris Eggle was shot and killed at Organ Pipe National Monument assisting Border Patrol Agents in the apprehension of two armed illegal aliens. Most recently, Margaret Anderson was shot and killed while attempting to stop a vehicle that had gone through a snow-chain checkpoint on Mt. Rainier. Rangers were unaware that the individual had been involved in a shooting, injuring four people, the night before.

The point of all of these cases, and the reason we discuss them with new cadets, is that Law Enforcement officers never know who they are contacting, regardless of the initial call. We also do not have a choice in who comes into our parks or with what intentions. When a contact starts to go bad, we do not always have a choice to leave the scene or call for backup. When attempting to place handcuffs on a person, it is not within the officer's power to decide whether or not they will get assaulted, stabbed, or shot. The unfortunate truth is that every time an officer contacts a person, there is the possibility of a citation, an arrest, a fight, an officer involved shooting and everything in between. From news articles reporting on CA State Parks and the statistics from San Jose parks themselves, there is a wealth of evidence that Rangers are conducting a significant amount of Law Enforcement work within your parks. Denying them the tools *and* training needed to safely conduct that work is reckless. Any thought that, "it couldn't happen here" is simply naïve.

In this discussion, I've also been asked why a park ranger would need a firearm if a traffic warden would not. The differences, in my view, are vast. First, a traffic warden can expect a fairly quick response time for backup, since they work most often within a city. The same is not true for Park Rangers, where a typical response time may be more than 20 minutes. The expectations of enforcement are also different. A traffic warden is expected to issue parking citations. A Park Ranger is expected to enforce local and state laws,

including conducting arrests for serious offenses or warrants. Finally, there are the consequences and perceptions of the public. A traffic warden is citing vehicles for parking violations, which are certainly an inconvenience and source of frustration to the public, but nowhere near the seriousness of conducting an arrest and taking away an individuals' freedom. I cannot stress the danger inherent in placing an individual in handcuffs and telling them that they are going to jail. It is a job I would never perform, nor allow anyone on my staff to perform, without the training, equipment, and personnel that they needed to do it safely.

In addition to my regular field work, supervision, and teaching at the academy, I have also been serving as an instructor/facilitator for an NPS program called Operational Leadership. The basis of the program is to empower employees to recognize an unsafe situation and call it out before an accident occurs. As an agency, we saw a need for this because we had a proven track record for creating environments where employees could be killed in simple, preventable accidents. We learned slowly that if you create that environment, you will eventually kill employees by not providing them with training, equipment, or planning for the job we were asking them to do. Your employees are calling out an unsafe situation. Please take our lesson to heart. Either provide your employees with the equipment and training needed to conduct their work safely, or prevent them from attempting to perform law enforcement duties without those necessary tools.

Thank you for taking the time and please feel free to reach out to discuss this further in person, by phone, or by email.

Respectfully,

John Eleby
Supervisory Park Ranger
Point Reyes National Seashore