



Memorandum

**TO: PUBLIC SAFETY, FINANCE
& STRATEGIC SUPPORT
COMMITTEE**

FROM: Jon Cicirelli
Edgardo Garcia

**SUBJECT: PARK RANGER PROGRAM
STATUS REPORT**

DATE: November 26, 2018

Approved

Date 12/6/18

RECOMMENDATION

Accept the Park Ranger Program Status Report and refer the report to the January 29, 2019 City Council meeting for full adoption.

OUTCOME

The purpose of this memorandum is to provide the Public Safety, Finance & Strategic Support (PSFSS) Committee a final report on the outcomes of the working group that reviewed the current Park Ranger service delivery model.

BACKGROUND

On March 15, 2018, the Parks, Recreation and Neighborhood Services Department (PRNS) presented the 2017 Park Ranger Program Annual Report¹ to the PSFSS Committee. The update included information about program highlights, Watershed Protection Team activities, St. James Park patrols, resource successes, staffing retention challenges, and opportunities for improvement. Following the presentation, the Committee, some Park Rangers, and community members raised concerns about the safety of Park Rangers as they perform their regular duties, and specifically as those duties relate to homeless encampments in parks and creeks.

To address these concerns, the PSFSS Committee directed staff to cross-reference the Park Ranger Program Annual Report to the full City Council. At the April 17, 2018 City Council meeting, PRNS presented a Supplemental Memorandum² to the Park Ranger Program Annual Report, and recommended approval of a Park Ranger Program Working Group. The purpose of the group was to review and evaluate the current Park Ranger Program service delivery model

¹ The 2017 Park Ranger Program Annual Report may be viewed at <http://sanjose.legistar.com/gateway.aspx?M=F&ID=3ef02268-7cb3-4b80-bc02-478064705d35.pdf>.

² The April 17, 2018 Supplemental Memorandum to the 2017 Park Ranger Annual Report can be viewed at <http://sanjose.legistar.com/gateway.aspx?M=F&ID=f0c82915-478b-48cb-984d-554ebdd04b10.pdf>.

and current work practices with the goal of formulating advisory recommendations to be considered by the Director of PRNS. Additionally, staff recommended that PRNS be directed to return to the Committee in late fall of 2018 with a report on the outcomes of the working group. Council accepted the 2017 Annual Report on the Park Ranger Program and the staff recommendations to create the Working Group. Additionally, Council accepted a memorandum from Councilmembers Raul Peralez and Councilmember Chappie Jones³ to consider potentially adding the Park Ranger Program to the oversight responsibilities of the Independent Police Auditor.

In accordance with the City Council's direction, the Park Ranger Program Working Group was created and began meeting on May 31, 2018. The Working Group is a collaboration between City departments, agencies, and community members, including participants from:

- PRNS
- San José Park Rangers
- San José Police Department
- San José Fire Department
- Housing Department
- Environmental Services Department
- Human Resources Department
- Mayor's Office
- City Manager's Office
- Parks and Recreation Commission
- County of Santa Clara, Office of the District Attorney
- Santa Clara Valley Water District
- NAACP – San José Chapter
- Keep Coyote Creek Beautiful
- Friends of Los Gatos Creek
- South Bay Clean Creeks Coalition
- Guadalupe River Park Conservancy
- West Valley College – Park Management Program

On October 18, 2018, PRNS presented a status report to the PSFSS Committee about the progress of the Park Ranger Working Group. At that time, the Department asked to continue the discussion to the December 13, 2018 Committee meeting as the Working Group had not yet concluded its work and had still to present its advisory recommendations to the Director of PRNS.

This document is the final report regarding the Park Ranger Working Group and its advisory recommendations to the PRNS Director, as well as providing the Administration's plans for the Park Ranger role and duties.

ANALYSIS

Working Group

The purpose of the Working Group was to review the job duties of the Park Ranger classification, and provide recommendations to the Director of PRNS on what duties should

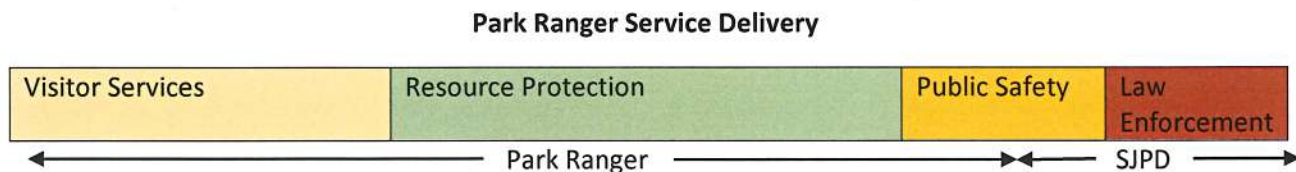
³ Councilmembers' memorandum: <https://sanjose.legistar.com/View.ashx?M=F&ID=6195381&GUID=53F6E299-8F20-4433-9252-443A83E5835B>

remain in the service delivery model, and what actions can be taken to reduce or eliminate the threat of danger faced by Park Rangers. Additionally, the Working Group was tasked with evaluating the current Park Ranger service model in relation to the program's overall scope and impact.

The Park Ranger Program Working Group convened eight meetings wherein participants worked through facilitated discussions to clarify the main roles of a San José Park Ranger, and define the types and levels of service needed in creeks, neighborhood parks, regional parks, and trails. Discussions focused on the current Park Ranger Program service model in the context of current agreements and obligations related to the Watershed Protection Team's operations.

In addition, Park Ranger representatives on the Working Group raised concerns about existing vacancies and upcoming retirements. Staffing issues have been a concern for PRNS, and the Department is working to address these issues. To address the high vacancy rate, PRNS continues to prioritize Park Ranger recruitments and explore alternatives to accelerate hiring. In 2017-2018 PRNS led, in coordination with the Human Resources Department, a pay and classification study for the Park Ranger program which led to salary adjustments and created a job progression ladder. Vacancy rates continue to impact staffing of the Ranger Program. Additionally, PRNS is currently working with MidPeninsula Regional Open Space, Santa Clara County Parks, City of Palo Alto, and West Valley college to explore the creation of a South Bay Park Ranger Academy to accelerate the hiring process. The agencies are also exploring the creation of a Park Ranger apprentice program to generate another hiring pipeline. Currently in recruitment are six potential full time Park Ranger positions.

In reviewing Park Ranger Program services, the Working Group divided ranger work into the following three categories: Visitor Services, Resource Management, and Public Safety. The Working Group considered ranger duties along a spectrum, as shown in the Park Ranger Service Delivery graphic below, and delineated where public safety duties fell within the scope of ranger work and where it fell within the scope of other law enforcement entities.



In considering these categories, the group worked together to identify ways to eliminate or reduce the threat of personal danger from each of these categories. Following are the findings and next steps for each category.

Visitor Services

The job duties identified by the Working Group that fall under the Visitor Services category include:

- Educating park users on park rules and procedures
- Responding to on-site park user concerns, conflicts, and issues
- Answering visitor questions
- Developing and conducting interpretive programs, and/or interpretive displays
- Providing administrative support and visitor center operations
- Providing picnic table compliance
- Providing special event support
- Supporting volunteers
- Tracking data and seeking grant opportunities
- Conducting park patrol checks
- Scheduling tours, ride-a-longs and trainings

These services are a necessary part of the Park Ranger duties to create a welcoming presence for all visitors of the City's parks. The Working Group saw these services as a necessity, and PRNS will continue these duties and tasks as part of the Park Ranger Program service delivery model. Vacancies and upcoming retirements in the Ranger Program are a limiting factor in the delivery of many of these job duties. As mentioned above, addressing these issues is a priority for PRNS.

Resource Management

The job duties identified by the Working Group that fall under the Resource Management include:

- Conducting wildland fire prevention patrols
- Restoration of native vegetation
- Developing and conducting the Junior Ranger Program
- Performing lake water testing
- Maintaining hiking trails
- Coordinating with regulatory agencies
- Providing flood protection to areas near or in creeks and rivers
- Protecting and managing fish and wildlife
- Repairing park equipment
- Inspecting the Cherry Flat Dam
- Abating graffiti
- Supporting volunteer projects
- Opening and closing parks
- Maintaining Park Ranger equipment
- Documenting park conditions
- Ensure historical archiving

These duties are an essential element of the Park Ranger classification as Park Rangers are protectors of the City's natural resources. Many of the Park Rangers stated that the services provided in this category are the reason they became Park Rangers in the first place. Considering this feedback, the Working Group recommended to the Director of PRNS that this category of work should remain the same. Going forward, PRNS is reviewing the resources needed for this function, including the necessary training and materials needed to strengthen

these areas. The Administration will consider options as part of the 2019-2020 budget process in light of the City's overall fiscal condition and other city-wide priorities.

Vacancies and upcoming retirements in the Ranger Program are a limiting factor in the delivery of many of these job duties. As mentioned above, addressing these issues is a priority for PRNS.

Public Safety

The Working Group focused the greatest attention on public safety. To initiate this review, the Human Resources Department (HR) Safety Officer assisted PRNS in conducting a Park Ranger Job Hazard Analysis to identify the dangers that Park Rangers may face when performing enforcement duties. This analysis included viewing the Park Rangers' current personal protective equipment and making training recommendations regarding an extensive list of Park Ranger activities (see Attachment A, Park Ranger Hazard Analysis).

Currently the rangers utilize the following personal protective equipment on a day-to-day basis:

- Body armor
- Collapsible baton
- Straight baton
- Handcuffs
- Oleoresin capsicum spray (OC) for peace officers

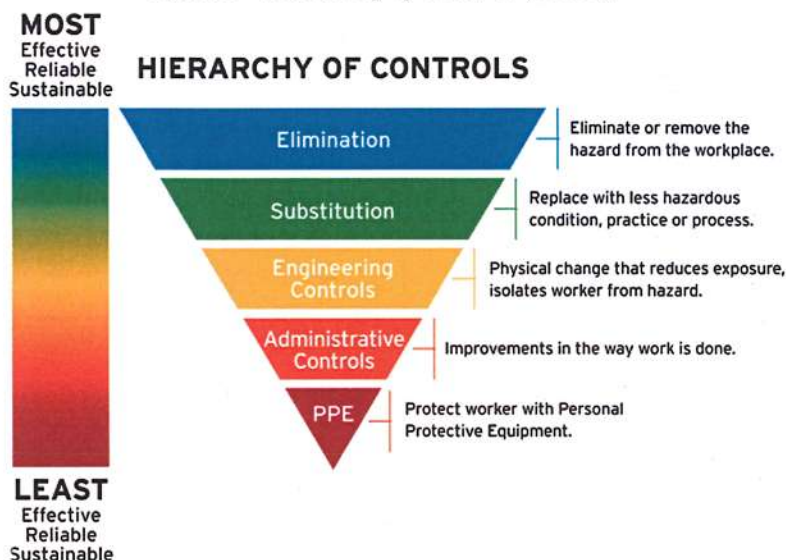
To assist in evaluation of whether the risk associated with the job duties of a Park Ranger is mitigated through their personal protective equipment, the hazard analysis utilized the Occupational Safety and Health Administration's (OSHA) Hierarchy of Controls (shown in the following Chart 1⁴). This framework is used for Safety and Health Programs to reduce the risk of job duties with the goal of eliminating any risk that can't be mitigated. The analysis included identifying any work duties that are not supported by the current personal protective equipment provided to Park Rangers. The work duties included creek encampment abatement and proactive law enforcement patrols of parks and creek areas.

⁴ Recommended Practices for Safety and Health Programs by the United States Department of Labor's Occupational Safety and Health Administration (OSHA). Retrieved from: <https://www.osha.gov/shpguidelines/hazard-prevention.html>

November 26, 2018

Subject: Park Ranger Program Status Report

Page 6

Chart 1 – Hierarchy of Control (OSHA)

In using this OSHA framework, Park Rangers were asked to self-assess and rate the risks of their daily duties for potential risk, utilizing the Green-Amber-Red Assessment Tool used by the United States Coast Guard as a way to assess the risk and/or danger level of one or more elements of an operation or mission.⁵ In this assessment the Park Rangers assigned a numerical risk value to their daily duties as a means of identifying risk. Through this exercise, the Park Rangers assigned very high average numerical values to many of their job duties, such as arrests, suppression of illegal camping and/or dumping, and wildland fire suppression. To observe and evaluate hazards associated with Park Ranger work duties, the Safety Officer conducted ride-along interviews with current Park Rangers, met with both Supervising Park Rangers, and reviewed the Park Rangers' responses to the Green-Amber-Red survey.

In addition to the hazard assessment, the facilitators of the Working Group held two separate listening session workshops with Park Rangers to obtain feedback on the recommendations listed in the "*Park Ranger Summary of Working Group Recommendation*" found in Attachment B. The facilitators received valuable feedback as many of the Park Rangers felt that many of the ideas/recommendations included strategies and methods that are already employed. In both sessions, the facilitators received feedback on the challenges that Park Rangers currently experience, including first-hand accounts of how Rangers and SJPD coordinate their current patrol schedules.

Throughout the process of evaluating the Park Ranger Program's service delivery model, the Working Group continually raised questions and concerns about the Park Rangers' public safety and law enforcement duties, with creek encampment abatement and proactive law enforcement

⁵ United States Coast Guard. Retrieved from:

<https://www.dco.uscg.mil/Portals/9/DCO%20Documents/National%20Strike%20Force/foscr/ASTFOSCRSeminar/Presentations/Safety/ORM-GAR.pdf?ver=2017-09-14-144539-427>

being the key points of concern. The majority of the Working Group meetings focused on enforcement functions and the concerns around the risks of these tasks. The Working Group determined that these tasks are high risk.

Concurrent with these discussions, PRNS and the Police Department were working to find a means to address the concerns about ranger safety while continuing to meet the enforcement needs, particularly around creeks and waterways. The two departments recently began joint patrols with one Park Ranger and two Police Officers, in order to continue the City's compliance with the Direct Discharge Trash Control Program, promote healthier living near and/or around the creeks, and ensure the safety of the Park Rangers. With this joint patrol, Park Rangers provide working knowledge of the geographical areas around the creeks, coordinate with the Police and Fire departments on search and rescue efforts, and proactively attempt to mitigate re-encampments through procedures established with the Housing Department's Homelessness Response Team. The Park Rangers also act as subject matter experts for environmental protection law violations in illegal encampments. The Police Officers provide law enforcement services that include, but may not be limited to, issuing citations, arresting, checking for warrants, and facilitating safety precautions when necessary. The Police Department agrees with this model and has been coordinating with PRNS to staff these scheduled patrols.

Currently, PRNS is utilizing vacancy savings from the Park Rangers Program to pay for Secondary Employment Unit Police Officers who sign up for voluntary joint patrols with the Park Rangers. This strategy addresses the short-term need for routine Police Department support of Rangers related to encampment activity in creeks and parks, however, using vacancy savings is not a long-term solution. The Administration will continue to evaluate the annual need over the next few months and will likely bring forward a budget proposal for consideration, to staff this function without the use of overtime (as vacancies are intended to be filled), in light of the City's fiscal condition and other city-wide priorities.

It should be noted that, as a long-term solution, the Working Group recommended the creation of a Parks Police Unit when Police Department resources are sufficient in the future. Future implementation of a Parks Police Unit will occur when the Police Department is sufficiently staffed and has addressed its more urgent resource needs.

In the course of its discussions, staff reviewed some of the requirements that would be needed if Rangers were armed. These included the training and procedures required for the use-of-force with a deadly weapon and the probable need for Independent Police Auditor oversight in situations where such force was used. Currently, use-of-force cases involving Park Rangers are referred to the Police Department's Internal Affairs Division. However, with the recent addition of police support during creek encampment abatement and patrols, the Working Group did not recommend arming the Park Rangers with firearms.

The Working Group also discussed other components of Park Ranger enforcement duties and, based on their advisory report, PRNS plans to finalize the Ranger Duty Manual, as well as explore implementing body-worn cameras and related training for rangers. Body-worn cameras

have been in use in the Police Department in recent years and have been found to bring transparency and accountability to interactions with the public for both the officer and those they interact with.

CONCLUSION

The initial objectives for the Park Ranger working group, as accepted by Council on April 17, 2018, included the following:

1. Defining and clarifying the main roles of a Park Ranger;
2. Defining the types and levels of service needed in creek areas, neighborhood parks, regional parks, and trails;
3. Identifying and addressing community and Park Ranger safety concerns;
4. Reviewing and analyzing the need for Park Rangers to be armed, relative to the necessary scope of services provided by the Park Ranger classification, and respond with a recommendation on this issue;
5. Defining the appropriate level of safety equipment for Park Rangers;
6. Reviewing Park Ranger training needs for part-time and full-time staff;
7. Defining the funding needs for the recommended Park Ranger Service delivery model;
8. Delineating and designating Police and Park Ranger priority responses for various types of park safety conditions and incidents;
9. Identifying alternative options to the Park Ranger service delivery model and explore how identified alternatives would impact the Park Ranger Program and the City; and
10. Conducting an examination of whether the Park Ranger Program would fit existing community needs more efficiently by being placed under the supervision of the Police Department.

As discussed in this report, the Working Group was able to accomplish the bulk of the items as originally envisioned. Items 1, 3, 4, 5, 6, and 10 were addressed in their entirety. Items 2, 7, and 9 related to funding and service delivery are ongoing and best determined by the Department through the budget and annual work plan process. The Administration has partially addressed Item 8, however, this will involve ongoing conversations between PRNS and the Police Department.

In coordination with the Police Department, PRNS recognizes that there are short- and long-term steps to address the challenges of Park Ranger safety. The safety of the Park Rangers (and all employees) is a high priority. The Department does not recommend arming the rangers with firearms, but will instead formalize its partnership with the Police Department to conduct joint patrols and provide law enforcement support and/or protection while rangers abate current encampments and prevent future re-encampments within the park system and creeks. This short-term solution allows the continuation of using the Police Department's Secondary Employment Unit to staff the joint patrols with the Park Rangers and create a safer environment.

Following are Park Ranger Program next steps for 2018-2019:

- Police Department and PRNS review joint patrol costs so the Administration may consider potential recommendations to bring forward in the 2019-2020 budget process in light of the City's overall fiscal condition and other city-wide priorities;
- Finalize the Ranger Duty Manual;
- Continue to work with regional partners to improve recruitment and training options for rangers, including exploring creation of a local ranger academy, and
- Explore options around implementation of body-worn cameras and related training for rangers.

Going forward, San José Park Rangers duties will include the following:

- Visitor Services;
- Resource Management; and
- Defined enforcement activities.

The Park Rangers duties will no longer include unaccompanied enforcement or encampment-related work in the creeks and waterways. This work will now occur in partnership with the Police Department.

In the long-term, the Administration will consider creation of a Parks Police Unit to focus on criminal activity in City parks and undeveloped park land at such time that the Police Department is sufficiently staffed and has addressed its more urgent resource needs. Currently, the Police Department's Street Crimes Unit will continue to address quality of life crimes in various areas of the City, including some parks and creek areas. Additionally, the Police Department is currently working on a pilot project with the Santa Clara Valley Water District to provide proactive patrols in designated creek areas that the Police and District identify jointly. This project is in the planning process and has not yet been implemented.

EVALUATION AND FOLLOW-UP

This item will report to City Council on January 29, 2019. The annual report on the Park Ranger program will be heard at PSFSS in the Spring of 2019. Additionally, PRNS and the Police Department will be meeting quarterly to better coordinate service delivery in the parks, creeks, and trail areas of the City.

November 26, 2018

Subject: Park Ranger Program Status Report

Page 10

COORDINATION

This memorandum was coordinated with the Human Resources Department, Police Department, City Manager's Budget Office, and the City Attorney's Office.

/s/

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/s/

Edgardo Garcia
Chief of Police

For questions please contact Justin Long, Parks Division Deputy Director at 408-793-5579.

Attachments:

Attachment A – Park Ranger Job Duties Hazard Analysis

Attachment B – Park Ranger Summary of Working Group Recommendation