

From: Blake Whisenhunt <>

Sent: Saturday, January 26, 2019 5:25 PM

To: District9; District2; District3; District4; District5; District 6; District7; District8; District 10; The Office of Mayor Sam Liccardo; City Clerk; District1

Subject: San Jose Park Rangers

The last several years have been a violent year for all law enforcement, this includes park rangers, game wardens, and small town police and sheriff's offices.

For those in small towns and remote places, the impact was disturbing and disproportionate.

The very first officer killed in 2016 was ambushed in a tiny Ohio town where "nothing ever happens"; the most recent officer who died in California was murdered in the sleepy college town of Davis, CA. Folks there would say "I can't believe something like this happened in OUR town."

In between were dozens of other officers, broken and killed by risks seldom acknowledged by a public convinced that "nothing ever happens in [insert park name or small town here]."

The FBI released a report several years ago that National Park Service Rangers were the most assaulted of any Federal Law Enforcement. 5x more likely than an FBI Agent, DEA Agent, or any other Federal Officer. Are you aware how many times your San Jose Rangers have been in physical altercations with suspects while performing their duties?

Parks management and elected officials tend to talk a good talk about law and order, and 'backing the blue', (green in our case). The harsh fact is that talk isn't support. Encouraging words and blue porch lights, while welcome and appreciated, don't provide equipment, training, or additional patrol positions.

Failure to do so is a decision in itself.

It is also a moral and ethical choice--the wrong one.

The real problem impeding these solutions isn't budget, it's will, which is even harder to overcome, in some ways, than figuring out funding streams or accessing training.

Asking city council and communities to help us address these risks requires everyone to admit publicly that their safe, quiet parks aren't really what they wish they were. It requires our management to admit that we do law enforcement, not only because it is what we are trained to do but because it is expected of us because PRNS asks us to. It requires our management to admit that we are highly vetted and extensively trained as Peace Officers for the City of San Jose.

We have been lied to and failed by our non-sworn, non-law enforcement management, and they've failed the people of this city as well. If there are hoops to jump through to arm us appropriate to the level of training we receive, just tell us when to jump and how high. We welcome regulation and oversight with open arms. I have myriad ways to create meaningful change, as we've shared with several of you. I have the President of the Park Ranger Association of California on speed dial for any Council person who wants ideas or guidance on how to create a safer, more effective Park Ranger agency. We are all eager to help and hungry for change.

I am here to tell you, that Peace Officer Park Rangers here in San Jose, as well as law enforcement officers in every place and at every level have worth and dignity, and deserve to be trained, equipped and staffed appropriately for the realities that they face.

Thank you,

Blake Whisenhunt

Peace Officer Park Ranger

City of San Jose

From: San Jose Parks POA < >

Sent: Saturday, January 26, 2019 5:09 PM

To: District1; District2; District3; District4; District5; District 6; District7; District8; District9; District 10;
The Office of Mayor Sam Liccardo; City Clerk

Subject: 1/29/19 Council Meeting - Park Ranger Status Update

Please see attached letter and related Powerpoint Presentations regarding the San Jose Park Rangers and San Jose City Council Agenda 8.1 18-1840 Park Ranger Program Status Report.

Thank you for your consideration of the included material.

Respectfully,

Parks Peace Officer Association of San Jose

January 26, 2019

Dear Councilmembers and Mayor Liccardo,

As stewards and protectors of our natural and cultural resources as well as the people who enjoy them, the Parks Peace Officer Association of San Jose is duty bound to raise several items of concern rising from the inaccurate and misleading presentation, concerning the Park Ranger Service Model Committee that was delivered to the PSFSS Committee on December 13th 2018.

It has already been established, through a multitude of meetings, that Peace Officer Park Rangers are vetted to the same, if not higher standards as any other law enforcement officer in California. We also receive the most current law enforcement training, very similar to the San Jose Police Department training, provided by the premiere natural and cultural resource protection agency in the United States, the National Parks Service, coupled with further California POST specific trainings for Peace Officers. Peace Officer Park Rangers are law enforcement officers with the same legal authority as a San Jose Police Officer throughout the state of California.

The two key points of contention between what PRNS has presented and what actually occurred during the committee meetings, are whether or not to arm the Peace Officer Park Rangers with firearms and other defensive tools, and what law enforcement duties the Peace Officer Park Rangers should continue performing. The report provided by PRNS was not accurate and provided misleading information as factual when in reality it represented what is the easiest direction for PRNS, not what is right for the people of San Jose, the San Jose Peace Officer Park Ranger Program or best for the protection of our natural and cultural resources. There never was a committee recommendation during the meeting regarding what safety tools should be carried because it was never specifically polled nor was it discussed in a specific manner. The law enforcement duties were discussed and the committee clearly stated that the Peace Officer Park Rangers should continue their law enforcement duties to their full extent.

In the spirit of transparency, integrity and the quest for the truth, our association took the time to poll the participating members of the Park Ranger Service Model Committee to ascertain accurate information that was misrepresented by PRNS. The outcome was that the committee members who responded to the survey, by majority, did in fact recommend that the Peace Officer Park Rangers be armed, and the committee also recommended, by majority, that the Peace Officer Park Rangers continue to enforce all laws in our parks and open spaces. The two PowerPoint presentations attached to this email provide the committee responses to these questions. A second survey provides the opinions of local law enforcement officers as well as fellow resource enforcement officers from other agencies for the same questions. The information provided by PRNS had nothing to do with what is best for the City of San Jose or what recommendations and ideas were discussed by the Committee. PRNS selected bits and pieces of the data.

PRNS management has little to no training or experience in the field of law enforcement and resource protection. This would be an immediate disqualifying factor for any public safety agency anywhere if an unqualified individual applied for a leadership role. Can you imagine a police department hiring a chief

that had never worked in law enforcement? PRNS management is not qualified to manage law enforcement officers - this is not an insult but rather a statement of fact.

The new generation of Peace Officer Park Rangers employed by PRNS are highly trained law enforcement officers who specialize in protecting the public and natural and cultural resources. PRNS has recommended a course of action that would completely hamstring our Parks Peace Officers and relegate them to nothing better than a security guard. This is unconscionable. Our natural and cultural resources are in decline everywhere. Many of our parks are little better than breeding grounds for criminal activity, which includes the continued damage being done to the environment. These environmental crimes are very real and go hand in hand with other criminal activity such as drug use, drug sales, dangerous weapons, theft etc. Something must be done to address these glaring issues, and having the Parks Peace Officer Rangers sit on the sidelines is a gross misuse of law enforcement resources.

PRNS management has proven itself unqualified and unwilling to properly manage law enforcement officers. There are solutions that can be easily implemented to resolve this. These solutions could also be implemented on a pilot basis to allow for continued evaluation and improvement.

- Contract with the San Jose Police Department to provide a Lieutenant level position that would oversee and manage the Parks Peace Officer Rangers to ensure proper oversight. Everything Peace Officer Rangers do already utilizes San Jose Police Department dispatch, records, evidence and many of their procedures. This would not be a difficult transition with the appropriate will.
- Direct PRNS to create a Chief Ranger position who would have complete operational control over the Park Ranger program and who would report only to the director of PRNS for administrative and budget issues. This Chief Ranger would coordinate directly with SJPD to ensure maximum cooperation and parity for policy and procedure.

The question must be asked, what is best for the people of San Jose? Due to budgetary issues, this city will never have the number of SJPD Officers needed to address all of the problems we face. That being said, there are almost 20 law enforcement officer positions (one third of which are vacant with more people leaving in the near future due to current conditions) within PRNS who will be relegated to near uselessness if you accept the inaccurate and misleading memo that PRNS has submitted.

It must be mentioned that the Peace Officer Park Rangers are capable and willing, with the proper equipment, to provide law enforcement in our parks and open spaces at a much more affordable rate than SJPD. If Peace Officer Ranger pay was increased by 30%, you could still have two Peace Officer Rangers working for every one SJPD Officer for the same price. It is an accepted fact that resource oriented law enforcement officers are compensated at a lower rate when compared with other law

enforcement roles. The National Park Service jests that Park Rangers are paid in sunsets and rainbows. That being said, we in no way want to take positions or funding from SJPd, they have their job answering calls for service to neighborhoods and businesses, investigating and preventing crime while protecting the people of San Jose. In simpler terms, they worry about the street while Rangers worry about the dirt and our creeks/rivers. The Peace Officer Rangers protect the green spaces, the natural denizens of those spaces and the people that enjoy visiting them. It is the same job yet different, but no less important.

The primary concern of this Association is not the plan of action that is being conveyed. It is the fact that it is being misrepresented as a recommendation made by others when in fact it is the easiest path for PRNS that places the least amount of responsibility and accountability on their shoulders. If PRNS wants to proceed with relegating the Peace Officer Park Rangers to law enforcement officers who will witness crimes and take no action other than to report it to others, that is their decision to make. What must be demanded of PRNS is to take complete ownership of that decision as theirs and theirs alone. It was not the recommendation of the committee, it is not what is desired by the residents of San Jose, and it is not what is best for the protection of our parks, public lands and the people who visit them.

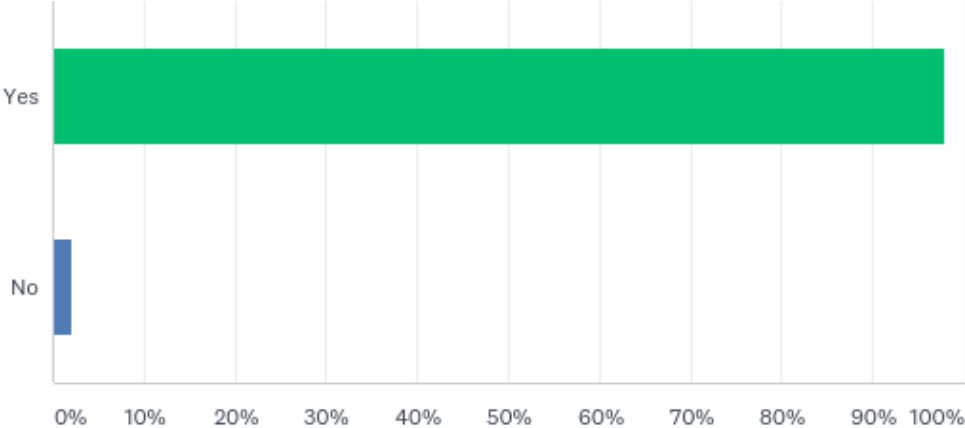
Respectfully,

Parks Peace Officer Association of San Jose

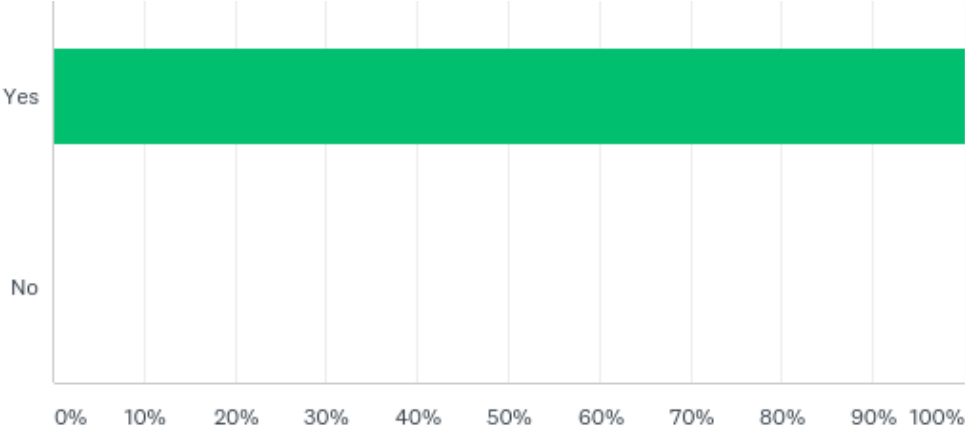
Park Ranger Service Delivery Model Committee

93 surveys received via web link from members of a local law enforcement association and other law enforcement. The association shared the anonymous survey with its members. The survey was open for responses for 7 days 12/14/18 to 12/21/18.

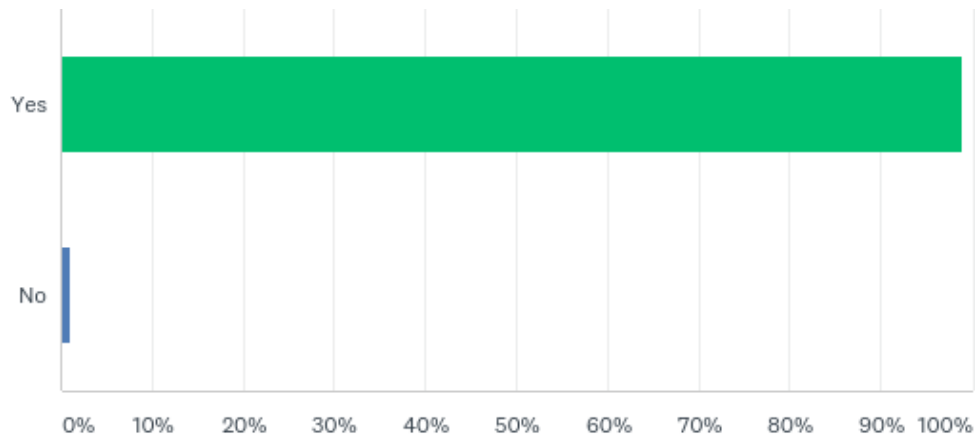
Q1: Should Peace Officer Park Rangers continue to enforce all applicable laws to protect the City of San Jose's parks and visitors therein?



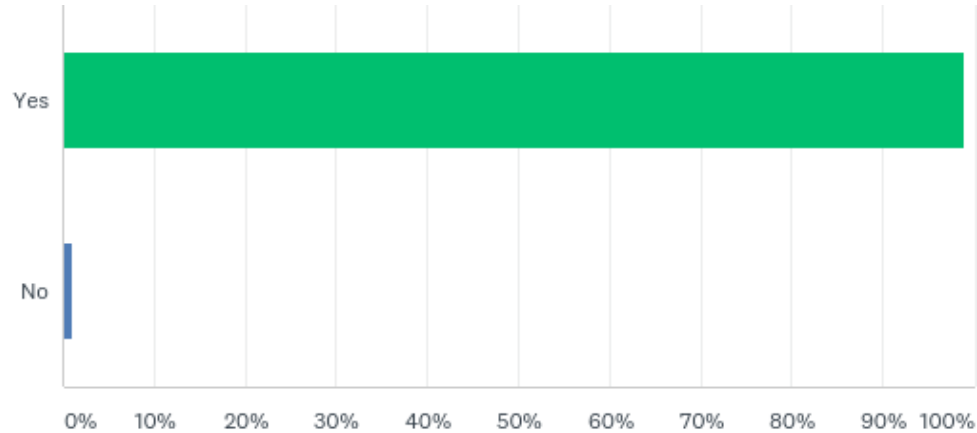
Q2: Should Peace Officer Park Rangers continue to enforce all applicable environmental laws to protect San Jose's natural resources?



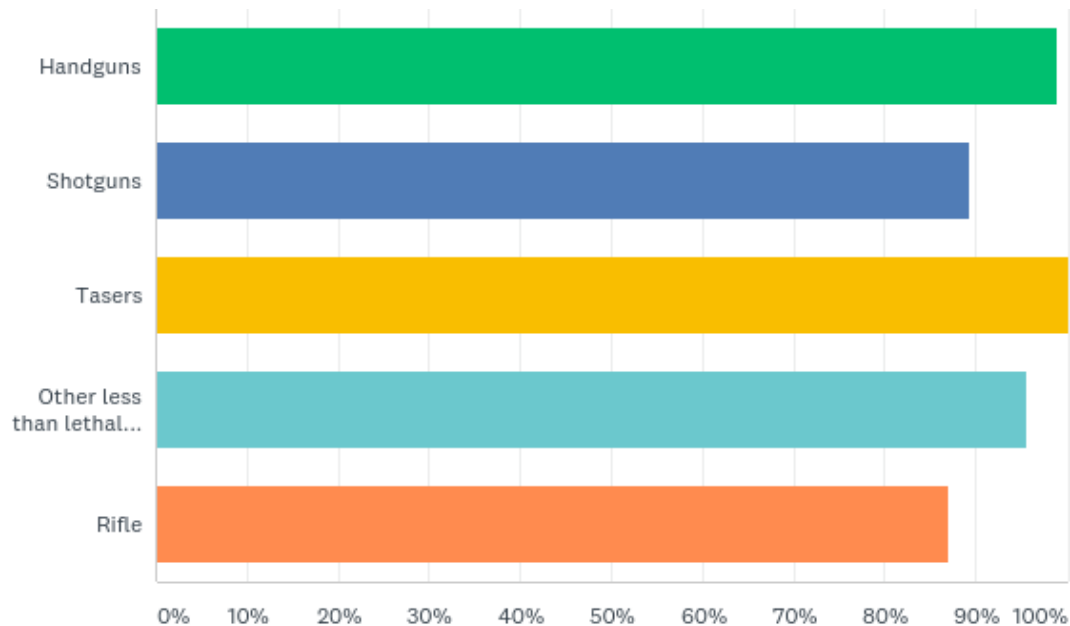
Q3: Should Peace Officer Park Rangers continue to enforce all applicable laws to ensure the protection of our native wildlife?



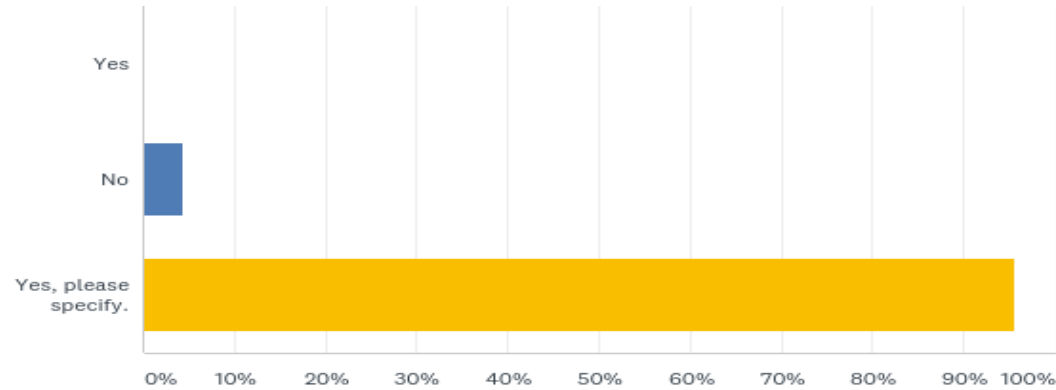
Q4: Should the Peace Officer Park Rangers carry equivalent protective equipment to a standard Patrol Officer when carrying out their law enforcement duties to ensure public safety, their own safety, the safety of fellow Officers, and protection of our natural resources?



Q5: Given that violent encounters can occur from seemingly non-violent situations, what defensive equipment should Peace Officer Park Rangers carry to protect the public, their own lives and that of their fellow Officers from violence involving weapons including edged weapons and firearms? Please check all that apply.



Q6: Do you feel that your professional experience gives you the working knowledge to make informed decisions regarding Law Enforcement activities, policies and procedures?



-16 years as a LEO, 4 of them with SJPD. If San Jose won't arm the rangers, they need to go to a department where their safety is treated as important. I have worked some with rangers and the ones I've met seem to be dialed in.

-Combat vet (2 tours in Afghanistan), currently a Deputy for 13 years, POST handgun/shotgun instructor, POST defensive tactics instructor. Any warden or park ranger does the same job as the rest of us grunts. If they are trained, arm them. If not, when one gets killed the blood will be on your hands

-26 years in law enforcement. Currently an academy recruit training officer for our department academy. 4 years on SWAT. 10 years as an FTO. Why is this even a question in 2018?

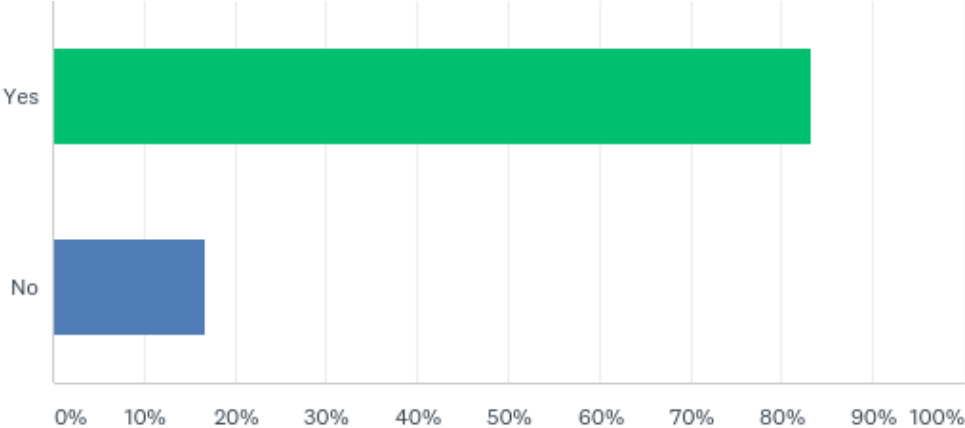
-Current sheriff deputy. Former national park ranger and former full time San Jose park ranger.

-Worked as a Police Officer in SJ for 30 years. The parks have always been a planning area for crime, area for crime. Please don't allow our parks to become like L.A.

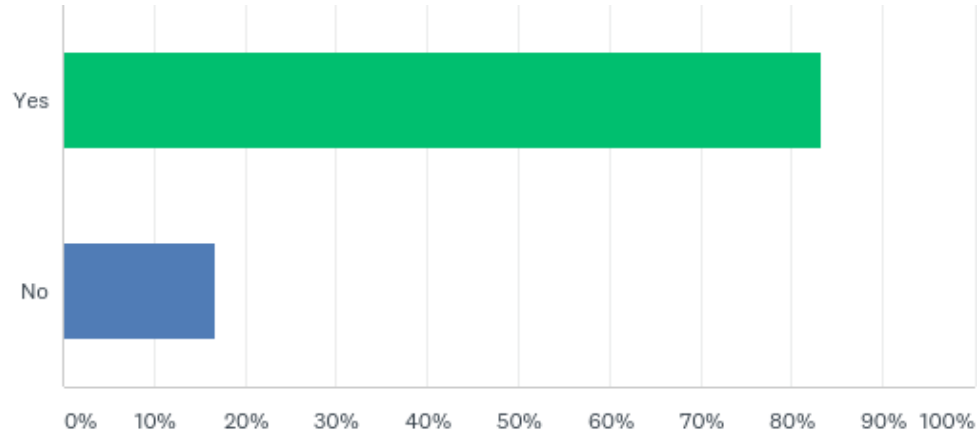
Park Ranger Service Delivery Model Committee

All advisory panel members were emailed the link to anonymous survey. 6 responses received. Survey was available for 7 days 12/14/18 to 12/21/18.

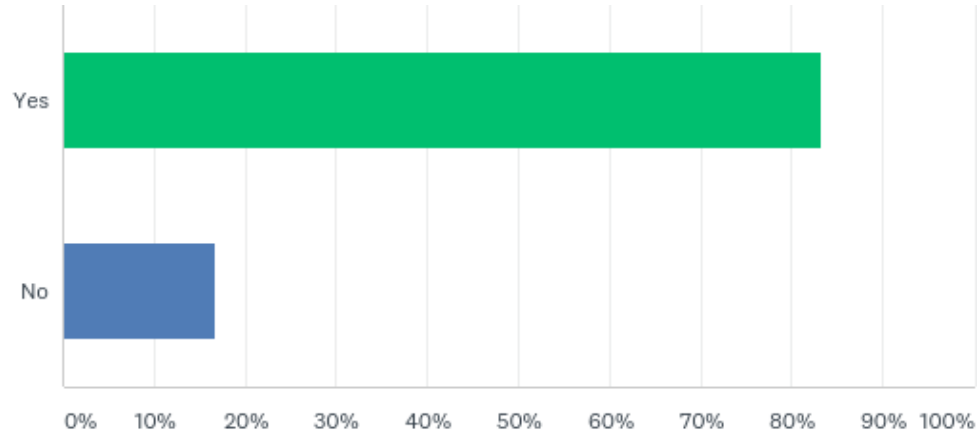
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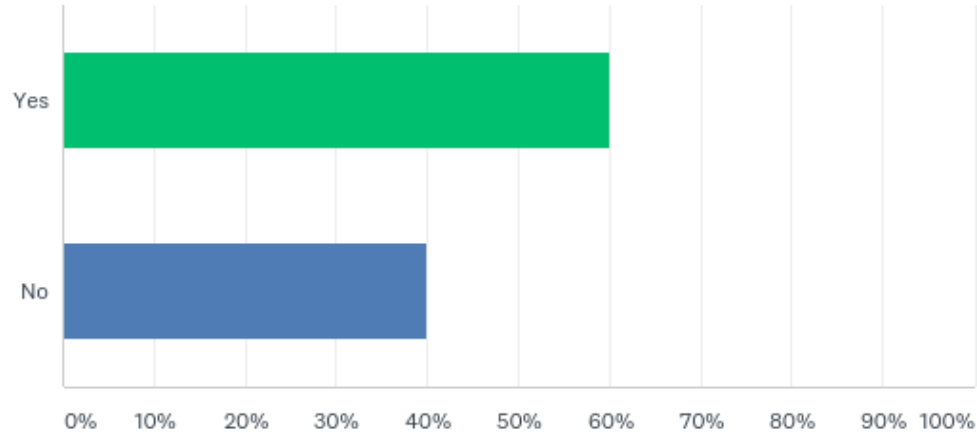
Q2: Should Peace Officer Park Rangers continue to enforce all applicable environmental laws to protect San Jose's natural resources?



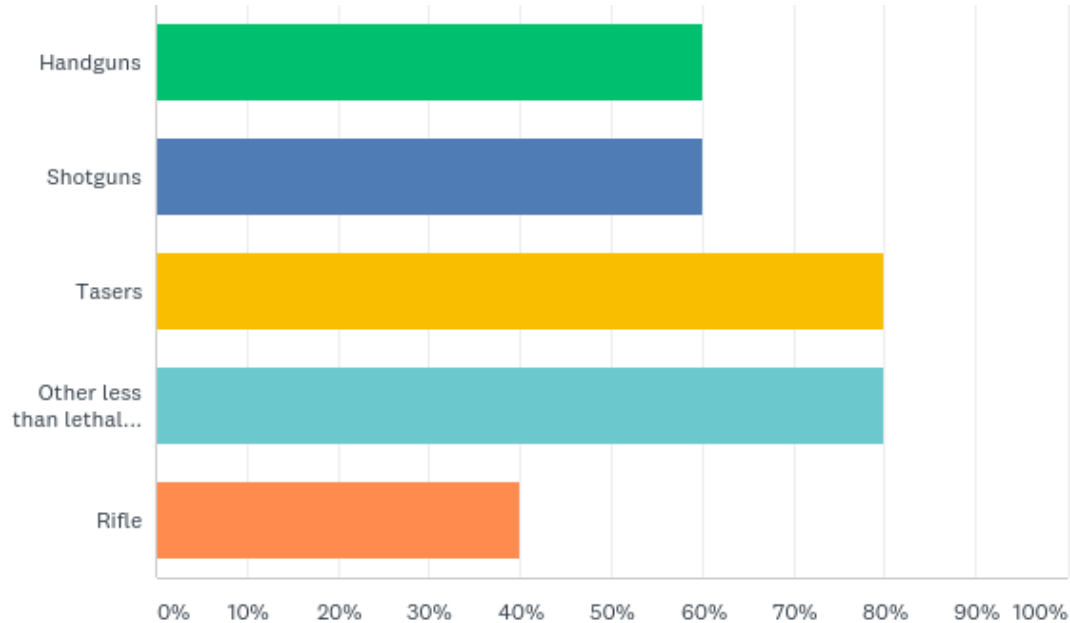
Q3: Should Peace Officer Park Rangers continue to enforce all applicable laws to ensure the protection of our native wildlife?



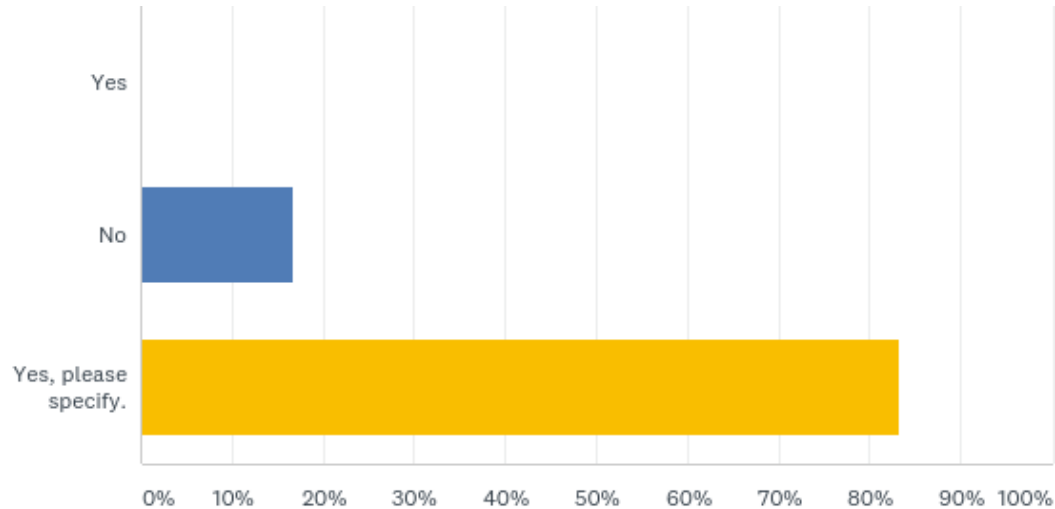
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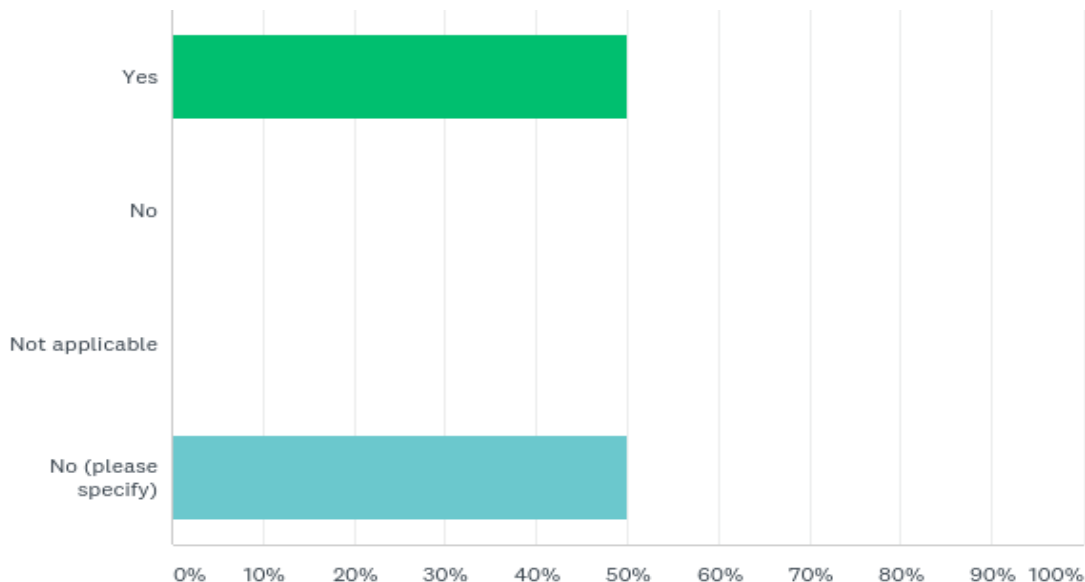
Q5: Given that violent encounters can occur from seemingly non-violent situations, what defensive equipment should Peace Officer Park Rangers carry to protect the public, their own lives and that of their fellow Officers from violence involving weapons including edged weapons and firearms? Please check all that apply.



Q6: Do you feel that your professional experience gives you the working knowledge to make informed decisions regarding Law Enforcement activities, policies and procedures?



Q7: Do you feel that the committee meetings were carried out in a manner that provided a clear direction for the Park Ranger Program?



The meetings appeared to be steered towards a pre-determined conclusion.

The meetings were well designed, but not facilitated as well as expected. And, when the group was heading in a different direction, there was some push back from the facilitators to not allow that free-form conversation. And, the draft recommendations seemed to come out of nowhere.

I feel that the meetings were run with some bias to not arm the Rangers and have the police back them up at additional cost.

From: Megan Hoyt < >

Sent: Monday, January 28, 2019 8:38 PM

To: City Clerk; District1; District2; District3; District4; District5; District 6; District7; District8; District9; District 10; The Office of Mayor Sam Liccardo

Subject: Park Ranger Letter - Council Meeting

To whom it may concern,

I am the cities newest Park Ranger. I have been a solo patrol ranger for approximately 4 months. I have been assaulted 3 times. I have recovered approximately 14 firearm type weapons. I didn't know if it was a real live firearm, BB gun or airsoft gun until I had them in my hands and away from the suspect. I have made 6 arrests, 3 of which were at Kelley Park, you may know this as the green space around Happy Hollow Park and Zoo, the other 3 arrests were from waterways in San Jose. I have lost count of the glass pipes commonly used to smoke methamphetamine I have confiscated, and not just out of the waterways, methamphetamine is in our regional parks as well.

Make a clear decision. If you want your Park Rangers to be doing Law Enforcement and do their job to the extent that they are trained, provide the tools that the Peace Officer Park Rangers are trained to carry. We will not be Law Enforcement when it is convenient for the department and a civilian when the department doesn't want political backlash. It is one or the other, there is no safe law enforcement contact. I refuse to continue to put my life on the line without the ability to protect myself and others. As a Law Enforcement Officer with the proper safety tools I accept that risk and will do the job I was trained to do and protect my parks and the people in them.

It is not weather or not myself or one of my partners gets hurt or killed, its when. I can speak for all of the Park Rangers when I say we want to go home to our families at the end of our shift. The San Jose Park Rangers, who are Sworn Peace Officers in the State of California, are Law Enforcement, weather or not our department likes to admit this or not. We have the legal right to take away the freedoms of people who are breaking law(make arrests and detentions), confiscate controlled substances, such as methamphetamine and heroin, and carry a firearm on duty if our department decides to do so. This right is given to us under CA Penal Code 830.31(b).

San Jose sent me to a Federal Law Enforcement Academy in Santa Rosa where I trained extensively on the Use of Force, defensive tactics, taser deployment, pistol, shotgun and rifle use among other things. The new generation of Park Rangers have passed extensive testing in these areas. The cost of this training is over \$10,000, not including the regular pay I received for approximately 4 months. I was sent away to Santa Rosa to become a Law Enforcement Park Ranger, not a Park Ranger who stands

by and watches crime happen. If we are not meant to be Law Enforcement why waste so much money on training we are not going to use? We are Law Enforcement Park Rangers who are asking for the proper tools to do the job we were trained to do.

I would prefer to do Law Enforcement as I spent one year of my life, from application, Peace Officer background, polygraph exam, psychological exam and medical exam, earning this position and 4 months in an academy and 14 week in a Field Training Program. I did not become a San Jose Park Ranger to sit by and watch as people break the law, damage the natural resources, and decrease the quality of life of my community. I want to protect the natural resources and the people who visit my parks, not just sit by and watch the parks suffer. I wish I could have a long meaningful career with The City of San Jose but when my safety is not important to my superiors it is becoming harder and harder to want to serve the city I grew up in.

Please, do the right thing and start the process to provide the following tools to the Peace Officer Park Rangers:

Body Cameras

Tasers

Pistols

Shot guns

Rifles

Other less lethal tools

Thank you,

Megan Hoyt

Dear Council Members,

My name is Lindsey Sones and I am a current full time Park Ranger for the City of San Jose. I have been employed by the city since March of 2016. Before I worked for San Jose, I was employed as a Park Ranger for the city of Santa Cruz. As a Park Ranger for the City of Santa Cruz, I knew upon hiring that my job duties would be focused primarily on law enforcement. The city provided a clear Santa Cruz Park Ranger Manual on my hire date outlining what was expected of me and my scope of enforcement. Knowing exactly what my supervisors expected of me, I was able to effectively keep parks and open spaces I was assigned safe and clean for everyone to enjoy.

I decided to leave the City of Santa Cruz and apply to work for the City of San Jose because I had heard that this Park Ranger Program was supportive of the idea of the "Generalist Ranger". In layman's terms a generalist ranger is a park ranger who not only is a Law Enforcement Officer, but is also assigned duties in Park Maintenance, Interpretation, and Resource Management. This type of position held true to what I wanted to follow as a passion driven career.

Generalist park rangers should be just as prepared to conduct law enforcement duties in a Coyote Creek unlawful encampment as they are talking to a group of school kids about the importance of clean waterways. They do not just do law enforcement duties when "scheduled" to do so. They need to be prepared to handle anything that might arise, any contact can go south, even one that might start out as a friendly public service.

In my just almost three years of employment with the City of San Jose I have noticed drastic changes in the duties a San Jose Park Ranger is expected to and is allowed perform. More importantly, I've experienced so much unclear direction from supervising staff that it is still unclear exactly what is expected of San Jose Park Rangers. There has been no revised version of the 1996 San Jose Park Ranger Manual provided to employees to follow. Dated policies and procedures are only brought to light to prove what we can and cannot do. There have been "Verbal Policies" created by management and are only held up to select San Jose Park Rangers as punishment for actions they do not personally agree with.

I, like all of my fellow San Jose Park Rangers strive to be the best in every aspect of this career. We no longer want to be held in this pseudo law enforcement position without the tools and support to successfully do our job. We want to provide safe parks for the people of San Jose. We want to protect and preserve the natural resources that the City of San Jose has. To do so we need support of the public, San Jose PD and our leaders in City Hall.

Sincerely,

Lindsey Sones

From: Matt Cerkel
Sent: Tuesday, January 29, 2019 12:40 PM
To: District3 <district3@sanjoseca.gov>
Subject: San Jose Park Rangers

Dear Raul Peralez,

I originally planned on attending today's city council meeting, but due to illness I was unable to make the drive from the North Bay. I am disappointed, but not surprised by the recommendation from Department not to arm the rangers, who are fully qualified peace officers under Penal Code Section 830.31(b). This is despite the significant amount of law enforcement training, including extensive firearms training, the city requires its rangers to receive prior to being placed on patrol. Currently, all new San Jose rangers are required to complete the Law Enforcement Ranger Academy at the Santa Rosa Public Safety Training Center, which is 720 hours including at least 107 hours of firearms training. The Ranger Academy firearms qualifications, which are based upon Federal Law Enforcement Training Standards, is actually harder than the POST standards that SJPD cadets are required to qualify under. The rangers must also complete 40 hours of POST "PC832" Peace Officer Training. It must also be noted San Jose arms its Fire Department Arson Investigators, who are peace officers under Penal Code Section 830.37(a), yet only required them to complete 64 hours of POST "PC832" Peace Officer training, including 24 hours of firearm training. This leads to the question of why does the City arm it's arson investigators, but not it's park rangers? In reviewing the documents included in the agenda package for today's meeting I saw several issues and concerns.

In the document dated November 26, 2018 I believe it is inaccurate and a disservice to the rangers to say in the ranger duties spectrum that the rangers do not perform law enforcement. I know the rangers have had major concerns about patrols in homeless encampments and the city has made adjustments by using Secondary Employment Unit Police Officers. This approach does not address the fact rangers may come across potentially dangerous or serious law enforcement issues while performing routine patrols in parks. In my 24 years as a park ranger most of the arrests and/or use of force incidents I have been involved with have occurred during routine patrols and/or during contact for minor, often park-related, violations. I've seen very little in the above document that addresses these occurrences. The Working Group recommendation of the creation of a Parks Police Unit in the future is most likely unrealistic and poor use of limited resources by the City. The SJPD is short staffed and is currently failing to meet its own response time goals for Priority 1 and 2 calls. The SJPD is still rebuilding from the last economic downturn and as history shows it's only a matter of time before the next downturn and likely budget cuts. Even if a Parks Police Unit was formed it would likely be one of the first cuts by the City in a future downturn. My 24 years of professional experience has also shown me that using traditional law enforcement (PC 830.1 peace officers) in a specialized law enforcement environment (PC 830.31, PC, PC 830.37) is less effective and more expensive than properly equipping, training, and setting policies for specialized peace officers.

In "Attachment A-Park Ranger Hazard Analysis" in the "Recommended Training" sections it appears the author was unaware of the training that the rangers receive. Specifically:

- The rangers do receive 720 hours of basic law enforcement ranger training, including 117 hours of defensive tactics related training.
- From conversations I've had with the rangers it seems many, if not all the rangers, have already received Crisis Intervention/de-escalation training.
- As part of their basic academy training the rangers receive training in OC spray, baton/impact weapons, and ECD (Taser) training.
- The rangers also receive radio training in the academy and as part of their Field Training Program.
- The rangers are already required to complete First Aid/CPR training during their probationary period. This training would include blood borne pathogens/universal precautions. Some rangers are also qualified as EMRs or EMTs.

I find it strange and concerning the author of this document recommended training that the rangers already meet or exceed.

In "Attachment B" I commend the City for recommending the rangers continue to be equipped with their present peace officer safety equipment and eventually adding Tasers and body worn cameras. I would recommend the city move away from using the "Generalist Park Ranger" term because it has become a dated term that means different things to different people and there is no agreed upon standard on what a "Generalist Park Ranger" is. There are agencies that use the term, even though their rangers have little or no law enforcement or public safety duties or training. Instead of the vague term of "Generalist Park Ranger" I would recommend the term of "Multi-purpose Ranger". A Multi-purpose Ranger Model recognizes that Park Rangers have duties within the following categories: Interpretation, Hospitality, Public Safety (Law enforcement, EMS, SAR and Fire), Maintenance and Stewardship. It seems like this is the type of duties the City wants it's rangers to perform, so why not use a more accurate term, like Multi-purpose Ranger.

If the City should fully utilize its Multi-purpose Rangers by properly equipping them, ensure their ongoing training meet the professional standards as established by POST and other organizations, and have up to date General Orders (policies). If the City would do this it would actually save money, utilize the rangers to the level of training they already have, allow SJPD to primarily focus on their traditional law enforcement duties and provide overall better service and protection to the City, its parks and its citizens.

Sincerely,
Matt Cerkel
President,
Park Rangers Association of California