

# Trends

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## Introduction

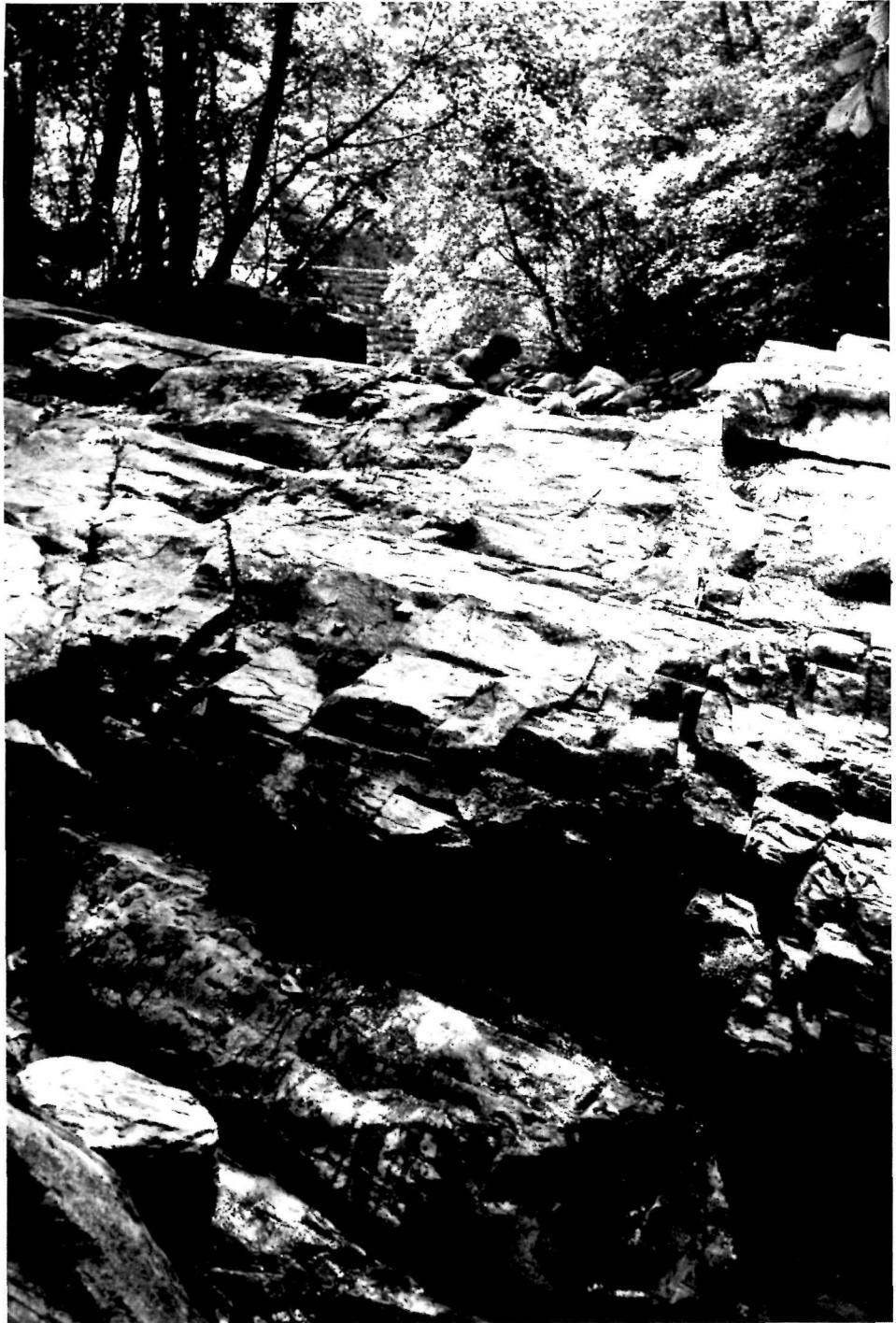
by Boyd Evison

Protection, in one way or another, is—and always has been—paramount among the functions of the National Park Service. And law enforcement always has been an integral part of that function, a significant part of the working life of the park ranger.

“Enforcement,” though, is a loaded word—and the load has become noticeably heavier in the past 10 years or so. In the pages that follow are reflected the insights of some of the most experienced and thoughtful people whose interests and experiences involve park law enforcement. For some of them—as for me—the experiences and the changes in conditions and perceptions, undergone in recent years, have resulted in uncertainty, frustrations, controversy, and elements of both fear and anger regarding our enforcement efforts. The irony is that those feelings continue now, and probably will for some time, although we have become markedly more competent “protectors-who-enforce-when-they-must” than we were those few years ago.

The reasons for the continued controversy are complex, and I confess that it’s largely a matter of speculation when I suggest that they include:

- A corps whose interests always have been, in many ways, contrary to any notion of the use of force against people (and to the display of the means of force).
- A longstanding tradition of profound (and understandable) complacency, ending in the late ‘60s.
- A world changing more swiftly than most of us anticipated.
- Some significant incidents with which most of us were ill-prepared to deal, and which some handled badly.
- Overreaction, both by way of the criticism leveled at those whose inadequate training caught up with them (with *us*), and by way of a rush to rather indiscriminate training and harsh performance.
- The effects of lingering differences in perceptions between: 1) us old-timers (good grief, it was 17 years ago when I, having fired a .38 all of a dozen or so times, stood guard at a window of the



*Park law enforcement efforts should be directed toward the protection of park resources and visitors.*

Ahwahnee, extremely conscious of the one on my hip, while President Kennedy strolled by below me; 16 since I, accompanied by an only slightly more skilled ranger, disarmed a drunk soldier who had been shooting up the night at Rodgers Spring); 2) the wave of those trained in an apparently heavy enforcement mode; and 3) the more recent waves of field rangers *and managers* who have received the exceptionally good training that characterizes the Federal Law Enforcement Training Center’s NPS programs today.

Even among the best-trained of us, there remain differences of opinion. There *is* no single right answer to the question of exactly when and where weapons should be worn, or precisely what those weapons’ characteristics should be! I’m not sure there’s a right answer to the person who says one must be armed even in the most minor of law enforcement contacts—or to the one who claims we’re better off completely *unarmed*, as the only National Park Rangers ever shot were armed, even

though the majority of confrontations over the years probably have involved unarmed rangers.

The fact is that there are times when rangers may have to resort to force, and it necessarily may be deadly force. Without question, those who face that possibility must be extremely well trained. They should also be very carefully selected in the first place—a process that we're a long way from perfecting.

We are all dependent upon the good judgment of those carefully selected, expertly trained people; and the image of the Service—or that of any park-managing organization—is heavily dependent upon how our protection personnel handle their tasks. A heck of a lot of what we do is dependent upon subjective judgment under trying conditions.

Does that last sentence strike you as a bland truism?

Not so bland when the "condition" is a stopped speeder who reaches suddenly for something that gleams on the



*The Federal Law Enforcement Training Center now offers exceptionally good programs.*

## Message from National Park Service Director

by William J. Whalen

This issue of *Trends* has a very significant title, "Law Enforcement and the Park Mission." I would hope that everyone would understand that that title is not two subjects, but one. Without the proper level of professional law enforcement skills, no park unit can fulfill its mission of helping visitors find pleasure and knowledge while protecting the basic natural and historic resources. As the National Park Service celebrates this "Year of the Visitor," it seems most appropriate to consider enlightened park law enforcement.

A visitor in trouble is an opportunity for us to be of service. And if that service is truly skilled and professional, that visitor's problem will be resolved with a minimum of discomfort to all concerned. In many cases, discreet action and the proper approach can nip a problem before it becomes serious, with significant savings in time, money, and—most important—aggravation.



This can happen only if all concerned understand that their actions enforcing park regulations are an extension of the basic park mission. Just as we cannot let a visitor's park experience be ruined by a theft, assault, or an accident, neither should we intrude upon his privacy with unnecessary displays of force or suspicion.

And, as is the case in most skills, it is the person who is unsure of him or herself who makes most of the errors in judgment, and whose actions are either too little and too late or too much and too soon, resulting in unnecessary problems for everyone.

Because professionalism is the key to appropriate performance in law enforcement, I have been delighted to see the development of law enforcement training programs—and beyond that, a new law enforcement sensitivity—that recognize that skills are absolutely necessary to effectively protect park visitors and staff. Yet those skills cannot be applied without constant awareness that they are exercised only in support of the park's mission.

The National Park Service is now providing that essential perspective in its training. And I would urge all people working in public park and recreation programs to make sure that law enforcement is recognized as an area of great challenge and great concern. I also would urge that they strive to obtain the maximum benefits from law enforcement by making it an integral and essential part of the park mission.



*When surrounded by genuine care for people and for resources, visitors respond with more positive behavior.*

shadowed seat beside him. Nor when the campground brawler, his fight interrupted, is face to face with a very tense ranger whose hand strays close to his holstered weapon. And not so bland when those differences of perception, or of opinions, sharply divide folks whose goals are, in fact, the same.

Clear goals—most particularly those given us in the Act of August 25, 1916—are at the heart of law enforcement. Our job is to preserve some extraordinarily special resources, and to provide for public enjoyment of same, now and forever.

We preserve *by* protecting; and by intervening to compensate in various ways when resources have become impaired or natural processes disrupted. We provide for enjoyment of the resources thus preserved by helping people perceive, understand, and experience interaction with them—and by protecting the visitors themselves. (Incidentally, parks are *not* places to be wholly “as safe as your own back yard.” Dealing knowledgeably with the dangers of unspoiled natural places can be a thoroughly positive experience.)

The arrest of a poacher is resource preservation; and it helps assure visitors of what makes parks enjoyable. The reckless driver stopped may be the salvation of a vacation, or of a life. Evenhanded treatment that reflects the ranger’s awareness of differences in what is acceptable to different visitors—and a sound sense of priorities, uninfluenced by personal prejudices—protects visitors’ opportunities for enjoyment. It also helps establish an *image* of the park, the System, and the Service, as surely as of the ranger.

The image conveyed by any organization is an enormously influential tool, perhaps *the* most significant factor in the protection of resources, visitors, and visitor experiences. An image of competence, fairness, and friendliness as protectors, rather than one of employees who flaunt their authority, affects profoundly the behavior of visitors.

So does an image of genuine personal and organizational concern for the resources—communicated by facilities that aren’t a blot on the resource, maintenance practices that don’t wipe out natural vegetation for someone’s notion of tidiness, and more attention to backcountry protection than to sniffing for whiffs of *cannabis* smoke in quiet campgrounds.

That image is conveyed, too, by the employee who doesn’t ignore destructive or dangerous behavior by visitors—who knows that apparent official acceptance of such behavior invites more of it, and who takes the time to have it curbed. Visitors surrounded by evidence of genuine care for people and for resources will, I firmly believe, be measurably more responsible in their behavior toward others and toward the resources.

No one with any responsibility for parks is unaffected by law enforcement practices. Very little of what we do does not, in some way, influence the necessity for, and nature of, law enforcement in the parks. Those interrelationships, and their considerable complexities, are touched on in some depth in this issue of *Trends*. May what follows be genuinely useful to you—and may we all pull together for the protection of the qualities that make the parks special.

*Boyd Evison is the National Park Service Assistant Director of Park Operations.*

*Photos provided by National Park Service.*

## Ranger Image

by John M. Morehead

All of us have mentally stereotyped certain groups of individuals within our society. We have preconceived opinions of how these groups will act, based upon their members' physical appearance or dress. Common examples include cowboys, hard hats, hippie types, street gangs, white-collar commuters, and Boy Scouts. While it may be inaccurate and dangerous to prejudge people based upon initial appearances, we must realize that most people, including park visitors, do just that—especially when meeting uniformed personnel.

Each of us tends to have a fairly well defined image of uniformed officers—how they dress, what they do, and how their organization functions. (After all, don't almost all police wear blue or black uniforms?) Most people also believe that the duties and activities performed by police fall into limited and specific categories. Think of your own experiences:

- Have you ever seen a police officer in an entrance station selling tickets to a public area?
- Have you ever seen a police officer conducting environmental education programs for urban children?
- Do you know of police departments that commonly provide manned information booths to serve the public in crowded areas?
- Do you know of a city where the police, maintenance people, fire fighters, and managers wear essentially the same uniform?

While your answer may be yes to some of these questions, you'll probably agree that it was a nontypical situation and did not fit within the normal image most people have of police activities or organizations.

Obviously, the public also develops some sort of image when thinking of Park Rangers. Anyone who has ever visited a park, met a Park Ranger, read about one, or become aware of parks or Rangers through any other means, has formed an image of what a Park Ranger is and does. In the majority of cases, this Park Ranger image differs drastically from the police image. For one thing,



*The Ranger uniform magnifies the actions and attitudes of its wearer.*

most Rangers wear brown, olive green, or gray uniforms. The activities just mentioned, that normally would not be done by police, are common and expected of Rangers.

When discussing the Park Ranger image, it is important to consider how others perceive us, not how we see ourselves. We especially must not think within the context of our own organizational job descriptions or titles.

To most people, the term Park Ranger includes any uniformed employee (except for traditional police) in a park area who is working with the public or the park's resources. Among others, this includes uniformed people at entrance stations, information desks, visitor centers, and other visitor contact points. It encompasses a wide variety of job functions, including law enforcement, all types of patrol, all types of interpretation, public safety, fee collection, campground maintenance, wildlife management, resource management, and sometimes specialized functions such as search and rescue, fire fighting, and other varied activities. While most Park Rangers are specialists

to one degree or another, the public generally doesn't realize this. The usual image of the Park Ranger is one of a multi-talented individual with a wide range of responsibilities and functions.

Many park managers have complained that the public "doesn't know what a Park Ranger is." This may be true if you are talking about specifics. Most visitors may not know the difference between a Park Ranger and a Forest Ranger; they may not realize the difference between a state park and a national park. But they still can, and do, have an image of a Park Ranger that, to them at least, is valid and correct. So it's important that park employees recognize that visitors have this image, and that this image affects people's actions when they visit an area.

A recent Gallup Poll, commissioned by the National Park Foundation, is quite revealing. It reported that in 1978, 66 percent of the people surveyed had visited a national park, and that 81 percent of the respondents indicated it was "very likely they would visit a national park again within the next few

years." Assuming the poll accurately reflects the American public, at least two-thirds of the population has some sort of an image of what a National Park Ranger is and does. If state, county, and other parks are added to this figure, the total number of people who have an image of Park Rangers is very impressive.

With the high percentage of people indicating an intention to make a return visit, it becomes important that the image they have is favorable. In the long range, this is essential to the survival of parks. Congressman Burton succinctly described the need for positive public support in the May 1979 issue of *National Parks and Conservation*. He stated that when public support broadens to reach a "critical mass" point, it is then reflected by Congressional support. Public support can be gained only if the public's image of the people running the parks, particularly the Park Rangers, is favorable.

Since a favorable image is vital both to us as individuals and to our organization, let us discuss some specific ways in which an image can be developed and improved.

## Uniforms

The Park Ranger uniform is symbolic of conservation, outdoor management activities, and historic preservation. While it represents authority, it also represents professional resource management, interpretation, knowledge, and preservation. Especially in urban areas, there is a growing appreciation and recognition of the Park Ranger uniform which is particularly significant.

All of us need to be aware that a uniform changes one's personality. It tends to subjugate individual personal traits by projecting the wearer into an expected pattern. It definitely calls unusual attention to the wearer.

Many Rangers do not recognize the fact that the uniform magnifies actions and attitudes. Since it symbolizes authority and professionalism, the uniform validates and enforces whatever the wearer says or does.

Unfortunately, most Rangers do not consciously use the potential of this magnification phenomenon. Even a minimal showing of friendliness, understanding, and cooperativeness is perceived by the visitor as a sign that all Rangers are friendly, understanding, and cooperative. Surliness, sloppiness, and nonprofessional conduct, likewise, are magnified.

Because the uniform calls attention to its wearer, the Ranger's actions are projected far beyond the single individual he or she may be dealing with. Literally everyone in view of a uniformed Ranger is receiving impressions that go into the forming of the image.

## Professional Competence

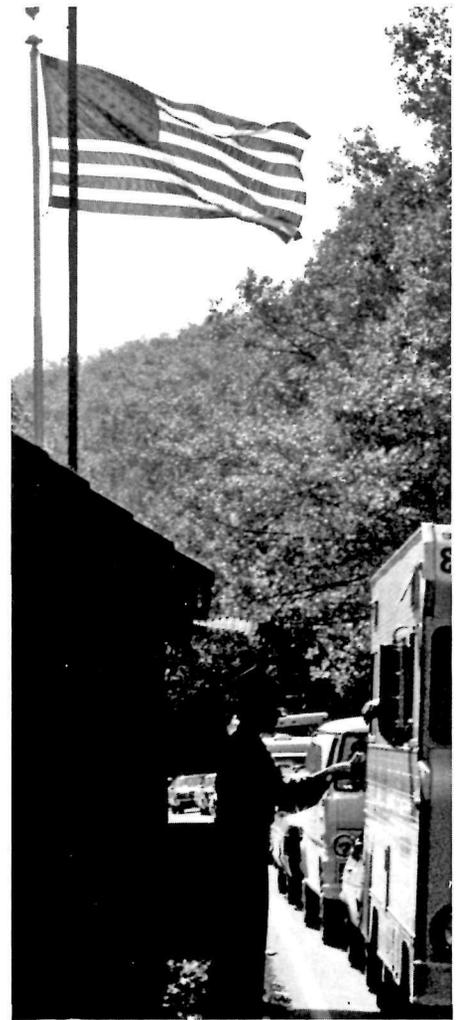
The general public image of the Park Ranger is of a professional who is competent in many fields. People expect Rangers to be skilled in law enforcement, interpretation, first aid, search and rescue, maintenance, knowledge of the park area, and all sorts of other skills that may or may not be within the range of the Ranger's capability.

This favorable image easily can be maintained without bluffing or faking. If a visitor has a problem that a particular Ranger cannot handle, all that Ranger needs to do is to put the visitor in contact with someone else in the organization who is professionally competent to handle the situation. It does not matter that all Park Rangers are not totally competent in all fields; the public image still is favorably maintained.

## Physical Appearance

It should go without saying that the physical appearance of a person in a Ranger uniform is part of the total image. No, everyone does not have to be slim and athletic for every job. Handicapped persons are only one example of employees who, in the proper situation, are perfectly competent Rangers and reflect the desired image.

In certain other jobs, however, where active, sustained, physical effort reasonably could be expected by the public, obviously unfit or unsuitable physical makeup is as much of a negative image factor as is improper uniform or inadequate training.



*First impressions, such as a Ranger's neat appearance and friendly eye contact, count.*

*All park employees share enforcement responsibilities. ▶*

## Actions

Since uniformed Park Rangers are under constant public scrutiny and evaluation, they have to conduct themselves at all times in a manner that reflects an understanding of all aspects of their job. Actions reflecting professionalism and competence quickly are noted. Loafing, horsing around, using inappropriate language, etc., definitely detract from the image, even though no direct visitor contact may be involved.

## Eye Contact

An interesting difference has been noted between most Park Rangers and most policemen: The Park Ranger image is of an employee who likes people, who tries to help visitors, who is sensitive to public needs, and most importantly, who *initiates* public contact. The image of the average police officer is less positive.



Police are usually courteous and polite, but generally they are not perceived as trying to initiate contacts until a problem is involved. This deserves special thought.

*Friendly eye contact* seems to be the key. Since the uniform reflects authority and responsibility, it tends to awe most visitors. If the Ranger initiates eye contact in a friendly, smiling way, he or she is perceived by the visitor as inviting communication. Too often in law enforcement professions, eye contact is limited to a cold, steely stare. The receiver of this contact feels that he or she is being mentally frisked. There is an implication that when eye contact is established with a police officer, a problem is involved; otherwise, eye contact is avoided. Obviously, Rangers should work hard to initiate friendly eye contact with visitors.

### **Attitude**

Attitude is also magnified and projected by the Ranger uniform. Image is enhanced when Park Rangers feel they can serve the visitor competently with no loss of dignity. If you honestly don't enjoy working with people, you should look for another profession.

### **Area Appearance**

The total image held by a visitor is the sum of many different impressions. Certainly the overall appearance of the park area can have a positive effect. A clean area showing good maintenance, proper signing, safe environment, proper lighting, and appropriate design is essential.

Here the Park Ranger has an advantage over the normal police officer. The Ranger commonly is given credit for the area in which he serves. Potential antagonistic contacts often are mellowed

by the perception that the Ranger is partially responsible for a good experience in the area.

Many Rangers use a technique of discussing a person's visit to the area and establishing friendly, positive rapport before mentioning the fact that the visitor has infringed a rule; this is an excellent strategy.

### **Other Park Employees**

Contacts with other employees obviously are registered as part of a visitor's overall image. If there is a particular problem in the area, or a particular message that should be delivered to the public, Rangers should take the initiative in seeing that all park employees are aware of the situation and that all employees are working with the same goal in mind. Interpretive programs, special programs for particular groups of visitors, and positive contacts by maintenance personnel are essential.

### **Law Enforcement Implications of Image**

How does all this relate to effective law enforcement and the park mission? The general public image of a person wearing the Ranger uniform tends toward the "kindly authoritarian" who offers many benefits, rather than to the pure law enforcement-oriented image. Rangers definitely can use this to their advantage, even in law enforcement situations.

In simplistic terms, the purpose of law enforcement is to gain compliance with park goals, purposes, rules, and regulations. Education, increasing understanding and appreciation of values, an honest desire to do right, and fear of reprisal, are all recognized approaches to gaining compliance. It usually is preferable and more effective to concentrate on the positive approaches rather than on fear of reprisal. The better image the Park Ranger has, the easier this is to accomplish.

Usually, visitors arrive at a park area in a happy, receptive mood. They are there to learn, to see, to enjoy, or to experience. They may not know anything about the park, but they come

*Their image of kindly authoritarians helps Rangers manage difficult law enforcement situations.* ▶

to have a good time, not a miserable one. Especially if visitors feel they are welcome, this feeling continues when they have their first contact with a Ranger. Rangers have the responsibility to reinforce this trend, even in difficult situations.

### A Final Word

Most Rangers are aware that they have a good image; they even consciously try to maintain it. But they shouldn't stop there. Rangers should learn to use image even more effectively.

Image should be recognized and used as a tool. It is a thing, like a piece of equipment, that when used properly can give a Ranger a definite advantage in a difficult situation. When used properly, it can help establish nonthreat communication, gain sympathy and support from bystanders, project competence and professional ability, validate the Ranger's authority, and generally gain respect and confidence.

Image is such an effective tool, when recognized and used, it is a wonder park organizations don't have specific training to teach employees how to use it. Like the magnification effect of uniforms, a few Rangers use image regularly and effectively. These people are recognized immediately by visitors and other employees alike. They are the ones who are obviously so competent and confident that they can afford to be openly friendly and still remain dignified. They certainly don't have to rely on cold aloofness to protect their professional integrity.

Like any tool or piece of equipment, image cannot be relied on exclusively. It is only one piece of the total Ranger package, but it certainly can be a useful one. You know the saying, "If you've got it, flaunt it." In general, Park Rangers have an excellent image—let's learn to use it effectively!

*Jack Morehead is currently Superintendent of Isle Royale National Park in Houghton, Michigan. Prior to this, he was a National Park Service Ranger.*

*Photos provided by National Park Service.*



*Rangers have the public image of skilled professionals with expertise in many areas.*

# Constitutional Law

by George F. Knight

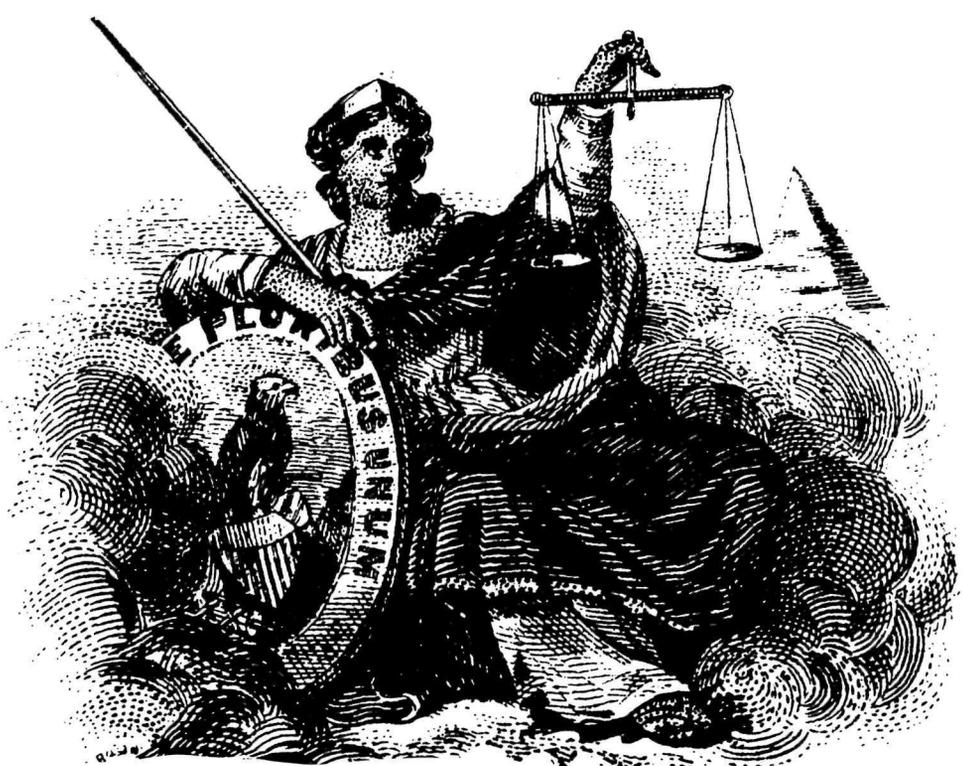
Enforcing the law in a park or recreation area may not involve the drama or bone-chilling tension that can be a daily experience in a large urban area, but it is no less complicated in many ways. Every law enforcement officer must deal with a maze of statutes and regulations which are subject to change through the legislative process and judicial interpretation. Yet he or she also must be aware of the basic constitutional principles that govern the often troublesome, and sometimes explosive, relationship between citizens and police.

While laws and regulations may vary from state to state, the fundamental constitutional principles do not. They apply across the board, from the most populous city to the smallest town. Everyone who exercises law enforcement authority must abide by them.

The importance of these principles has been established by numerous court decisions over nearly 200 years of constitutional history. The United States Supreme Court has placed such a premium on compliance with these constitutional standards that it has approved two remedies for dealing with violations. First, the Court has held that any evidence obtained as a result of the violation of constitutional rights may not be used in court to prove the guilt of the person whose rights were violated. Second, and perhaps more important to individual law enforcement officers, the Court has recognized that the person whose rights have been violated can bring a civil suit for damages against the officer involved, and in some cases, even his superiors.

## Knowing the Rules

It follows that an understanding of these basic principles is essential to everyone who exercises law enforcement authority. While law enforcement may be only a small part of your job as a park supervisor or employee, a lack of knowledge about the constitutional limits of your authority can be costly, dangerous, and downright embarrassing.



Judges, prosecutors, even defense attorneys, do not expect you to be a constitutional scholar. There are few people in this country who truly qualify for that title. What is expected, particularly by the general public, is that you know the rules by which you must conduct your law enforcement functions.

It would take more than these few pages to review all the constitutional principles that govern law enforcement. But we can touch on those few which have primary application to your day-to-day activities. While the constitution is a lengthy and complex document, three of its amendments are particularly important to law enforcement activities: the Fourth Amendment, which governs arrest, search, and seizure; the Fifth Amendment privilege against self-incrimination; and the Sixth Amendment, which guarantees the right to counsel.

It should be noted that each state also has its own Constitution or Declaration of Rights. The overwhelming majority of these documents are virtually identical to the Federal Constitution and provide the same basic protections. However, because the Federal Constitution reserves to the states all those powers not delegated to the federal government, the highest court of each state has the final word on what its constitution means. The state courts are, therefore, free to interpret their constitutions as providing *more* protections to their citizens than is offered by the Federal Constitution. But, because the Federal Constitution is the supreme law of the land, no state can offer its citizens *less* protection than the Federal Constitution.

With this preface in mind let us turn to the specific principles with which you must be concerned.

## Fourth Amendment

*"The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."*  
U.S. Const. Amend. IV.

No constitutional provision has more impact on day-to-day law enforcement activities than the Fourth Amendment. Its provisions affect nearly everything a law enforcement officer does from investigation through arrest and beyond.

An understanding of the Fourth Amendment begins with the basic proposition that in order for any arrest or search to be lawful, it must be based on "probable cause" and must be authorized by a warrant issued by a judicial officer. There are, however, a number of carefully specified situations in which a failure to obtain a warrant will be excused. There are also situations in which no warrant is needed. More about these situations later.

From the specific language of the Fourth Amendment we can draw two fundamental elements. The first is the concept of "probable cause." A general definition of probable cause might be: a reasonable law enforcement officer's belief, based on reliable information, that a crime has been or is being committed

and that a given person has committed it, or that specific evidence of a crime is in the place or on the person to be searched. It is a reasonable probability, not conclusive proof.

The second element is that any search or seizure—and remember that an arrest is a seizure—must be reasonable as to the time, place, and manner in which it is carried out. For example, if you have a warrant to search an automobile for stolen power tools, you may only look in places where they logically could be hidden. Dismantling the vehicle and tearing up the upholstery could make the search unreasonable.



The most basic rule to follow in carrying out law enforcement duties in accordance with the requirements of the Constitution is this: if you want to make an arrest or conduct a search, go to a magistrate, tell him what you know, and request a warrant.

That said, let us talk about the real world. Of course, you always should get a warrant where possible. That is the safest way to go. But, particularly in a park or recreation area setting, it is not always possible to get a warrant before you act. Recognizing the speed and suddenness with which the need for law enforcement action often arises, the courts have developed a number of carefully drawn, limited exceptions to the warrant requirement.

Neither time nor space allows for a full discussion of these exceptions here. That is something which must be covered in your training. But a brief review of the more important of these rules is helpful.

### Arrest

In most jurisdictions the following rules apply:

- You may arrest without a warrant for a misdemeanor that is committed in your presence.

- Of course, you may arrest for a felony committed in your presence.
- You may make an arrest in a public place for a felony that is not committed in your presence as long as you have probable cause to believe that a felony has been committed and that the person you want to arrest committed it.

### Search and Seizure

The thorniest of Fourth Amendment problems arises in the area of search and seizure. It is a subject which has generated numerous U.S. Supreme Court decisions and countless headaches for law enforcement people everywhere. It also has kept lawyers busy and given more than one judge gray hair.

The exceptions to the search warrant requirement have been developed by the courts to provide law enforcement officers with tools for dealing with the exigencies of daily experience. Those most likely to arise in connection with park law enforcement are the following:

- *Search incident to arrest.* Any time you make an arrest and are going to take the person into custody you may lawfully search the person and the area immediately around him into which he could reach to get a weapon or destroy evidence.
- *Automobile search.* The courts have held that if you have probable cause to believe that a motor vehicle contains unlawful weapons, contraband, or other evidence of a crime, and the vehicle is mobile, that is, it could be moved before you can get a warrant, you can search it. However, last June the Court warned that you cannot rely on the automobile exception to search personal luggage that is found during the search. Pointing out that this exception has been limited to “integral parts” of the car, the Court said that luggage gets more protection than an automobile even when it is found in one. Unless there are “exigent circumstances,” such as the danger that luggage might contain explosives, once you have taken control of personal luggage, you must get a search warrant.
- *Plain view.* This is one of the least understood exceptions to the warrant requirement. Under this rule, you can seize evidence without a warrant if you

are in a place where you have a right to be and you unexpectedly discover evidence or contraband in plain sight. For example, you are checking campsite permits and suddenly observe a bag of marijuana lying on top of a cooler. As long as you’re sure it’s marijuana, you can seize it without a warrant.

- *Consent.* This is a very tempting tool. If you have someone’s consent to conduct a search, you don’t need probable cause or a warrant. But the consent must be voluntary, and the person consenting must have the authority to do so. That is, he must have sufficient control over the area or object to be searched that he can lawfully allow you to search it.

- *Inventories.* If you impound a motor vehicle as part of your caretaking function, and you have a *standard policy* of accounting for its contents, you can conduct a limited search to secure valuables. The courts are divided as to how intrusive this search can be and as to whether you can go into the trunk. It’s also not clear whether you can open locked suitcases or briefcases. Until these issues are resolved, many agencies shy away from searching these items, preferring to inventory them as a unit.

As with any exceptions to a general rule, these specific situations arise in an infinite variety of ways, and are subject to numerous interpretations. They are applied on a case-by-case basis and in each case reliance on them must be justified.

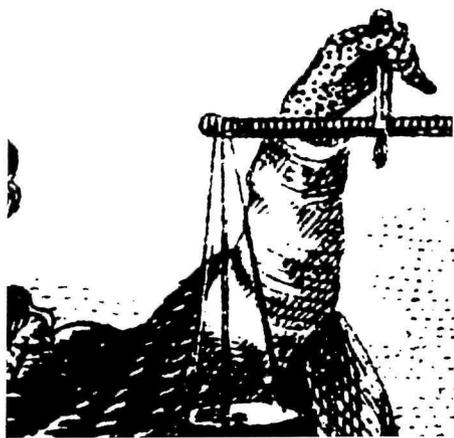


### Stop and Frisk

There is one other area of Fourth Amendment law on which we should focus before moving on. This is the concept of “stop and frisk.” Recognizing that there are situations where an officer knows something is wrong but lacks

probable cause to arrest or search, the U.S. Supreme Court has said that the police must have the ability to investigate within the constraints of the Fourth Amendment.

So in 1968, the Court devised the stop and frisk doctrine. Under this rule, an officer who can point to "specific and articulable" facts which indicate that a person has committed or is about to commit a crime but whose behavior doesn't yet justify an arrest, may briefly detain the suspect while he inquires into what is going on. If, during that brief confrontation, the officer develops a *reasonable belief* that the suspect is armed, he may conduct a frisk. The important thing to remember about the stop and frisk rule is that it involves two separate acts and requires two separate justifications: the need for a stop and the reasonable belief that the suspect is armed.



To justify a stop, you must be able to point to the specific facts which led you to conclude that criminal activity was afoot. You cannot rely on a mere *hunch*.

This past spring the Court held that the rules governing stop and frisk also apply in some respects to automobile stops. No longer is it permissible to stop automobiles at random solely for the purpose of checking the driver's license and registration. In order to stop an automobile, the Court said, you must have an "articulable and reasonable suspicion" that the driver doesn't have a license, that the car is unregistered, or that the driver or one of the occupants is wanted.

However, the Court emphasized that it was forbidding only *random* stops. It gave specific approval to the use of roadblocks

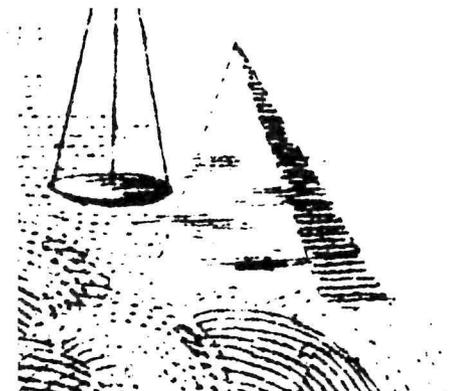
where all vehicles are stopped, and indicated that it was proper to use other methods "that do not involve the constrained exercise of discretion" by police. One Justice took this to mean that it would be constitutionally permissible, for example, to stop every tenth car to pass a certain point.

There are many other areas of Fourth Amendment law that we have not discussed. Entire books have been devoted to this subject. But the one thing to remember is that the people who come to your park expect to be left alone to the maximum extent possible. Even in a park setting, "the right of the people to be secure" applies. While it may not operate to the same degree outside the home, it does operate. Each officer must be familiar with the limits of that protection and be prepared to defend his or her actions.

### Miranda

The final area we will discuss is the rights which apply when you find it necessary to question a suspect. Everyone is familiar with the Miranda warnings. They incorporate the two other constitutional principles we noted earlier: the Fifth Amendment privilege against self-incrimination and the Sixth Amendment right to counsel.

The Miranda warnings must be given whenever you begin a custodial interrogation; that is you have deprived the suspect of his freedom of movement in any significant way. The warnings are designed to ensure that a suspect does not incriminate himself unless he is fully aware of his rights. To be admissible as evidence, an incriminating statement must have been made by a suspect who understood that he was not required to make such a statement and who knew he had a right to consult with a lawyer before making any statement.



The rights guaranteed under Miranda are enforced through the exclusionary rule. As with a Fourth Amendment violation, a violation of Miranda precludes any use of the resulting statement to prove guilt. This rule does not apply to volunteered statements, as where a suspect blurts out an unexpected confession, or to questions asked when you first arrive on the scene of an incident.

The important thing to remember in this area is that you always should give the warnings before you question a person you believe is involved in a crime and whose freedom of movement you have restricted—a person you are not going to let go unless he answers your questions.

### Keeping Up

This article has been a cursory review of the constitutional rules that govern your law enforcement activities. To do your job effectively, you must learn the basic principles and keep up with the changes. This should be an integral part of your training program.

Constitutional law is one area where a mistake can be costly. But it also provides you with an opportunity to enhance your professionalism.

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## Law Enforcement in the Wilderness

by J. W. Wade

Most individuals involved in law enforcement, with its diverse activities and responsibilities, consider it to be a challenging and fulfilling vocation. The ever-changing effects of interpretations of law; the constant anticipation of the variety of activities encountered during each shift; the feeling of pride and satisfaction when a crime is solved, a crisis is averted, or a life is saved; the ever-imminent danger—these are among the things that lure people into law enforcement.

To some, perhaps the greatest challenge in enforcement is in the ghettos of New York City. Others would say it is with the FBI or in a rural county sheriff's department.

But, combine the wide range of enforcement responsibilities with additional ones for protecting natural resources. Add the remoteness, beauty, hazards of terrain and weather, and distinctive problems associated with wilderness-type areas. This is real challenge.

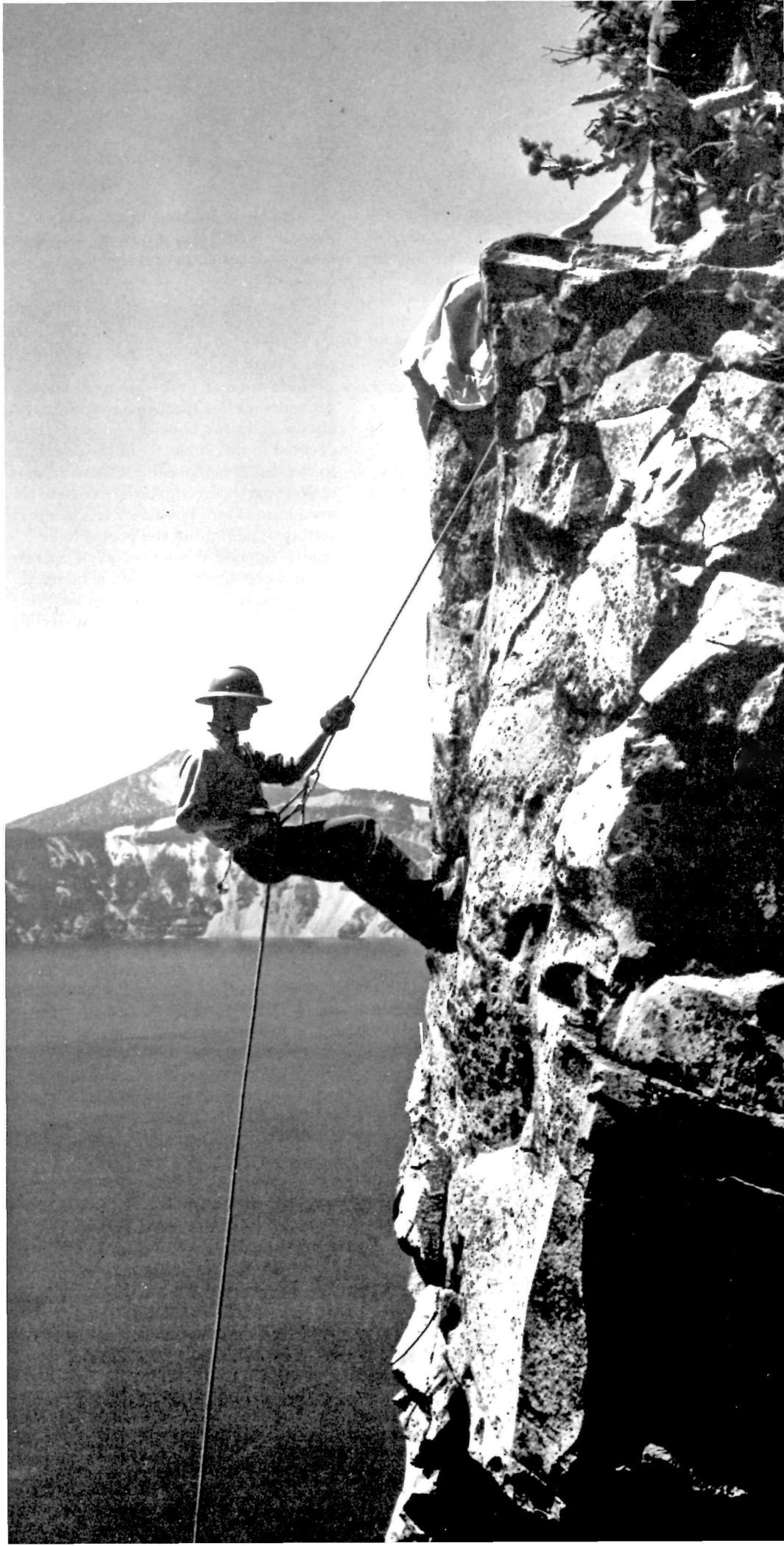
### What Are We Trying to Accomplish?

Simply stated, enforcement officers in wilderness-type areas have a dual role:

- Protect or conserve the resource.
- Provide for a high-quality visitor experience.

This role can be further defined in the following objectives:

*Protecting the Resource from People.* Many of the laws and regulations enforced by officers in wilderness areas are designed to protect the resource. Some violations occur because the human being is basically selfish. Many people know they aren't supposed to feed bears in national parks, or litter, or carve on trees, or dig



Wilderness law enforcement responsibilities demand physical fitness. ▶



*Time spent picking up litter may be more effective in reducing further abuse than time spent citing the offenders.*

up plants. But sometimes they do these things anyway, because it's more convenient or because they derive some self-benefit from them.

More often, resource-related regulations are violated because they are alien to the typical wilderness visitors, most of whom are from urban environments. They don't know the regulation exists or they don't understand the reason for it.

*Protecting People from the Resource.* Visitors frequently come to wilderness-type areas ignorant of the hazards they might encounter. Too often they are unprepared to deal with even minor emergency situations and they know little about *preventing* emergencies. They over-estimate their own knowledge, skills, and abilities, and under-estimate the potential effects of nature.

It is widely accepted that visitors to the wilderness should be responsible for "accepting nature on nature's terms." But managers of wilderness areas are obliged to make crucial information reasonably available to the visitors.

*Protecting People from People.* In addition to the usual violations against persons, there are some distinctive ones that occur in wilderness settings due to the very nature of the wilderness.

Patterns of action (which usually include the influences of urbania) that become valued give rise to norms. These urban norms, in some cases, are carried by visitors to wilderness settings where the influences are, or should be, different. Thus the perceived need by many people to rely on and to expect urban-type conveniences (bars, automobiles, etc.). Some of these urban norms influence people to behave in ways that infringe on the rights of others, or detract from the experience they came to the wilderness to get.

In other cases, what would be normal behavior in urban settings—such as locking cars or not leaving valuable items in view—is forgotten in wilderness settings. Along with leaving their cares and concerns at home, it seems that many visitors also leave behind their common sense. Apparently there is a general feeling that the wilderness is totally pure and free from crime. Most people forget that not everyone who travels and visits natural areas is honest.

These tendencies, along with the isolated nature of many parking areas, trailheads, and wilderness attractions, make it pretty easy for certain unscrupulous individuals. It is now clear, for instance, that rings of "car clouters" are making the rounds in many wilderness areas.

### Some Dilemmas

For the user, wilderness ideally should provide for:

- Spontaneity of action.
- Independence, self-reliance.
- Discovery and adventure; challenge to the mind and body.
- A real place for the spiritual component.
- A lack of restrictions—the opportunity for being fundamental.

Pursuing these should not diminish the perpetuation of natural processes or impair any component of the wilderness. Yet the following dilemmas do arise:

*Effects of High-Profile Enforcement.* "High-profile" enforcement, including the display of defensive equipment and excessive authoritarian controls, may detract from the experience many visitors seek. Though it may be subconscious, many visitors seek to leave behind such urban influences as the need to rely on cops. At the same time, the behavior of a few sometimes necessitates a law enforcement response that may resemble the "urban response" more than we'd like.

*Tendency to Emphasize People.* In wilderness settings, it often is easy to lose sight of our dual enforcement responsibility. We are social animals. Therefore, we tend to be people-oriented. We're constantly in communication with people. Too often, there is a tendency for enforcement personnel to pursue the people-related, "frontcountry" violations. There's little question that there are more of them and they're usually easier to detect.

The resource communicates in ways that we're not as used to or as sensitive to. The resource doesn't complain like



Scars from illegal backcountry campsites take longer to heal than most frontcountry offenses.

people do. Violations in remote or undeveloped areas are more subtle and their effects often less blatant. But in the long run, they may be far more serious. An area scarred because of the illegal placement of a campfire or a bear hooked on human food takes much longer to “heal” than a bent fender or a stolen camera.

*Serious Crimes.* Occurrences of serious and violent crimes in wilderness-type areas fortunately are relatively few. But because they are infrequent, a tremendous burden often is placed on enforcement personnel when they do occur. One must practice investigative techniques continually in order to be competent. In many areas this is not possible or practical because of other, more upfront demands.

### Levels of Enforcement

Levels of enforcement used in wilderness settings should be different because the visitor tends to be ignorant of many resource-related regulations and hazards. In these cases, enforcement usually is easier and more satisfying. Enforcement becomes interpretation or education. There’s an opportunity to impart the philosophy and importance of resource protection and to leave the visitor with a better understanding of his or her niche in the overall scheme of things. This may take a little longer than writing a citation, but the long-range effects certainly are worth it.

Another part of good law enforcement will be to persuade people who are using the wilderness in ways that are harmful to its values (natural ecosystem and solitude) to move to alternate areas where their actions are more appropriate or less consumptive.

### How We Communicate

We are in the business of behavior modification. This is the ultimate goal of any enforcement action—to stop inappropriate behavior and/or to prevent its repetition. We use a variety of techniques and media to communicate the behavior deemed appropriate. Signs, brochures, traffic controls, interpretive programs, presence of uniformed officers, citations, and many other methods are used to convey how we want people to behave.

Yet, one mode of communication—management behavior—often is overlooked, or its effects underestimated. Used here, management behavior includes far more than the image of our employees or how they act.

### Management Behavior

It is likely that our management behavior communicates more powerfully to more people (and probably to those who need the messages the most) than all the warnings, citations, arrests, and signs put together. Our actions and examples, particularly the things we neglect, have a powerful, though perhaps subliminal, influence on people who visit wilderness areas.



Protection challenges magnify in wilderness areas where few visitors recognize the hazards they may encounter.

Neglect begets neglect. People are less hesitant to add their litter to an already littered area. They are more likely to drive their own nail into a tree in a campsite if they see other trees with nails in them. Time may be well spent by enforcement personnel in carrying out maintenance-type activities, such as picking up litter, straightening signs, and removing detractions such as nails and fire-rings from campsites. These actions often have a greater effect on reducing similar abuse by visitors who follow, than does taking enforcement action against one who infracts the rules.

Another form of management behavior inherently is more difficult to evaluate and its deficiencies harder to correct. The physical layout of areas, the facilities, and the conveniences provided or allowed all powerfully influence how people behave. If we provide a bar in a wilderness area, we can expect people to



*Enforcement agencies in wilderness areas usually are responsible for emergency rescues.*

behave as they do in bars elsewhere, and as they do after the bar influences them. To the extent that we make Yosemite Valley like San Francisco, we can expect people to respond and act as they do in San Francisco.

We must constantly assess our management and development plans, enforcement programs, and the actions of our personnel in terms of how the messages inherent in them will influence the actions of visitors.

### **Victimless Crimes**

Because enforcement personnel usually are spread very thin in wilderness areas, there is a greater need to place emphasis on enforcement actions that will have the most significant effects. We need to de-emphasize efforts to seek out and enforce victimless crimes. However, we need to make sure that we consider the resource as a victim—in some ways maybe an even more important one than a person.

### **Emergency Preparedness Education**

Enforcement agencies in wilderness areas usually also have responsibility for emergency response. Typically, substantial amounts of time and effort are expended achieving and maintaining capabilities to respond effectively to a visitor who gets into trouble. Too often, little is done to try to prevent these problems from occurring. Attempts at legally restricting unprepared persons

from using wilderness usually are considered an infringement on personal freedom.

A greater emphasis on emergency preparedness education is needed. It is likely that the payoff for time and money invested in emergency preparedness education to try to prevent an emergency will be greater than the same amounts invested in maintaining the capability to respond to the emergency after it has happened. Information on these kinds of programs can be obtained from the National Association for Search and Rescue, PO Box 2123, LaJolla, California 92038.

### **Physical Fitness**

No one questions the necessity for enforcement officers to present a good image and appearance. The importance of physical fitness, finally, is being recognized. The enforcement profession is known to be a high risk (stress) one. Combined with the often harsh terrain and weather hazards of wilderness-type areas, the physical risks to employees are compounded.

The concerns—both legal and moral—are not only for the employee, but also for co-workers and visitors. An unfit employee jeopardizes the safety of those he or she works with in an emergency or an arduous enforcement situation. The well-being of a visitor who is in a predicament can be jeopardized further by an employee who cannot respond satisfactorily or quickly because he or she is too fat or out of condition.

Programs emphasizing cardiovascular fitness are relatively easy to establish and administer. The U.S. Forest Service has developed a testing system that is easy to administer and a good indicator of relative cardiovascular fitness. Information about it should be available at any Forest Service facility.

Secondary benefits of a good fitness program are of value both to the individual and to the manager. Persons in good physical condition have fewer injuries and losses. People who are in good health feel good and perform at a higher efficiency level than those who aren't. People who feel good relate better to others and morale in the work unit improves. So does the person-to-person interaction with visitors—a crucial aspect of enforcement work.

### **Conclusion**

The challenges of law enforcement in wilderness settings, while perhaps not greater in number than those in urban settings, are certainly different and more diverse.

The greatest challenge facing us is this: we need to be the same as or better than urban police agencies in terms of professionalism and expertise. But we need to be different by being more sensitive to the distinctive problems of wilderness areas and to the unique expectations of visitors, their levels of consciousness, and the influences on them.

For most of us, there is exceptional satisfaction in knowing we've heightened the quality of visitor experience by routing someone to a little-used but scenic backcountry campsite, while at the same time insuring preservation of the naturalness of the campsite by contributing to his or her understanding of minimum impact camping.

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*Photos provided by National Park Service.*

## State Approach to Park Law Enforcement: Illinois

by Charles L. Tamminga

The Illinois Department of Conservation has the statutory responsibility for a wide variety of public services ranging from the preservation of cultural and natural sites to the enforcement of fish and game codes and civil and criminal law in the state park system. The evolution of its law enforcement program has a long history, much of it of a controversial nature. To understand today's program, it is essential to understand the history of the Department's activities in the area of law enforcement and some of the social and legal issues which were resolved outside the Department which helped to shape its present organization and program.

### History of Conservation & Park Law Enforcement

Since the creation of the Department of Conservation in the 1950s, there has always been an organizational unit known as the Division of Law Enforcement. The principal function of this Division originally was the enforcement of the state's Fish and Game Code. Officers were called "game wardens" and hunting and fishing violations were their principal job-related concerns.

As time went on and the Department assumed more responsibilities, the Division of Law Enforcement was charged with additional duties such as hunter safety training and enforcement of the Boat Registration and Safety Act. Still, the presence of a game warden in a park was indeed a rare thing, unless it was associated with a violation of the Fish and Game Code.

Under Illinois law, during this period all Departmental employees had law enforcement and arrest authority. Theoretically, the secretarial staff of a park could make an arrest for a park violation. Park employees handled their own law enforcement problems and there was a great deal of diversity in the administration of law enforcement from site to site around the state.

This system of law enforcement, which was in effect from the time of the creation of the Department until the early 1970s, was potentially dangerous in



◀ Emphasis is being placed on preventing incidents by adequately informing visitors of rules.

terms of legal ramifications and ambiguous in terms of the visitor's understanding of park rules and regulations.

The effectiveness of law enforcement in our parks was further curbed by the fact that no centralized direction was provided by the Department's higher management staff. There were no training programs for enforcement personnel in parks. The Department chose not to address such issues as the use of firearms, wearing of uniforms, and issuance of equipment associated with enforcement. Each site determined its own programs.

In the early 1970s, the Department began a period of rapid growth. The budget for the Department was more than doubled, staffing increased dramatically, major land acquisition programs began, and a drive to professionalize all aspects of the Department's activity was launched.

The Department's top management turned its attention to its law enforcement program. This was spurred somewhat by rapidly growing attendance at Department sites and the increased interest in the Department and its management due to the environmental movement of the late 1960s.

As attendance and interest increased, so did "people management" problems in the parks. Law enforcement became more important and improperly trained personnel no longer could handle the situation. The courts, law enforcement agencies, and park visitors became more and more critical of law enforcement activities in the parks.



Conservation officers enforce the provisions of the state's Boat Registration and Safety Act.

Complaints, threats of lawsuits, and litigation resulted from charges of improper use of force, false arrest, improper handling of evidence, and illegal search and seizure. Law enforcement in our parks was becoming as much a liability as a service to our visitors.

### Evolution of the Present System

Confronted with a potentially explosive situation, the Department studied its position and developed its present law enforcement organization and program over a period of several

years. The following are the key tenets supporting the present situation:

1. The Department supported legislation which removed arrest authority from all Department personnel. At present only personnel authorized by the Director of the Department have this authority. In an operational context, this is defined as officers of the Division of Law Enforcement. Only one person outside the Division has this authority—the Chief of Special Services in the Bureau of Lands and Historic Sites. This position serves

as the liaison between that Bureau and the Division of Law Enforcement; it is primarily an administrative position.

2. Site superintendents and rangers at parks are considered professional management personnel. Their roles in the preparation of budgets, personnel administration, resource management, administration of interpretive programs, contract administration, grounds management, accounting, public relations, and a variety of other tasks are considered adequate assignments of responsibility.

3. The close proximity of park personnel to a particular park and its "people management" problems can make the reaction of that personnel less than totally objective. For example, the employee who is charged with having the picnic area clean and attractive for weekend users may be less than objective when he views that area and its users on Sunday afternoon. The "crimes" of littering, unauthorized parking on the grass (even though the parking lot may be filled), etc., may be of much greater significance in that employee's eyes than in the eyes of the professional law enforcement officer or the court.

4. The park system cannot afford the staff time required by court appearances. Given the fact that some 220 site superintendents and rangers administer sites that served over 30 million visitors in 1978, we simply cannot afford to have park personnel spending a great amount of time in court.

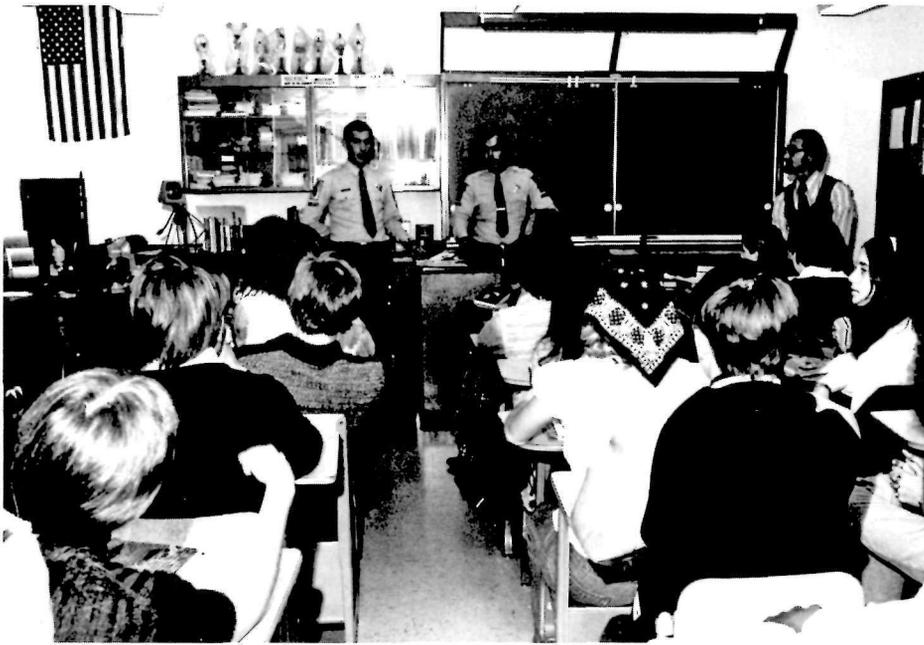
5. In the 1970s, law enforcement has become increasingly complex and technical. Proper procedures and insuring the rights of citizens require a trained professional officer. In 1974, the Illinois General Assembly passed a law requiring a minimum of 240 hours of training for a police officer and creating a Police Training Board to assure compliance from all law enforcement agencies. The Department cannot afford the time or the money to provide this training for all employees.

6. The role of the game warden has changed. The official job title has become "conservation police officer." These officers now enforce the Fish and Game Code, the Boat Safety and Registration Act, the Snowmobile Act, and all rules, regulations, and laws pertaining to the management of Department properties. It is a difficult assignment. Today's conservation police officer begins a career with a fourteen-week training program at the Department's Law Enforcement School. Upon successful completion of this program, the trainee is assigned to nine months as a field trainee before becoming an officer.

### The Situation Today and Looking at Tomorrow

Our present program has been evolving for nearly ten years. It has been studied, criticized, and refined repeatedly. The efficiency and effectiveness of our law enforcement officers and park staffs in providing for the security of our visitors is improving every year. However, the system is not without problems which the Department is being forced to confront. Some of these issues are:

1. There remains some resistance to the system and a desire to return to the "good old days." Any agency which drastically changes its traditional organization and functions faces internal resistance. There are park personnel who resent losing the authority to arrest; similarly there are conservation police officers who prefer being game wardens and not having to deal with speeding, drinking, drug abuse, family disturbances, etc.
2. There are 144 sworn conservation police officers for 202 Department sites comprising 306,000 acres (122,400 ha) of land and water. To this, the responsibility for the Fish and Game Code and enforcement activity on the Illinois and Mississippi Rivers as well as on Lake Michigan must be added. Constituency groups, as well as site superintendents, Department



*Communication and public relations remain an important part of the Conservation Officer's job.*

wildlife biologists, fish biologists, and foresters, all argue that they don't get their fair share of time and attention from officers.

3. Unionization of officers, park rangers, and night watchmen and employee benefits given to command and management personnel have cut back on the utilization of personnel to some extent.
4. Training of park staffs without arrest authority has been deficient in the area of providing security to visitors.

### **Meeting these Challenges**

Time will solve the problem of internal resistance to a great extent. The majority of present site superintendents do not want arrest powers. There is a legitimate concern, however, that law enforcement activity and coverage is not adequate. The most basic issue behind this concern is response time to a call for assistance. The Department is attempting to solve this problem in a number of ways:

1. Radio communications systems are being improved. Better communications systems with local and state police are being developed.
2. Officers are being provided office space at sites whenever possible.
3. A concerted effort is being made to get a better response from sheriffs' departments and local police. The

Department is supporting a bill in the General Assembly to provide financial incentives to county and local police agencies who will assist in park law enforcement.

The issue of the number of officers is more difficult. In my experience, I have never heard of an over-staffed law enforcement agency. The Department and its constituency groups must "sell" the General Assembly and Governor on the idea that we face a critical staffing problem both in terms of our conservation police officers and our park security staffs.

The feasibility of having a separate Park Police Division to address the special needs of our parks and visitors has been discussed. While this may well be desirable, it is unfeasible at this time given the budgetary limitations which we face.

Unionization and employee benefits will be dealt with over time and should have no long-term negative effect except that they make our programs cost more and aggravate overall economic issues.

### **People Management Training**

Finally, the Bureau of Lands and Historic Sites has begun a major training effort for park staffs to handle "people management" problems at our sites.

In March of 1979, 70 site superintendents attended an intensive one-week training program on human relations in cooperation with the National Park Service. Sessions dealing with communications with minorities,

young people, and the hostile visitor, as well as public relations, image building, and a variety of other subjects attempted to provide site superintendents with tools for dealing more effectively with the public.

Night watchmen have been provided with training in radio security and accident reporting procedures.

More attention is being directed to the prevention of incidents as opposed to the response to them. A site inspection program has been initiated by the Chief of Special Services. He frequently visits sites with representatives of the Division of Law Enforcement. The goal of this program is to minimize the probability of incidents requiring law enforcement assistance. Park closing hours are being examined and enforced. Control stations are being built at campgrounds to better monitor and control access and activities. Patrol procedures are being reviewed and revised.

### **Conclusion**

Great changes have occurred in the past ten years—most of them for the good. While the present system has its flaws and shortcomings, it works and it will continue to improve. Additional funding is a great need and adequate additional funding may make greater specialization of the law enforcement function desirable.

Given the current situation, law enforcement in our parks is working as well as can be expected. However, we must continue to address the problems we encounter and remain flexible in implementing more effective means of providing this vital visitor service. Also, given the nature of our business, it is essential that more attention be paid to ways of minimizing the need for law enforcement personnel and activity, through the development and maintenance of our facilities, the programs offered at those facilities, and the way the park staffs "handle" the public. This will be the goal of our activities in the near future.

*Charles L. Tamminga is Associate Director of the Bureau of Lands & Historic Sites in the Illinois Department of Conservation.*

*Photos provided by IL Dept. of Conservation.*

## State Approach: Arkansas

by Richard W. Davies and  
Tyler Hardeman

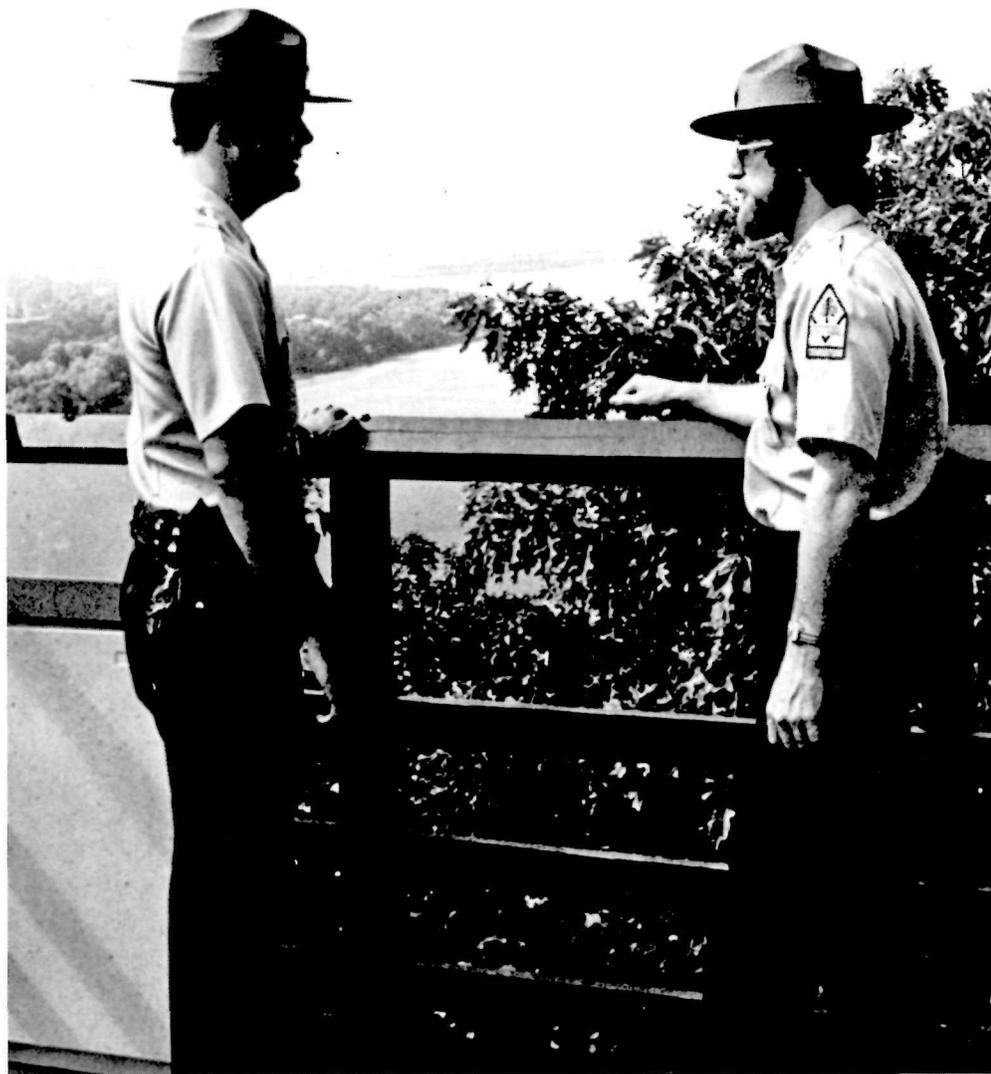
Protection of the resource is the key to any position in the Arkansas State Parks System. Law enforcement is seen as a natural outgrowth of this concept. The Arkansas State Parks System's mandate, "to manage, interpret, protect, and maintain" the lands and facilities which are included in the system, quite naturally should include the law enforcement aspect of park management.

The system's concept of a pyramid consisting of the resource, the people, and the management of both is the cornerstone of the Arkansas State Parks Division's programs and philosophy.

Since the system trains park *managers*, rather than rangers, the state's approach has been recognized nationally. Every uniformed park employee is considered part of the park management team, and should be able to step in and help in any area of park management. Since naturalists, rangers, and assistant superintendents may be promoted to superintendents within the system, it is possible to obtain management-level personnel who have a broad knowledge of all duties and responsibilities within the park program. All uniformed state park personnel receive law enforcement familiarization during their annual training sessions.

The purpose of all law enforcement efforts is to educate park visitors in order to obtain voluntary compliance with park rules and regulations. Violators of park regulations are handled in the most effective but least offensive manner. The following means of making corrections are used by naturalists and assistant superintendents as well as rangers:

1. *Verbal Contact*—Education of violator, gaining compliance through explaining the regulations and the purposes they serve.
2. *Verbal Warning*—For immediate correction of a situation, indicating more serious action if the violation is repeated.
3. *Written Warning*—A courtesy reminder for the visitor that, should this violation be repeated, court action may be necessary.



*The duties of rangers and naturalists, as well as their uniforms, blend into a unified park program.*

Beyond these levels of enforcement, actions on more serious violations or crimes become the responsibility of the park ranger or park superintendent only. People in these two positions have the authority to:

1. *Issue Citations*—An invitation to appear in court to answer the charges stated on the citation. This may require the posting of an appearance bond by the violator.
2. *Physical Arrest*—Taking into custody of a violator or criminal resulting in the posting of an appearance bond or incarceration of the individual.

Determination of the seriousness of a violation and the lowest effective level of enforcement must be made by the person at the scene. In marginal situations, where two possible responses seem appropriate, our guideline is to use the lower of the two levels, keeping in mind that the purpose is to correct the immediate violation and prevent its recurrence, not to punish the violator.

### Evolution of Law Enforcement Approach

Although the authority to maintain law and order in the Arkansas state parks has existed as a function of the Parks Division since 1937, it is only recently that security has become an integral part of park management programs. In 1967, and again in 1971, state legislative acts reaffirmed the law enforcement role for all state government agencies, giving them the authority to perform police functions within the properties they administer.

While park superintendents always have exercised full law enforcement authority where necessary, it was not until 1973 that a full-time ranger, with the primary duty of law enforcement, was hired by the division. His training took place at the Arkansas State Police Academy, and he was issued a firearm



- 1) Ranger applies some of his first aid expertise to a valued park visitor.
- 2) Resource and visitor protection responsibilities of rangers vary from the security of facilities to the apprehension of suspects.
- 3) Knowledgeable about all aspects of the park, this ranger discusses a mountain hike with young visitors.
- 4) Although primarily concerned with law enforcement, rangers also assist in equipment maintenance.

1)

which he wore "when needed" and at night. In 1967, due to rapid expansion within the parks system and the growing need for prevention of vandalism, theft, and other law enforcement problems, the division's policy was changed so that firearms were worn as a standard part of all ranger uniforms.

Today, the Arkansas State Parks System employs twelve rangers at eleven of its parks. They represent a small but vital force within the 1,000-person staff. The parks which receive allocations for ranger positions are determined by analysis of revenues, acreage, facilities, visitation, and the history of past problems. Incident reports, maintained on a regular basis, indicate what kind of problems are occurring and where the need is greatest.

One problem that had surfaced by 1976 was the fact that state park personnel who had received police academy training tended to become overly law enforcement oriented. They began to think as policemen rather than as parks people. The State Parks Division administration felt it was crucial to remind rangers of the total picture to insure that they remained firmly committed to state park goals and objectives. In-service training was given new priority.

#### Training for Superintendents

Since law enforcement is an integral part of the park superintendent's duties in addition to his other administrative responsibilities, special efforts have been

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made to remind the superintendents of its importance. The potential liability of the State Parks Division resulting from false arrests and other police misconduct has been stressed repeatedly to park superintendents.

During 1976, for the first time, a two-week law enforcement training session for all superintendents was conducted by park rangers. The session emphasized the importance of preventive law enforcement and the advisability of coordination with other law enforcement officials on the local and state levels. The session was so successful that it has become a regularly scheduled event.

#### Low-Profile Enforcement by Rangers

The Arkansas system of training now attempts to instill the concept that the ranger's primary function lies in the area of protection. The rangers are in the park, first and foremost, to protect the facility and its visitors, not to punish offenders. A recent training session, in which personnel from the National Park Service served as instructors for the Arkansas State Parks System employees, proved to be an outstanding success. Held in April of this year, the session placed heavy emphasis on the protection aspect of law enforcement training.

Rangers are encouraged to maintain a low profile. Their uniform is no different from that worn by other park officials with the exception that a weapon is part

of the ranger's standard equipment and is with him at all times while on duty. The need for a friendly, positive, cooperative attitude, as well as comprehensive knowledge of the park, its facilities, and its ecology makes the ranger an attractive addition to the park rather than a threatening presence.

Fewer rangers are needed because rangers are transferred within the system to assist with special events taking place at various parks. During the Arkansas Folk Festival at Mountain View, for instance, rangers from other parks in the system supplement the regular ranger at the Ozark Folk Center and assist local authorities in maintaining security during the popular event. The festival has drawn crowds of 100,000 and the cooperation of the park personnel has proved invaluable to the county Sheriff's Department and the State Police.

From time to time, rangers even may be asked to fill in temporarily as superintendents at other parks when an unexpected vacancy occurs. This kind of experience is vital to the growth of the individual, and it contributes to a stronger system overall.

#### Reaction to Enforcement Approach

When the Arkansas State Parks System started to emphasize law enforcement, some feared that the general populace would consider the parks to be armed camps, isolated from the fabric of the total community. Because of the management emphasis on friendliness, cooperation, and comprehensive awareness of the park programs, quite the contrary situation prevails. The response to the law enforcement program within the state parks has been extremely supportive. Visitors to the parks have been pleased and reassured by the presence of the rangers. They are happy, too, to learn that the park superintendents have received law enforcement training.

*Richard W. Davies is Director of the State Parks Division, and Tyler Hardeman, Travel Editor of the Tourism Division, of the Arkansas Department of Parks and Tourism.*

*Photos provided by AR Dept. of Parks & Tourism.*

## State Approach: New York

by Charles F. Hurley

The New York State park system is one of extraordinary diversity. Its park types cover a wide spectrum—day use, camping, cultural, resort, marine, historic, and nature preserves. Park locations range from isolated rural sections to major urban areas.

Among the system's 147 parks are traditional facilities that cater to campers, swimmers, and picnickers; mini-parks and trails along the Erie Canal; and a number of rather unique parks. These include Artpark, near Buffalo, the only state park devoted to performing and visual arts; Jones Beach, which attracts more than 200,000 people on some days; Roberto Clemente State Park, a unique cooperative venture in the Bronx; the 60,000-acre (24,000 ha), wooded Allegheny State Park; Niagara Falls Reservation, one of the world's most popular tourist spots; and the Saratoga Performing Arts Center in Saratoga Spa State Park, where visitors may enjoy summer performances by the New York City Ballet, the Philadelphia Orchestra, and a variety of big-name rock groups and entertainers.

All of these parks, plus 34 historic sites, are operated and managed by the New York State Office of Parks and Recreation (OPR). An additional responsibility of this agency has been the police patrol of 260 miles (416 km) of parkways on Long Island, the Palisades/Bear Mountain area, and the Niagara Falls and Lake Ontario sections. Many of these parkways, constructed years ago, have become heavily-traveled commuter routes that require 24-hour-a-day, year-round police patrols. Recently, the New York State Legislature transferred this parkway patrol to the New York State Police, effective in 1980. OPR hopes this administrative change will allow park police officers to concentrate their efforts on protecting people and property in the parks rather than on patrolling parkways.

One might ask how OPR coordinates a professional law enforcement program with such an extraordinary diversity of facilities. The answer is not simple; it includes a functional management structure, a recent management study, in-service training seminars, establishment of a "Park and Recreation



*Park and Recreation Assistants help solicit voluntary public observance of park rules.*

Assistant" title, and introduction of the "threshold of tolerance" concept. The agency's primary goal of providing a pleasant and safe recreation experience for all state park visitors is achieved in great measure because of its well trained and dedicated park police officers.

### OPR Management Structure

There are 11 regions within OPR; the 12th region—the Adirondack and Catskill Park—is administered by the Department of Environmental Conservation. A regional administrator or general manager, reporting to the Commissioner of the State Office of Parks and Recreation, is in charge of all regional operations and security. Each region has a park police force, varying in size from 5 to 210 officers, and is under the direction of a commanding officer whose rank varies from sergeant in the smaller regions to chief in the largest. The commanding officer reports directly to the regional administrator or general manager. The agency's Director of Law Enforcement serves on the Commissioner's main office staff and acts as advisor/consultant on police matters.

Regional state park police officers are empowered under the New York State Criminal Procedure Law to have the same authority and arrest powers as

state troopers or municipal police officers. Although park police officers can exercise this legal authority anywhere in the state, their efforts are concentrated almost entirely in the parks and the parkways. They will respond, of course, to local police emergencies and assist other departments. Each regional park police force monitors the radio frequencies of nearby police jurisdictions for the purpose of mutual aid.

The park police officer wears a solid gray uniform with a tan stetson hat, carries a .38 Special revolver, and drives in a marked police car (equipped with siren, strobe lights on the roof, and first aid equipment). Many patrol cars are outfitted with additional equipment, such as items to effect gorge or water rescues. Each year, park police officers perform courageous rescues when visitors fall into the deep gorges and rivers.

All park police officers take competitive Civil Service examinations to qualify and appointments are made from eligibility lists. Among the duties of park police officers are the patrol of state parks and various recreational facilities; enforcing laws and park ordinances; giving assistance, information, and protection to the public; and safeguarding public and private property.



*Graduate of in-service training course in law enforcement receives congratulations from Commissioner Orin Lehman and Charles Hurley.*

### **Law Enforcement Philosophy**

The New York State Office of Parks and Recreation has a philosophy of "low-key" law enforcement; park police officers are taught that low-key law enforcement is an *attitude*. Violations by visitors initially are assumed to have occurred due to lack of understanding or misinformation; therefore, if possible, the agency employee first warns violators in a tactful and friendly manner. In cases where a visitor persists in violating a park regulation after having been warned, or when the safety of others is in jeopardy, appropriate law enforcement action commensurate with the violation is taken fairly and firmly. Enforcement activity in the park system uses education and information to create voluntary compliance with rules and regulations.

The principal purpose of park regulations, in addition to protecting and maintaining natural resources, is to preserve the peace and maintain public order in the parks. Periodically, all personnel of OPR are reminded that park patrons are assumed to be law abiding until their actions prove otherwise. Orin Lehman, the Commissioner of Parks and Recreation, has directed employees,

including park police officers, to tactfully assist visitors. A sincere interest in people, coupled with courtesy, understanding, and patience is a prerequisite for all personnel of the agency.

### **Management Study of Law Enforcement and Security Requirements**

In 1977, a comprehensive management study of law enforcement and security requirements of the Office of Parks and Recreation was submitted by the consulting firm of Cresap, McCormick and Paget, Inc. The study recommended that OPR continue to "maintain an independent security force," rather than rely upon outside agencies.

Several recommendations for improvement were submitted and many have been implemented. Major recommendations were:

- Transfer the policing of the major commuter parkways on Long Island to the State Police.
- Redirect and limit the scope of park police responsibilities.
- Restructure existing forces, adjusting the mix of police and non-police personnel, and the mix of permanent and part-time employees, to more accurately and economically respond to prevalent patterns of need for security services.

While these recommendations and other suggestions presented a challenge of considerable magnitude, management is confident that the changes completed and those being implemented best serve the public.

### **Training of Park Police Officers**

Park police officers have completed the basic training course mandated for all police officers in New York State. Many also have attended other specialized schools or courses on such topics as traffic safety enforcement and accident investigation, breath test operations, ethical awareness, firearms, drug enforcement, police management, and public relations.

In addition, last year, a series of specialized in-service seminars, titled "Law Enforcement in Parks—A Unique Profession," was conducted by the National Park Service and OPR under a

\$39,000 grant from the Law Enforcement Assistance Administration. More than 120 park police officers and management staff participated in these seminars. The purpose was to enhance our capability of handling the unique policing problems in our state parks.

Participants discussed ways of communicating with the large numbers of park visitors of varying ages, races, and economic backgrounds. Course components included the agency's enforcement principles and philosophy; human relations; Park Service techniques in urban, suburban, and rural areas; planning and conducting proper safety programs and rescue work; special techniques for handling children, the elderly, infirmed, and handicapped; special operations at beaches and pools, camp areas, winter sports, and special events.

### **Park and Recreation Assistant Position**

In 1976, a New York State law mandated minimal basic training for all seasonal park police officers. Most seasonal police staff did not have this training, so a new non-police officer position, titled "Park and Recreation Assistant" (PRA), was created. The summer seasonal police officer position was then phased out.

The role of the PRA is to solicit voluntary public observance of the park rules and to aid park visitors in their use and enjoyment of park facilities. The PRA wears a distinctive green uniform and summer stetson hat, and is in radio contact with the park office. These employees, who report to park superintendents, are trained in emergency medical procedures, traffic control, public relations, and park rules and regulations.

In place of the summer seasonal police staff, which numbered over 400 in years past, during the busy summer season the agency now employs a small part-time police officer staff in all regions to supplement permanent park police staff. These part-time officers are fully trained and certified pursuant to New York State law and provide much needed assistance to the permanent police staff of over four hundred officers during irregular busy periods such as weekends and holidays.



*Park police officer makes friends with young visitors.*

### Seasonality of Patron Visitation Patterns

The seasonality or pattern of visitation and patron demographics were noted in the Cresap study as having important implications for security needs. More than 40 million patrons visit the New York State parks each year. An analysis of visitation figures provides important management information:

- The three largest regions account for over 70 percent of visitors.
- Visitation rates are highly seasonable and concentrated in the summer months.
- Nearly half of the visitation is during the months of July and August and nearly 70 percent of attendance occurs during the four-month period from May to Labor Day.
- An extreme example of a difference in monthly attendance occurs in one upstate region where there are about 7,500 visitors each month between November and April and over 500,000 visitors per month in July and August.

About one-half of all attendance in the park system during the busy season is on weekends; about 40 percent of the attendance in camping areas is likewise on weekends. Agency staff is aggressively expanding winter activity programs in all areas. Independent studies have indicated that the rate of law enforcement

incidents (measured uniformly on a per-capita basis) increases dramatically as population density grows. Thus, the impact of the seasonality on OPR security requirements is magnified further by the differences in density of park use.

### Patron Demographics

Of all the factors affecting security needs in parks, the single most important one is the demographic characteristics of its patrons. As in all park systems, the vast majority of our patrons of all backgrounds create only minimal needs for police service beyond traffic control or emergency medical assistance. The bulk of the security workload and need is created by a small percentage of park patrons estimated at less than ten percent of the total, perhaps only about five percent.

In recent years, the agency has expanded its services to provide recreational opportunities to all citizens. Because of this emphasis, security has become more complex.

It is obvious that security needs must be assessed park by park. There are parks where most visitors are family groups drawn by cultural interests; other parks attract large numbers of unsupervised younger patrons; and still others draw busloads of tour groups. Thus, the need for police services varies drastically.

Law enforcement activity is also important in parks with campsites. Some are, in effect, small cities,

populated with residents of different (and frequently clashing) interests. Family campers, for example, might be offended by neighbors who constantly play loud music into the wee hours of the morning.

While there has never been any desire on the part of management to increase the number of arrests in parks, it is interesting to evaluate the information reflected in arrests made and summonses issued by park police. Relatively few major crimes occur in parks; the vast majority of all arrests are for Vehicle and Traffic Code violations.

### Threshold of Tolerance

Following one of the recommendations in the Cresap study, OPR has attempted to establish, park by park, a threshold of tolerance ("limits which must be placed on individual visitor behavior to maintain an atmosphere conducive to maximum patron enjoyment and beyond which official intervention is both warranted and necessary"). This threshold varies substantially according to park activity and patron demographics.

Our goal is to protect all park visitors from the small number of patrons who refuse to adhere to the threshold of tolerance for that particular area. For instance, certain behavior which would be tolerated at a beach used principally by youthful patrons would prove to be intolerable at a cultural event. Each park attempts to maintain its particular threshold with the proper mix of highly visible police officers and PRAs.

Commissioner Lehman states, "Parks are for people," and more importantly, "parks are good for people." With the assistance of its dedicated park police officers, OPR will continue to provide adequate protection and emergency assistance so park visitors can enjoy necessary and pleasant recreational experiences.

*Charles F. Hurley is the Director of Law Enforcement of the New York State Office of Parks and Recreation. He is a retired Special Agent of the Federal Bureau of Investigation.*

*Photos provided by NYS Parks & Recreation.*

## U. S. Park Police Meet Urban Challenges

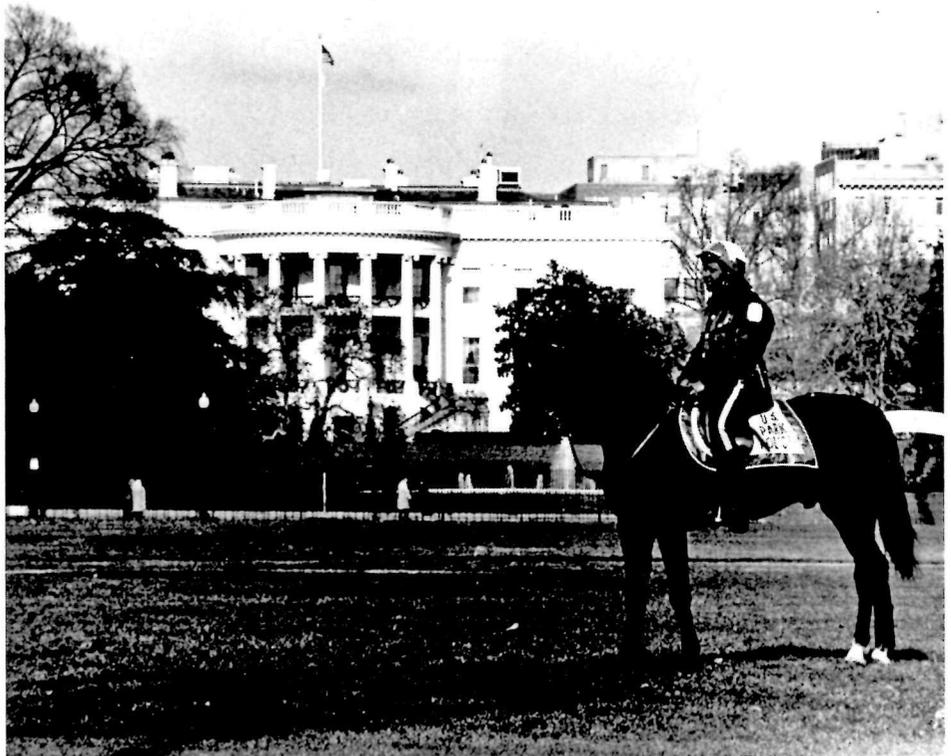
by Captain Robert E. Langston

The United States Park Police, administered by the National Park Service, U.S. Department of the Interior, provides law enforcement services to millions of residents and park visitors throughout urban national parks in Washington, DC, New York City, and San Francisco. Created by a Board of Commissioners established by President George Washington in 1791, it is one of the oldest law enforcement agencies in the nation. The force, 650 officers strong, is the main law enforcement agency for the parks in the National Capital Region of metropolitan Washington, DC. Its officers are familiar figures to the millions of residents of this urban area and also to the millions of yearly visitors.

Among its many responsibilities, the force provides police service to the numerous outdoor events that attract large crowds in the nation's Capital: the National Cherry Blossom Festival, the Independence Day Celebration, the President's Cup Regatta, Presidential Inaugurals, and many other special events. Frequently, large demonstrations on the Washington Monument grounds and around the White House attract hundreds of thousands of demonstrators, which requires expert police services in connection with visitor protection, crowd control, and traffic supervision. Two such recent demonstrations included the Farmers' March on Washington and the Anti-Nuclear protest.

### Expanded Urban Responsibilities

The U.S. Park Police shares responsibility with other federal agencies for the security and protection of the President and foreign dignitaries in the Washington, DC area. The White House is surrounded by parks for which the force is responsible. Recently the force has expanded to provide law enforcement services to the newly established urban park areas at Golden Gate National Recreation Area in San Francisco, California and Gateway National Recreation Area in New York City and nearby New Jersey. Additionally, from time to time, the force provides law enforcement assistance to rangers in various national parks when large, potentially dangerous situations have stretched the local park's resources.



*One of the nation's oldest law enforcement agencies, the United States Park Police is responsible for protecting the National Capital Region of metropolitan Washington, DC.*

The Park Police experience in handling the large demonstrations so frequently encountered in the politically sensitive Washington area has been utilized in many of the larger national parks that occasionally develop urban park problems. Force members have seen temporary duty stations in such parks as Yosemite, Yellowstone, Death Valley, Rocky Mountain, Zion, Mount Rushmore, and Blue Ridge Parkway, to name a few. In addition, criminal investigators see temporary duty outside of the Washington, DC area when park managers encounter extraordinary criminal activities within their parks. Specially equipped tactical teams are dispatched throughout the country to confront hostage takers, snipers, and such incidents as the capturing of the Statue of Liberty by political demonstrators.

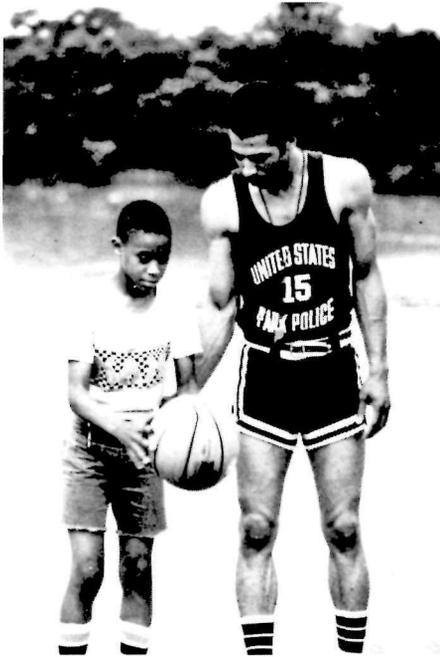
Due to the wide variety of conditions under which the force is required to operate, it is among the most versatile police organizations in the nation. Jurisdictional responsibilities range from patrolling heavily visited urban park areas to undisturbed natural woodlands.

Policing of these areas is accomplished by the use of horse-mounted officers, motorcycles, scooters, helicopters, boats, dogs, and foot patrols. Parks in urban areas require a specially sensitive type of police officer who is able to adapt readily to the needs of the park visitor, and on

the other hand, act firmly but with courtesy to those who attempt to violate the law. Officers must easily adapt from dealing with hard-core criminals to assisting people in need.

### Intensive Training

United States Park Police is recognized as one of the finest police forces in the United States. This is the result of the selection process, training, and high standards of the force. To be selected for appointment, an applicant must pass a tough written test, an extensive physical examination, a thorough investigation, and finally, an oral interview. If appointed, the new recruit attends 12 weeks of training at the Federal Law Enforcement Training Center, in Brunswick, Georgia. Courses there are designed to equip all federal law enforcement officers to provide a wide range of police services. Upon graduation from the basic academy, the officer then enters the U.S. Park Police specialized training school. This additional four weeks of training, conducted by force training staff, further prepares new recruits to perform as effective U.S. Park Police officers. Upon completing this specialized school, the officer is assigned to a seasoned officer for 12 weeks of



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training in the field. After successful completion of this phase, the new officer then enters into the rookie phase and joins other officers in regular tours of duty.

### Community Relations

The force has placed special emphasis in the area of community relations. It sponsors special olympic programs and other activities in which officers and the community join together in a positive and a constructive relationship. Additionally, juvenile officers work closely with juvenile authorities and the courts in helping youthful offenders

redirect their activities into a more positive and useful area.

The Community Relations Unit became a reality in 1977 when it was established by Chief Jerry L. Wells who believes the force is an integral part of the various communities which we serve. One of the most successful efforts was a program of environmental education and vandalism prevention implemented in the Kenilworth area of Washington, DC. This program, known as "KOPS" (Keepers of Park Service), was initiated to expose inner-city youth to park areas outside of those normally visited, and to demonstrate better utilization of neighborhood park facilities.

The "KOPS" program has as its major goal increased self-awareness and community pride for its participants.

- 1) *The force sponsors special olympic programs and other community relations activities.*
- 2) *Helicopters are used for police patrols, search and rescue, observation of large demonstrations, aerial photography, and medivac emergency air ambulance service.*
- 3) *The K-9 Unit is specially trained in explosive detection and tracking.*
- 4) *The Motorcycle Unit performs extensive traffic patrol duties in crowded urban areas.*

## Background of the U. S. Park Police

by Major Jack M. Sands

### Helicopters and Horses

The Aviation Unit of the Park Police currently operates two five-passenger Bell Jet Rangers helicopters. This unit, established in Washington, DC, assists in providing aerial patrols over the 46,000 acres (1,840 ha) of national park lands in the Washington metropolitan area, along with the hundreds of miles of parkway, roads, and trails utilized by the park visitors. Helicopters are used for police patrols, search and rescue work, observation of large demonstrations, aerial photography, and medivac emergency air ambulance service. The helicopters, along with their emergency medical technicians, are credited with having saved hundreds of lives.

The United States Park Police Horse-Mounted Unit, organized in the early 1930s, primarily is responsible for patrolling large areas of woodlands that are inaccessible by conventional methods of patrol. Horse-mounted units are also utilized in crowd control and the handling of large demonstrations. Horse-mounted units also make excellent patrols in areas of the national memorials while providing good public relations and valuable assistance to park visitors.

### K-9 Unit

The U.S. Park Police K-9 Unit was established in 1957. The force was the first police department in the Washington, DC area to utilize service dogs. Six officers and German Shepherds are trained in explosive detection and tracking. Because of its excellent reputation, one such K-9 unit team was detailed to the British Government for protection of the Queen while she was visiting Bermuda. For the U.S. Park Police this was indeed an honor!

Officers assigned to the Motorcycle Unit perform extensive traffic patrol duties in the highly congested visitation area of the nation's Capital. In addition, these officers provide motorcycle escorts for the President and visiting dignitaries.

*Captain Robert E. Langston is District Commander of the United States Park Police Central District in the National Capital Region of the National Park Service.*

*Photos provided by U.S. Park Police.*

The United States Park Police, known as Park Watchmen prior to 1919, have been continuously on duty in the older federal parks of the nation's Capital since 1791. On January 22, 1791, President George Washington appointed three Federal Commissioners, Daniel Carroll, David Stuart, and Thomas Johnson, who were instructed to implement the plans of the Federal City as designed by Major Pierre L'Enfant. They acquired a total of 17 reservations consisting of 540 acres (216 ha) to be maintained and protected for the enjoyment of the public. Reservation One was designated as the location of the President's House. The house was not complete in November, 1800, when President and Mrs. John Adams occupied it. The Watchmen assigned to the President's House were responsible for the care of the grounds as well as providing a patrol at night.

In 1801, the Commissioners appointed John Golding as the Watchman for the Capitol Building with a salary of \$371.75 per year. On June 14, 1802, the Park Watch Force became the responsibility of Thomas Munroe. He was appointed by the President to be the Superintendent of Public Buildings, succeeding the Federal Commissioners.

After the War of 1812, a Special Board of Commissioners was established to repair the public buildings burned by the British in 1814. These Commissioners controlled the Park Watch until the buildings were repaired in 1818.

In 1818, the office of the Commissioner of Public Buildings was established and charged with the care, maintenance, and improvement of the Capitol, the President's House, the public grounds, and the appointment of the watchmen for these properties. In 1867, the Commissioner's office was abolished and the Park Watch was transferred to the Corps of Engineers, United States Army. The force remained under the control of the Corps of Engineers for 58 years. In 1925, the Force was transferred to the Department of the Interior, where it has remained.

*Portions of this historic background were taken from the 1975 U.S. Park Police Annual Report and from the Department of the Interior's contributing chapter to the Attorney General's Biennial Report on Law Enforcement, July 15, 1977.*



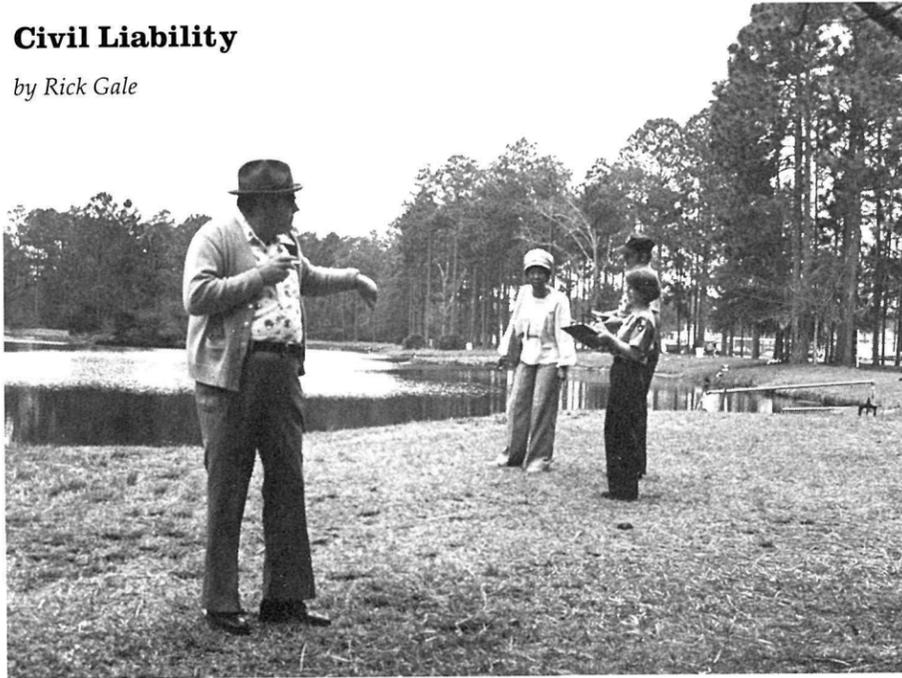
*Park Watchman in summer uniform, on duty in 1904.*

*Major Jack M. Sands is a U.S. Park Police officer presently assigned to Gateway National Recreation Area (NY, NJ).*

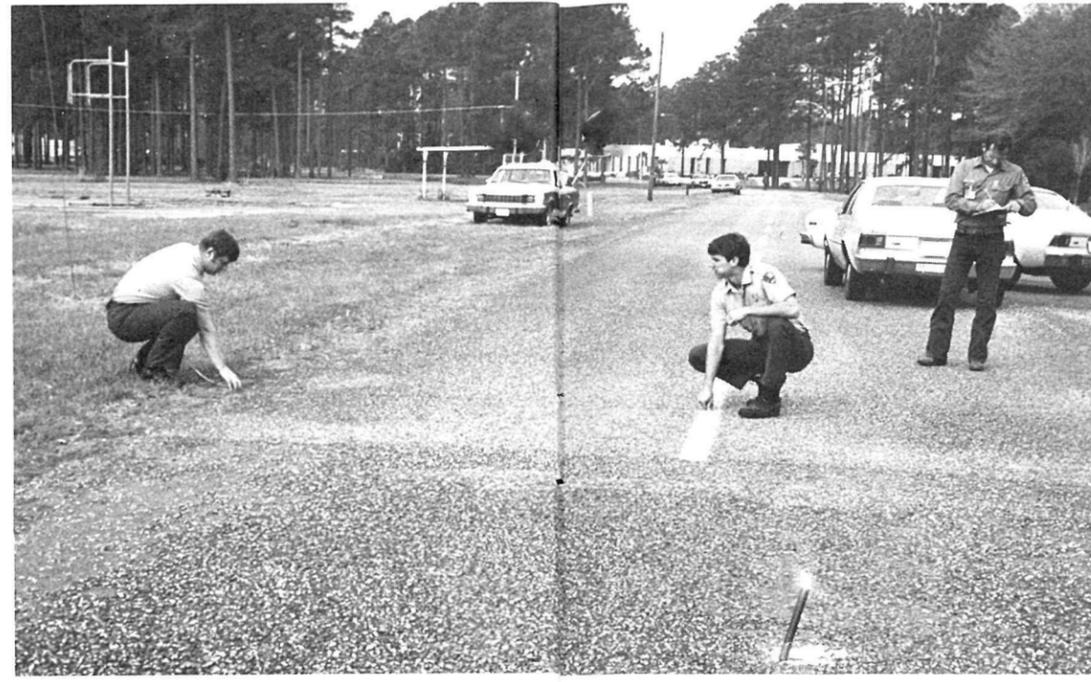
*Photo provided by National Archives.*

## Civil Liability

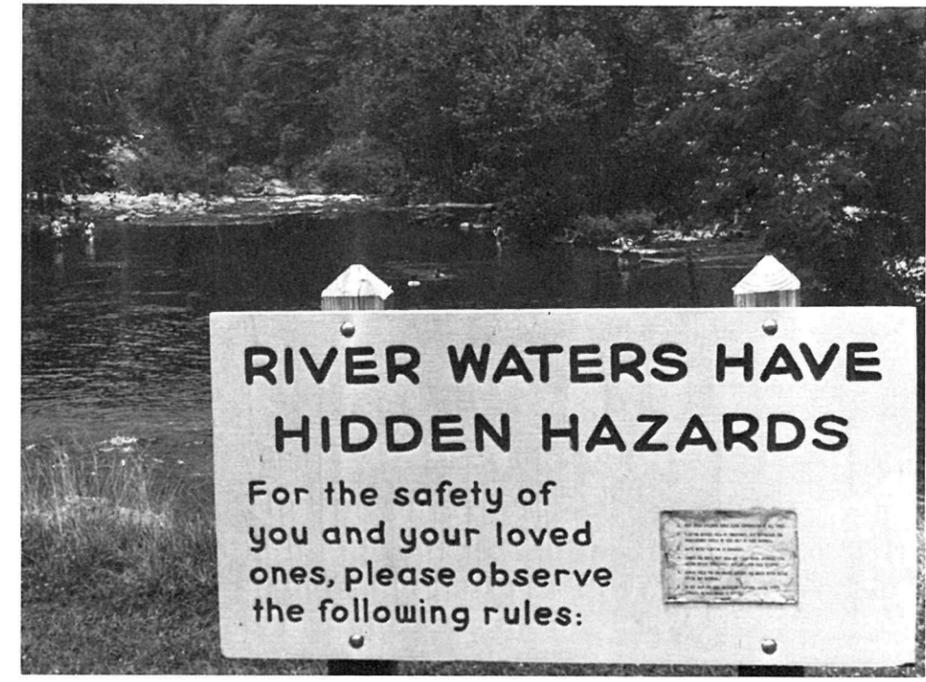
by Rick Gale



Take statements from all involved, witnesses as well as principals.



Tort investigation should concentrate on evidence that can be easily destroyed or altered.



Failure of visitors to heed signs like this gives rise to the concept of contributory negligence.

Possibly no one aspect of park and recreation area management is filled with more potential for disaster than that involving civil liability. Certainly the present attitude of many people that they have an inherent right to legal redress if anyone or anything interferes with them or their enjoyment of life has brought civil liability to the attention of many park managers.

What constitutes civil liability? Civil liability usually is based on a tort action. A tort is defined as a breach of duty owed to another, not arising from a contractual relationship. There are three elements necessary in every tort action to enable the defendant to gain relief: existence of a duty owed to another, a breach of that duty, and damage or injury as a result of that breach of duty.

### Negligence

The majority of governmental tort liability cases are caused by negligence. Negligence is defined as the failure to do something which a reasonable and prudent man would do, or the doing of something which a reasonable and prudent person would not do. Negligence cases can be grouped into three broad categories; those involving malfeasance, misfeasance, and nonfeasance.

*Malfeasance* cases would be those wherein the breach of duty that caused injury or damage was unlawful. Stated another way, malfeasance cases could be called those wherein damage or injury occurs as a result of a criminal action, such as destruction of the property of one person caused by the arson of another individual, or the injury of an individual caused by a drunken driver.

*Misfeasance* is the improper performance of some action which an individual can do lawfully. Misfeasance implies a direct action which results in harm to another or damage to another's property. Typically, misfeasance cases would include those where the improper use of equipment resulted in injury or property damage.

*Nonfeasance* is the omission of some act which ought to be performed, or the failure to take some action that should be taken.

Examples of nonfeasance would be the failure to patch roads in a timely fashion resulting in tire failure to a visitor's vehicle, or the failure to correct a broken step resulting in injury to another. Nonfeasance cases constitute the biggest negligence problems to government entities. They form the bulk of the civil liability tort actions against governmental entities, and essentially, all of them are preventable.

### Reasonableness

Civil liability tort actions and the resulting adjudication for either the plaintiff or defendant hinges on the degree of reasonableness used by the agency or its employees. Reasonableness is not a fact of law but is more a result of the human thought process. It is what is fit and appropriate to the end result.

The key to reasonable and prudent action is the ability to foresee danger from the situation at hand. If reasonable and prudent persons could foresee danger to themselves or to their property and injury or damage resulted from some action on their part, then they become careless and no negligence results to the governmental entity. On the other hand, if a reasonable person could not foresee danger and injury or damage results, then some form of negligence might be proven. The normal situation in civil liability tort actions in parks and recreation areas is not so much that someone ignores a danger but more likely that he or she fails to perceive the danger.

It is also a fact that what is reasonable and prudent to one individual may not be

so to the next person. And what is reasonable and prudent to an individual in one set of circumstances may not be so in the next chain of events.

### Contributory Negligence

While it is clear that parks and recreation areas must use reasonable care in providing facilities and services for visitors, it is equally clear that park visitors must also use reasonable care to protect themselves and their property just as they would in their everyday surroundings. Their failure to do so gives rise to the concept of contributory negligence.

Contributory negligence occurs when, in the instances being discussed here, a park visitor, by his or her actions or omissions, adds to or compounds the negligence on the part of the governmental entity involved and, as a result, is the proximate cause of the injury or damage. Contributory negligence implies a misconduct or the doing of an imprudent or unreasonable act by the plaintiff resulting in injury or damage.

Contributory negligence does not mean that the defendant was not also negligent; it means that both parties (plaintiff and defendant or park visitor and government) were negligent.

An example of a contributory negligence civil liability tort action would be a vehicle with a broken tire and shock absorber caused by a potholed roadway surface and excessive speed. Both the government, by a failure to patch a known hazardous road surface, and the visitor, by driving at a speed in excess of safe conditions, did not act as reasonable and prudent persons; the damage occurred as a result of negligence by both parties.

### Tort Investigations

Despite the best intentions of parks and recreation areas, civil liability tort actions do arise. What actions are necessary once a potential tort claim incident occurs?

Obviously, a good thorough investigation is needed. This investigation should immediately concentrate on evidence which will be easily destroyed or altered over time. Also concentrate the early investigation on obtaining statements from those individuals who may live far away from the scene and would be difficult to contact later. Obtain statements from all involved, witnesses as well as principals.

Good quality, reproducible photographs as well as diagrams, sketches, and accurate measurements are mandatory parts of the investigative

report. Weather conditions and a description of the area or facility are also important. Describe the extent of physical injury or property damage.

Record any spontaneous, voluntary statements made by witnesses or principals and describe the physical condition of the individuals involved. A point that is often overlooked is to record whether a law or regulation has been violated. Finally, the report should be factual. No conclusions should be drawn, particularly regarding fault or responsibility.

In summary, accidents will occur and some will result in civil liability to parks and recreation areas. From the legal standpoint, the key points for park managers regarding civil liability are a good understanding of basic tort law and the ability to conduct a thorough, in-depth tort investigation.

*Rick Gale has been the North Rim Unit Manager in Grand Canyon National Park (AZ) since 1973. Prior to this assignment, he served as Assistant Chief Park Ranger, Lake Mead National Recreation Area (AZ, NV) where he also was the Tort Claims Officer. Mr. Gale has instructed the civil liability portion of training sessions at the National Park Service's Horace M. Albright Training Center since 1974.*

*Photos provided by National Park Service.*

## Are Park Managers Part of the Problem?

by John Harris, Ph.D.

The management of park areas has become quite complex, largely due to the number and the diversity of people recreating there. In any park area, increasing participation inevitably increases illegal or abusive behavior. This article focuses on management actions that may help decrease illegal behavior.

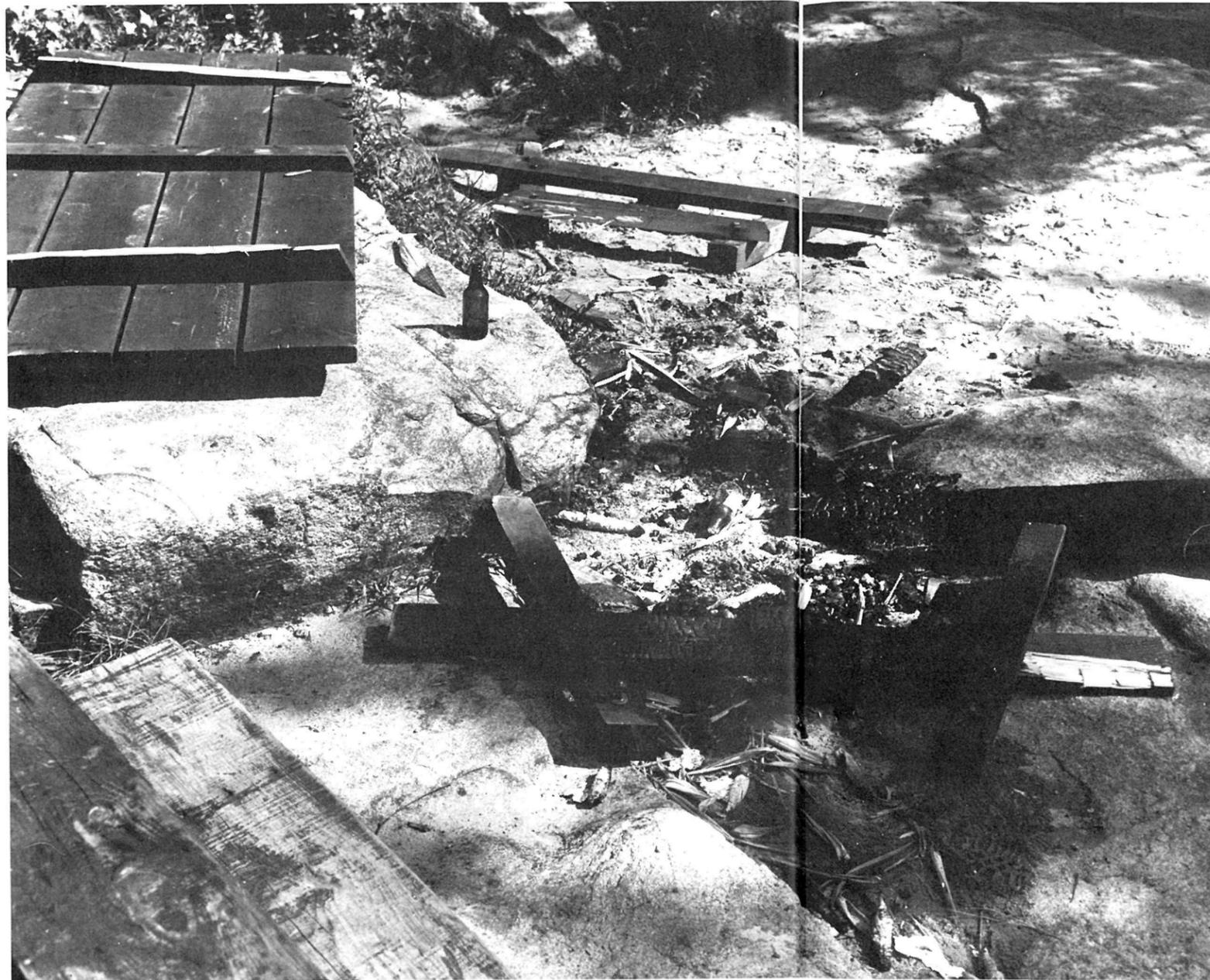
We assume that most visitors to park areas are law-abiding citizens and that their illegal acts may be due to one or more of the following reasons: incorrect visitor perceptions, visitor ignorance, visitor boredom, park employee behavior, low maintenance standards, unnecessary temptation or opportunity, or inadequate site planning.

### Incorrect Perceptions

Incorrect perceptions of visitors to park areas stem mainly from inappropriate recreational expectations and/or inappropriate definition of the recreational situation. An individual might expect to perform specific actions as a part of his definition of a recreation activity which the park agency has defined as unacceptable. Some common examples of this problem are: riding minibikes, mopeds, or skateboards around and around; cutting one's own firewood; and camping with another family in a single-family camping unit.

In all of these instances, if the visitor had been adequately informed *before* entering the park, he might have selected another area where the activity was permissible. Or he might have reassessed his expectations so that no disparity existed between what he wanted to do and what was legally permissible in the park.

The basic solution to this type of problem is to fund and develop both off-site and on-site information and education programs. The park manager must utilize advertising and public relations techniques. Unfortunately, off-site management by park agencies usually is either absent or minimally funded. Such a posture in the future will increase the likelihood of confrontation between visitors and managers of park areas.



An inappropriate definition of the recreation situation occurs when an individual chooses to reduce self-responsibility levels while visiting a park area. The individual wants to enjoy his recreational experiences without adequate concern for others recreating in the same area. Specific examples of inappropriate definitions of the situation are: volume level of music played, lack of supervision for children or domesticated animals, and lack of cleanliness. In each of these instances, the offender is either inconsiderate of others or selfish.

Face-to-face contact is usually the only effective solution, since the offender is either unaware of the effect of his behavior on others, or has internalized the undesirable trait as a habit. A habit

that has been formed over time only can be altered through personal efforts by park personnel.

### Ignorance

Illegal behavior which is prompted by ignorance may be excusable in some instances. In most park settings, long lists of rules are normal, but the whys and wherefores of the rules are seldom explained. The few research studies concerning the reading of posted rules have noted that, unless the rules are short, concise, and listed in priority order, people rarely read them in their entirety.

Many visitors to parks may rationalize their illegal behavior by dismissing the fact that there is a valid reason for particular rules. The ignorance of visitors of the reasons for park rules and regulations may be corrected by effective communication regarding the validity of the rules, especially rules related to environmental conditions.

Use of basic journalism techniques and an increase in personal interaction by park employees would seem to be realistic approaches to correcting problems based on ignorance. Basic journalism techniques that might prove effective include the use of short action



Information and education programs reduce problems of incorrect visitor perceptions.

◀ Maintenance standards definitely affect visitor behavior.

sentences and simple words, and positioning the most important items or information first. Other factors to consider in the communicative planning process are display color choices and size and style of lettering.

An understanding of existing rules and their importance should be part of the basic interpretive effort in each park. And this effort should be coordinated with additional interpretive efforts in the cities where individual recreationists live. In many cases, the visitor is in the park for such a short time that a definite impact on his or her behavior is difficult to accomplish. Reaching the individual in the city is a realistic long-term solution which must be shared mutually by park agencies at the county, state, and national levels.

### Boredom

Boredom can breed law enforcement problems when people channel their inactivity into illegal activities. Because youths are overrepresented in a number of specific problem areas, a few progressive park and recreation agencies have involved young people in the planning and programming of meaningful activities in parks. These agencies have accepted the fact that if youth are to be reached, the relevancy of

their recreation opportunities must be addressed. Youth who are involved in recreation activities which are meaningful to them are far less likely to abuse park areas and facilities.

### Actions of Park Employees

The actions taken by park employees can affect the behavior of visitors to the park area. An employee with poor interpersonal skills can increase the likelihood of lawless behavior. The following are some specific employee actions which may lead to illegal actions by the park visitor: being too busy to answer questions; the "big stick" philosophy rather than a service attitude in the law enforcement role; differential treatment of the same illegal behavior; and ignoring illegal behavior or haphazardly enforcing existing rules.

The true solution to this problem originates in the hiring of employees with good interpersonal skills. An additional solution to this problem is to develop and obtain funding for proper law enforcement training for old and new park employees.



*Park employees with good interpersonal skills can reduce the likelihood of lawless behavior.*



*Boredom breeds law enforcement problems. Youth involved in meaningful recreation activities are less likely to act abusively.*

### **Maintenance Standards**

The maintenance standards of the agency have a definite effect on behavior. Evidence of vandalism, graffiti, litter, dying plants, unsightly facilities all increase the likelihood that visitors will not take care of the park area and its facilities.

In each of these examples, an attitude of "I do not care" is clearly conveyed to the visitor. The visitor to a park area may conclude, "If park employees do not care, why should I?" A well-planned and well-executed maintenance function is the only remedy for these illegal actions. High standards of maintenance are a necessity, not a luxury.

The opportunity to commit an illegal act, especially theft, is often increased by careless visitors who leave items unattended or clearly visible in vehicles. Problems also mount when park agencies do not inform users of the danger of careless behavior or maintain regular patrols by trained staff.

These solutions are straightforward. They are largely an attitude of the agency that visitors must be protected from themselves through effective communication and decreasing opportunities for temptation. Budgeting for proper law enforcement awareness and action should be an integral part of any park agency's budget.

### **Planning**

Protection and law enforcement must be considered in the site planning process. The following are some examples of poor planning that may lead to illegal acts: unclear boundaries between recreation activities, leading to territory claiming; incompatible recreation activities placed physically next to one another; erosion of trails due to such things as no soil analysis; lack of access to and usage of the area and its facilities by the physically handicapped; improper layout and design, or the underestimation of the amount and type of usage of an activity.

Many of these problems stem from a poor activity analysis which should include a specific definition of the activity with the visitor inputs weighing heavily;

definite development standards; and a thorough site analysis. An effective site plan is not a simple task. It is truly complex and should be given adequate time and effort to be completed in a thorough manner.

Finally, critical self-examination is imperative for effective reduction of illegal behavior. That self-examination should include the following areas: incorrect perceptions by the visitor, visitor ignorance, visitor boredom, park employee behavior, low maintenance standards, unnecessary temptation or opportunity, or inadequate site planning. Through careful examination and appropriate action on each of these factors, a park agency will greatly reduce its own contributions to the abusive behavior of visitors.

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*Photos provided by National Park Service.*

## Behavior Modification

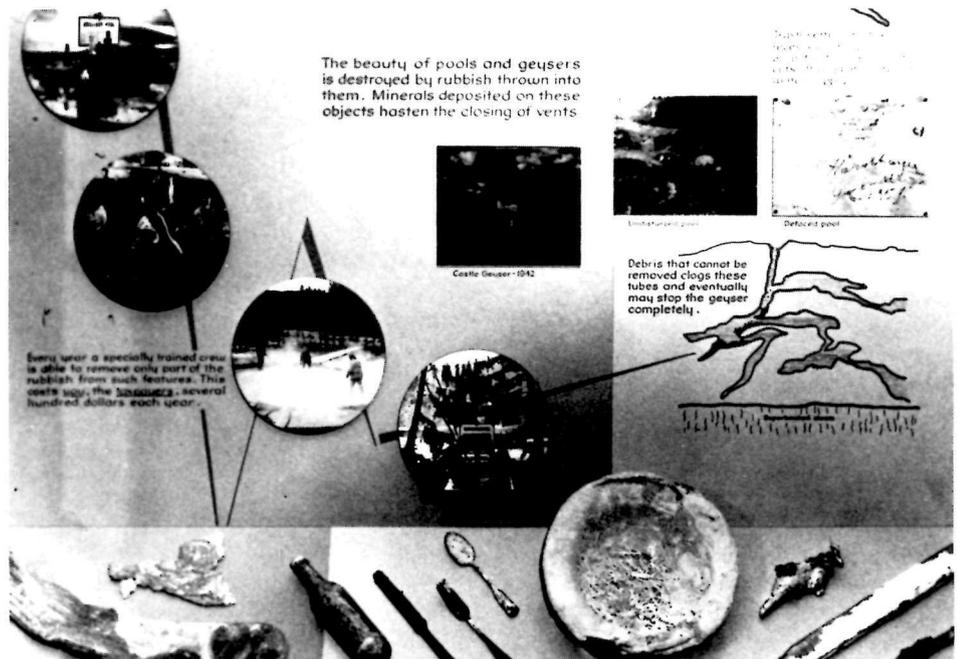
by James F. Burke; Richard Schreyer, Ph.D.; and John D. Hunt, Ph.D.

The search for new ways of dealing with today's more complex park management problems has encompassed the technology of changing human behavior. To many, the term "behavior modification" is familiar, though its exact meaning is lost. It has been viewed as everything from the answer to park law enforcement problems to Orwellian mind control.

### The Nature of Behavior Modification

Behavior modification focuses on *observable* behavior rather than on motivational factors (which can only be *inferred* from behavior), emphasizing the contingent relationship between behavior patterns and their consequences. In his 1938 book, *The Behavior of Organisms*, B.F. Skinner became the first "behaviorist" to make the important distinction between *operant* and *respondent* behavior. Earlier behaviorists had generalized a stimulus-response (S-R) scheme to all behavior patterns, but Skinner looked beyond this reflex relationship to consider *environmental consequences* as the controlling factor in learned behavior. This fundamental difference between operant and respondent conditions is based upon the differing relationships between an organism's response and its environment. In respondent behavior, the environment induces an organism to respond—unlearned (reflex) behavior is *elicited*. In operant learning, the organism's behavior is *emitted*, environmental change is contingent on that emitted behavior, and the subsequent strengthening or weakening of the behavior is contingent on the consequences of the environmental change.

Behavior modification, then, is the practical application of operant learning to human behavior in natural (vs. laboratory) settings. It emphasizes that behavior is a function of its consequences, and concentrates on changes in *observable, learned* behavior



Clearly informing visitors why certain behavior is inappropriate may prove effective.

which is goal directed. Basic steps in an operant learning sequence are:

- A. *Antecedent Conditions*: cues or environmental stimuli which become associated (through feedback) with the consequences of behavior.
- B. *Behavior*: voluntary response which is emitted and has consequences.
- C. *Consequence*: reinforcing outcome of behavior which influences (through feedback) the nature and frequency of subsequent behavior of that type.
- D. *Feedback*: reinforcing information that links consequences with antecedent conditions.

Using this basic model, behavior modification depends upon the development of *intervention strategies* to change behaviors in a desired direction. These strategies, involving the management of behavioral contingencies, are in the form of reinforcements which are systematically applied as consequences of behavior in order to change the frequency of response. The types of reinforcement strategies are:

1. *Positive reinforcement* involves determining what will be rewarding to the person and presenting the reward when the desired behavior is emitted, thereby *increasing the frequency* of the behavior. Positive reinforcement is regarded as the most effective means of establishing and strengthening a behavior. An example would be providing incentives for increased productivity ("piece work").

2. *Negative reinforcement*, also called avoidance learning, involves *increasing the frequency* that a behavior will be emitted by contingently withdrawing or terminating unwanted consequences. We repeat behavior which will terminate aversive conditions. For example, not receiving parking tickets will increase the incidence of parking only in designated areas.

3. *Punishment* weakens behavior and involves the contingent presentation of consequences which will *reduce the frequency* that a behavior will be emitted. The effectiveness of punishment is somewhat limited because: a) it usually indicates to the individual only what behavior is *inappropriate* rather than what is appropriate; b) it may simply suppress the desire to exhibit a behavior rather than actually changing it. An example would be fining speed limit violators.

4. *Extinction* decreases the frequency of a response by failing to provide any type of contingent consequence. Since learned responses must be reinforced if they are to recur, withholding reinforcement will weaken the behavior. While extinction can be more effective than punishment in reducing behavior frequency, it often requires a long time period. An example of extinction would be ignoring a disruptive student, thereby not reinforcing his or her behavior with attention.

### Behavior Modification in Recreation Law Enforcement

The most desirable "enforcement" situation is one where people act in ways consistent with park objectives. Thus, the most direct role seen for behavior modification is to minimize acts of depreciative behavior. Such behavior involves any illegal or annoying acts which have a direct, negative effect (or such a potential) on the resource base or on the recreationist (including a desired experience).

Examples of depreciative behavior include the destruction of resources and damage to facilities which necessitates replacement and repair, theft of property, physical harm to recreationists or personnel, and rule violations—littering, speeding, etc. The direct costs of enforcing rules and repairing damage is, of course, substantial—repair of vandalism in National Forests is more than \$2 million annually; litter cleanup in the state of Washington cost \$1,000,000 in 1976.

Actual applications of behavior modification techniques in recreation situations have been limited. The area where the greatest amount of research has been performed is in dealing with the problem of littering.

### Littering

Besides costing a considerable amount (\$22,000,000 to clean up litter in National Forests in 1971) and diverting funds from other essential areas, litter is responsible for diminishing the natural beauty and aesthetics of a recreation site, killing animals by poisoning (elk/deer), lacerating (fish), or strangling (birds), or starting fires (bottles magnify sunlight).

Led by Roger Clark, researchers at the Pacific Northwest Forest and Range Experiment Station of the U.S. Forest Service sought to test some of the prevailing hypotheses about littering behavior in order to develop a litter reduction program which could be implemented by managers of public recreation areas. Their initial study analyzed some of the assumptions about littering behavior by using children who attended Saturday movie matinees as subjects.

Previous studies had indicated that littering behavior was the result of lack of trash cans, lack of awareness/information, or indifference/lack of incentive to properly dispose of litter. However, the researchers found that providing extra cans, litter bags, or anti-litter information/films were not even half as effective in reducing litter in the theater as an incentive program which rewarded children with money and free tickets for a full litter bag. The results of this study indicated that the incentive/reward contingency was extremely successful in developing anti-litter behavior. Making immediate positive consequences contingent upon anti-litter behavior was an effective means of establishing the desired behavior.

The next step was to determine whether an incentive contingency approach would be equally effective in natural settings. Three separate studies utilizing the incentive approach were undertaken in various settings in Washington state. In Wenatchee National Forest, rewards of Smokey Bear and Junior Forest Ranger badges (\$3.00 total cost) offered to children produced 26 bags of litter and saved 16 to 20 man-hours (\$50-\$60). At the Paradise hiking area of Mt. Rainier National Park, incentives reduced litter by 80 percent, while at Taneum Canyon dispersed camping area, the reduction was 75 percent.

Since the subjects in these studies were children, Richard Powers, Grayson Osborne, and E. G. Anderson, researchers from Utah State University, were particularly interested in determining whether anti-littering behavior also could be established in adults. They found that by rewarding participants with a letter of thanks and with their choice of \$.25 or a chance in a weekly lottery for each bag of litter collected, litter in Green Canyon (UT) was reduced by 40 percent.

### General Applications

Effective implementation of behavior modification techniques requires that certain steps be followed. First, the manager must specifically identify behavior events and patterns to determine which desirable behaviors should be strengthened or maintained and which undesirable ones should be



Studies show that positive incentives or rewards help develop anti-litter behavior.

weakened or extinguished. Second, the manager should evaluate a behavior in terms of frequency to determine if it is of constant or intermittent concern, and/or whether it is interfering with or contributing to park welfare. Third, since behavior is strengthened or weakened by its consequences, it is essential to determine the interrelationships among antecedent conditions, behavior, and consequences in order to determine what environmental factors are reinforcing the behavior and how they are operating.

The next step, which is based on the preceding three, involves developing and applying the *intervention strategies*, measuring their effect in maintaining behaviors consistent with stated objectives. The four different reinforcement strategies identified

earlier may have varying uses across a wide range of potential applications.

### Positive Reinforcement Strategies

Many authorities consider much of the depreciative behavior in recreation areas to be unintentional, the result of lacks in knowledge, skills, or proper orientation. Information that is clear and useful can be seen as positive reinforcement.

For example, a sign that states "Thank you for leaving the flowers for others to enjoy" will probably be more effective than the usual "Do not pick the flowers!" Such "positive signing" conveys the reason for the regulation (positive consequence). Attempts to control vandalism (and other violations) with messages lacking rationales may provide little incentive.

A recreation use training session could familiarize visitors with necessary information and reasons for doing or not doing certain things. Attendees of such sessions might be rewarded with reduced admission and campsite fees (justified by the presumed decrease in impact that they will cause) or by the newly acquired information and awareness that will improve their recreation experience, and perhaps give them a sense of contribution to the welfare of the recreation site. Returning to anti-litter examples, campers could be reinforced for litter removal through site rental refunds (contingent on clean sites when they depart) or through creative rewards such as the longest pop-top chains.

### Negative Reinforcement Strategies

Informing visitors in clear terms what is not appropriate (and why) is essential as managers' and recreationists'

perceptions of what constitutes a problem or an inappropriate act often do not coincide. In an area where people "shortcut" a trail on a steep bank and cause erosion, a sign saying "Shortcutting can cause soil and plant damage, rockslides, and is illegal," might be an effective negative reinforcer. Presumably, hikers would increase their staying on the prepared trail because of a desire to avoid the negative consequences of harming people or the environment or violating the rules.

One of the strongest negative reinforcements affecting human behavior is social sanctioning by peers. Social interaction consists of many cues or messages concerning the appropriateness or inappropriateness of an individual's behaviors. The desire to avoid social rejection can be one of the strongest forces for conformity in society.

To the extent that recreationists are willing to give negative messages to others performing depreciative acts in a park, this social influence may serve to change behaviors in desired directions. Such behavior is contingent upon recreationists' willingness to give such messages, which has often been lacking in the past. An incentive system for involvement in giving messages concerning depreciative behaviors conceivably could encourage people to develop such social reinforcement systems, particularly when recreationists can see themselves as being part of a larger support system holding similar values.

### Punishment

Applications of punishment contingencies involve citing, expelling, fining, or arresting violators. By *clearly* stating what constitutes a violation so that people are *aware* of what they are being punished for, and by *consistently* punishing offenders, depreciative behavior may be reduced. Or, the institution of a vandalism surcharge on camping fees, which would make people aware of the tremendous cost of vandalism, might help discourage its occurrence.

Punishment effectiveness is limited because many violators are not apprehended, and you cannot modify the behavior of people if you cannot identify them to apply punishment. In addition, the required constant visibility of staff members and/or the necessity of their carrying firearms might diminish the desired experience of some visitors. While it is obvious that punishment is used against those who perpetuate intentionally destructive acts, the utilization of more positively reinforcing educational and public involvement programs may be more effective in the long run, and more harmonious with the meaning and purpose of recreation areas.

### Extinction

Using extinction for depreciative behavior modification has obvious limitations since it would be difficult for managers to ignore known depreciative acts in hopes that they would stop. It appears, therefore, that extinction contingencies would not be manager-applied phenomena, but rather would be the result of depreciative acts no longer being acceptable or rewarding for those who engage in them.

There is, however, some evidence indicating that the construction and design of facilities may decrease vandalism. For example, recessed fountains that cannot be torn from the wall and smashed, or high roofs that cannot be scaled by children, may result in less vandalism because people will be less inclined to engage in behavior which no longer pays off.

### The Scope of Behavior Modification

It should be obvious by now that many of the applications of behavior modification already have been applied to recreation situations; they merely have not been linked formally to the theory and its jargon. While approaches such as incentives appear to be basic common sense, it is ironic that examples of practical applications are limited. Punishment is probably the most widely exercised law enforcement technique.

Where behavior modification shows the greatest potential for increased utilization is in the more subtle application of positive and negative reinforcements. However, just as in punishment, these approaches will be limited in intensity and effectiveness.

While enforcement could be greatly improved by having a park ranger behind every bush, the benefit is not worth the cost. Similarly, reinforcements are only incentives which *may* motivate *some* people to behave in a given way. More intensive applications of reinforcements can increase results, but will likely become prohibitively costly.

### Ethical Considerations

Of far greater concern than fiscal considerations are the ethical issues that surround applications of behavior modification. A manager who daily sees examples of depreciative behavior may be so concerned about obtaining certain ends that the means may not be put in perspective.

Does a change in behavior justify *any* reinforcement? Some psychologists espouse the use of "aversion therapy" to treat patients who wish to rid themselves of undesirable behaviors. The technique involves administering an electrical shock or nausea-inducing drug to the patient when he or she engages in the given behavior. Although claimed to be successful in many instances, the approach is considered by many to be a crude and barbaric means of "therapy." While it would be ludicrous to suggest the image of park visitors being fitted with electrodes designed to supply shocks for depreciative behaviors, there may in fact be many cases where more subtle approaches could be as distasteful, and as ultimately defeating to the purposes of park law enforcement.

The word "subtle" highlights the most insidious concern over behavior modification, for the more subtle the approach, the closer the technique comes to human manipulation. Manipulation involves a lack of awareness of the nature of a given influence on the part of the person being changed. Human manipulation is objectionable as a general consideration and reprehensible as a part of park management, which has as its fundamental premise *servicing* humans.

We are all a complex collection of attitudes, values, motivations, fears, and inconsistencies. Many feelings are overt, rational, and easily dealt with in a free choice situation. Others are less close to the surface, perhaps irrational, and not comfortably confronted. Reinforcements may be used to encourage behaviors based on the irrational, insecure, subconscious fears.

Manipulation of humans is not the same thing as manipulating facilities or environmental features to obtain management outcomes. The greater the reliance upon behavior modification as a means of management, the greater the probability that approaches will be developed that manipulate people and/or are ethically questionable. In short, the use of behavior modification should be contingent upon the goal of maximizing the awareness and freedom of choice of the recreation clientele.

Behavior modification is neither a "new technique" nor a long awaited "answer" to the problem of depreciative behavior. It carries with it limitations in effectiveness and the potential for undesirable consequences. The potential for misapplications of the techniques—such as manipulation—is increased when they are used by persons who may have little background in psychology and may have a less than clear understanding of the complexities involved in influencing human behavior.

There are no guidelines concerning good or bad reinforcements. Any park manager who willingly adopts such strategies must bear the responsibility of seeing that outcomes are kept in perspective with the influences employed.

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*Photos provided by National Park Service.*

# Cleveland's Ranger Training Academy

by Lou Tsipis



*Cleveland Metroparks System employs a human relations approach to law enforcement.*

The Cleveland Metroparks Ranger Training Academy has developed its own in-service training approach for park rangers. This came about as the need arose to meet daily law enforcement obstacles with a sound public relations approach to enforcement rather than the traditional "force with force" concept.

The park system recognizes that training activities are the root of law enforcement efficiency. Only through good training do park law enforcement officers gain a clear understanding of their many responsibilities and of their role within the total park picture. Effective training helps officers to create good first impressions that set the tone of a park's facilities, department, and

overall image. These positive impressions and images engender the kind of public cooperation we must have in order to function.

## Relevant Numbers

When we consider law enforcement in park and recreation areas, we must recognize that about 80 percent of the visitors to the majority of park systems are cooperative, understanding, and respectful of the authority represented by uniformed men and women. About 10 percent are willfully or unwillingly confused about themselves and the world around them. Therefore, the training experiences of park law enforcement officers must be tailored to meet the needs of the entire public they serve, not just the relatively small number of problem visitors.

## Needs Analysis

Before any training program can be developed, a needs analysis must be made. The needs analysis should include the following data:

- A. Stated training guidelines from the state training agency.
- B. A sound patron-usage document.
- C. Statistical in-service violation reports.
- D. Personnel training charts.

Once this data is collected, a philosophy for any law enforcement unit can be written and a plan for in-service training developed.



Fire-fighting techniques are part of the academy's curriculum.

### Program Components

Recognizing that people understanding, officer image, good will, and competence are essential for effective law enforcement, the Cleveland Metroparks Ranger Training Academy uses a training model centered around a 300-hour educational experience. It follows all the basic state guidelines for law enforcement training. But many extra hours are spent in the following areas:

- A. Effective communication skills needed to handle the park patron.
- B. Meeting the park patrons' needs.
- C. Understanding park patrons from their "frame of reference."
- D. "Service is our business."
- E. Public relations—where do we fit?
- F. Human relations—the vital tool.
- G. People are people—domestic violence awareness.
- H. "What you say is what we are"—effective speaking skills.

After identifying major park patron expectations, we have translated them into the following law enforcement goals which are stressed throughout the training sessions:

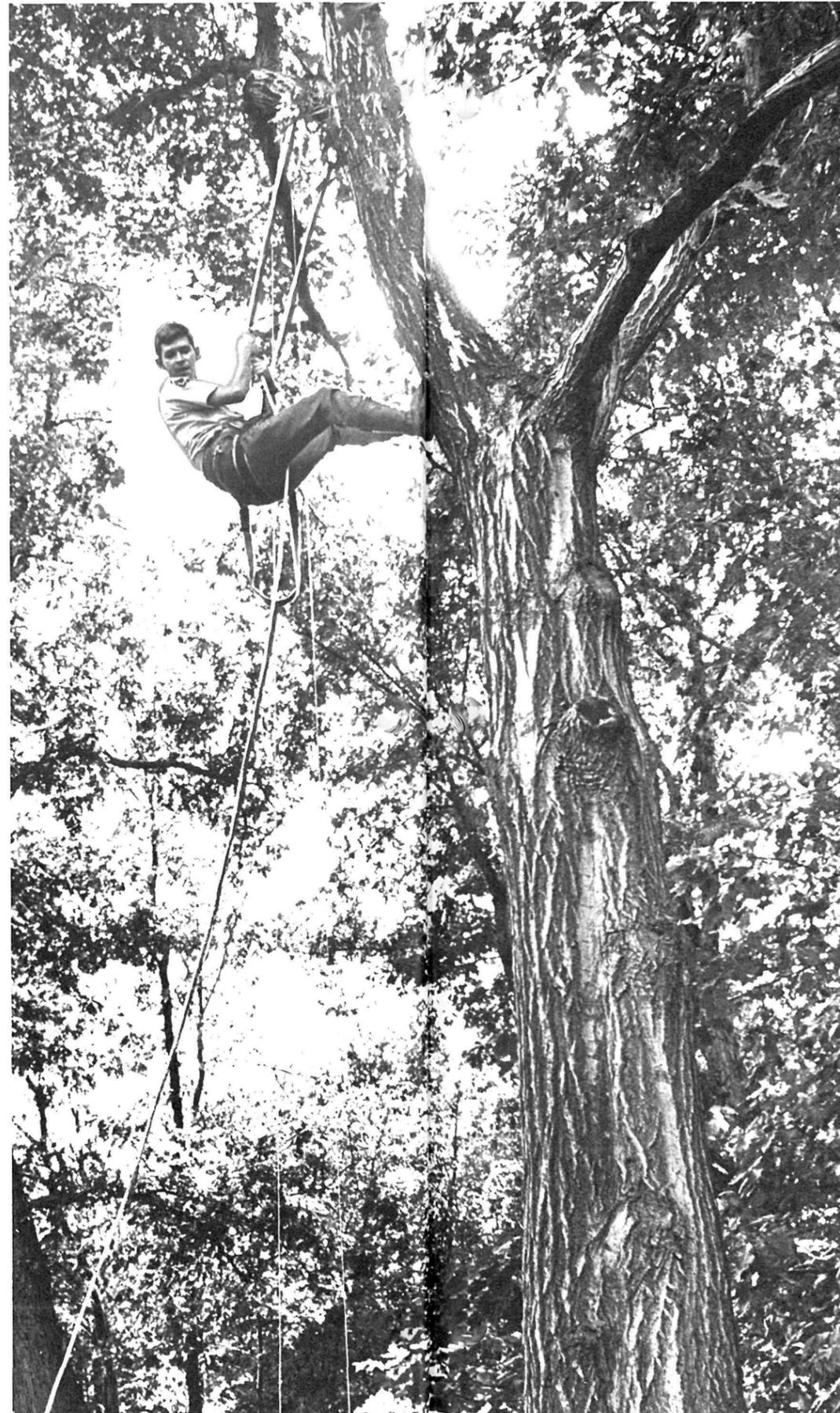
- A. Keep our park and recreation areas safe and free from unreasonable negative usage.
- B. Maintain the proud heritage of the park ranger concept with well-trained individuals sensitive to human needs.
- C. Always keep a skillful ear open (for an effective enforcement officer realizes that his or her job can and will be done by many).

At the conclusion of this unique and highly-praised law enforcement training, each officer is equipped to handle with maximum effectiveness any type of crisis or confrontation from a newly developed frame of reference. The program has won wide acceptance from the park rangers and the park-visiting public.

We strongly recommend officer training in the human relations aspect of law enforcement to all park and recreation agencies. For we feel a "people based" enforcement concept will play a major role in keeping our park and recreation areas friendly and safe.

*Lou Tsipis is Deputy Director of the Cleveland Metroparks System. He was instrumental in developing the system's Ranger Training Academy.*

*Photos provided by Cleveland Metroparks System.*



Ranger prepares for a winter dive.



The Ranger Training Academy has been highly praised by both the rangers and the park-visiting public.

◀ Academy students practice rock climbing and rescue techniques.

# Developing a Resource and Visitor Protection Management Program

by James Brady

The protection of human life and park resources has been the basic mission or essence of NPS protection for the past 63 years. Over these years, we have experienced some distinct changes in the tools, techniques, and program thrusts of protection.

Emphasis on resource or visitor protection continues to shift back and forth. The knowledge and skill required of our protection personnel continues to broaden. The growth of the NPS system, both in number and type of parks, has accelerated the evolutionary pace of park protection program development.

Perhaps the most dramatic change of recent years, influencing the scope and intensity of park protection efforts, is the increasing involvement and heightened expectations of the public regarding the type and quality of visitor services and resource protection.

The visitor safety aspects of protection are undergoing radical transformations. Today's "standard of care" focuses on: liability, the need for increased proficiency in law enforcement, search and rescue, safety in general, and expanding our "traditional" activity base to consider hanggliding, skateboarding, and marathons as appropriate park uses.

Throughout the Service and most other park agencies, protection management personnel are faced with these kinds of issues. More common than not, they are also trying to meet today's demands and plan for tomorrow's developments with the personnel resources of yesterday. Most current indications suggest that these trends will continue.

So where are we? What can be done to develop an effective protection program in the milieu of today's parks? For a start, we can examine the why, what, and how of protection, with a view toward the development of program proposals that answer these questions:

- *How much* protection is enough?
- What constitutes a good job of protection? (Not under- or over-protected, but the right amount of protection at the right time, in the right style or form.)

- *What* protection style is desired?
- *How* do we measure our overall effectiveness in law enforcement, search and rescue, patrol, and related protection activities?

After these questions have been answered, current resources can be used more effectively and a powerful case built for the need of additional dollars and personnel to produce identifiable results.

## Planning

Planning is a *major* component in the development of a park's overall protection program. Planning efforts can develop the framework within which policy can be applied and evaluated.

The basic purpose or goal of protection planning is to identify and select the tools, techniques, and systems necessary to:

1. Insure the dynamic maintenance and perpetuation of park resources and accommodate non-consumptive use by visitors.
2. Provide appropriate visitor safeguards from the inherent and induced hazards that accompany visitor participation in various park activities.

## Planning Framework for Developing a Resource and Visitor Protection/Management Program

Because park resources (natural, historical, cultural, and recreational) and their use relationships to the populations they serve vary, as do legislative mandates and forms of management control, each park presents unique considerations. Nevertheless, the basic tenets of effective protection planning apply to Independence National Historical Park as well as to Yellowstone. The following outline represents a guide or planning framework for the development of a comprehensive park protection program.

1. *Examine the scope and intent of the legislative mandates for your park's existence and operation.*

What specific and general protection program responsibilities are indicated? What are the jurisdictional provisions? Does the park's statement for

management identify the operational protection programs needed to implement legislative intent? How do the federal environmental laws of the past 10 years affect the thrust and intent of your total protection program? What forces or barriers exist that prevent or deter "operationalizing" legislative intent for your protection program?

2. *Examine your organizational policies regarding protection.*

What specific protection program responsibilities have been identified? Are there any priorities? What latitude for interpretation exists? What about protection's role and responsibilities with the organization's long-term management goals? Have innovative or creative efforts been directed at infusing them into operational protection programs? What forces or barriers must be overcome or mitigated to meet organizational goals?

3. *Determine and develop the concepts, philosophies, goals, and objectives needed to accomplish your legislative and policy mandates.*

As you begin to examine how you can optimize the effectiveness of your protection program, a conceptual overview of the full scope of protection is helpful. Your underlying assumptions and beliefs about protection shape the overall emphasis of your program. A well-defined conceptual and philosophical base facilitates goal-setting and the determination of *how* you are going to protect. It also provides a frame of reference for troubleshooting and evaluating your effectiveness.

A basic thesis governing park operations is that both the visiting public as invitees and the park agency as acknowledged host share a dual responsibility for visitor safety and protection. Visitors are expected to heed rules and regulations for their safety, that of their family, and for the protection of others. The park agency acknowledges a management responsibility for protecting the visitor as well as the park and the facilities—to the best of its ability.



Correlate visitor activities that are related to resource protection problems.

Complete protection can be afforded to park values and human welfare by prohibiting certain visitor activities. However, the real solution rests upon judicious efforts to influence or shape human decisions and subsequent actions—so that a maximum appreciation of park values emerges through a minimum restriction of visitor activity.

If you are serious about shielding resources from harm, and visitors and employees from injury, then the single most important goal of all protection activities is *prevention*. You can't prevent *all* protection incidents. But, through planning, you can predict incident patterns. And with goal-oriented programs, you can reduce the total number, scope, intensity, or severity of the protection incidents that occur in your park.

Well-defined and agreed upon goals or objectives, functions, concepts, and philosophies are the core elements of good protection.

4. *Select a problem-solving method or system to assess, organize, evaluate, and communicate information generated.*

Making good decisions about protecting/managing resources and visitors involves planning and problem-solving at a complex level. The most basic

problem-solving method asks three questions:

- Do we really know what the problem is (As opposed to merely recognizing its symptoms)?
- Do we know what we want to accomplish (What results we are seeking)?
- Do we know what a "good" job or condition will look like?

We must evaluate our problems on an "importance" scale. Are there short- or long-term consequences? (Or both?) We don't react to *all* problems with the same intensity and priority. As a test, ask yourself, "What will happen if I leave it alone?"

A systematic problem-solving approach has several advantages. It:

- Is goal oriented—no solution is sought until goals are examined.
- Has feedback points—places where a decision has to be made.
- Forces you to project consequences.
- Forces you to establish priorities.

The most difficult part of problem-solving is developing objectives. Two helpful techniques are:

1. Identify a problem whose solution is needed to produce benefits. From the facts on hand, establish *one*, simply-stated, purpose or primary objective that communicates the identity, nature, and scope of the problem.

2. Pose a question that wants a solution, so a problem equals a question. For example, state the problem "We have too many elk in the park," as the question, "How many elk can the park support?" Or the problem "Our law enforcement profile is too high," as the question, "What is low-profile, or acceptable, law enforcement?"

Using one of these objective-setting techniques, plug information into a basic problem-solving system whereby you: state the problem, identify its causes, examine standards, list alternatives (including means of accomplishing them), identify barriers or obstacles, and select a solution by using a weighting system.

### Development of a Data Base

Is your plan or system the solution? No! Your system is the means to a solution, not an end unto itself. Your next step is to develop and analyze a relevant data base.

#### 1. *Park Resources.*

Identify all park resources—cultural, natural, historical, and recreational. Determine the acceptable level, character, or condition of the resource to be protected. Identify appropriate resource uses.

Legislation, policy, regulations, visitor expectations, and the nature and interrelationships of the resource involved all shape decisions on "appropriate" resource use. Determining appropriateness of resource use is a complex and difficult task. However, it is crucial to the success of a dynamic and comprehensive protection program. If not dealt with at the onset, it will seriously erode logical and effective program development.

#### 2. *Park Visitors.*

Determine: Who are your park visitors? Why do they come? What are their expectations? Where do they come from? How long do they stay? When do they come? Consider also why visitors don't come to your park. Are you systematically excluding people?

Once you have a visitor-use information base, you can examine visitor experiences relative to the expectations of the protection staff. There may be some dramatic surprises or differences that directly affect the task of providing a safe and enjoyable visit.

### 3. Park Activities.

Collect and analyze information on the type, frequency, and extent of public participation in various park activities. Evaluate trends.

Compile a statistical data base on the number and frequency of climbers, fishermen, skiers, photographers, etc., that use park resources. Examine new areas of activity such as skateboarding and hanggliding. How about day users? Overnight park users? What do they do? What trends can you discern?

Examine historical data to establish a frame of reference. Patrol observations, spot checks, counts, concession reports can all contribute to the development of an information base.

What kinds of activities intrude upon or are in conflict with what you have determined to be appropriate resource use? Visitor use patterns can be identified and predicted.

### 4. Accidents, Crime, and Visitor Incidents.

Review and analyze these records carefully. Correlate them by type, frequency, location, season, and causative factors.

Categorically, the three most common types of visitor accidents in parks are: vehicle/people interactions, accidental falls, and water-oriented recreational activities. Commonly, the largest categories of crimes and undesirable incidents are: traffic violations, vandalism, lost persons, wild animal contacts, and criminal actions.

What is the situation in your area? Do you have an information-gathering system that is subject or incident specific?

Basic protection training in law enforcement and safety includes the identification of causative factors. The diagnosis of accidents into unsafe acts or conditions is an example of breaking an

often complex problem down to resolvable units. Preventive protection solutions can be designed for causes.

### 5. Hazards and Problems.

Determine all natural and induced hazards. Identify potential visitor protection problems by type, scope, seasons, and trends. Assign a relative importance or potential-severity factor.

Regularly scheduled hazard/safety inspections can provide the nucleus of information in this area. Feedback from patrol units and other park division personnel should be solicited.

Another technique is to examine each portion of your park unit and make up a list of possible hazardous situations relative to visitor use patterns and past history of incidents. Include a specific overview for tort-claim liability. The "what if" game can be overdone, but in the final analysis, is still the best preventive game in town. The objective of this effort is to establish a base of predictable problem situations/locations that can form the rationale for specialized training and equipment, patrol coverage, selective enforcement, and budget priorities.

### 6. Resource Protection Problems.

Identify resource protection problems by category (natural, historical, cultural, recreational). Analyze problems identified in terms of: scope of problem, long- or short-term consequence, relationship to other problems. Identify causative factors.

An example of analyzing resource problems along these lines is shown in Yosemite National Park's statement of its Scope of Problem in its Bear Management Assessment:

- A. Suspected overpopulation, supported by an unnatural food supply.
- B. Suspected population of animals unalterably linked to artificial food sources.
- C. Increasing contacts between bears and humans, resulting in property damage and visitor injury.

### Developing a Comprehensive Protection Program

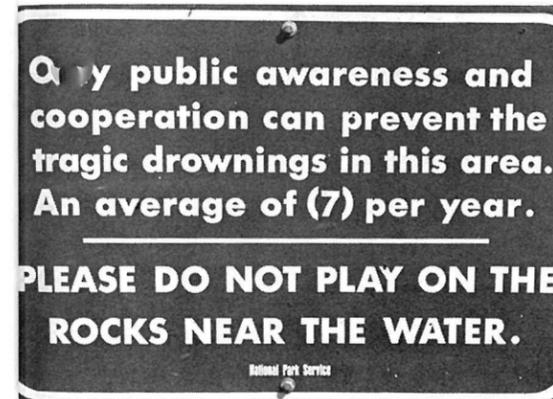
Once a protection data base has been compiled and assessed, identifying the scope, interrelationship, and causes of



Identify all park resources and determine their appropriate uses.

protection problems, a comprehensive protection program can be developed. The program should include at least the following steps in the development of a plan of action.

1. Evaluate and rank the total spectrum of visitor and resource protection problems identified in terms of severity, scope, frequency, and causes. Develop a priority list—most to least important.
  - A. Correlate visitor activities (swimming, hiking, picnicking, camping) that are related to the protection problems identified and their relationships to other park operating units.
  - B. Formulate the objective(s) of your problem-solving effort. Develop a statement of the condition or end result you are striving for. What do you want to happen? Why are you doing what you are? As an example, the following Bear Management Objectives were developed in Yosemite in 1974:
    1. Restore and maintain the natural distribution, abundance, and behavior of the endemic black bear population.



Alert visitors to all known personal and property hazards.

2. Provide for the safety of park visitors and their property.
3. Provide opportunities for visitors to understand, observe, and appreciate the black bear in its natural habitat.
- C. Identify methods to prevent, reduce, contain, eliminate, or solve the protection hazards/problems identified. Again, from Yosemite's Black Bear Management efforts, an

example of stating Methods to Achieve Objectives:

1. Public information and education
2. Removal of all artificial food sources
3. Enforcement of regulations regarding feeding wild animals and proper food storage
4. Control of problem bears
5. Research and monitoring

2. Select (or review if currently operational) the types of administrative controls that could be used to regulate visitor activities.

Various administrative controls can be used to implement protection goals and objectives. As with many forms of control, the manner in which they are applied is crucial to their acceptance and ultimate usefulness. The best controls effect a maximum appreciation of park values through a minimum restriction of visitor activity. The types of administrative controls used in the National Park Service today are:

- |                |                    |
|----------------|--------------------|
| 1. Prohibition | 7. Registration    |
| 2. Zoning      | 8. License—permits |
| 3. Standards   | 9. Time limits     |
| 4. Closures    | 10. Walks/trails   |
| 5. Barriers    | 11. Supervision    |
| 6. Signing     | 12. Interpretation |

When administrative controls are selected, a review of park rules and regulations is needed to determine whether legal support is available to accomplish effective enforcement. Are your park rules and regulations current, enforceable, and reasonable? Do you need supplemental rules and regulations? Additionally, identify any specialized equipment needed to effect control, such as fences, warning lights, or buoys.

3. Establish a level of operation for each patrol unit/activity or geographical location. Develop by season. Identify organizational schemes and manpower and equipment needs.

How much protection is enough? How many people will it take? What equipment is needed? How much will it cost? To answer these questions, a carefully developed level of operation is needed. Development of this base document also can help establish acceptable minimum levels of operation, provide a means for administrative

review, and serve as the vehicle through which protection programs can be expanded or contracted as needed.

4. Develop a patrol program. Decide on the patrol objectives, type, and techniques that best meet the total visitor and resource protection needs of a particular visitor activity or location.

Patrol is literally the "heart beat" of the protection function. Whether that heart beats well or not depends upon: proper planning, effective supervision, and personnel knowing why they are patrolling, what they are to do, and how they are going to do it. The long-term goals of patrol are the protection of park values and visitor safety.

The needs of your individual park unit will determine how often you patrol, which mode you use, and how many people you require. One thing is clear, however. Improperly planned and supervised patrols that operate without the benefit of a firmly established and communicated philosophical base and specific objectives will cause more problems than they solve. The patrol will become only what each person wants it to be. For patrol to be a meaningful activity and not just a way of filling up time or aimlessly wandering around, the patrol must be linked to specific management objectives (i.e., reducing out-of-bounds camping, resource destruction, or thefts of personal property). Patrol also can benefit management by serving as the eyes and ears of the superintendent, spotlighting potential problems, performing routine tasks of other divisions such as interpretation or litter pickup, and monitoring program efforts that require measurement in the field (i.e., safety programs, food storage).

5. Establish training programs for patrol or emergency response personnel that are tailored to the safety, rescue, or emergency response skill requirements of the particular types of visitor use, resource protection activities, and patrol objectives being managed.

By predetermining the type and level of skills desirable in your personnel, a

minimum-skills training program can be established. Exactly what is it that your protection personnel should be asked to do? What does good or acceptable performance mean? Do you really need 17 emergency medical technicians? (You may need only 10 with the remainder of the staff qualified and competent in advanced first aid.)

While each unit must determine specialized performance levels relative to the local environment, a minimum "standard of care" or emergency response capability should be identified in the park as a whole. This type of information also provides many of the base ingredients for position descriptions and useful performance standards.

6. *Develop functional emergency operation pre-plans.*

What does functional mean? Functional equals operational. An operational pre-plan tells who does what, when. You determine where and how.

Keep it simple and easy to understand so it will be usable in a crisis. A person new to the organization should be able to use the pre-plan for orientation. It should flow as logically as possible and should have a clear reference system and index. Checklists can be quite helpful. A plan that has so much paper that it gathers dust and no one reads it is not functional.

7. *Develop techniques for alerting visitors to the personal and property protection problems they are likely to encounter and for informing them about expected visitor behavior.*

This preventive effort will help visitors help themselves in having a safe, enjoyable, and comfortable park experience. We assume that most visitors (and employees), if for no other reason than self-preservation, will modify their behavior accordingly if they *know* (and *believe*) what problem situations they are likely to encounter in parks and what the possible consequences are. How often we hear visitors say: "I had no idea that kind of problem existed in parks," or, "If I had thought of that a little before . . ."

Recently, the National Park Service has moved to a more aggressive and graphic communication of possible problem situations to its visitors. Signs and brochures that blend into the

environment or understate the scope of the problems haven't been effective. The pendulum may now be swinging too far the other way. But, considering the values at stake—personal safety and true enjoyment—continual effort and experimentation seems worthwhile. News releases, signs, brochures, public service announcements, environmental educational and interpretive contacts are just a few of the tools available to you.

8. *Communicate to other operating offices and cooperating agencies the what, why, and how of your protection programs.*

As a start, identify those systems that you will impact and those units that will impact you. Consider both in-park and out-of-park units, agencies, and individuals. A two-way communication network can then be established.

Don't forget the employees in your protection operation. A role and function statement that identifies tasks and relationships is useful as a summary tool. To be effective, role and function statements must receive periodic analysis on "why are we doing things this way?"

9. *Assign responsibility for program components.*

Who is going to be responsible for each program component? Has accountability been discussed? Do position descriptions and performance standards reflect new or increased responsibilities?

Program task assignments allow the park manager to "get the work out" and, through selective assignments, provide for individual employee growth and development. If your employees have had a hand in the development of your protection program and feel they have a share in the operation, the business of assigning program responsibility can be both exciting and productive.

10. *Implement a reporting and evaluation system. "Did we do what we said we were going to do? If not, why not? If so, how so?"*

The *review* phase of protection programs is often overlooked or neglected. Failure to evaluate simply says that you don't care enough to make the time to finish the job.

Not knowing how to evaluate is another matter. Teaching how to evaluate programs and taking the time to do it are crucial to the success of a

dynamic, results-oriented program. Of course, if you're not interested in success . . . !

## Protection Style

Protection planning enables park personnel to identify and develop various levels and intensities of protection effort systematically. This information then can provide a base from which employees can be trained in assessing, evaluating, and applying the right "level" to the right situation.

Closing a park to use, restricting a particular visitor activity, preparing for a felony vehicle stop all may involve exercising the lowest effective level of action appropriate to the values at stake. The level of protection exercised should be consistent with the nature of the resources and the degree of hazard involved, and should reflect a realistic assessment of the protection needs of your park visitors.

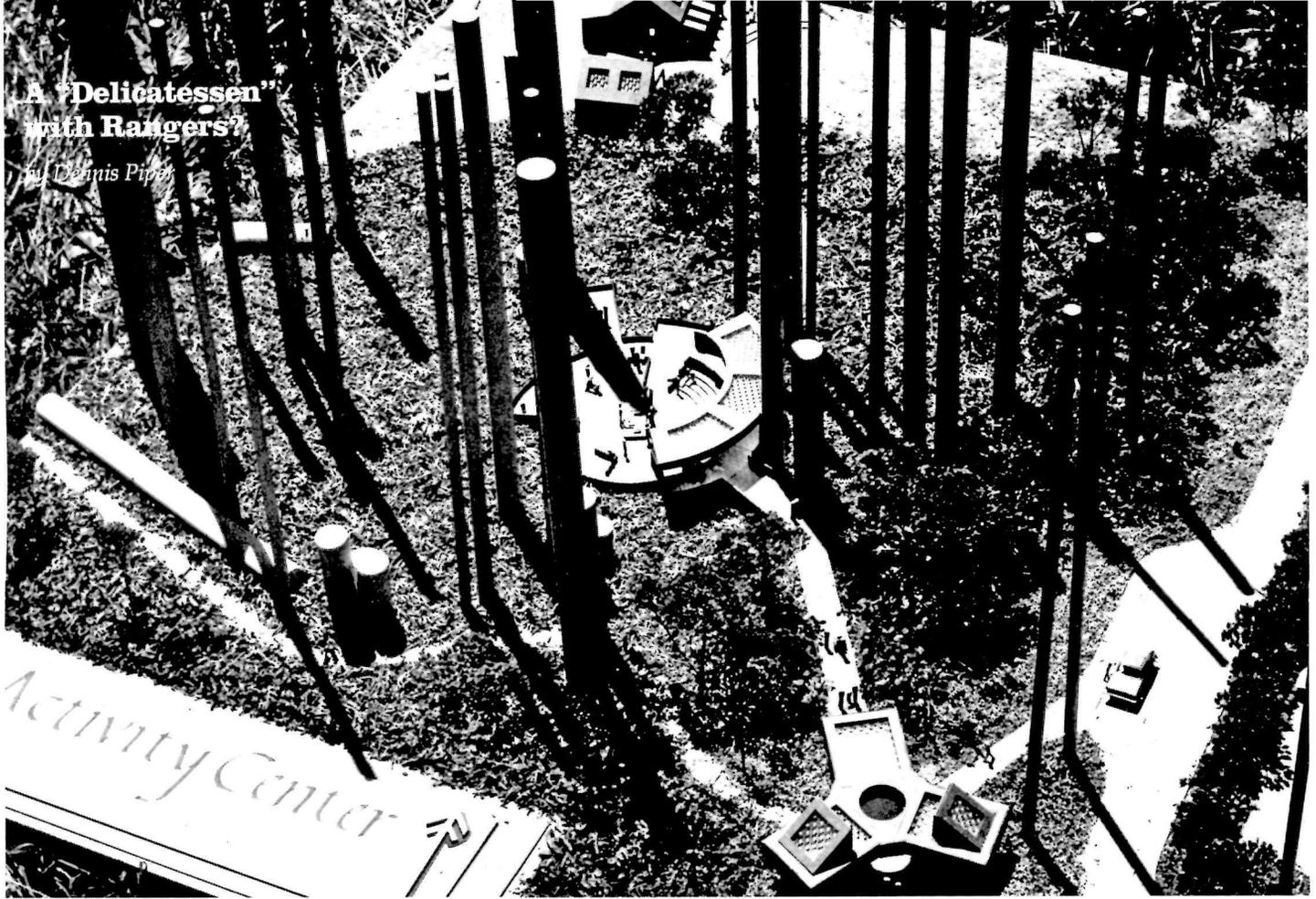
## In Conclusion

Protection tools, like any other tools or techniques, can be used or abused. Helicopters can be used to save a life or used frivolously and intrude on the visitor's "experience." Law enforcement techniques can enhance public service or degenerate into an end unto themselves. Protection personnel can provide visitor information and focus on prevention or can lurk about waiting for something wrong to happen.

Thorough protection planning effort is crucial to deciding how much, if any, force or control is needed in regulating visitor activities and to determining the appropriate means of implementing needed control. Ideally, the application of protection controls will maintain the integrity of the resource and afford the visitor a satisfactory or effective degree of protection without undue regimentation or restriction. In other words, it will promote a more ideal "state of the parks" for all of us.

*James Brady is a Training Specialist at the National Park Service's Horace M. Albright Training Center in Grand Canyon, Arizona.*

*Photos provided by National Park Service.*



May Creek Activity Center.

*"I like it—build it!" said National Park Service Director Bill Whalen during a recent visit to Redwood National Park. He was referring to the May Creek Activity Center concept, developed as part of the park's General Management Plan. The Director obviously was delighted to see a fresh response to an old need—visitor orientation to the park resources. The center, complete with Sunshine Cafe and Bookshop, will be placed in the resource, not five miles (80 km) away at "Scab Flat."*

*It is designed to offer maximum resource protection, and will be one of the most innovative facilities in the Service today. The author, Denver Service Center Planner Dennis Piper and Redwood National Park General Management Plan Project Manager Mike Donnelly, Denver Service Center Architect Bob Lopenske, and Landscape Architect John Ochsner, were the inspired team that conceived the May Creek Activity Center.*

*I recommend that all park managers seize opportunities to support similar creative syntheses of resource protection and visitor service through effective facility design and placement.*

*Bob Barbee, Superintendent  
Redwood National Park*

Six months ago, when the activity center concept was just a twinkle in this planner's eye, it was difficult to answer the inevitable question, what is an activity center? The closest I could come to an instantly graphic description was that it would be like a delicatessen with rangers . . . a park place that nourishes the spirit as well as the appetite.

#### **A New Approach to Resource Protection**

To tie the subject of activity centers into the protection theme of this issue, the concept behind the May Creek Activity Center emphasizes sensitivity to resource protection as much as to users' needs. What initially appears as a contradiction (how can you protect the resource by putting a facility right in the middle of it?) is, in fact, the *method* of protection.

The activity center structure controls access and use within a site. It buffers the resource from the impact of hundreds of passing feet. This kind of gentle control is far more acceptable to park users because it provides dramatic access to a feature that may have been inaccessible before. In effect, the center's design and placement protect the resource while accommodating visitors' needs.

#### **Concern for a Quality Park Experience**

The activity center idea grew from a concern for the quality of human experience in national parks, and from frustration with things as they are. Opportunities for positive change continue to be lost because we have become complacent about visitor services. We have gotten used to things as they are and accept that as our standard of performance. As for providing the best opportunities for pleasant and rewarding experiences to users of national parks, we have been living on past laurels for too long and are not responding to new knowledge about human behavior.

The activity center concept being developed at Redwood National Park is one attempt to deal more responsibly with the people who come to the parks. The ideas it represents are not really new. They are revitalized versions of tried and true ideas—like front porches and rocking chairs—that have been lost in the rush of the age of technology.

Many of the components of an activity center are based on universal characteristics of human behavior. But

be advised that every situation is unique—one size does not fit all. You must know what you need before you decide what you want.

### The Redwood Experience

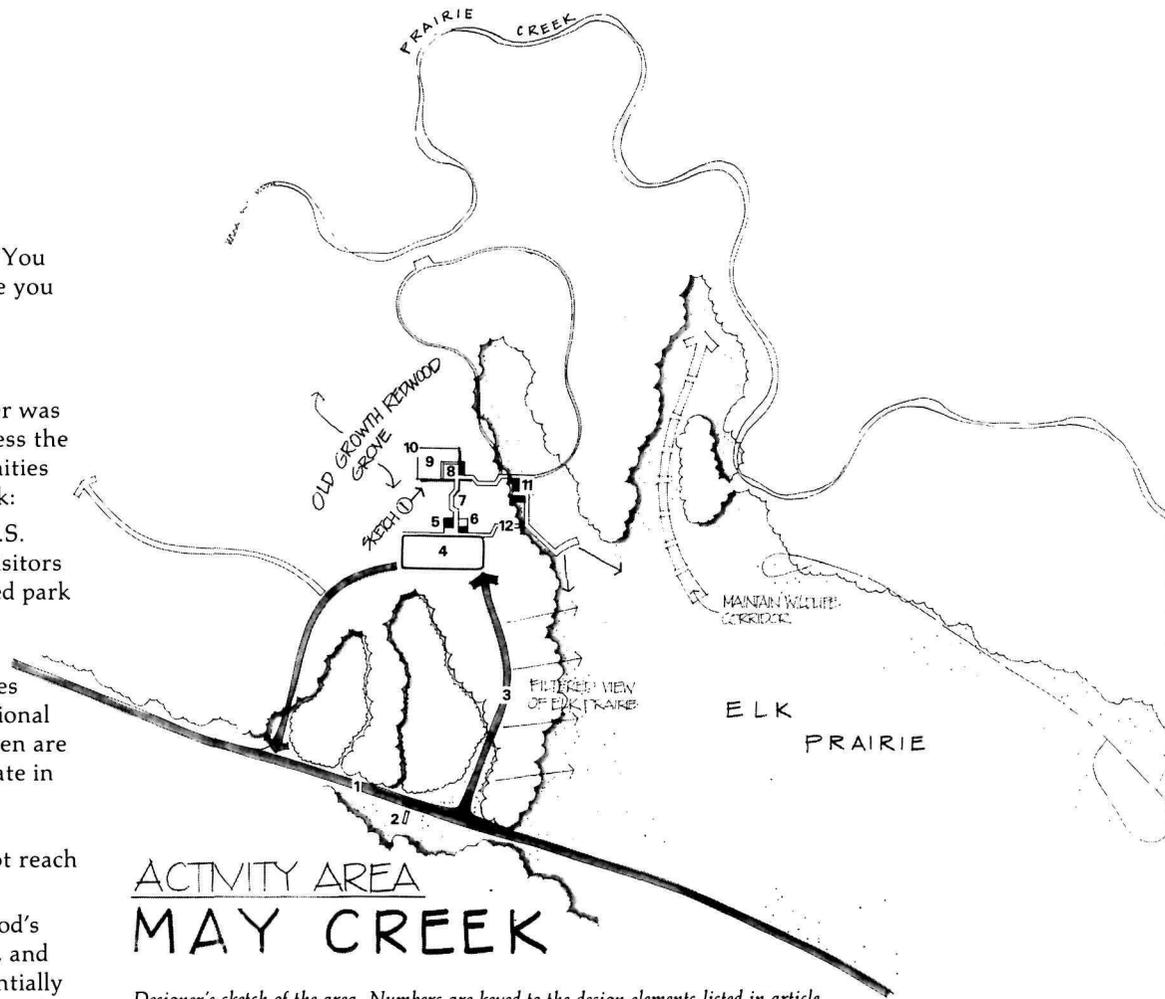
The May Creek Activity Center was developed from the need to address the following problems and opportunities unique to Redwood National Park:

- Incongruent land uses along U.S. Highways 101 and 199 leave visitors bewildered and lacking a unified park experience.
- The park does not provide information/orientation services normally associated with a national park. Visitors to the region often are unable to identify and participate in available outdoor recreational activities because interpretive information and services do not reach them.
- Opportunities to enjoy Redwood's unique resources, forest, river, and coast, are not remote but potentially within the reach of all visitors to the park.
- The majority of people who come to Redwood do so as one of many stops on their journey. Redwood cannot be characterized as a "destination park" like Yosemite, Yellowstone, or Grand Canyon.
- Because Redwood is a linear park it is easy to intercept visitors as they enter the park from either the north or the south along Highway 199 and 101 respectively.

### The Concept

Redwood Park users are travelers, and travelers need places to land. They need places to shuck off the clamor of the road, and to readjust to more natural rhythms. They need some time and personal space to make the adjustment, the change from faceless motorists to distinct and individual human beings.

It is the responsibility of the National Park Service to help people make the transition from travelers to effective park users. Activity centers fulfill this responsibility by 1) providing the kinds of



Designer's sketch of the area. Numbers are keyed to the design elements listed in article.

information people need; 2) affirming and supporting human strivings for individuality and increased competence (improved skills and new knowledge); and 3) featuring the setting they are located within (In this case the setting is a treasured natural resource that needs protecting.).

Activity centers integrate these separate functions into a single complex—maintaining a healthy diversity characteristic of the natural world. The achievement of these ends relies on thoughtful design based on an understanding of human behavior in park settings, careful attention to detail in construction, and continued conscientious operation after construction. These are all critical elements and represent a worthy challenge for the National Park Service in this Year of the Visitor.

### Performance Requirements of Design Elements

#### 1. Highway Approach.

Provide clues and glimpses to alert the traveler that he or she is entering park territory (sensory awareness).

#### 2. Entrance Sign.

Must be obviously special (custom-made) and simply straightforward.

#### 3. Entrance Road.

Should provide a preview of what lies ahead—visible signs of concentrated activity. Graceful curves, low speed, one-way design will reinforce the transition.

#### 4. Parking Area.

Circulation is clearly identifiable. The visual impact is softened by retention of as much existing vegetation as possible. The path to the activity center must be obvious from all parts of the parking area.

#### 5. Entry Plaza.

Restrooms with hot water and adjacent waiting area with parkwide orientational information provided.

#### 6. Main Gateway.

Wide entrance. Begin entrance at entry plaza. It must be easily seen and identified from pathway from parking areas. Discreet signing would indicate what lies ahead.



*The Sunshine Cafe.*

7. *Transition.*

A natural zone between the entry plaza and the landing where reception will occur. Emphasizes entry into the resource rather than into a building.

8. *Landing.*

The terminus of the entry path. It should be slightly higher than both the path and the next space to reinforce its significance as a landing, and to provide an overview of the activity deck. This is a good place for park staff to greet visitors and make them feel welcome. The landing is also a good place to dispense park use (trip planning) information in the form of guidebooks. Information dispensers should be simple in design and located where they are easily seen and accessible.

9. *Activity Deck.*

A partially sheltered outdoor room with both built-in and loose furniture

where groups can establish some territory and adjust the place to fit their own needs. Any decoration or exhibitry must provide information that will aid people in deciding how they can use the park. A touchable topographic model is a universally valuable informational device people of all ages can relate to. Park staff should circulate among groups here to provide assistance as required. Some people just need to talk to a ranger to make their trip complete.

10. *Alcoves.*

Alcoves of various sizes located along the edges of the activity deck will permit individual groups to establish some territory of their own while still being part of the action. The alcoves might be either slightly above or below the level of the activity deck.

11. *The Sunshine Cafe.*

Whereas the focus of the activity deck was on acquiring and assimilating information, and making trip planning decisions, the emphasis here is on

relaxing, regrouping, refreshing with a snack, some sunshine, and a comfortable place to sit for as long as you like. Books, publications, and newspapers should be sold here. The place should be an outdoor terrace with some shelter and shade. It should focus on the surrounding natural setting and be a jump off point into it. Wide stairs that double as seating should tie the facility to the ground and lead into the natural—for as far as you care to go. Food served here should be simple but hearty—no franchises. The food you serve your guests tells them how you really feel about them, and about yourself.

12. *Exit.*

This would not be a back door, but a fairly direct path back to the entry plaza and parking area. Once visitors decide it is time to leave, the action should be simple and direct.



*The Activity Deck.*

### Site Amenities

The following site amenities are details of furnishing and operation that will make the difference between mediocrity and excellence:

- *Staffing.*

Because the emphasis of contact at activity centers is to make people feel welcome and to provide personalized trip planning information, staff assigned to these places must enjoy public contact and be knowledgeable about different ways to use the park. At least one person should be permanently (seasonally) assigned as activity center coordinator so that a human touch is maintained to provide the thread of life to inanimate physical space.

- *Canopies.*

Some overhead cover is required to provide shelter on rainy days and to

help create outdoor rooms. Canvas roofs, where possible, can be movable so they can be opened or closed easily, and their translucent quality can provide beautiful light and shadow patterns.

- *Site Furniture.*

Places to sit, lie down, lean, climb on, etc., should be built into the architectural components of the center. Also, lots of loose furniture—small tables, comfortable chairs, rockers—will make this an inviting place because people can rearrange it to suit their wishes.

- *Guidebooks.*

These publications are designed to inform people of their options for using the park. They serve the three purposes of informational services. They provide 1) Navigational Information (Where am I now? How do I get to such and such a place from here?); 2) Trip Planning Information (What can we do here? How long will it take?); and 3) Experiential Information

(What do I need to know to do such and such? What preparations are required, what skills are required, etc.). These are not interpretive brochures. Interpretive books and publications can be sold or distributed at the cafe/bookstore but are not appropriate where guidebooks are dispensed. The center staff and guidebooks go hand in hand to assure visitors of the opportunity to make the most of their stay in the park.

- *Graphics.*

All graphics must be simple, straightforward, and coordinated with publications and signing throughout the park. Consistency is the key to communication throughout a large park (typeface, color, symbols, materials, size).

- *Programs.*

All parts of the activity center are available for all kinds of programs—art, educational, or entertainment, spontaneous or scheduled—by all kinds of people, not just park staff.

### Conclusion

The conclusion of this article will have to wait until the May Creek Activity Center is in operation. Thanks to Director Whalen's overwhelming support, the facility should be operating next summer. Only after post-construction evaluation and some time to work out the operational kinks inherent in any new facility, will the success of the center be measurable. Everyone associated with this project has high hopes for its success and is anxious to observe the visiting public's response. See you next summer at the Sunshine Cafe.

*Editor's Note: The author is anxious to know how readers respond to the ideas expressed in this article. Please drop a line to Mr. Piper at: Redwood National Park, Drawer N, Crescent City, CA 95531 or call him at (707) 464-6101.*

*Dennis Piper, a Planner with the National Park Service's Denver Service Center, is a member of the team that conceived the May Creek Activity Center.*

*Photos provided by Redwood National Park.*

## **EXPLORE NEW HAPPENINGS IN PARK MANAGEMENT AND OPERATIONS WITH TRENDS**

### **1974**

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Winter	Intergovernmental Participation
Spring	Interpretation
Summer	Handicapped Visitors
Fall	Historic Preservation

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### **1975**

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Winter	Communications
Spring	Environmental Education
Summer	Marine Biology, Parks and Recreation around the World
Fall	Park and Recreation Programs

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### **1976**

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Winter	Maintenance
Spring	Camping
Summer	Scientific Research Emphasis
Fall	Innovative Financing

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### **1977**

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Winter	Historic Preservation
Spring	Natural Resource Management
Summer	Public Involvement Emphasis
Fall	Arts in the Park

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### **1978**

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Winter	Trends in Park Management
Spring	Serving Special Populations
Summer	Medley of Summer Concerns/Opportunities
Fall	Urban Park and Recreation Opportunities

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### **1979**

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Winter	Energy Conservation & Environmental Education
Spring	Rivers and Trails
Summer	What's New in State Parks?
Fall	Law Enforcement and the Park Mission

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