PRESIDENT’S MESSAGE: Here it Comes!

It’s been a beautiful fall here in the Ohio Valley. I can’t remember a fall when the colors were so brilliant and the weather so perfect. The leaves haven’t completely fallen yet and already the holiday hype is in full swing. The shopping malls and many stores are already decked with Christmas decorations. I expect that some day retailers will begin decorating for Christmas holidays as early as July.

By the time this message is printed in the Journal, we’ll be deep into the holiday season. If you’re like me, you’ll have eaten too much turkey. You can’t sit down for a few minutes to watch a football game, because you’ll be late for dinner at the in-law’s. Then you’ll have to call in the next day and ask to have the day off so you can rest and let your stomach get back to normal. We’re not done yet! Now you’ll have to get your Christmas list out and check it twice. I’ve found that it helps to wait till the very last minute to finish, or in my case, start your shopping. Call me lazy, but I actually find it much easier to shop when the crowds have slacked off and the selection is small. Since you don’t have much to choose from, you can pick out those perfect gifts in a hurry.

Ah! The big day comes. I suspect our three year old, Taz (short for Tasmanian Devil) will be up at 5:00 a.m. He’ll come into the bedroom like a whirlwind and try to wake me up by poking his little fingers in my eye socket. (That’s his way of showing affection.) I’ll drag myself out of bed, still tired from my last minute shopping frenzy, and from having attended midnight mass. The other boys, sixteen and eleven, won’t allow me time to even take a shower. No time for that sort of thing. Down to the family room. Wrapping paper flying everywhere. Oohs and ahs fill the air. And those Christmas pictures! You know the ones. You haven’t combed your hair; you have 5 o’clock shadow; red eyes. But it’s over in fifteen minutes. You stand in the midst of footballs, Lincoln Logs, Mighty Power Rangers, starter jackets, and wrapping paper. You smile. The frenzy is over until next year. Boys, clean up the mess while I sit in my easy chair. It’s great watching the team work as they all pitch in to get the job done. Not! But it’s fun to sit back and watch the rough-housing for a little while.

Then I’m told to get a move on. We’re late for the gathering at my mother-in-law’s. After that, it’s off to a gathering with my family, where I’m sure I’ll get kissed, hugged, tugged at, and screamed at by 50 kids whose names I can’t remember, or which sister, niece, or cousin they belong to. But I smile and try to be a good uncle or great uncle. I look at my brother sleeping peacefully on the couch and wonder how in the world he can do that! The noise is deafening! Then comes the calm as the day comes to an end and we’re back in our own home once again. What? We’re going where on New Years? Traditions. What would we do without them? The Board and myself wish all of you a happy, warm holiday season filled with good memories.

Now, a few brief business notes. The NRPA Conference in Minneapolis was great. If you weren’t there, you missed an excellent learning opportunity. Many educational sessions were offered, some sponsored by PLEA. Other sessions included Eco-Terrorism, Environmental and Natural Resource Crimes, Safety Camp, and a recreation police and fire partnership. As a result of a lot of hard work and dedication, we were successful in scheduling some sessions which applied to our profession. This wasn’t always possible in the past. Minneapolis is a beautiful area to visit. The weather was great for the conference and we were able to enjoy many of the excellent parks and natural areas in and around Minneapolis. Captain William Jacobs, of the Minneapolis Park Police, and his crew did an excellent job as local host of the conference. Having had the experience of hosting such a conference, I can tell you that it’s a true test of your organizational skills, resources, and patience. Captain Jacobs and his crew were outstanding. They even found time to wrap up the week with a Friday night cookout, complete with ribs and all of Minneapolis for their hospitality.

One of the many benefits of being a PLEA member is the opportunity to attend these excellent conferences for the learning experience and to enjoy the comradeship.

Plans for the 1995 Conference are underway. Just a reminder, that it is scheduled for March 2-4, 1995 in Cincinnati, Ohio. The Board will meet on March 1. The goal of the 1995 Conference is to provide information on issues critical to the development and survival of park law enforcement as we approach the 21st century. Our local host will make sure that we enjoy ourselves throughout the week. Why not make plans to participate. Brochures have been mailed. If you haven’t received one, give me a call at (613) 521-3980. Until next time.

Col. Richard A. Greer, President
Park Law Enforcement Association
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CALL FOR PUBLICATIONS

The Park Law Enforcement Association (P.L.E.A.), an affiliate of the National Recreation and Park Association (N.R.P.A.), invites you to submit articles to PLEA: the Journal of the Park Law Enforcement Association. P.L.E.A. was established in 1984 to improve park law enforcement, natural and visitor resource protection services in park, recreation and natural resource areas through professional development, thus ensuring "quality of life" leisure opportunities in local, state, and national park, recreation and natural resource settings. P.L.E.A. serves individuals and organizations interested in the advancement and support of park and natural resource law enforcement services. Membership includes park rangers, forest rangers, park police, park patrols, park security, game wardens, conservation officers, park and recreation board members, administrators, educators and other interested park, recreation and natural resource professionals.

PLEA is published quarterly and attempts to provide timely information to the membership concerning the association and articles specifically aimed at the park and natural resource law enforcement audience, with the goal of providing educational information for our membership, facilitating an exchange of ideas, and to generally promote professionalism within the field.

Articles should be from three to ten double-spaced, wide-margined pages and should include a short biographical sketch, listing the author's agency affiliation. Photographs, charts and tables are highly desired. Upon publication, the author will receive a copy of the issue his article is printed in for his/her records. Please submit articles to the Editor for review and consideration. Thank you for your interest in PLEA. We look forward to receiving your articles.
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PARK LAW ENFORCEMENT ASSOCIATION
At Joshua Tree, it's Satanism. At Daniel Boone, it's ganga farming. At Lake Mead, it's homicide. Crime is on the rise where you'd least expect it. A report from the seamier side of the American wilderness experience.

by Debra Shore

“I’ve gotta go,” is how Robert Tranter hastily ended a phone call one Friday afternoon a few months back. “I just got word that there may be another dead body out there.” Tranter, a ranger at the Bureau of Land Management’s California Desert District, did indeed find a corpse, the 13th such discovery by him and his colleagues in 12 months. And as usual, the cause of death—shotgun wounds to the chest—wasn’t exactly what you’d call natural.

Most of us view our public lands as happy refuges, places to ditch the bonds of civilization and commune with nature—and why not? The allure of the Great Wilderness Escape, perhaps only to the American Dream in the national imagination, has been seeded and fertilized by everyone from Henry David Thoreau to L.L. Bean. But in seeking harmony with nature, we often forget that human nature accompanies us everywhere we go, expressing itself in any number of ways: robbery, drunk driving, arson, drug manufacturing, paramilitary training, ammunition stockpiling, sexual assault, and murder—not to mention resource crimes like wildlife poaching and artifact theft. Wallace Stegner got it wrong: Wilderness is not where man is not.

In fact, it’s getting a little crowded. More than 273 million people visited the national parks last year, 67 million more than a decade ago. (The system also has added 33 new sites since then.) The number of crimes committed on park property has doubled in the last five years, yet the number of law-enforcement officers—charged with the double duty of guarding resources and babysitting visitors—has decreased by 39. Throw in BLM and Forest Service lands and you’ve got more than 541 million acres with a combined law-enforcement squad of about 3,600—about one officer for every 150,000 acres. It doesn’t take a genius to do the math. “People who engage in criminal activities have figured out that remoter public lands are accessible to them,” says Bill Paleck, superintendent of North Cascades National Park, who in his 27-year career has dealt with everything from suicide to drug smuggling.

Less apparent, perhaps, are the implications for the land itself. “These people problems are keeping us from doing the job we need to do in cultural and resource protection,” says Rick Gale, a 36-year Park Service veteran who now oversees wildfire operations at the National Interagency Fire Center in Boise, Idaho. “We can fix the graffiti on the restroom, but you lose one Anasazi pot and it’s gone.”

In the report that follows, we’ve excluded places where criminal spillover is a matter of pure proximity—the Angeles and San Bernardino National Forest on the outskirts of Los Angeles or Gateway National Recreation area outside New York, for example. Instead we’ve focused on the nationally popular locales most plagued—and endangered—by crime. Granted, the vast majority of visitors to these parks, forests, and BLM lands will never experience anything much worse than a car vandalism at a trailhead or drunken behavior in a campground. But employ this as a reminder, a compendium of cautionary campfire tales that have a common moral: When you’re packing for your annual getaway this summer, it’s best not to leave your wits behind. As one ranger puts it, “Criminals go on vacation, too.”
HOTSPOTS

Hidden Valley picnic area, where in 1992 a young girl and her brother found a booby-trap simulator—a military device with the explosive power of a quarter-stick of dynamite—while playing in the bushes. The device blew up, igniting the girl’s clothes. Within the next few weeks four more booby-trap simulators were found in the underbrush, where rangers speculate they were stashed by marines.

Lost Horse Ranger District, where last January rangers discovered that someone had dug up and dishevelled the grave of Johnny Lang, a prominent prospector who died on a supply run in the area in 1926. Sifting through the pile of bones and dirt left by the vandals, archaeologists found that the only thing missing was Lang’s skull.

Indian Cove Campground, a perennial trouble spot where, during one notorious week in February 1992, two people were arrested for collecting 66 cacti, four people were arrested and charged with burning six picnic tables, a county hostage negotiation team was called in to help catch a man who was tripping on LSD and mushrooms and screaming for rangers to shoot him, a successful five-hour search was concluded for a lost and inebriated college fraternity member, six marines were arrested for being under the influence of alcohol and for attempting to assault a woman with a burning stick, and a second person was arrested for drug use—the 97th such arrest that year in Indian Cove alone.

FROM THE FILES

On September 19, 1973, a lethal combination of drugs and alcohol killed musician Gram Parsons, formerly of the Byrds and the Flying Burrito Brothers, in Twentynine Palms, a mile outside the national monument. While awaiting transport at the Los Angeles airport, the coffin containing his remains was stolen; a day later, at a turnout near Cap Rock, a maintenance worker at Joshua Tree came upon Parsons’ flaming corpse, which burned a stain in the ground that remained visible for two full years. Two friends of Parsons later pleaded guilty to the misdemeanor theft and received suspended 30-day sentences. For some time afterward, groupies would visit the spot with spoons to try to scoop up souvenirs; nowadays the occasional fan still places flowers on the site.

ANXIETY INDEX: 3

Leathernecks, and witches and Byrds, oh my!
JOURNAL OF THE PARK LAW ENFORCEMENT ASSOCIATION

Lake Mead National Recreation Area

601 Nevada Highway
Boulder City, NV 89005
702-293-8906

MUG SHOT

Of the 367 sites in the national park system, Lake Mead National Recreation Area has the dubious distinction of being the one where you’re most likely to trip over a corpse. This morbid trend peaked in 1982, when 54 bodies were found within park boundaries; in 1993, Lake Mead still accounted for a quarter of the system’s 160 recorded fatalities. Granted, most of the deaths have been the result of accidents (over the last 23 years, at least seven people have drowned here after jumping out of boats to recover their hats), but 53 violent crimes—homicides, rapes, assaults—have been recorded over just the last two years. Drunkenness, hooliganism, and proximity to Las Vegas (a 45-minute drive) add to the atmosphere of mayhem. “I’m an ex-marine and I went into park work because I didn’t want to get into rough-and-tumble police work,” says 15-year veteran ranger Bob McKeever. “But here I’ve been in a dozen foot-chases with wanted felons. I had a vision of sitting on a horse atop a mountain pass, watching eagles and moose. It hasn’t turned out that way.

THE FACTS

Number of Acres: 1,510,216
Number of visitors in 1993: 9,256,520
Number of law-enforcement officers: 45 permanent, 11 seasonal
Number of arrests in 1993: 609
Number of violent crimes: 13
Number of fatalities: 38 (17 drowning, 5 suicides, 3 boating accidents, 2 motor-vehicle accidents, 9 of natural causes, 2 undetermined)
Number of drownings involving drug or alcohol: 5
Number of corpses discovered by visitors: 5
1994 budget: $10,805,370
Law-enforcement budget: $3,060,000

HOT SPOTS

The Cliffs, on the edge of Lake Mead’s 33 Hole (so named because “10-30” is law-enforcement code for an emergency situation), the site of 30 drownings since 1975, almost half of them alcohol-related. In the seventies and eighties, rangers routinely wore riot helmets here to shield their heads from full beer cans hurled by surly drunks. “We used tear gas and tactical techniques to take the place over,” recalls chief ranger Dale Antonich. “We still only go in with at least three rangers—two to walk around and one to guard the car.”

The New Cliffs, at mile marker 4.2 on Upper Gypsum Wash Road. When Lake Mead rises, some of the Cliffs crowd migrates to the spot, from which they periodically pelt rangers and passersby with rocks.

Gasoline Alley, a small bay near Katherine’s Landing on Lake Mohave, accessible only by boat. On spring and summer weekends, the entrance to the bay is choked with college students drinking copious amounts of alcohol. “They use gigantic water-balloon slingshots to knock our people out of their boats,” says Antonich.

Remote mile marker 8.0, on the north shore of Lake Mead, where in March 1993 a visitor from Scotland shot and wounded a couple who were camping in the spot he had chosen to commit suicide. “There’s places around there I wouldn’t go without a gun,” says ranger Tom Velenta, “and I’m a law-enforcement officer.”

FROM THE FILES

On July 6, 1993, Barry Barnett, 38, of Laughlin, Nevada, met Michael Betram, 40, of Bullhead City, Arizona, at a weekend-long beach wingding near Katherine’s Landing. Though they’d been arguing for most of the party, when it broke up the pair borrowed a boat to go out and tow each other on Barnett’s surfboard. Bertram returned the boat alone, noting casually to its owner, “I think I killed the little surfer dude.” Two park visitors found Barnett’s body floating near the Katherine’s Landing water-intake barge on July 14. Charges of negligent homicide and reckless endangerment were filed against Bertram, who had fled to Florida, though for two months, according to park investigator Ernie Soper, “Nobody had money to bring him back for prosecution.”

In October U.S. Marshals did finally haul him back— for violation of probation: Bertram had previously been cited for driving under the influence within park boundaries. As of early May, he was in prison in Florida awaiting trial in the Barnett case.

ANXIETY INDEX: 4
It’s an open air frat house—and you’re getting hazed.
Local pranksters thwacked the nail on the head a few years ago when they amended one of the entrance signs to read, DANIEL BOONE NATIONAL POT FOREST: Nearly half of the marijuana plants confiscated on national forest last year were grown here. Authorities reaped and burned 248,487 plants from 4,591 plots around the forest and ferreted out 38 booby traps, including steel bear traps, punji sticks dynamite, and fishhooks strung across trails at eye level. The good news: That’s down from the 145 traps found in 1989.

Daniel Boone’s status as dope capital of our public lands is no surprise, in historical context. During World War II, under a federal Incentive program, farmers in this part of southeastern Kentucky were paid to grow marijuana plants for hemp fiber used to make rope, and it’s still widely acknowledged as a vital part of the local economy. “We were interviewing an elderly gentleman whom we’d just arrested for cultivating marijuana,” says the forest’s special agent in charge of eradication, “and there in his patch I said to him, ‘Now what in the world are you doing here? You’re three counties away from your residence!’ And he looked at me and said, ‘Sonny, all the good places over there were taken.’”

THE FACTS

Number of acres: 681,923
Number of visitors in 1993: 5,261,700
Number of Law-enforcement officers: 16
Number of joints per visitor that could have been rolled with marijuana destroyed in 1993: 42.9
Approximate total hours of intoxication that could have been provided by marijuana destroyed: 451,500,879
Approximate street value of marijuana destroyed: $248,400,000
1994 budget: $13,525,864
Law-enforcement budget: $1,053,800

ANXIETY INDEX: 2
Can be lowered by sampling the local plant life.

Big Bend National Park

Box 129
Big Bend, TX 79834
915-477-2251

MUG SHOT

The extreme poverty of the Mexican hamlets across the Rio Grande, coupled with the fact that only five or six rangers patrol the park at any given time, makes for a lot of conflict in and around Big Bend. Twice in recent years, snipers on the Mexican side have taken potshots at rafters on the Rio Grande; in 1988, a man was killed and his wife and guide wounded by a teenager on the bluffs above Colorado Canyon, 15 miles from the park entrance. A more typical consequence of the border tension, however, is car break ins. “It’s very easy for someone to ride across the river on a horse, hit a vehicle, and go back across,” says chief ranger Jim Northup. “You’d be surprised at what they take.”
A lot of the stuff that’s stolen is the kind of stuff needed for basic subsistence - water jugs, gasoline, tires, kerosene lanterns.”

But the predominant concern is smuggling. Though its border makes up 13 percent of the international boundary with Mexico, there is no customs port of entry in the park. As a result, an inestimable quantity of drugs, animal pelts, household appliances, auto parts, stereo equipment, and construction materials - not to mention illegal aliens - sneak past rangers and the Border Patrol each year. In 1993, rangers stopped four pickups hauling 500 boxes of frozen chicken parts, a bust that turned into a logistical nightmare. “If they had spoiled, we would have been liable,” says assistant chief ranger Roger Moder. “We had to track down a food locker 100 miles away.”

THE FACTS

Number of acres: 801,163
Number of visitors in 1993: 330,741
Number of rangers: 13
Number of car break-ins reported: 36
Number of illegal aliens caught: 31
Number of fox and bobcat pelts stuffed into a spare tire confiscated by rangers on January 31, 1994: 20
Pounds of marijuana confiscated on same bust from a different tire: 23
Street value of drugs seized in or near the park in 1993: $5,034,601
Law-enforcement budget: $690,000

HOT SPOTS

San Vicente crossing, the preferred port of entry for less-than-legitimate trade with Mexico. “The Calvary,” a group of 30 or so mounted Mexican men, some with machetes slung from their saddles, hangs out on the park side of the Rio Grande and, for $50 a pop, provides an informal towing and ferrying service for vehicles crossing in either direction, no questions asked.

Dominguez Springs Trailhead and the adjacent parking area, two hours from the nearest paved road and a favorite spot for car looters. Rangers often observe hoof-prints around the unlucky visitor’s cars, which leads them to believe that the thieves come form across the river.

FROM THE FILES

In July 1991 the body of 26-year-old Donald Tate was found in the southeastern part of the park in a desolate area along the Rio Grande. Tate’s teeth were broken, his finger pads were missing, and his skull was fractured. The corpse of his five-year-old daughter was found in his burned out van several miles away.

Smuggling related theories abound, though some rangers think Tate was just in the wrong place at the wrong time. Less plausible is the theory that a campstove fire in the van burned Tate, who ran to the river to extinguish himself, expired there, and got washed downstream. “There’s some speculation that his finger pads were nibbled by turtles,” says ranger Moder, “but then there’s the blow to his head…”

ANXIETY INDEX: 2
I love NAFTA bumper sticker buys added peace of mind.

Everglades National Park
40001 State Road 9336
Homestead, FL 33034
305-242-7700

MUG SHOT

The Coast Guard and the U.S. Customs Bureau have been less of a presence in South Florida since a massive drug sweep in the eighties cleaned up the region’s murky backwaters. As a result, a dispersed, hard to track drug trade is reestablishing itself in the park. “It was pretty easy when the stuff was stacked up ten feet high and 20 feet long,” says ranger Mike Mayer. “Now it’s in much smaller loads, and it’s getting harder and harder to stop it.”

It doesn’t help that just four rangers patrol several hundred square miles of the most tangled territory, or that a new trouble spot has emerged to divert their new attention: East Everglades, a 107,600-acre crazy quilt of private and federal land recently appended to the park. The problem there isn’t smuggling but rather general gun-happiness. “I can show you refrigerators and hulks of cars that look like cheesecloth,” says ranger Bob Panko, “and mounds of shell casings on the ground.” Just last fall, a wealthy Miami businessman was cited for helicoptering a few pals out to the Chekika Access Area to test out an impressive variety of toys, among them a .50 caliber Desert Eagle pistol, two nine-millimeter pistols, a .454 revolver, and a single-shot pen gun. “The people out there shoot at virtually anything,” says ranger Ben Morgan. “On the Fourth of July, it reminds me of Vietnam.

THE FACTS

Number of acres: 1,506,539
Number of visitors in 1993: 1,061,000
Number of law-enforcement officers: 35 permanent, 6 seasonal
Drugs confiscated in 1987: 474 bales of marijuana, 135 balls of hashish
Drugs confiscated in 1993: 211 grams of marijuana
Number of weapons offences in 1993: 191
1994 budget: $10,356,300
Law-enforcement budget: $1,414,200

HOT SPOTS

The Ten Thousand Islands, on the Gulf Coast near Everglades City. Through fewer antics go on here than in the past (between 1983 and 1987, more than a hundred residents of Everglades City were arrested by DEA or customs agents), this network of mangrove islands is still believed to be a popular conduit for illicit substances—especially in smaller quantities. Rangers and non-park officials all declined to discuss intelligence reports that indicate the estimated amount of drug traffic through the region. “By the nature of our geography, we’re very susceptible to smuggling by vessel and by air,” says Richard Crawford, who heads the DEA office in Fort Myers. “We can never totally stop it.”

East Everglades, near the end of Southwest 237th Avenue, an overgrown marsh originally slated for development but never drained. “We have seen or seized just about every type of weapon ever made up there M-16s, AR-15s, AK-47s, even a grenade launcher,” says Morgan, who was once fired upon while flying a helicopter over the area.

FROM THE FILES

On the afternoon of July 1, 1992, observers at a customs intelligence facility in Richmond Heights spotted a twin-engine Piper Aerostar flying low from the Bahamas toward the eastern United States and dispatched a helicopter and a plane to tail it. The two aircraft followed the Aerostar to a spot above a landing strip west of Homestead, at which point confederates on the ground are believed to have notified the Aerostar’s pilot of his pursuers. Before the pilot and passenger were finally apprehended at Homestead General Aviation Airport, they wheeled around and flew back across the park, jettisoning the entire cargo—some 16 bundles of cocaine worth about $2.5 million apiece. Ten were recovered: Eight slashed down in the Everglades backcountry, one landed on a Homestead church, and the last crashed into a house next door to a neighborhood crime-watch meeting, where the Homestead police chief was concluding his speech.

ANXIETY INDEX: 2
Make my day, Marjorie Stoneman Douglas.

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California Desert District
6221 Box Springs Blvd.
Riverside, CA. 92507
909-697-5200

MUG SHOT

Given that a ranger’s beat here can cover as much as a million acres, it’s a safe bet that there’s a whole lot going on that the authorities will never see. Nevertheless, they see plenty: In 1993, rangers discovered 12 corpses—one without a head or fingers-scattered about the district. In the Barstow Resource Area, where seven of the bodies were found and where the evidence locker is full of assault weapons, a paramilitary group called the Confederate Mexican Army has been conducting boot camp. “Their goal is to take back southern California, basically,” says ranger Jerry Bronson. In June 1993, in the Ridgecrest Resource Area, a group of Japanese-Americans, possibly affiliated with the Japanese Mafia known as the Yakuza, was observed running armed drills on a mining claim near Red Mountain.

Other nuisances have included Charles Manson, who was apprehended in the Panamint Range in 1969; a methamphetamine lab found in the Orocopia Mountains in 1989; Skinheads holding periodic armed rallies in the southern Panamint Valley; and the instant city that routinely springs up on holiday weekends at Imperial Dunes, where dune buggies tear up the turf and their drivers tear up one another. “They’ve been riding hard,” explains ranger Bob Zimmer, “and they’re dirty, and they just finally piss each other off to the point where they may stab each other.”

THE FACTS

Number of acres: 12,500,000
Number of visitors in 1993: not available
Number of law-enforcement officers: 60
Average number of weapons on each person encountered by rangers: 4
Number of guns confiscated in 1993: 150
1994 budget: $17,000,000
Law-enforcement budget: $2,660,000
HOT SPOTS

The areas off Bulder, Hodge, and Sidewinder Roads in the Barstow Resource Area. These places have become post-apocalyptic shooting galleries identifiable by piles of debris-and dead bodies: Three of the seven corpses found in Barstow last year were found here.

Corn Springs, in the Palm Springs South Coast Resource Area. In the first four months of this year, rangers seized four sawed-off shotguns and 15 assault weapons here. Two years ago they dug up a cache of stolen explosives, possibly linked to the ongoing bombings of wild animals in the area by clubs of “varminters.” “They love to blow up and kill wildlife,” marvels ranger John Blachley. “They will shoot it and then hang it up and continue to shoot it. It’s kind of strange.”

FROM THE FILES

One Sunday afternoon in December 1993, a visitor from New Zealand was hiking the Sheep Spring Oasis Trail in the Palm Springs South Coast Resource Area when he was hailed by someone in a pickup truck claiming to be stalled. When the hiker approached, he was shot twice in the torso, then robbed of his shoes and money and left for dead. He managed to drag himself to Interstate 10, seven miles away, where he flagged down help.

ANXIETY INDEX: 4
A vacation to die for!

UTAH FIVE - 0
What Ranger Rick Does Between Nature Talks

From the Bullfrog Subdistrict dispatch log, Glen Canyon National Recreation Area, Utah, May 28-30, 1993.

FRIDAY
9:16 a.m. Large group of underage youths drinking at boat rental.
5:17 p.m. Two jet skis sinking near channel marker 89A; no injuries.
8:15 p.m. Drunk-boating accident down lake in the area of Iceberg Canyon; head injuries and leg fracture.
9:15 p.m. Man with a shotgun driving under the influence.
11:02 p.m. Loud stereo and abusive behavior at the marina.

SATURDAY
12:10 a.m. Drunk minor being transported to Visitor Center.
9:03 a.m. Gentleman passed out in men’s restroom near gas station.
11:50 a.m. Cliff-diving accident below restaurant at employee swimming cove.
1:05 p.m. Visitor reports individual threatening with a knife on Hobie Cat Beach.
1:16 p.m. Gangs from Salt Lake roaming the beach stealing T-shirts at gunpoint.
5:50 p.m. Hit-and-run jet ski at Bullfrog marina.
5:53 p.m. Call to Kane County Sheriff; suspected drug activity in A-loop of campground.
6:53 p.m. Car stopped for suspected DUI; found pound of dope.
7:42 p.m. Two boat collisions; intoxicated drivers, no injuries.
10:59 p.m. Fight breaks out over firewood on beach; one visitor hit in face with two-by-four; several teeth missing.

SUNDAY
2:33 a.m. Man in pickup truck with pit bull arrested for DUI. Officers subduing pit bull with pepper spray in order to tow the truck.
7:05 a.m. Water and food to pit bull.
11:44 a.m. Reports of an intoxicated man at trailer-village store.
3:45 p.m. Fight ensues at Chevron station over girlfriend, soda pop.
5:21 p.m. Man with sidearm 100 yards east of lodge.
7:28 p.m. Pit bull released to owner.
8:04 p.m. Smoke report by boat storage area; standby for fire truck.
8:09 p.m. Barbecue is cause of smoke.
11:26 p.m. Parked ranger vehicle at restrooms near Hobie Cat Beach has National Park Service decal stolen by two men last seen heading west.
SERVIE WITH A STICKUP

Ironically, the biggest threats to your safety and property in several of our most popular national parks may be the very people hired to help you have a good time: concession employees, those nice folks who clean your cabin, grill your burger, and lead you down the canyon path on a mule. National forests and BLM lands don’t have such services, and may be better off for it. Concession-employee crimes account for more than half of law-enforcement activity in Grand Canyon and Yellowstone National Parks, where low pay, poor living conditions, high turnover rates, and shoddy background checks make for highly dysfunctional staffs. At Yosemite, park community-relations specialist Ron Hamann has completed a study of the 201 concession employees who accounted for nearly a quarter of all arrests in the park in 1992 and come up with some appalling numbers: For instance, 29 housekeepers arrested for stealing had prior records for theft. So what’s a hapless visitor to do? Though most concession workers are decent folks - hey, Robert Redford waited tables at Yosemite Lodge - it would nevertheless seem wise to use that hotel safe.

Grand Canyon

Grand Canyon Village, on the South Rim, is home to more than 1,100 employees of Grand Canyon National Park Lodges, aka the Fred Harvey Company, the parks primary concessioner. In March, the employee rec center burned down, leaving even fewer social opportunities for staffers who already had “no other option but to sit around and drink all evening,” says ranger Dave Brennan. Indeed, about 80 percent of the 140 concession-worker arrests last year were alcohol-related. Fortunately, no one’s killed a visitor since 1984, when a newly divorced and distraught mule handler shot a man in the bar at El Tovar hotel on the South Rim. Stealing, however, has remained a steady pastime: Last September, police in Idaho apparently brought an end to a string of nearly 100 parks burglaries (40 in Grand Canyon) when they arrested a suspect in several car break-ins at Yellowstone and Grand Teton. The man, who has confessed to stealing from four rooms at Grand Canyon, had worked there as a hotel supervisor.

On the creepier side, last winter an Arizona Highway Patrol officer pulled over a concession employee for a moving violation and discovered that he was wanted by the FBI in California for sexual assault and kidnapping. At the time he was working as a host at El Tovar.

Yellowstone

Concessions at Yellowstone are handled by TW Recreational Services, which seems to make a business of relying on unreliable people: ‘To get the 2,300 workers it needs for peak season, it hires 2,900; last year, 1,400 employees left before their terms were completed, and 300 were fired. The hot spots, not surprisingly, are the five employee pubs. “They are cesspools,” declares ranger Pat Ozment. “That’s where almost all our arrests originate.” Sixty of the 90 arrests in Yellowstone last year involved concession employees, and Ozment estimates the 90 percent of them involved alcohol. In addition, all five sexual assaults that occurred in the park, including tow on mentally handicapped female workers, were committed by TW employees, and one worker fired last summer for “poor performance” turned out to be one of the major car looters in the area.

Yosemite

Out of the 201 Yosemite concession employees that Ron Hamann studied, 129 had been arrested for alcohol-related offenses or burglaries, or both - 84 of them for the second (or third or fourth) time. Fifty-four of the 129 had prior arrest records for theft. Such repeat offenses are almost ridiculously common. “Why are they making people housekeepers who were involved in the past in property crimes?” asks law-enforcement chief Jeff Sullivan. Over the last ten years more than a quarter of all arrests in the park involved concession workers, busted for everything from drunkenness to domestic disputes to drug dealing. The current concessioner, Yosemite Concession Services Corp. (which replaced the Yosemite Park and Curry Co. in October 1993), employs 1,850 people, including 1,200 who still live in trailers, tents, and run-downs dorms in the seven-mile-long, half-mile-wide Yosemite Valley. The company has placed added emphasis on pre-employment drug testing and criminal-history background checks, and has hired a consultant to work on “community health promotion.”
Maryland’s 195 rangers preside as the primary stewards of the state forests and parks. While that sounds simple, rangers often struggle with the variety in their role. As park maintainers, environmental educators, and recreation host; they find a set of constantly changing priorities. Ultimately, rangers are the protectors of the resources, and of the people who visit the parks. They have the training, equipment, policies and philosophy to carry out the duty. However, those tools did not come easily as Maryland’s rangers endured much the same evolution as numerous other enforcement agencies throughout the country. Along the way they traveled a long road to achieve anything and still find frequent roadblocks.

Maryland rangers receive 25 weeks of basic training, plus annual certifications in firearm, first aid and assorted in-service courses. Rangers are issued the Beretta 96D semi-automatic (.40 cal) sidearm, expandable ASP, pepper spray and body armor. Their uniforms feature tan shirts, green pants with black stripe, ties in winter and brown jackets. Brown sweaters are optional. Their badge states “Maryland Ranger” on a circle around a five point star and their ball cap says “Ranger” in gold on a black cap.

Identity continues to present an obstacle to Maryland’s rangers. They are often confused with game wardens or other police officers. Citizens sometimes suffer from the mistaken assumptions that local police agencies could protect park resources and visitors to an adequate degree. In Maryland, as in many other places, people sometimes fail to recognize the special character and qualities of park protection.

As active strategy in underway to heighten the public understanding and appreciation of Maryland’s rangers. The emphasis of “ranger” on the uniform has been combined with several special programs to elevate the recognition of this unique group of people.

“Three Centuries of Service” is a first person historical effort to accent the role of Maryland rangers over the centuries, volunteer programs now includes “Volunteer Rangers”. As emphasis has been place upon “junior ranger” programs in parks. Rangers also take a lead role in high profile environmental educational programs.

Over the years the rangers accomplishments in law enforcement efforts has traditionally been down played. The goal was to not advertise problems on parks. Along the way, the value of rangers in park protection was not recognized.

For the past three years rangers have openly reported enforcement incidents to the news media. This communication is included as part of effective incident management.

Rangers continue to follow the long, slow rad to progress on many fronts. Changing attitudes among employees and the public takes a long time, so progress in not easily measured. At least they are openly promoting their own qualities.

One thing has remained constant among rangers, philosophy which features education over enforcement. Working with the crowd, convincing rather than convicting, gaining cooperation rather than forcing compliance is a strategy that works. Non of it is easy, but no one ever promised the smooth path.

CORRECTION

In the last issue of PLEA, the preceding article was run under the wrong title. The Maryland State Forests and Parks and the Maryland National Capital Park Police are two separate departments in Maryland, existing at different levels of government. The Editor wishes to apologize for any confusion that this mistake may have caused and assure all parties that this mistake was not intentional, but simply a matter of trying to do too much at one time and not paying attention too detail. Mistakes will happen. To correct his error, we have reprinted this article in it's entirety with the correct heading for our readers. We will try to do better in the future.
JOURNAL OF THE PARK LAW ENFORCEMENT ASSOCIATION

LEGAL UPDATE

CASE SUMMARY

The law in Wisconsin and federally is clear in that no one can be forced to give his or her name if that person did not commit a crime. This is an abridgment of the case of Joseph S. Henes, Plaintiff-Respondent, versus Matt Morrissey, Individually and in his Official Capacity as a Deputy Sheriff of the County of Oconto and Michael Zahn, Individually and in his Official Capacity as a Lieutenant of the County of Oconto, Defendants-Appellants.

Matt Morrissey and Michael Zahn, sheriff's officers, appealed a judgment awarding Joseph Henes $500 damages and $7,800 attorney fees in his civil rights action. The officers lost at the Circuit Court trial level. On appeal, the officers argued that they are entitled to qualified immunity for their arrest of Henes. Joseph Henes had been charged with obstructing an officer. The officers also appealed that Henes is not entitled to attorney fees in this case.

The Wisconsin Appellate Court, in Case No. 93-3116 rejected their arguments and affirmed the judgment of the trial court. The facts of the case were that the Officers encountered Henes walking on the shoulder of a highway at 3:00 a.m. Having heard a report of an auto theft in another county twenty miles away, they stopped Henes to determine whether he was involved in the auto theft. After a short conversation, the officers asked Henes to identify himself. He refused to give his name. They then arrested him for obstructing an officer in violation of ss. 946.41, Stats. Henes brought this suit alleging that his civil rights were violated. The trial court concluded that the officers lacked probable cause to arrest Henes and the jury awarded $500 damages. Additionally, the trial court then awarded Henes $7,800 for his Attorney fees.

The Wisconsin Appellate Court concluded as follows: "...the officers lacked probable cause to arrest Henes, and their asserted belief that they had probable cause was not reasonable. In State v. Hamilton, 120 Wis. 2d 532, 356 N. W. 2d 169 (1984), seven years before Henes' arrest, the supreme court ruled that a private citizen could not be arrested for failing to identify himself. The court adopted the position of Justice White in his concurrence in Terry v. Ohio, 392 U.S. 1, 34, (1968), that a person is not obligated to answer questions and refusal to answer furnished no basis for an arrest. One year later, the Seventh Circuit also concluded that a detainee is not obligated to provide officers with any information during a Terry stop. Moya v. United States, 761 F.2d 322, 325 (7th Cir. 1985). Because the only act of obstruction specified by the officers was Henes' refusal to identify himself, there was no basis for arresting him on a charge of obstruction." "Likewise, the officers lacked probable cause to arrest Henes for auto theft. Because the officers lacked probable cause for the arrest on the basis of well-established legal principles, they are not entitled to immunity for the unlawful arrest." Base upon the opinion of the Appellate Court, the trial court's judgment was affirmed.

THE REPORTER, Barry W. Szymanski is an Officer with the State Fair Park Police Department, a full-time Attorney, and an Instructor Certified in Legal Procedures by the State of Wisconsin Law Enforcement Standards Board.

Note: The purpose of this update to acquaint the reader with the highpoints of some new legislation. This is certainly not all of the case, nor is it intended as a summary. As with all law, please consult the actual printed case law for all detail and cross references. It is the intention of this writer that this update prove helpful in alerting you to new trends.

PARK RANGER
JOHNSON COUNTY, IOWA
POLICE

RANGER PARK DEPARTMENT
PINE LAKES
FLORIDA COUNTY

Patches
DO WE HAVE YOUR AGENCY'S PATCH IN THE P.L.E.A. PATCH DISPLAY?
SEND TWO (2) TODAY TO THE PLEA EDITOR.
AN UNLIKELY HOME
FOR A PARK:
IN HARLEM,
ON A SEWAGE PLANT

by Sofia McFarland/Staff Writer
New York, N.Y.

As state parks go, this one has many of the essentials: rangers in Smokey Bear hats, information brochures, crowds in shorts.

But the soccer field is carpeted with Astroturf, and the backdrop is not scenic mountains, but Harlem housing projects. What it sits on top of is another matter altogether, and it leads to the question at hand: How bad is the smell? The smell from the neighbor below, that is. For in New York, a city used to extending its tentacles upward instead of outward, a state park built on top of a sewage treatment plant in the Hudson River makes perfect sense.

For Harlemites, angry at the city for sticking them with a smelly, toxic complex that more affluent neighborhoods shunned, Riverbank State Park, which opened one year ago in May, was a peace offering and a symbol of the city’s "well-make-you-a-deal" logic.

Approaching it, it looks like an ocean-liner-sized factory, parked on the bank of the river. On top of it is a 28-acre urban park, complete with tennis courts, swimming pools, a track, a soccer field and a water-front amphitheater.

Few dared believe it would be such a happy and safe place, a People’s Country Club with pipes from the treatment plant sticking up between basketball courts and baseball fields. There are no graffiti. The two footbridges that connect the park to a neighborhood with its share of troubles somehow serve to keep most of those troubles at bay.

When you walk across the bridge, you’re no longer in New York City, you’re in New York state,” said Barbara Conner, general park manager. “I really thing the reputation of state parks is that they are safe.”

Conner said her favorite time at the park is early in the morning. “There’s a solitude then when you can just sit and watch the boats go by.”

The rest of the day, solitude is not the word that comes to mind. Especially not in the pool, which didn’t have many spare inches to splash around in when a reporter was visiting. “You can have a rowdy crowd here,” said Hector Ayala, of Bronxville, N.Y., who visited the park with his wife, son and three grand-children.

Conner estimated that about 10,000 people visit the 28-acre park each day.

Families were having picnics. Two women in colorful African dresses and headwear strolled by. A soccer game in progress on the Astroturf, Spanish commands flying, forced Israel Velazquez, Lorenzo Pinkston and Ron Fields to the edge of the field where they were throwing a football around. The three had come to the park from the Bronx, which is nearby. Fields, who recently graduated from Penn State University, said, “A lot of people in this area are looking forward to having a park like this, so they want it to stay like this, so they aren’t going to act up.” Pinkston agreed. “This is our only spot,” he said.

And the smell was hardly there. Actually is was probably more of a bother on the West Side Highway below, where people returning from upstate vacation houses had gotten stuck in traffic.
The goal of the 1995 workshop is to provide information on issues critical to the development and survival of park law enforcement into the 21st century. Management, personal, and people skills will be enhanced through instruction from the following knowledgeable and experienced presenters:

**PRESENTERS AND TOPICS**

**Dr. Michael M. Thomson,**
**Psychologist, Author, and Educator**
Dr. Thomson will address the workshop on strategies for coping with life's personal and professional stresses, and exploring innovative methods for decision making.

**Eugene R. Ferrara,**
**Director of Public Safety at University of Cincinnati and Instructor for the Police Executive Leadership College**
Mr. Ferrara will instruct on methods of management in law enforcement, focusing on the steps for problem solving and the merits and pitfalls in goal setting.

**Dr. James Daum,**
**Psychologist, Teacher, and an organizational and personal consultant for approximately one hundred law enforcement agencies in Ohio, Kentucky, and Indiana.**
Dr. Daum will address a potpourri of psychological issues including processes to assist in the proper selection in hiring and promotion.

**Martin T. Kavanaugh, II,**
**Senior Director of Operations for PGA Golf Properties**
Mr. Kavanaugh will discuss ways of motivating employees to exceptional performance and developing exceptional customer service in park agencies.

A representative from **AMERICAN LEGAL PUBLISHING** will offer insights on the legality and benefits of expanding park ordinances through the process of "codification".

C.E.U.s will be available for those attending all educational sessions.

Additionally, the workshop will include:

- A Thursday luncheon at the hotel, featuring a moving and motivating presentation by Mr. Dave Leedy.
- A PLEA banquet on Friday evening at the Hamilton County Park District's beautiful Mill Race Lodge. The banquet will feature a delicious meal and entertaining evening.
- A hospitality room open Wednesday through Friday evenings providing complimentary refreshments, snacks, and a comfortable area for meeting and networking with other park law enforcement professionals from across the nation.
- A Friday outing for interested spouses and children.
- Possibly a Saturday afternoon event for all, if attendees are staying. (To be determined after registrations are received)

**LAW ENFORCEMENT AND VISITOR PROTECTION WORKSHOP DEFINED**

It is the annual education conference of the Park Law Enforcement Association, the professional association for recreational law enforcement. PLEA is affiliated with the National Recreation and Park Association and is dedicated to the advancement of law enforcement in parks and the safety of park personnel and visitors. The workshop is open to anyone with a professional interest in recreation law enforcement.

**WORKSHOP DATES**

The workshop will begin the morning of Wednesday, March 1, 1995, with a PLEA Board of Directors' meeting. Registration will be Wednesday evening from 4 to 8 P.M. followed by the informal welcome and gathering in the hospitality room. Educational sessions will be all day Thursday and Friday, and Saturday morning. March 1-4, 1995.
The Workshop will be held in the Greater Cincinnati area, at the Quality Hotel - Riverview. The hotel is located just off I-75 on the Ohio River in Covington, Kentucky. This hotel was selected because of the spectacular views provided of the Ohio River and Cincinnati Skyline. The hotel offers elegant dining at the Riverview Revolving Restaurant or more casual fare at Kelly's Landing. Many fast food and other restaurants, and popular attractions are within walking distance. The hotel provides free shuttles to downtown Cincinnati (3 minutes) and the Greater Cincinnati International Airport (12 minutes). An indoor pool and fitness equipment is available at the hotel.

The special PLEA workshop rate is $59.00 per night plus tax for a room with two double beds. You must identify yourself with PLEA for this rate. All reservations for lodging should be made directly with the Quality Hotel: (606) 491-1200. All reservations need to be made by February 16, 1995. All major credit cards are accepted.

The Hamilton County Park District Ranger Department, commanded by Colonel Richard A. Greer, is the host agency. Captain Gary Hoffman will be handling conference registrations and can be reached at (513) 521-3980 or (513) 521-7275, FAX (513) 521-2606. Please notify Captain Hoffman of any transportation or other special needs at least ten days prior to the conference.

TRAVEL ARRANGEMENTS

CALLAHAN TRAVEL, is the official travel agency for the 1995 PLEA Workshop. Located near hotel, why not allow them to make your "Complete Travel Arrangements". For the best arrangements in travel, please call: CALLAHAN TRAVEL, INC. 525 W. FIFTH ST. #108 COVINGTON, KENTUCKY 41011 1-800-669-0636 (Be sure to mention you are attending the PLEA Conference)

COST

Registration cost for the workshop is $205.00 for PLEA members and $220.00 for non-members. Non-members will automatically receive 1995 PLEA memberships with their registrations. Checks or money orders must be made out to PLEA 1995 WORKSHOP. Registration must be received by February 16, 1995. There will be a $25.00 late fee charged to any registration received after February 16, 1995. The Federal Tax I.D. Number for PLEA is: 73-6017987

BOOKS

Request for Titles

Hans Erdman, Park Ranger
Anoka Co. Park Department of Andover, MN
116 E. Rose Place
Little Canada, MN 55117

I plan to write reviews on The Making of a Ranger, by Lamuel (Lon) Garrison, and Fire in Paradise by Micah Morrison, in the near future. If any of the readers know of any other park ranger related books that I could review please send the title and author's name to me at the address below. I have a fairly good library of books related to Search and Rescue, wildfire control, mountaineering/wilderness skills and conservation law enforcement. (game wardens, etc.) Most of the ranger related books that I have found so far are about the National Park Service. Does anyone know of books by or about state, county, or city park rangers/police? Please let me know about them if you do. Thanks in advance! Hans Erdman.

INTERNATIONAL ENVIRONMENTAL LAW
1994 SUPPLEMENT
by Alexandre Kiss and Dinah Shelton
260 p. $45.00.
Transnational Publishers Inc.

Since publication of International Environmental Law in 1991 more than 40 international texts have been adopted, most of them multilateral treaties. This represents a 10-15 percent increase in less than 4 years in the number of multilateral instruments dealing with issues of environmental protection. Such a rapid proliferation of texts is unprecedented in international law.

The 1994 Supplement not only includes the most recent texts, such as the Rio Declaration, the United Nations Framework Convention on Climate Change, etc. but updates all chapters of the main volume as well as the bibliography.
Abandoned Shipwreck Act Upheld

A U.S. Court of Appeals recently rejected a commercial salvor’s claim against the constitutionality of the Abandoned Shipwreck Act (ASA). In the case of Zych v. Unidentified, Wrecked and Abandoned Vessel (19 F.3d 1136 [7th Cir. 1994]), the Seventh Circuit Court of Appeals ruled that Harry Zych, a commercial salvage business operator, was not entitled to be awarded salvage rights for a shipwreck believed to be the Seabird, which sank in Lake Michigan just north of Chicago on April 9, 1868.

In his arguments, Zych contended that ASA was unconstitutional because Congress had exceeded the Supreme Court-ordered limit on legislation in the admiralty and maritime context. The limit states that Congress can neither exclude a thing that clearly falls within the admiralty law nor include a thing that clearly falls outside it. Zych argued that in passing the act, Congress unconstitutionally excluded the law of salvage.

The court rejected Zych’s argument and held that the ASA has no effect on the law of salvage because it does not apply to abandoned shipwrecks. The law of salvage assumes that the salvaged property is owned by someone other than the salvor, who has been awarded the salvage rights. ASA, however, applies only to abandoned property.

Thus the court appeared to hold that, whereas title to an abandoned shipwreck is transferred to the state under ASA, the shipwreck remains “abandoned” for purposes of applying the law of salvage.

The court also rejected Zych’s argument that a federal court could order the state of Illinois to pay him a salvage award and ruled that a Supreme Court-created exception to federal sovereign immunity cannot be analogized to 11th amendment state sovereign immunity. Consequently, since Illinois did not consent to Zych’s suit and Congress has not expressed any intent to abrogate Illinois’ 11th amendment sovereign immunity, Zych’s suit is barred.

At a hearing, Lathrop awarded ownership of the alleged shipwreck under general admiralty principles - won a preliminary injunction preventing interference with his operation.

Subsequently, Florida sought to prohibit Lathrop from excavating. By this time he was dredging craters in the ocean floor. Noting that the state did not own the shipwreck, the U.S. District Court denied Florida’s motion.

Lathrop was edging closer to obtaining the state’s permission to begin salvage when, in July 1991, the United States -through the Army Corps of Engineers and the National park Service - asserted its regulatory interest in protecting the seashore from unprofessional excavation.

The Corps told Lathrop that his award of ownership did not preclude the United States from regulating salvage within the agency’s “dredge-and-fill jurisdiction.” The Corps asserted its authority over dredging in tidal water from the mean high water line to the outer limits of the continental shelf.

The Corps, therefore, did not recognize the injunction. Furthermore, the Corps said that Lathrop must comply with the Rivers and Harbors Act of 1899 before dredging in navigable waters of the United States.

In other words, the Corps told Lathrop he would need a permit before resuming salvage. The Park Service took an analogous position, asserting that Lathrop must obtain an Antiquities Act permit.
In 1992, Florida and the Corps denied Lathrop’s permit request. Lathrop’s Antiquities Act permit was also denied. He then filed a motion to prevent the United States from requiring the permits.

In April 1993, the U.S. District Court for the Middle District of Florida denied the motion. The court held that Congress can supplement admiralty law by regulating salvage activities.

Thus, even when the Abandoned Shipwreck Act does not apply, federal agencies and states can assert regulatory interest in a shipwreck even if they cannot assert ownership. Because this opinion has been published, it will likely be cited in future cases.

**Fourth Looter Sentenced Under Florida’s RICO Act**

In 1992, the state attorney for Florida’s 20th judicial circuit used that state’s “organized crime” statute to charge Donald Paul Williams, L. Frank Hudson, Peter Alexander Smitt, and Ronald Allen Webb.

The four eventually pled guilty to racketeering conspiracy under Florida’s Racketeer Influenced and Corrupt Organizations (RICO) Act, criminal mischief, and grand theft for “the unauthorized excavation, destructive probing, digging and removing of earth...in a destructive effort to locate buried treasure” on five state-owned and two federally owned sites in Charlotte, Lee, Hillsborough, and Pinellas counties. Donald Paul Williams was sentenced in January of this year; the other three were sentenced in 1993.

The case, in which Assistant State Attorney Robert A. Lee served as lead prosecutor, was the culmination of an intensive joint investigative effort by the Florida Department of Natural Resources, the Florida State Parks Service, the Florida Department of State’s Bureau of Archeological Research, and National Park Service rangers and investigators in cooperation with the state attorney’s office.

State authorities had been aware of destructive treasure hunting on state and federal archeological sites in south Florida - such as Big Cypress National Preserve, Everglades National Park, and Ding Darling National Wildlife Refuge - going back over 20 years. However, the identity of the person(s) systematically digging on and destroying remote Indian mounds and other historical sites remained a mystery.

Then, in July 1991, Park Service officers at Cayo Costa State Park came upon a group of individuals in the process of sinking an exploratory shaft into an isolated section of the park, where local legend recounts stories of pirate activity. Focusing their investigative efforts on these individuals (William, Smitt, and Webb) and the person who directed them to the site (Hudson), state officers uncovered evidence of “treasure hunting” activities throughout the region going back for more than a decade.

Prominent among the incidents was the well-publicized mass destruction of the Caloosa Indian temple mounds on Big Mound Key in 1980. Many of these past activities, numbering nearly 60 separate incidents, involved the use of bulldozers and backhoes to dig massive trenches through sites such as Big Mound Key, where a trench 20 feet wide, 25 feet deep, and 200 feet long was gouged into the site, destroying about 7,000 cubic yards of a shell midden.

**Fines Used to Reward Citizen Stewards**

Citizens who acted as good stewards for archeological sites will receive monetary rewards, thanks to a provision of the Archaeological Resources Protection Act used for the first time by the National Park Service, working closely with the Departments of Justice and the Navy. The rewards - to be presented to people who reported thefts at a national battlefield and two Civil War era shipwrecks - come from fines paid to the U.S. Treasury by criminal violators of the act.

Intended to promote exemplary stewardship in protecting America’s past, the rewards were appropriated through an arrangement that allows agencies to improve the protection of sites by using funds from the fines to reward citizens assisting in prosecutions.

The Treasury warranted funds for these rewards following successful prosecution of criminal violators who looted Tennessee’s Chickamauga-Chattanooga National Military Park - a Civil War battlefield - and trafficked remains from the USS Cumberland and CSS Florida - two Civil War shipwrecks in the James River off Newport News, Virginia - across state lines (see the fall 1993 issue). William C. Lane, Jr., and the Confederate Naval Historical Society will receive the rewards.

In February 1992, Lane, a visitor to the Chickamauga-Chattanooga park, reported that someone was using a metal detector to remove artifacts, an offense under ARPA. The information was used by Steven McKnight, the assistant U.S. Attorney for the eastern district of Tennessee, to prosecute Douglas Franklin Dodd. Dodd was convicted and ordered to forfeit his metal detecting equipment and pay $4,000 in restitution to the park. He also paid a $500 fine.

In 1993, the U.S. Attorney for the eastern district of Virginia successfully prosecuted two watermen and two private collectors who pled guilty to interstate trafficking in artifacts from the Civil War shipwrecks, a violation of both Virginia state law and ARPA.

Officers of the Confederate Naval Historical Society, a private, non-profit organization, informed the FBI that remains of the Florida were being trafficked interstate. That information, which led to the recovery of some of the artifacts from the collectors, was incorporated into their prosecution.
Navy Lieutenant Anthony Antonellis, a special assistant attorney attached to the U.S. Attorney's office, served as lead prosecutor in United States v. Fred Larry Stevens and United States v. Gary Williams, which resulted in criminal convictions, $1,500 in restitution, and $1,000 in fines. The National Park Service provided certification to the citizen stewards with the approval of Captain C.E. Ellis, Jr., commanding officer of the Navy legal service office Norfolk.

The act's reward provision requires that land managers certify to the Department of the Treasury that evidence was furnished in a civil or criminal prosecution, that it led to a finding of a civil or criminal violation under ARPA, and that a penalty or fine was paid as a result. Treasury is directed to pay a reward equal to half the penalty or fine, or $500, whichever is lower.

The rewards will maximize the strategy behind ARPA, enacted to help agencies manage archeological sites and artifacts in place, not merely prosecute violators. Raising awareness of the serious looting problem - among federal prosecutors as well as the public - is key to the strategy.

SAA Honors Five Site Defenders

The Society for American Archaeology has given its 1994 public service awards to five people for their work in two precedent-setting cases.

In one case, five men were successfully prosecuted for trafficking in artifacts looted from a previously unexplored Hopewell mound, one of the largest ever constructed in the Eastern Woodlands. The case marked the first application of the act's provisions that forbid interstate trafficking in archeological resources removed in violation of state and local laws.

In the case, the seventh circuit of the U.S. Court of Appeals determined that these provisions are similar to other federal laws concerning crimes committed in interstate commerce and therefore upheld the convictions. The Supreme Court denied a petition for further appeal.

The SAA presented awards to Deborah Daniels, former U.S. attorney, Larry Mackey, assistant U.S. attorney and chief of the criminal division, Scott Newman, former assistant U.S. attorney, and James Beck, special agent of the FBI. They were commended not only for their diligence in prosecution, but for their sensitivity to the importance of recovering more than 3,000 looted artifacts and their efforts in educating the public about archeology.

In the other case, a looter tried to avoid conviction by using arguments similar to those that made enforcement of the Antiquities Act problematic in some parts of the country after a 1972 case.

This case began after a long investigation in 1986-87, when government agents in Oregon seized over 2,800 looted artifacts, tools, photographs, and documents. These implicated a looter in activities that violated the Archaeological Resources Protection Act.

Although the defendant was convicted, he appealed on grounds that the act was unconstitutional. The defendant argued that his activity was protected by the principles of academic freedom. The government countered by citing his lack of academic credentials and institutional affiliation, as required for anyone to be granted a permit under the act. The appeals court agreed and upheld his conviction. The Supreme Court denied his petition for further appeal.

For his appellate brief and argument, the SAA commended Assistant U.S. Attorney Jeffrey Kent of the District of Oregon. Kent went on to share his experience with other attorneys through a course sponsored by the National Park Service and the Department of Justice titled "Overview of Archaeological Protection Law." Because of his work, notes the SAA, "the law today has broad appeal and practical utility for prosecutors across the country."

Private Sites Protected, Says Indiana Supreme Court

On March 7, 1994, the Supreme Court of Indiana affirmed a determination by two lower courts that the Indiana Historic Preservation and Archeology Act applies to private property. The case was decided in Whitacre v. State, 629 N.E.2d (Ind. 1994), affg 619 N.E.2d 605 (Ind. App. 1993).

In 1982, Robert Whitacre and his wife discovered a Hope well Indian site (c. A.D. 150) on a Dearborn County farm. After purchasing the property, Whitacre asked an archeologist at the Indiana Department of Natural Resources whether he needed a permit to excavate.

He was told that he would need a permit as well as an approved plan. When Whitacre sought a judgment from the Dearborn County Court that the department did not have authority over private property, the court found for the department.

Whitacre took his case to the Indiana Court of Appeals, which - in affirming the lower decision - cited a state supreme court opinion that preserving archeological sites is within the state government's legitimate interests. The appeals court found that the legislature was empowered to regulate its authority over private sites to the Department of Natural Resources. The court said that in ascertaining the legislature's intent, it reads a law as a whole, attempting to effect all its provisions.

The court concluded that the Historic Preservation and Archeology Act would be superfluous unless the legislature had intended to authorize the state to oversee sites on private property. Whitacre took the case to the state supreme court, which affirmed the earlier findings. Consequently, the act's applicability to private property is now the law throughout Indiana.
Big Raid Nets Rare Butterflies

DENVER - Federal prosecutors allege three top collectors illegally netted hundreds of butterflies in a national poaching spree, The Denver Post said on Sunday. The Collectors each face five years in prison and $250,000 in fines if convicted.

All told, the Fish & Wildlife Service confiscated insects that allegedly were taken from Grand Canyon, Yosemite, Olympic, Big Bend, Rocky Mountain and Everglades national parks, as well as several national monuments and national recreation areas. Some specimens were also alleged to have come from the Uncompahgre, Arapahoe and Pike national forests in Colorado; the Shoshone and Bridger Teton national forests in Wyoming and six national wildlife refuges in Alaska, Florida, California and Nebraska.

The case began when federal agents obtained a search warrant and raided the Redwood City home of Richard Skalski in June 1992. Investigators later mounted raids on the homes of two collectors, Thomas Krahl of Tuscon and Marc Grinnell of Santa Rosa. Akalski and Kral also are accused of selling some rare specimens for hundreds of dollars to dealers and collectors. "This is big. It could potentially involve anyone who's ever slapped a net over a butterfly," said Kral, who stands accused of taking 26 specimens of a federal endangered species, the Uncompahgre fritillary, from a 14,000 foot peak near Lake City in southwestern Colorado.

Looting Costs Rancher Estimated $25,000

The destruction of 21 petroglyphs in the Glen Canyon National Recreation Area cost a retired Utah rancher an estimated $25,000.

On March 10, McKay Bailey pled guilty in federal court to an ARPA violation as part of a plea agreement in which he will reimburse the Park Service for restoration of the archeological site and direct government expenses. In addition, Bailey will forfeit his 1990 Ford pick-up, valued at approximately $12,000. Bailey's lawyer said in a television interview that the case had cost his client $25,000.

But, said Glen Canyon superintendent John Lancaster, "McKay Bailey... destroyed history. Although he has pled guilty and will pay for his crimes, the damage is done.

Tennessee Valley Training

In its first go-around, the Tennessee Valley Authority's ARPA training program was quite successful. From September 1993 to January 1994, a total of eleven 8 hour sessions were attended by 226 law enforcement and public safety officers. According to Steve O. Watson, manager of operations support of the public safety service, the TVA is beginning to target some areas of archeological violation and hopes to report soon on the case activity he hopes will be generated.

Huastecano Homecoming

A collection of over 1,000 pre-Columbian artifacts, mostly from the Huastecano tribe, was returned to the government of Mexico by U.S. customs officials under the terms of the Treaty of Cooperation between the countries.

The artifacts, valued at nearly $50,000, were seized from a private residence and business in 1990 and are currently on display in the McAllen International Museum in Texas. The collection of 1,337 pieces, dating from A.D. 900 to 1200, includes pots, figurines, and burial beads as well as Anasazi pot sherds.

Robbing the Looters

The U.S. Geological Survey is slowly spirited away what is perhaps the site looter's most valuable tool: map coordinates. On the Survey's latest maps, many archeological sites are gone, having slid under the cartographic sands of time. "We don't want our knowledge of these places to become a looter's guidebook," says Jerry Rogers, director of cultural resources for the National Park Service.

In the past, it's not been unusual to catch looters red-handed with the maps, available through the Survey and open for inspection at over a thousand libraries across the country. Now, when revising a map, the USGS deletes all archeological sites and ruins unless instructed otherwise by the responsible agency.
LETTER TO THE EDITOR

September 10, 1994

153 First Street
Keyport NJ 07735

Dear Dr. Steele;

First off I would like to congratulate you and your staff for an excellent publication. I have been a member of PLEA for nearly one year now and look forward to my journal in the mailman’s hand. I have been involved in park law enforcement since 1989 after I graduated from high school. I became a county Park ranger in NJ at age eighteen and after four years I moved on to the state of NJ park service as a seasonal ranger in Allaire State park. I just recently completed a seasonal position with New York City’s Park Enforcement Patrol, being assigned to Central Park. I am looking forward to a career in either park law enforcement or forest fire suppression.

At this time I would like to submit my article on the Monmouth County NJ park rangers. I hope all is in order. I have also enclosed several pictures of vehicles and one of ranger in uniform.

Sincerely;

Timothy E. Regan

PROFILE:
MONMOUTH COUNTY PARK RANGERS

The year 1961 saw the birth of the Monmouth County park System with the opening of the five hundred and eighty seven acre Shark River Park in Wall Twp. Today the system is comprised of over 15 parks, 1 conservation area, 4 golf courses, one marina and two recreation areas. In the early years of the system maintenance men cared for the parks and handled minor problems, however, all law enforcement incidents were handled by local police.

As the park lands began to grow so did the agencies responsibilities. As in all areas outside problems seemed to be penetrating into parklands and there seemed to be increases in small and large problems alike. So the answer was to train and equip park rangers who would now take on many more added duties. Soon the ranger force grew and today it numbers near sixty. Each ranger is responsible for being proficient in all areas of natural resource management including law enforcement, fire suppression, interpretation, and maintenance.

All new recruits attend a four week class at the Monmouth County Police Academy. While attending the academy members of the class are taught such courses as Patrol concepts, juvenile relations, defensive tactics and NJ criminal law. In 1993 all county rangers became trained and armed with oleoresin capsicum. During graduation the valedictorian of the class receives the Golden Oak award while the salutatorian receives the Silver Oak award.

Although ninety percent of all violations are handled through the use of both written and verbal warnings, rangers do make criminal arrests.

Patrolling the lands of the system is not an easy task. For example Seven Presidents Oceanfront park is thirty three acres, of Atlantic Ocean beach and during the summer one can only imagine the atmosphere on the July fourth holiday. Duties at this area usually revolve around missing children, alcohol violations, and trespassers occasionally rangers have entered the water to rescue park visitors when the professional lifeguard staff has been either busy or off duty. While nearby Hartshorne Woods Park is nearly 1000 acres of steep hills, mountain laurel bushes, and winding hiking trails wrapped around 1000 year old tulip poplar trees. The recently completed Manasquan Reservoir/Joseph C. Irwin Recreation area gives every ranger a test of his skills. Over 700 acres of the new park lie in the form of the reservoir and is open for recreational boating and fishing. Nearly 300 more acres surround the reservoir in the form of hiking trails and wetlands.

Park rangers at this area patrol in a rescue boat for enforcing violations on the water and more often plucking a careless boater from the water.

Promotions for rangers are based on civil service tests and are open to all qualified persons. After obtaining peace officers status as a ranger, you may become a senior ranger, then onto principal ranger, and several other management areas.

Monmouth County Rangers dressed in their forest green pants, tan shirts and brown campaign hats are always a familiar site at the Monmouth County Fair. This fair which is held at the showgrounds attracts a yearly crowd of nearly 100,000 persons. At this event park rangers are responsible for all facets of crowd control patrol vehicle parking and a myriad of other tasks. This event is usually referred to as the Park Family Reunion for everyone works for the fair and nearly all of the rangers view it as a welcome event.

Although Park Rangers do not carry firearms they have full peace officer status while on duty. Just recently rangers have been trained and equipped with oleoresin capsicum. Soon the Monmouth County Park Rangers will be entering the new century and with that many new challenges will be arising. Every extending park areas coupled with manpower shortages keeps every ranger on his toes and molds each ranger into a master of all trades.
# PARK LA'"ENFORCEMENT ASSOCIATION
# MERCHANDISE
# ORDER FORM

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RETURN ADDRESS

NAME
ADDRESS
CITY/STATE/ZIP
PHONE

ADD $1.00 FOR XXL.
ADD $2.00 FOR XXXL.
POSTAGE AND HANDLING $2.50

GRAND TOTAL

MAIL TO:

Bill Runnoe, Treasurer
Park Law Enforcement Association
9620 East Alameda Dr.
Norman, OK 73071

Guarantee:
If not completely satisfied with your purchase, please return within 30 days for a refund or replacement. We will accept personal checks, cashier's checks or money orders payable to P.L.E.A. Allow 2-4 weeks for delivery.

Item #7 Lapel Pins

Price $5.95
Colors: Silver, Gold
Item #1  Embroidered Sweatshirts

Price $16.95
Colors: White, Lt.Blue, Silver, Navy, Red
Royal-Blue, Maroon, Kelly-Green
Black, Yellow
Sizes: S, M, L, XL, XXL, XXXL

Item #2  Embroidered Golf Hats

Price $9.95
Colors: White, Lt.Blue, Gray, Navy, Red
Royal-Blue, Maroon, Kelly-Green
Black, Beige, Brown
Sizes: One Size Fits All

Item #3  Embroidered Golf Shirts

Price $17.95
Colors: White, Lt.Blue, Silver, Navy, Red
Royal-Blue, Maroon, Kelly-Green
Black, Yellow
Sizes: S, M, L, XL, XXL, XXXL
• XXXL Colors: White, Black, Royal-Blue
Kelly-Green, Red, Maroon, Yellow

Item #4  Embroidered Golf Shirts

Price $20.95
Colors: White, Lt.Blue, Silver, Navy, Red
Royal-Blue, Maroon, Kelly-Green
Black, Yellow
Sizes: S, M, L, XL, XXL, XXXL
• XXXL Colors: White, Black, Royal-Blue
Kelly-Green, Red, Maroon, Yellow

Item #5  Silk Screened T-Shirts

Price $10.95
Colors: White, Lt.Blue, Silver, Navy, Red
Royal-Blue, Maroon, Kelly-Green
Black, Yellow
Sizes: S, M, L, XL, XXL, XXXL
• XXXL Colors: White, Black, Royal-Blue
Kelly-Green, Red, Maroon, Yellow

Item #6  Silk Screened T-Shirts

Price $12.95
Colors: White, Lt.Blue, Silver, Navy, Red
Royal-Blue, Maroon, Kelly-Green
Black, Yellow
Sizes: S, M, L, XL, XXL, XXXL
• XXXL Colors: White, Black, Royal-Blue
Kelly-Green, Red, Maroon, Yellow
# AGENCY MEMBERSHIPS

Recently requests were made of the P.L.E.A. Board of Directors to establish Agency Memberships. The stated reason for this move was to assist agencies in joining officially. Many agencies have little trouble paying for an "agency membership" but balk at paying individual memberships, even though these memberships are in strictly professional organizations. By designing a new membership category many agencies were able to join en mass. Because of the inequities in agency size across the nation, benefits had to be strictly managed in this category. Thus the following benefits are offered to Agency Members: (1) Full membership privileges to the agency as in individual memberships, and (2) Reduced rates for official P.L.E.A. Functions (Conferences, Educational Events, etc., for all agency employees without the need for each employee to join P.L.E.A. individually. Because of the cost of printing and distributing PLEA only one copy of PLEA would be sent to Agency Members. Though the Board of Directors authorized reprinting and distribution by these members. P.L.E.A. membership is decidedly inexpensive when compared to other professional organizations. The Agency Membership allows agencies to financially support P.L.E.A. and receive benefits from that membership.

### INDIVIDUAL MEMBERSHIPS

1. One vote per membership on official P.L.E.A. issues.
2. Four issues per year of PLEA: Journal of the Park Law Enforcement Association.
5. P.L.E.A. Window Decal.
7. Reduced Rate for P.L.E.A. sponsored Conferences and Educational Events.
8. Access at a reduced rate (or free as available) of special P.L.E.A. sponsored publications.
9. Eligible for election to the Board of Directors and appointment to various committees.

### STATE AFFILIATES

State Affiliates are groups within states which have organized along the guidelines established by the P.L.E.A. Board of Directors. State Affiliate receive one seat on the Board of Directors automatically and take an intimate role in developing the future of P.L.E.A. There is a $150.00 affiliation fee. If your state is not currently an affiliate contact the President of P.L.E.A. for details on how to start.
MEMBERSHIP APPLICATION

CLP □ CLA □ CTRS □ CTRA □

(Check if Applicable)

FORM OF ADDRESS (Mr., Mrs., Miss, Ms., Dr., Sen., etc.)

LAST NAME (If not enough space, spell out above address) GIVEN NAMES AND INITIALS

OCCUPATIONAL TITLE OR POSITION (Abbreviate if necessary)

EMPLOYER OR ORGANIZATION (Abbreviate if necessary)

MAILING ADDRESS (Street or post office box)

CITY STATE ZIP (in the US)

FOREIGN COUNTRY (Abbreviate if necessary)

Home Office

PHONE (Check One) AREA CODE PREFIX NUMBER

NEW MEMBER RENEWAL STATE ASSOCIATION MEMBER

Membership Category and Dues

Professional (Based on salary)

Annual Salary Annual Dues

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- Retired Professional: $45.00
- Student (NRPA is primary affiliation): $30.00
- Associate (Limited to those not employed in field): $50.00
- Citizen Board Member: $35.00
- Commercial Firm: $240.00
- Nonprofit Association: $185.00

If your agency is an agency member of NRPA with a special package, you are eligible for reduced dues:

- Professional*: $60.00
- Student*: $25.00

*The following must be completed to use the reduced dues structure.

Organization Name

Membership Number

For information on special package, contact Membership Dept. NRPA

Friends of Parks and Recreation (Annual Fee) $15.00 (Includes Friends of Parks and Recreation Newsmagazine only)

Also available on a subscription basis $15.00

Friend $35.00

Friend/Contributor $50.00

Friend/Supporting $100.00

Friend/Benefactor $250.00

Friend/Patron $500.00

Friend/Fellow $1,000.00

(All friend categories limited to those not employed in the field)

Send Information On:

- NRPA Insurance Programs
- NRPA Certification Program
- Latest Publication Catalog
- State Society Membership
- NRPA Credit Card Program
- NRPA Membership Program
- Ethnic Minority Society
- European Recreation Society
- Park Law Enforcement Association

Check One Branch or Section of Choice

- American Park and Recreation Society (APRSE)
- Armed Forces Recreation Society (AFPS)
- Citizen and/or Board Member (CBM)
- Commercial Recreation and Tourism Section (CRTS)
- Leisure and Aging Section (LAS)
- National Aquatic Section (NAS)
- National Society for Parks Resources (NSPR)
- National Recreation Student Branch (NRSB)
- National Therapeutic Recreation Society (NTRS)
- Society of Park and Recreation Educators (SPRE)
- Therapeutic Recreation Journal included in Professional Membership Services.
- Therapeutic Recreation Journal included in any other branch.

Optional Fees

- American Indian $30.00
- White $20.00
- Male $5.00
- Asian $20.00
- Hispanic $10.00
- Female $10.00
- Black $15.00
- Other $15.00

This information will assist NRPA to develop a profile of our membership.

RATES

Your dues support the many NRPA programs and services that are designed to expand the park, recreation and leisure movement. These include subscriptions to NRPA publications: Parks & Recreation magazine — $17.00. Therapeutic Recreation Journal — $6.00. Your membership category determines which of these publications you receive.

NOTE: THESE RATES ARE NOT TO BE CONFUSED WITH SUBSCRIPTION RATES.

FOR NRPA USE ONLY:

KEY NO. EXP. 

ETHNICITY INFORMATION

(RESPONSE IS VOLUNTARY)

American Indian □ White □ Male □

Asian □ Hispanic □ Female □

Black □ Other □

This information will assist NRPA to develop a profile of our membership.

Check One Branch or Section of Choice

- American Park and Recreation Society (APRSE)
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- National Recreation Student Branch (NRSB)
- National Therapeutic Recreation Society (NTRS)
- Society of Park and Recreation Educators (SPRE)

Optional Fees

- Must hold membership to purchase:
  - National Job Bulletin ($35.00)
  - Recreation . . . Access in the 90's ($25.00)
  - Journal of Leisure Research
  - $25 — Domestic
  - $20 — (SPRE Member)
  - $20 — Foreign
  - Schole Journal ($16.00)
  - Recreation and Parks Law Reporter ($50.00)
  - Legal Issues in Recreation Administration ($50.00)
  - Membership Certificate ($7.50)
  - Professional members only

- Print name as to appear

- Membership Laminated Walnut Plaque
- Professional members only ($37.50)

- Print name as to appear

- Additional branches ($15.00)

Form of Payment

Overseas Postage

If mailing address is outside U.S. ADD $6 $

- Total payment enclosed (Do not send cash) $

- Enclosed is my tax deductible contribution of $

Bill to: □ Visa □ MasterCard □ Diners Club

- Number

Expires Mo. _______ Year

TO ACTIVATE MEMBERSHIP BY PHONE WHEN USING VISA OR MASTERCARD

CALL TOLL FREE 1-800-626-NRPA

Signature ____________________________ Date ____________________________