



RANGER ACTIVITIES INFORMATION EXCHANGE



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Chief Ranger's Comments

The annual wildland fire review, coordinated by Doug Erskine (ARO) with the assistance of Mark Forbes (PNRO), was held in Utah a few weeks ago, and focused on the strengths and weaknesses of the agency in its response to this year's serious fire situation. Five park superintendents - Jack Davis (SEKI), Jack Morehead (YOSE), Mike Finley (EVER), Jack Stark (GRTE) and Glen Gray (SARA) - joined the Boise fire staff, regional fire coordinators and representatives from a number of parks for a series of very productive discussions. Having representative superintendents involved in the meeting greatly broadened the scope of the discussions and insured that park management concerns were expressed and incorporated into the final recommendations.

There was a strong feeling that we need to identify the size of the Service's wildland fire program and further develop and define the program so that everyone understands where we are going. It's hard to plan training, for example, for an undetermined number of parks. If individual parks could ascertain the number of people that the park and region need to accomplish their wildland fire responsibilities, we could compile those numbers into a national fire resources inventory. We would then train, provide experience and track personnel necessary to accomplish the Service's wildland fire program, including prescribed fire and suppression. The specific recommendations from the group on a number of important issues are contained in a final draft which will soon be released to the field. A specific individual will be named to follow up on each recommendation.

Requests were made in the last Exchange for comments concerning the current vacancy announcement process and the KSA's used for rating applications. We have already received some excellent, well-considered and constructive responses. These have been passed on to WASO personnel. The project is moving forward under the direction of Mary Jackson, Chief of Employee Evaluation and Staffing.

Field Incidents

Rocky Mountain: On October 29th, two visitor vehicles were broken into at Bear Lake and credit cards, cash and other property was stolen from them. On the following two days, a total of \$1,000 in cash was withdrawn from local money machines employing cards stolen from the vehicles. Information developed by park rangers led to a plain-clothes stake-out in the park on November 1st; this in turn resulted in the arrest of two people for car clouting. A large amount of property was recovered. The bank involved in the theft from the money machines has denied the victim relief because the thieves were able to gain access to the victim's personal identification number (PIN). One of the two people arrested was processed through the juvenile system; the other, who was charged with two felony counts of auto burglary, managed to escaped from jail, but was recaptured by Texas Rangers on the Mexican border some weeks later.

George Washington Parkway: A park visitor discovered three 8 1/2" by 3" Civil War Parrot shells in Dyke Marsh. The Army EOD team that inspected them found them to be live rounds which were "potentially unstable and hazardous." All three were destroyed.

Independence: A vandal thought to be a street person heaved stones through the a window at the Liberty Bell pavilion on the night of December 4th. The one-inch-thick pane, which will be difficult to replace, will cost an estimated \$24,000 to \$32,000.

Glen Canyon: A ranger investigating a reported car fire outside the park on December 5th discovered the burned remains of two Navajo tribal police vehicles and the bodies of two Navajo policemen locked in the back of one of the vehicles. Both officers' guns were missing. Investigators believe that the assailants were trying to drive the vehicles to Lake Powell to dispose of them in the lake's deep waters, but burned them instead when one became stuck on the way. The FBI, BIA and local sheriff's office are investigating.

Ranger Activities Telecommunications Net

Ranger Activities is in the process of establishing a Servicewide network of park and regional chief rangers on Compuserve, the telecommunications net which is now replacing the Mailbox/Bulletin Board systems that have been heretofore utilized by this office. The new system has several advantages over the old one:

- networks of offices can be fairly easily created;
- broadcast codes can be created which allow the simultaneous sending of a single message to multiple addresses;
- files can be uploaded and downloaded with ease; and
- files of relatively long length can be readily transmitted.

The latter two features will allow members of the net to send long documents instantly without having to resort to telefax machines or work out direct PC-to-PC links.

At present, all the regions, BIFC, FLETC and about 30 parks - including all the parks in Alaska - are on the chief rangers' network. If you have a PC and communications software and want to join in, please write to Bill Halainen in this office. Since the system has been set up to link chief rangers, we ask that either the park's chief ranger or his or her designated representative contact us for orientation information and access codes. Our objective is to link every park in the system on this net, thereby making it possible for all of us to communicate quickly with each other.

SAR Expenditures

The numbers are in on major SAR expenditures Systemwide for FY 1987. Overall, the Service spent \$979,460 on such operations, with the following amounts expended in each region (figures rounded to nearest hundred): Rocky Mountain - \$123,000; National Capital - \$1,900; Mid-Atlantic - \$7,100; Southeast - \$211,800; Southwest - \$19,700; West - \$480,100; Pacific Northwest - \$56,100; Alaska - \$62,300; North Atlantic - \$2,200; Midwest - \$23,400.

United States v. Ronald Harbin

Late in September, the Fourth Circuit Court of Appeals affirmed a district court ruling that a weapons search conducted by a ranger in Great Smokies was in fact constitutional. The facts of the case, as taken from the court summary, are as follows:

On March 20, 1986, Ronald Harbin was walking along a park road with what appeared to be luggage when Ranger John Mattox stopped him to talk with him about the dangers of walking through the park, particularly in the light of the severe weather predicted for the coming evening. As the two talked, Harbin kept one hand in his pocket while he gesticulated with the other. Mattox became fearful that Harbin was holding a gun in his pocket and asked him if he in fact had a weapon. Harbin responded by stepping backward, rolling his head back and becoming evasive. When Mattox asked a second time, Harbin said: "Let me explain something to you first." Mattox then quickly patted the outside of Harbin's pocket, and Harbin again stepped backward. Mattox grabbed Harbin's hand and pulled it out of his pocket, revealing a liquor bottle, then asked Harbin again if he had a weapon. Harbin replied: "Let me explain something about that." When Mattox asked where the gun was, Harbin said that it was in his belt and let Mattox take it from him.

At the trial, Harbin contended that the stop and frisk was unconstitutional. The magistrate found nothing improper, however, so Harbin appealed. The district court affirmed the constitutionality of the search, and the Fourth Circuit concurred.

Citing *Terry v. Ohio*, the Court of Appeals stated that "the reasonableness of any search must be determined by balancing the governmental interest in searching against the invasion of privacy which the search entails. These interests are balanced by a two-part test: 1) whether the search was justified at its inception; and 2) whether its scope was reasonably related to the circumstances."

"A search is justified at its inception when a reasonably prudent person in the circumstances would be warranted in a belief that his safety or that of others was in danger," the court said. "The ranger did not need to be absolutely certain that Harbin was armed. Considering all of the circumstances, we find the ranger's fear for his own or the public's safety justifiable. Harbin's responses to the repeated question of whether he had a gun formed the basis for the ranger's reasonable suspicion." Harbin's evasiveness, the court said, would lead any "reasonably prudent person" to believe that he was armed and potentially dangerous.

"When the ranger patted down Harbin and pulled Harbin's hand out of the pocket, there was a valid Terry stop. Thus we find that the search was justified at its inception," the court continued, adding that they did not agree with Harbin's argument that, when the law being broken concerns the carrying of a concealed weapon, no frisk may take place without a reasonable suspicion that some other illegal activity had been or was about to be committed.

"In addition, the scope of the intrusion was limited to the circumstances," the court said. "The ranger patted down the outside of Harbin's pocket, and when Harbin pulled away the ranger pulled Harbin's hand out of his pocket. The duration of the search was a matter of seconds. The ranger's purpose was

to protect himself and others, and his search was limited to that purpose. Moreover, failure to find the gun in the pocket did not dispel the ranger's suspicion as it was based both on Harbin's concealed hand and his responses to the direct question of whether he had a weapon. Nonetheless, the ranger refrained from searching further. Instead, he chose to question Harbin. We find that the scope of the intrusion was indeed limited."

"As the search was based on reasonable suspicion and was limited in scope to the circumstances," the court concluded, "we hold that the search and seizure was not unreasonable under the Fourth Amendment."

EMS Update

- Good Samaritan Hospital is considering sponsoring a three-week-long park medic course in April. The tuition will be about \$700, which does not include either per diem or travel. If you're interested, contact Patti Pinson, Samaritan Health Services, 1130 McDowell, B-10, Phoenix, Arizona 85006 (602-239-5955).
- Michigan, Mississippi, and Virginia have approved NPS-51, and Nebraska has approved basic life support and ambulance transport provisions of the guideline. North Carolina has okayed the guideline for within-park operations.
- A number of proposed changes to NPS-51 have come in following the request for them which came from this office some time ago, but some people limited themselves to comments on the suggested revisions which were listed on the cover memo. Butch, however, is interested in any revisions that you might have in mind.

Briefly...

- We have been advised that two of the long-awaited "ten series" signs - the boundary and no hunting signs - are again available through Central Supply. There are about 3,000 of the former and 10,000 of the latter currently available, and plans are to maintain the inventories now that they have been established. The remaining "ten series" signs are on order.
- In case you haven't heard, the use of PWE 180 is now restricted to the protection and enforcement component of natural resources management, and is to be used for accounting of costs associated with the "protection of natural resources from man-made causes such as over-use, vandalism or destruction." PWE 181 has been set up to deal with impact mitigation, preservation and the restoration of natural resources.
- Dave Montalbano has been working with Major Bob Zarger on editing and rewriting the material that has been received on NPS-9. Dave will continue his work on this project at FLETC.

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The Ranger Activities Information Exchange is produced by the Washington Division of Ranger Activities. Walt Dabney, Chief Ranger. Address letters, comments and inquiries to: Bill Halainen, Ranger Activities (650), Stop 3310, National Park Service, Box 37127, Washington, D.C. 20013-7127; FTS 343-4874 or (202) 343-4874.