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July 13, 2011

The Honorable Vincent O'Neill, Jr.
Presiding Judge of the Superior Court
County of Ventura
800 South Victoria Avenue
Ventura, Ca 93009

RECEIVED
JUL 16 2011
VENTURA COUNTY
GRAND JURY

Dear Judge O'Neill:

Re: Rancho Simi Recreation and Park District Response to the Ventura County
Grand Jury 2010-2011 Final Report Regarding Park Ranger Program

With this letter I hereby transmit Rancho Simi Recreation and Park District's response to the *Ventura County Grand Jury 2010-2011 Final Report Regarding Park Ranger Program*. This response was unanimously approved by Members of the Board at the July 7, 2011 Board of Directors Meeting.

The July 7, 2011 meeting was a regularly scheduled and publicly noticed Board of Directors Meeting. The agenda, staff report and draft response to the Grand Jury were all posted on our District's web site for public review. Please note that no member of the public commented prior to the Board Meeting and no member of the public appeared at the July 7, 2011 Board Meeting to testify either for or against our draft response.

We want you to know that the Rancho Simi Recreation and Park District Board of Directors carefully considered the recommendations of the Grand Jury. Although we will not be implementing the recommendations at this time, we do appreciate the time they spent evaluating our Park Ranger Program.

If you have any questions or would like any additional information, please feel free to contact me at (805) 304-3835 or Larry Peterson, the District's General Manager, at (805) 584-4407.

Sincerely,

Gene P. Hostetler
Chair, Board of Directors

Enclosure

cc (with enclosure):

- ✓ Foreman, Ventura County Grand Jury, 800 South Victoria Avenue, Ventura, Ca 93009
- Board of Directors, R.S.R.P.D.
- General Manager, R.S.R.P.D.

Response to Grand Jury Report Form

Report Title: Final Report Rancho Simi Recreation and Park District Rangers

Report Date: May 19, 2011

Response by: August 17, 2011

Title: Rancho Simi Recreation and Park District's Response to Ventura County Grand Jury 2010-2011 Final Report Regarding Park Ranger Program

FINDINGS

We agree with the findings numbered: FI-01

We disagree wholly or partially with the findings numbered: FI-02; FI-03; FI-04; FI-05

RECOMMENDATIONS

Recommendations numbered _____ have been implemented.

Recommendations numbered _____ have not yet been implemented, but will be implemented in the future.

Recommendations numbered _____ require further analysis.

Recommendations numbered R-01, R-02 and R-03 will not be implemented because they are not warranted or are not reasonable.

Date: 7-13-11

Signed: Gene P. Hostettler

Gene P. Hostettler
Chair, Board of Directors

Number of pages attached: 105

FINDINGS

FI-01. It is not possible to determine the actual cost of the ranger program through examination of the Budget. (FA-16)

The Park District agrees. The Park District's Annual Budget is a summary document, without specific expenditure detail from individual account numbers. Park Ranger expenses are varied and therefore charged to different account numbers within different departments. For instance, a Park Ranger vehicle may be purchased from the District's Capital Outlay Fund No. 38, while an oil change of that vehicle would require the purchase of motor oil using the Automotive Maintenance account number within the Maintenance Department budget, and the labor of a Maintenance Department staff member that is not required to maintain a time card to perform the oil change. The total annual expense of the Park Ranger program is approximately \$400,000. This information was provided to the Grand Jury during its investigation, but the summary sheet that was provided was not attached to the Grand Jury's Report.

FI-02. All District properties fall within the jurisdiction of either the SVPD or the VCSD. These agencies have the duty to provide law enforcement and public safety at all District properties. Rangers patrolling 47 District parks and facilities distributed over a large area are superfluous and ineffective. (FA-05, FA-17 through FA-25)

The Park District partially disagrees. It is true that the Park District's property, all of its parks and open space, fall within the jurisdiction of either the SVPD or the VCSD. It is also true that those agencies have primary responsibility for public safety. However, the Park District does not agree that Park Ranger patrols are superfluous and ineffective. The Park Ranger program provides supplemental safety coverage to public parks that are owned and operated by the Park District for the benefit of the public. Additional safety patrols, above and beyond the level provided by SVPD and VCSD, are neither superfluous nor ineffective. The presence of a Park Ranger (that is in fact a peace officer dressed in uniform and driving a clearly marked vehicle) deters crime. The resulting increased law enforcement presence provides an additional deterrent to crime and improper activity. It also results in a greater likelihood that law enforcement personnel will be able to respond to any problems that develop because the Park Rangers, with their law enforcement backgrounds, will know when it is appropriate to call in SVPD or VCSD to address a problem.

FI-03. The level of law enforcement provided by the SVPD on District properties and the few contacts from the rangers requesting SVPD assistance demonstrate the relative importance of the SVPD in serving park properties. (FA-22 through FA-25)

The Park District disagrees. Park District staff rely heavily on the District's Park Rangers to handle most issues that arise in parks (dogs off leash, conflicts in use, permit enforcement, alcohol consumption, skateboarding, improper use of facilities, rule violations, vandalism, etc.). As a result, the SVPD does not receive many telephone calls from Park District staff.

Further, the Park District's Park Rangers request assistance or back-up from SVPD or VCSD only when necessary. Park Ranger efforts usually involve education and warnings, citations are issued in limited instances. The conduct of a park patron rarely requires an arrest and transport to jail. Those instances do require SVPD or VCSD assistance. Under these circumstances the Park District does not believe that the limited number of times a Park Ranger requests SVPD assistance demonstrates the relative importance of SVPD.

The Park District currently has three (3) full-time Park Ranger positions and eight (8) part-time Park Ranger positions. These eleven (11) Park Ranger positions are held by very experienced law enforcement personnel. Collectively, the District's Park Rangers have four-hundred (400) years of law enforcement experience. This represents an average of thirty-six (36) years of law enforcement experience for each Park Ranger. It is this level of experience that allows Park Rangers to resolve most issues they encounter, without the need for back-up from SVPD or VCSD. The Park District believes this demonstrates the relative importance of the Park Rangers and the Park Ranger program.

FI-04. The expenditure of public funds for the Ranger Program should be called into question given the presence and jurisdiction of the SVPD and the VCSD. (FA-04, FA-09 and FA-10, FA-12 through 14, FA-19 through FA-25)

The Park District disagrees. The decision to expend funds for Park Rangers was a sound decision made by the Park District Board of Directors long ago. On February 6, 1986, the Park District Board of Directors, during a regular meeting, approved Resolution No. 814 Authorizing Limited Peace Officer Status for the District's Park Ranger. See Exhibit Page No. 35 entitled Minutes of Regular Meeting of Board of Directors specifically at Exhibit Page No. 40 under item VIII. A. That approval was based upon:

"...more and more problems have been arising in the parks...staff is working with the Police Department which has given a great deal of assistance but not enough, on an ongoing basis, to remedy the problems....Numerous residents in attendance cited various problems they have encountered with the troublesome people using the park as a hangout noting that they were concerned for their children and property."

Although the Park District already had a Park Ranger employee at the time, peace officer status was approved in 1986, and the Park Ranger program was expanded to its current level in the years that followed. Throughout its approximate 25 years of existence the Park Ranger program has functioned in a manner that has helped to increase the safety of the public parks in the community.

At most times the Park Ranger patrols represent an increase in safety patrols for the public parks. Park Ranger patrols rarely occur at the same time or in the same manner as patrols provided by SVPD or VCSD. Therefore, there is little duplication in service. In addition to providing extra safety patrols of neighborhood and community parks, Park Rangers also patrol Park District owned open space, expend regular efforts to reduce illegal camping by

homeless, and provide specific focus to open space or parks in need of additional patrols when illegal, improper or inappropriate activity is found to be occurring. These patrols are mostly on an as-needed basis. The greater the need the greater the number of patrols, which usually reduces improper conduct. These supplemental safety measures provided by the Park Ranger program reduce the likelihood of crime and/or improper conduct, and are valued by the public.

In 1999, the Park District retained the firm of Godbe Research & Analysis to conduct survey research to determine whether or not property owners would support an assessment. In 1992, the State of California began diverting property taxes from the Park District under the Educational Revenue Augmentation Fund. That annual diversion of approximately \$900,000 left the Park District struggling to meet the expanding park and recreational needs of the community. The Park District Board and staff evaluated alternative methods of offsetting the diversions. The Godbe research firm was retained and performed extensive research to determine public support for an assessment. The results of their effort were compiled and a report was prepared. The Executive Summary of the research report indicated:

"When presented with eight issues facing residents of Simi Valley and Oak Park, respondents cited 'Preserving the Environment' as the most important, followed closely by 'Improving the quality of education' and 'Reducing crime'."

Reducing crime was the third most important issue to those surveyed. The Executive Summary went on to state

"Of the spending projects tested, 'Maintain Park Ranger safety and security patrols', 'Properly maintain existing recreation facilities and parks' and 'Acquire and preserve open space' were the most popular and accordingly, had the greatest positive impact on support for the measure."

In arriving at these conclusions the survey research looked at 35,100 registered voters who owned property in the District and determined that a total universe of 18,700 households existed. Four hundred clusters of households were then constructed. Under each household the names and voter file information for each registered voter in the household appeared in random order. The next stage of the survey involved calling the first voter listed on the sample sheet for a given household and asking to speak to the individual who pays the property tax bill. This procedure was chosen based on the high probability that the person who pays the property tax bill will be the individual who ultimately decides whether and how to vote during an assessment ballot proceeding. One interview was completed from each household cluster, resulting in a total sample of 400 respondents that represented the population of registered voters who owned property in the District and pay the property tax bill on the property.

With a sample of 400 respondents randomly drawn from the estimated 18,700 households with a registered voter who was also a property owner in the Rancho Simi Recreation and Park District, one could be 95 percent confident that the margin of error due to sampling did not vary by more than a few percentage points from the result that would have been obtained if the interviews had been conducted with all people in the universe represented in the sample.

The maximum margin of error for all aggregate responses was between 2.91 and 4.84 percent. This means that for a given question answered by all 400 respondents, one could be 95 percent confident that the difference between the percentage breakdowns of the sample population and those of the total population was no greater than 4.84 percent.

The first substantive question of the survey presented respondents with a series of issues facing residents of Simi Valley and Oak Park and then asked them to rate the importance of each issue. The value of this question was that it not only provided an insight into how important a given issue was on a scale of importance, it also provided a relative ranking among the issues tested. Respondents ranked Preserving the Environment, Improving the quality of education and reducing crime as the three most important issues of those tested. Maintaining local park and recreation areas was rated fourth and improving local park and recreation facilities was rated sixth.

The task of Question 5 in the survey was to both inform respondents about the types of projects that may be funded by the assessment district as well as assess the impact of the information on their stated likelihood of supporting the assessment measure. Question 5 asked respondents that if they heard some of the money raised by the assessment was to be used to fund a given project, would they be more or less likely to support the measure. The order in which the projects were read was rotated in order to avoid a position bias. Again, the results were presented in terms of ranks (averages), with maintaining Park Ranger safety and security patrols ranking number one most important, followed by maintaining existing recreation facilities and parks and acquiring and preserving open space.

The results of the survey were reviewed by the Park District Board of Directors in detail. At that time a decision was made to conduct an election to determine whether or not property owners residing in the jurisdiction of the Park District would agree to pay an annual assessment of \$24 per single family household. Informational material was developed and distributed in anticipation of the election. On that material (copy attached beginning at Exhibit Page No. 51) it was clearly stated that the assessment measure would fund the following projects and services:

"Maintaining and improving existing parks and recreation facilities.

Increasing park ranger safety and security patrols.

Improving baseball/softball/soccer fields for youths and adults.

Preserving and maintaining open space.

Maintaining hiking, biking and equestrian trails.

Upgrading classrooms for children's before and after school recreation programs.

Completing new or unfinished parks.

Adding new safety lighting at parks.

Improving the Strathearn Historical Park and Museum.

Replacing children's play structures to meet new safety standards.

Adding over 3,800 acres of open space."

See attachment entitled "Important Information for Property Owners", beginning on Exhibit Page No. 51.

In summary, a statistically valid survey clearly showed the public's desire to reduce crime and to maintain Park Ranger safety patrols as a method of doing so, approximately 13 years after the Board approved peace officer status to Park Rangers. Those survey results reminded the Park District Board of the importance and order of importance that the public assigned to park safety, park renovation and park expansion. The Board of Directors developed an expenditure plan based upon the public's priorities which were determined by the survey. That information was then provided to voters to help them make an informed decision as to whether or not to vote for the assessment.

An assessment election ballot was distributed to those residents owning property within the Park District's jurisdiction. Over 56% of voting Simi Valley residents voted for the assessment, and over 75% of voting Oak Park residents voted for the assessment. A simple majority was all that was required and so the assessment passed and the expenditure plan was implemented.

Since that time the Park District has received and expended the assessment funds in a manner consistent with the expenditure program and the representations made. These expenditures have also been consistent with the determined needs and desires of the residents, increasing Park Ranger safety patrols, maintaining existing facilities, constructing new facilities and preserving open space. The assessment requires a legally advertised public hearing every year before the Park District Board of Directors makes a decision of whether or not to renew it. Since the time that the assessment was first passed no member of the public has attended those hearings to request the Park Ranger program funding to be either reduced or eliminated.

FI-05. Public funds are being inappropriately used by employing armed, sworn peace officers as rangers to perform non-law enforcement tasks. (FA-15)

The Park District disagrees. See response directly above under item FI-04. In addition to the public assessment process, the Park District also engages in an annual budget process. Public hearings on the District's budget are advertised in both the community of Simi Valley and the community of Oak Park. Residents are encouraged to provide their comments to the Board of Directors in regards to spending priorities and funding allocations. In addition to the public hearings the Park District Board meets regularly twice each month. Every such meeting is public and public discussion appears as an agenda item on every meeting agenda. Even though these opportunities for public input have been provided, to the best of our recollection no member of the public at-large has requested a reduction in Park Ranger funding levels in at least 11 years.

There have been clear indications of disapproval of the Park Ranger program from two of the Park District's former employees (one of which was laid off and one which was not promoted from part-time to full-time). It also seems that at least one SVPD officer sees the Park Ranger program in a negative light. One or more of these individuals were likely interviewed by the Grand Jury. From the Park District's perspective the opinions of these individuals are either based upon retaliatory or unfulfilled personal agendas or the lack of a complete and objective understanding of the Park Ranger program and the needs and requests of the community. The Park District serves over 147,000 residents, and its actions are best guided by the needs of the whole and not the agendas of a few.

Finally, while it is true that a Park Ranger may perform non-law enforcement tasks, they normally do so in full uniform. The presence of a uniformed Park Ranger, regardless of what task they may be performing at any particular time, is believed to deter crime. One must remember too that locking down gates and facilities late at night also includes an inspection of each facility to ensure that all is secure. These are potentially dangerous circumstances. Park Rangers must be able to provide meaningful aid to those that might be in need at those and other times, and to also protect themselves in the event of a dangerous situation.

RECOMMENDATIONS

R-01. The District Board of Directors should eliminate the Districts Ranger Program. (FI-01 through FI-05)

The Park District will not implement this recommendation. The Park Ranger program deters crime, helps ensure cooperative public use of facilities and generally results in safer public parks and therefore a safer community in general. The community places a high level of importance on having safe parks that they can freely enjoy during the day and during the night. Although no effort can ensure complete safety, the Park Ranger program provides a coverage that is supplemental to the efforts of SVPD and VCSD, which helps to improve safety in parks.

The District's operating budget for fiscal year 2011-12 is approximately \$23 million. The Park Ranger program costs approximately \$400,000. As a percentage the Park Ranger program represents less than 2% of the District's operating budget. Thus, the program represents a small percentage of the overall expenses relating to the Park District's provision of well maintained parks and plentiful recreation activities.

Although property tax revenues are estimated to continue a downward trend the Park District continues to be able to provide a balanced approach to park safety, park renovation, park construction, park maintenance, recreation activities and supportive administrative effort. Each year the Board, staff and public review both the assessment and District budget and assign funding levels. This process is deliberative, involving a careful balancing of priorities that is believed to best meet the needs of the community as a whole. This annual process allows multiple opportunities for public input and a regular review of spending priorities in light of limited revenues. While it is possible that a decision to eliminate the Park Ranger program could be made under a scenario of very limited resources and other competing priority expenditures, that decision is not being made today. Instead, the Park District is making the decision to retain the Park Ranger program at this time.

R-02. The District Board of Directors should use savings from the elimination of the ranger program to conduct recreation programs, provide facility maintenance, and improvements. (FI-04 and FI-05)

The Park District will not implement this recommendation. The Park District does not intend to implement recommendation R-01, so no savings are anticipated. It is worth noting that the Grand Jury issued a previous report regarding the Park Ranger program. That report was received on April 23, 2007, and it was entitled Public Safety: Rancho Simi Recreation and Park District Ranger Program. See attached copy appearing at Exhibit Page No. 56. Both the report and the District's response to that report appear beginning at that page of the attachments.

To some degree that report contradicted the more current Grand Jury Report. The previous report recommended the Park District consider 24-hour seven-day-a-week patrol coverage and suggested this could be accomplished by increasing the number of rangers or contracting with the SVPD or VCSD to provide additional patrol of Park District properties. The Park District responded at that time stating:

"The Park District will not implement this recommendation. The primary mission of Rancho Simi Recreation and Park District is to provide recreation activities and park facilities. The primary law enforcement authorities are the SVPD and VCSD. The Park Rangers supplement coverage and focus on compliance with adopted park rules and regulations. Contracting with the SVPD or the VCSD would require additional payment from the Park district to either or both of these agencies. Each agency already has primary law

enforcement authority within their areas of responsibility, and each agency already patrols Park District facilities as a part of that responsibility. ”

This continues to be true. Although the Park District did not implement this previous recommendation, it expended a considerable amount of resources to improve the effectiveness of the Park Ranger program. Improvements included: Assigning District issued cell phones to each Park Ranger; Issuing night vision binoculars; Increasing special assignments, some of which have been performed undercover, to help reduce problem areas; Improving the Park Ranger work schedule; Posting the Ranger Schedule with Ranger cell phone numbers on the Staff Page portion of the District's website; Improving answering service instructions for after hour calls; Providing the Ranger Schedule and cell phone numbers to the answering service and also to the SVPD; Creating a Range Master position within the Park Ranger program; Creating and implementing a Range Qualification Policy; Conducting public outreach to inform the public as to the role and authority of Park Rangers; Placing the District's Rules & Regulations on the District's web site; Updating Park Ranger Citation Forms; Providing parking safety courses for event parking staff; Purchasing a safe to properly store ammo; Developing new Park Ranger orientation training; Purchasing new bullet proof vests; Developing outreach efforts to youth using the Junior Park Ranger Badges and 50th Anniversary frisbees, and reaffirming relations and cooperative operating procedures with the two other law enforcement agencies, SVPD and VCSD.

The Park Ranger program has remained a small but important part of the District's service to the public. The budget for it has remained small relative to the District's operating budget as a whole allowing the District to continue meeting its primary mission of providing parks and recreation activities. The passage of the voter approved assessment allowed for an expansion of Park Ranger safety patrols. Over the years many measures have been taken to improve the program's effectiveness. Every year the District must make a decision to maintain, increase or reduce funding for the Park Ranger program. The decisions made have recognized the importance of safety and the relatively small role the Park District can play to improve safety, while also considering all other funding levels for parks and recreation activities.

R-03. The District Board of Directors should employ non-law enforcement personnel to perform duties such as locking and unlocking gates and rest rooms and providing public education programs. (FI-05)

The Park District will not implement this recommendation. Non-law enforcement employees of the Park District do unlock gates and rest rooms in the morning. Park Rangers lock gates and restrooms at night, as the parks are closing. That effort includes verifying that the public restrooms are not occupied and that no after hours loitering or other improper conduct is occurring. This is the time that dangerous circumstances are most likely to be encountered. Based upon their many years of law enforcement experience, Park Rangers are best-suited to handle difficult situations that might arise.

In addition to regular and responsive patrols, Park Rangers are also assigned to some Park District facility rentals. For instance, Park Rangers may be assigned to an event that allows the consumption of alcohol. Park Rangers have an average of 36 years of law enforcement experience, are familiar with the Park District's Rules and Regulations, are familiar with other Park District employees, SVPD, VCSD, the District's approach and the community's expectations. Park Rangers are also able to request SVPD or VCSD backup when necessary. In assigning Park Ranger duties the District has and will continue to consider the most appropriate staff member and staff levels and duties in the on-going effort to efficiently maximize the use of limited tax dollars.