

# The Signpost

July-August, 2013



**ANCA Summit XIX**

## **The Surfs Up Summit**

**August 21-25 2013**

ANCA Summits bring nature and environmental learning center administrators together for information sharing, mentoring, training, and professional networking. ANCA (Association of Nature Center Administrators) prides itself on offering a facilitated discussion format during the Summit, recognizing the tremendous value gained by sharing peer knowledge and experience of others in the field. Summits focus on small group discussion, shared problem-solving, and specialized training. You will share stories, learn new things, laugh, have fun, be challenged, and become part of a network of nature center leaders gathered in the best possible atmosphere.

This year we will be gathering in Southern California at the Environmental Nature Center in Newport Beach.

For more information and to sign up, visit us at <http://encenter.org/anca2013/>



Your experience of a place begins long before the journey starts. It begins with your thoughts and expectations of the trip. It forms the beginning of an idea that takes shape as you research and plan your journey. This idea permeates your dreams and waking thoughts, and builds as you begin to anticipate what lies ahead. Sometime the actual journey exceeds our hopes and expectations ..... Sometimes the experience is tarnished due to unexpected disturbances, weather, or man-made impacts that dampen and destroy the expectations of the journey.

*Unknown Author*

## From the Presidents Desk

For most of us it looks like summer has arrived in full force. On top of large crowds this year's low rainfall and unseasonably high temperatures have all the indicators of a busy fire season for most parks and open space agencies.

In my area we are seeing record low fuel moisture and record high temperatures. Not a combination I like to see so early in the season. I would like to urge all of our members to work safe and work smart as we move into the summer. Staffing shortages, reduced training opportunities, and budget cuts are making it harder and harder to do our jobs in a safe and professional manner.

Please remember to keep your safety gear with you—if your agency asks you to do initial attack fire suppression make sure you have all the required equipment including a fire shelter. For those of you with a law enforcement commission—please wear your ballistic vest. I know we all hate to pull that 5 pounds of Kevlar on when it's a 1000-F but sweating is better than bleeding any day in my book. Please watch your co-workers back, let dispatch know where you are, and never hesitate to request back up.

I know these all sound like simple, common sense things but I'm entering my 28<sup>th</sup> year as a ranger and I can tell you that many of us, including me, sometimes forget to do the basics. Most of the time we get away with it. But when it goes wrong it can go very wrong.

As always—if you need a training your agency can't provide please give us a call or drop us an e-mail—we'll do our best to help out.

Stay safe and have great summer.

***Pam Helmke, President***

# The Little Things

by Pam Helmke

It's the little things that always save the day. Like many of you, rangers in my agency have had a rough couple of years. Pay cuts, staffing cuts, decreased funding for essential supplies and materials, longer hours ... on and on. All this has led to low moral in many park agencies. It's also lowered my moral to about rock bottom.

During this period of down turn I've thought about walking away. Many of my peers have opted for a shorter career than they planned. As they told me – it just wasn't what they signed up for all those years ago. The sad part is the job itself really hasn't changed it's just all the other issues that make doing the job so hard and that also makes it easier to just hang up your flat hat and take life easy.

I've been thinking long and hard about whether I should stay or go. Last week going was looking pretty good and then these little things started popping up. My partner and I had just started a foot patrol along one of our rivers. We were looking for unlawful homeless camps. As we started out a man brought his young son up to us and thanked us for our work to clean area and make it safe for kids. He told us he had stopped bringing his children down to the river due to the crime, garbage and unsafe conditions. Since the rangers had been coming around, even on a limited basis, he noticed changes. The area was cleaner, they were no longer bothered by intoxicated people begging or exhibiting other inappropriate behavior. He felt it was safe enough to bring his son back to explore the park and they noticed the increase in wildlife now that people were not longer living on the river banks. We thanked him for his support and just as he walked off he said "We are proud of you." In 28 years of service I've never had a visitor say that.

My partner and I were so taken aback all we could do was thank him.

The same week, as I made an evening round through a closed urban park I stumbled on a mother skunk taking her brood out to search for dinner. With military precision her young marched two abreast in neat little rows behind her. When she stopped to check out something interesting I laughed as they circled around all trying to find what had caused her to stop. After a minute or two she started out and they jumped back into their neat little rows to march off into the dark. I sat in my truck laughing and watching the skunk parade— another one of those little things that make this job so special.

Last night I walked out the back door to go home. Right in our ranger station yard was a family of grey fox, 3 young ones and their mom. Seems mom set up her den under our storage shed. The young ones were climbing all over a parked trailer, stalking each other and taking fun tumbles near the entrance to the den. Mom saw me but the kits were oblivious to my presence and continued their fun and games. What a great way to end a long day.

Today I drove a 91 year old lady to her walk in picnic site. It wasn't a long walk but it was too steep for her. Her entire family was so grateful that they could let grandma enjoy her picnic by the creek. I made arrangements to meet at the end of the evening to take her back to the car and left her in the middle of a bunch of rambunctious grandchildren and happy family members.

Things are still tough – but I keep getting bumped by these little things that remind me how I felt the first time I set the flat hat on my head. Looks like I'll stick around a bit longer.

*"The Big polluter did not start out with smokestacks. He didn't start pumping gunk into the waters of our world when he was six years old. He started small, throwing papers underfoot in the streets, heaving old bottles into vacant lots, and leaving the remains of a picnic in the fields and the woodlands. Just like the rest of us."*

*Walt Kelly (Pogo cartoon)*

**Legal Update**  
**Robert C. Phillips, Deputy District Attorney (Retired)**  
**San Diego County District Attorneys Office**

# **Homeless Persons and Personal Property:**

**Lavan v. City of Los Angeles (9th Cir. Sept. 5, 2012) 693 F.3d 1022**

**Rule:** Taking the personal property of homeless persons, left temporarily on the street, and destroying it without notice or an opportunity to be heard, constitutes both a Fourth Amendment illegal seizure and a Fourteenth Amendment due process violation.

**Facts:** Plaintiffs in this civil suit are nine homeless individuals who live in Los Angeles's

"Skid Row" area, commonly in small, collapsible mobile shelters called "EDARs" that were provided by a charitable organization. Plaintiffs carried all their personal possessions, including identification documents, birth certificates, medications, family memorabilia, toiletries, cell phones, sleeping bags and blankets, in small collapsible carts also provided by charitable organizations. On occasion, plaintiffs were forced to leave these carts and belongings on the sidewalks as they attended to necessary tasks such as showering, eating, using restrooms, or attending court. However, doing this was in direct violation of an L.A. Municipal ordinance (LAMC § 56.11) which provided that "[n]o person shall leave or permit to remain any merchandise, baggage or any article of personal property upon any parkway or sidewalk." On separate occasions between

February 6 and March 17, 2011, pursuant to this ordinance, city employees took plaintiff's personal property left temporarily on Skid Row sidewalks under circumstances where the employees knew that the property had not been purposely abandoned, and immediately had the property destroyed. Plaintiff sued in federal district court alleging that taking and destroying their belongings violated their constitutional rights. The trial court found that the taking and destroying of plaintiffs' property under circumstances where such property had not been abandoned did in fact violate plaintiff's Fourth (seizure) and Fourteenth (due process) Amendment rights. The court therefore issued an injunction barring the City from seizing property absent an objectively reasonable belief that (1) it had been abandoned, (2) presents an immediate threat to public health or safety, or (3) was evidence of a crime or constituted contraband. The City was also required to maintain the property in a secure location for a period of at least 90 days unless to do so constituted an immediate threat to public health or safety. However, it was also ordered that the City could lawfully seize and detain abandoned property, as well as remove hazardous debris and other trash. This injunction is intended to "prevent[s] the City] from unlawfully seizing and destroying personal property that is not abandoned without providing any meaningful notice and opportunity to be heard." Accordingly, the City was also "directed to leave a notice in a prominent place for any property taken on the belief that it is abandoned, . . . advising where the property is being kept and when it may be claimed by the rightful owner." The City of Los Angeles appealed.

**Held:** The City's argument on appeal was that the seizure and destruction of Plaintiffs' property, un-abandoned or not, implicated neither the Fourth nor the Fourteenth

Amendments, and that therefore an injunction preventing such a seizure and destruction is unlawful. The Ninth Circuit Court of Appeal, in a split 2-to-1 decision, disagreed, affirming the trial court's order. In this case, it was not an issue of whether the Plaintiffs' had a reasonable expectation of privacy in the contents of their personal belongings (although in footnote 6,

the Court surmised that they did), but rather whether those belongings were unreasonably seized. The Fourth Amendment protects against unreasonable seizures to the same extent as it does for unreasonable searches. "A 'search' occurs when the government intrudes upon an expectation of privacy that society is prepared to consider reasonable. A 'seizure' of property occurs when there is some meaningful interference with an individual's possessory interests in that property." The

Fourth Amendment protects possessory interests even when privacy rights are not implicated. The Fourth Amendment issue at stake in this case was whether there was "some meaningful interference" with the Plaintiffs' possessory interest in their property.

The Court ruled that there was. "(B)y seizing and destroying (Plaintiffs') un-abandoned legal papers, shelters, and personal effects, the City meaningfully interfered with (their) possessory interests in that property," thus violating the Fourth Amendment. The Court further found that taking the Plaintiffs' personal property without notice or an opportunity to be heard, and then immediately destroying that property, was a Fourteenth Amendment due process violation. The Fourteenth Amendment provides that no State shall "deprive any person of life, liberty, or property, without due process of law." The Court rejected the City's argument that a homeless person's personal property, at least when left unattended on the street, is not worthy of constitutional protection. To the contrary, "this case concerns the most basic of property interests encompassed by the due process clause: (Plaintiffs') interest in the continued ownership of their personal possessions."

Taking such property without notice and an opportunity to be heard, and then destroying it, does indeed constitute a due process violation. "(D)ue process requires law enforcement 'to take reasonable steps to give notice that the property has been taken so the owner can pursue available remedies for its return.'" Further, it is irrelevant that Los Angeles enacted an ordinance prohibiting the leaving of personal property on the streets.

The trial court, therefore, ruled correctly in granting an injunction.

**Note:** The City conceded the fact that it was unreasonable, and thus a Fourth Amendment violation, to immediately destroy the Plaintiffs' property, whether abandoned or not. So that was not an issue. The importance of this case is to alert law enforcement to the constitutional issues involved in their efforts to appease business owners and other private citizens who, understandably, may be offended by the mere presence of homeless individuals in front of their stores and in their communities in general. The bottom line is that the Constitution protects an individual's right to be homeless, to be offensive in appearance, and to otherwise disturb the idyllic appearance of our communities. (See *Jones v. City of Los Angeles* (9th Cir. 2006) 444 F.3d 1118, 1121-1123; vacated due to settlement, (9th Cir. 2007) 505 F.3d 1006.) So you can't just chase them off. Nor can you charge them with loitering (See *People v. Superior Court [Casewell]* (1988) 46 Cal.3d 381, 401.), or otherwise criminalize their mere presence. It should also be noted that a petition for certiorari has been filed (Feb. 28, 2013) with the U.S. Supreme Court in this case, so we may not have heard the last of this issue.



# World Ranger Day, 31 July 2013

## From the files of the IRF

World Ranger Day commemorates rangers killed or injured in the line of duty, and celebrates the work rangers do to protect the world's natural and cultural treasures.

World Ranger Day is observed annually on the 31st of July, and is promoted by the 54 member associations of the International Ranger Federation, by our partner the Thin Green Line Foundation, and by individuals who support the work of Rangers and the IRF.

The first World Ranger Day was observed in 2007 on the 15th anniversary of the founding of the IRF.

### Celebrate World Ranger Day

- Light a candle and observe a minute's silence for Rangers who have died in the line of duty.
- Plant a tree as a living tribute to Rangers around the world.
- Host a screening of the international Ranger documentary *The Thin Green Line*.
- Talk with park visitors and partners about the work of Rangers around the world.
- Host a public event dedicated to the work of Rangers around the world.
- Make a presentation to local communities about supporting Rangers and protected areas. Visit a school to engage young people in the future of world parks, biodiversity, and conservation.
- Invite a Ranger from another park to join you and your co-workers for a week in your park.
- Seek donors interested in supporting and sustaining the work of your protected area and the IRF.
- Write an article for your local newspaper about Rangers and the significance of World Ranger Day.
- Award Rangers in your association who have made a special contribution to protected areas.
- Lobby your state or national government to establish a National Ranger Day.



# Natural Resources Communication Workshop

The Natural Resources Communication Workshop, sponsored by the Western Section of The Wildlife Society and the Department of Recreation, Hospitality, and Parks Management at California State University-Chico, will be held from **January 6-10, 2014** in Chico, CA. The week-long workshop is designed to help natural resource workers more effectively communicate with general as well as technical audiences through personal presentations using good visual aids, especially computer-generated PowerPoint images. Since many of the problems in natural resources management are people-oriented, more effective communication can significantly improve many management programs.

The hands-on workshop is practical-oriented and enhances participants' communication skills in planning, preparing, presenting, and evaluating presentations. A variety of topics are covered including selecting communication strategies for specific audiences, creating computer-generated graphics, avoiding PowerPoint presentation "pitfalls," and handling equipment problems. A special session entitled "Verbal Victories" provides hints for handling difficult, or even hostile, audiences.

Participants in the 2014 workshop will not only learn professional tips for using PowerPoint, but also will gain exposure to Photoshop Elements (a great digital photo editing program).

The workshop's instructor is Dr. Jon Hooper, a Certified Wildlife Biologist (CWB) and Certified Interpretive Trainer (CIT) who has taught communication workshops for 35+ years in locations around the country. He holds degrees in environmental communication and wildlife ecology. Dr. Hooper is a member of PRAC. He will be assisted by Ms. Kim Rubin, who has

experience as a tour guide and environmental interpreter. She has 14 years experience facilitating the Natural Resources Communication Workshop.

The initial deadline for applications is **October 31, 2013** (Thursday). Late applications are accepted (such applicants will become participants if the workshop is not yet full; otherwise, they will be placed on a waiting list in case of cancellations). The registration fee is \$789. The workshop is limited to 16 participants. Since more applicants usually apply than there are spaces available, the registration fee is not due until an applicant has been officially accepted into the workshop (this occurs shortly after the October 31 deadline).

Since the workshop has a limited capacity, all applicants will be contacted after October 31, 2013 to notify them if they have been accepted. Instructions on paying the registration fee will be provided at that time. Payment must be received before applicants will be fully registered. Failure to make timely payment will result in alternate applicants being selected.

Applying for the workshop is easy. On letterhead, applicants should describe: (1) their current position within their agency/organization, (2) how they would use the training, (3) any special reasons why they feel they should be chosen as a participant, and (4) if they already have official agency/organization approval to attend. Applicants should include their address, phone number, fax number, and email address with their application.

**Submit applications to:** Dr. Jon K. Hooper, Dept. Recreation, Hospitality, and Parks Management, Calif. State University, Chico, CA 95929-0560. For more information, contact Jon by calling (530) 898-5811, faxing (530) 898-6557, or e-mailing [jhooper@csuchico.edu](mailto:jhooper@csuchico.edu)

# Weaponless Self Defense

by Richard Weiner, Region 4

Region #4 coordinated a class on weaponless self-defense on June 12, 2013. Thirteen rangers from the cities of Claremont, Santa Barbara, COSCA (Thousand Oaks) and one from MRCA participated in the four-hour class. This class was held at the Israeli Martial Arts Academy (info@dsjj-usa) in Thousand Oaks. The studio gave PRAC members a special rate for this training.

then worked on choking from different directions (front, sides, one handed, two hands). We were paired up with partners to practice the attacks from different directions. Our final segment was with handguns. We learned about



The class started out with some easy stretching to get our stiff bodies ready for what was ahead. We first learned and practiced different types of hand hits (palm thrust and closed fists). These hits are designed for the soft portions of the

re-directing and the different ways to disarm an individual in the event this would happen.

The class gave us quite a workout and we came away with knowledge we hope we never have to use. In the event we are ever in a dangerous situation, at least we have some knowledge of what to do and how to do it.

I would like to thank Sensei Hezi Shell for putting on such a great and informative training that hopefully provided these rangers with a little more confidence in their jobs.



head and torso. Next came the use of elbows to different parts of the body and head. We then moved on to kicks (groin, abdominal, side). Using bags, we practiced the proper technique to cause the most damage to an assailant. We





# **Park Rangers Association of California Training Seminar**

## **Initial Response to the Missing Person For Park and Open Space Personnel**

### **What You Can Do in the First Few Hours to Improve Search Success in Missing Person Incidents**

#### **Course Description:**

Park Rangers and other uniformed park personnel are typically the first persons contacted for a missing person in our parks and open spaces. What steps are taken and how the initial phase of the search is conducted can have a critical effect on the success of the search. This seminar provides staff with an overview of a search and what key steps are needed to make sure that search teams have the greatest chance at a quick and successful resolution to a missing person response.

The course provides park and open space personnel with the knowledge and skills to initiate a search for missing persons. Key elements will include:

- Interviewing the Reporting Party and Securing Critical Evidence
- Protecting Point Last Scene/Last Known Location and Scent Articles
- Missing Person Questionnaire
- Missing Person Risk Assessment
- An Overview of Search Psychology
- Establishing a Probable Direction of Travel
- Planning and Conducting a Hasty Search
- Activation of Search and Rescue Teams
- Coordinating with Search Teams

#### **The Course Instructor:**

Kim Aufhauser is a faculty member in the Park Management Department at West Valley College in Saratoga, CA. After 16 years as a National Park Service ranger, including over five years in Yosemite, he now teaches

students the skills to become rangers. Subjects include mountaineering, technical rescue, and wilderness first responder. Kim provides first aid training to two local SAR teams. He has also served as the Emergency Services Coordinator for West Valley College. Kim is also a long time member of the Park Rangers Association of California and was awarded the Association's Honorary Life Time Membership Award in 2002 for his service to the Association and to the parks profession,

#### **Date/Time:**

Thursday–August 22, 2013  
0900 to 1700 hours

#### **Location:**

Kelley Park  
Leininger Center, Okayama Room  
1300 Senter Road  
San Jose, CA 95112

#### **Cost:**

PRAC Member—\$35.00 per participant  
Non-PRAC Member—\$50.00 per participant  
(includes 1 year regular membership)

This training meets or exceeds the SAR Awareness Criteria for the Fire-Rescue Domain of the Park Rangers Association of California's Professional Standards and Training Certification Program.

#### **For more information**

#### **please contact:**

Pam Helmke, President  
Park Rangers Association of California  
Office: 408-277-5254  
Cell: 408-201-2886



# Initial Response to the Missing Person For Park and Open Space Personnel

What You Can Do in the First Few Hours to Improve Search Success in Missing Person Incidents

## Registration Form

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

e-mail: \_\_\_\_\_ Agency: \_\_\_\_\_

Payment may be made by Check or Credit Card

### Checks should be made payable to:

Park Rangers Association of California

### Payment by Credit Card:

Master Card: \_\_\_\_\_ Visa: \_\_\_\_\_

Name on Card: \_\_\_\_\_

Card Number: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Card Holder Signature: \_\_\_\_\_

### Submit to:

Park Rangers Association of California

P.O. Box 153

Stewarts Point, CA 95480

**Park Rangers Association of California  
Board Officers 2017**

**President**

**PAM HELMKE**  
 (408) 277-5254  
 Cell: (408) 201-2886  
 E-Mail: [president@CalRanger.org](mailto:president@CalRanger.org)

**Region 1 Director**

**PATRICK BOYLE**  
 Cell (707) 768-3898  
 E-Mail: [region1@CalRanger.org](mailto:region1@CalRanger.org)

**Region 2 Director**

**MIKE PEASLAND**  
 Cell: (408) 425-7956  
 E-Mail: [region2@CalRanger.org](mailto:region2@CalRanger.org)

**Region 3 Director**

**JESSICA ERDAHL**  
 (530) 896-7834  
 Cell: (530) 864-3698  
 E-Mail: [region3@CalRanger.org](mailto:region3@CalRanger.org)

**Region 4 Director**

**RICHARD WEINER**  
 Cell: (909) 952-1520  
 E-Mail: [region4@CalRanger.org](mailto:region4@CalRanger.org)

**Region 5 Director**

**CANDI HUBERT**  
 Cell: (714) 357-7861  
 E-Mail: [region5@CalRanger.org](mailto:region5@CalRanger.org)

**Region 6 Director**

**MARIE D. FONG**  
 Cell: (775) 813-3629  
 Fax: (775) 828-6614  
 E-Mail: [region6@CalRanger.org](mailto:region6@CalRanger.org)

**Past President**

**DAVE UPDIKE**  
 (310) 858-7272 EXT. 123  
 Fax: (310) 858-7212  
 E-Mail: [pastpresident@CalRanger.org](mailto:pastpresident@CalRanger.org)

**The Signpost Editor**

**DAVID BROOKS**  
 (831) 336-2948  
 Fax: (831) 335-1178  
 E-Mail: [newsletter@CalRanger.org](mailto:newsletter@CalRanger.org)

**Executive Manager**

**BETSY ANDERSON**  
 (707) 884-3949  
 Fax: (707) 884-1945  
 E-Mail: [office@CalRanger.org](mailto:office@CalRanger.org)

**WebMaster**

**JEFF PRICE**  
 (805) 278-9201  
 E-Mail: [webmaster@CalRanger.org](mailto:webmaster@CalRanger.org)

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**SUBMISSION DEADLINES ARE THE LAST DAY OF JANUARY, MARCH, MAY, JULY, SEPTEMBER, AND NOVEMBER.**

**EMAIL:**  
[prangerd@ix.netcom.com](mailto:prangerd@ix.netcom.com)

**MEMBERSHIP APPLICATION**

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 STUDENT.....\$20 \_\_\_\_\_  
 ASSOCIATE.....\$35 \_\_\_\_\_  
 SUPPORTING.....\$100 \_\_\_\_\_

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