



# RANGER ACTIVITIES INFORMATION EXCHANGE

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## Chief Ranger's Comments

Several issues related to personnel matters are currently receiving a great deal of attention. The 20-year retirement issue and the effect of the 083/085 police and guard standards on law enforcement ranger positions are two topics that fall under this heading.

We met with the Assistant Director for Personnel and Administrative Services, the Chief of the Division of Personnel and the Chief of the Branch of Employee Relations concerning 20-year retirement. They reiterated that each park and regional personnel office has all the necessary information to provide any employee with sufficient guidance to prepare and submit a job history package to OPM for review. Such a package must be submitted to the park personnel office; it will then go through the regional personnel office and on to WASO. At each stage, the package is reviewed and substantiated. To date, not a single package has been submitted that has been based on primary law enforcement duties. Without some test cases, there's no way to know how OPM will evaluate rangers who perform law enforcement duties on a regular basis.

We anticipated seeing a couple of test cases by now, but nothing has yet come forward. If you've read the regulations and feel that you qualify, you should submit the necessary paperwork. With the myriad of positions we have with different amounts of creditable law enforcement duties and/or fire duties mixed with other responsibilities, our positions are harder to evaluate. Generally speaking, the primary purpose of each considered position held by an employee has to be centered in either fire or law enforcement (as defined by regulations found in 5 CFR Part 831). Before preparing any paperwork, read the definitions of primary and secondary duties found in the regulations. You also might look at Mary Sargent Martin's article entitled "Guide To Twenty-Year Retirement" in the summer issue of Ranger for information on how to put a package together.

On July 21st, draft revisions to the National Park Service's park ranger GS-025 classification supplement were sent out for comment. This revision incorporates the 083/085 police and guard standards by describing law enforcement duties at the GS-5, 7, 8 and 9 levels. Personnel offices have a copy of this draft. We have worked very closely with WASO Personnel on this update and feel that it is an exciting move forward. When incorporated, it will provide another tool to be used in organization of work and position management. It will also provide the potential for some enhanced grades where a higher level of work has accumulated in a position in a significant enough amount to be credited through classification.

One other note: We continue to receive positive feedback on the Exchange and on its value in improving Servicewide communications. I got another letter the other day, however, which asked that we send the Exchange to a home address because the employee's supervisor didn't or wouldn't copy and route it to his or her staff, as we have requested. We cannot do individual mailings, and ask instead that all supervisors ensure that copies are made and routed to all interested employees. Thanks.

## Field Incidents

**Wrangell - St. Elias:** Four Japanese climbers were in the process of descending from one climbing camp to another on Mt. Blackburn on June 21st when a three-foot thick slab of ice broke loose 30 feet above them and caused an avalanche which swept 49-year-old Shigeo Ogawa and 30-year-old Toshiaki Mashiko down approximately 4,000' of vertical rock bands, ice falls and hanging glaciers. Expedition leader Yoichi Tadokoro was near the edge of the avalanche and was carried about 30' downslope before he was belayed to a stop by Shigeru Yamaya, the fourth climber. Tadokoro was not injured. The two climbers tried to reach their comrades, but were unable to descend further than about 500' due to extremely hazardous conditions. They then descended to their base camp and unsuccessfully attempted to obtain assistance with their portable CB radio. The two were picked up by a scheduled air taxi the next day; the pilot advised park rangers at Gulkana of the incident, and a search was organized by rangers and Alaska state troopers. One body was seen at the terminus of the slide at 7,300', but hazardous conditions and steep slopes prohibited a landing. The troopers asked Parks Canada wardens from Klauane National Park to repond with their climbing team and a helicopter equipped for long line rescue. The bodies were then removed. Although registration is not mandatory, the climbers did not register or contact park rangers before the climb. They carried CB radios, but neither the park nor the state monitor CB frequencies.

**Big Cypress:** The Drug Enforcement Agency, acting on inside information, requested the assistance of NPS rangers in the seizure of 400 kilograms of cocaine (valued at \$7 million) that was to be flown into the park. On June 24th, a plane from the Bahamas landed on Upper Wagon Wheel Road, dropped off the contraband and departed. DEA agents, Collier County Sheriff's deputies and NPS rangers then arrested four foreign nationals waiting to pick up the drugs. The cocaine and three vehicles were seized in the incident.

**Organ Pipe:** On July 31st, two seasonal park rangers on patrol in a marked government vehicle were attacked by three Mexican Army soldiers. The three soldiers, who were engaged in drug interdiction duties, had set up a road block in Mexico. Upon sighting the NPS vehicle, which was about 400 yards north of the international boundary, the three soldiers crossed the boundary fence carrying automatic weapons and approached the vehicle at a run. About 50 feet inside the U.S., the soldiers stopped and lowered their weapons as they realized the rangers were uniformed NPS personnel. The rangers had immediately called for backup, and within minutes officers from the U.S. Customs Service, Border Patrol and local sheriff's office arrived, several in a Blackhawk helicopter. It was later learned that one of the Mexican soldiers had fired a warning shot into the air. The soldiers also stated that were unaware that they had crossed the international boundary.

**Great Smokies:** On August 3rd, Todd Remer, 15, of Utica, Michigan, fell 500 feet to his death from Charlies Bunion Overlook in the park. Remer had been attempting to jump from rock to rock at the overlook when the fall occurred. Park rangers requested the U.S. Army MAST helicopter from Fort Campbell, Kentucky to assist, since it was believed that Remer might still be alive. Efforts to reach the victim were hampered by loose rock and a severe thunderstorm with heavy rain. Park medics reached Remer at about 4:30 pm and found that he had not survived. Body removal was delayed until this morning due to weather conditions. Because of the weather conditions at the scene, the Army helicopter was unable to assist with the removal of the victim and flew to the Sevier County airport near Gatlinburg to refuel. The aircraft landed and taxied to the fuel pumps where the main rotor struck a sign post flipping the helicopter.

The six persons aboard, including ranger Bobby Holland, were all injured. Holland assisted in removing three members of the Army crew. Two were flown by Lifestar to the University of Tennessee Hospital in Knoxville, and the remaining crew members and Holland were transported to the Sevier County Hospital for treatment. Holland sustained head injuries, cracked ribs and cracked vertebrae. All the injured are currently in stable condition.

### Yellowstone Fires

Late in June, lightning touched off several fires in Yellowstone; because of their origin, they were considered to be prescribed natural fires and were managed in accordance with the park's approved fire management plan. Although rain initially slowed the growth of these fires, they accelerated in mid-July as hot, arid weather and wind settled in. On July 14th, A Class II overhead team was put in place. Ground and aerial monitoring of all known fires was stepped up, and measures were taken to protect backcountry cabins. By July 21st, three of the the fires - the Shoshone, Red and Falls Fires - were active enough to warrant the attention of a Class I team; they were joined shortly thereafter by Class I teams on the Mink Creek (USFS), Fan, North Fork and Mist/Clover Fires. The Fan Fire was later turned over to a Class I team as it threatened private lands outside the northern boundary of the park. A unified area command was established to oversee all the fires burning in and around Yellowstone. Despite the closure of the south entrance to the park and threats to the Lewis Lake and Grants Village areas which led to their evacuation and temporary closure, no consequential damage to facilities or injuries to persons were sustained. As of August 10th, 44 fires had burned about 190,000 acres within the park. Just under 2,300 firefighters were working on these fires, with the majority on the Fan and North Fork fires. Total estimated cost of suppression as of that date was about \$15.5 million.

Here's a rundown on each of the principal fires in the park. Except for the North Fork Fire, all were lightning caused:

- Snake River Complex - Falls Fire (2,300 acres) - The fire started on July 12th to the west of the south entrance to the park. Efforts to keep it out of the adjacent Bridger-Teton National Forest were successful.

- Snake River Complex - Red Fire (20,300 acres) - The fire broke out on July 1st on the southwest side of Lewis Lake near the south entrance to the park, and on the 22nd forced the closure of the south entrance and the closure and evacuation of Lewis Lake campground. Firefighting efforts focused successfully on protecting the campground and nearby Heart Lake patrol cabin.

- Snake River Complex - Shoshone Fire (24,100 acres) - This fire, which started on June 23rd, received much of the attention of firefighters during late July. It began on the west side of the Shoshone Lake outlet, jumped the channel on July 12th, and approached Grant Village a week later. The Village and campground were evacuated on the 23rd. The fire scorched a restroom at Grant Village and burned some power lines near West Thumb, but did no other damage.

- Clover/Mist Fire (81,283 acres) - The Mist Fire started on July 9th, the Clover Fire two days later. They joined on July 23rd. The fire burned into Shoshone National Forest, where it was contained. The fire continues to burn in the park.

- Mink Creek Fire (6,830 acres within Yellowstone) - This fire began in the Bridger-Teton National Forest on July 11th. At the peak of control efforts in the forest, there were 737 firefighters assigned to the fire. On July 23rd, the fire jumped the Yellowstone River and entered the park. The park's primary concern was the protection of the Thorofare patrol cabin, and that goal was attained.

- North Fork Fire (30,100 acres) - This man-caused fire began in the Targhee National Forest on July 22nd and quickly entered the park. Because it initially headed toward Old Faithful, it attracted considerable media attention. Helitorch and hand-set backfires were used to augment natural firebreaks and strengthen control lines, and the fire was deflected to the north and west. As we went to press, efforts were being focused on protecting the Madison Junction area and keeping the fire from crossing the Old Faithful Road.

- Fan Fire (20,200 acres) - The fire began on June 25th in the northwest corner of Yellowstone. It was initially managed by the park, was turned over to a Class II team as it became larger, and is now being managed by a Class I team. The primary concern was on possible threats to private land outside the park. The fire came within a quarter mile of the boundary before it was checked.

### Crider vs. United States

There has been a good deal of Servicewide interest in the recent court decision in the so-called Padre Island Case. What follows is a narrative of the events that led to the case (based, except as noted, on uncontroverted court testimony), followed by the judge's conclusions:

On July 23, 1983, two 15-year-old girls dared 18-year-old John Landry to give them a high speed ride on the front of his car. Landry, who had been drinking bourbon and cola and smoking marijuana, took up the challenge and headed toward Padre Island National Seashore at high speed with the girls hanging onto the air intake, shouting for him to stop. As he entered the park, two rangers picked him up on radar doing 45 mph in a 15 mph zone. Landry was stopped by the rangers and two local constables at 3:40 p.m., and was cited for possession of alcohol by a minor, possession of a controlled substance (4.5 grams of marijuana stems and roaches), speeding, and failure to carry liability insurance. NCIC and TCIC checks for wants and warrants were negative. The evidence was seized, the girls were taken to the ranger station for pick-up by one of their parents, and Landry was told to park his car and stay put for an hour and a half to sober up. Landry's keys were not confiscated, but he was warned that a warrant would be issued for his arrest if he left early. Landry later stated that he headed for town as soon as the rangers were gone. Although his departure was soon discovered, the ranger who issued the citations decided not to seek the arrest warrant he had threatened.

Landry testified that he then decided to "live it up one more time", since he was serving probation for a prior felony (burglary) and would undoubtedly be going back to jail for violating the conditions of the probation. Landry bought two more bottles of whiskey, then joined some friends for a party at which he smoked more marijuana and consumed more alcohol. At 1:45 a.m. on July 24th, Landry attempted to pass three cars at one time while driving at 80 mph down a narrow two-lane road and collided head on with a motorcycle. The rider, Randy Crider, suffered amputation of his left arm and leg and permanent brain damage. Crider later filed a civil suit against the United States and the liquor store which sold the alcohol to Landry. The plaintiff claimed that the government was partially at fault in that the rangers had stopped Landry 10

The revised supplement, which will be out for review until mid-August, would completely alter the section on law enforcement. Among other things, four benchmark jobs would be established to assist managers and classifiers in determining proper grades. The revisions are based in part on recent changes in the 083 police series standards, which were rewritten to enhance employee grades and which are comparable in many ways to work done by rangers involved in law enforcement.

### Training Needs Survey

In the May mailing of Exchange, we included a questionnaire on field training needs in EMS, SCUBA, SAR and aviation. Of the 184 areas that replied to this questionnaire, 98 had training needs in one or all of these areas and 86 had no related training needs. Here's a breakdown of the requests for training slots:

	If WASO-Funded	If Benefitting Account
Basic park medic	73	32
Park medic refresher	79	46
Basic rock rescue	98	53
Basic SCUBA	62	33
Advanced SCUBA (divemaster)	26	16
Basic aviation management	87	63

The results of this survey were used to help justify Ranger Activity's training request. Many thanks to all of you for taking the time to prepare and submit the questionnaires. We'll print the final request priority in the August or September issue.

### Briefly...

- In the last issue, we promised an update on developments concerning the reentry of Cosmos 1900, the Russian nuclear-powered satellite. We have not as yet received any further information on possible impact sites, but will advise you if any are in or near NPS areas.
- You may have noted that the May and June issues both have the year of publication listed as 1987. The error was inadvertent, and we wish to reassure you that we do in fact know what year it is here in Washington.
- One other known error made it into the issue: The number which was given for further information on NASAR's wilderness medicine course offerings was one digit off - instead of 207-655-2707, it should be 207-665-2707.

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hours earlier and should have arrested him for driving under the influence and possession of a controlled substance. If Landry had been arrested, Crider contended, the accident would never have occurred.

During the non-jury trial, controverted testimony centered around whether or not Landry showed signs of being under the influence of alcohol when he was stopped by the rangers and whether or not a field sobriety test had been administered. The rangers and constables stated that Landry spoke and walked normally and that they could smell alcohol but could not smell marijuana. The two girls said that Landry was speaking loudly and with slurred speech. The girls and Landry said that no field sobriety test had been given. The officers all said that a test had been given with negative results, but each officer described a different series of tests. There was no field sobriety test indicated on the case incident report. Although the citing ranger told Landry that he wasn't going to write him for drunken driving because an arrest would entail a 135-mile round trip to a magistrate, the ranger stated that he'd said that merely to impress upon Landry the seriousness of his conduct (testimony was also given that the ranger did not book Landry for fear of antagonizing the US magistrate by requiring his appearance over the weekend).

The judge ruled that the action of the rangers in not arresting Landry constituted "negligent performance of their official law enforcement duties" and was a proximate cause of the accident which injured Crider. He said that he gave greater credibility to the testimony of the two girls and Landry than he did to the rangers and constables because of the large inconsistencies in the officers' testimony. He further stated that:

- Landry was unquestionably intoxicated when stopped by the rangers;
- the rangers had sufficient probable cause to make an arrest;
- the rangers had the authority to confiscate Landry's vehicle;
- Landry would have been incarcerated on the evening of July 23rd and the morning of the 24th if the rangers had not negligently performed their duties; and
- the residue from Landry's initial intoxication at the beach was a contributing cause to the accident with Crider.

The judge later awarded the plaintiff \$7.5 million in damages. The US Attorney has filed for an appeal.

### Fee Revenues

As of the end of July, the Service had collected a total of just over \$36.5 million in user and recreation fees - an increase of 31% from the amount collected during the same period in FY 87. Golden Eagle sales during the period increased by 40% over 1987, and entrance fees were up by 45%.

### Implementing 083

The WASO-imposed temporary moratorium on the use of the new GS-083/085 Police and Security Guard Classification Guide has been lifted. A memorandum was issued to the field directorate and regional and park personnel officers on July 21st which transmits a draft revision of the law enforcement section of the Service's classification supplement for the park ranger series and lifts the moratorium. It had been imposed due to earlier concerns on the misuse of the 083/085 guide by another agency. Those concerns proved to be unfounded.