



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

OFFICE OF THE CHAIRMAN

April 23, 2010

The Honorable Nancy Floreen
President, Montgomery County Council
Rockville, Maryland

Via email

President Floreen and Members of the County Council:

In his latest letter describing the county's fiscal situation, the County Executive recommended the elimination of the Montgomery County Division of the Park Police of the Maryland-National Capital Park & Planning Commission, suggesting that Park Police functions could and should be performed by the County's Police Department. This is proposed ostensibly to save \$2 million in FY 2011. I was asked to support this action.

I cannot in good conscience do so, and I urge that it be resisted. Since I shall soon leave the Commission, I have no personal stake in the outcome, but think it so contrary to the public interest that I cannot remain silent.

It is bad public policy and bad management.

It imperils the safety of park users, especially in down-county parks.

It will not save money. Rather, it will ultimately increase costs. This proposal is not about saving money. It is another attempt by the Executive to wrest power over the park system and park land. There has been no underlying analysis of the assumptions used to reach the purported savings nor any impact statement.

It cannot be achieved without change in state law. And even if it were desirable, it could not be accomplished in the next fiscal year, and therefore, it should not be relied on to reduce the 2011 proposed budget.

At a minimum, a policy with such far-reaching consequences should not be made on the basis of a bare assertion late in the budget cycle when there is no opportunity for full public discussion.

If the Executive is genuinely interested in saving money and creating greater operational efficiencies for park and recreation facilities and programs, the Commission stands ready to provide even greater savings than claimed here by merging the Recreation Department into the Department of Parks, as was done almost 40 years ago in Prince George's County.

This proposal imperils the safety and convenience of the park system. The mission of the Park Police is to ensure that park users have a safe and enjoyable experience in over 400 active park sites and some 35,000 acres of parkland, including an extensive park trail system that requires bike and horseback patrols. Other jurisdictions that have merged park police into the regular police department have experienced a deterioration of park safety. This results from the absence of a police force specially trained and dedicated to working with park users, and whose officers regard their presence in the parks and responding to service calls concerning parks as their top priority. Regular police departments and their officers tend to place a lower priority on affirmative measures of park protection. Our Parks Department is the most highly honored in the nation by its peers, having won 5 gold medals of the National Recreation and Parks Association. A key to repeatedly winning this top honor is the existence and excellence of the Park Police as a unit dedicated to parks and under the jurisdiction of the Commission. The Park Police are no luxury. They are integral to the quality of parks, which county citizens rank as their most used and highly regarded public service, according to the County's latest survey.

The Proposal will not save money. The Executive asserts the merger of Park Police into the County Police Department will save \$2 million in the next fiscal year. No evidence was produced to back up this assertion, other than to propose reducing the Park budget by that amount. That sort of reduction can be achieved without a transfer of personnel or functions, which, once studied will show that such a move will actually result in greater costs to the County. The County police pay scale for comparable positions is higher than the Commission's. An average Park Police work year costs about \$101,000, compared with an average county police work year of between \$117,000 and \$123,000, and this figure includes part-time crossing guards. Among other problems, the transfer of police retirement obligations to the County will cost it money. Given the County Executive's police funding history, along with these figures, it is hard to believe that this proposal is primarily aimed at saving money. We agree that some small savings can be achieved by consolidation of dispatch. We have already achieved savings through an existing MOU with County police, which deals with specialized services, such as homicide investigations. I signed this MOU shortly after I returned to the Commission in 2006. The more prudent approach would be to consider other services that could be added to the MOU.

Merger will require amendment of state law. The Park Police are authorized and provided for under Article 28 of the State Code. They are appointed by MNCPPC to protect the parks and carry out Commission regulations. State law expressly requires that the Park Police fall under the supervision of the Commission. Although County police have concurrent criminal jurisdiction in parks within the County, they are not charged with enforcing Commission regulations. Nor are they under Commission supervision to protect Commission assets, so they have no greater obligation to respond to Commission direction than to any other request for service. The proposed merger will require a change in state law, with substantial impact on Prince George's County as well as Montgomery. Even if this were a good idea—which it is not—legislation allowing it cannot be adopted and signed before next year. There is no assurance that such a change in state law would occur, and it probably could not be implemented for at least another year. A transfer of Park Policing functions most likely cannot happen before FY2013. Therefore, it should not be relied on to reduce the 2011 proposed budget.

It is bad public policy. It is important to reflect on why there is a Park Police force. Both counties surely had able police departments when the Park Police were established in 1953. But they did not or could not provide the adequate and *active* uniform presence that is necessary for protection of the parks and park users. This was not because they were not good officers. It is because park policing is a specialized activity and it involves a lot of tasks that regular police do not like to, or are not trained to perform. Many Park Police tasks are less traditional than those of a more reactive law enforcement agency. They include patrolling remote areas of stream valleys and woodlands; boat, bicycle, ATV and horse patrols; being a presence at large social gatherings in parks; sorting out who actually has the right permit for the right time on an overused ball field; possessing intimate knowledge of the parks and its facilities to aid park users, interpreting park features for children and adults; combining a balanced mix of education and enforcement.. These functions and priorities become even more important as the economic downturn drives more and more families to find no- and low-cost opportunities for healthy entertainment and recreation in the Park system.

What is central to the effectiveness of the Park Police is that they are under the supervision of the Commission and the Director of Parks. They have a focused mission that has made our parks among the safest in the nation. They are a friendly face of the park system. They are one of our best investments.

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The proposal is the first step toward destruction of a great park system, and ultimately, the Commission. The Executive has made no secret of his interest in taking control of the parks. Even though it is clear that the only way money might be actually saved through a merger of Commission functions and County functions is through a merger of the Department of Recreation into the Department of Parks. Such a merger was accomplished 40 years ago in Prince George's County. The result is a far richer recreation program than we have in Montgomery County. By dismembering the Park Police the predictable result will be a decline in park safety, which will then be used as an excuse for transferring the entire department and its management of all of the County's parkland to the Executive. This will place 10% of the County's land area that has been acquired over the years and dedicated to active and passive parks, conservation areas, and environmentally protected areas under direct political control, rather than in the trust of the independent Park and Planning Commission. This is a result that I shall oppose with every bit of energy and resolve I can muster.

As always, I am confident that my commissioner colleagues and the staff of MNCPPC are ready and willing to shoulder our fair share of the budgetary pain that must occur. I fervently hope that decisions will be made that avoid unfortunate unintended long-term consequences for a great park system.

Sincerely,



Royce Hanson