

Memo

To: Rep. Steven Kolenberg, Chair – BOR Transportation Committee

From: Peter Jay Gould – Park Police Unit

cc: Capt. Thomas Lombardo, Commanding Officer, Park Police Unit, SPD
Kevin Murray, Parks & Recreation
Laurie Albano, Parks & Recreation
David Winston, Chair, Parks & Recreation Commission
Transportation Committee Members
Parks & Recreation Committee Members
Paul Vakos, UAW Local President

Date: August 22, 2019

Re: Parking in Parks & Recreation Permitted Parking Facilities

Dear Chairperson Kolenberg:

Thank you for your invitation to address the members of your Committee.

My presentation to you concerns the impact of proposed sweeping changes to the manner in which parking management and enforcement is to be done in Parks & Recreation facilities where permits are required. I regret that this is coming at a time when a contract with a new vendor is under consideration instead of at a much earlier stage of the plan's development. This unfortunate timing has occurred because many of the stakeholders affected by the proposed change appear to have only learned about it via the publication of an article in The Stamford Advocate a couple of weeks ago. In fact, in polling my contacts in Police and Parks & Recreation, I have been unable to locate anyone who seems to have been briefed on the plan or is able to speak to any of the issues raised in this document. While the Passport Labs contract now before you may be an excellent idea for downtown parking facilities and garages, I urge reconsideration of its applicability to Parks & Recreation facilities unless and until these issues are adequately addressed.

I. INTRODUCTION

My name is Peter Jay Gould and I am one of Stamford's two remaining Park Police Officers. I will celebrate my fortieth anniversary with the Stamford Police Department this November. Although I have appeared numerous times over many years before the Parks & Recreation Committee of the BOR and the Parks & Recreation Commission, I have not previously appeared before your Committee.

By way of qualifications, I am a fully trained and certified Connecticut municipal law enforcement officer, a degreed professional, a business owner, a business consultant and an adjunct professor at Norwalk

Community College. In the 1980s I served as a special assistant to the Chief of Police (the late John T. Considine) and engineered the police department's initial transition to computer systems before being hired away by a computer company specializing in law enforcement applications. From the mid-1980s into the 1990s I designed public safety computer installations and trained police departments throughout the nation in the use of computers as a law enforcement tool. In the late 1990s I gifted the City of Stamford a custom computerized police report writing application I had developed and that the Police Department used as its primary report writing and arrest warrant generation system for more than a decade thereafter. Over the past fifteen years or so I was assigned to serve as a resource to the Parks & Recreation Commission and, on the Commission's behalf, in 2008 completely rewrote the enforceable Park Regulations adopted pursuant to § 175-1 of the Code of Ordinances, including those pertaining to parking. I have worked on most revisions to those Regulations that have been passed by the Commission, and approved by your Board, since then.

I have also been hands-on in providing law enforcement services in Stamford's Parks and Recreation Facilities, including the enforcement of parking regulations, for four decades, and I continue actively in this role.

In short, I am uniquely qualified to understand and explain the impacts Parks & Recreation, its patrons, Park Police Officers, regular district police officers and other stakeholders will experience if significant changes are made to the manner in which permit parking is handled in these facilities.

II. HISTORY

From at least the 1960s through the present, permits to park in designated Parks & Recreation Facilities were visible documents permanently affixed to each vehicle. In addition to regular Parks & Recreation parking permits (variously referred to as "Park Permits" or "Beach Stickers"), a multiplicity of specialty permits developed over time, including Non-Resident Limited Annual Permits, Sports Area Permits, Boat Launching Permits, Marina Permits, and Sound Waters Permits, among others.

Entryway booths were staffed by rookie Park Police Officers – including myself – as part of our rite of passage through the 1980s. Officers assigned to booths would deny entry to vehicles not equipped with permits, and because the booth personnel were police officers, defying an order not to enter constituted a moving traffic violation. This kept parking under control, reduced overcrowding, and preserved the maximum number of available spaces for permitted vehicles.

In addition to manning booths and performing patrol services, Park Police Officers were the sole issuers of parking tickets for lack of a park permit through the mid-2000s. Because park police and Parking Enforcement agents are in different collective bargaining organizations, represented by different unions with different contracts, Parking Enforcement personnel were not permitted to cross the threshold of city parks.

As the ranks of park police diminished, Park Officers assigned to booths were replaced by non-sworn city employees in the late 1980s, who were supplanted by contractors in the 1990s. In 1999, as the ranks of park police became further depleted, the police department administration unilaterally invited Parking Enforcement personnel into the parks to enforce the permit requirement. They were advised by the late Director of Human Resources William Stover that this was unlawful (see attached memorandum) and they desisted.

In the mid-2000s, the UAW (the union representing Park Police Officers) and the City entered into an agreement that permit enforcement work would thereafter be shared between Park Police and Parking Enforcement employees, but not transferred to Parking Enforcement as their exclusive work. That arrangement remains in effect to this day.

III. PRESENT-DAY SITUATION

Parking enforcement in Parks & Recreation facilities is shared between Parking Enforcement, Park Police and regular district police officers. LAZ Parking is the current Parks & Recreation parking contractor and supplies its employees to the City as booth attendants. A Park Regulation providing for a \$150 fine for defying a booth attendant's instructions not to enter was adopted in 2008 and is enforced by Park Police and SPD Officers. In addition to denying entry to vehicles without permits, the current contractor also sells Parks & Recreation day passes.

The different permit types – annual and daily Parks & Recreation Parking Permits, Non-Resident Limited Annual Permits, Sports Area Permits, Boat Launching Permits, Marina Permits, and Sound Waters Permits, etc. – are all in current use.

The booth attendant assigned to West Beach, in addition to selling day passes, also sells permits to use the City's only public-use launch ramp, which is located at West Beach. This permit is both a parking permit and a permit to actually use the ramp. Parking in the ramp lot without a ramp permit is currently punishable by an \$80 parking ticket. Actively using the ramp itself without that same permit is a \$250 Infraction.

When parking lots fill to capacity – a regular occurrence at Cove Island Park and potentially others – the attendants assigned to the park recognize the situation and close the lot. They then patrol the lot and re-open it when an appropriate number of spaces have freed up. This prevents gridlocking and preserves accessibility for police, fire, and emergency medical service vehicles in the event of an emergency.

IV. ISSUES RAISED BY THE PROPOSED PARKING MANAGEMENT PLAN

The Passport Labs contract, as we now understand it, would incorporate Parks & Recreation permitted parking facilities into an overall plan to convert downtown parking to a new system. Our understanding is that the current entryway parking attendants would be replaced by an online ordering system for residents purchasing annual passes, and self-service kiosks for daily park users.

Unlike the existing system, the new one would not equip permitted vehicles with windshield decals or hang tags, but would instead place the vehicles' registration numbers in a database that would be sampled using a license plate reader ("LPR"). Enforcement action could only be taken through the use of an LPR that could compare a given license plate with the current database. Officers without an LPR would have no way to determine if a given vehicle had a permit to park in a given facility. I have been informed that no LPRs are expected to be issued to Park Police or regular members of the Stamford Police Department on the proffered theory that "permit enforcement is not a police function."

In trying to obtain answers to the obvious questions as to how this might work, I have found no one in my chain of command at SPD or with the administration of Parks & Recreation who could tell me they had been approached concerning this matter. None of the people who would actually know what the impacts of this change would be appear to have been consulted at all.

Implementing a plan of this nature without collaboration with stakeholders is extremely ill-advised for reasons that separate out into the following categories: Public Safety / Quality of Life; Parks & Recreation Operations; and Labor Issues. I will address each category below.

- 1. Public Safety / Quality of Life.** Parks and Recreation facilities are quite different from downtown parking lots and garages. People who park in downtown facilities do so because they are planning to go someplace else once they've parked: to a restaurant, a movie or show, a store, the mall, or perhaps somewhere on a train. The people who park in these facilities do not, as a rule, stay with their cars. In four decades of serving the City of Stamford, I've yet to

hear of a downtown garage or parking lot where people park, stand around their cars, play music and drink beer in large groups, then finally depart hours later. Parking enforcement in this environment is inherently non-confrontational, because it generally involves an interaction with an unoccupied vehicle. Only on relatively rare occasions does the vehicle owner show up as the ticket is being generated.

In Parks & Recreation facilities it is quite different. Most facilities are adjacent to their parking areas, and the cars are typically in full view of their operators. In the afternoon and evening at the beaches, and at all hours in other facilities such as Newman Mills (a/k/a Riverbank) Park, a secondary population takes hold. This population is not there to swim at the beach or use the other park amenities. Instead they remain with their cars, standing around them in groups, and socialize. This socializing often involves the playing of amplified music and the consumption of alcohol, both of which are lawful if engaged in within limits that have been established by ordinances and regulations. However, there is an element that routinely engages in behavior outside of these limits. Many of the people who seek to engage in this type of behavior do not have, and do not intend to purchase, parking permits. Instead, they remain until someone in evident authority appears. They then attempt to leave, and if permitted to do so, they return as soon as the official departs for their next assignment.

In my four decades of policing the parks, I can tell you that beyond the usual cast of ne'er do wells who routinely attempt to cheat their way into the parks without paying, some of the people who engage in this behavior are part of a serious criminal element. This element can include out-of-town convicted felons, active gang members, drug dealers and the like, who are in Stamford specifically to engage in bad behavior. I have found from lengthy experience that vigorous enforcement of the permit requirement makes the parks and beaches unattractive to this element. Parking Enforcement personnel cannot effectively address this issue because upon their arrival, dedicated violators dash to (or are already sitting in) their vehicles and attempt to drive away – and since Parking Enforcement agents are not police officers, they cannot interfere and are discouraged from confronting the violators. Park Police, on the other hand, can and do inform people parked in the lot without permits that they shall leave, but only after their parking ticket has been issued, and not before. This approach has been very successful in excluding an extremely troublesome population, which improves public safety, officer safety, and quality of life.

If enforcement capability was to be removed from the Park Police Officers (for instance, by going to an LPR-only means of enforcement and denying LPRs to Park Police), there would be no way to address this demographic. While extremely rare, officers have had to deal with serious crimes, including armed persons in the parks. Examples include a late-night shooting at Cummings Park a few years ago and, a few years before that, an armed person with a firearm pointed and ready to shoot when we and other officers disarmed and arrested him. If we could no longer exclude people who willfully come into our permitted facilities without permits, and they were allowed to be impressed into the rest of the population, I would expect an increase in such incidents along with the diminution in quality of life that accompanies the presence of intentional lawbreakers.

Parking Enforcement personnel also do not currently go to certain locations, such as Riverbank Park or Dorothy Heroy, at all. It is my understanding that not only are these locations deemed to be too long a trip to be cost effective, but the remote nature of the park presents unacceptable risks to unarmed civilian enforcement agents. Additionally, Parking Enforcement personnel assigned to the beaches generally wind up their enforcement activities by 8:30 PM, leaving Park Police as the primary permit enforcers until closing time.

Another problem occurs if booth attendants are removed from parking lots that are prone to overfilling, particularly Cove Island Park. In that case, there would be nobody to close the lot when it exceeded capacity. I have seen this occur precisely once in my forty years of experience (it happened to be in wintertime following a huge hockey playoff game with a large fight afterward). The result was complete gridlock, with every north-south and east-west trafficway within the Cove parking lot solidly blocked by cars trying to escape the melee. Police officers responding to this near-riot condition had to park on Cove Road and run through the lot to the boat ramp. If this was replicated during the summer there would be no way to get police, fire or medics into the park or to the marina in the event of a medical, law enforcement or other emergency. It is incumbent on all of us to prevent such an eventuality. A kiosk isn't going to do it.

2. Parks & Recreation Operations. Enforcing a permit requirement in a downtown garage or parking lot is a simple one-size-fits-all operation (or at least it's close). A vehicle is either permitted to park or it is not. Perhaps the vehicle is on a monthly or annual parking plan; if not, it has purchased parking by the day or by the hour. Either way, a simple query of a database by an LPR reveals whether the car should be ticketed or not. This process easily lends itself to automation.

Parks & Recreation facilities are, again, quite different. The various types of permits in addition to regular annual and daily parking permits complicate matters when compared to downtown parking. The following are representative examples (not necessarily exhaustive) of various permit types:

Annual Permit. Sold to Stamford residents. Provides access to Parks & Recreation facilities during their operating hours.

Daily Permit. Sold to any motorist. Provides access to Parks & Recreation facilities for the remainder of the calendar day when sold, during their operating hours.

Non-Resident Limited Annual Permit. Sold to out of town motorists. Provides access to Parks & Recreation facilities during their operating hours, but only on weekdays.

Sports Area Permit. Issued to ball team players based out of town. Up to 25% of the players in a Parks & Recreation sports league are permitted to come from out of town. These out of town members are issued Sports Area Permits which allow parking in ball field lots (some of which overlap with beach parking) from 30 minutes before a game to 30 minutes after. Annual, daily and non-resident permit holders may also park in these spaces at any time, during the hours their permits are valid.

Marina Permit. Issued to persons who rent a slip in a Parks & Recreation marina. Allows parking in parking lots appurtenant to the marina where the boat is docked, 24 hours per day, even when the facility is closed. Also permits usage of the boat ramp for that facility (usage without a Marina Permit results in a \$250 fine). Holders of annual, daily and non-resident permits may park in the same spaces during the hours their permits are valid.

Boat Launching Permit. Sold to persons launching a boat from the public boat launching ramp at West Beach. Allows parking in the launch ramp parking lot 24/7. Also allows the use of the boat ramp itself. Holders of annual, daily and non-resident permits are prohibited from parking in this lot.

Sound Waters Permit. Issued to certain personnel associated with the Sound Waters nonprofit located within Cove Island Park. Permits parking in the Cove Island lot. Some versions of the permit allow parking in the restricted part of the park.

Special Event Permit. Issued to persons involved with various types of special events in Parks & Recreation facilities. Permits parking in the facilities specified on the permit.

Cove Island Wildlife Sanctuary Permit. Issued to volunteers working in the Cove Island wildlife sanctuary. Allows parking in the Cove Island parking area while actually engaged in volunteer activities.

Other Permit Types. Other permits may be issued on an ad hoc or ongoing basis by the Parks & Recreation administration.

Any new parking enforcement system must take all of the above permit types into account, remembering that the various permits overlap in terms of location and hours during which the permits are valid.

3. **Labor Issues.** As previously mentioned, until the mid-2000s, UAW Park Police Officers were the sole issuers of parking tickets for vehicles without a Parks & Recreation Parking Permit. Parking Enforcement employees were prohibited from entering the parks. In the mid-2000s, enforcement of the permit requirement became shared work between UAW and the union representing Parking Enforcement employees. The UAW, however, did not cede the function and is unlikely to do so. Changing to a LPR-only enforcement system and refusing to issue LPRs to Park Police Officers is a unilateral change in Park Police working conditions to which UAW is unlikely to agree. This is especially true when it is understood that removing the capability has negative effects on officer safety.

V. **CONCLUSION**

This presentation is not an attack upon Passport Labs as a service provider, or upon the idea of switching to cloud-based parking permits and LPR-based enforcement in downtown Stamford. To the contrary, the proposal to do so may be very much in Stamford's best interest. It might even be that the switch would work in Parks & Recreation facilities – but the latter case presents complications that do not seem to have been thought through in advance.

Applying the same structural and enforcement approach to Parks & Recreation facilities that may work in downtown Stamford, without thoroughly addressing the issues raised herein, appears ill-advised. No such change should be contemplated or reflected in any upcoming budgetary process without sufficient engagement with people who understand the impact and potential complications, all of which should be worked through prior to making significant changes.

Likewise, transitioning to an enforcement approach in the parks that requires technology not issued to Park Police or other officers is both ill-advised and a violation of past collective bargaining agreements between the parties. Any new enforcement approach in the beach parks must incorporate access to the correct enforcement tools for Park Police, as well as regular police officers assigned to the same district. The presumption that "permit enforcement is not a police function" is flatly erroneous, at least where Parks & Recreation facilities are concerned. In fact, such enforcement is an invaluable law enforcement tool.

Thank you for your time and consideration.

Respectfully Submitted,




Peter Jay Gould

**City of Stamford
Human Resources Division**

Memo

To: Dean Esserman, Chief of Police

From: William C. Stover, Assistant Director of Human Resources 

CC: H. James Haselkamp, Jr., Director of Human Resources
Moira McNulty, Customer Services Bureau Chief
Patricia Broom, Director of Operations

Date: July 23, 1999

Re: Park Police/Teamster Special Police

Chief, pursuant to our discussion, bargaining unit issues with the UAW preclude us from assigning Teamster Special Police to the Parks. The regular police (SPA) has historically shared this work with the UAW Park Police. Accordingly, their assignment to the parks does not create any infringement on bargaining unit work. I appreciate you taking the necessary steps to assign a regular police officer to the parks during times when it is necessary for ticketing.

Should you have any questions regarding this issue, please do not hesitate to contact me directly. Thank you for your cooperation in this matter.

*7/27
W.C. Stover
LT. DeLoach
R 1/2
DNG*

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