



Washoe County Regional Parks and Open Space Policies and Procedures

Title/Topic: Citation Authority - Visitor Safety and Resource Protection	Number: 3.2.1
Author: Colleen Wallace Barnum, Park Operations Superintendent	Effective Date: May 23, 2024
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I PURPOSE

In May of 2022, the Board of County Commissioners approved updates to County Code, Chapter 95, sections 46 through 50, which include the ability for Park Rangers and District Managers to issue civil and misdemeanor criminal penalties in County parks. The purpose of this policy is to have clear guidance for staff, while enhancing recreational use, ensuring visitor safety, and protecting natural, historical, and cultural resources in parks.

II PERSONS AFFECTED

All permanent Park Ranger and District Manager employees, designated as enforcement officers of the Community Services Department, within Regional Parks and Open Space.

III POLICY

County ordinances provide for the safety and enjoyment of visitors to the parks, historical sites, recreational facilities, and open spaces owned, operated, or managed by Washoe County. The duty of the enforcement officers is to serve as stewards of the aforementioned facilities and resources of Washoe County. The enforcement officers shall administer ordinances and regulations pertaining to County parks and open spaces to enhance recreational enjoyment, provide visitor service, ensure visitor safety, preserve sensitive natural, historical and cultural resources, provide interpretive programs, maintenance and make possible the orderly administration of the parks for the benefit of present and future generations. Enforcement officers, pursuant to WCC 95.460 may, to the limit of their training and authority as established by policy, investigate violations, and enforce the provision of the ordinances and regulations pertaining to County parks and open space.

The enforcement officers shall employ sound judgment and discretion in the enforcement of ordinances and regulations. Enforcement officers shall apply progressive enforcement as outlined in the Procedures to encourage compliance by park visitors. Enforcement officers shall summon assistance from the appropriate local law enforcement, fire or emergency services agencies, and regional animal services, where visitor safety and resource protection incidents exceed the officers' scope of training, authority, or policy direction.

IV PROCEDURES

1) Enforcement officers maintain order, and contribute to visitor safety and the preservation and protection of the natural, historical, and cultural resources managed by Washoe County. The following field operations guidelines were developed to provide direction for enforcement officers in discharging this responsibility.

No operations guidelines can address all circumstances or contingencies arising from visitor safety and resource protection activities and incidents at parks and open spaces.

Enforcement officers shall use sound judgment based on the scope of their training, authority, experience and as directed by policy while exercising due regard for personal safety and the safety of staff and visitors at all times.

Washoe County does not provide a guarantee of safety to visitors to parks and open spaces owned, operated, or managed by the County, but uniformed park employees shall take appropriate action in the event of incidents involving visitor safety or the protection of natural, historical, or cultural resources in accordance with applicable policies, procedures, and guidelines.

2) Incident Command.

The enforcement officer present at the time of a visitor safety and resource protection incident shall assume responsibility for managing the incident. The enforcement officer shall coordinate staff and material resources as needed and shall determine if and when to request assistance from local agencies in accordance with these guidelines. The enforcement officer shall manage the incident until otherwise directed by appropriate Washoe County staff, relieved by her/his line supervisor by the establishment of a unified command with one or more outside agencies, or by the transfer of authority to another public safety agency in accordance with these guidelines and relevant County policies and procedures. If an enforcement officer is not on-duty at the time of the incident (e.g., weeknight in campground); a designated staff member shall be responsible for summoning outside assistance as needed. The designated staff person shall be trained in radio communications, provided with a mobile radio or cell phone as appropriate in order to make emergency notifications. Visitor safety and resource protection incidents in recreational areas shall be managed under the principles and practices of the incident command system (ICS). ICS shall be utilized to provide a consistent framework for assigning roles and delegating responsibility for managing the incident and to facilitate interagency communications and transfer of authority to other emergency service providers as needed. All enforcement officers shall complete an approved basic ICS training course and all field operations staff shall receive basic ICS training.

3) Staff and Material Resources

The enforcement officer shall utilize available staff and material resources in managing incidents at parks and open spaces. The enforcement officer shall consider the availability, readiness and training of staff and other resources in determining what actions are reasonable and prudent in managing the incident.

Staff resources available for managing visitor safety and resource protection incidents may include any or all the following:

- Washoe County Parks staff (Park Rangers, District Managers, Maintenance Supervisors, Park Maintenance Workers, Park Aides)
- Volunteers
- Other Washoe County staff (e.g., Horticulturist, Curator, Trail Program Coordinator, Natural Resource Planning Coordinator, etc.)
- Local agencies (e.g., local law enforcement or fire service agencies, U.S. Forest Service, Bureau of Land Management, Nevada Division of Wildlife, etc.)

The enforcement officer shall use due regard for training, authority, experience, and preparedness in assigning incident management functions to staff. Enforcement officers shall maintain a call-out list of staff and volunteer resources for assisting with visitor safety and resource protection incidents. Material resources available for managing visitor safety and resource protection incidents vary. Enforcement officers shall carry all required safety and operations equipment in accordance with Washoe County Parks policy (e.g., patrol truck equipment, personal protective equipment, etc.). All material resources shall be maintained in a state of readiness. Enforcement officers shall use only equipment and other material resources for which they have received proper training and in accordance with approved safety and operations guidelines or policy.

4) Notification and Reporting

Enforcement officers are responsible for receiving reports of visitor safety and resource protection incidents, responding with appropriate staff and material resources, notifying local agencies for assistance as needed or required, notifying appropriate Washoe County Parks supervisors and management, and preparing and distributing required reports and records. Emergency notification and requests for assistance from local agencies may be accomplished by telephone (direct or 911) or by radio as appropriate. All requests for assistance shall be documented and the response time recorded on the incident log. Designated staff members reporting emergencies shall provide her/his supervisor with the same information to be included in the incident log. Enforcement officers are responsible for preparing, distributing, and maintaining all required reports and records pursuant to visitor safety and resource protection incidents, within the required time frame, which may include any or all of the following:

- SAF7 incident report
- Supervisor report of injury
- SAF5 vehicle accident report
- other reports as required by Washoe County citation authority policies and procedures

All visitor contacts which involve enforcement, advisement, or emergency response must be recorded on the incident report.

5) Critical Incident Stress Management

Any critical incident (e.g., caring for the victim of a traumatic injury, participating in a search-and-rescue assignment, presiding over a major special event, and loss of a colleague or loved one) may produce deep emotional responses that potentially overwhelm one's person's ability to cope with even normal duties and circumstances. Characteristics of a critical incident include (but are not limited to) an event that is sudden and unexpected which may result in a loss of one's self-control and/or a disruption of one's beliefs, values, and basic assumptions. A critical incident may involve the perception of a threat to one's personal physical and/or emotional health and welfare or a perception of loss. Enforcement officers shall be prepared to implement critical incident stress management (CISM) for all staff members following a critical incident in a park or open space area. CISM should include the following concurrent activities and resources:

- Stress management training (i.e., recognizing the signs and symptoms of critical incident stress)
- Peer support personnel
- Counseling referrals (e.g., Employee Assistance Program)
- Informal defusing
- Formal debriefing involving qualified CISM counselors
- A workers Comp claim

Enforcement officers shall contact Human Resources for a list of CISM counselors or may utilize the local law enforcement and fire service agencies, and the Employee Assistance Program available for call-out in the event of a critical incident.

6) Operations in Remote Areas

Enforcement officers regularly operate in remote areas of the County, including natural regional parks and open space areas. These remote areas are characterized by inherent dangers, including but not limited to steep or uneven terrain, inclement or rapidly changing weather conditions (e.g., rain, lightning, high winds), natural and artificial water bodies and courses (in both flood and drought stages), unstable or friable geologic and soil formations, unsafe trees and snags, wildfires, poisonous plants, aggressive wildlife, and limited visibility conditions (e.g., dust, night). Compounding these natural hazards are human factors such as limited or no vehicular access, barriers to effective radio communications, extended response times from other park staff or public safety agencies, infrastructure and other man-made features and landscape modifications, and encounters with individuals or groups engaged in depreciative behavior or criminal acts. These natural and human elements in remote areas are hereafter collectively termed hazardous conditions.

Enforcement officers must exercise exceptional care and caution while performing all duties in remote areas. Even routine assignments take on an added element of risk while working in this environment. Enforcement officers assigned to remote areas must always place a particular emphasis on personal safety and preparedness. While the position of enforcement officer is not without some inherent risk, the officer's responsibility for visitor safety and resource protection does not provide an intrinsically compelling reason to commit an overtly unsafe act.

Enforcement officers working in remote areas shall either wear assigned personal protective equipment or have it readily available in the rangers' immediate area at all times.

Patrol vehicles operating in remote areas shall be inspected and maintained according to Washoe County vehicle operation procedures and no ranger should initiate a patrol of a remote area without ensuring that all required vehicle and personal equipment is available and in proper working order. Enforcement officers shall not operate vehicles or equipment in remote areas for which they are not trained and qualified except in the performance of a training assignment under the supervision of a qualified instructor. Enforcement officers assigned to natural regional parks and open space areas shall regularly inspect all points of ingress and egress to ensure that gates and other barriers are in proper working order and that vehicle access roads are passable. Locks and gates should be inspected and in good working order before entering a remote area from a park road or public highway.

Enforcement officers shall annually contact other public and private entities with access privileges (e.g., local public safety agencies, utility easement holders) to ensure that appropriate locks are present and in good working order. Truck trails and other vehicle access roads that are impassable due to erosion, landslides, or other conditions shall be posted at either the ingress/egress point or at an appropriate trail junction to provide warning to all division employees and other agencies or entities with access to the trail or road of the impassable condition. Enforcement officers should evaluate and select the most appropriate method of travel, including 4WD patrol truck or other vehicle, foot or mountain bike to perform patrol and other duties in remote areas, giving due care and consideration to potential or anticipated hazardous conditions (e.g., beginning a 10-mi. foot patrol when precipitation is forecast in the next three hours, driving through a stream crossing while a flash flood warning is in effect). Enforcement officers operating in remote areas should identify at least two access and escape routes in the event of encountering a hazardous condition, to facilitate response by other public safety personnel, or to evade contact with uncooperative or aggressive subjects. Effective, reliable communications are critical to the safety of all park staff operating in remote areas. Enforcement officers should make every effort to ensure those effective communications with other park staff, Washoe County Sheriff's Office Communications (WC Green), or the 911 emergency telephone system is maintained or readily available while operating in remote areas. Portable radios (pack sets and mobile units) shall be maintained in accordance with County procedure and regularly checked to ensure clear transmission and reception, especially before entering a remote area.

Enforcement officers should become familiar with "dead zones" of poor transmission or reception and exercise extra care while patrolling or working in these areas. Enforcement officers operating in remote areas should also consider alternative means of communication, including but not limited to cellular or satellite telephones, signaling devices (e.g., flashlights, whistles, patrol truck audible warning device), or runners. Whenever practicable, prior to enforcement officers operating in remote areas they should inform another park staff member, from either the same park or another facility that they are operating in a remote area and provide an outline of expected routes of travel, a description of work to be performed, and an estimated time of return.

Enforcement officers should regularly obtain current weather forecasts to be familiar with current and expected changes in conditions. Weather forecasts may be obtained from public or government radio or the internet, and should be communicated daily to staff working in remote areas. Enforcement officers should be familiar with forecast conditions including minimum and maximum temperatures, wind direction and speed, relative humidity, precipitation, and lightning activity level. Enforcement officers should consider the likelihood of encountering a hazardous condition when performing patrols and other duties (e.g., resource management, maintenance) in remote areas. To the extent practicable, enforcement officers should consider alternatives to performing assignments that increase exposure to an otherwise avoidable hazardous condition (e.g., performing trail work under a dense tree canopy during high winds). In the event an alternative is impracticable or otherwise unavailable, enforcement officers should consider implementing appropriate safety measures to mitigate the risk of exposure to a hazardous condition (e.g., posting a lookout while climbing trees over a trail, scheduling a second ranger to assist with authorized night patrols in an open space area). In the event mitigating safety measures are impracticable or otherwise unavailable, an enforcement officer must evaluate the visitor safety and resource protection benefits against exposure to the hazardous condition considering that officer's training, experience, and sound professional judgment.

7) Patrol and Protection Services

Progressive Enforcement

Enforcement officers shall, to the limit of their training and authority, investigate violations and enforce the provisions of the ordinances and regulations for the protection of parks and open space area resources and the preservation of the peace therein. Enforcement officers shall apply progressive enforcement to encourage compliance by park visitors with ordinances and regulations. The officers should use enforcement contacts as an opportunity to orient and educate park visitors, providing context for the administration of visitor safety and resource protection ordinances and regulations (e.g., "authority of the resource"). Enforcement officers shall summon assistance from the appropriate local law enforcement agencies where visitor safety and resource protection incidents exceed the ranger's scope of training, authority, policy direction and resources.

Progressive enforcement may include any or all of the following measures to gain visitor compliance, subject to the enforcement officers' scope of training and authority:

- appropriate presence (e.g., non-verbal communication)
- advisement (i.e., oral warning)
- field interview
- warning notice
- issue civil citation
- eviction
- request concurrent law enforcement assistance (issue criminal (misdemeanor) citation)

Enforcement officers shall attempt to gain compliance by the least coercive measures possible, escalating enforcement (1) in response to a failure to gain compliance, (2) a high likelihood that progressive enforcement measures will not achieve compliance, or (3) in accordance with directed visitor safety and resource protection plans for a park or open space area. Enforcement officers shall not compromise the safety of themselves, other staff, or park visitors by physically

engaging a violator, except as provided in Washoe County Parks policy and procedures for personal protective equipment.

8) Patrol, Prevention and Detection

Enforcement officers shall make every effort to prevent visitor safety and resource protection violations before they occur. The officers shall make regular patrols of assigned facilities to deter visitor noncompliance and depreciative behavior. Enforcement officers shall make safety and resource education contacts with visitors, park neighbors, and special interest groups to encourage compliance with park regulations. The officers shall educate visitors as a function of their duties to deter repeat occurrences of depreciative behavior. Enforcement officers shall with proper authorization of their supervisors and Washoe County Parks Management implement special patrols and activities in response to specific recurring violations to reduce the incidence of noncompliance and depreciative behavior.

Enforcement officers shall make every effort to detect violations as, or soon after, they occur. The officers shall attempt to identify violators and apply appropriate enforcement measures as described in these guidelines. Enforcement officers shall gain and share information on potential or known violators and park locations where noncompliance and depreciative behavior may be occurring or are likely to occur. The officers shall develop contacts with visitors, park neighbors, and local businesses to gain informant-based knowledge of noncompliance and depreciative behavior.

9) Jurisdiction

Enforcement officers, pursuant to WCC 95.460 for the purpose of protecting park property and preserving the peace therein. The jurisdiction of Washoe County Parks enforcement officers includes all parks and open space areas owned (whether in fee or by lesser condition), operated, or managed by Washoe County, any areas specified by agreement (e.g., memorandum of understanding, contract for services) between the County and other public or private entities for the purpose of protecting natural, cultural, and historical areas. Enforcement officers share concurrent jurisdiction with federal, state, and local law enforcement agencies, subject to the scope of the rangers' training and authority pursuant to these guidelines and Washoe County Parks policy and procedures, for the purpose of visitor safety and resource protection. Enforcement officers are directed to enforce applicable local ordinances directly related to the protection of natural, cultural, and historical resources and the safe and orderly use of the parks and open space areas by the visiting public. The County does not expect or intend its Park Rangers to be exclusive enforcement officers exercising full peace officer powers.

Enforcement officers shall refer investigation of offenses against persons, against private property, against park property where damage to park property equals or exceeds \$250.00, or other public offenses as specified by Washoe County Parks management, to the appropriate local law enforcement agency, unless otherwise directed by County policy and procedure, park operating plans, or at the request of another law enforcement agency. Enforcement officers shall provide assistance and protection of park visitors and secure the scene of a violation while notifying the local law enforcement agency to assume the investigation. The officers shall provide support as requested under the direction of the local law enforcement agency, providing knowledge of the facility and other assistance as required.

10) Emergency Services

Medical Aid

Enforcement officers shall provide first aid and emergency care for ill or injured staff and visitors to the limits of their training and experience. The officers shall respond expeditiously to reports of ill or injured visitors. Enforcement officers shall assess the condition of ill or injured staff or visitors and summon assistance from local fire and emergency medical service providers as needed. The officers shall arrange access to the patient and may provide transport of emergency care providers, equipment, and patients if recommended or requested by the local fire or emergency service provider staff.

Fire

Enforcement officers shall identify and implement appropriate pre-suppression and prevention activities (e.g., fuel modification, patrols, and interpretive programs and materials) in accordance with Washoe County Parks policy and other directives. Enforcement officers shall identify and familiarize themselves with park evacuation routes, taking into account traffic circulation, potential fire behavior, and the needs of responding emergency apparatus' and personnel. Enforcement officers shall assist local fire service agencies with post-suppression rehabilitation activities. Enforcement officers may act to suppress fires to the limit of their training and experience in accordance with Washoe County Parks policy and procedures, with due regard for personal safety and the safety of staff and park visitors.

Search and Rescue Management

Enforcement officers are responsible for investigating lost or overdue visitors in parks and open space areas. Enforcement officers shall make every effort to keep the reporting party at the scene. The officers shall identify the point last seen (PLS) or last known position (LKP) based on the reporting party or any other clues, as appropriate.

Enforcement officers shall establish a search area after receiving the initial report. The officers shall conduct a hasty search of the park or open space area and implement one or more confinement methods to limit the search area, subject to available resources, inclement weather, rugged terrain, and time of day. If the officers cannot conduct a hasty search or implement confinement, or if on completion of the hasty search the subject has not been detected, the officers shall request assistance from local law enforcement agencies to continue the search. Management of the search may be transferred to a unified command structure under the incident command system or may be wholly assumed by the local law enforcement agency at the agency's discretion. Enforcement officers shall work under the direction of the local law enforcement agency, providing knowledge of the facility and other assistance as requested. The search scope and duration shall be determined by the local law enforcement agency.

Hazardous Materials

Enforcement officers are responsible for identifying and reporting hazardous materials spills (including but not limited to fuel spills and sewage spills) to local fire service agencies or other designated hazardous materials responders as directed by Washoe County Parks policies and

procedures. Enforcement officers may attempt to identify hazardous materials from placards, container labels, shipping papers, or knowledgeable persons at the scene, using the system established in the North American Emergency Response Guidebook. Enforcement officers shall not contact or otherwise attempt to control hazardous materials without specific training. In all hazardous materials incidents, the officers' primary responsibility shall be personal safety and the safety of staff and park visitors.

Enforcement officers responding to sewage spills shall notify Northern Nevada Public Health personnel by telephone or by radio through Washoe County Communications and other responders in accordance with Washoe County Parks policy and procedure.

11) Facility Operations

Traffic Control

Enforcement officers shall monitor parking and traffic conditions to facilitate the safe and orderly movement of vehicles and visitors within parks and open space. Enforcement officers shall provide notification to local law enforcement agencies by telephone (direct) or by radio through Washoe County Communications in the event of facility or road closures.

Animal Control

Primary responsibility for wildlife management and protection in the State is vested in the Nevada Department of Wildlife (NDOW). Primary responsibility for domestic animals is vested in the Washoe County Regional Animal Services. Enforcement officers shall make every effort to coordinate the control of domestic animals and wildlife with the respective primary agencies.

Enforcement officers may impound unattended or at-large domestic animals or feral animals in parks and open space areas for the safety of the animal or to prevent damage to or disturbance of natural, historic, or cultural resources. Domestic and feral animals impounded by the officers shall be released to an animal control or other humane officer, or the owner, at the earliest opportunity. Enforcement officers shall use discretion in restraining or otherwise handling any animal. Enforcement officers shall isolate injured animals with due regard for personal safety and the safety of staff and visitors. Injured wildlife and domestic animals should be handled in accordance with the officers' scope of training. Each park shall maintain a reference list of local wildlife rehabilitation shelters and veterinary care organizations. Enforcement officers shall make reasonable efforts to secure care for injured animals provided such efforts do not disrupt natural processes and wildlife interactions.

Enforcement officers shall investigate reports of aggressive encounters with wildlife. All wildlife incidents shall be managed in accordance with NDOW. Wildlife that may pose a threat to humans (including but not limited to rattlesnakes, bee swarms, etc.) shall not be handled, relocated or otherwise manipulated unless there is an immediate threat to the safety of staff and visitors in developed portions of parks and open space areas, or for the safety, emergency care, or rehabilitation of the animal in the event of an imminent threat or injury to the animal. No person shall handle, relocate, or otherwise manipulate any animals except in accordance with management direction and required training.

Public Disturbance

Enforcement officers are responsible for identifying and reporting potential and actual public disturbances. Enforcement officers responding to potential or actual public disturbances shall observe Washoe County Parks policy and procedures with due regard for the officers' personal safety and the safety of park staff and visitors.

VI ATTACHMENTS

County Code - Chapter 95



**Washoe County Regional Parks and Open Space
Policies and Procedures**

Title/Topic: Citation Authority – Civil Citations	Number: 3.2.2
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I PURPOSE

In May of 2022, the Board of County Commissioners approved updates to County Code, Chapter 95, sections 46 through 50, which include the ability for Park Rangers and District Managers to issue civil and misdemeanor criminal penalties in parks and open spaces. The purpose of this policy is to establish uniform procedures for the control, issuance, voiding, correction, and transmittal/processing of civil and criminal citations issued within parks and open space owned by Washoe County.

II PERSONS AFFECTED

All permanent Park Ranger and District Manager employees, designated as enforcement officers of the Community Services Department, within Regional Parks and Open Space.

III POLICY

Park Rangers and District Managers designated as enforcement officers per WCC 95.490 may issue civil and criminal citations for violations of local ordinances parks and open spaces owned, operated, or managed by Washoe County. Enforcement officers may issue civil citations to deter misuse of facilities and to discourage repeat occurrences. Citations are only to be issued for violations when other means of gaining visitor compliance through progressive enforcement methods have not achieved compliance with park regulations or visitor safety or resources can be damaged or destroyed.

Authority to Issue Citations

Authority for Regional Parks and Open Space Park Rangers and District Managers, as enforcement officers, to issue civil and criminal citations for violation of applicable ordinances is conferred in accordance with the following policies of the State and County:

A. Pursuant to WCC 95.490, an enforcement officer of the county may: Prepare, sign, and serve written criminal and civil citations on persons accused of violating a provision of the Nevada Revised Statutes or the Washoe County Code as it pertains to county parks. All criminal citations so issued and served shall comply with the requirements of NRS Chapter 171, including NRS 171.1773 and NRS 171.17751(5).

B. On May 10, 2022, Board of County Commissioners approved updates to County Code, Chapter 95, sections 46 through 50, which include the ability for enforcement officers (Park Rangers and District Managers) to issue civil and misdemeanor criminal penalties in parks and open spaces. Pursuant to WCC 95.010(6), an enforcement official includes code enforcement officers within the Community Services Department, including regional parks and open space.

C. The issuance of citations is to be a peripheral duty for Park Rangers and District Managers, and is not the focus of their duties.

IV. PROCEDURES

A. Restrictions

1. Enforcement officers shall refer all felonious crimes, crimes against persons, against private property, against park property where damage to park property equals or exceeds \$250.00, or other public offenses, to the appropriate local law enforcement agency with concurrent jurisdiction, or as otherwise directed by Washoe County Parks management.
2. An enforcement officer may issue a civil citation only for a violation(s) committed in the enforcement officer's presence while on duty.
3. Except as otherwise directed by their supervisor, enforcement officers shall refer all private persons arrests to the appropriate local law enforcement agency, rendering assistance to that agency, if requested, to the limit of the enforcement officer's scope of training and authority.

The enforcement officer is not authorized to detain or physically arrest any private person.

B. Jurisdiction

1. Enforcement officers possess authority pursuant to WCC 95.490 to issue written criminal and civil citations on persons accused of violating Washoe County Code or the Nevada Revised Statutes for the purpose of protecting park property and preserving the peace therein.
2. The jurisdiction of the enforcement officers primarily includes:
 - a. All parks and open space areas owned, operated, or managed by Washoe County;
 - b. Any areas specified by any agreement between the County and outside entities for the purpose of protecting natural, cultural, and recreation resources; and

c. Such immediately contiguous publicly-owned areas as may be necessary to prevent or control an incident from which there is immediate danger to persons or County Park property.

3. Enforcement officers share concurrent jurisdiction with local law enforcement agencies, subject to the scope of the officers' training and authority pursuant to these guidelines and Washoe County Parks policy and procedures, for the purpose of visitor safety and resource protection. If an incident occurs requiring law enforcement assistance, law enforcement shall have the primary responsibility for enforcing laws and the enforcement officer shall assist as directed by the responding law enforcement officer.

4. Enforcement officers shall refer all offenses against persons, against private property, against Park property where damage to park property equals or exceeds \$250.00, or other public offenses as specified by Washoe County Parks management, to the appropriate law enforcement agency having jurisdiction, unless otherwise directed by their supervisor or other appropriate Washoe County Parks management.

a. Enforcement officers shall receive initial reports of these incidents and provide assistance to park visitors while notifying the local law enforcement agency.

b. The enforcement officers shall provide support as requested under the direction of the local law enforcement agency, providing knowledge of the facility and other assistance as required.

C. Control

1. Enforcement officers shall be issued civil citation books.

2. All citation books shall be stored at the Washoe County Parks Operations headquarters until issued.

3. A logbook will be maintained at Washoe County Parks Operations which will record:

a. The citation book sequential series numbers;

b. The date the citation book is issued; and

c. The name and signature of the Park Ranger/District Manager to whom the citation book was issued.

4. Once issued, the District Manager in charge of each park shall designate a secure storage location, such as the park office safe or a similar locked location, where citation books shall be stored, while the enforcement officer (to whom the citation book is issued) is off duty.

5. Each enforcement officer shall be responsible for keeping her/his citation book secure during her/his assigned shift.

6. Citation books shall not be left unattended in a location that the public may access during the course of routine duties, such as a park office counter or unlocked vehicle.

D. Issuance

1. Issuing of Notice of Civil Penalty (NCP):

a. Enforcement officers shall utilize techniques of progressive enforcement as outlined in Washoe County Parks policy and procedures.

b. NCP's shall be written for the following circumstances:

- 1) When violator has already received a written warning for the same violation;
- 2) When other means of gaining visitor compliance are exhausted;
- 3) There is a high likelihood that progressive enforcement measures will not achieve Compliance; or
- 4) In accordance with County ordinances and as directed by Washoe County Parks Management to ensure visitor safety for a park or open space area.

c. The enforcement officer must exercise sound judgment and discretion in issuing an NCP to a violator, taking due care to provide for personal safety, the safety of other park staff, and park visitors first and foremost.

d. Prior to making contact with the violator, an attempt will be made to contact Safe Signal or similar dispatch system, or the shift supervisor, to notify them of the circumstances.

1) The enforcement officer's location will be noted and logged by Safe Signal or similar dispatch system, or the shift supervisor, will confirm back-up availability by other enforcement officers and local law enforcement, depending on the potential volatility of the situation.

e. When making contact with the violator, the enforcement officer shall inform the violator that a NCP will be issued for the violation and will specify the ordinance or code for which the NCP is being issued.

f. The enforcement officer shall immediately summon assistance from the local law enforcement agency in the event that a violator:

- 1) Refuses to provide identification;
- 2) Refuses to sign/accept the citation; or
- 3) when encountering a violation by a party who has been issued three NCP's within the past three years for the same violation.

g. The violator must be advised that in the event they refuse to cooperate with the issuance of the NCP, the enforcement officer will instead issue a misdemeanor criminal penalty pursuant to WCC 95.500, making them subject to arrest.

- 1) Such arrests may be facilitated by the concurrent law enforcement agency per a Memorandum of Understanding.
- 2) The NCP will not be voided in this case; rather, the incomplete NCP shall be saved as evidence and attached to the original crime/incident report.

h. The civil citations shall be served in accordance with WCC 95.510 in the following manner:

- 1) by delivering a copy of the NCP to the violator personally; or
- 2) by sending a copy of the NCP via U.S. regular mail to the violator's last known address.

2. The NCP shall be prepared in accordance with the following guidelines::

a. Citations shall be printed only in in black or blue ink, with a ballpoint pen, and to prevent marking on other citations, the enforcement officer shall place the hard cover of the citation book

under the last copy of the citation being written.

b. Record the first, middle, and last name of the violator in full (i.e., no initials) in the spaces provided.

c. Record the violator's residential and/or mailing address (number, street, apartment number (as applicable), city, state, and zip code) in the spaces provided.

d. Write out the date on the citation in full, e.g., November 11, 1999, using the accepted abbreviation for the month (e.g., Nov. 11, 1999), or numerically following the format of MM/DD/YY (e.g., 11/11/99).

e. Record the time of day of the citation using the appropriate designation of "a.m." or "p.m." (e.g., 4:14 p.m., not 1614; 8:15 a.m., not 0815) –

f. Record the location of the violation as the park street address (e.g., Davis Creek Regional Park, 25 Davis Creek Road).

1) In the event that a street address is unavailable, record the major cross-streets as the location of the violation.

2) Do not use trail names, picnic shelters, and similar features as the location for the citation. Trail names and similar descriptors should be used to describe the exact location of the violation in the incident report (e.g., Discovery Trail at Nature Trail intersection N).

g. Record the appropriate code abbreviation in the space provided (e.g., WCC 95.220), and a description of the conditions or conduct that violates the applicable code section.

h. Record the fees due (e.g., \$200)

i. Obtain the proper signature of the violator (e.g., Jane Doe, not Mrs. John Doe) in the space provided.

j. Record the date, first initial and last name, address, phone number, email address, and signature of the enforcement officer issuing the citation in the spaces provided.

3. Preparing the Criminal Citation:

a. Record the appropriate code abbreviation, including any applicable subsections.

b. Record if the violator is an adult or juvenile.

c. Record the activity number.

d. Write out the date on the citation in full, e.g., November 11, 1999, using the accepted abbreviation for the month (e.g., Nov. 11, 1999), or numerically following the format of MM/DD/YY (e.g., 11/11/99)

e. Record the time of day of the citation using the appropriate designation of “a.m.” or “p.m.” (e.g., 4:14 p.m., not 1614; 8:15 a.m., not 0815)

f. Record the violator’s phone number, both home and work.

g. Record the first, middle, and last name of the violator in full (i.e., no initials) in the spaces provided.

h. Write out the violator’s social security number, if applicable (e.g., xxx-xx-xxxx)

i. Record birth date in full (e.g., November 11, 1999), using the accepted abbreviation for the month (e.g., Nov. 11, 1999), or numerically following the format of MM/DD/YY (e.g., 11/11/99)

j. Record the violator’s driver’s license or identification card number in the spaces provided.

1) Abbreviate the issuing state using the accepted two-letter designation (e.g., NV, CA, ME).

2) Record the class of license.

3) Record when the license expires.

h. Record the violator’s race.

i. Record the violator’s sex as “M” for male and “F” for female in the space provided.

j. Record the violator’s height in the space provided following the format (e.g., 6-03, not 6’3” or 6-ft. 3-in.).

k. Record the violator’s weight in the space provided (e.g., 205, not 205 lb. or 205#).

- l. Record the violator's hair color in the space provided using the appropriate abbreviation (e.g., blk, brn, bln, red, aub, gry, bald).
- m. Record the violator's eye color in the space provided using the appropriate abbreviation (e.g., blu, brn, hzl, grn, gry, blk).
- n. Record the violator's country.
- i. Record the violator's residence address (number, street, apartment number (as applicable), city, state, and zip code) in the spaces provided. Check if the address is physical or mailing, if applicable.
- o. Record the appropriate number of counts (if more than one count), section number(s), and complete descriptive title(s) as appropriate [e.g., 95.280, Weapon discharge; 95.220, Dog off leash].
- s. Complete a separate written incident report (SAF7) in accordance with the Washoe County Parks policy and procedures.
- t. If the violator cannot produce adequate identification (i.e., state-issued driver's license or identification card, passport, military identification) at the time the citation is issued, attempt to run a records check to obtain that information in order to confirm the subject's identification through WCSO or RAS.
- u. Record the date, first initial and last name of the enforcement officer issuing the criminal citation in the spaces provided at the end of the incident report on each copy of the citation.
- v. The NCP/Criminal Citation form distribution is as follows: (Forms/Colors may change)
WHITE: Violator copy
YELLOW: Administration copy
PINK: Enforcement officer copy
A card with email and QR code will be issued with the NCP to encourage early payment.

E. Voiding

1. In the event a citation must be voided, the enforcement officer must include all copies of the citation, including the violator's yellow copy, for processing.
2. Draws a single diagonal line across the white copy of the citation with sufficient force to imprint all copies (yellow, green, and pink) of the citation.
3. Print the word "VOID" across the citation followed by the initials and last name of the issuing enforcement officer and complete a citation control form.
4. Complete the form in ballpoint pen with black ink as follows:
 - a. Print the number of the citation to be voided
 - b. Circle the word "VOIDED" on the citation control form

- c. Briefly explain why the citation is to be voided (e.g., “Numerous errors,” “New citation issued,” etc.)
- d. Write the date, first initial and last name of the enforcement officer voiding the citation in the spaces provided.

5. Forward the citation control form and the citation (all copies) to the Supervisor for review.
6. After reviewing the citation control form and the citation, the Supervisor approves the void by signing the citation control form and returning the form and the citation to the enforcement officer for filing at the park.

F. Corrections

1. Do not make corrections on the original copies of a completed citation, use the Citation Control Form.
2. Complete the Citation Control Form as follows:
 - a. Use ballpoint pen with black ink
 - b. Print the number of the citation to be voided
 - c. Circle the word “CORRECTED” on the Citation Control Form
 - d. Briefly explain why the citation is to be corrected (e.g., “Change violation date from March 13, 1999 to March 15, 1999,” etc.)
 - e. Write the date, first initial and last name of the enforcement officer voiding the citation in the spaces provided.
 - f. The Citation Control Form and the (Forms/Colors may change) copies of the citation are forwarded to the Supervisor for review and action.
3. The designated citation program supervisor prepares a Letter of Correction in triplicate based on the information contained in the Citation Control Form.
4. The Letter of Correction includes:
 - a. Date of transmittal
 - b. Violator’s name and address
 - c. Number of the citation to be corrected
 - d. Date the citation was issued
 - e. Appropriate box marked and applicable information recorded in the space provided
 - f. Signature of the Citation Program Supervisor
5. Distribute the Letter of Correction as follows:
 - Original: Send to the violator
 - Copy No. 2: Mail to citation processing vendor
 - Copy No. 3: File and maintain by the Citation Program Supervisor

G. Transmittal

1. Disseminate copies as follows:
 - YELLOW: Issue to the violator.

WHITE: Forward to Citation Program Supervisor for filing and processing.

PINK: Retained by the enforcement officer

H. Record Keeping

1. The Supervisor is responsible for maintaining both the hard copy file records and the data base files associated with all citations issued by WC Parks

a. Original Hard Copy

1) Place in the NCP file at Parks Operations Headquarters

b. Electronic Record & Data Base

1) District Managers supervise all entries into the data base

2) Records checks against violators requested by enforcement officers are monitored by the supervisory or administrative staff responsible for record keeping.

3) Access to the data base is restricted to authorized users only as approved by the Washoe County Parks Superintendent.

I. Citation Processing & Fee Collection

1. Fines received through the mail will be processed by Park administrative staff.

J. Appeal of Civil Penalty Citation

1. Violators can appeal a citation by requesting an administrative hearing regarding the citation by contacting the Administrative Hearing Office within 30 calendar days after the notice was served.

V ATTACHMENTS

County Code - Chapter 95

Notice of Civil Penalty

Misdemeanor Citation

Voluntary Statement Form



Washoe County Regional Parks and Open Space
Policies and Procedures

Title/Topic: Citation Authority – Exclusion from County Parks	Number: 3.2.3
Author: Colleen Wallace Barnum, Park Operations Superintendent	Effective Date: May 23, 2024
	Revision Date:
Reviewed by: DA <input checked="" type="checkbox"/>	Number of pages: 3
Department Approval: Open Space and Regional Park Commission	Attachments:

I PURPOSE

In May of 2022, the Board of County Commissioners approved updates to County Code, Chapter 95, sections 46 through 50, which include the ability for Park Rangers and District Managers to issue civil and misdemeanor criminal penalties in parks and open spaces. The purpose of this policy is to establish uniform procedures for the issuance of orders excluding persons from parks and open spaces owned by Washoe County.

II PERSONS AFFECTED

All permanent Park Ranger and District Manager employees, designated as enforcement officers of the Community Services Department, within Regional Parks and Open Space.

III POLICY

In accordance with WCC 95.480, the privilege of any visitor to use parks and open spaces managed by Washoe County is conditioned upon their compliance with all rules, regulations and ordinances established by the Board of County Commissioners for the benefit, safety, and enjoyment of all park visitors. Authorization for enforcement officers to exclude visitors from parks and open spaces is in WCC 95.480. Every effort should be made to seek visitor compliance prior to invoking park exclusion. Exclusion should be the last resort after other progressive enforcement measures have failed to elicit compliance, including verbal commands to cease the offending activity and verbal warnings.

IV PROCEDURES

A. General Guidelines

1. Park rangers may employ an exclusion in addition to any other form of progressive enforcement measure as described in Washoe County citation authority policies and procedures for the purpose of providing for visitor safety and the preservation of natural, cultural, and recreation resources.
2. A park ranger may impose and enforce an exclusion order for a period of not less than 24 hours and up to one year.
3. Exclusions over 30 days must be recommended in writing to and must have written approval of the Washoe County Parks Operations Superintendent.
4. Exclusions may not exceed one year, but an exclusion order may be extended if in the judgment of the enforcement officer ordering the extension there is sufficient cause to believe that:
 - a. The subject of the exclusion presents an immediate threat to the safety of park visitors or staff, or
 - b. The exclusion is necessary to prevent imminent or continuing damage or destruction of natural, cultural, or recreation resources.
5. The enforcement officer requesting the extension must receive approval from the Washoe County Parks Operations Superintendent and shall be responsible for communicating in writing the duration of the extension to the subject of the exclusion order.
6. People who have been excluded for a period in excess of 24 hours have the right to appeal any eviction to the Washoe County Parks Operations Superintendent.
 - a. The Washoe County Parks Operations Superintendent's decision will be rendered within 24 hours of receiving a written appeal.
 - b. All appeals of eviction notices sent during weekend or County holidays shall be emailed to the Superintendent's office and a decision shall be rendered within 24 hours upon his/her first day back to work. NOTE: Washoe County Parks Operations Superintendent is not generally available weekends so the review period coincides with the Monday-Friday work week.
 - c. Evictees are not permitted to re-enter the facility during the appeal period.

B. Performing an Exclusion

1. Approach the violator in a cordial and positive manner
2. Advise the visitor, in writing to the extent possible, of:
 - a. The specific violation
 - b. The length of eviction
 - c. Whether the eviction applies to other County parks, beaches, historical sites and recreational areas, and
 - d. The evictee's right of appeal.

3. In the event the excluded person fails to leave or returns to the park or open space area prior to the expiration of the eviction period, the enforcement officer is authorized, pursuant to County policy and procedure to request assistance from the local law enforcement agency to enforce the exclusion order.

4. When imposing an exclusion of greater than 24 hours:
- a. Prepare an incident report (SAF7) in accordance with Washoe County policies and procedures
 - b. Record the exclusion on the park exclusion form. WHITE: offender, YELLOW: enforcement officer, PINK: Administration

V ATTACHMENTS

County Code - Chapter 95
WC Parks Exclusion Form



**Washoe County Regional Parks and Open Space
Policies and Procedures**

Title/Topic: Citation Authority – Use of Force	Number: 3.2.4
Author: Colleen Wallace Barnum, Park Operations Superintendent	Effective Date: May 22, 2024
	Revision Date:
Reviewed by: DA <input checked="" type="checkbox"/>	Number of pages: 6
Department Approval: Open Space and Regional Park Commission	Attachments:

I. PURPOSE

In May of 2022, the Board of County Commissioners approved updates to County Code, Chapter 95, sections 46 through 50, which include the ability for Park Rangers and District Managers to issue civil and misdemeanor criminal penalties in parks and open spaces. The purpose of this policy is to establish what constitutes a permissible use of force by an employee, and the employee’s duties before, during, and after using force. The goal of every encounter is to use the lowest most appropriate level of enforcement to gain voluntary compliance, ensure personal and public safety, provide public education, prevent accidents, and de-escalate incidents. Park Rangers and District Managers are not P.O.S.T. certified law enforcement officers and are prohibited from physically detaining individuals and from carrying or using firearms or other dangerous unauthorized weapons. However, employees retain the inherent right and obligation to exercise self-defense, may involve use of force based on careful assessment of the situation, including threats, options and risks faced by the employee.

II. PERSONS AFFECTED

All permanent Park Ranger and District Manager employees, designated as enforcement officers of the Community Services Department, within Regional Parks and Open Space.

III. POLICY

A. Core Principles

Sanctity of Life: Employees shall make every effort to preserve life and prevent injury in all situations.

Value and Worth of all Persons: Employees shall respect and uphold the value, rights, liberty and dignity of all persons always.

Use of Force: reasonable, necessary, proportional in accordance with the employee's right to self defense: Employees shall use only the force that is reasonable, necessary, and proportional to effectively and safely resolve the threat to the employee's safety. NRS 200.275 provides that the justifiable infliction of bodily injury or the threat of bodily injury is not punishable as long as it is justified. The employee will immediately reduce the level of force as the threat diminishes.

De-Escalation: Employees shall use de-escalation techniques and tactics when feasible to attempt to reduce any threat or gain compliance with commands without the use of force. If that is not possible, the employee must reduce the threat using the lowest level of force possible. Employees shall avoid action or language that escalates an encounter unless necessary to achieve a lawful purpose.

Continuous Assessment: Employees shall continuously assess each situation and modify their response as the circumstances change – before, during and after the employee uses force. Employees may be justified in using force at a particular moment, but not justified in using force when circumstances change.

Reporting Use of Force: In the event any force is used against a citizen, written documentation of the surrounding circumstances and use of force shall be created as set forth herein.

Duty to Intervene: All employees shall intervene, with no fear of retaliation, when they know another employee is using unreasonable force or otherwise engaging in abusive behavior or misconduct, to the extent possible while maintaining the employee's physical safety.

Duty to Provide Medical Assistance: As soon as practical after any use of force incident, employees are responsible for determining if a person needs medical treatment consistent with the employees' training. If the use of force is used against a person, emergency personnel must be called to respond and provide medical treatment.

Accountability: Employees shall be held accountable for uses of force that violates law, county or department policy.

Retaliatory Force: Employees shall not use force against a person to punish them for fleeing, violation of law, assaulting an employee, or any other reason.

Definitions

Active Aggression: Physical actions of attack by person, including but not limited to, taking a fighting stance, strikes, kicks, or attempted strikes, kicks with hands, fists, the head, elbows, knees.

Aggravated Aggression: The actions of a person that present an imminent threat of death or serious physical injury to the employee. Aggravated aggression represents the least frequent, but most serious threat to an employee such as a person with a weapon.

De-Escalation Techniques: Techniques used to minimize the need to use force and increase the likelihood of voluntary compliance. These techniques may include but not limited to:

- Persuasion, verbal warnings, creating space, use of physical barriers, slowing down the pace of an incident, requesting additional resources.

Imminent Threat: A situation in which a person has the means and ability to harm the employee or another person, and the employee reasonably believed the person intends to cause that harm based on an assessment of all facts and circumstances known to the employee.

Improvised Impact Weapon: A device or object that is not a department approved weapon, but it is nonetheless capable of being used as an impact weapon (e.g., flashlight, posse box)

Injury: Physical pain or impairment of physical condition greater than temporary pain. serious physical injury is a bodily injury that created a reasonable risk of death, causes serious and permanent disfigurement, or results in long term loss or impairment of the functioning of a bodily member or organ.

Irritants: Substances that irritate the eyes and mucous membranes of a person exposed to the substances. Irritants include but are not limited to: OC Spray

Non-Deadly Force: Force that is not likely to cause death or serious physical injury.

Reasonable (Force): Force is reasonable when the employee uses no more force than required to achieve a lawful purpose.

Necessary (Force): Force is necessary when no reasonable effective alternative exists. When force is necessary, employees shall use force in a manner that avoids unnecessary injury or risk of injury to employees, or civilians involved.

Proportional (Force): Force is proportional when it is rationally related to the level of resistance or aggression confronting the employees

Temporary Pain: Any pain that is brief, does not result in injury, and is inflicted as a means to gain compliance or deter an attack of assault.

Totality of Circumstance: All facts and circumstances surrounding any event. The facts and circumstances, may include but are not limited to:

- Number, size and strength of the person(s) involved and on scene
- Weapons and devices available to the persons involved
- Force options available to the employee
- Non force options available to the employee including additional resources, repositioning, taking cover, or other de-escalation techniques
- Whether the person exhibits mental illness or behavioral health crisis
- Whether the person has a medical or disability
- Environmental factors
- Person actions and behaviors

- Potential violence of the person

IV. PROCEDURES

1. Use of Force.

a. De-escalation techniques should be utilized at all times when possible. The employee should issue a warning to stop or cease the behavior, and the person should be given an opportunity to withdraw or cease threatening actions. When possible, circumstances can and should be handled first with a verbal command by the employee.

b. All force must be reasonably proportionate to the apparent need to defend against an imminent threat of physical injury based on the totality of circumstances. Physical force or other defense tactics shall only be used as a last resort in response and against an immediate and direct physical threat against the employee based on the totality of circumstances. Use of non-deadly force may be used when:

- i. The employee has attempted de-escalation techniques (when possible) and the individual continues to act or reacts violently toward the employee in a life-threatening manner;
- ii. When the individual is assaulting an employee. However, if a person strikes or assaults the employee, then ceases the assault and retreats, or is removed from the scene so as not to pose a further threat to the employee's safety, the employee shall not pursue and use force against the person;
- iii. When the circumstances reasonably indicate that attempting to control or withdraw from the situation may lead to an escalation of force with a risk of physical injury to the employee;
- iv. When the person is actively physically assaulting another employee. However, the employee is under no obligation to use force to protect another employee if such action will place the employee at greater personal risk.

c. Park Rangers and District Managers **are not** authorized to initiate physical conduct, including but not limited to the discharge of OC pepper spray or other physical force, unless the Park Rangers or District Manager's personal safety is imminently threatened.

d. Park visitors have a right to express verbal disagreement with an employee's action and no force shall be used in response to offensive language alone. Use of force shall not be used to retaliate against language that is merely offensive but is not imminently physically threatening. However, threats or threatening actions made to employees while performing their duties, which are perceived as life threatening to the employee, are not considered mere verbal disagreements.

e. Use of non-deadly force may include self-defense physical force techniques that can cause temporary pain or complaint of temporary pain or injury, including, but not limited to weaponless defense strikes such as elbow or closed fist strikes, open hand strikes, and kicks. It may also include use of Oleoresin Capsicum (Pepper Spray) when reasonable methods have been exhausted or are unavailable. The level of force used must be proportional to the threat and necessary to defend against the imminent threat.

f. Park Rangers and District Managers may be authorized to carry and use Oleoresin Capsicum (Pepper Spray) for self-defense purposes as set forth more specifically in the Chemical Restraints Agents Policy. Verbal persuasion and a verbal warning are required before using Oleoresin Capsicum Spray if circumstances allow without risking the safety of the employee or others. Oleoresin Capsicum Spray shall not be used against a person who peacefully submits and complies with an employee's instruction during an alternation or threat of altercation or who has already ceased an assault.

g. Employees who use force that is not reasonable, necessary and proportional or who engages in any act in violation of this Policy will be subject to corrective action, possible discipline and/or termination, possible criminal prosecution and /or civil liability.

h. If an assault occurs, the employee shall:

- i. Seek and secure medical help as appropriate;
- ii. Notify local law enforcement immediately and request assistance as needed; and
- iii. Ensure the incident scene and an evidence are not disturbed until arrival of law enforcement authorities. This may involve halting traffic or interrupting activities through the incident scene.

2. Reports

Any use of force shall be notated within the activity notes on the call. If a person or the employee is injured or claims to be injured or experiencing temporary pain from any use of force, or if the employee discharges OC Spray, the employee shall report it to the supervisor on duty and complete an incident report at the end of their shift. Reports shall include precise information regarding the circumstances giving rise to the need for use of force, and the use of force actually used. If possible, relevant photographs should be captured and included.

3. Arrests and Detention

Park Rangers and District Managers are not authorized to make custodial (physical) arrests, and are not authorized to physically detain a suspect. Park Rangers and District Managers

are not authorized to search or seize individuals or their property in the course of their duties. If a suspect attempts to flee from the scene, the Park Ranger and/or District Manager shall not physically prevent them from leaving, attempt to detain them, or physically pursue an uncooperative or fleeing subject. However, the Park Ranger and/or District Manager shall inform the suspect that additional charges may be filed if they attempt to flee.

ANY LEVEL OF FORCE USED AGAINST A PERSON, THE EMPLOYEE SHALL NOTIFY SUPERVISOR IMMEDIATELY AND REQUEST THE DISTRICT MANAGER AND LAW ENFORCEMENT PARTNERS RESPOND TO THE SCENE.

V ATTACHMENTS

County Code - Chapter 95



Washoe County Regional Parks and Open Space

Policies and Procedures

Title/Topic: Citation Authority – Chemical Restraint Agents	Number: 3.2.5
Author: Colleen Wallace Barnum, Park Operations Superintendent	Effective Date: May 23, 2024
Reviewed by: DA <input type="checkbox"/> x	Revision Date:
Department Approval: Open Space and Regional Park Commission	Number of pages: 4
	Attachments:

I. PURPOSE

In May of 2022, the Board of County Commissioners approved updates to County Code, Chapter 95, sections 46 through 50, which include the ability for Park Rangers and District Managers to issue civil and misdemeanor criminal penalties in parks and open spaces. The purpose of this policy is to establish appropriate procedures surrounding the use of Oleoresin Capsicum (Pepper Spray). The goal of every encounter, is to resolve it without resorting to force, and using force in any case must be based on careful assessment of the situation, including threats, options and risks faced by the employee.

II. PERSONS AFFECTED

All permanent Park Ranger and District Manager employees, designated as enforcement officers of the Community Services Department, within Regional Parks and Open Space.

III. POLICY

In the course of their primary duties, enforcement officers are involved in numerous and varied contacts with park visitors and exposed to natural conditions such as aggressive wildlife. Enforcement officers, when warranted to do so, may employ department-issued equipment, Chemical Restraint Agents, in the course of their duties to prevent imminent personal injury and provide for the safety of the visiting public. Enforcement officers shall utilize such agents as directed by County policies and procedures to the extent of their training and authority with due regard and respect for the rights of all persons.

IV. PROCEDURES

1. Enforcement officers may carry and employ a chemical restraint agent, oleoresin capsicum (OC) spray, for self-defense purposes while on-duty provided the following conditions are met:
 - a. Completion of a training course approved by the County; and
 - b. Issuance of a Washoe County approved chemical agent projector in acceptable working order.
2. Use of the department-issued chemical restraint agent while off duty by an enforcement officer is prohibited.
3. The training certification and authorization to possess and use chemical agents in the course and scope of work is limited by department policy to use as a defensive tool, either for self-defense or the defense of others against a violent, aggressive act which occurs in the direct course of duty.
4. Oleoresin capsicum spray also may be used in self-defense or the defense of the public against attack by wildlife or domestic animals to the extent of preventing serious human injury.
5. Unless exigent circumstances exist, chemical agents may be used only after all other immediately available and reasonable efforts to control, contain, diffuse or eliminate a crisis situation have failed or have been determined to be ineffective, and when there is an imminent physical threat. Oleoresin capsicum spray is not intended to replace any defense, avoidance, or control technique that is available to the employee.
6. Enforcement officers are expected to approach all situations using progressive enforcement techniques and with due regard for the safety of the park ranger, other park staff, and park visitors at all times in accordance with Department Policy Oleoresin capsicum spray shall not be used an offensive weapon.
7. The chemical agent projector is deemed department-issued equipment and shall be issued by the department.
8. Department-issued equipment cannot be used outside the scope of the employee's job duties.
9. When not attached to the enforcement officers' uniform belt, the projector must be secured so that access is restricted. Employees are required to ensure that no other person can access the department-issued oleoresin capsicum spray when detached from their uniform belt.
- 10. Employees shall not store the projector in a hot automobile, nor expose the projector to heat where it can rupture, leak or explode.**

11. Enforcement officers must:

- a. Maintain a record of the expiration date of an assigned chemical restraint projector; and
- b. Test the device periodically as directed by the Department.

12. General guidelines are as follow:

- a. Unless exigent circumstances exist, chemical agents should not be used at a range of less than 3-ft. nor more than 15-ft. Use of the projector at lesser distances renders the user vulnerable to losing the projector, increases the chance of user contamination, and increases the severity and duration of the effects on the subject.
- b. Except under conditions representing immediate threat of serious injury to the employee or another person, an employee shall not discharge the chemical agent:
 - i. Directly into the eyes or face of a subject at a range of less than 2 ft. (generally less than arm's length);
 - ii. Deliver prolonged discharges at any distance into the face of an already incapacitated person or a person not responding to normal applications of the agent; or
 - iii. Discharge large quantities of the agent in a confined area (e.g., vehicle or a small room).
- c. The employee shall limit the duration of application of chemical agents to the minimum required to effectively control the subject such that there is no longer an imminent physical threat to the employee's safety.
- d. Chemical agent projectors shall not be knowingly used in the immediate vicinity of infants (because of heightened sensitivity of infants' respiratory systems to vapor).
- e. Employees shall remember that subjects who are highly aggressive, agitated, intoxicated, or suffering from mental illness may have altered perception of and response to pain, and consequently may not be affected by, or may even become enraged after, being sprayed.
- f. Subjects taken into custody by responding law enforcement officers following the use of chemical agents by enforcement officers shall receive first aid within 30 minutes , subject to the circumstances of the incident, from the time of contamination. Employees shall apply the following actions toward decontamination as personal safety allows:
 - i. Decontamination shall be administered at the scene as soon as possible to a properly restrained subject;
 - ii. Applya continuous flow of cool, clear water to the contaminated area is considered adequate first aid treatment.;

1. Absorption of chemical agents into clothing may cause contamination of previously unexposed areas and should be considered during decontamination.

iii. In the event first aid treatment and decontamination fail to provide relief, or at the request of the subject, or at the request of the Park Ranger, summon the local fire service agency or emergency care providers to the scene to provide medical care.

g. Should a person(s) be sprayed such as by reason of proximity or incidental contact and not taken into custody, he or she should be decontaminated, advised to seek follow up treatment with an emergency room at a local hospital, specifically should the stinging or other irritation continue after properly washing the exposed areas with cold water for several minutes.

h. Use of chemical agents by an on-duty enforcement officer shall be verbally reported to the Parks District Manager, Parks Operations Superintendent as soon as possible.

i. In the event an employee discharges oleoresin capsicum spray, the employee shall prepare ~~both~~ an Incident Report Form (SAF7) within 24 hours of the incident.

13. Employees who violate any portion of this Policy will be subject to corrective action, possible discipline and/or termination, and could be subject to criminal prosecution and /or civil liability.

ANY LEVEL OF FORCE USED AGAINST A PERSON , THE EMPLOYEE SHALL NOTIFY SUPERVISOR IMMEDIATELY AND REQUEST THE DISTRICT MANAGER AND LAW ENFORCEMENT PARTNERS RESPOND TO THE SCENE.

V ATTACHMENTS

County Code - Chapter 95



Violation Warning Notice

Incident #:

Issue date/time:

Violation Location:

You are in violation of the Washoe County Code listed below:

Description:

Subject:

ID Type

State

ID#

Name

Height

Address

Weight

DOB

Hair

Sex

Eyes

Race

Vehicle (if available and/or associated with a parking violation):

Make

Color

Model

Plate #

Year

State

You need to correct the action immediately. If at any time in the future you are in violation of the same Washoe County Code, you will be issued a notice of civil penalty as follows per WCC 125.160:

- An administrative penalty notice will be issued at the end of that period if the violation is not corrected;
- An administrative penalty will be assessed at the time of issuance of an administrative penalty notice in the amount set forth in the master administrative enforcement penalty and fee schedule adopted by the board; and
- That the collections office may charge and collect any subsequent fees, penalties, and costs, to include interest, or follow any administrative actions authorized by state law and/or Washoe County Code, necessary to collect unpaid fees, penalties and costs. The amount of any unpaid fee(s), penalty(ies), and/or costs may be sent to the county collections office for further action, and may result in a lien being placed on the property to recover unpaid fee(s), penalty(ies) and/or costs.

Parks Enforcement Officer
Parksenforcement@washoecounty.gov



Notice of Civil Penalty (WCC95.510)

1001 E. 9th Street, Reno, Nevada 89512
(775) 823-6501
parksenforcement@washoecounty.gov

NAME		ADDRESS		CITY	
STATE	ZIP CODE	VIOLATION DATE	TIME	LOCATION	
DESCRIPTION					
<h1>DRAFT</h1>					
YOU ARE IN VIOLATION OF WASHOE COUNTY CODE		FEES DUE:		IF FEE IS PAID WITHIN 30 DAYS OF VIOLATION, WASHOE COUNTY IS AUTHORIZED TO ACCEPT 50% OF FEES DUE AS PAYMENT IN FULL.	
EACH DAY THAT A CONTINUING VIOLATION OCCURS OR EACH ACT OR OMISSION IN VIOLATION OF THIS CHAPTER CONSTITUTES A SEPARATE OFFENSE. (WCC 95.460)		IF YOU WISH TO CONTEST THIS CIVIL PENALTY, YOU MAY REQUEST AN ADMINISTRATIVE HEARING REGARDING THE NOTICE OF CIVIL PENALTY BY CONTACTING THE ADMINISTRATIVE HEARING OFFICE WITHIN 30 CALENDAR DAYS AFTER THE NOTICE WAS SERVED. AHO@WASHOECOUNTY.GOV (775)328-2001			
THIS CIVIL PENALTY SHALL NOT BE CONSIDERED A CRIMINAL OFFENSE FOR ANY PURPOSE AND A PERSON WHO COMMITS THE INFRACTION SHALL NOT BE ARRESTED AS A RESULT. FAILURE TO RESPOND TO THE NOTICE OF CIVIL PENALTY WITHIN 30 CALENDAR DAYS OF THE DATE THE NOTICE WAS SERVED SHALL BE DEEMED AN ADMISSION OF LIABILITY AND A WAIVER OF ANY RIGHT TO AN ADMINISTRATIVE HEARING.					
SIGNATURE			OFFICER		





ADMINISTRATIVE ORDER

IN THE MATTER OF _____ Case No. _____

- 1. On _____, an administrative hearing was held on this matter pursuant to the authority granted in WCC 125.225 determine whether the Notice of Civil Penalty issued herein should be upheld or dismissed.
2. The Respondent [] was self-represented at the hearing or [] was represented by _____.
3. County Department was represented by _____.
4. At the hearing, all interested parties and witnesses were heard and evidence in the form of documents and testimony was received. Having noted the violation(s) contained in the Notice of Civil Penalty, listed below, and having considered the evidence received, it is hereby determined by a preponderance of evidence that:

The following violations shall be: Sustained [] Dismissed [] Modified []
Administrative Fee:
Penalty Amount:
This conclusion is based on the following findings:

- 5. I hereby order imposition of the above listed Civil Penalty and fees in lieu of any criminal penalty, for said violations.
6. The total amount of civil penalty and fees may be paid to Washoe County upon conclusion of this administrative hearing or _____.
Any payment should be made payable to:
Washoe County Collections Division
1001 E. 9th Street Bldg D Room 200
(775) 328-2652
(775) 328-6120 (FAX)
7. Failure to comply with all provisions of this administrative order may result in a civil action against you in Justice Court.
8. This Administrative Order is final.
9. This Administrative Order is hereby served: [] personally to the Respondent, or [] via U.S. Mail by placing a true and correct copy of this Order to the Respondent's last known address at _____.

IT IS SO ORDERED:

(Signature)

(Print Name), Administrative Hearing Officer

In the Justice Court of		# 01234		Violation	
Court Case#		Washoe County Regional Parks and Open Space		V Activity Number	
<input type="checkbox"/> Adult <input type="checkbox"/> Juvenile		Misdemeanor Citation/Complaint		A	
Location:					
Violation Date:		Time:		Defendant's H _____	
<input type="checkbox"/> Same Issue Date:		Time:		Phone Numbers W _____	
THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF NEVADA, COUNTY OF WASHOE					
NAME:		SSN:		DOB:	
OLN/ID:		No ID <input type="checkbox"/>		ST.: CLASS: EXP:	
Race:	Sex:	Ht:	Wt:	Hair:	Eyes: Country:
Address Physical: <input type="checkbox"/> Mailing: <input type="checkbox"/>				City:	State: Zip:
DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S)					
Description:				<input type="checkbox"/> 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd OFFENSE	
NO BAIL <input type="checkbox"/>	Bail Amount	Admin Asses	Facility Asses	/	Total \$
Description:				<input type="checkbox"/> 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd OFFENSE	
NO BAIL <input type="checkbox"/>	Bail Amount	Admin Asses	Facility Asses	/	Total \$
Description:				<input type="checkbox"/> 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd OFFENSE	
NO BAIL <input type="checkbox"/>	Bail Amount	Admin Asses	Facility Asses	/	Total \$
Description:				<input type="checkbox"/> 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd OFFENSE	
NO BAIL <input type="checkbox"/>	Bail Amount	Admin Asses	Facility Asses	/	Total \$
Description:				<input type="checkbox"/> 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd OFFENSE	
NO BAIL <input type="checkbox"/>	Bail Amount	Admin Asses	Facility Asses	/	Total \$
I certify (or declare) I have reasonable grounds/probable cause to believe and do believe that above named person committed the above infraction(s) and/or offense(s) contrary to law.					
Complainant PRINTED Name			Officer PRINTED Name		
Complainant Signature			Officer Signature		Badge#
Jan Evans 650 Ferrari McLeod Blvd. Reno, NV 89512 (775) 325-7800 <input type="checkbox"/>	Incline Justice Court 865 Tahoe Blvd. Ste 301 Incline Village, NV 89451 (775) 832-4100 <input type="checkbox"/>	Reno Justice Court 1 South Sierra St. Reno, NV 89501 (775) 325-6503 <input type="checkbox"/>	Sparks Justice Court 1675 E. Prater Way Sparks, NV 89434 (775) 353-7602 <input type="checkbox"/>	Wadsworth Justice Court 390 Main St. Wadsworth, NV 89442 (775) 575-4585 <input type="checkbox"/>	
You are hereby ordered to appear on _____ day of _____ 20____ at _____ am to answer to the above charge(s) _____ pm					
Without admitting having committed each of the above offense(s), I hereby promise to respond as directed on this notice and waive my right to be taken immediately before a magistrate (NRS 484.709 and NRS 484.803).					
Defendant's Signature X		<input type="checkbox"/> Interpreter Needed Language		<input type="checkbox"/> Court Mandatory \$	
Failure to comply with this complaint or future dates relating to this complaint will constitute a separate offense.					

PLEASE READ CAREFULLY

This citation may be disposed of only by trial in the court having jurisdiction over the alleged offense or by other official action by a judge of such court.

Except as noted below, you may comply with this citation by exercising one of the following options:

- Option 1: Personally appear in court at the time and place indicated on this citation and enter a plea to the offense(s) charged. Your counsel may appear for you.
- Option 2: Bring or mail this citation to the court, together with a cashier's check or money order for the amount shown in the TOTAL AMOUNT space on the other side of this citation and inform the court that you want a hearing.
- Option 3: Sign the forfeiture request below and either bring or mail this citation to the court, together with a cashier's check or money order for the amount shown in the TOTAL AMOUNT space on the other side of this citation.

NOTICE: YOU MUST APPEAR IN COURT at the time and place indicated when there is no amount written in the TOTAL AMOUNT space on the other side of this citation, or when the word "MANDATORY COURT" box is checked.

The court may in any case require you to appear for a hearing.

If you choose either Option 2 or Option 3 above, this citation and the total amount shown must reach the court before the time when this citation requires you to appear in court.

The court will not accept personal checks but will accept cash over the counter at the court.

DRAFT

FORFEITURE REQUEST

I, the undersigned, hereby waive my right to appear in court and request of the court that my posted bond be forfeited in lieu of a fine. I understand that since it is not the payment of a fine, the court reserves the right to order my appearance in court if the circumstances so require.

(Defendant's Signature)

(Address)

(City, State)

ADMINISTRATIVE ASSESSMENT

The State of Nevada requires that when a defendant pleads or is found guilty of a misdemeanor offense, except one regulating metered parking, the court must include in the sentence the sum shown on the other side of this citation as an administrative assessment and must render a judgment against the defendant for the assessment.

The money collected for an administrative assessment cannot be deducted from the fine imposed by the court but must be taxed against the defendant in addition to the fine. If the defendant is found not guilty or the charges are dropped, the money deposited with the court will be returned to the defendant.



District Attorney Case Submission

Offense Date:

WCRPOS Activity#:

Violation#:

Citation#:

Action to be taken with report:

- Citation complaint served on defendant and filed at **** Justice Court
- Arraignment
- Summons and Complaint request
- Warrant Request

SUSPECTS(S) (Name, DOB, SSN):

Name:

DOB:

SSN:

CHARGES(S) NRS/WCC along with full description of the specific violation and NOC#:

- 1.
- 2.

Case Documentation Contents:

D Witness interviews **Written statements** If no witness statements, why?

Suspect Interviewed: YES NO If suspect(s) not interviewed, why?

Photographs Video recordings

Restitution Due Amount:

Misc. comments by investigating officer:

Officer Name and Contact:

Supervisor Name and Contact:

Date:



PARK EXCLUSION FORM

Offender's Name: Last First DOB:

Address: Phone #

City: State: Zip:

Driver's License/I.D. #: State:

Gender: Race: Ht. Wt. Hair Eyes:

Complexion: Glasses: Facial Hair:

Visible marks, scars, tattoos etc.:

License Plate# and State: Vehicle (year):

Vehicle Make: Model: Color:

95.480 Exclusion from County Parks.

1. An enforcement official may exclude a person that violates any County Park rule from one or more County Parks for a specified period of time. Any person found in a county park which he or she has been excluded from is considered trespassing.

2. The exclusion notice issued pursuant to subsection 1 of this section shall contain:

- (a) The name and address of the person to be excluded;
(b) The location at which the basis for exclusion occurred with the date and approximate time of the act or omission;
(c) A description of the conditions or conduct that form the basis for exclusion and the specific Code citation that was violated if applicable; and
(d) The name, address, phone number, email address, and signature of the enforcement official who issues the notice

3. A person identified as excluded from a county park may appeal the exclusion notice issued pursuant to subsection 1 of this section by filing an appeal to the director within fifteen days of the exclusion date.

The above-named person received an exclusion from the following Washoe County Park(s) or park facility: [] [] All Washoe County Parks & Open Spaces and Facilities.

Section of Washoe County Code violated:

On (violation date) at (approx. violation time) Reason:

Duration of Exclusion:

[] Twenty-four (24) hour exclusion [] Other

Enforcement Officer name & title: Signature:

Enforcement Officer phone # and email address: Date:

Offender signature: Date:

ANY VIOLATION OF THIS NOTICE WILL BE A TRESPASS OF PROPERTY AND MAY SUBJECT THE OFFENDER TO CRIMINAL PENALTIES.

VOLUNTARY STATEMENT FORM

Case # _____



Washoe County Regional Parks and Open Space

WITNESS INFORMATION:

Name: (Last, First MI) _____

Date of Birth: ___/___/___ Sex: M / F

Home Address: _____ City: _____ State: _____ Zip: _____

Work Address: _____ City: _____ State: _____ Zip: _____

Home Phone: _____ Work Phone: _____ Other Phone: _____

Email: _____

STATEMENT:

Place of Incident: _____ Date: ___/___/___ Time: _____ AM/PM

DRAFT

(Signature)

Date: ___/___/___ Time: _____ AM/PM