



# Boulder County Sheriff 's Office

Curtis Johnson  
Sheriff

To: Town of Lyons Mayor Rogin and Board of Trustees

From: Town of Lyons Sergeant Cody Sears

Re: LMC Ordinance 11-4-20-Park Hours

Date: June 28, 2023

This year, town staff and I discussed changing the park hours during our parks safety meeting from 5am-10pm to dusk to dawn. We concluded that changing the park hours from dusk to dawn would be in the town's best interest and public safety. I fully support the proposed change to the park hours. I cannot attend the second reading of this proposed ordinance change at the July 5<sup>th</sup> BOT meeting to testify my position on this matter.

Below are the reasons why I believe this ordinance should be changed:

-Nothing good happens in the parks after dusk. Once it gets dark, there is no reason for people to be in the parks.

-It gives people/kids a place to hang out to consume alcohol/drugs, or be intimate.

-Over the last few years, the town parks have been targeted by kids as common areas to vandalize the town's property. Since 2021, the Boulder County Sheriff's Office has taken 25 graffiti reports in town. There have been 11 cases at Bohn Park, 4 at Lavern Johnson Park, and 2 at the Black Bear Hole. All these cases have occurred after dusk and have cost the town thousands of dollars to clean up.

-One of my biggest concerns is the safety of the park hosts. It is not safe for them to have to walk or drive their golf carts around the parks after dusk to tell people the parks are closed, clean up after people who stay late in the parks, and due to the low lighting conditions and not being able to see well after dusk. The same is true for the guest of the parks and increases their chances of getting hurt, tripping over something, falling in the creeks, and the worst case, getting assaulted or robbed.

-The town parks have a lot of wildlife, most active at night. Having people in the parks after dusk disrupts the wildlife. It increases the chance of an animal being trapped and relocated or dispatched due to people disrupting them and becoming aggressive or too used to people, which becomes a safety issue. They were here first, and we were in their home. They deserve to be protected and undisturbed after dusk.

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-All Boulder County parks and trailheads are closed to the public from dusk to dawn. I believe the Town of Lyons parks needs to model the county parks for several reasons. Often, deputies that don't normally work in the town, are assigned to the town to cover for our normal town deputies when they are off. They may think that the parks in town have the same hours as the county parks and contact someone after dusk who are in the parks thinking they are in violation when they are not. An incident like that occurred last year in Superior when deputies contacted a car in the parking lot of a town park after dusk, thinking they were violating the park hours when they weren't. The driver became uncooperative due to being contacted when he wasn't violating any laws, and the incident did not go well. I do not want that to happen in Lyons; changing the town park hours from dusk to dawn will help prevent that.

-It gives deputies a lawful reason to contact someone in the parks or parking lot after dusk. It allows deputies to ask for the name, ask many more questions about what they are up to, and investigate a possible crime if they believe one has been committed. Suppose the park hours did not change; a person in the parks after dusk appeared to be acting suspicious or quickly started walking away from a deputy. In that case, they can, and deputies can not stop them because they are in the park when it is still open.

I appreciate your time and willingness to listen to and consider this proposed change and the reason behind it. I believe changing the park hours to dusk to dawn will keep the parks, wildlife, park hosts, and the public safer.

Respectfully,

/s/ Sergeant Cody Sears

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