

**Fw: Crossing Guard**

Weaver, Tracy (City Clerk) <tweaver@elsegundo.org>

Mon 11/6/2023 9:49 AM

To: Harada, Patricia <pharada@elsegundo.org>

Council received email below.

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**From:** Daniel Slack <slackm@sbcglobal.net>

**Sent:** Friday, November 3, 2023 12:14 PM

**To:** Hensley, Mark <mhensley@hensleylawgroup.com>

**Cc:** Joaquin Vazquez <jvazquez@hensleylawgroup.com>; Melissa Moore <mmoore@esud.net>; Boyles, Drew (Mayor) <dboyles@elsegundo.org>; ALL ELECTED OFFICIALS <ALLELECTEDOFFICIALS@elsegundo.org>; Bermudez, Jaime (Chief of Police) <JBermudez@elsegundo.org>; Baldino, Ryan <rbaldino@elsegundo.org>; Corkins, Aaron (Lieutenant) <acorkins@elsegundo.org>; Tracey Miller-Zarneke <tmiller-zarneke@esud.net>; mbeachly@esud.net <mbeachly@esud.net>; fglynn@esud.net <fglynn@esud.net>; dwheaton@esud.net <dwheaton@esud.net>; Steven Gebhart <sgebhart@esud.net>; Cheryl Smith <volunteeringfun@gmail.com>; STACEE LONG <staceelong@aol.com>; Holly Kobzina <hollysmithkobzina@sbcglobal.net>; tromo@esud.net <tromo@esud.net>; Alyssa Reyes <avreyes@esud.net>; Julia Straszewski <jstraszewski@esud.net>

**Subject:** Re: Crossing Guard

Good Morning All:

On Halloween and in the spirit of safety and celebration, I dressed up as a Crossing Guard (did not direct traffic nor use the Stop Sign or obstruct traffic in the street).

I merely walked my steps in the L crossing walk. Officer Rodriguez was called and our exchange was respectful and he issued me a warning (FIRST AND LAST).

In fact our exchange went as such:

Officer Rodriguez - "You know you are not suppose to be here"

Mr. Slack - "I am not directing traffic. Just merely walking in the crosswalk"

Officer Rodriguez - "You cannot be wearing this." pointing to my vest

Mr. Slack - "I am dressed up for Halloween as a crossing guard, safely and without a mask, just like the administration were across the street before they left after the bell rang."

Officer Rodriguez - "Listen, I am not saying what you are doing is not right. They do not want you here."

And so on and so on and so on.

I realize The District does not want me there but I could not help how fast stop signs went up after the Council Meeting in September 2023 and parents and students spoke about the Cross walk at Main and Oak Street and not until a parent said, "Will it take someone to get killed for anything to be done." On Halloween Morning at Mariposa and Standard, I could not believe the amount of support I received from parents and students and was particularly moved by a young female student who said to me, "Where have you been? You made sure I made it to school across the street safely. I missed that and good to see you back." That made my day. Often times a rule or ordinance maybe legal, but does it serve safety to students. Just like the time change. Everyone dislikes it but it is relevant to our students. In the fall, it gets darker earlier, hence it is dark at 7:00 am. In order for children to feel safe taking the bus, walking, riding a bike, a skateboard, or driving (new student drivers), we have to set our clocks back - for their safety.

As I left with my verbal warning and could not help to reflect my conversation with Officer Rodriguez and it reminded me of a very good motion picture, "A Few Good Men".

"A Few Good Men" because Col Jessup ordered the Code Red, but the officers carried it out as they were given an order or directive to follow, despite it being right or wrong. The one who uses loopholes to enforce and issue directives must be careful with such because everything is circular. I harbor no ill will to those who execute a directive as that was the order issued. The one who orders the directive carries the responsibility.

With that said, I leave with a direct quote from the movie:

"My existence, while grotesque and incomprehensible to you, saves lives."

Daniel Slack Jr.

P.S. Officer Rodriguez can attest to this, I made sure any student went across the street so they did not witness this conversation. In fact, one of the Varsity Basketball players stopped at the corner of Standard and Mariposa as I crossed to Officer Rodriguez. I let the student athlete know I will talk with him later and to get to class as the bell rang. The student obliged, but I thought, what made him stop and linger for those few seconds? It is nice to know how many students and parents know I only have their students best interest at heart.

On Monday, September 11, 2023 at 09:59:22 AM PDT, Daniel Slack <slackm@sbcglobal.net> wrote:

Good Morning Mr. Hensley,

I received your email after I attended the City/School Affairs Sub Committee Meeting last Wednesday and wanted to reply after the City of El Segundo celebrated the Little League team yesterday. The El Segundo Unified School District never requested nor directed me to volunteer. This was a matter of service, community and parent outreach, on my part as a parent and not a manner in which I could earn any fiscal compensation from ACMS, Inc. A need was seen and it was fulfilled. I have only volunteered once since school started and because the streets and the City pays for the services of ACMS, Inc., I was awaiting communication from the City as this is their purview and not the El Segundo Unified School District Superintendent to inform me to cease an action that does not involve education code. The Superintendent should be more concerned about the safety, education and pending litigation of alleged student sexual misconduct; not what a parent volunteer is assisting in morning traffic because of the changes imposed of High School start time by the State of California.

In the City/School Meeting it was mentioned how the contract with the crossing guard company, ACMS, Inc. was negotiated without the increase of 35% from the contractor. The current contract with the City is not to exceed \$142,750.00 for the 2023-2024 school year. This cost will obviously increase next year 2024-2025 and the City of El Segundo will incur additional inflationary costs, including the construction on the "Plunge" Project. What a very missed opportunity for planning the removal of my services instead of a pilot program in which the City of El Segundo would provide such authority and permission to parent volunteers in the morning to assist our students all over the City of El Segundo and either curb or delete this fiscal item on future budgets. In addition, I will say, when the District gets involved in such a matter about City Rules and Laws and the City pays for services as in this case for crossing guard services, it opens litigation to both entities. Once in while, an over reach of power can extend especially if an accident occurs in an area of concern that was brought up many times. In this case, specifically, the City accountable for not hiring an additional Crossing Guard or having City of El Segundo Law Enforcement on Mariposa and Standard and the El Segundo Unified

School District for getting involved in removing a volunteer who conducted these services without auto/pedestrian incident for two consecutive years without a clear and concise plan of action. What I certainly hope is my removal was not selective enforcement and the law, as Dr. Moore conveyed will be enforced at all times. School Districts in general are reactionary and not proactive. In this case Dr. Moore was more proactive about finding a way to have me removed in lieu of a partnership and a solution was not brought forward at the City/School Subcommittee Meeting. When I say proactive and reactive, perfect example would have been if School Administration had looked at my daughter's schedule and seen she is taking a "0" period thus she would be in class at 7:30 am. What are the chances Mr. Slack would be at the cross walk at 8:10 am? None of this communication, my lack of trust in Administration and Superintendent, would have never occurred. This was all for not and showed the true colors of all involved. The most beneficial outcome was the City/School Subcommittee Meeting. It is so informative and I suggest residents get involved and know exactly what is going on and who is making decisions on their behalf fiscally and . Local and Municipal Politics is the most influential and related to everyday citizens.

Last but not least, I will not perform any duties at Standard and Mariposa as requested in this communication on behalf of the City of El Segundo. Mr. Slack attempts to follow the law and will abide accordingly. And if anyone knows the attached community members, parents, spouses please let them know I am so appreciative of the kind words that made me feel more part of El Segundo than the City (excluding the Police Department - They have been fabulous and also kind) and the District.

Sincerely,

Daniel Slack Jr.

On Wednesday, September 6, 2023 at 03:23:21 PM PDT, Mark Hensley <mhensley@hensleylawgroup.com> wrote:

Mr. Slack,

While the City understands your stated intentions and belief that a crossing guard is needed at certain locations to assist students attending El Segundo Unified School District campuses, the City is requesting that you voluntarily cease your crossing guard activities. Based upon communications from the District, it appears the District has not authorized you to provide and is not pursuing utilizing your services.

The City has not asked for your assistance in this regard either and accordingly you are doing so without any authority or permission. Contract crossing guard services are utilized at locations where such are deemed warranted to assist the School District.

You have every right to express your opinions and thoughts on this subject matter to the District and the City, but you do not have the legal right to provide these services on City sidewalks and streets. You can seek employment with the company that provides these services to assist the District, but the City cannot assure you that you will be hired or if you hired, the location(s) that the company may place you to provide crossing guard services.

Thank you in advance for your cooperation with this matter.

Best,

Mark D. Hensley

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