

Submitted Testimony

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PARK POLICE | FOREST RANGERS

**Testimony
of the

Police Benevolent Association
of New York State Law Enforcement**

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This testimony is submitted on behalf of the 1,200 member Police Benevolent Association of New York State Law Enforcement and specifically addresses the budget priorities of the Department of Environmental Conservation's (DEC) Forest Rangers and Environmental Conservation Officers and the Office of Parks, Recreation and Historic Preservation's (OPRHP) Park Police.

We thank the Legislature for the opportunity to present our concerns on behalf of the men and women who put their lives on the line protecting the people and resources of the state of New York. The first half of this testimony is focused on our 395 Environmental Conservation Officers and Forest Rangers. We will list our budget requests here with further explanation and justification below:

DEC Capital Funding Requests

- Department of Environmental Conservation Division of Law Enforcement – **\$7,948,000**
This includes \$3,440,000 for 101 vehicles as well as \$4,508,000 for radio equipment purchase and upgrade.
- Department of Environmental Conservation Division of Forest Protection – **\$3,467,000**
This includes \$1,225,000 for 35 vehicles as well as \$250,000 to replace other outdated equipment such as wildfire pumps dating to the 1960s and ATVs, and \$1,992,000 for radio equipment purchases and upgrades.

DEC Non-Capital Funding Requests

- Department of Environmental Conservation Division of Law Enforcement – **\$3,900,420**
This includes \$2,500,420 for an academy to train, hire, and equip 43 Environmental Conservation Officers and an NPS Increase over 2014-2015 for vehicle expenses of \$1,400,000.
- Department of Environmental Conservation Division of Forest Protection – **\$1,609,740**
This includes \$721,200 for an academy to train, hire, and equip 20 Forest Rangers, \$169,840 for an NPS increase over 2014-2015 for vehicle expenses and \$718,700 for an OPS increase over 2014-2015.

Environmental Conservation Officers and Forest Rangers protect our citizens as well as public lands and the overall environment. We respond to all levels of environmental complaints and crises, natural disasters, and citizens in distress. We protect the natural resources, whether it's investigating a commercial enterprise dumping tons of toxic waste onto our lands and waterways, or a lone poacher killing a protected species of animal. We respond to plane crashes in remote areas, hikers stranded on mountains, and people who have fallen through ice on waterways. We thank the Legislature for making it clear that these endeavors are important and needed, and we are honored to do our part.

While we are proud of our service, we have been doing a lot more, with a lot less, for too long. We are past the breaking point. We have more duties, more investigations, more disasters and rescues to respond to, but we have fewer people to patrol those lands and protect the public.

Our cars are old and often literally falling apart, and our other equipment is all too often scarce and/or outdated. Just a few months ago one of our members was driving his assigned DEC police vehicle and a tire came off of it and he skidded to a halt on the highway. What would happen if he was unable to respond to an emergency, or the uncontrollable car hit a school bus? While we acknowledge that DEC will use some capital funding for vehicles, we are requesting the Legislature add more funding to use for the full allotment of vehicles.

Environmental Conservation Officers

Environmental Conservation Officers have been serving since 1880, and 14 of these brave public servants have died in the line of duty. They are proud of their history, which includes Theodore Roosevelt's praise of them as "men of courage who can handle the rifle, axe, and paddle". Teddy Roosevelt would be amazed at what the state's "Game protectors", as they were originally called, have evolved into today over their proud 135 year history. Their exemplary work today protecting the environment will be felt for generations to come.

In 2014, Environmental Conservation officers responded to 17,641 complaint calls related to pollution, poaching, distressed wildlife and other environmental problems, and took 16,404 environmental enforcement actions. Criminal Environmental enforcement actions were up 53% from 2013. If left unchecked, these violations and other concerns could have devastating effects for generations. Some polluted lands and waterways would never fully recover, and extinct species will of course never return, leaving gaping holes in the fragile ecosystem.

Environmental Conservation Officers not only protect this state's natural resources, but precious worldwide treasures as well. More than 35,000 African elephants are illegally killed each year for their ivory, much of which is sold in New York City black markets. New York State's Environmental Conservation Officers are the lead police agency on the state and local level that actively enforce New York's laws on illegal ivory sales, but our members realized the laws were weak and of limited effectiveness. Commendably, the New York State Legislature stepped up and passed new legislation which strengthened New York's laws prohibiting ivory sales.

Enacting this law alone was a great step, and we are proud that it was dedicated to our very own Investigative Lieutenant John Fitzpatrick, who tragically died of natural causes at the age of 46. Lieutenant Fitzpatrick dedicated his professional life to combating criminals trafficking ivory and other protected animal parts, and this law was a fitting tribute to his endless dedication. We thank the Legislature for its protection of endangered species, support of Environmental Conservation Officers and the well-deserved honoring of Lieutenant John Fitzpatrick.

Forest Rangers

Each year, Forest Rangers are involved in approximately 300 search and rescue missions rescue missions that that save injured and lost people, some of who incontrovertibly would die if not for the skilled and courageous Forest Rangers.

When two Canadian visitors hiking up Mount Marcy needed to be rescued just nine days ago, it was the New York State Forest Rangers who trudged in the frigid three-foot snow to rescue them. We are thankful that this story had a good ending, but it took the dedication, preparation, and professionalism of the 14 responding Forest Rangers to make that so.

Forest Rangers patrol and protect the millions of acres that make up the Adirondack and Catskill Parks, which are so important to New Yorkers they are both protected by the New York State Constitution. These holdings are ever increasing and include over a million acres of *new* state owned lands and state administered conservation easements purchased in the last two decades. Forest Rangers serve as law enforcement officers, wild land firefighters, and, as last week's Mount Marcy rescue and many other responses have shown, rescuers of those in distress.

Our budget requests are based on the desire to continue responding and effectively protecting New York's citizens, land, and waters. Environmental Conservation Officers and Forest Rangers are consistently called upon by the Governor to immediately respond to natural disasters, like recent snowstorms in Buffalo or today, when Environmental Conservation Officers and Forest Rangers on snowmobiles are helping citizens on Long Island who just suffered through this week's snowstorm, named Juno. Our members have significant roles in homeland security and anti-terrorism efforts, which we will not further go into here because of the confidential nature of these duties. Because of our statewide presence, our members are expected to respond to active shooter situations at schools and other possible targets. Although we need modern equipment and more of it, we do appreciate the fact that we have recently acquired *some* weapons, equipment, and training that reflect our critical new roles.

There are other bright spots. We are encouraged and thank Governor Cuomo for the DEC's joint Environmental Conservation Officer/Forest Rangers academy to commence later this fiscal year. While this academy will not fully replace the attrition losses of recent and coming years, it is certainly appreciated and vital.

The stark reality, however, is that past years' budgets have not kept up with the needs of the agency and those it serves. How can we, without fail, respond to a stranded hiker, a truck dumping toxic waste, or a maniacal killer with a gun inside a rural school, when our cars have tires falling off of them, or we don't have full and updated equipment? We are here in an attempt to be proactive and get the requested allotment of cars and equipment we need before an essential component fails.

We advised you last year that appropriations designated to Environmental Conservation Officers' and Forest Rangers' ability to respond to emergencies and protect the public is at an all time low. We further reported that inadequate staffing means fewer people responding a longer

distance to plane crashes, lost children, and to reports of the illegal dumping of toxic chemicals into our air and waters. This is unfortunately is still the case.

We urge you to find the funding this year to properly equip the Environmental Conservation Officers and Forest Rangers. While the agency has partially addressed our need for new vehicles, it is still the case that too many of our Environmental Conservation Officers and Forest Rangers are driving older cars limping along on a patchwork of (expensive) repairs. This is simply not the way to equip first responders filling such critical roles, and we urge legislative action to address these shortcomings.

This second part specifically addresses the budget priorities of the Office of Parks, Recreation and Historic Preservation's (OPRHP) Park Police. Our requests are summarized as follows:

State Park Police Capital Funding Requests

- **\$2,719,550** which includes \$2,245,000 for transportation, such as vehicles, ATVs, and accompanying trailers as well as \$474,550 for protective equipment.

State Park Police Non - Capital Funding

- **\$1,965,000** which includes \$1,835,000 to hire, train, and equip 35 State Park Police officers and \$130,000 for other necessary supplies and equipment such as new ballistic vests.

Our 265 members of the New York State Park Police protect lives and natural resources on public and private lands. We are first-responders giving aid on a daily basis as well as during times of storms and other disasters, such as the extreme snowstorm Sandy late last year.

Please consider supporting our request for funding to provide human and financial resources so that we can do our jobs effectively. We appreciate the fact that another academy is budgeted for the upcoming fiscal year, and if we can address some other needs, the current and future State Park Police members will have operational vehicles and modern equipment so they can respond expeditiously and effectively. We need cars to patrol in and new bicycles and ATVs so we can patrol areas of the parks inaccessible to vehicles. While we acknowledge that OPRHP will use some capital funding for vehicles and other equipment, we are requesting the Legislature add more funding to use to acquire the full allotment of needed vehicles and equipment.

Our training is intense, and so are the duties we perform. Our academies consist of traditional police training; as well as training in such things as swift-water rescue; high-angle or steep terrain rescue; anti-terrorism methods; several types of patrol, and search and rescue techniques; and snowmobile and marine patrolling. Our officers often make courageous rescues in ocean waters, or on the brink of Niagara Falls. If we are to respond and make such timely searches, rescues and assists of citizens during natural disasters, we must replace our aging cars and equipment.

With regard to staffing, there are 265 park police in service today. These officers are responsible for the health and safety of nearly 60 million park visitors in a given year – that’s three times the population of New York State. These visitors generate an economic impact of nearly \$2 billion annually. The Park Police force loses between 25 and 30 people each year to attrition, and we are on pace to match that rate this year. An academy class of 40 Park Police officers this year will help resolve the existing shortage and help us maintain the proper staffing levels we need to remain effective. We understand that a Park Police Academy is likely to begin this fall and thank the agency for including funding in its budget to hold it. Further, Park Police protect some of the state’s busiest parks, including Jones Beach State Park, which, weather permitting, will very likely see a million people crowd the shoreline over the Memorial Day weekend. By comparison the New York State Fair drew just under one million visitors over 10 days last year.

Large crowds are often prime targets of terrorist acts. Some of our larger state parks host tens of thousands of visitors a day. Crime at state parks is always a concern, but it certainly spikes during the peak season. For example, Jones Beach State Park on a hot summer day may see thefts, assaults, drug possession, DWI and disorderly conduct, while Letchworth State Park or Grafton Lakes State Park may see lower incidences of these types of crime. The Park Police force is crucial at places such as Jones Beach, which in 2014 had more than 5.4 million annual visitors; Niagara Falls State Park, which in 2014 had over 9 million visitors; and the Saratoga Spa State Park, which draws more than 3 million annual visitors and includes the Saratoga Performing Arts Center (SPAC), which draws large crowds to its concerts and other performances and has its own set of law enforcement challenges.

With respect to equipment, it is our understanding the agency is considering the purchase of new equipment and specialty vehicles. As you know, Park Police rely on a variety of equipment and vehicles such as ATVs, snowmobiles, patrol cars and various water craft.

The PBA is recommending OPRHP allocate \$2,719,550 from the capital fund for the purchase of rescue equipment and vehicles. Specifically, OPRHP is in need of 35 sedans and 19 four-wheel-drive vehicles; 12 snowmobiles; and 30 ATVs, among other vehicles. In addition, the Department is in need of weaponry and other protective equipment, including 300 Tasers; 15 patrol rifles; 150 patrol vehicle rifle locks; 100 shotguns; 260 biohazard suits; and 260 riot helmets.

Our members are honored to be Environmental Conservation Officers, Forest Rangers and Park Police Officers and we appreciate our unique and important professions. Despite reduced staffing and aging equipment, we are there to save lives and protect the environment when we are needed. We thank the members of the New York State Legislature, who have been strong supporters of the Department of Environmental Conservation, the Office of Parks, Recreation and Historic Preservation, and strong supporters of our PBA members. We ask for your continued support so that we may serve your constituencies.

Thank you for the opportunity to present this testimony.