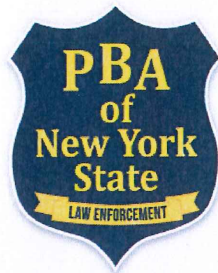


UNIVERSITY POLICE | ENCON POLICE



PARK POLICE | FOREST RANGERS

## **Testimony of the Police Benevolent Association of New York State**

**January 28, 2016**

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Thank you to the Chairs. We appreciate this opportunity to provide testimony on behalf of the 1,200 member Police Benevolent Association of New York State and specifically addresses the budget priorities of the Department of Environmental Conservation's (DEC) Forest Rangers and Environmental Conservation Officers.

Our men and women work diligently every day to protect the people and resources of the state of New York. Many of you know there are Forest Rangers and Environmental Conservation Officers who live and work in your communities. You know we are out there helping to keep you and our natural resources safe. We are there preventing environmental disasters, protecting public lands, preventing fires, conducting rescues, stopping poachers and polluters, and we will respond to a crisis anywhere in the state where lives or natural resources are threatened.

Additionally, Forest Rangers and Environmental Conservation Officers routinely assist with large-scale disasters throughout the State such as the recent Nor'easter that hit downstate this past weekend. Historically our divisions have been there to assist with our special training and equipment during Hurricane Irene, Tropical Storm Lee and Super-Storm Sandy.

Forest Rangers patrol and protect the millions of acres that make up the Adirondack and Catskill Parks in which all New Yorkers take pride, including over a million acres of *new* state owned lands and state administered conservation easements purchased in the last twenty years. Forest Rangers, who, a hundred years ago, only had to fight and prevent fires, now serve as police officers, land use planners, incident managers and rescuers. Currently, numbering approximately 120 Forest Rangers state wide, each ranger patrols an average of 53,752 acres. In contrast, 143 Forest Rangers patrolled an average of 28,516 acres in 1970.

To protect the public and to protect our natural resources the Forest Ranger needs the tools to take them there and to patrol safely and effectively.

Forest Rangers were there last winter when a mother and her 11 and 7 year old boys were lost on the summit of New York's highest peak. Forest Rangers responded and searched through the night to return them to safety despite extreme whiteout conditions and wind chill values of -40.

In fact, last year, Forest Rangers spent over 20,000 hours on 341 search and rescue missions. These missions included protracted searches for missing hunters and Alzheimer's patients as well as many technical rock and swift-water rescues. These missions included the high profile fugitive search in Clinton County. At its height, 80% of the Forest Ranger Force was assigned in the woods and in incident command positions.

The 2015 fire season was also a busy one in New York State with Forest Rangers responding to, managing and suppressing 175 wildfires. This includes the nearly 2,800 acre Rosa Gap fire near Summitville in Ulster County.

Approximately 330 sworn police officers focus their efforts on Environmental Conservation Law enforcement. In addition, these officers have full police powers to enforce all the laws of the state.

Environmental Conservation enforcement is comprised of both proactive and reactive patrols in marked police vehicles. Officers investigate complaints and document their findings. When sufficient evidence is found, they prepare their case for a successful prosecution in court or a civil action.

The majority of the division is comprised of uniformed officers known as ECOs, who are assigned patrol areas of one or two counties. The supervisory staff includes lieutenants, captains, majors and colonels. Complementing the uniformed staff is the Bureau of Environmental Crimes Investigation, who investigates significant environmental crimes including misdemeanors and felonies. The division also has a full time dispatch center, a permanent training academy, a police K-9 unit and a marine enforcement unit. Overseeing the entire operation is a uniformed Director of the Division of Law Enforcement (DLE).

Last year Environmental Conservation officers responded to 27,173 calls for service related to pollution, poaching, distressed wildlife and other environmental problems. All across the state, these are issues you care about. Issues the public wants and needs to see addressed. And while other divisions within the Department cut services as their staffing shrinks. The Environmental Conservation Officer must respond, 24 hours a day.

We hope our testimony will bring attention to the critical need to update equipment and staffing for our divisions so we can continue to fulfill our mission.

First and foremost, we need additional staff to continue doing the vital jobs we perform on behalf of New York residents and visitors. We are encouraged by the upcoming academy starting next month. However, we still have work to do to recover numbers lost during the State's financial crisis and prepare for the next wave of retirements. Without a continued commitment to augment and maintain critical staffing levels, we will not be able to adequately protect the public and the environment.

Inadequate staffing means fewer people responding to calls and officers having to travel longer distances to rescues, lost children, fires, and reports of the illegal dumping of toxic chemicals; into our air and waters.

The PBA of NYS strongly urges the Legislature to work with the agency to appropriate funds to adequately staff Forest Rangers and Environmental Conservation Officers in 2016 and beyond. In order to match the size of both divisions with their responsibilities, it will be necessary to follow up quickly with another academy in early 2017, within the upcoming fiscal year.

A joint academy for 37 new ECOs and 17 new forest rangers is scheduled to commence on February 29 of this year. When those new officers graduate the basic school in September and begin the field training program, DLE will still have approximately 45 vacancies in the field. It is projected that with retirements that number will expand to 90 vacancies by end of 2017. Almost one-third of the division is eligible to retire, including senior officers and command staff who will be taking with them valuable knowledge and experience. Forest Rangers also anticipate a number of vacancies before the end of fiscal year 2016 and have identified the need for 10 new hires by the end of 2017.

Further, our units are in desperate need of supplies and specialized equipment to support the mission going forward. Appropriations specifically designated to support our ability to respond to emergencies and protect the public have continued to fall short.

For Forest Rangers, it is important to note that technical rescues in extreme conditions require specialized equipment. Searching for lost children in the winter requires snowshoes and winter jackets designed for weather extremes. We need to update and replace this equipment periodically as well as provide academy graduates with these tools. Out of necessity, some Forest Rangers have had to buy much of their own equipment such as helmets, gloves, crampons, ropes, packs and headlamps.

In addition, Forest Rangers need to replace 33 snowmobiles that are now 15 years old or older.

Our aging radio communication system continues to be a health and safety concern for officers in the field for both units here today. For law enforcement officers, the radio is a lifeline and obsolete analog radios cannot communicate with new digital radio technology coming online in most counties across the state. During the many high stakes incidents we encounter, an accident victim's life may be dependent on coordination and communication on an obsolete radio system. This needs to

change. We urge you to find the funding this year to properly and adequately upgrade our radio system.

DLE is also in need of specialized equipment such as snowmobiles, ATVs, and boats.

Nearly half of our snowmobiles are 10 to 15 years old. In my region of Western, NY, we only have two patrol sleds and both are 12 years old. We relied on these snowmobiles to respond to the Buffalo Blizzard, last year, to assist stranded motorists trapped on the New York State Thruway. In addition, the sleds often prove useful for the checking on the welfare of elderly citizen or those with medical needs.

The average age of an ATV in DLE is 10-12 years old, although we have a few that have seen 22 years of service. In addition to checking for illegal hunting and fishing activity and timber thefts, DLE's officers and ATVs are frequently called upon to search for lost or missing persons and fugitives.

Many of our boats are from the 60s, 70s and 80s.

Finally, we respectfully request that the final enacted budget include funding to address DEC's aging fleet of law enforcement and emergency response vehicles.

These vehicles break down, their brakes fail, and our officers and members of the public are left stranded and in danger. We need dependable equipment to patrol, respond to complaints, and respond to emergencies. We need reliable vehicles to place academy graduates in so that these new officers can be an asset rather than spending time and effort with vehicle breakdowns and constant maintenance.

DLE is currently operating and maintaining approximately 290 vehicles. The majority of the vehicles range in age from 8 to 11 years old. 155 vehicles exceed 125,000 miles. In lieu of purchasing new patrol vehicles, old vehicles are kept in service at the cost of purchasing major components such as engines, transmissions and drive assemblies. In some cases, the price of the component exceeds the value of the vehicle being repaired. We are at the point where we purchase used body parts such as doors and tailgates from salvage yards to replace rust damage. In the past few years we have experienced at least five separate occasions where wheels have fallen off vehicles while our police officers were operating them.

Forest Rangers have 87 vehicles that are 2008 or older. When the 17 new forest ranger recruits graduate this summer they will all be issued marked police vehicles that are over 10 years old.

In addition to the direct cost associated with maintaining these vehicles, officers lose valuable patrol time due to the frequent need to relay faulty vehicles to department maintenance centers or auto repair shops.

The infusion of vehicles and the funding to properly outfit them needs to continue at an aggressive rate to keep pace with an aging fleet. Without a proactive plan to replace these vehicles, they will increasingly become a danger to our members and the public at large.