

UNIVERSITY POLICE | ENCON POLICE



PARK POLICE | FOREST RANGERS

Testimony by: Manuel M. Vilar
Vice President
Chief Administrative Officer
Founding President 2010 -2015
Chairman Legislative Committee
PCNY District 5 Delegate
PCNY Legislative Committee
Suffolk County Police Conference Delegate

Testimony before: 2018 Joint Legislative Hearing Committee on Public Protection

Date: January 30, 2018

Good afternoon Chairwoman Senator Young and esteemed members of the joint committee. My name is Manuel Vilar, and I am the Founding President and Current Vice President of the Police Benevolent Association of New York State and a 34 year veteran Sergeant of the New York State Park Police. With me today is PBA State Park Police Director Troy Caupain. Troy is a 17 year veteran State Park Police Officer.

The PBA represents the State Police Officers working for the New York State Park Police, New York State University Police, New York State Environmental Conservation Police, and the New York State Forest Rangers.

Our testimony today will focus on issues involving inadequate staffing of State Park Police Officers and the risk to public safety and the protection of over 70 million visitors each year at NYS 180 state parks and 35 historic sites.

Since Governor Cuomo took office annual park system attendance has climbed 21 percent from the 57.2 million visits recorded in 2011 to over 70 million in 2017. In a recent 2016 study titled “Economic Benefits of the New York State Parks System”, Prepared for Parks & Trails New York by Political Economy Research Institute states "that in addition to the many non-economic benefits, NYS Parks were responsible for total spending by local and non-local visitors to the tune of \$4 billion, supported the creation of 54,000 jobs and

added \$2.9 billion in state GDP."¹ In fact, State spending of \$543 million plus visitor spending resulted in total spending of about \$5 billion which translates to each dollar spent associated with New York State Parks spending led to about 9 dollars in sales statewide.

The heart and soul of the NYS Parks is the NY State Park Police which keep the economic engine churning. The NYS Park Police are more than your run of the mill police force. Our members, because of the uniqueness of their duties, are highly trained, experienced police professionals. Every member in their respective commands must not only be a traditional Police Officer but must be a specialist in unique skill sets that will enable them to provide police services that save lives and property in some of the harshest of conditions.

At any one time, State Park Police Officers will be on patrol at state parks, state forests, state waterways, remote snowmobile and hiking trails and are our first responders to all crimes on a vast and diverse State Park System that serve rural upstate, suburban Long Island and bustling NYC.

Our members' daily patrol includes providing services that range from snowmobile and marine patrols, responding to environmental disasters, cliff, gorge, high angle and wilderness rescues, potential threats of active shooters and terrorism in highly populated events and concert venues.

Despite the massive economic benefits I have detailed, the State Park Police are in a retention and attrition crises. Currently, there is an annual attrition rate of about 40%. Despite continuous and ongoing recruitment and yearly State Park Police academies, we continue to lose our highly trained skilled members to Municipal Police Departments and the State Troopers. Substandard Pension and Low Pay remain the two most significant causes of attrition. The loss of personnel is so severe that since 2000 State Park Police have hired over 600 Police Officers to maintain an understaffed Police Force of 250. In short, since 2000 NYS has hired more Police Officers that have left for other Police Positions than they employ. This is a whopping 100% turn over in less than 10 years. The average cost to train a State Park Police Officer can exceed \$100,000 with a typical State Park Police academy costing over 3 million dollars yearly.

To stop this colossal waste of taxpayers' money we submitted legislation (Assembly Bill A06968 Senate Bill S05267) to merge the State Park Police into the NYS Troopers. We believe that the State Park Police Force has been neglected for so long and attrition is terrible. For the reasons detailed a merger is the only viable option. Despite the high degree of training and dedication of our members it is not enough to make up for years of neglect, and we no longer have confidence in NYS Parks' ability to maintain a Police Force capable of

¹ <https://www.ptny.org/application/files/6515/0903/5031/Economic-benefits-of-NYS-parks.pdf>

providing adequate Police Protection. A merger will result in cost savings for the academy and training for both forces. Additionally, the merger will address the high rate of attrition faced by the State Park Police while eliminating duplication of services and equipment. It will also reduce overtime costs incurred by the State Park Police as a stand-alone unit.

We need your help and support to help us protect the communities that we serve. We appreciate the tremendous support we have received in the legislature in the past and cannot thank you enough.

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2018 Joint Legislative Public Protection Hearing Testimony

Submitted on behalf of the Police Benevolent Association of New York State

By: Peter Barry, PBA President & University Police Officers Director

January 30, 2018

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Introduction

Good afternoon respected members of the joint committee. My name is Peter Barry, and I am the Director of the University Police Officers and the current President of the Police Benevolent Association of New York State (“PBA of NYS”).

The PBA of NYS was established in 2011, and is the law enforcement labor union representing the interests of approximately 1,200 members of the New York State Agency Police Services Unit (“APSU”). The PBA of New York State is the exclusive bargaining agent for the New York State University Police, the Environmental Conservation Police (“EnCon”), the State Park Police, and the Forest Rangers. Our members patrol and protect New York State’s public universities and colleges, state parks and historic sites, enforce state laws and protect our lands, forests and wilderness areas to ensure environmental safety and quality.

The four (4) units of the PBA of NYS comprise the second, third, fourth and fifth largest units of police officers employed by the State of New York. These officers live and work in your districts. We are keeping you and New York State’s natural resources safe. We have the specialized skill set necessary to respond to a crisis anywhere in the State of New York.

The testimony today will specifically address the budget priorities of the PBA of New York State. In addition, my testimony will touch upon specific issues related to the University Police Officers. The budget priorities of the PBA of NYS are reasonable requests that are designed to provide our units with parity and properly address staffing that we can continue to keep the public safe and continue to fulfill our basic job responsibilities. The PBA of New York State is well aware of the budget deficit facing New York State of approximately \$4.5 billion dollars, and of the uncertainty from the federal Tax Cuts and Jobs Act of 2017.

However, it is our respectful position, that the PBA of NYS budget requests, such as three-quarter disability legislation, increased Forest Ranger staffing, and University Police “heart presumption” legislation have small fiscal impacts yet provide strong protection and benefits that all New Yorkers can enjoy.

Accidental Three-Quarter Disability Legislation

S.5594B Golden

Same as A.7600B Abbate

A top budget priority of the PBA of NYS is the enactment of three-quarter disability legislation. Three-quarter disability is a benefit that is enjoyed by almost every other branch of law enforcement. Parity is desperately needed for the PBA of NYS membership. The job responsibilities are equally dangerous and present identical risk of injuries due to the wide range of incidents they respond too. These risks and dangers are completely out of our members’ control which is no different from other branches of law enforcement.

Currently, three-quarter disability legislation is not codified for University Police Officers or New York State Forest Rangers. Environmental Conservation Officers and Park Police Officers are simply not entitled to three-quarter disability benefits whatsoever. This must be changed. The legislature should immediately include three-quarter disability benefits in the one house budget proposals and ensure it is included in the final budget due April 1, 2018.

There is no better justification than the recent shooting tragedy of New York State Environmental Conservation Officer James Davey who sustained a gunshot while investigating a call for "shots fired" in rural Columbia County, which was ultimately two men attempting to poach deer in a field at night. These types of terrible incidents demonstrate the risks that Environmental Conservation Officers, Forest Rangers, Regional Park Police and State University Police encounter on a day-to-day basis in performance of their job duties. They should receive the same accidental disability benefits as other law enforcement members.

There is 'same as' standalone legislation in both houses that grants members of the PBA of NYS with three-quarter disability legislation. S.5594B sponsored by Senator Golden same as A.7600B sponsored by Assemblyman Abbate. Last session, the Senate passed S.5594A. The Assembly failed to bring this legislation to the floor.

However, we remain confident that both houses will include three-quarter disability legislation in their one house budget proposals. The fiscal impact of the legislation there would be an immediate past service cost of \$2.78 million and an annual cost to New York State of \$450,000. The fiscal note's estimated costs are based on 724 members having an annual salary for the fiscal year ending March 31, 2017 of approximately \$60 million.

Granting all members of the PBA of NYS three-quarter disability benefits will also help lower the attrition rates because we will have parity with other branches of law enforcement. For these reasons, Three-Quarter Disability legislation for the PBA of New York State should be included as part of the final 2018-2019 State Budget due April 1, 2018.

Forest Ranger Staffing Needs

S.3987 Funke

Same As A.1459 Jenne

Today there are 137 Forest Rangers in New York State who help protect nearly 5 million acres of DEC administered lands. By comparison, in 1970, there were 140 Forest Rangers and only 3.5 million total acres of DEC administered land. This is evidence that over the past half century the number of Forest Rangers has remained stagnant while DEC has acquired roughly 30 percent more landmass. The Legislature and Governor's efforts to drive tourism have been successful in increasing usage of DEC administered land. One unavoidable result of the positive increase of state land use has been an increase in the number of search and rescue missions undertaken by New York State Forest Rangers.

The PBA of NYS respectfully submits that a more appropriate number of New York State Forest Rangers is 175 and not the current 137 force size. Increasing the number of Forest Rangers to 175 is justified by weighing public safety, outsourcing Forest Rangers to emergency response needs outside of New York State, and examining the historical amount of acreage that a Forest Ranger has been accustomed to patrolling. Since DEC administered landmass is equal to approximately 5 million acres, and assuming the state had 175 Forest Rangers, each Forest Ranger would be responsible for approximately 28,500 acres. The reduced size of the territory for each Forest Ranger will lead to faster response times to search and rescue missions and help curtail overtime costs for New York State. In addition, a force of 175 will give the Forest Rangers more flexibility and a work force to respond to out of state needs which generates revenue for New York State since the costs are reimbursed by the other state and/or federal government.

During the current legislative session, the PBA of NYS will advocate for A.1459 (Jenne) / S.3987 (Funke) entitled “An act to amend the environmental conservation law, in relation to protecting newly acquired state land”. The proposed legislation is attempting to reduce the amount of acreage that each Forest Ranger is responsible for patrolling. In addition, the PBA of New York State respectfully requests that the 2018-2019 State Budget include an increase in funding for the Department of Environmental Conservation to increase the staffing levels of Forest Rangers to approximately 175 members.

Heart Presumption

An equally important budget priority for the PBA of NYS is “heart presumption” coverage legislation. This will create a presumption that any condition of impairment of health caused by diseases of the heart, resulting in disability or death to police officers and certain other first responders shall be presumptive evidence that it was incurred in the performance and discharge of duty. Almost all New York State Police Officers are afforded the protections of the “heart bill” provisions in the retirement and social security law. The fiscal note of this legislation states that the fiscal impact of this legislation is “negligible”.

Under current law, University Police Officers are excluded in the categories of police officers that are protected by this statute. University Police Officers work in dangerous, physically demanding, and stressful jobs. This inequity is unfair and disrespectful to the police officers who put their lives on the line protecting our institutions, faculty, staff, students and the public. This bill will provide University Police Officers with the same benefit as it pertains to a heart presumption as is provided other state police officers.

There is also ‘same as’ standalone legislation in both houses that grants University Police Officers with heart presumption. S.4634A sponsored by Senator Golden same as A.6413A sponsored by Assemblyman Abbate. The Senate passed S.4634 last year on May 2, 2017. This year, we ask the legislature to include this legislation in the one house budget proposals and enact it in the final Budget due April 1, 2018.

University Police Officers Active Shooter Response

Since the tragic event of the Virginia Tech massacre in 2007, a shooting which left 32 innocent people dead, college campuses across the country have made great efforts to better prepare their police departments against such threats. And though State University of New York Police Departments are no exception to this trend there is still much work that needs to be done. Equipment is needed for our officers to safely respond to threats of an active shooter on many SUNY campuses.

Because SUNY’s twenty-nine police departments are de-centralized each is under the control of the local campus, otherwise known as its hiring authority. Each local campus assigns a budget to its university police department, some enjoy a healthy budget for training and resources, and others do not. Typically, bigger campuses get bigger budgets and officers are issued proper resources to respond to a variety of calls. Smaller campuses sometimes “make do” and officers are compelled to respond to calls without safe equipment.

It is not that the PBA does not understand the budget dilemmas of university police departments on smaller SUNY campuses; with a single patrol rifle costing \$1,500; ballistic vest \$500; ballistic helmet \$400, ballistic shield \$1,500 and ammunition for a twenty-member department qualifying twice a year, \$1,500, we understand the financial realities campuses struggle with, however, we also understand that our campuses are asking our

members to respond to very dangerous, and possibly deadly calls for service. Regardless of budget realities our officers must be given the resources needed to do their jobs as safely as they can.

Therefore, we are asking that the legislature include in the one house budget proposal an Appropriation of \$75,000, to be distributed by SUNY Systems Administration. This Appropriation shall be disseminated to university police departments requesting such funds to purchase active shooter response equipment (i.e., patrol rifles, ballistic vests and carriers, ballistic helmets, ballistic shields and ammunition).

Conclusion

In closing, the PBA of NYS encourages the Legislature to provide University Police, Park Police, Forest Rangers and Environmental Conservation Officers with the proper tools and give us parity with other law enforcement. This will assure the PBA of NYS can continue to keep the public safe and maximize the public's ability to take advantage of New York State's natural beauty. We ask that you include Three-Quarter Disability benefits, increased Forest Ranger Staffing, and University Police Officer with heart presumption in this state budget process. Thank you for giving me the opportunity to testify before you today.

UNIVERSITY POLICE | ENCON POLICE



PARK POLICE | FOREST RANGERS

Testimony by: Troy Caupain
Park Police Officer and
PBA of New York State Board Member

Testimony before: 2018 Joint Legislative Hearing Committee on Public
Protection

Date: January 30, 2018

Good morning members of the legislature,

My name is Troy Caupain and I am a Park Police Officer, with 17 plus years working for the Office of Parks Recreation and Historic Preservation (OPRHP). I am currently assigned to the Long Island Region, however as a long-time member with OPRHP, I have been deployed all around the state in one capacity or another working for OPRHP. For the past 7 years, I have been fortunate to also be the Director for the Park Police Officers Association and board member within the Police Benevolent Association of New York State Law Enforcement (“PBA of NYS”), which is the exclusive bargaining unit for four different units: (i) the State Park Police, (ii) Environmental Conservation Police Officers, (iii) Forest Rangers and (iv) University Police Officers.

Today, I am here to speak on behalf of the Park Police Officers Association regarding the Public Safety concerns my members have been facing for far too long. I, as well as the PBA of NYS, have spoken at various public hearings in the past several years and it seems that every year, I find myself resurrecting the same desperate cry for increased staffing within the Park Police Force. The same desperate cry for increased funding for the Park Police Force. The same desperate cry for equipment.

Thirty years ago, under then Governor Mario Cuomo, DCJS and the Bureau of Municipal Police, a staffing analysis of the New York State Park Police was prepared for OPRHP by the Division of Criminal Justice Services. Ironically, many of the same needs ring true today. I am confident that if a Report was released tomorrow it would have the same recommendations as from 1988. In other words, the exact same issues plague the Park Police now that plagued them thirty years ago. However, a few things, in fact, have changed. The biggest changes are that OPRHP has grown exponentially in terms of geographic size around the state and visitation to state parks is up thanks to Governor Cuomo's initiatives. This has led to an increased responsibility to provide Police services throughout the State. This responsibility is owed not only the visitors to State Parks, but to the residents of New York State as well as our partners in Law Enforcement.

I would like to provide a basic overview of the Park Police Force to the members of the State legislature. The 1988 study called for the Park Police Force to have 307 Officers within the 11 recognized Park Regions. This was an increase of 80 officers from the 227 level in 1988.

As of January 10, 2018, the Dept. of Civil Service recognizes the Park Police should be at a statewide level of 382 Officers. Today, the Park Police Force is staffed at an approximate level of 235. This is a far cry from where we are today. Today's staffing level of approximately 235 does not include the 27 members attending the Academy that is currently underway. Historically, OPRHP has completed 14 Academy classes graduating an average of 30 new police officers. Unfortunately, the average retention rate is only 40%.

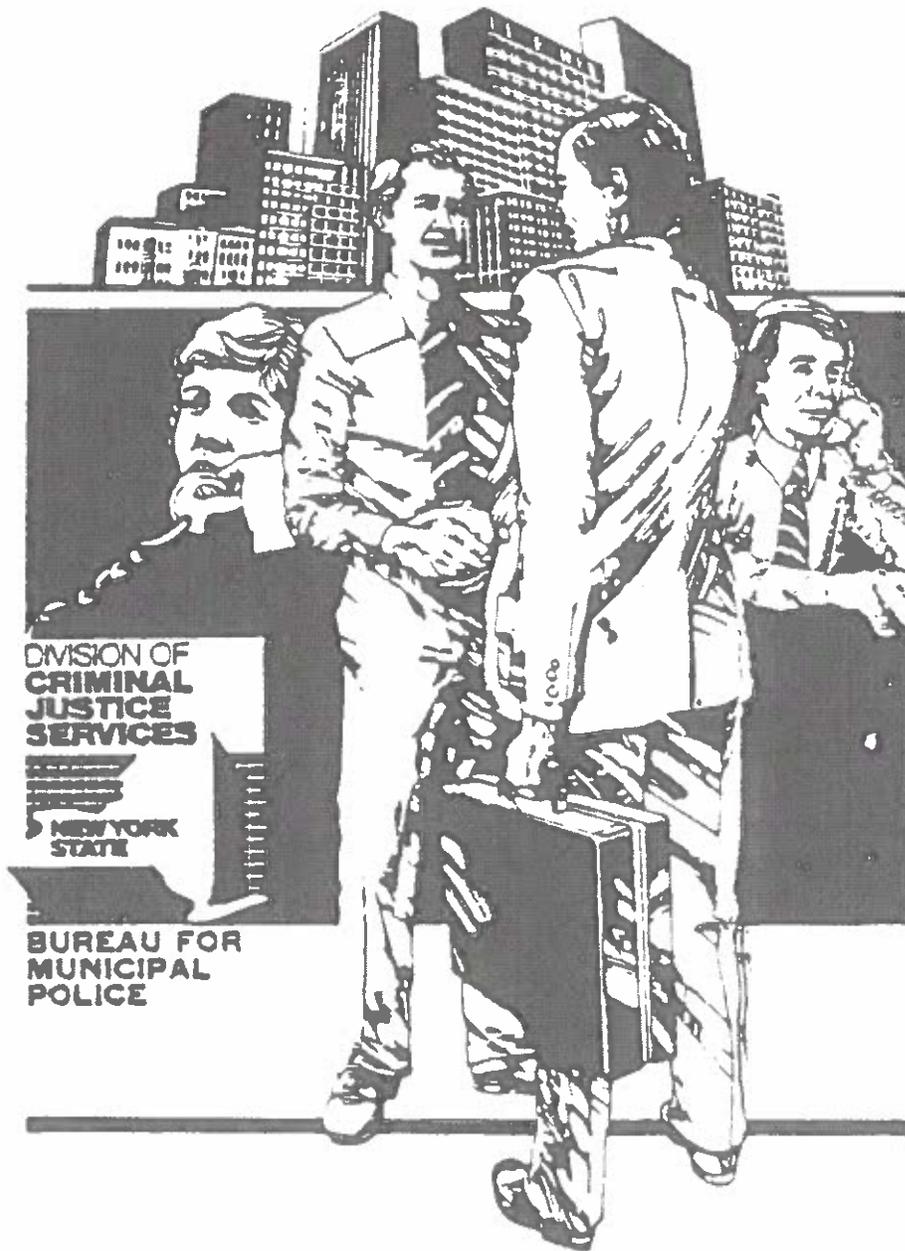
Due to the limited time I have today to speak with you, I just want to emphasize that public safety is very important to the members of the Park Police as well as the PBA of NYS. More important than that, is the safety of the Officers I represent. It is questionable how a State agency can provide a highest level of safety when they don't have enough Officers? How does a New York State agency provide police services to the visitors of state parks and the residents of NY State when they don't have the necessary resources? Those questions must be answered if OPRHP wants to provide adequate levels of public protection.

I would ask each member of the Senate and Assembly before me today, to join the PBA of NYS and demand that a complete study be done that analyzes the staffing levels of the New York State Park Police. Just like what was done 30 years ago. I have attached with my testimony a copy of that report and within the findings- 12 specific problems were identified ranging from budget to poor morale- the top 2 issues were budget and staffing. If those issues existed 30 years ago, imagine what's going on today within the Force. With increased threats and acts of terrorism around the country and the number of soft targets within State Parks, there must be a plan of staffing and providing protection to the public. On any given day there is what is considered a mass gathering within any, if not most of our State Parks. Are we prepared to protect them?

Also attached is the current list of Legislation that the PBA has introduced, with the support of some members of the Legislature, which we feel may help to rectify the problem within OPRHP in providing the level of public safety the residents and visitors of New York State deserve.

Attachments

Police Administrative Services Unit



Division of Criminal Justice Services

STATE OF NEW YORK
EXECUTIVE DEPARTMENT

Mario M. Cuomo, Governor

John J. Poklemba, Director of Criminal Justice

DIVISION OF CRIMINAL JUSTICE SERVICES

Harlin R. McEwen, Deputy Commissioner

BUREAU FOR MUNICIPAL POLICE

STAFFING ANALYSIS
NEW YORK STATE PARK POLICE
PREPARED FOR:
OFFICE OF PARKS, RECREATION
AND HISTORIC PRESERVATION
ALBANY, NEW YORK

STATE OF NEW YORK
EXECUTIVE DEPARTMENT
Mario M. Cuomo, Governor
John J. Poklemba, Director of Criminal Justice
and
Commissioner
DIVISION OF CRIMINAL JUSTICE SERVICES
Harlin R. McEwen, Deputy Commissioner
BUREAU FOR MUNICIPAL POLICE



JULY, 1988

Executive Summary

Introduction

At the request of the Office of Parks, Recreation and Historic Preservation (OPRHP), the Police Training and Administrative Services Unit of the Bureau for Municipal Police undertook a staffing study of the New York State Park Police. The objectives of the study were to identify administrative and staffing deficiencies and to provide realistic recommendations for organizational improvement.

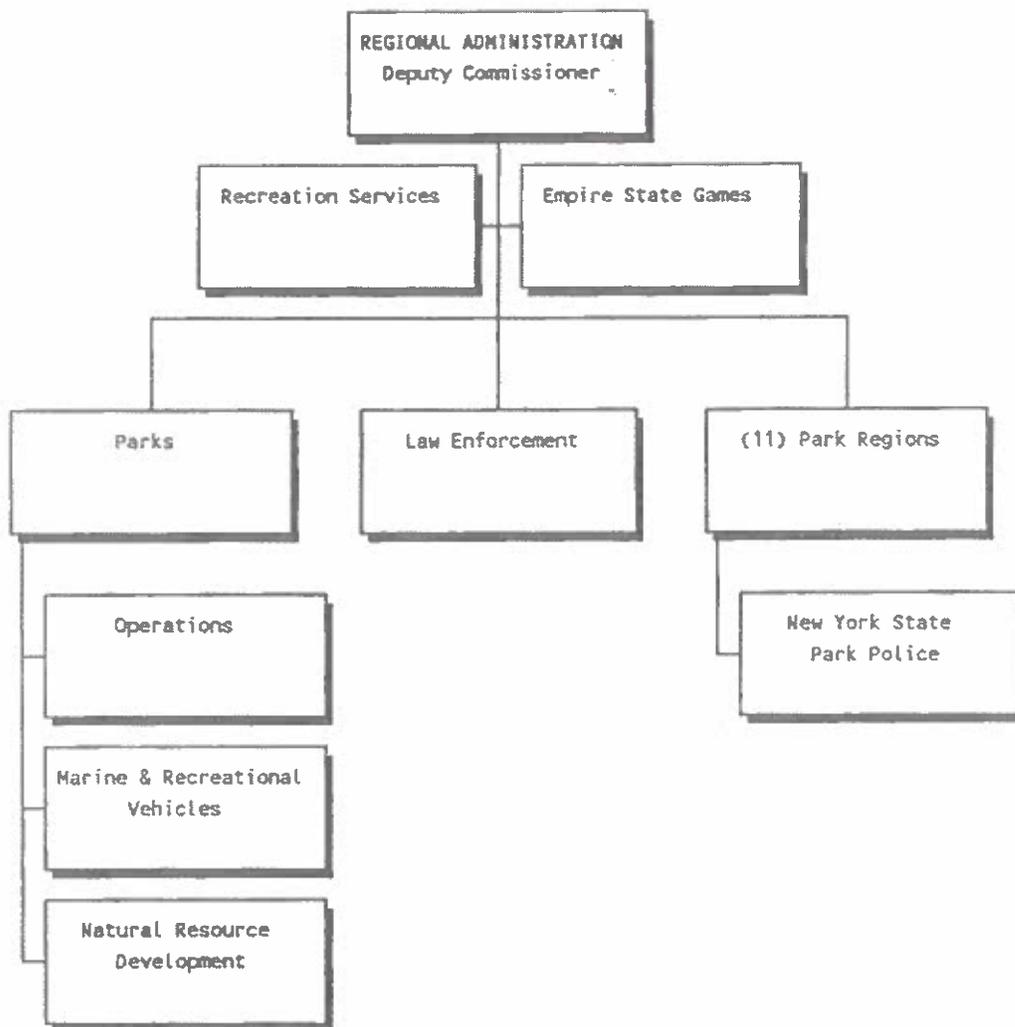
Overview of the Study

Mission of the Park Police - Following a meeting with commanding officers within the New York State Park Police, this group, with the assistance of the staff of the Bureau for Municipal Police, developed a statement of purpose for the park police. It was felt by both BMP and the participating officers that this task was a necessity because a clear purpose statement was critical to the effort of the park police. Following submission of a preliminary report of the Saratoga meeting to the Office of Parks, Recreation and Historic Preservation, Commissioner Lehman submitted a mission statement to BMP which he felt was representative of his agency's overall mission.

The Bureau for Municipal Police recommends the purpose statement of the park police and the mission statement of OPRHP, together with the associated guiding principles, serve as the basis for all operations of the New York State Park Police.

Organization - Currently the New York State Park Police is organized on a regional basis. Eleven park police commanding officers answer to the appropriate Regional Director (actually to the Assistant Regional Director). The Regional Directors are responsible to the Deputy Commissioner for Regional Administration of OPRHP. The Director of Law Enforcement is a staff person located in Albany who advises the Deputy Commissioner on law enforcement related matters.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION -
CURRENT ORGANIZATIONAL STRUCTURE

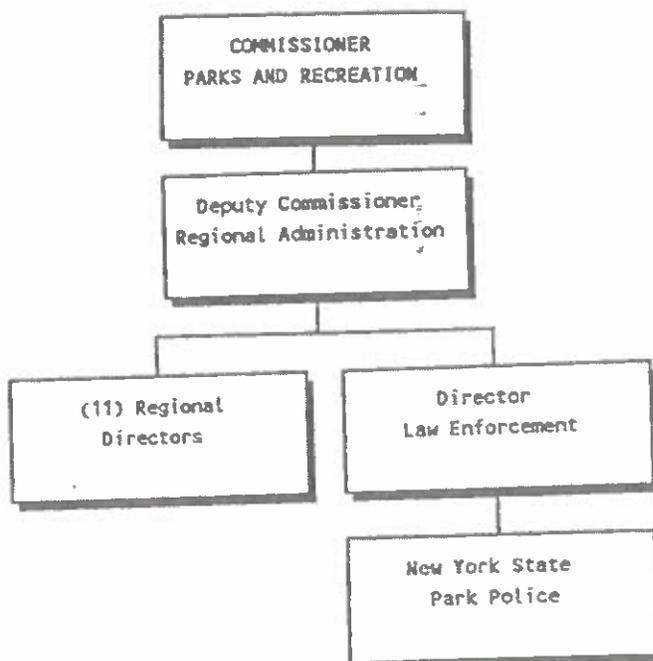


Option 1

In this report the Bureau for Municipal Police offers two options to reorganizing the Park Police within the Office of Parks Recreation and Historic Preservation. The first and preferable option is one of total centralization of the park police under the Director of Law Enforcement. The Director of Law Enforcement would become a line manager rather than a staff advisor.

Graphically this option is depicted as follows:

Option #1



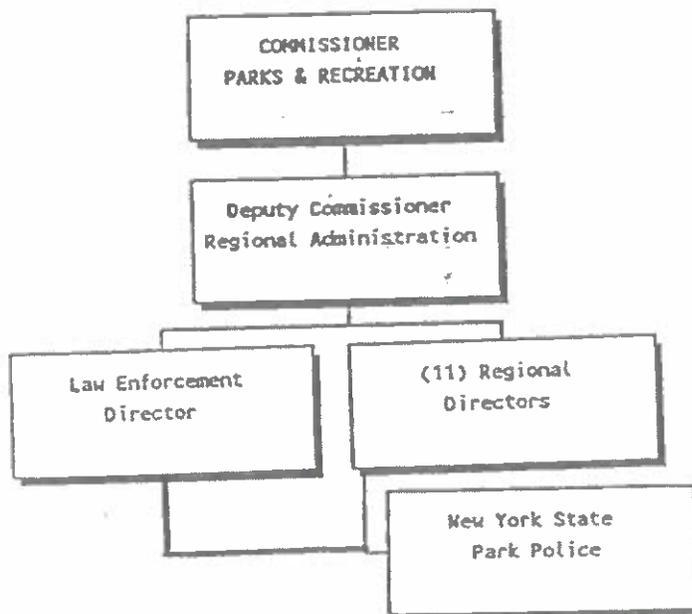
This option provides a central source of authority for the police and if opted for would alleviate many of the problems that exist in the present organizational structure.

Option 2

This modifies the present structure by placing the Director of Law Enforcement on a level with the Regional Directors. Under this option the commanding officers would still answer to the Regional Directors regarding day to day operations, however, the Director of Law Enforcement would set major policy for the police. This option provides for

vital standardization on the statewide level but still allows individual regions to meet local needs. Naturally a major drawback is that regional commanders are working for two supervisors. Although cooperative effort is a necessity in any sound organization, this second option would require a special effort between the Director of Law Enforcement, Regional Directors and Commanding Officers. This option is depicted in the following chart:

Option #2



Staffing Analysis - The present fulltime complement of the New York State Park Police stands at two hundred twenty seven officers. In this report the Bureau for Municipal Police has analyzed the permanent staffing levels of each of the eleven regions and it is our recommendation that the permanent level of sworn officers be increased by about eighty full-time officers statewide. In addition we recommend increased civilian communication personnel in some regions to free sworn officers for field duty.

The staffing recommendations were based on a number of factors.

Assignment Availability for each Region - It is obvious that a patrol post cannot be covered seven days per week, eight hours a day with only one officer. Factors like days off, vacation days, sick time etc. must be considered. Current staffing data was determined on a regional basis, using data from each police region.

Patrol Initiated Policing - A high percentage of activity by park officers is initiated by the officer on patrol. This makes the park police unique in comparison to municipal officers who respond for the most part to telephone - complaints.

Geography of Park Regions - Patrol areas, for which park officers are responsible, are spread over hundreds of square miles. Consideration was given to patrol visibility and reasonable response times by officers to service needs.

Adequate Patrol and Supervisory Coverage - Where reasonable the Bureau for Municipal Police has recommended 24 hour seven day patrol and supervisory coverage. These recommendations were based on past policy of the BMP combined with interviews with Regional Directors and Police Personnel.

Officer Safety - Recommended staffing levels included officers safety considerations. Many police calls require a backup officer. In addition a major problem confronting officers in the parks are alcohol related incidents. Situations of this nature can be volatile and require two or more officers.

Present Staffing Data - The Bureau for Municipal Police

research indicates that present staffing and deployment is based on years of experience, hence, it is from this basis that many recommendations were made.

Off Season Use of Park Facilities - Although the summer period is the busy time for Park Police, permanent staffing recommendations by BMP took into consideration the increasing use of the parks during fall and winter months.

Overall Staffing Summary

<u>Region</u>	<u>Present Sworn</u>	<u>Staffing Civ.</u>	<u>Recommended Sworn</u>	<u>Staffing Civ.</u>	<u>Difference Sworn</u>	<u>Difference Civ.</u>
Niagara	24	0	29	5	+ 5	5
N.Y.C.	20	5	31	5	+11	0
L.I.	56	4	69	9	+13	+5
Palades	35	0	35	5	0	+5
Taconic	12	4	16	4	+ 4	0
Saratoga	8	0	17	0	+ 9	0
Central	7	5	17	5	+10	0
Thousand Is.	6	0	15	0	+ 9	0
Finger Lakes	6	2	15	5	+ 9	+3
Genesee	9	0	20	0	+11	0
Allegany	12	5 (1ft) (4pt)	13	5	+ 1	+4ft
				Totals	82	17

First Line Supervisory Staffing

<u>Region</u>	<u>Present # of Sgts.</u>	<u>Recommended #</u>	<u>Difference</u>
Niagara	6	4	- 2
N.Y.C.	2	5	+ 3
L.I.	10	13	+ 3
Palasades	6	5	- 1
Taconic	1	3	+ 2
Saratoga	1	4	+ 3
Central	1	2	+ 1
Thousand Is.	1	3	+ 2
Finger Lakes	1	2	+ 1
Genesee	1	3	+ 2
Allegany	1	2	+ 1

Park Ranger Assistant Program - The Bureau for Municipal Police recommends that the present policy of utilizing Park Ranger Assistants (PRAs) as security be formalized within Parks and Recreation. During the high activity season some PRAs should be assigned to police commanding officers to use as needed in patrolling the parks. By patrol BMP means to provide assistance to the park police officers and to perform minor functions like parking enforcement etc. Great care must be taken in orientating these individuals to the parameters of their authority. They are not intended to be replacements for police officers but merely to enhance the security of the parks.

Record System - The present record keeping, as it pertains to activity levels, does not systematically exist within the New York State Park Police. Since a law enforcement agency's activity is the basis for making sound personnel deployment and allocation decisions, the Bureau for Municipal Police recommends that the park police standardize their activity reporting procedure. We further recommend that a record system similar to the one in Appendix E of this report or a computerized system, similar to the one used in the Taconic Region, be implemented in all regions. The Systems Improvement for Enhanced Community Safety Unit (SIFECS), within the Division of Criminal Justice Services, is another resource from which the park police may want to seek assistance in the area of records.

Personnel Issues - Presently the park police are not bound by the age and educational standards set forth in Section 58 of the New York State Civil Service Law, nor do they fall under the height, weight and physical fitness standards prescribed by the Municipal Police Training Council. BMP recommends that the park police follow these standards during the recruitment of officers.

We further recommend that the Office of Parks, Recreation and Historic Preservation should consider increasing the salary grades of park officers, as well as addressing a cost of living allowance for those working in high cost of living regions.

INTRODUCTION

Division of Criminal Justice Services

The New York State Division of Criminal Justice Services came into being September 1, 1972. It now has five major components which include the Bureau for Municipal Police (BMP), Office of Administration, the Office of Funding and Program Assistance, Office of Identification and Data Systems and the Office of Justice Systems Analysis.

Bureau for Municipal Police

Chapter 399 of the laws of 1972, transferred the Municipal Police Training Council (MPTC) from the Office for Local Government to the newly created DCJS. At the same time, all the functions and duties of the Division for Local Police, the Director, and the Executive Director of the MPTC were transferred. BMP was thus created within DCJS and serves as the staff support unit to the MPTC. Presently, the four major components of BMP are the Police Training and Administrative Services Unit, the Highway Safety Unit, the Peace Officer Unit, and the Accreditation Unit.

Police Training and Administrative Services Unit

The Police Training and Administrative Services Unit of BMP, offers administrative counseling and in-depth surveys to local law enforcement agencies, or to municipalities considering the establishment of a police department. This

counseling, and the resulting surveys, is an effort to assist the agencies with the continuing task of reviewing and upgrading the many facets of administration requiring managerial attention.

Frequently, emergencies of the day prevent police administrators from giving adequate attention to the areas of planning, research and operational review. Accelerating changes in the world today create unusual pressures for law enforcement agencies and increase the need for flexibility in management and organization. -

The purpose, therefore, of the Administrative Services program, is to provide (on a short term basis) the staff assistance necessary to aid administrators in combining new ideas, concepts and methods with a professional and objective analysis of local realities. Conclusions and recommendations drawn from this activity are presented in written form. The report or survey, stresses immediate needs based upon historical or present trends. By its very nature, the survey is a critique. It is not an end in itself, but merely documents the need for change. The value of the survey will be directly proportional to the attention given to its recommendation in terms of evaluation, implementation and periodic review.

The following guidelines explain the program in greater detail.

Guidelines for Police Training and Administrative Services

These guidelines are established to implement New York State Executive Law, Section 837 subdivision 5, which states:

The Division of Criminal Justice Services shall:

Conduct studies and analyses of the administration or operations of any criminal justice agency when requested by the head of such agency and make the results thereof available for the benefit of such agency.

Upon request of the agency head and following a preliminary evaluation, the Police Training and Administrative Services Unit may provide the following types of administrative services:

1. Staff Consultation
2. Limited Surveys
3. Comprehensive Surveys

1. Staff Consultation

Staff Consultation is simply informal discussions or conferences between an administrator of a department and Bureau for Municipal Police staff. Staff consultation is generally done without the preparation of a formal report.

2. Limited Surveys

A limited survey consists of an analysis of a single or limited number of functions within a police agency, including a written report with recommendations. An analysis of one or more of the following functions would be included in such a survey:

Patrol
Investigation
Training
Records System
Feasibility

Personnel Systems
Rules of Conduct
New Bldg. Facility
Consolidation and/or
joint services

3. Comprehensive Surveys

A comprehensive survey includes extensive review and analysis of the entire administration, operation and services provided by a police agency and a written report of the analysis with recommendations.

A comprehensive survey considers the entire spectrum of a police operation. It examines the role of the police agency and its relationship to other functions of local, state and federal government; its administrative, organizational and personnel problems; its staff and line operations; information systems; communications, equipment and facility.

The purpose of the comprehensive survey is to analyze the entire police operation and where appropriate, recommend new or improved systems and procedures, techniques and methods to improve the capability of the police agency to effectively perform its mission.

Professional Service Costs and Agreements

When professional service is provided by Bureau for Municipal Police staff, there is no charge.

Limited and comprehensive surveys require a written request from the agency head to be on file with the Bureau for Municipal Police.

The agency head requesting professional service shall have distribution control over reports resulting from the service.

Implementation

The value of any survey or study, lies in the actual implementation of approved recommendations which is the responsibility of the requesting agency. The Bureau for Municipal Police staff will, however, provide assistance as needed to assure results and continuity of administrative effort.

NEW YORK STATE PARK POLICE STUDY

At the request of Commissioner Lehman through Deputy Commissioner Prenderville the Bureau for Municipal Police - agreed, in February of 1986, to undertake a staffing study of the New York State Park Police.

PROBLEM IDENTIFICATION

Following a problem identification process, during the summer of 1986, a meeting was conducted at the Saratoga State Park on September 30 and October 1, 1986. A preliminary report of the findings of this meeting was provided by B.M.P. to the Office of Parks, Recreation and Historic Preservation on October 15, 1986. A copy of this report may be found in Appendix A of this report.

As reported in the aforementioned document, the specific problems identified were as follows:

- 1) Budget;
- 2) Staffing levels;
- 3) Salary inadequacies;
- 4) Supervision inadequacies;
- 5) Lack of standard policies and procedures;
- 6) Lack of a commitment by the Office of Parks, Recreation and Historic Preservation;
- 7) Lack of mission;
- 8) Recruitment of parttime (seasonal) officers;
- 9) Lack of motivation;
- 10) Poor quality of recruit selection;
- 11) Insufficient training and
- 12) Poor morale.

The top four problems, as identified by this process, namely, budget, staffing, salary and supervision were considered to be the most serious and all have been addressed directly or indirectly in this report. In addition, the identification of the mission of the park police was seen as critical to the success of any administrative review.

During 1987 staff from the Bureau for Municipal Police made field visits to all eleven park regions. At all regions BMP met with regional directors and police commanding officers. At several of the locations we met with assistant-regional directors, park managers, first line police supervisors (sergeants) and police officers. In almost all locations the major problem identified by regional managers and commanding officers was inadequate police staffing levels. Again, this report focuses primarily on staffing levels in the regions, with particular emphasis on patrol officers and first line supervision.

For a general summary of the findings of the interviews conducted during the field visits please refer to Appendix B of this report.

ORGANIZATION

The organizing process is the framework upon which any operation is built; it provides the pattern which will be adhered to by the individuals of the group. This process establishes the hierarchy of positions and their relative duties and responsibilities required to achieve the organization goals and objectives as well as carry out its overall mission.

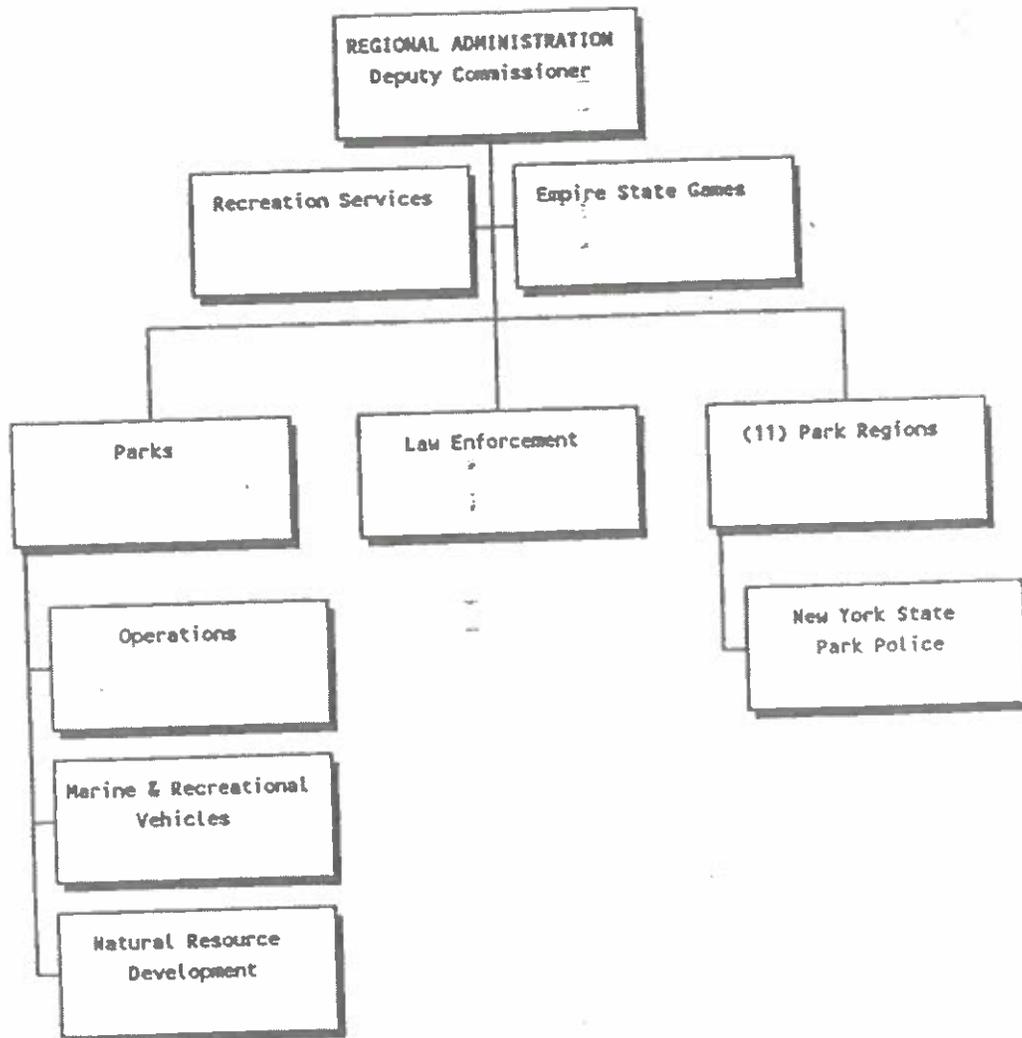
Organization means different things to different people and although it can be scientifically analyzed, two factors of "organization" tend to complicate its function. "First, organization is not tangible, like a street or a building or a piece of equipment and it cannot be described as if it were. Organization is concerned with human beings, as well as things. It involves us with dimensionless areas such as authority, leadership, motivation, morale, and other human factors."

An organizational concept and one of the primary goals of an organization is a source of authority. Source of authority means that there must be a centralized power source to insure the compliance of individuals to organizational goals. Authority is necessary in any organization, especially one that works on a 24 hour-a-day, seven-day week, basis that must rely on coordinated, centralized authority for organizational survival.

In addressing this key concept of source of authority with the park police there is a dilemma to be faced. This dilemma deals with the question of who is the source of authority within the organizational structure of the Office of Parks, Recreation and Historic Preservation as it pertains to the police?

Presently, the New York State Office of Parks, Recreation and Historic Preservation is organized as depicted in the following chart:

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION
CURRENT ORGANIZATIONAL STRUCTURE



Under this structure park police regional commanders, whether they be chiefs, captains or lieutenants answer to the regional director and/or assistant regional director. The position of law enforcement director is strictly that of an advisor to the Commissioner.

During the Bureau for Municipal Police's aforementioned field visits this organizational structure was discussed with all regional directors, park police commanders and in some cases supervisory personnel and patrol officers. The vast majority, with the exception of some of the officers themselves felt that the present regionalized structure was appropriate. Specifically, the regional directors felt that it was a necessity, while many commanding officers in smaller regions preferred the regional approach because they were of the opinion they would be hurt by a centralized structure. These individuals further stated that their regions would lose out to the larger regions when it came to budgets, personnel and equipment.

The Bureau for Municipal Police can also see advantages to the decentralized structure of the park police. Obviously knowledge of local problems and the fact that the regional directors have an overall responsibility for operating their own parks is important.

Under the present scheme of decentralization the park police are at best a loosely fragmented organization. No two regions operate in a similar manner, in terms of critical areas such as policy, record keeping, personnel matters and communications. The record keeping system is a prime example. During the Bureau for Municipal Police's data gathering effort for this study it became evident that no two regions kept records in the same manner. It is our opinion that many of the regions (not all) could not support their actual workload on paper. Each commander had his own way of documentation. Since many aspects of planning, staffing, deployment etc. are based on workload within an organization, activity records become critical. Records will be discussed in greater detail later in this report, however, the lack of standardized records is a key example of the absence of a centralized police authority within the Office of Parks, Recreation and Historic Preservation.

The present organizational structure of the park police appears to promote disunity and a lack of cohesiveness. During the course of this study it was our perception that we were dealing with eleven separate police departments, all operating independently of each other and of headquarters in Albany.

The following is an example of the fragmentation that exists within the structure of the park police. During the course of our study, the Bureau for Municipal Police was in contact with the Systems Improvement for Enhanced Community

Safety Unit (SIFECS) within the Division of Criminal Justice Services. From SIFECS we learned that several park police commanding officers had been in contact with SIFECS regarding record systems improvements. These contacts with DCJS were made by the regions on an independant basis. Granted there have been coordinated efforts by OPRHP regarding their police in areas like mid-management training, certain policies etc., however the aforementioned example appears to take place more often than it should. Again, this example is used simply to make a point and not to detract from initiative of individual park police commanders.

It was recommended in the CRESAP study that the park police operations remain regional and avoid a centralized structure. This study was conducted about ten years ago, yet many of the major problems that existed then, are still present.

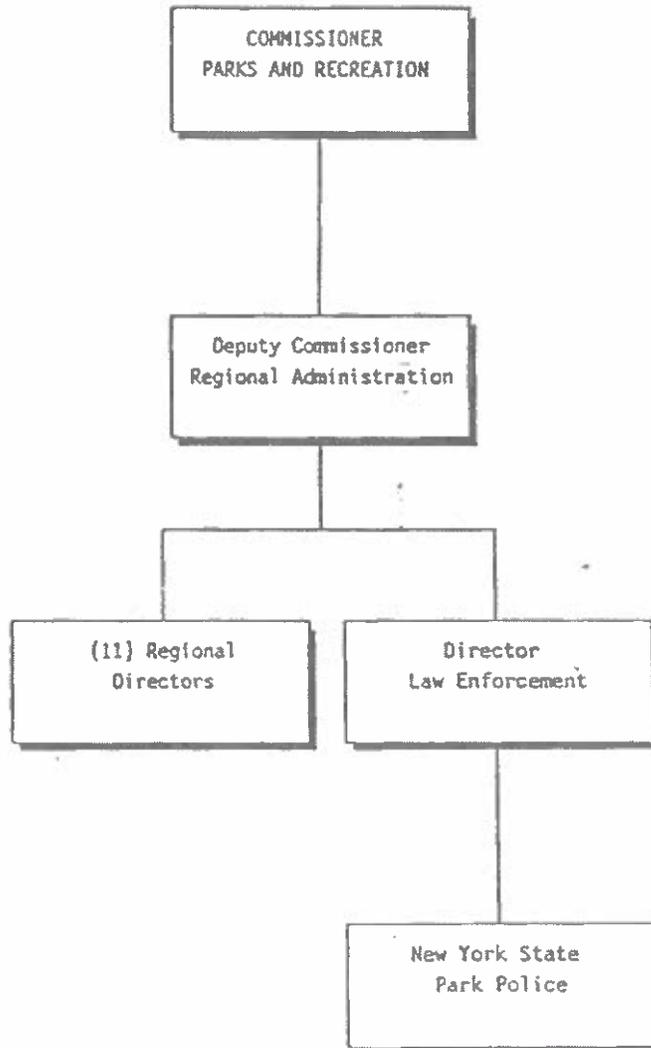
The present organizational structure and political atmosphere within the Office of Parks and Recreation does not readily lend itself to a centralized approach. Even if this centralized administration is adopted on the surface level, there may be great difficulty within OPRHP in its acceptance. In our field interviews, the Bureau for Municipal Police found that all the regional directors were against centralizing the police function, fearing that it might remove local flavor from the policing of the parks. In addition a number of the commanding officers were not in

favor of a centralized police authority. These officers were of the opinion that their regions might be lost in State bureaucracy and in turn lose out to larger regions.

These concerns are real and great care must be taken by those concerned to see that the effects of this proposed structural change are minimized. However, it is the opinion of the Bureau for Municipal Police, that a more centralized administrative structure of the park police will eliminate or at least minimize the lack of coordination that presently exists.

The Bureau for Municipal Police recommends that the park police be reorganized in the following manner:

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION
RECOMMENDED ORGANIZATIONAL STRUCTURE
PARK POLICE - OPTION 1



This proposed structure should better assist the park police to accomplish the goals set out for them within the Office of Parks and Recreation. This structure provides for:

1. Sound and clear-cut allocation of responsibilities;
2. Equitable distribution of workloads among elements and individuals;
3. Clear and unequivocal lines of authority;
4. Authority adequate to discharge assigned responsibilities;
5. Reasonable spans of control for administrative command;
6. Unity of command;
7. Coordination of effort; and
8. Administrative control.

In an effort to alleviate problems that may occur with any centralization effort, we urge close cooperation and communication between the regional directors and the Director of Law Enforcement. Additionally, individual park police commanders should foster a cooperative attitude toward regional directors, their assistants and individual park managers. During the course of the field visits this regional cooperation was brought out not only as a positive feature of the decentralized nature of the park police, but also as a necessity in achieving common goals and objectives. This practice should be continued with any centralization effort.

Commissioner Lehman has been quoted as saying that he wants the New York State Park Police to be the finest police agency in the State. Under the present circumstances this may be difficult to achieve. The mandate of the park police is unique, a quasi-military law enforcement unit, working within a civilian, recreational State agency. As with other police agencies, the park police have two basic functions: law enforcement and order maintenance.

The law enforcement aspect of their job is easier to define and regulate than the order maintenance activity. In-law enforcement, the majority of incidents are straight forward, either someone broke the law or they didn't. Society's rules are codified and even though many of our laws are somewhat ambiguous and sometimes require interpretation, law enforcement activities are generally understood, recognized and supported by the general population.

Order maintenance situations require more discretion and personal interpretation. These incidents are not as easy to define. Order, in our contemporary society, is open to many interpretations. It is personal and situational at the same time. What might be considered acceptable conduct by one might be construed as a breach of peace by another.

In the park environment order maintenance situations are frequent. Conversations with park police personnel indicate that one of their principal goals is to provide a

safe atmosphere conducive to recreation. It is not difficult to identify problems associated with "acceptable behavior" concerning various types of recreational activity.

Recreational opportunities in New York State parks are inclusive; from hunting in Allegany Regions, to rock concerts in Saratoga, to the beach activity of the Long Island Region . to the influx of tourists at Niagara Falls. Each type of activity requires a special type of policing. The park police are asked to provide service in a paradoxical environment. First they are mandated to provide a safe and orderly atmosphere for family recreation and secondly they are asked to insure people the freedom to enjoy themselves. Order and freedom are at opposite ends of a spectrum. The park police are required to balance these competing societal demands on a daily basis. In a planned environment of leisure, relaxation and enjoyment, the park police are charged to deal with the unpleasant situations that arise. They are sworn to uphold the laws of the state and to provide an environment for fun! Police officers have been entrusted with unique and special authority in our society. They have the right to arrest (to take one's freedom) to use physical force and in specific situations use deadly physical force to protect the life of another. The recently completed statewide Basic Police Officer Training Validation Project conducted by BMP included input from park police officers.

This extensive analysis of patrol activity demonstrated that in addition to performing tasks generally associated with police functions, the park patrol officer performed an additional 55 special functions. The majority of these special functions were "park specific" service or order maintenance activities. This serves to validate the uniqueness of the park police mandates. A copy of this analysis is included in Appendix F of this report.

Interviews with park police personnel isolated a number of problem areas resulting from their dual mandate. Conflicts between traditional police procedures and the expected "low key" approach were articulated. This led to discussions concerning the attitude of park police officers in relation to the question of providing general services versus "crime fighting". It appears that these questions and issues are of concern to the majority of park police personnel. Issues of this nature create an organizational concern that reduces the effectiveness of the agency.

Policing is a difficult job and policing in a park environment is a very difficult task. The park police require strong leadership and direction to carry out their special mandate. We believe leadership can best be delivered in a centralized fashion. Although this change may appear contrary to normal OPRHP procedures, the park police have a unique role that must be recognized and supported.

This centralization will allow the park police to evolve into a stronger, more professional and less fragmented police agency.

Option #2

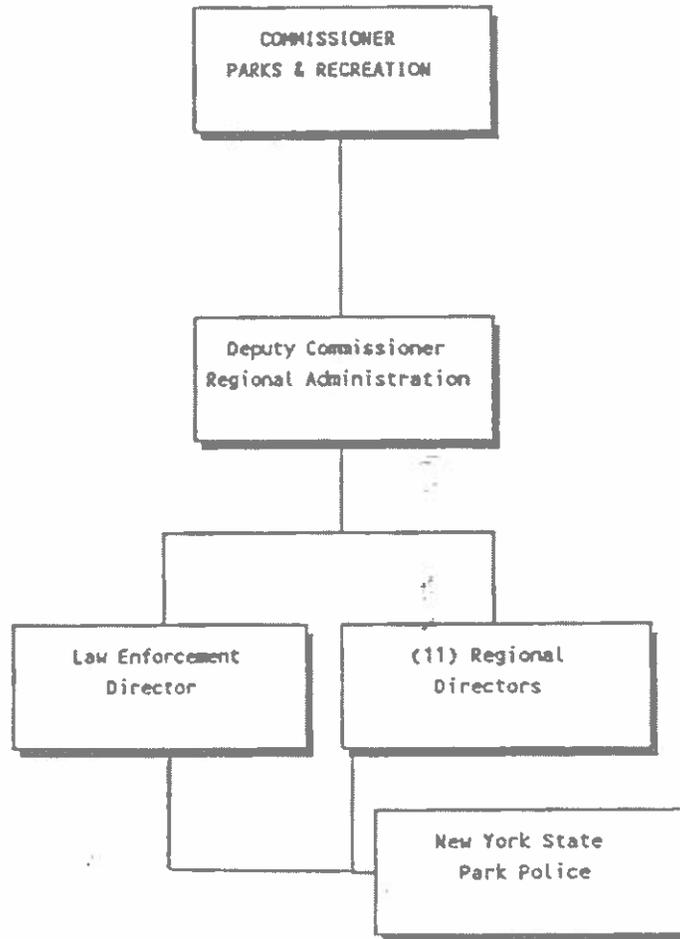
A second organizational option, although less desirable than the aforementioned, is to keep the structure the way it is at the present, but to delineate specific lines of authority between the regional directors and the director of law enforcement, as they relate to park police commanding officers. As an example, the regional director would oversee the day to day operations of the police as it related to deployment recommendations, special events etc., while the director of law enforcement would set statewide policy for the police. These policy considerations should include critical areas such as record systems, staffing, rules of conduct, training etc.

If this latter recommendation is followed, great care must be taken to establish clear lines with regards to the source of authority. The Bureau for Municipal Police recommends that they be established as written policy by the Commissioner.

Precedent has been set for such a structure by the United States Army. The Military Police on army bases are commanded by a Provost Marshall who answers directly to the base's commanding general. However major policy considerations relating to how military police operate is established by a centralized authority in Washington.

Graphically Option #2 would appear as follows:

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION
RECOMMENDED ORGANIZATIONAL STRUCTURE
PARK POLICE - OPTION 2



In conclusion, there are inherent dangers in this option. It violates a key principle of organization, namely, clear and unequivocal lines of authority. Police commanding officers will continue to find themselves working for two supervisors. For this recommendation to be a viable alternative specific guidelines as to authority must be established at an agency level.

For additional generic information regarding organization please refer to Appendix C of this report.

Staffing Analysis

A basic police man-year consists of 365 eight-hour tours of duty, or 2,920 man-hours. However, since an officer does not work 365 days a year, the staffing function cannot be performed by assigning one officer to each post.

Consideration must be given to those factors which make the officer unavailable for duty; i.e., regular days off, vacation, holidays, sick leave, compensatory time, training, etc. This may be done by establishing an overall average time used for each of the factors, or any other assignment which makes an officer unavailable for patrol assignment.

The factors listed below were considered with respect to calculating each of the eleven regions of the park police's assignment/availability factor.

Regular Days Off

Vacation

Sick and Injury

Military Leave

Holidays

Court Time (on duty)

Training

Other (personal leave, comp. time etc.)

Utilizing hypothetical data, the following is an example of how the assignment/availability factor is determined.

<u>Factor</u>	Average Number of non-patrol <u>man days</u>		Average Number of non-patrol <u>man hours</u>
Regular Days Off	104	x8*	832
Vacation	21	x8	168
Sick and Injury	6	x8	48
Military Leave	0	x8	0
Holidays	12	x8	96
Court Time (on duty)	4.93	x8	39.44
Training	2	x8	16
Other	22.50	x8	180
	<u>172.43</u>	<u>x8</u>	<u>1379.44</u>

* (To change man-days to man-hours)

Once these calculations are completed, the hours are totaled. The resulting number represents the average amount of hours an officer is away from duty each year. If this number is subtracted from the basic man-year of 2,920 man-hours (365 days x 8 hours) the difference would represent the total hours available by an officer for duty.

<u>Hours in Man-Year</u>		<u>Average Hours Off</u>		<u>Hours Available</u>
2,920	-	1379.44	=	1540.56

The 2,920 hours in a man-year is then divided by the hours available to calculate the availability factor. This availability factor will be used to determine the total number of personnel needed to fill the posts which are required.

<u>Man-Year</u>		<u>Hours Available</u>	<u>Assignment/Availability</u>
			<u>Factor</u>
2,920	÷	1540.56	1.90

In this example it will take 1.90 officers to staff each patrol and supervisory post. This will then be integrated on a staffing chart with the availability factor included to account for an officer's time off.

Determining the Number of Patrol Posts

Once the assignment/availability factor has been determined it is now necessary to determine the number of posts necessary to police at a given jurisdiction.

Under normal circumstances, the Bureau for Municipal Police utilizes calls for service, based on a police agency's records to determine the number of patrol posts etc. needed to staff each tour of duty. This formula, developed by the International Association of Chiefs of Police provides a moderate degree of validity to the staffing process.

With the analysis of the park polices' staffing needs the Bureau for Municipal Police was of the opinion that the aforementioned methodology of determining posts would be totally unsuitable for a number of key reasons discussed below.

Patrol Initiated Policing - The park police are unique in their response to calls for service. In most municipal police agencies (sheriffs and police departments) calls for service are initiated by the complainant calling police to initiate police action. It is estimated that about 90% of calls responded to by municipal officers are generated by telephone; about 10% are those officers come upon while on routine patrol.

During our interviews in all the park regions we were informed that the reverse is true in park policing. Telephones are not readily available to campers etc. and unless a complaint is severe enough park users do not travel to the police station or find a telephone, but wait until an officer comes by on patrol.

Park Police Records - Directly related to patrol initiated policing is the record keeping system within the park police. Although general records of activity are kept in all regions (weekly and monthly activity) it is the opinion of the Bureau for Municipal Police, and has been verified by park police Commanding Officers, that much of the police activity

performed by park officers, in the course of their patrol activity, is never recorded. On numerous occasions officers will settle a dispute and never make a written record of it or even notify their radio dispatcher of the activity.

Geography of Park Police Jurisdictions - The uniqueness of the park police's jurisdictions make it difficult to use any formalized staffing methodology. With the exception of the New York City Region, park police are responsible for police activities in pieces of land scattered over hundreds of square miles. Response time to possible problem areas had to be a major consideration in determining the number of officers necessary for adequate coverage. This is multiplied again by the fact that the vast majority of police activity is generated by the officers on patrol.

The staffing recommendations in this report were therefore based on the following factors: a high degree of patrol initiated service by the park police, the lack of specific calls for service information in most of the region's police record systems, and the widespread patrol coverage areas unique to policing the parks.

In addition much emphasis on staffing recommendations was based on information gathered at the Saratoga meeting in the fall of 1986 and the field interviews, conducted by BMP with regional directors and police commanding officers. Specifically the following factors were taken into consideration.

Adequate patrol and supervisory coverage - It has been the policy of BMP, when conducting staffing studies, to recommend 24 hour seven day patrol coverage. This has been done in most cases. The Bureau for Municipal Police also recommends full-time first line supervisory coverage. This recommendation is supported by the high number of liability claims against the police. Many of these suits have resulted, either directly or indirectly, from inadequate supervision of officers.

Officer Safety - Another factor taken into consideration in making staffing level recommendations is officer safety. In our field visits and related interviews we were advised that a number of park officers have been injured in the course of their duty. One officer lost an eye and has since retired.

The Bureau for Municipal Police understands that police assaults happen, however, we are of the opinion that if adequate manpower is available to handle a call, the number of assaults on police officers should be reduced. About 20% of complaints to police require two officers. Fights, family

and neighbor disturbances and large group calls should be handled by multiple officers whenever possible. In the course of field visits conducted by the Bureau for Municipal Police it was noted that the number one problem confronted by park police was alcohol related offenses. A minor disturbance involving intoxicated individuals can escalate. Calls of this nature therefore require a two officer response.

Officer safety is a compelling reason for the park police to foster a cooperative attitude with other state and local law enforcement agencies. The Bureau for Municipal Police was impressed with the cooperation that exists between park officers, and the New York State Police and local sheriffs and police departments. We not only urge that these efforts continue but that they be strengthened through a formal policy within the park police statewide.

For your convenience a copy of a model mutual aid agreement may be found in Appendix H. We urge that the OPRHP counsel review this document for possible implementation.

Present Staffing Data - During our interviews with both regional directors and park police commanding officers, both were asked, "What is the paramount issue facing the park police?", nearly everyone asked responded that police staffing levels were presently inadequate.

In the course of field visits, BMP staff had the opportunity to visit many of the major park areas and discuss staffing and deployment with regional directors and commanding officers. Time constraints did not allow a tour of each facility so many of the staffing recommendations are

based on those interviews as well as the data provided to BMP regarding present staffing levels and deployment.

Off Season Use of Park Facilities

During the regional field visits by BMP, the majority of regions reported that there has been a marked increase in the use of park facilities during the off season. Many people are using park facilities for such activities as hiking, cross country skiing and other activities. This has lead to an increased demand for police service during these months of the year. -

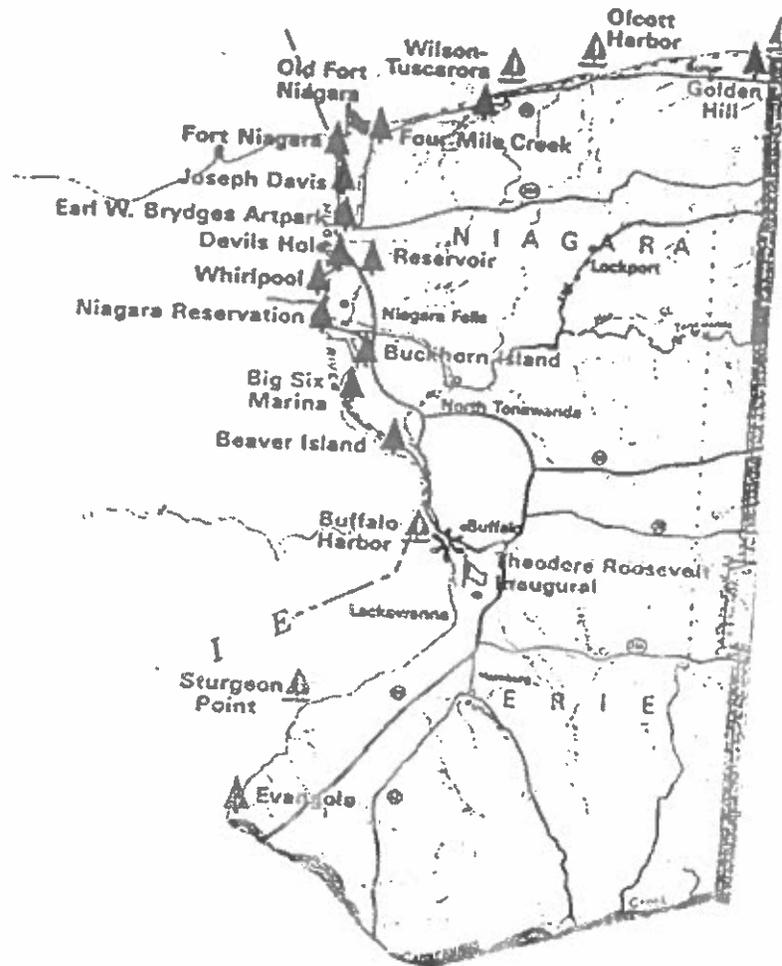
Regional Staffing Recommendations

Utilizing the aforementioned methodology the Bureau for Municipal Police determined staffing levels for police for each of the eleven regions. It should be noted that these are minimum staffing levels.

Initially BMP determined the assignment/availability factor for each region. This factor was based on the personnel information (i.e. days off, sick days, etc.) supplied by the commanding officers. Secondly, the Bureau for Municipal Police made a judgement based on the factors discussed previously on how many posts are required to effectively police each region. Next the needed posts were integrated with our calculated staffing chart to account for an officer's time off. It should be noted on the staffing charts, that those positions not covered on a 24-hour a day, seven day a week basis were given a value of 1.00.

The following is an individual staffing analysis of each region.

NIAGARA REGION



Niagara Region

The Niagara Region includes park facilities in the Counties of Erie and Niagara along the north western border of the state. The region's parks are located along Lakes Erie and Ontario and the Niagara River and most are located close to the urban areas of Buffalo and Niagara Falls. The region covers fourteen park facilities, with the headquarters located at the Niagara Reservation in downtown Niagara Falls.

The fulltime complement of police officers includes twenty four sworn officers. The rank structure in the region includes a captain as commanding officer, two lieutenants, six sergeants and fifteen police officers. During the summer months an additional twenty four officers are hired, bringing the sworn total to forty eight.

During the off-season the park police allocate two motorized patrols on the day shift, three on afternoons and three on nights. Additionally a foot patrol officer works each shift in the Niagara Reservation. There are also supervisors assigned on all three tours of duty. During the peak season motorized patrols are increased significantly on the afternoon and night shifts, while foot patrols are upgraded at the Niagara Reservation.

As with all regions the police in Niagara face a variety of police activity. A major area of concern that is different here than in most other regions is the international attraction for Niagara Falls (Niagara Reservation). Here the park police must greet thousands of tourist annually.

The factors listed below were considered in respect to calculating the Niagara Region's assignment/availability factor.

<u>Factor</u>	<u>Number of Days</u>	<u>x8</u>	<u>Number of Hours</u>
Regular Days Off	104		832
Vacation	19.9		159.2
Personal Leave	4.6		36.8
Sick/Injury	11.25		90
Military Leave	1.25		10
Holidays	2.08		16.64
Compensatory Time	--		--
Court Time (on duty)	13.29		106.32
Other	.16		1.28
Totals:	<u>156.53</u>		<u>1252.24</u>

As was previously stated, once these calculations are completed, the hours are totaled. The resulting number represents the average amount of hours an officer is away from duty each year. If this number is subtracted from the basic man year of 2,920 man hours (365 days x 8 hours) the difference would represent the total hours available by an officer for duty.

$$\frac{\text{Hours in man year}}{2,920} - \frac{\text{Average Hours Off}}{1252.24} = \frac{\text{Hours Available}}{1667.76}$$

The above 2,920 hours in a man year is then divided by the hours available to calculate the availability factor. This availability factor will be used to determine the total number of personnel needed to fill the posts which are utilized in the Niagara Region.

$$\frac{\text{Total Hours in a Man Year}}{2,920} \div \frac{\text{Hours Available}}{1667.76} = \frac{\text{Assignment/Availability Factor}}{1.75}$$

Finally we integrated the needed posts to a staffing chart with the availability factor included to account for an officer's time off. The result is represented below shows the recommended staffing during the off season.

Niagara Region Proposed Staffing Chart

<u>Post</u>	<u>Nights</u>	<u>Days</u>	<u>Afternoons</u>	<u>Raw Score</u>	<u>Rounded</u>
Captain		1.00		1.00	1.00
Lt.	1.00		1.00	2.00	2.00
Sgt.	1.00	1.75	1.00	3.75	4.00
Post 1	1.75	1.75	1.75	5.25	5.00
Post 2 (foot)	1.75	1.75	1.75	5.25	5.00
Post 3	1.75		1.75	3.50	4.00
Post 4	1.75		1.75	3.50	4.00
Post 5			1.75	1.75	2.00
Post 6			1.75	1.75	2.00
Dispatch (Civilian)	1.75	1.75	1.75	5.25	5.00
				Total:	34

The Bureau for Municipal Police recommends that the Niagara Region increase their present staff from 24 sworn to 29. In addition, BMP recommends that 5 civilians be hired and trained to operate the desk and dispatch operation. By utilizing civilians on the desk, sworn officers are free to perform patrol functions. The advantages of using civilians is explained in greater detail in the Appendix D of this report dealing with civilianization.

	<u>Present Staffing</u>	<u>Proposed Staffing</u>	<u>Difference</u>
Sworn	24	29	+5
Civilian	-	5	+5

2018 Legislation of interest to the PBA of New York State

1. **S5594B Golden *Same as* A7600B Abbate (3/4 Disability)**
2. **S4634A Funke *Same as* A6413A Abbate (University Heart Presumption)**
3. **S6234 Akshar *No Same as* (20 year retirement bill)**
4. **S3987 Funke *Same as* A 1459 Jenne (Increases Forest Ranger Staffing)**
5. **S5267 Funke *Same as* A6968 Solages (Park Police Merger Bill)**
6. **A 8795 D'Urso *Same as* S 6316 BROOKS (Relates to Illegal Dumping)**
7. **S7534 YOUNG (Relates to Zoar Valley)**
8. **A8109A Abbate *Same as* S6571A GOLDEN (Relates to increasing lump sum payments)**