

UNIVERSITY POLICE | ENCON POLICE



PARK POLICE | FOREST RANGERS

Good Afternoon.

My name is Manuel Vilar and I am the President of the Police Benevolent Association of New York State, a police labor union representing the interests of the Agency Police Services (APS) bargaining unit. On behalf of the PBA of NYS and its 1,100 plus uniformed police officers I want to thank you for allowing me the opportunity to testify this afternoon.

I also am in my 29<sup>th</sup> year as a Police Sergeant in the New York State Park Police who lives and works on Long Island. I am proud to appear here today and speak on behalf of the dedicated uniformed police officers working in the State University Police, the State Environmental Conservation Police, the State Park Police, and the State Forest Rangers.

These brave men and women put on their uniforms 365 days a year to protect our state's SUNY students, citizens and visitors from every peril ranging from natural disasters to dangerous felons.

I am here today to not only discuss the potential impact of the Governor's proposed budget on our members but the potential ramifications several proposals would have on our officers' ability to continue the exemplary level of service provided to the citizens of your constituencies across the State. But first, I would like to illustrate some of the dangerous and needed services our members performed in the aftermath of Hurricane Sandy to give you a better sense on what types of services are impacted by the Governor's proposals.

When Hurricane Sandy devastated Metropolitan New York, Nassau and Suffolk Counties State University Police Officers, State Environmental Conservation Police Officers, State Park Police Officers, and State Forest Rangers were called upon to perform many aspects of the State's response and rescue efforts.

For instance, starting on October 29<sup>th</sup> Forest Rangers staffed the State Office of Emergency Management Center in Albany as well as

the DEC Emergency Response Coordination Center. Environmental Conservation Officers and Forest Rangers were deployed to assist in establishing Incident Command Posts in New York City, Nassau and Suffolk counties. State Park Police Officers secured the barrier island access points of Fire Island and State University Police Officers prepared and secured entire college campus populations.

Many of our PBA members put their personal lives on hold and worked under extreme weather conditions to help their fellow New Yorkers. PBA members conducted anti looting patrols, led search and rescue missions and assisted in restoring vital services.

In recent years, PBA members have performed exemplary and above the call of duty and here are just a few examples among many.

1. State University Police patrol daily some of NYS most ethnically diverse mini city type communities on SUNY campus. Crimes range from major felonies to quality of life issues - all in protecting NYS most prized possession, our children.

Additionally these highly trained officers render first aid, provide

initial firefighting response and respond to a wide range of emergencies all the while being ever vigilant to the possibility of another Virginia Tech or Sandy Hook. Such a potentially lethal situation was thwarted when a former student at SUNY Brockport was apprehended on campus possessing a high capacity rifle with a high capacity magazine and hundreds of rounds of ammunition.

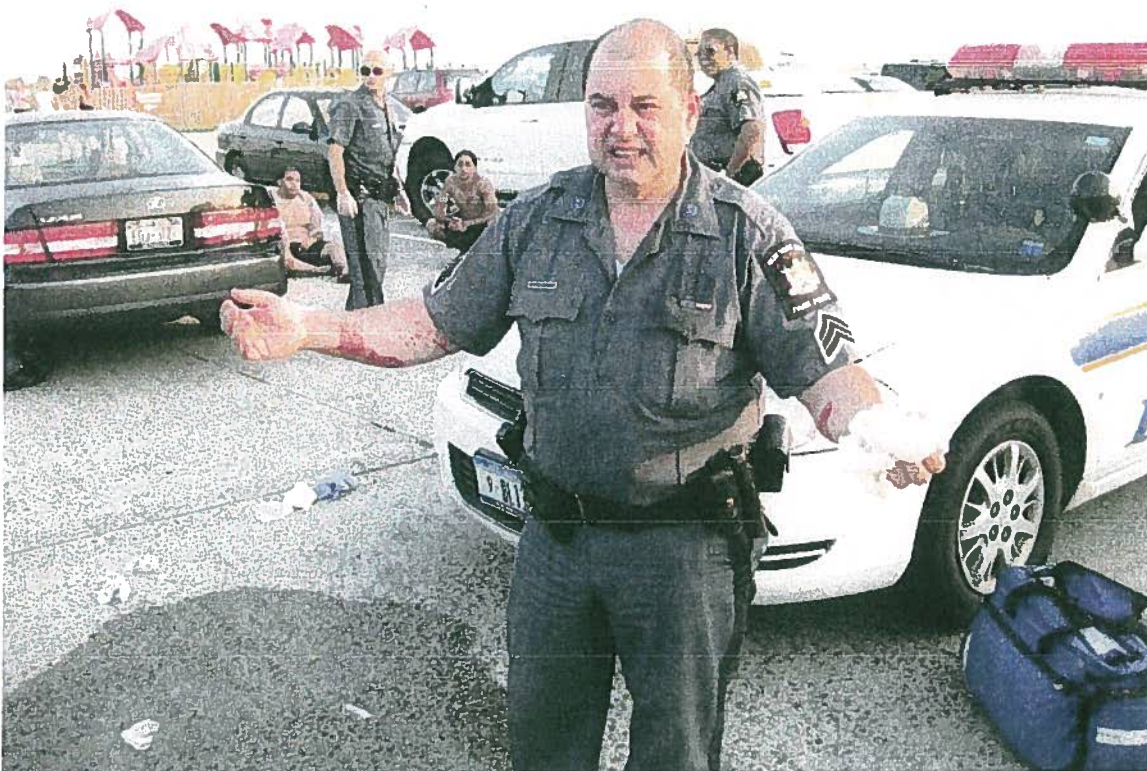
2. State Environmental Conservation Police recently made a major arrest while protecting our fish and wildlife by taking \$2 million of elephant ivory off the black market in one operation alone. In another high profile case Attorney General Eric T. Schneiderman announced a joint international probe into illegal smuggling of invasive and endangered species which lead to cross-border convictions of a Canadian fish smuggler for illegally exporting invasive species into the U.S.
3. State Park Police saved several lives by performing extremely difficult marine rescues from the brink of Niagara Falls. Arrests were made thwarting a child abduction and of a defendant attempting to take photographs of children in a state

park bathhouse. Park Police have worked closely with both the State Troopers and US Border Patrol on drug trafficking on our northern border with Canada. Last year, 207 State Park Police Officers protected approximately 60 million visitors, a 5.6 percent increase over the same period in 2011.

4. State Forest Rangers were involved in 274 search and rescue missions in various and remote locations ranging from the hikers in the High Peaks, to fisherman on Long Island, to a 13-year old boy lost while hunting in Chenango County on Christmas Eve. Since 1994 NYS has acquired of a million additional acres of public land but yet there has been a 20% decrease in the Forest Ranger force.

PBA members provided critical law enforcement and rescue capability that serve the local residents and non-New York State residents alike.

The recent tragic shootings at Newtown Connecticut and Webster NY only highlight the need for the highly specialized skills PBA members are trained in.



If you turn to page 6 of my written submission, you will find a photo of myself covered in the blood of a drug using assailant whom was arrested for domestic violence at Robert Moses State Park Field 5. This event took place in June 2012.



The assailant after violent conduct toward his girlfriend became involved in a larger disturbance and fight that involved knives. At the time I was the only patrol officer at Field 5 policing a crowd of over 5,000 persons with a total park attendance over 35,000. The assailant was ultimately arrested but not before being knifed multiple times.



To protect the public, without the sufficient Police Officer staffing and proper equipment such as Tasers, myself and the only two other State Park Police Officers working that day were all exposed to an

admitted drug user's blood while attempting to place the assailant under arrest.

In past years PBA members lifesaving actions have been recognized by Governors, this esteemed Legislature, as well as countless municipalities for the heroics and vital service PBA members provided.

I provide these examples today, not only to recognize the heroic efforts of our officers to which there are many more not mentioned, but to provide you with a background of the vital services impacted by a failure to provide dedicated funding for Police Services in SUNY, DEC and OPRHP in the proposed Budget. Governor Cuomo has earned the respect and admiration of this union, and he has shown great leadership, however, we have concerns regarding this Budget proposal.

First, State University Police Officers are the only Police Officers not included in the Police and Fire Retirement System instead they are in the same system as secretaries and highway workers. Did you know that Tier VI would force SUNY police officers to work until age 65?



Think about that, a 65 year old person wrestling with an intoxicated 19 year old college student. SUNY Officers in tier V presently have to work until age 62, which is disconcerting enough. We understand pension system costs, but to not correct this inequity would be a terrible mistake and injustice. Further State Environmental Conservation Officers, State Park Police Officers and State Forest Rangers are in a sub-par section of the Police and Fire Retirement system and are denied the same retirement benefits of a State Trooper and every other Municipal Police Officer in New York State despite working a career alongside them.

Second, all PBA members need the same on duty injury protection as municipal police officers covered under section 207(c) of the municipal law. Often such benefits provide the only source of income for our gravely injured officers and their families.

Third, a continuing issue of growing concern unaddressed in the Governor's proposed budget is the low manpower in our agencies. While we applaud the Governor's proposal for the hiring of additional State Troopers, there is no mention of PBA represented Agencies.

Currently, SUNY continues to hire Police Officers on a campus by campus level, DEC has a scheduled May Environmental Conservation Police and Forest Ranger academy and the Park Police currently has a recruit class of 38 members. The attrition rate at SUNY is almost one for one, DEC has a third of its two police forces eligible to retire and the Park Police still remains at a little over half its proposed staffing and remains in a man power crises. The lack of hiring is further compounded by recruitment and retention because of inequity in the retirement system and on-duty injury protection. These problems are at the root cause of critically low staffing levels.

In fact, we have numerous vacant police positions in the different police titles in our unit resulting in an inability to adequately respond to incidents such as the illegal discharge of toxic waste, a lost child in the woods, the aforementioned hurricane, or even a large scale criminal incident at one of our parks or SUNY campuses. Based on current data, these vacancies will rise considerably as there are a considerable number of retirements anticipated in the coming year.

As such, the PBANYS requests that additional funding be allocated to fully staff The State University Police, The State Environmental Conservation Police, The State Park Police, and the State Forest Rangers.

As drafted, the budget does not provide for the ability to adequately equip our officers. For example, there has been no or limited purchase of police vehicles, our Police Officers are driving around in vehicles with over 150,000 miles on them. A number of our SUNY campuses still have not purchased rifles and other tactical equipment to thwart a Virginia-Tech style assault. These shortcomings must be addressed for our members to adequately perform their already dangerous jobs.

In closing, the number one duty of government is to protect its citizenry. This Legislature has understood that and has continuously been a strong supporter of our uniformed agencies across the state, and in these times of attacks on our pension system and dangerously

low manpower, we ask that the Legislature once again help us protect the public that we are sworn to serve.

I only hope that next year I do not find myself before you speaking of the deadly incident that could have been prevented as this past year came perilously close.

Thank you for the opportunity to speak and I am more than happy to take any questions you may have.

Manuel M. Vilar  
President  
Police Benevolent Association of New York State