

UNIVERSITY POLICE | ENCON POLICE



PARK POLICE | FOREST RANGERS

February 26, 2015

Good afternoon Chairman Farrell, Chairman DeFrancisco, and members of the Joint Legislative Budget Committee. My name is Manuel Vilar and I am the President of the Police Benevolent Association of New York State as well as a Sergeant in the New York State Park Police. Next to me is Peter Barry, PBA Vice President and a State University Police Officer at SUNY Albany. On behalf of the Police Benevolent Association of New York State and its 1,200 plus uniformed police officers, we want to thank you for allowing us the opportunity to testify this afternoon.

The Police Benevolent Association of New York State (PBANYS) is the certified collective bargaining union representing police officers assigned to the State University Police, the State Environmental Conservation Police, the State Park Police, and the State Forest Rangers. At this time I'd like to turn it over to Vice President Barry.

We are here today to discuss three issues relating to the protection of the citizens we serve in New York.

First and foremost, staffing deficits impact each unit of the PBA and their ability to best meet the needs of the general public and their fellow officers. Nowhere is this more evident than on State University campuses.

We respectfully request that the Legislature include S.3221 (Robach) / A. 4519 (Abbate) and the appropriate funding in the 2015-16 budget. This legislation would allow State University Police Officers the option of transferring into the New York State Police & Fire Retirement System (P&F) from the New York State Employees Retirees System. 563 police departments have a police pension and only one, the University Police Department, does not.

Pension disparity between University Police and other police agencies has created a serious turnover and stability issue for the State University System. It is a simple fact that campuses are much safer with a stable police force. SUNY's officers are highly and uniquely trained for their environment.

With the passage of the Tier 6 retirement bill, all newly hired State University Police Officers are required to work until age 63; at least twice as long as officers in all other departments. This would require a new 21-year-old SUNY cop to work 42 years in a community of students in their teens and early twenties. All other police officers in the P&F were exempted from this Tier 6 change.

Tier 6 also changed death and disability benefits for SUNY Police Officers creating an indefensible and highly offensive structure of vastly inferior benefits for one department of police officers in New York State.

The State clearly believes in the strength and ability of our men and women. In recent years you've added many new responsibilities to the force including the creation of Start-Up New York, an increased role in fighting the heroin epidemic, new sexual assault reporting measures and rules, mandatory active shooter training and the deployment of officers to respond to natural disasters.

We strive for diversity in our ranks so our force reflects the population we serve. However, young State University Police Officers are receiving training and experience at SUNY, only to leave that department for a different state or local police agency offering the P&F plan. The fact is many police departments are seeking qualified women and minority officers and SUNY police officers are often targeted for recruitment by municipalities because they are well trained and disgruntled by the lack of retirement parity with their fellow officers.

We have become the training ground for other departments and SUNY is eating the cost. It is a ridiculous waste of resources and, as the economy improves, municipal police agencies are seeing their hiring budgets increase. SUNY Police Chiefs have indicated that they expect to see the number of resignations from SUNY police officers to increase. After all, 95% of municipal police departments offer a 20 year plan with appropriate disability benefits and the remaining 5% offer a 25 year plan.

Attrition rates on some campuses top 100%. The situation has gotten so bad that SUNY administration officials are using the term 'critical' to describe police staffing. Those same officials estimate that it costs between \$85,000 and \$100,000 to properly recruit and train a police officer for duty, and this figure does not include the intangible cost of losing continuity and experience. According to SUNY officials, the system has lost well over \$5 million since 2008 and they project to lose another \$10 million in the next five years.

It is significant that this issue has long received the support of both labor and management. Chancellor Zimpher's own written budget testimony includes the need for pension equity, and calls on the legislature to help her system compete with other police entities. Both sides recognize the problems the SUNY pension disparity causes with police morale and campus safety, and that the ultimate fiscal implications caused by turnover need to be dealt with immediately.

The inclusion of parity legislation for SUNY police officers in the budget would put an end to an enormous amount of fiscal waste at an already under-funded SUNY system. For all of the above-stated reasons, I strongly urge you to include this legislation in an Article VII budget bill and add the appropriate funding to the final enacted budget.

I will turn it back over to President Vilar to present the rest of this testimony.

Thank you.

The second item we want to discuss with you is the outdated radio system used by uniformed officers at the Department of Environmental Conservation.

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, fires, and citizens in distress. We protect 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.

Forest Rangers and Environmental Conservation Officers are forced to use a variety of outdated and dysfunctional equipment every day due to budget cuts and flat spending. A prime example of this is our radio system, which has not been upgraded in decades and is completely useless when trying to communicate with other police, fire and rescue entities.

The DEC has, for many years, maintained a communications system composed of radio towers, base stations, mobile and portable radios. DEC emergency response personnel and the public are dependent on this system to allow for the timely dispatch of resources and the exchange of information during environmental and man-made disasters, searches, rescues and law-enforcement responses throughout the state. Unfortunately, the DEC continues to operate an analog radio system and its components (some of which date back to the 1970s) are obsolete and therefore incompatible with the newer digital systems being put into use by local municipalities. Today, DEC emergency responders are frequently unable to communicate with local or state-wide emergency response organizations or even with their own agency's dispatch center.

Our officers often spend entire shifts in remote areas such as the Adirondack Park and they are typically alone while on duty. In emergencies, they have had to resort to using their personal cell phones to relay important information or create a communication chain across a region in order to broadcast important messages from an emergency site to command.

As you know, cell service is not available in every part of the state and the other option is an enormous waste of talent and resources.

The issue not only creates safety concerns for our officers, but for the general public as well. Routinely, Environmental Conservation Officers and Forest Rangers miss calls for assistance and back up because they cannot receive transmissions from municipal PDs or the State Police. Recently, our officers missed calls for domestic disputes and an officer-related shooting minutes away from where they were working. This is unacceptable in this day and age of advanced technology.

We ask for a one-time capital grant to the Department of Environmental Conservation of \$6.5 million for a radio system upgrade. This is a perfect use of surplus funding.

The third and final item we would like to discuss with you today concerns the lack of adequate patrol vehicles for members of the State Park Police. We are currently in need of everything from police sedans to trailers.

The 265 members of the New York State Park Police are first responders entrusted with the protection of over 61 million visitors each year in New York State parks and campgrounds, as well as state historic sites, wilderness areas, waterways and snowmobile and recreational trails. We can be found in every corner of the state from Niagara Falls to Montauk Point and are highly trained police professionals with unique skills and duties.

State Park Police Officers protect lives and natural resources on public and private lands. We police criminal activity, are first responders during times of emergencies and extreme need such as natural disasters like Super Storm Sandy, the recent blizzards or the constant threat of terrorism at state parks attended by millions of people. In short our training is intense, and so are the duties we perform. State Park Police often make courageous rescues in ocean waters off Long Island, on the brink of Niagara Falls, the gorges of Genesee or on a snowy mountainside snowmobile trail.

In order to continue to conduct these patrols and provide lifesaving services we must replace our aging patrol vehicles and transportation equipment. As with DEC, years of cuts and flat budgets at OPRHP have created conditions ripe for failure that could ultimately cost lives. Current and future State Park Police members must have operationally safe vehicles and modern transportation equipment so they can respond expeditiously to the needs of the public. We are in dire need of police sedans, four wheel drives, snowmobiles, ATVs, boats, bicycles, and transportation trailers to patrol and provide rescue services to areas inaccessible to other vehicles.

The Office of Parks, Recreation and Historic Preservation has indicated that they anticipate purchasing law enforcement vehicles out of the State Parks Infrastructure Fund in the capital budget. However, it remains unclear how much will be designated to law enforcement vehicles at this time. We ask the Legislature to ensure that the final enacted budget contains an appropriation of \$ \$2.2 million dedicated to the purchase of law enforcement transportation vehicles and equipment this year.

Again we thank you for this opportunity to speak today. Are there any questions?