

UNIVERSITY POLICE | ENCON POLICE



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**TESTIMONY OF BERNARD RIVERS**  
**VICE PRESIDENT AND ENVIRONMENTAL**  
**CONSERVATION POLICE LIEUTENANTS DIRECTOR**  
**FOR THE POLICE BENEVOLENT ASSOCIATION OF**  
**NEW YORK STATE**

**FEBRUARY 4, 2013**



## Budget Hearing Testimony

For

02/04/2013

Good morning/afternoon Members of the Joint Legislative Committee. Thank you for giving me the opportunity to speak before you today. I am Bernard Rivers, Vice-President CCO for the Police Benevolent Association of New York State and the Director for the EnCon Police Lieutenants as well as a 21 year Member of the Division of Law Enforcement with the Department of Environmental Conservation. I've been employed by the State in a Law Enforcement capacity for 31 years. As a Member of the Division of Law Enforcement with the DEC, I am proud of how far we've come from our origins in 1880 as Game Protectors (AKA Teddy's Men of Courage), patrolling on horseback, to what we've evolved in to as Environmental Conservation Police Officers, covering all of the State of New York from Long Island to Buffalo.

We are the only State Law Enforcement unit that has uniform members assigned to every County in the State, including all of the Boroughs' of the City of New York. Over the years our members have continued to enforce the Game Laws of the State as well as enforcing the rest of the Environmental Conservation Law which, as you know, includes everything from regulating Medical and Hazardous waste to enforcing of the New York State bottle law. We also enforce the endangered species Act, and work closely with other Local, State and Federal agencies, enforcing both State and Federal Statues. When we are not doing our routine duties we train and are ready to respond to emergencies whether it be responding to provide back up, to other law enforcement agencies for traditional law enforcement complaints, or responding to community needs during natural disasters such as Hurricanes' Irene and Sandy, as we have done in the past.

We've done all of this in spite of the fact that over the last 4 plus years, due, in part, to the fiscal constraints of the State, the Division of Law Enforcement as well as the Forest Rangers, and Spill Responders, have had to operate vehicles well

beyond their usefulness as mission capable emergency response vehicles.

We in DLE are currently are operating a fleet of approximately 341 vehicles. 341 vehicles may sound like a lot of vehicles but we must remember that unlike traditional police agencies, EnCon Officers and Forest Rangers do not work out of a station house and work in the field for most of their functions during different hours day and/or night.

Of the 341 vehicles in service 3/4 or 75% of the fleet is more than 6 years olds.

These vehicles are on patrol across the state now. The 2007 & 2008 vehicles are at the end of their usefulness of their Emergency Response Mission Readiness where as the 2001 to 2006's are well past that point. Of these 331 vehicles 158 vehicles have over 100,000 miles. of that 158, 26 have over 150,000 with another 43 vehicles rapidly approaching that 150,000 mile mark, as well as a hand full of vehicles that are close to the 200,000 mile mark .

Over the last 3 years we have had the drive shaft fall out of a 2004 blazer, the brake lines rust out on a 2004 Durango, and we've had wheels fall off of 3 different 2005 Jeeps all while our members were on patrol. These examples do not include the number of vehicles who's batteries have drained while their emergency lights were on and while engaged in enforcement or emergency response activities. Luckily no one from the public was hurt, nor were our officers. What few spare vehicles we have, also have high mileage and/or are down for repairs consistently.

In March of 2012 we were able to get 13 new vehicles, the first replacement Vehicles the Division of Law Enforcement received since 2008. However, because of the loss of the 3 operations people who use to equip the department's emergency response vehicles with lights and emergency equipment, the department is now down to only 1 operations person to do all of the emergency wiring of the vehicles.

Therefore only 2 of those 13 (2012) vehicles have made it into the field since the Agency took possession of them last March (of 2012) while the remaining 11 sit idle at the DEC's Port of Albany Operations' Facility, awaiting to be made Mission Ready for patrol.

Currently the Division of Law Enforcement has 52 throughout its ranks. We are expecting another 30 plus vacancies by year's end. We are currently gearing up for a 50 recruit Academy Class. This Class will consist of 32 Environmental Conservation Police Officers and 18 Forest Rangers. This will help keep us close to our current levels, but will still be below our authorized strength of 330 Environmental Conservation Officers. Without the replacement of vehicles, at this rate, there will not be enough patrol vehicles for the members in the field to operate safely.

In closing, I would ask that you restore funding to the Agencies operations budget so that vehicles can be purchased to replace our aging Fleet, and to ensure that we will have operational vehicles for our Members. I also ask that the funding be put in the budget in a way that would ensure that the agency uses it for Law Enforcement, Ranger and Spill response vehicles. I also ask that you look at the Governor's proposal for the additional \$15 million dollars projected in the bottle bill revenues which will be directed to the EPF for 2013-14, and see that some of that funding be directed to the Division of Law Enforcement to help ensure that we are able to keep our equipment and vehicles Mission Ready.

Thank you



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**Testimony of Drew Cavanagh  
Secretary of the Police Benevolent Association  
of New York State**

**February 4, 2013**

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Good Afternoon,

I want to thank the committee for this opportunity to testify. My name is Drew Cavanagh I am the Secretary of the 1,100 member Police Benevolent Association of New York State. I have had a twenty year career with the Department of Environmental Conservation and I currently serve as the Forest Ranger Captain for the western Adirondacks including Jefferson, Lewis, Herkimer, Oneida, and St Lawrence counties. I am proud to come here today, and I appreciate the opportunity to speak on behalf of the Forest Rangers who protect the people and resources of the state of New York.

I am not here to tell you about what we once did, or what we want to do, or what we can't do any more. I am here to tell you about the vital services we deliver today. You may know us because we respond when the public is in need.

Last year Forest Rangers were involved in 274 search and rescue missions. Rescue Missions that helped your families, your friends, your constituents and your neighbors. It's the single most important thing we do!

When a 76 year old man went missing for three days in Caleb Smith State Park in Suffolk County, it was the Forest Rangers who were brought in to assist the Park Police and organize the search that found him.

When a 13 year old boy who was hunting with his father became lost in Chenango County, it was the Forest Rangers who spent a frigid and snowy Christmas eve night locating him.

When an ice climber fell and injured himself in the rugged High Peaks of the Adirondacks, and bad weather made it too dangerous for a helicopter to rescue the man. It was a team of Forest Rangers who spent

a night on the mountain stabilizing the man and then spent 18 hours carrying him to safety.

When Long Island and metropolitan New York were devastated by Hurricane Sandy and its aftermath, there were the Forest Rangers, brought in to organize relief efforts. Forest Rangers assisted with chainsaw crews to free city streets and parks. They organized debris removal crews in Suffolk and Nassau Counties. Long after most volunteers had gone home, and Hurricane Sandy was old news, your Forest Rangers stayed - in communities like Breezy Point and Roxbury - coordinating security, communications and shelter for New Yorkers who are still trying to recover from a life altering event.

Forest Rangers patrol and protect the millions of acres of land that make up the Adirondack and Catskill Parks in which all New Yorkers take pride. But to protect the public and to protect our natural resources the Forest Ranger has to be there and he or she has to be equipped to patrol safely and effectively.

Many of you know there are Forest Rangers who live and work in your communities. In remote locations, the Forest Ranger is a familiar face to the public. The Forest Ranger has always been the one your family is happy to see in their campsite, or in your child's classroom, or on a trail when you go hiking. You know we are out there helping to keep you safe and I know you want us to continue to be out there keeping you safe.

I am here asking for the ability to continue doing our job. We understand the state has been through a difficult financial crisis. We were pleased to see Governor Cuomo's budget for 2012 allowed two new classes of State Troopers. And we are again pleased to see Governor Cuomo's budget for 2013 include over three hundred more new State Troopers. However no new Forest Rangers have been hired since 2008 and many have retired. Our force is aging and 20 percent smaller than it was only a few years ago. There are communities both upstate and downstate where Forest Rangers have retired and no one is there to take their place. For the first time in many years, we no longer

have Forest Rangers protecting the costal wetlands at Mount Loretto on Staten Island because we simply do not have the personnel. I urge that funding be allocated for a new Academy class of State Forest Rangers.

Being a Forest Ranger is an old and time honored profession. And I wish all that was needed was a Stetson hat and a strong pair of boots. But we need more than that. A lot more. We need trucks to take the Forest Rangers to the trailheads. We need fire engines to help local volunteers fight wildfires. We need command vehicles to organize searches for lost children. We need boats to patrol rivers and lakes. To sum it up, we need a lot of very specialized equipment to do a very specialized job. Is it important? You bet it is. When a child is missing or a home is threatened by fire or a community has suffered a natural disaster it's that important!

Our fleet of equipment is aging. Only a handful of new vehicles have been purchased for Forest Rangers since 2008. Many Forest Rangers are operating vehicles from the 1990s, often with hundreds of thousands of miles on them. We need dependable equipment to respond

to emergencies. During Hurricane Sandy, one Forest Ranger, who was critically needed to assist in the Office of Emergency Management's command center couldn't respond because his patrol vehicle broke down. Another Forest Ranger, operating a 10 year old vehicle with well over 100,000 miles on it, found himself marooned after dark in a remote area of the Adirondacks because the steering failed putting him in jeopardy. Everything needs to be replaced eventually, and for much of our equipment, the time is now. Just as our manpower is being depleted, so is our vehicle fleet. I urge that funding be allocated to update our vehicles and supplies.

In closing, we are proud to be Forest Rangers in the Department of Environmental Conservation and the people can be proud of us. It is our sworn duty to protect lives and resources. Many in the legislature have been strong supporters of uniformed agencies, strong supporters of the Department of Environmental Conservation, and strong supporters of Forest Rangers. We ask for your continued support. Thank you for the opportunity to speak and I would be happy to answer any questions you may have.

**Drew Cavanagh**

**Secretary Police Benevolent Association of New York State**

