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**2023 Joint Legislative
Budget Hearing Testimony
Environmental Conservation**

**Submitted on Behalf of the
Environmental Conservation Police
Officers Benevolent Association**

By: Matt Krug, Director

**State Job Title: Environmental Conservation Police Officer
State Job Location: Region 5**

Contact Information

Email: pbaadmin@pbanys.org

Office Phone: 518-433-5472

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Good evening, Madame Chairwomen, and respected members of the panel.

My name is Matt Krug, and I am the Director of the Environmental Conservation Officers and serve on the Board of Directors of the Police Benevolent Association of New York State (PBANYS), a law enforcement union representing the State Park Police, State University Police and the Environmental Conservation Officers and Forest Rangers of the Department of Environmental Conservation. I also appear today on behalf of the New York State Environmental Police Lieutenants Benevolent Association and the New York State Environmental Police Superior Officers Association.

My testimony this evening will focus on the current needs of the 284 New York State Environmental Conservation Officers (“ECO” or “EnCon Officer”).

First and foremost, I would like to thank Commissioner Seggos for providing much needed geographic pay for our officers downstate. The \$15,000 geographic pay for those who work in the New Paltz region and south will help our retention and recruitment.

From 1880 until 1970 we were called Game Protectors, sworn officers appointed by the governor who were primarily engaged in fish and wildlife protection. In 1970 we formally adopted the title of Environmental Conservation Officer and since then our job duties have significantly expanded.

In 2022 the 200 or so field officers and investigators completed over 25,000 calls for service. Fifty-eight percent of those calls for service dealt with environmental quality complaints, which include destruction of wetlands, illicit application of pesticides, aquatic invasive species, air pollution, petroleum spills, illegal disposal of garbage and construction materials and even the returnable container law.

The other 42% of calls for service are related to fish and wildlife. These calls vary from hunting and fishing to nuisance bears complaints. Environmental Conservation Officers routinely handle dangerous and venomous wildlife to not only protect people but the animals as well. The dangerous and venomous wildlife calls vary from alligators to rattlesnakes, and I have even seized lived elephants.

Our investigators work with US Fish and Wildlife to combat the endangered species trade. We also field nine K9 units who specialize in man tracking and shell casing detection. Our most serious work deals with death investigations on state lands, tree stand falls and hunting related shootings in particular.

Besides the enforcement of the conservation law and all other laws in New York, we are first and foremost first responders that have answered the call for every man-made or natural disaster this state has faced. Most recently my fellow officers responded to the Buffalo blizzard over the holidays. We routinely respond to floods, hurricanes, snowstorms, as well as protests, man hunts and terrorist attacks including 9/11.

Our work is diverse and constantly evolving. The 30 weeks of academy training is just the beginning and continues throughout our careers.

During COVID, my fellow officers were in charge of testing and vaccination sites throughout the entirety of the pandemic. Those that were not working at COVID sites, still went to work every day protecting the people, wildlife, and natural resources of our state at a time when use of state lands expanded dramatically as people looked for opportunities to safely leave their homes.

The Climate Leadership and Community Protection Act largely focuses on the transition to clean energy and is expected to cost 35 billion dollars. Forty percent of that money is dedicated for climate justice areas.

These climate justice areas are overwhelmingly populated by minority and lower socioeconomic residents. The asthma rate of children in these communities is 1 out of every 3. Vehicle emissions are the top source of air pollution and transitioning to electric vehicles will take decades. The fastest and most cost-effective way to immediately reduce pollution in climate justice communities is to hire more Environmental Conservation Officers.

As an environmentalist, I applaud the goals of the Climate Leadership and Community Protection Act, along with other recent legislation that has passed to protect the environment.

However, the enforcement of that legislation falls onto the shoulders of the depleted ranks of Environmental Conservation Officers.

Last April, the legislature expanded the protection of one million acres of wetlands but did not increase funding for environmental conservation officers who will be on the front lines protecting these wetlands. Aquatic invasive species legislation was enacted in 2021 to prevent the transport of invasive species, but once again our enforcement budget was not increased.

The last time any additional enforcement personnel items were added was in 2013 when bottle bill legislation was enhanced and created two investigator items. Currently those investigator items in New York City are vacant, as our hiring has not kept up with the need to enforce the laws New York state passes to protect our environment.

Of the approximately 3,000 Dept of Environmental Conservation employees, approximately 2,500 of those are civilian staff that process permits, conduct sampling, teach sportsman's education, operate campgrounds and complete compliance checks at businesses. The Environmental Conservation Officer ranks at full capacity would be 342, a number that has remained largely unchanged for decades. However, our current staffing is at 284. And I'm sad to say that only 7% of our officers are female, and less than 1% ethnically diverse.

My management has made multiple requests to civil service to allow us to take lateral transfers from other police agencies to fill our 58 current vacancies, but the Department of Civil Service has ignored those requests for the last year. There are tentative plans for a 50-person academy class in 2024 but that will still leave us with vacancies. Currently we only have two officers assigned to patrol the Bronx.

I am proposing that we add an additional 90 Environmental Conservation officers to climate justice areas. The cost to hire these 90 additional items is approximately \$13.5 million annually. These officers would patrol for idling diesel engines, harmful emissions, pesticides, and even radioactive medical waste.

In 2021, NYPD had over 14,500 candidates sign up for their civil service test. In 2022, over 16,000 individuals signed up for the State Trooper test. Last September we had only 3,600

individuals sign up to become Environmental Conservation Officers. The majority were white male candidates from upstate New York. To hire a more diverse work force, we need to enhance pension and pay benefits to attract more qualified candidates. Specifically, we need to attract candidates from New York City and other climate justice areas.

Pension parity is number one on this list, as Environmental Conservation Officers and other members of the PBA of New York State have a 25-year retirement, where NYPD and State Police both have 20-year retirements. Our twenty-year pension legislation has now been vetoed twice by Governor Hochul, and we remain in the 6% of Law enforcement statewide that do not have a twenty-year retirement – and the impact is more than apparent.

Our job is dangerous as we routinely deal with gun shots and assaults, rabid animals, and toxic chemical exposure. We have had four officers pass away from 9/11 related illness and more are currently under treatment from their time at ground zero. The twenty-year retirement is not perk paid for by the taxpayers, but rather a recognition of the physical and mental wounds accumulated over a career spent safeguarding the residents and precious resources of the Empire State.

To better protect those officers, we need an increase in our equipment budget which has been stagnant for the last eighteen years.

We need \$200,000 dollars for rifle rated body armor, which is necessary protective equipment for the men and women who on a regular basis encounter more armed subjects than any other state agency.

We need new off-road equipment like ATVs, snowmobiles, and small watercraft to deal with blizzards and hurricanes.

We also need \$1.2 million for a 46-foot offshore vessel to safely patrol the Long Island Sound and Atlantic Ocean to not only monitor the construction of wind turbines, but also protect commercial fisheries and perform other emergency operations.

Lastly, the criminal justice reforms that were passed in 2020, have also reduced environmental enforcement by removing officers from the field to complete discovery and other

additional paperwork. I am requesting \$2.5 million for computer software that will allow us to prepare the necessary paperwork and compile evidence more efficiently in accordance with state mandates. This is cost neutral, as this software will reduce overtime usage and allow more time for officers to pro-actively patrol.

I thank you for this opportunity to present testimony on behalf of my fellow environmental conservation officers.