

1 In addition to the New York State
2 University Police, there are 4 other New
3 York State Police agencies: The New York
4 State Troopers, Environmental Conservation
5 Police, Forest Rangers and Parks Police.
6 Each of these police agencies utilize a
7 centralized model of police administrative
8 services, as that is the standard in the
9 industry. The state university system
10 employs a completely different model of
11 policing; a model which I am hard pressed
12 to find in any other form of government.

13 Upon implementation, this
14 decentralized police administrative model
15 immediately resulted in top heavy
16 management structure, which as of this year
17 supports roughly 65 management confidential
18 positions to supervise approximately 500
19 officers; that's approximately 1 management
20 confidential position for every 7.5
21 officers. Financially, the current
22 decentralized structure of the University
23 Police Department is costing the State
24 University System millions of dollars more

1 providing administrative services than the
2 other 4 police agencies combined.

3 Currently, SUNY's management confidential
4 administration structure costs taxpayers
5 roughly \$6.2 million annually to run the
6 day-to-day operations of its 28 police
7 departments.

8 By comparison, the other 4 police
9 agencies in New York State utilize only 24
10 management confidential positions at a cost
11 of only \$3.8 million even though they
12 collectively supervise over 4,500 more
13 police officers than the State University;
14 that's 1 management confidential position
15 for every 208 officers. As a reminder,
16 each of these departments utilizes a
17 "centralized" rank and file system, with a
18 single leader who delegates the required
19 actions necessary to fulfill the mission of
20 the agency.

21 What is most puzzling about the
22 administrative structure of the university
23 police system are the varying degrees by
24 which compensation packages are awarded to

1 each of these management confidential
2 positions; ranging anywhere from 67
3 thousand to \$184 thousand. In some cases
4 an assistant chief from one campus may make
5 \$30 thousand or more than another assistant
6 chief position from a different campus,
7 though they supervise many fewer officers.
8 Even more so, is -- is the fact that the
9 SUNY chief police positions post a greater
10 salary than that of the bigger municipal
11 departments in which they work or even more
12 than that the Superintendant of the
13 Division of State Police.

14 Because each SUNY police department
15 is independently operated, each is
16 responsible to employ a manual of
17 procedures or rules; a standard feature in
18 any institution, but critical within the
19 police department. Within SUNY, this
20 feature alone has resulted in a culture of
21 redundancy, as many SUNY police departments
22 are researching, writing and promulgating
23 manuals simultaneously.

24 Conversely, and what can be

1 considered more concerning, is the fact
2 that some SUNY police departments have not
3 promulgated their own manual of procedures.
4 No manual of procedures means no direction,
5 no standards for police response, no
6 consistency of emergency procedures. This
7 means a police officer employed at one
8 campus has little or no direction as to how
9 the university wishes to address a specific
10 incident. This creates a huge liability.
11 There are some university police
12 departments that have no operational field
13 training program, no standardized method
14 for training and evaluating new police
15 officers; also creating an unnecessary
16 liability.

17 In 2007 the New York State
18 University Police Officers Union testified
19 before the Senate Standing Committee on
20 Higher Education. In that testimony we
21 provided the committee with documentation
22 that showed the state university police to
23 be deficient with respect to staffing,
24 training, equipment and the ability to

1 respond to an active shooter incident like
2 the one that took place three months ago
3 only feet from the SUNY Brockport campus.

4 The genesis of the inequities
5 dictating SUNY's ability to provide state
6 university campus community with a standard
7 level of professional police services lie
8 within the respective offices of each
9 campus president. Each president provides
10 their police chief with a mandate and
11 budget. Nowhere in the SUNY System is this
12 more evident than at Geneseo.

13 For years officers at Geneseo
14 complained to the college president that
15 the police department was being mismanaged;
16 ill prepared to respond to critical
17 incidents, short staffed, under trained,
18 lacking proper resources and equipment. In
19 defiance, the college commissioned an
20 independent study to prove to the officers
21 that their complaints lacked merit. In
22 2009, Sprague Security, Safety and Risk
23 Consulting Group performed a departmental
24 audit. The findings showed that the police

1 department was, in fact, being mismanaged,
2 substantially, and the majority --
3 substantiating the majority of the claims
4 levied by officers. Sadly, departments
5 being run like Geneseo is not unique among
6 police departments.

7 The inequities of chief -- chiefs
8 receiving a budget and mandate from their
9 president has resulted in SUNY police
10 departments which are not equipped and
11 trained to respond to an active shooter
12 incident like the one previously mentioned
13 at Brockport, as opposed to SUNY police
14 departments like that at the University at
15 Buffalo, which immediately responded to a
16 swift -- in a swift -- swift professional
17 manner to a report of an armed gunman in
18 one of their libraries. Considering the
19 above, the question begs to be -- to be
20 asked: Does a SUNY student at SUNY
21 Buffalo, paying the same tuition, deserve a
22 better prepared, equipped and trained
23 police force than that of a student at SUNY
24 Brockport?

1 How does this structure adversely
2 impact the State University of New York?
3 Administratively, this decentralized
4 structure promotes erroneous crime
5 reporting and record keeping. One possible
6 cause for this is that SUNY police chiefs
7 serve at the pleasure of the campus
8 president, thus are motivated to keep crime
9 stats down by any means.

10 A widely conducted practice of this
11 is by prohibited -- prohibiting, limiting
12 and/or discouraging officers from enforcing
13 vehicle and traffic law offenses, a popular
14 method of drug interdiction used by
15 officers. The concept here is that if it
16 didn't happen, there isn't a problem that I
17 have to report to the campus president.

18 In 2007 the State Comptroller's
19 office published a report which stated that
20 two-thirds of SUNY universities reported
21 crime statistics to the Federal Department
22 of Education that conflicted, in some cases
23 substantially, with the university's
24 internal crime records.

1 We submit that a singular, qualified
2 police commissioner charged with the police
3 administration and safety of SUNY's 28
4 campuses would prevent these errors in
5 crime reporting and ensure policies,
6 procedures and recordkeeping and
7 enforcement practices would follow a
8 unified, standard approach. This SUNY
9 police commissioner would ensure compliance
10 with proper oversight.

11 While the Union acknowledges that
12 SUNY has appointed many well qualified
13 people mentioned in -- to management
14 confidential positions, the fact remains
15 that the system is broke and needs to be
16 fixed now. SUNY can no longer afford to
17 staff, or overstaff, a body which is
18 subject to inefficiencies, manipulation,
19 cronyism, ill motivation and mismanagement.
20 In keeping with a philosophy of providing
21 the state university campus police an
22 efficient, professional and cost effective
23 university police system, the New York
24 State University Police Officers Union

1 submits the following for the Senate's
2 consideration: Legislation providing for a
3 SUNY police commissioner, appointed by the
4 SUNY Board of Trustees, with exclusive
5 authority and mandate at all SUNY police
6 departments to run uniformed day-to-day
7 administration of police services.
8 Legislation to phase out the position of
9 chief of police at all SUNY police
10 departments. Legislation to create Civil
11 Service positions of university police
12 sergeant, university police lieutenant and
13 university police captain, which would be
14 the campus commanding officer.

15 By installing a centralized police
16 administrative format SUNY will be scaling
17 back the many redundant collateral duties
18 currently being conducted by management
19 confidential positions. SUNY can then
20 install a rank-n-file structure more like
21 those currently, successfully being
22 administered by the other three state
23 police agencies.

24 This structure will provide uniform

1 training standards so that each campus can
2 provide an equal layer of police protection
3 for their communities; a singular policy
4 manual so all officers can be guided as to
5 how SUNY would like them to address a
6 specific condition or incident; cost
7 certainty in that each rank will be
8 assigned a certain salary grade, statewide;
9 rank flexibility so that, while all
10 departments will be staffed with a captain,
11 smaller departments can choose not to
12 employ a second line supervisor if not
13 needed; open information and statewide
14 intelligence channels; be able to effect
15 change readily and efficiently on a
16 university wide basis; and the ability to
17 record and promulgate accurate systemwide
18 crime statistics.

19 In summary, the State University of
20 New York currently utilizes a model of
21 policing which is often -- opens itself to
22 managerial redundancy, inefficiency,
23 financial waste, erroneous crime reporting,
24 and difficulty in maintaining a consistent

1 professional standard. With the State of
2 New York -- excuse me. With the State of
3 New York facing a \$9 billion deficit
4 that -- this financial crisis has trickled
5 down to the State University of New York.
6 SUNY is being faced with a \$90 million
7 budget deficit. The time has come to
8 streamline SUNY's police services and stop
9 cutting the funding out of our future; the
10 students of the State of New York.

11 The New York State University Police
12 Officers Union has documentation which
13 shows that SUNY can save more than \$3
14 million annually, not by layoffs, but by
15 attrition and by restructuring it's
16 administration to dispense police services
17 via the same model currently being employed
18 by the Troopers, Park Police, Environmental
19 Conservation Police and Forest Rangers.

20 The New York State University Police
21 Officers Union urges the Task Force to
22 support legislation that will have the
23 effect of creating a centralized model of
24 dispensing police administrative services

1 for the New York State University Police.
2 We then urge the Legislature to pass the
3 bill, reducing financial waste and
4 eliminating costly administrative
5 redundancies. We urge the Legislature to
6 consider the implementation of a singular
7 SUNY police commissioner who would be
8 charged with overseeing the day-to-day
9 operations of our police agency with full
10 authority to make the necessary changes to
11 carry out the mission of the State
12 University Police.

13 CHAIRMAN KLEIN: I thank you both
14 very much. I guess, Mr. Lyman, Mr. Barry,
15 either one, I guess, can answer this
16 question. And I know we had the Vice
17 Chancellor here talk about how, after
18 Virginia Tech, campus safety and security
19 became a number one priority for SUNY. But
20 you did say, and I think it was Mr. Lyman,
21 that some of these assistant chiefs or
22 chief of police or deputy chiefs of police
23 within the various campuses have no police
24 background whatsoever?

1 MR. LYMAN: There are -- go ahead.

2 MR. BARRY: It -- it's gotten better
3 in the last 10 years, but, sure. I mean,
4 there were people who were vice presidents
5 of student affairs or student activities,
6 or what have you, and then you would have,
7 you know, cronyism jobs being given to
8 people at -- as public -- directors of
9 public safety and then we went to police
10 and so forth. So, yeah, it's -- it's --
11 it's not uncommon. A lot of these jobs --

12 CHAIRMAN KLEIN: I -- I guess in --
13 in your role with the Union, can you, I
14 guess at some point, I don't if you know
15 them offhand, but identify some of those
16 individuals who are presently on the SUNY
17 payroll, who enact in a law enforcement
18 capacity, who have absolutely no --

19 MR. BARRY: Well --

20 MR. LYMAN: We can get that for you.

21 MR. BARRY: We -- we could. But the
22 chiefs don't act in a -- they act in a
23 administrative policy --

24 CHAIRMAN KLEIN: I understand that.

1 But I -- what I'm -- I'm referring to the,
2 you know, the depth -- I'll give you an
3 example. The chief of police of SUNY
4 Binghamton who last year made a \$145
5 thousand a year --

6 MR. BARRY: Uh-huh.

7 CHAIRMAN KLEIN: -- or a deputy
8 chief that can make about \$97 thousand a
9 year, an assistant chief. I -- I would
10 think that those people -- those
11 individuals who are, I guess, know as
12 supervisors --

13 MR. BARRY: Should have
14 certification. Of course.

15 CHAIRMAN KLEIN: -- should have some
16 type of certification.

17 I'd be very interested in seeing
18 specifics about that category --

19 MR. BARRY: We will get that for
20 you.

21 CHAIRMAN KLEIN: -- and people who
22 are -- don't have any law enforcement
23 experience.

24 MR. LYMAN: We may have to FOIL

1 that --

2 CHAIRMAN KLEIN: I guess, I -- I
3 just want to talk, because I know, you
4 know, we did use your report. And I thank
5 you very much for that. The recommendation
6 that you made that would allow us to
7 consolidate the SUNY police force. And I'm
8 sure you were here when we mentioned it to
9 the Vice Chancellor.

10 MR. BARRY: Yeah. "Consolidation"
11 is a tricky word these days. This is
12 centralization --

13 CHAIRMAN KLEIN: Centralization --

14 MR. BARRY: -- the administration.

15 CHAIRMAN KLEIN: Okay.

16 Centralization. Which ever way, it --

17 MR. BARRY: Okay.

18 CHAIRMAN KLEIN: -- it saves -- it
19 saves SUNY a lot of money.

20 MR. BARRY: Yeah, it does.

21 CHAIRMAN KLEIN: So, I guess, my
22 question to you, representing the law
23 enforcement at SUNY, would you feel that in
24 any way if we centralized the -- the SUNY

1 police, would it in any way put any of the
2 students, who, of course, paramount of
3 concern to all of us, in any jeopardy?

4 In other --

5 MR. BARRY: None.

6 CHAIRMAN KLEIN: -- words --

7 MR. BARRY: You -- you currently
8 have -- it's a case of the has and have
9 nots (sic). Some of the campuses don't
10 have the resources of funding to provide a
11 professional level of, you know -- a proper
12 level of police service.

13 The university centers, they have a
14 lot of money and so forth, so they have the
15 bulk of the training and so forth. But
16 this would kind of bring up to a general
17 level or accepted, you know, level
18 statewide rather than at those SUNY
19 campuses with a president who is police
20 friendly and not a president who considers
21 police a necessary evil in the education of
22 alinement.

23 CHAIRMAN KLEIN: I just -- my next,
24 you know, again, representing the officers,

1 is there uniformed training that takes
2 place as we -- we know there's a different
3 police force on every campus. Is this
4 training the same on every campus?

5 MR. BARRY: No, it's not. The only
6 training which is uniform is the one when
7 an officer goes to the police academy. And
8 that's mandated by D.C.J.S., to have a
9 certain amount of hours. Beyond that there
10 is not. Again, some campuses, like at the
11 University at Albany, we do active shooter
12 training. We train what we -- qualify with
13 our weapons every 6 months. I've heard of
14 campuses that didn't qualify for 2 years at
15 all. It's --

16 CHAIRMAN KLEIN: Well, what's the
17 purpose of that? I mean -- I guess, this
18 kind of goes against -- goes against the
19 whole centralization. Maybe there's
20 something to be said to have a specific
21 police force if they're -- are they being
22 trained specifically to deal with that
23 campus and is that the reason why it's not
24 uniform?

1 MR. BARRY: The -- the training
2 would be a -- to say, for instance, the
3 active shooter, okay, that's a relatively
4 new phenomenon, with everything that's
5 occurred. So, there are going to be new
6 standards nationwide. And we'll send
7 officers out to get -- to train the
8 trainer, so to speak, and they will come
9 back and then they will train us. And that
10 would be a minimum of training.

11 Now, it's up to the campus to give
12 those officers that training. And if they
13 choose not to, then they don't have it.
14 And some campuses don't have it; like I
15 said, at Brockport. At Albany, Binghamton,
16 they have that training. Even though some
17 officers don't carry the weapons in their
18 vehicles like they should, but,
19 nonetheless, some do get that training.

20 CHAIRMAN KLEIN: And the -- and the
21 training they get, it's the same training
22 as a New York City police officer, an --

23 MR. BARRY: Yeah.

24 CHAIRMAN KLEIN: -- Albany police

1 officer, the same training --

2 MR. BARRY: Yeah. It's a nationwide
3 standard in that -- touching on active
4 shooter. But there are other trainings
5 that we get. And, you know, SUNY is a
6 unique police department. You know, one of
7 the things that we do is we intergrade
8 ourselves with the campus community. As
9 Dr. Rimai said, we do like to -- we
10 understand that you're dealing with a lot
11 of young, impressionable minds. So, we try
12 to offer beer goggles or D.W.I. training,
13 RAD training; Rape Aggression Defense,
14 Those types of things, which gives these
15 students the tools to go on later in life,
16 to protect themselves and so forth.

17 And the university police, I would
18 imagine more than other police departments,
19 consider that a priority. And the Union is
20 not, you know, discounting that. We want
21 to see that continue. But we would like to
22 see that continue on a statewide basis and
23 not on a basis of just those police
24 departments which are funded properly.

1 CHAIRMAN KLEIN: So, you believe
2 that if we actually centralized SUNY police
3 we would actually have higher standards,
4 better training because centralization
5 would dictate that?

6 MR. BARRY: There's no question.

7 MR. LYMAN: Sir, absolutely, the --
8 and as Peter said, we -- we stand behind
9 and agree with the Vice Chancellor about
10 the community policing the campus life, but
11 our fear is not the college students,
12 although they may pose a threat at times,
13 it's the people who come and pry upon these
14 campuses, these situations, who have
15 nothing to do with the campus.

16 I mean, I've been down to SUNY
17 Alfred where on a Friday night there's
18 1,000 kids running around on the street and
19 probably 3, 4 hundred of them go to school
20 there and the rest God only knows where
21 they're from. And it just attract -- and
22 then the local police department is Alfred
23 and then the SUNY -- I mean, it's bedlam.
24 You know, it's not this feel good community

1 campus police. I mean, you're -- now
2 you're a cop.

3 And I think for me the biggest thing
4 was when -- taking over for SUNY was, you
5 know, we do have 28 different police
6 departments. Some would -- I mean, I've
7 gone to college campuses, had a fight with
8 a president to get them armed. Like,
9 SUNY/Optometry, where you're right down in
10 New York City, but you have a uniform on.
11 So, the average guy walking down the street
12 just robbed a bank, doesn't know that
13 you're not armed. So, we get weapons and
14 then we have weapons that they're -- have
15 access to, but they're locked up in the
16 trunk or they're locked up in the -- in the
17 security center where, okay, you need a
18 weapon, God forbid, you have to go there to
19 get it.

20 I mean, you're sending your children
21 to these places, expecting to be protected
22 by police officers. So, we need to treat
23 them as police officers.

24 No matter where you go you have to

1 adapt to the -- the situation. These guys
2 adapt to the campus life. If you're an
3 inner -- a cop in the inner city you adopt
4 to that situation. I mean, it's ever
5 changing. It always is. And trying to get
6 that message across to certain college
7 presidents, not even the chiefs, who
8 college presidents who control the chiefs,
9 I mean, you know, you can go until you're
10 blue in the face and it's -- you know, you
11 run into that phylum mentality. This is my
12 phylum and these are my army and goodbye.

13 CHAIRMAN KLEIN: So -- so, in -- in
14 other words, getting back, I guess --

15 MR. LYMAN: Absolutely --

16 CHAIRMAN KLEIN: -- to your
17 example --

18 MR. LYMAN: Centralization --

19 CHAIRMAN KLEIN: -- I mean, they --
20 they have -- centralization, I guess, they
21 do have to act -- in some cases they're
22 social workers --

23 MR. LYMAN: No doubt --

24 CHAIRMAN KLEIN: -- some cases as

1 police officers. And the example that you
2 cited earlier at Alfred University --

3 MR. LYMAN: Yup.

4 CHAIRMAN KLEIN: -- I mean, if 300
5 of those were girls, you can expect maybe
6 15 hundred boys to show up at any one --

7 MR. LYMAN: Right.

8 CHAIRMAN KLEIN: -- place.

9 MR. LYMAN: But even some -- I mean,
10 we've been to SUNY Binghamton where I don't
11 know if it was the president or the chief,
12 I don't want to over speak, I mean,
13 basically took your jobs away from you and
14 legalized underage drinking and marijuana
15 on one particular weekend. Issued the
16 order that if there's small amounts of
17 marijuana or underage drinking, they'll be
18 no enforcement.

19 And now as a police officer, you
20 can't -- you know, the law's the law. I
21 mean, you can use discretion. No doubt.
22 But for that to be said. As soon as we
23 breached that with the college and said,
24 well, you would like us to advertise this

1 to the parents, you know, that kind of went
2 away and we got what we wanted, but--

3 CHAIRMAN KLEIN: Right.

4 MR. LYMAN: -- I mean...

5 CHAIRMAN KLEIN: Thank you.

6 Is there any other questions --

7 SENATOR SAVINO: Yeah. I --

8 CHAIRMAN KLEIN: Senator Savino.

9 SENATOR SAVINO: Thank you.

10 Thank you, Mr. Lyman; Jimmy.

11 MR. LYMAN: Thank you.

12 SENATOR SAVINO: Thanks for the
13 testimony from both of you.

14 So, I'm -- I'm curious. I noticed
15 in -- I think it was in Mr. Barry's
16 testimony, you talked about the act of the
17 Legislature in 1998 where -- whereby we
18 directed SUNY, when we passed the
19 University Police Bill, to create a police
20 force. And that they really had no ability
21 to implement that or plan for it.

22 So, walk me through this. SUNY --
23 SUNY Central recruits for police officers.

24 MR. BARRY: Correct.

1 SENATOR SAVINO: And how do they do
2 that?

3 MR. BARRY: They have a Civil
4 Service exam.

5 SENATOR SAVINO: Okay.

6 MR. BARRY: They advertise the exam.
7 The exam --

8 SENATOR SAVINO: So, it's a
9 competitive class position --

10 MR. BARRY: Correct.

11 SENATOR SAVINO: -- to the entry
12 level position?

13 MR. BARRY: Correct.

14 SENATOR SAVINO: Okay. And --
15 because I notice somewhere else in the
16 testimony you said in some campuses they
17 have security guards, they don't have the
18 police.

19 MR. BARRY: That's another Civil
20 Service title, which augments police
21 services.

22 SENATOR SAVINO: Uh-huh.

23 MR. BARRY: They, you know, lock
24 doors and so forth.

1 SENATOR SAVINO: So -- so, is it up
2 to the individual campus to determine
3 whether they're gonna -- whether they're
4 going to use a police officer who is in a
5 competitive class, who -- who took the
6 competitive exam for police officer; for
7 university police officer, or they can
8 decide that they're going to use the
9 security officer, which is a different
10 competitive class?

11 MR. BARRY: Well, there will be
12 police officers staffed. Currently all,
13 you know, campuses have a police
14 department. So, you're going to have your
15 police officers staffed --

16 SENATOR SAVINO: Uh-huh.

17 MR. BARRY: -- but they do
18 augment -- some campus, not all, do augment
19 the staff with what they call A -- S.S.A.s;
20 Safety and Security Aides.

21 SENATOR SAVINO: All right. So,
22 again, you take the police officer test for
23 SUNY.

24 MR. BARRY: Okay.

1 SENATOR SAVINO: You get called off
2 the list. They determine where you're
3 assigned to work?

4 MR. BARRY: The -- currently Civil
5 Service has one -- it's the -- it's the
6 same exam, but it's a title for Upstate and
7 Downstate.

8 SENATOR SAVINO: Okay.

9 MR. BARRY: You then get canvassed
10 by multiple campuses and interview. And
11 you'll get a job offer from one of those
12 campuses.

13 SENATOR SAVINO: Uh-huh.

14 MR. BARRY: You will then be
15 sponsored to go to the training by that
16 campus.

17 SENATOR SAVINO: And the training
18 that everybody gets, is it all the same?

19 MR. BARRY: Yeah. A --

20 SENATOR SAVINO: The initial
21 training at the academy?

22 MR. BARRY: Yeah. I -- I believe
23 the state has 11 zones. Don't quote --

24 SENATOR SAVINO: Uh-huh.

1 MR. BARRY: -- me to that. And that
2 includes Nassau and Suffolk. They are --
3 they're -- they're county academies, but
4 they're considered zones. Up in Albany we
5 have Zone 5.

6 SENATOR SAVINO: Uh-huh.

7 MR. BARRY: But all the police
8 officers go there and they get the same
9 training as any other police officer in the
10 state.

11 SENATOR SAVINO: Do they train you
12 in police manuals? Do they have a police
13 manual that they use in the academy to
14 train?

15 MR. BARRY: No. They -- they
16 usually just have a -- a book of the type
17 of training and the hours required of that
18 training that you will receive --

19 SENATOR SAVINO: Uh-huh.

20 MR. BARRY: -- and it's break -- a
21 breakdown, a week by week, of what you can
22 expect to be trained --

23 SENATOR SAVINO: Okay. So, let's
24 assume 5 recruits get picked up for 5

1 different universities. You all go to the
2 same training academy, you receive --

3 MR. LYMAN: Will be --

4 SENATOR SAVINO: -- the training --

5 MR. LYMAN: -- they would go
6 regionally.

7 SENATOR SAVINO: Regionally. Well,
8 let's supposed we're all in the same
9 region --

10 MR. LYMAN: All right.

11 SENATOR SAVINO: -- all right? So,
12 5 of you go to the same region and then you
13 go to 5 different campuses. You'll have 5
14 different experiences as a police officer
15 depending on who's running that campus
16 police department?

17 MR. LYMAN: Yes.

18 MR. BARRY: Yeah. I -- and -- and
19 that's not a terrible thing. Because
20 there's a minimum mandate of hours, you --
21 you all get that training that everybody
22 else is familiar with --

23 SENATOR SAVINO: No. I'm talking
24 about when you get where you're going.

1 When you finally -- when you've completed
2 your training and now you're going to be at
3 SUNY Brockport --

4 MR. LYMAN: Like, if I went to the
5 academy with him (indicating) as an Albany
6 police officer --

7 SENATOR SAVINO: Uh-huh.

8 MR. LYMAN: -- we'd go together, and
9 at the end I'd go to the Albany Police
10 Department --

11 SENATOR SAVINO: Right.

12 MR. LYMAN: -- and I'd get
13 acclimated and I'd be an Albany cop, he'd
14 be a SUNY cop, depending on where he was
15 going --

16 MR. BARRY: Right.

17 MR. LYMAN: -- and, yes, if we went
18 to separate campuses, the chances are we
19 would have two separate career paths of
20 what we were doing and rules to follow --

21 MR. BARRY: Oh, yeah.

22 MR. LYMAN: -- if any.

23 SENATOR SAVINO: Uh-huh.

24 MR. LYMAN: That's what she was

1 getting at.

2 SENATOR SAVINO: That's what I'm
3 getting at --

4 MR. BARRY: Absolutely.

5 SENATOR SAVINO: -- is -- so,
6 that --

7 MR. BARRY: Even uniforms --

8 SENATOR SAVINO: -- inconsistency
9 doesn't seem to make sense. It's
10 completely, you know, antithetical to what
11 every other police organization does.

12 MR. LYMAN: There's --

13 MR. BARRY: Right.

14 MR. LYMAN: -- there's nothing like
15 it in the world.

16 SENATOR SAVINO: A police officer in
17 the 120 precinct in Staten Island could
18 walk into the 47th precinct in the Bronx
19 and it's the same rules, the same --

20 MR. BARRY: It's --

21 SENATOR SAVINO: -- police manual --

22 MR. BARRY: Exactly.

23 SENATOR SAVINO: -- the same chain
24 of command, it's just different people.

1 So --

2 MR. BARRY: That was a problem with
3 me. I started at Westbury down in Long
4 Island --

5 SENATOR SAVINO: Uh-huh.

6 MR. BARRY: -- and I transferred up
7 to Albany. It was a completely different
8 animal and it took time to, you know,
9 acclimate to that.

10 SENATOR SAVINO: Yeah.

11 MR. LYMAN: You didn't really
12 transfer, you had to reapply.

13 MR. BARRY: Yeah, it -- you know
14 what, that's -- that -- that's another
15 oddity about SUNY; is that, at the time
16 SUNY Albany has sent out information that
17 they're looking for officers.

18 SENATOR SAVINO: Uh-huh.

19 MR. BARRY: I applied. I
20 interviewed twice with them, although I had
21 4 years of service as a police officer
22 within SUNY. Had to go through a
23 background again with another -- just more
24 redundancy. You know, take --

1 SENATOR SAVINO: So, your
2 certification as a police officer didn't
3 follow you?

4 MR. BARRY: No. The certification
5 did, but I had to go through the -- the
6 same background as a new recruit to
7 transfer up to Albany.

8 SENATOR SAVINO: And do you know
9 what the -- what -- what they -- what the
10 justification for forcing you to go through
11 that again was --

12 MR. BARRY: Because each campus is
13 more or less considered its own --

14 MR. LYMAN: Kingdom.

15 MR. BARRY: -- agency; a government
16 or -- that's just the way they do things.
17 I'm -- I'm at a loss for words a lot of
18 times when I describe SUNY, so I apologize.

19 SENATOR SAVINO: It -- it's --
20 it's -- it's really quit amazing.

21 So -- and this -- this position of
22 university police officer, which is a
23 competitive class position --

24 MR. LYMAN: Statewide test.

1 SENATOR SAVINO: -- statewide test,
2 there's no promotional lines from it?

3 MR. BARRY: There is one --

4 SENATOR SAVINO: Within the
5 system --

6 MR. BARRY: Yeah --

7 SENATOR SAVINO: -- within the Civil
8 Service system, not point --

9 MR. BARRY: In the Civil Service
10 system there is one --

11 SENATOR SAVINO: And what is it?

12 MR. BARRY: -- instead of sergeant,
13 they jump right to lieutenant, which is --

14 SENATOR SAVINO: Uh-huh.

15 MR. BARRY: -- a first line
16 supervisory job. It's typically a
17 sergeant's job --

18 SENATOR SAVINO: And --

19 MR. BARRY: -- but they call it
20 lieutenant.

21 SENATOR SAVINO: -- do you have to
22 hold the lower position to be eligible to
23 take the exam?

24 MR. BARRY: You do -- yes, you do.

1 Two years of service I think you need --

2 SENATOR SAVINO: Uh-huh.

3 MR. BARRY: -- and then they have
4 the 1 and 3 -- 1 and 3 rule.

5 SENATOR SAVINO: Right.

6 MR. BARRY: So...

7 SENATOR SAVINO: So, anything above
8 that, any promotional title's kept as
9 assistant chiefs or some of the titles
10 Senator Klein mentioned, those are non --
11 those are not within the line of promotion
12 and anybody can be appointed to those
13 positions?

14 MR. BARRY: Exactly. Typically what
15 you'll see beyond the lieutenant is if
16 you're friendly with the administration you
17 may be considered for a promotion, so to
18 speak, to a management confidential
19 position.

20 There have been people who have
21 jumped from police officer to assistant
22 chief because they had a relationship --

23 SENATOR SAVINO: Uh-huh.

24 MR. BARRY: -- or what have you with

1 the administration.

2 SENATOR SAVINO: And -- and -- and I
3 noticed the Vice Chancellor made a -- a --
4 I -- I didn't quite understand her
5 explanation as to why centralization would
6 somehow be harmful to the students or the
7 campuses. And I think we'll probably
8 explore that a lot further. But she
9 mentioned the idea of, it's a different
10 type of police. It's a unique experience
11 because of the population you're dealing
12 with. And you touched upon it yourself
13 about, you know, you're dealing with young
14 people away from home, some of whom, you
15 know, have a hard time adjusting. She
16 mentioned the word "social work".

17 So, I'm just curious. Because
18 the -- SUNY apparently feels that the
19 population that you and your colleagues are
20 protecting needs some level of social work.

21 Do they provide you with any
22 training in crisis intervention or any sort
23 of social service training to help you in
24 this process?

1 MR. BARRY: Statewide, no.

2 SENATOR SAVINO: I didn't think they
3 did.

4 MR. BARRY: No.

5 SENATOR SAVINO: Thank you.

6 MR. BARRY: You're welcome.

7 SENATOR SAVINO: I'm done.

8 CHAIRMAN KLEIN: All right. Senator
9 Maziarz.

10 SENATOR MAZIARZ: Thank you, Mr.
11 Chairman. I appreciate it.

12 Jimmy, one of the things you talked
13 about was you had to go down and convince a
14 college president about the importance
15 of -- of arming the police officers that
16 were there. And in some -- some campuses
17 police officers are required, apparently,
18 to keep their weapons locked in the trunk
19 of their car. What -- is the -- is the
20 college president of each university solely
21 the -- the decision maker in that?

22 MR. LYMAN: Yes, sir, it appears
23 that way. And I couldn't sit here today
24 and tell you what -- because it changes.

1 You know, like, it moods. It's -- but I
2 believe we have everybody armed at this
3 time now. Whether or not they actually
4 carry their weapon or have access to it
5 or -- yes, it -- to answer your question,
6 it's usually the president of the college
7 who dictates. And we've gotten very little
8 or no support from chiefs to buck the
9 president.

10 So, basically, they entertain us
11 over there or we leave. And it's -- you
12 know, they have to live with the president
13 and to be counted, you know --

14 SENATOR MAZIARZ: So, as we speak
15 right now, that -- there are probably
16 some -- some university police officers
17 that are unarmed?

18 MR. LYMAN: That are are armed?

19 SENATOR MAZIARZ: That are unarmed?

20 MR. LYMAN: Yes, sir. They have
21 access to them. Whether or not --

22 SENATOR MAZIARZ: They have access
23 to them --

24 MR. LYMAN: -- they're being allowed

1 to carry them -- is that correct?

2 MR. BARRY: I -- I -- I would say
3 the majority are armed; do have a firearm
4 on their side. There may be --

5 MR. LYMAN: There are some that
6 don't --

7 MR. BARRY: -- I'm not -- I'm not
8 exactly sure. But if it is, it's the
9 minority; maybe 1 or 2.

10 MR. LYMAN: But, again, it goes back
11 to the liability. You as a police officer
12 have to protect the property and the
13 person --

14 SENATOR SAVINO: Uh-huh.

15 SENATOR MAZIARZ: No. I'm certain,
16 just knowing the nature of the Legislature,
17 that in the past legislation has been
18 proposed to do this centralization.

19 In fact, I sort of recall in the
20 late '90s that there was a bill that seemed
21 to be moving. And, you know, we always
22 hear this blaming each other, but I
23 thought --

24 MR. LYMAN: No.

1 SENATOR MAZIARZ: -- there was some
2 resistance in the Assembly to doing it, as
3 I recall.

4 Do you have a history --

5 MR. LYMAN: I vaguely do remember
6 something with that, and I don't remember
7 the reason behind it at that time. Having
8 sat here today and really haven't been
9 involved with SUNY and dealing with
10 campuses and presidents and -- I mean,
11 everybody's looking to protect -- I mean,
12 it -- it's --

13 SENATOR MAZIARZ: Yeah.

14 MR. LYMAN: -- for back -- lack of
15 better words, it's a pretty good gig they
16 have going. I mean --

17 SENATOR SAVINO: Uh-huh.

18 MR. LYMAN: -- I'd like to get an
19 application.

20 SENATOR MAZIARZ: Both of you have
21 done a very good job here today for
22 pointing out how ridiculous the current
23 situation is.

24 SENATOR SAVINO: Uh-huh.

1 SENATOR MAZIARZ: Thank you.

2 MR. LYMAN: It isn't very hard in
3 this fiscal times to see through this.

4 CHAIRMAN KLEIN: I just have 2
5 follow-up questions. Do the various campus
6 police departments have joint contracts for
7 supplies? Do they have separate contracts?
8 Or is at least that centralized?

9 MR. BARRY: No, they do not. There
10 is a statewide contract, if that -- all
11 campuses are compelled to make purchases
12 off of. The -- the only one that I know
13 statewide would be Rodgy Johnson, who works
14 at SUNY Central. He's been good enough to
15 provide, you know, a variety of campuses
16 with Class A uniforms, which are for like a
17 special type of an event. Something like
18 that. Not all campuses supply their
19 officers with proper uniforms.

20 CHAIRMAN KLEIN: So, actually, do
21 they have different uniforms at every
22 campus?

23 MR. BARRY: No -- well, at some
24 campuses and -- and some chiefs, they want

1 to put a verification of the uniform, which
2 the Union considers unprofessional; whether
3 it be patches or -- and in the past years
4 some vice presidents of student affairs
5 have said, hey, we want you guys to wear
6 Khakis and -- and Polo shirts. And we had
7 to fight that. And -- and we were
8 successful.

9 But there -- one of the problems is
10 that the -- Rodger Johnson, we'll have to
11 buy "X" amount of fabric for uniforms and
12 that might take a year to -- to get that;
13 to have that made, or whatever. I know
14 he's had all sorts of headaches trying to
15 do that.

16 But, yeah, it's not an efficient
17 system of supplying uniforms to officers
18 statewide.

19 MR. LYMAN: Senator, I mean, I don't
20 want to go off the path, but just as an
21 example, radio systems. I mean, at SUNY
22 Delhi, if you're in your dorm and someone's
23 breaking in you call a number which rings
24 to the officer's lapel (indicating), but if

1 someone else is already calling a problem
2 in, you're going to wait. And, I mean,
3 it's -- it's just absurd. In 2010, after
4 everything we've been through -- and
5 anything can happen anywhere. I don't
6 care if there's a -- a small campus or it's
7 in the middle of Manhattan, it's been
8 proven that things can happen.

9 And as far as officer's safety and
10 student safety, they just -- we are like a
11 necessary evil to them. And it kind of
12 gets --

13 CHAIRMAN KLEIN: I have just one
14 more and then Senator Stachowski has a
15 question. I guess related to the different
16 contracts, which we just find out that
17 there are different contracts at every --

18 MR. LYMAN: Correct.

19 CHAIRMAN KLEIN: -- SUNY police
20 campus. How about the budget? Is there an
21 independent police budget at each of the
22 SUNY police campuses? Or at least is there
23 a separate one --

24 MR. BARRY: I think --

1 CHAIRMAN KLEIN: -- one central
2 budget that trickles --

3 MR. BARRY: Okay. They --

4 CHAIRMAN KLEIN: -- down to all of
5 the various SUNY police departments --

6 MR. BARRY: Again --

7 CHAIRMAN KLEIN: -- in all the
8 counties?

9 MR. BARRY: -- the budget revolves
10 around the president of the university --

11 CHAIRMAN KLEIN: I'm --
12 individually --

13 MR. LYMAN: Individuals --

14 MR. BARRY: I had a -- a chief tell
15 me that he had a budget of \$33 hundred a
16 year many years ago. And that was
17 basically for Xerox copies and so forth.

18 My understanding is that the state
19 does pay the salaries for police officers.
20 So, obviously it wasn't \$33 hundred.

21 But the universities are responsible
22 for cars and overtime, uniforms and stuff
23 like that.

24 To get back to the uniform. I had

1 an officer who had a broken pair of pants.
2 And they tried to replace that with a used
3 pair of pants. I filled a grievance
4 because of that and finally got money for
5 our department. He only had 1 pair of
6 pants. And that was at that -- it -- it's
7 absurd that I had to go to that extent to
8 get him a proper uniform, but the president
9 wasn't willing to provide those resources
10 at the time.

11 Any type of budget, yeah, basically
12 comes from the president's office. And
13 some campuses are friendly. At Albany we
14 do have a budget. Even in these trying
15 times they try and give us the money we
16 (sic) can. But other campuses, they simply
17 don't have the money. And, thus, we have a
18 situation like an officer can't get a
19 replacement pair of paints.

20 CHAIRMAN KLEIN: Senator Stachowski.

21 SENATOR STACHOWSKI: The question
22 is, on your equipment, on -- on the radio
23 system, for example, and even on your
24 uniforms, does that fall under the same

1 SUNY buying problem that -- at -- that the
2 rest of SUNY has, you know, with the
3 preaudit before you can get the --
4 especially -- particularly the radios. I
5 doubt the uniform falls under that. But if
6 you were trying to get a radio system,
7 wouldn't -- because it's a SUNY purchase,
8 wouldn't it still fall under, the
9 Comptroller's got to audit it first, then
10 they okay you buying it, then you get to
11 buy it?

12 MR. LYMAN: Well, possibly. But
13 looking into what we've done in the past,
14 up until now, is that it appears that,
15 again, it's a line item for that particular
16 college, so the president has to decide.
17 And now, I don't know this for sure, but
18 maybe they're given "X" amount of dollars
19 to use for whatever they want. And,
20 obviously, from our standpoint and from the
21 facts, the police end of it; public safety,
22 is getting already cut --

23 SENATOR STACHOWSKI: Yeah.

24 MR. LYMAN: -- because, I mean, we

1 have our K equipment. I mean, there's been
2 some places where we fought for cars --

3 SENATOR STACHOWSKI: Yeah.

4 MR. LYMAN: -- that --

5 SENATOR STACHOWSKI: That equipment
6 thing might be a better question for me to
7 ask somebody from SUNY.

8 MR. BARRY: It -- it's gotten to the
9 point where some campuses use the Sheriff's
10 9-1-1 system because they just don't have
11 the money. And they say, okay, we'll solve
12 this problem with the Sheriff's. And go
13 from there.

14 SENATOR STACHOWSKI: Yeah. I was
15 thinking more, in fact, that if, you know,
16 sometimes if you try to order stuff, since
17 it's a SUNY purchase, whether the money's
18 in there or not, they still might have to
19 go through --

20 MR. LYMAN: Yeah. I'm not sure.

21 SENATOR STACHOWSKI: Yeah. That's
22 why --

23 MR. LYMAN: Maybe if they get
24 supplies --

1 SENATOR STACHOWSKI: -- I'll ask --

2 MR. LYMAN: -- for the --

3 SENATOR STACHOWSKI: -- I will call
4 the Vice Chancellor on that --

5 MR. LYMAN: -- paper, or something,
6 for the station. I don't know if --

7 SENATOR STACHOWSKI: Yeah. I'll --
8 I'll call the Vice Chancellor on that.

9 I -- I don't think on paper and I'm
10 not sure on uniforms, but possibly on radio
11 stuff, it could be.

12 MR. LYMAN: It should be. Yeah.

13 SENATOR STACHOWSKI: I didn't say it
14 should -- well, that's why we're trying to
15 change some of that stuff.

16 CHAIRMAN KLEIN: Any other
17 questions?

18 SENATOR SAVINO: Nope.

19 CHAIRMAN KLEIN: Well, I really want
20 to thank both of you. I -- I specifically
21 want to thank you for coming here today and
22 also the report on centralization.

23 There's not many organizations that
24 take the initiative to try to save the

1 state and the taxpayers money.

2 I think it was very well thought out
3 and it was actually the basis of our
4 investigation into this specific area --

5 SENATOR SAVINO: Uh-huh.

6 CHAIRMAN KLEIN: -- regarding the
7 SUNY police.

8 MR. BARRY: Thank you.

9 CHAIRMAN KLEIN: I thank you both
10 very much.

11 MR. LYMAN: Thank you.

12 SENATOR SAVINO: Thank you.

13 (Whereupon, the Senate Task Force on
14 Government Efficiency concluded said
15 hearing at 3:19 p.m.)
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