

UNIVERSITY POLICE | ENCON POLICE



PARK POLICE | FOREST RANGERS

2025 Joint Legislative Environmental Conservation Hearing Testimony

**Submitted on behalf of the Police Benevolent
Association of New York State**

**By: Officer Matt Krug
Director of the Environmental Conservation Officers
PBA of NYS Board Member
January 28, 2025**

Introduction

Good morning/Afternoon/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 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 (DEC). My testimony this evening will focus on the current needs of the 283 New York State Environmental Conservation Officers (“ECO” or “EnCon Officer”).

From 1880 until 1970 we were called Game Protectors which were primarily engaged with fish and wildlife. In 1970 we formally adopted the title of Environmental Conservation Officer and since then our job duties have significantly expanded. In 2024 the 194 field officers and investigators completed 32,000 calls for service. The majority of those calls dealt with environmental quality complaints, which vary from 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 40% of calls for service are related to fish and wildlife. These calls vary from hunting and fishing to nuisance bears or even a moose through the ice. Conservation officers routinely handle dangerous and venomous wildlife to not only protect people but also the animals themselves. The dangerous and venomous wildlife calls vary from alligators to rattlesnakes and wolves. Our investigators work with US Fish and Wildlife to combat the endangered species trade as well. Our most serious work deals with death investigations on state lands, tree stand falls and hunting related shootings.

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. We routinely respond to floods, hurricanes, snowstorms, as well as protests, man hunts, 9/11 and COVID. Our work is diverse, and our 29 weeks of academy training is just the beginning and continues throughout our careers.

Budget Line

First and foremost, I would like to thank the legislature and the Governor for passing a 9/11 death benefit bill for the family of Lt Paul Adam who passed away in 2015 from cancer. While I greatly appreciate the legislature helping the family of one of our fallen officers, the rest of my testimony will be about helping our current and future officers.

For our officers and investigators to continue to be able to uphold Environmental laws passed in New York and to protect the public we are asking that the division of law enforcement be granted a specific line item in the New York State budget to ensure that we are adequately funded and staffed. The Governor and legislature have increased the budget for the Department of Environmental Conservation year after year. However, the Division of Law Enforcement (DLE) has not been at full staffing since at least 1998 and several of our allotted budget allowances for equipment and overtime are at pre 9/11 levels. We currently operate boats, ATVs and snowmobiles that our older than our newly hired officers. Those same pieces of equipment are un-reliable and costly to constantly repair. The individual line item is to safeguard environmental protection. For too many years we have been under staffed while additional bureaucratic positions have been created within the DEC.

At the same time, new environmental initiatives and laws have taken affect. An additional one million acres of wetlands are now being protected in New York and while we do have civilian staff that do some enforcement and process wetlands permits, our Officers responded to over 2,000 of these complaints statewide in 2024. Having a separate line item in the budget will prevent enforcement of the Environmental Law from being defunded.

In December, Governor Kathy Hochul signed the Climate Change Superfund Act to charge fossil fuel companies for global warming. It only seems fair that if you're going to hold fossil fuel companies liable, that you also should have polluters pay for further Environmental Enforcement. Last year, Senator Harckam and Assemblywoman Kelles submitted legislation to increase Environmental fines for poachers and polluters. That bill will also allow the fines and penalties from the same polluters to be redirected into Environmental Enforcement instead of the general fund.

This Environmental Enforcement bill will also designate funds to be used for special prosecutors to be hired. Currently the majority of Environmental cases are significantly under prosecuted by District Attorneys. We need prosecutors statewide that specialized in the Environmental Conservation law to fully prosecute those that pollute our air and waterways. District attorney offices routinely dismiss our cases statewide because they are either over burden with criminal cases or they aren't comfortable prosecuting Environmental cases. The Attorney General's office does help with prosecuting corporate polluters however those civil fines are diverted back to the Attorney General's office.

In 2024, our 27 Investigators collected 8.6 million dollars in criminal and civil penalties from polluters. That 8.6 million dollars would be extremely beneficial in supplementing our division with proper emergency response equipment and other needs. Unfortunately, this bill did not pass in 2024 but hopefully this year with your support it will.

Staffing

Staffing has been a critical issue since at least 1998. Our current staffing is at 283 after graduating 26 new officers in December. We were slated to hire 45 new officers but out of the 56 recruits that began our academy, less than half graduated. From this last academy class, we tripled the number of our diverse officers, from one to three. In 2022 we had over 2200 people pass our civil service test. Unfortunately, this year we only had 1,383 pass the test. We will not be able to fill our 59 current vacancies with those numbers.

Pay and benefits have not kept us marketable to attract individuals to the role of conservation officer. The job is often dangerous from gun shots to assaults, rabid animals and toxic chemical exposures. We just had a fifth officer pass away from 9/11 related illness and there are more currently under treatment from their time at ground zero. We did settle a collective bargaining agreement with NYS last year, but we still lag behind State troopers, NYPD, Nassau County, Suffolk County and many other municipal police agencies in pay to attract qualified candidates in addition we require

a bachelor's degree and those previously mention jobs require 60 college credits or less.

Retirement and Recruitment

Another contributing factor that makes the role of conservation officer less marketable is that ninety-six percent of law enforcement agencies in New York State have a twenty-year retirement, however we currently have an additional five years of mental and physical stress before we are eligible to retire. The Governor vetoed our 20year legislation for a fourth straight year. The 20year retirement bill would bring parity to our members with other police agencies but as a PBA we are open to any positive changes to our pension benefits that will attract qualified candidates.

If the problem of attracting qualified individuals is solved, we will need to add an addition 100 more conservation officers to keep up with the expanded duties placed by the legislature. These additional officers would combat fraud associated with the bottle bill laws and increase patrols in environmental justice areas. The upfront cost these 100 additional items is an approximately \$16 million to investment to hire, train and equip. Those officers will generate significantly more revenue over their careers. These officers would patrol for idling diesel's, harmful emissions, pesticides, and even radioactive medical waste and improve the quality of life for your constituents especially in environmental justice areas.

Support and Equipment

Outside of pension and pay we need to prioritize emergency response equipment for natural disasters. We lack zodiac boats for flood response, an off-shore boat to patrol the Atlantic Ocean, snowmobiles, ATVs and other off-road equipment. We also need approximately three million dollars for a records management system to track complaints and criminal investigations. Finally, we need to purchase body cameras and associated digital storage for the cameras which will cost another five million dollars.

With a proposed state budget of 250 billion dollars, this is a small ask for the equipment and staffing for environmental protection.

Lastly, we are hopeful that the new year will bring new leadership to the DEC and that this new leadership will be willing to work with the subject matter experts in the division of law enforcement to ensure that decisions are made in the best interest of public safety and conserving the state's precious natural resources.

Thank you.