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2020 Joint Legislative Hearing

Public Protection Testimony

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

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Introduction

Hello, Chairwomen Krueger and Weinstein, and other members of the Public Protection Committee.

My name is Manuel Vilar. I am the Founding President and current Vice President and Chief Administrative Officer of the Police Benevolent Association of New York State (PBA). In addition to my PBA position, I am a 37-year veteran Police Sergeant of the NYS Park Police, living and working on Long Island.

The NYS Park Police is a division within the NYS Office of Parks, Recreation & Historic Preservation (OPRHP) and entrusted with the public safety of over 71 million patrons at 215 state parks and historic sites; all of which encompass 350,000 acres including 28 golf courses, 35 swimming pools, 67 beaches, 18 museums and nature centers, NYS waterways, snowmobile trails, all-terrain vehicle trails and thousands of miles of roadways and parkways.

The NYS Parks, by their very nature, are geographically challenging, beautiful, and also dangerous places. To perform the necessary duties, State Park Police Officers receive the same training as the State Police, as well as, specialized training to be prepared to assist patrons when crimes, accidents, or other life-threatening incidents occur.

Overview

The PBA has current legislation to provide for a complete and full merger of the Park Police into the State Police. See S.3676 Gounardes / A.2736A Solages. To that point, effective December 3, 2019, Governor Cuomo transferred command and operational control of Park Police activities to the Division of State Police.

Unfortunately, similarities to the legislation sponsored and supported by members of the legislature end there. The Governor's takeover plan presented to the dedicated, hard-working men and women of the State Park Police is something much more different and considerably more complicated than simply changing the age requirements for eligibility of Park Police to become State Police. The Governor's proposal has left our members with serious questions and concerns about the process that will be implemented.

Historical Perspective

In 1980, the partial merger of the Niagara, Palisades, and Long Island regions occurred, transferring many Parkway Police Officers to the State Police, establishing Troop L on Long Island. 1995 began a 7-year administrative takeover of the State Park Police by the State Police after malfeasance, and dereliction of duty by the Park Police command staff was discovered. In 2003, control of the State Park Police force was handed back to NYS Parks with the recommendation that the State Park Police be completely merged into the State Troopers, and the State Police perform all police services.

Current Staffing and Attrition

Currently, attrition is in the range of an unsustainable 48 percent, and staffing levels have, for the past 19 years, fluctuated between a low of 193 to a current staffing today of 250. Despite NYS Civil Service recommendation that there be 387 State Park Police Officers, OPRHP has been unwilling to staff the Park Police force adequately.

The cause of the dramatic attrition boils down to simple economics. On average, a State Police Officer earns between \$30,000 to \$45,000 more per year, has a 20-year pension plan, and $\frac{3}{4}$ disability should a member become injured and unable to return to full duty.

Transition Concerns

Since the Administrative takeover on December 3, 2019, State Police and OPRHP are engaging in an assessment and inventory of Park Police resources, including personnel and equipment. The assessment is anticipated to be completed by May of 2020.

The transition process and criteria currently laid out, we believe, will discourage and disenfranchise older Park Police Officers that in the performance of their duties received injuries and because of their seniority, would carry the most significant pension liability. Some of the questions we have are:

- Will a 20-year State Park Police officer be required to meet push-up, sit-up, and the mile and a half run requirement? These officers certainly passed these requirements when they were first hired – why should they be expected to do it again late in their careers?
- Will they be forced to take psychological and medical tests that are normally issued to new recruits? Again, they all passed these tests before – why are older officers – who experienced years and decades

of mental and physical wear and tear required to take these tests again?

- Will a Park Police Officer with five years on the job be required to serve 15 years as a State Police Officer to be eligible for retirement or will that officer be forced to start all over and serve a full 20 years?

As we sit here today, we do not know the answer to any of these questions. One thing that is apparent is that veteran Park Police Officers are being held to a standard that similarly situated State Police Officers are not held to.

Future of Park Police Post - Transition

What will become of the Park Police Officers who are disenfranchised and do not become State Police Officers when the current articulated plan does not guarantee that they will have employment after a couple of years?

Will Park Police Officers that have dedicated years of faithful service to protecting state parks lose their jobs and be laid off?

Is this what NYS believes is dedication to its long-serving police officers?

What are the plans to protect the State Parks without the highly trained and experienced Park Police Officers?

Understanding the above; we ask you to do one of two things:

Reject the Governor's proposal and adopt the current merger legislation S.3676 Gounardes / A.2736A.

Or, as an alternative, for Park Police officers who do **not** transition to the State Police, please pass the bill that would provide the 20-year retirement legislation S.5556 Gounardes / A6990 Solages, and also adopt language that will ensure these dedicated state employees will not be laid off and will receive pay parity with the State Police Officers they will be working alongside.

What has been so eloquently expressed through your actions is that New Yorkers believe in just and right employment practices. Today the dedicated men and women of the NYS Park Police need your support.

On behalf of those members and their families, I thank you for your support and for the opportunity to speak before you today.