

2007 Report to NYS Conservation Council from Division of Law Enforcement

Protects the environment, natural resources and people of the State of New York through law enforcement, education and public outreach.

Goal: Develop and implement initiatives to accelerate the protection of air, land and water quality.

Objective: Develop and implement an integrated approach to achieve compliance with the Department's regulatory programs, utilizing community outreach, education, technical assistance, oversight and enforcement.

During the last year there has been significant reorganization of the command structure of the Division of Law Enforcement (DLE), as well as a large turnover of the personnel in the command positions. Both Director Bob Lucas and Assistant Director Les Wilson retired this year. They were replaced by Director Peter Fanelli and Assistant Director Walt Heinrich, who between them have over fifty years of experience in the Division. Supervision of the nine Regional Captains and the Marine Enforcement Unit Captain is now split between two District Majors instead of three. Major Tim Duffy is supervising the Captains in the Southern District. Major Charles Johncox is in a new position coordinating the efforts of our investigative units in the nine regions. The Northern District Major position is currently vacant. The Regional Captains in Regions 2, 5, 8, and 9 have all been appointed in the past three months.

2006 was our busiest enforcement year ever. Nearly twenty-four thousand Environmental Conservation Law offenses were cited, a 16% increase over the previous year, 41% higher than the average of the previous five years. Apprehensions in Article 13, Marine and Coastal Resources, were up 51%, validation of the extra focus being put on this area of enforcement by the expanded Marine Enforcement Unit. Apprehensions in Article 17, Water Quality, tripled. This was largely the result of a focused enforcement initiative on the bulk storage of petroleum products.

Forty-eight percent of all tickets written were in the thirteen categories of fish and wildlife enforcement that we track statistically. Fishing without a license continues to be the most frequent offense, with just over four thousand tickets written. Number two was the possession of loaded firearms in motor vehicles.

Seventeen trainees graduated from our Basic School on July 13, briefly maintaining the Division at full strength. However, the large numbers of ECOs hired in the early 1980s have reached retirement eligibility and are creating vacancies almost weekly. We are beginning the process of identifying our next class of recruits, in hopes of running another Basic School in 2008.

In addition to graduating new human recruits, the Division of Law Enforcement also graduated three canine recruits. For the first time in many years, there is now a K-9 unit in each of the upstate Regions, 3 through 9. We have expanded the skill set for our dogs, who have traditionally been trained to detect venison. Now, based on geographic need, three dogs are certified in bear meat detection, two in trout detection, and one in wild turkey detection.

As responsiveness to the needs of the citizens is arguably the primary mission of any government entity, the greatest success of the Division of Law Enforcement in 2006 may have been the 24 hour dispatch center in Raybrook. Not only does it serve as a lifeline for our men and women in the field, but it also continues to grow in its role as a place for "one stop shopping" for complaints from the public. With the transfer of the Turn in Poachers and Polluters TIPP line from the Conservation Council office in Ilion to the Raybrook Dispatch, it has been rediscovered by the public. TIPP complaints grew from 182 in 2005 to 876 in 2006. Overall complaints to Division grew to almost fourteen thousand, an increase of 33% over the previous year.

- One of the key components in achieving compliance with the department's regulatory programs is swift and effective enforcement against violators of state laws and regulations. DLE is often asked what the most common charges cited on Environmental Conservation Appearance Tickets (ECATs) are. The following table shows that Article 11, or fish and wildlife violations, are written most often. Many charges are related to safety, such as carrying a loaded gun in a vehicle or discharging a gun across a highway or within 500 feet of a house.

Description	2006	2005	2004	2003	2002
fishing w/o license	4313	3658	3442	3356	3722
fail to carry license	378	338	354	329	396
loaded gun in MV	521	541	462	474	518
illegal poss/tag deer	329	413	448	422	459
trespass	437	522	496	587	595
fishing out of season/undersize	468	458	361	334	395
illegal disp. of solid waste	455	405	371	352	364
fishing other than angling	278	207	183	195	216
shooting across highway	218	234	190	196	177
shooting within 500 feet	235	238	204	188	183
taking illegal doe	116	134	114	86	67
game no season/excess	203	109	132	117	107
unwholesome substance	554	576	327	308	281
uncovered solid waste	578	547	596	636	512
illegal poss of wildlife	126	161	145	139	98
idling diesel over 5 min.	365	346	281	301	242
Totals	9574	8887	8106	8020	8332

- The following chart displays the number of tickets written for violations of the ECL over the last 5 years by the Division of Law Enforcement and the corresponding articles of law.

Violation	2006	2005	2004	2003	2002
Lands & Forests	1067	946	1027	702	1286
Fish & Wildlife	11603	10692	9423	8994	9985
Marine & Costal	2483	1640	1364	984	1522
Water Resources	193	262	234	299	205
Flood Control	42	14	18	12	21
Water Pollution	1652	559	421	549	407
Air Pollution	1946	1695	858	815	987
Mineral Resources	233	380	115	133	112
Freshwater Wetlands	279	249	215	382	174
Tidal Wetlands	223	182	142	136	128
Solid & Haz Waste	2616	2065	1805	1600	1995
Pesticides	534	436	176	157	187
Enforcement/Prohibitions	1064	996	689	806	677
Total	23935	20116	16487	15569	17686

- In addition to enforcing Environmental Conservation Law, DLE also enforces all other state laws, including vehicle and traffic laws, navigation, recreation, and penal laws. See below for the number of tickets issued over the last 5 years. (Most Vehicle & Traffic tickets are for offenses associated with illegal ATV operation.)

Laws	2006	2005	2004	2003	2002
Vehicle & Traffic	4380	4708	5326	5030	4550
PR-Snowmobile	601	1858	2618	2112	2059
PR- Navigation	1073	1006	1548	1316	1589
Penal Law/Other	1275	1912	1051	910	938
Total	7329	9484	10543	9368	9136

- The Division of Law Enforcement's (DLE) Marine Enforcement Unit (MEU) consists of eight ECOs and one Investigator. They are supervised by a Lieutenant and a Captain supervises the Unit. They work in concert with regional ECOs. These teams have been

trained and equipped exclusively to conduct marine patrols within the marine district of New York. Enforcement focus is to ensure compliance with state and federal fishing regulations. Patrol focus for this enforcement activity is centered on the waters of the Great South Bay, the North Shore, the East Forks, Jamaica Bay, Raritan Bay and the NY Harbor. In 2006, MEU teams responded to 465 complaints/incidents, performed 539 vessel checks, conducted 1944 on-shore checks and issued or assisted ECOs in issuing 924 tickets. The MEU maintains a close working relationship with NYC and Long Island marine units and the US Coast Guard and is ready to assist other police units in emergencies including boating accidents, airplane crashes and other law enforcement situations requiring specialized capabilities.

- DLE also operates the Marine and Off Road Enforcement (MORE) teams. Eight MORE teams, each consisting of 2 officers, are assigned primarily in upstate regions of the state. MORE teams conduct freshwater marine patrols of the Great Lakes and other inland lakes and rivers of New York. The teams are equipped and trained to conduct both target specific and general enforcement patrols off-road on ATVs and snowmobiles. During 2006, these teams conducted 1,758 checks and wrote or assisted in the issuance of 2,648 tickets.
- MORE and MEU teams, by virtue of their non-sector-specific assignments, can be quickly deployed and realigned to provide both personnel and equipment augmentation. MORE teams are used to assist local officers during the deer season. In the fall, they are assigned to the salmon runs. The MORE team's ATV capabilities have been used to assist local police for crowd control and medical evacuations and have been instrumental during winter emergencies when local emergency services could not get through on the roads to provide basic public safety needs.
- Another important enforcement unit within DLE is the Bureau of Environmental Conservation Investigations (BECI). Each Region has one supervisor and three investigators who are integrated into the operation of each regional law enforcement office. BECI's assignment priorities are directed toward the development of major cases involving companies whose operations put the safety of citizens and the environment at risk. They also take the lead in investigating cases involving the illegal commercialization of fish and wildlife. The pursuit of enforcement assignments of this type often requires the use of specialized techniques to develop a case for prosecution.

Goal: Create the most efficient management systems to deliver our programs.

Objective: Propose a strategy for ensuring appropriate agency staffing and the retaining of institutional knowledge, considering the demographics of the agency among other factors.

- The Division of Law Enforcement has long recognized that aggressive enforcement is not the only tool to be used in achieving compliance with environmental laws and appreciation for our natural resources. ECOs have traditionally made educating the public an important part of their duties. In the past year, officers spoke to a wide range of audiences, from school groups to senior citizens, from outdoor education classes to industry groups. In all 2635 instances of this kind of outreach was recorded in 2006.
- The Division of Law Enforcement operates one of the state's most progressive training programs for law enforcement officers in the Northeast. Since 1998 this program has

provided the Department with training facilities, lodging and meals for its many initiatives. Chief among these is the twenty-six week, Basic School for Uniformed Officers. The USCG Station Oswego provides the portal to Lake Ontario for the required marine training. The DEC's Emergency Vehicle Operations training facility and the Firearms Training Range are located minutes away from the facility. The DLE conducts all Basic Schools at the Fulton facility. ECO and FR Candidate physical fitness and pre-employment testing is conducted at the facility as well. The Division of Law Enforcement currently conducts two, ten- week, In-Service training cycles per year, to cover training mandates such as constitutional law, and ECL updates. The program also provides lodging for Officers assigned to Statewide enforcement details, such as those conducted annually on the Salmon and Oswego Rivers. These law enforcement details are conducted from mid-September to November, during which, commercial lodging is difficult to obtain. Likewise, the program provides lodging and meals for Department personnel who staff the NY State Fair.