

2008 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.

2008 saw stability in our Central Office command structure with 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 split between two District Majors. Major Tim Duffy is supervising the Captains in the Southern District (Regions 1,2,3,4 and the MEU). Major Chuck Johncox is supervising the Captains in the Southern District (Regions 5,6,7,8,9) . Major Scott Florence is in a new position coordinating the efforts of our investigative units (BECI) across all nine regions. Captain Joe Schneider was promoted into BECI as Chief Investigator to assist him. Captain Schneider also fills the role as our Office of Professional Standards supervisor. The Regional Captains in Regions 2, 5, 8, and 9 have all been appointed in the past year.

2007 was a busy year for Law Enforcement. Eighteen thousand five hundred and eleven tickets were issued for Environmental Conservation Law offenses. 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.

Twenty three trainees will graduated from our Basic School on September 26, bringing the Division to full staffing level. 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.

All Division K-9s have been recertified including one K-9 specifically trained to detect fish.

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 2007-2008 has been the continued improvement of our 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. This year DLE Dispatch added the Spills

hotline to it ever increasing responsibilities. TIPP complaints continue to increase as the TIPP numbers becomes more familiar to the public. TIPP complaints grew from 182 in 2005 to 876 in 2006 to 1,146 in 2007. That is a 76% increase. Overall complaints remained steady at just over thirteen thousand (13,370).

- 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	2007	2006	2005	2004	2003	2002
fishing w/o license	3464	4313	3658	3442	3356	3722
fail to carry license	252	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 season/undersize	937	468	458	361	334	395
illegal disp solid waste	341	455	405	371	352	364
fishing other than angling	204	278	207	183	195	216
shooting across highway	230	218	234	190	196	177
shooting within 500 feet	182	235	238	204	188	183
taking illegal doe	136	116	134	114	86	67
game no season/excess	143	203	109	132	117	107
unwholesome substance	436	554	576	327	308	281
uncovered solid waste	340	578	547	596	636	512
illegal poss of wildlife	176	126	161	145	139	98
idling diesel over 5 min	231	365	346	281	301	242
Totals	7072	9574	8887	8106	8020	8332

- The following chart displays the number of tickets written for violations of the ECL over the last 6 years by the Division of Law Enforcement and the corresponding articles of law.

Violation	2007	2006	2005	2004	2003	2002
Lands & Forests	602	1067	946	1027	702	1286
Fish & Wildlife	10,043	11603	10692	9423	8994	9985
Marine & Costal	1545	2483	1640	1364	984	1522
Water Resources	189	193	262	234	299	205
Flood Control		42	14	18	12	21
Water Pollution	681	1652	559	421	549	407

Air Pollution	1307	1946	1695	858	815	987
Mineral Resources	172	233	380	115	133	112
Freshwater Wetlands	153	279	249	215	382	174
Tidal Wetlands	172	223	182	142	136	128
Solid & Haz Waste	1189	2616	2065	1805	1600	1995
Pesticides	325	534	436	176	157	187
Enforcement/ Prohibitions	762	1064	996	689	806	677
Total	17140	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 6 years. (Most Vehicle & Traffic tickets are for offenses associated with illegal ATV operation.)

Laws	2007	2006	2005	2004	2003	2002
Vehicle & Traffic	3094	4380	4708	5326	5030	4550
PR-Snowmobile	1455	601	1858	2618	2112	2059
PR - Navigation	845	1073	1006	1548	1316	1589
Penal Law/Other	1622	1275	1912	1051	910	938
Total	8288	7329	9484	10543	9368	9136

- The Division of Law Enforcement's (DLE) Marine Enforcement Unit (MEU) consists of six ECOs. They are supervised by two 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. .

- Continued Refinements to Division of Law Enforcement Organization - In 2007, as part of a commitment to intensify our efforts to identify and apprehend the worst offenders of both environmental quality and fish, wildlife and marine resource statutes, the Division reorganized the command structure of the **Bureau of Environmental Crimes Investigation** (BECI). Major Scott Florence and Captain Joseph Schneider, both seasoned veterans of the Division, have taken over Central Office oversight of BECI. While the nine regional captains still maintain day-to-day supervision of the investigative staff in their regions, Major Florence and Captain Schneider are overseeing the more complex investigations, coordinating an enhanced training program, developing undercover investigative capabilities, identifying and procuring state-of-the-art surveillance equipment, opening lines of communication with the Attorney General's senior staff for prosecution of our cases and developing interstate and international intelligence contacts.

Operationally, the Bureau's structure remains regionalized with one supervisor and three investigators who are integrated into each regional law enforcement office. BECI's assignment priorities are directed toward the development of major cases involving companies or individuals 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 3,029 instances of this kind of outreach was recorded in 2007.
- The Division of Law Enforcement's establishment of a 24/ 7 dispatch center to handle all citizen complaints regarding illegal activity involving the state's natural resources. The expansion of the dispatch center including the consolidation of the "1-800-TIPP DEC Turn in Poachers and Polluters" hotline and the recent addition of the Spills hotline to the centers growing area of responsibility.

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.