



New York State Police

Investigators Association

I.U.P.A.-Local 4 AFL-CIO



“The voice of the NY State Police BCI since 1994”

NEW YORK STATE POLICE INVESTIGATORS ASSOCIATION (NYSPIA) 2020-2021 Public Protection Hearing Testimony

Good afternoon Senate and Assembly members.

My name is Christopher M. Quick, and I am an Investigator with the New York State Police. I am the elected President of the New York State Police investigators Association (NYSPIA) which represents approximately 1200 State Police Senior Investigators and Investigators who are located strategically throughout New York State. Our members are assigned to a unit called the Bureau of Criminal Investigations, more commonly simplified as the BCI. The members of this unit are assigned to stations or special details which investigate the most serious crimes committed in our communities. These crimes include, but are not limited to: larcenies, robberies, burglaries, identity theft, sex crimes, and homicides.

We also deal with the most sensitive assignments including counterterrorism, forensic investigations, narcotics, auto theft, dignitary protection, special investigations, gaming, and computer crimes.

The State Police BCI unit is completely comprised of members who were originally uniformed New York State Troopers. Those Troopers were selected from an incredibly large pool of candidates and were chosen after their superior performance in the selection process. We are even more proud of the fact that our BCI membership comes directly from the best Troopers in the state.

The New York State Police is at a crucial juncture in its history as the policies and laws of New York State appear poised for change. We need to be prepared for those changes in order to continue our history of high-quality law enforcement services on behalf of the citizens of New York State.

Our highest priority has been, and continues to be, the replacement of retiring members within our ranks. Equipment, policies, and procedures are ineffective without the members who are capable to implement them. We appreciate the consistent support of the NYS legislature in agreeing with these proposals in past years. We are hopeful that the same decisions will be made this year. By doing so, the Division of State Police will have the ability to fill our BCI ranks as these new Troopers assume their duties. Below I indicate two specific areas where we specifically need to expand the ranks.

On April 1, 2019, New York State passed sweeping criminal justice reform legislation, including discovery reform, requiring prosecutors to disclose their evidence to the defense earlier in case proceedings. In order to implement these new reforms, we anticipate needing to expand the BCI by 35 investigators to dedicate at least one in each zone of each troop to the area of discovery. On January 4, 2020, the Times Union published an article titled “NY Crime Labs Face Backlogs As Criminal Justice Reforms Take Hold”. This article focuses upon the backlog of forensic evidence at the state crime lab in Albany. Although this is of great concern, what is of greater concern is, as the article quotes “labs that process digital evidence seized from computers or other electronic devices will face the

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same workload problems”. Many counties have their own crime labs, including New York City, Onondaga, Suffolk, Erie and Nassau counties, but the vast majority of upstate and especially suburban counties rely on the forensic labs run by the State Police. The Investigators within the State Police are consistently asked to assist with other agencies in their computer crimes investigations due to the fact that they are highly trained and often have software, licensing and tools that other agencies do not have or cannot afford.

Therefore, we additionally anticipate the need to expand the Computer Crime Unit (CCU). This Unit, consisting of Field Investigations; the Computer Forensic Laboratory (CFL); and the Internet Crimes Against Children Task Force (ICAC), is one of our busiest units in the NYSP. Their main responsibility is to investigate predators who seek to exploit and victimize children through the use of computers and the Internet and to seek to limit the instances of phishing and other cybercrimes. As these crimes increase in number, the need to expand the BCI also increases and we anticipate an additional 19 investigators will allow for the CCU to increase the strength of their efforts and successfully work to lower the instances of these crimes and more importantly, the number of victims who fall prey. This unit will also continue to be more heavily taxed due to the new discovery legislation, specifically due to the fact that computer hardware continues to become more readily available and made with higher and higher abilities to store information, which requires more time and manpower to review the evidence. Also, from 2018 – 2019, we saw an 80% increase in the number of cyber tips coming into the task force and the tips just keep increasing exponentially. Couple that with the fact that computers/technology are typically involved in every major crime (video, text messages, emails, photos, security footage, etc.), the CCU continues to be one of the most utilized and necessary units in the State Police.

In addition to the changes in the discovery process, the issue of bail in criminal prosecutions has also seen tremendous modifications in 2020. Regardless of your individual support or opposition to these new statues, the fiscal impacts must be planned for if they are to be the new standards in criminal justice. The fact is that the processing procedure of evidence is much lengthier and the release of the accused under the vast majority of charges does raise concern that an individual may re-offend while taking advantage of their newfound freedom. The need for law enforcement to engage with those less compliant of the law may require more frequent contact but will definitely require longer processing times when an arrest is made.

Finally, the aging automobile fleet of the New York State Police has been discussed in prior budget testimonies. I am happy to report that this issue has seen progress over the last two years thanks to the legislature’s commitment to addressing the problem. The appropriations from prior years have helped in targeting the highest mileage vehicles. We sincerely hope to maintain that trend by continuing to replace our fleet in the coming years. Our vehicles serve not only as the mobile office where we conduct interviews of victims and suspects, but are also one of the most valuable tools and getting us to the locations where our help is direly needed. Our confidence that the vehicle is safe and adequate for these challenges is of the utmost importance. Funding is needed in the amount of \$15 million dollars in order to maintain the trend of keeping the fleet in safe and working order.



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We would hope that the legislature would also continue to help us work toward a more diverse line of vehicles being available to our members assigned to sensitive undercover work. As the criminal element within our society learns of the types of vehicles being used for surveillance by law enforcement, our effectiveness diminishes. The ability to vary the make and model of vehicles used during these very dangerous and sensitive investigations would be an incredibly valuable tool as well as a smart investment by our state. It would be foolish to spend time and money to commence an investigation which may ultimately fall to pieces due to the inability of our membership to move undetected by the suspects.

Thank you for allowing me the opportunity to bring these important issues to your attention on behalf of my membership. We are confident that you will share the same concerns that we hold today while making decisions related to the NYS Budget.