



**Joint Legislative Public Hearing on  
2013-2014 Executive Budget Proposal for  
Higher Education**

**Testimony of  
Michael J. Mabee**

**February 11, 2013**

Chairpersons LaValle and Glick and members of the Higher Education Committees, good afternoon. I would like to thank you for the opportunity to speak to you at today's Joint Higher Education Executive Budget Hearing.

My name is Michael Mabee and I am the Director of the New York State University Police Lieutenants Benevolent Association, a subgroup of the Police Benevolent Association of New York State for which I have the privilege of serving as the Vice President - Chief Administrative Officer. I am here in my union capacity, but I would like to note that I am a State University Police Lieutenant at the University at Albany.

Last week some of my fellow PBA leaders from the New York State Park Police, Environmental Conservation Police, and Forest Rangers had the opportunity to speak before their respective budget committees on essential personnel and resource needs. Today I advance for consideration the needs of the State University Police.

The State University Police are the primary law enforcement departments responsible for protecting students, staff, and visitors on 28 of our SUNY campuses in all regions of the state. In 2012, the 500 State University Police have investigated cases ranging from homicides and other serious felonies to violations that affect quality of issues.

I would like to take a brief minute or two to recap some recent incidents, in which our members have been involved.

Hurricane Sandy impacted our downstate communities with great devastation. On Long Island a gas shortage occurred as a result of the storm and SUNY Stony Brook provided gasoline to the surrounding community to help alleviate the log jam of motorists at the gas stations. Our police officers helped implement this, conducting crowd and traffic control, and from time to time, even pumped gasoline to ensure that hundreds of Stony Brook Medicine's employees could make it into work and assisting those in need of medical care within the hospital. At SUNY Stony Brook's Southampton campus hundreds of FEMA workers, State Troopers, and insurance adjusters were housed. State University Police members worked around the clock assisting these groups to ensure that they could assist the community.

FEMA also established its Incident Command Staging Area at SUNY Maritime. Our State University Police Officers worked around the clock when that location's surrounding roads became impassable and covered by 5 feet water. Our members specifically ensured that all non-essential employees were evacuated safely.

At SUNY Old Westbury, FEMA was set up in Wang Hall and the Clark Center was designated as a Red Cross Shelter. It was particularly challenging and dangerous for our members whose task was to keep the roadways clear of falling trees and utility poles, resulting in widespread power failure, alarm activations, and loss of cellular and landline communications.

We know that it is our job to respond within our communities around the clock. Today I am here to ask for adjustments to the Governor's budget to help us best serve our communities. By enacting Tier V and Tier VI retirement plans, our State University Police Officers are now being required to work as many as 42 years - up to age 63 - when all other police officers are working half that duration. As a result of this disincentive we anticipate a perpetual loss to our ranks, now at approximately 20 percent, and growing due to the unintended consequence of Employee Retirement System Tier V & VI longevity requirements.

State University Police are entrusted to keep young adults safe and protected from those who seek to take advantage or harm them. However, we are expected to work into our early 60's sometimes chasing and arresting, college students in their teens and early 20's. There are obvious reasons for 20 and 25-year police pension plans – one of them is that you cannot reasonably expect a 63 year old to chase and arrest an 18 year old. We invite you to partner with us to legislatively remedy this operational vulnerability. And, as a second step, we are asking that the legislative budget include a common 25-year retirement plan within the Police & Fire System.

Our members realize everyone is being asked to do more with less. In fact, the proposed legislation allows for the retirement system to retain the members past service contribution into the ERS to help offset the cost.

I would also like to mention that the State University Police members are not here today to only ask for more benefits without being willing to provide more. We are the only police officers employed by New York State that are unable to enforce violations, infractions, and petty offenses when not directly on SUNY property. SUNY has increasingly expanded its footprint around the state by obtaining satellite properties which State University Police officers are responsible for patrolling and responding to emergencies.

Upon being given police status in 1999, each campus police department was required to enter into Memorandums of Understanding regarding mutual aid assistance. Our members have been walking a very thin line regarding what we can and cannot do legally.

Last week in Alfred, NY a State University Police officer apprehended a fleeing bank robber. Also in Alfred, our officers have responded to personal injury motor vehicle accidents, homicides, assaults, domestic violence incidents, explosions resulting in structure fire and personal injuries, and provided advanced medical assistance with an AED.

In Buffalo, the community has requested our officers participate in the joint Bike Patrol Detail with the Buffalo Police Department. This assignment occurs on Main Street in the University Heights neighborhood enforcing quality of life conditions and deterring incidents of crime. Mayor Byron Brown has repeatedly cited that this detail has significantly reduced criminal activity in this area each year. Also in Buffalo, our officers have been assigned to a marine detail on the Niagara River stemming from a Homeland Security assignment jointly handled with the Erie County Sheriff's Department.

In Oswego, State University Police have worked off-campus at the annual Oswego Harborfest, Bridge Street Run, and routinely work Stop DWI checkpoints.

In Brockport, our State University Police Officers have worked off-campus at the annual Brock-the-Port event and frequently provide mutual aid when college-house parties become uncontrolled student mobs involving underage drinking, medical emergencies and the destruction of neighborhood property.

In Albany, our State University Police have responded to Crossgates Mall for fights in progress, alarm checks, and service calls assisting the Guilderland Police Department. Our K9 units also assist throughout the Capital Region law enforcement agencies by deploying highly trained officers and canine to investigating alleged narcotics activity, threats posed by hidden explosives, or to support search and rescue operations.

In Albany, Oneonta, and Cobleskill, our DRE's – Drug Recognition Experts, a highly specialized level of training which only 1% of law enforcement officers in the nation have, respond to requests for evaluations for impaired drivers as part of our standing mutual aid agreements.

I could continue all afternoon but I've provided a synopsis of what we continue to do beyond our campus communities.

There is another legislative piece which at no fiscal cost allows for SUNY to give back to its surrounding communities. The SUNY Geographical Area of Employment bill amends the Criminal Procedure Law to mirror that of our fellow State Park Police, State Environmental Conservation Police, and State Forest Rangers. This proposed legislation clears up the "grey areas" we many times work under when off campus.

While I have not been able to review the full SAGE Commission Report, it has been suggested in previous budget hearings that the State University Police assist the State Park Police during SUNY's non-academic periods which coincide with the peak times at the State Parks. At this time, the State University Police lack the needed legal authority to provide such assistance without having our geographical area of employment restrictions lifted.

Thank you for the opportunity to speak before you today and I welcome any questions you may have on anything that I have presented before you today.