

House of Representatives Natural Resources Committee
Subcommittee on National Parks, Forests, and Public Lands
“Restoring the Federal Land Management Workforce”

Statement of James Austin, Chairman
Fraternal Order of Police
United States Park Police Labor Committee

March 19, 2009

Mr. Chairman, thank you for the opportunity to speak before the Committee regarding the United States Park Police. My name is James Austin and I am the Chairman of the Fraternal Order of Police, United States Park Police Labor Committee. I have both the honor and privilege of representing over 400 dedicated men and women who provide law enforcement services to many of the most recognizable symbols of democracy in the United States.

Since 1791, the United States Park Police has been tasked with the responsibility of providing law enforcement services in the nation’s capital. In 1974, the Force began to provide the same services in the National Park Service areas within New York and San Francisco. Currently, the Force has approximately 600 sworn members spread throughout the Washington Metropolitan Area, New York and San Francisco Field Offices.

Despite the long, proud history, several issues have emerged the past three years that have thrust the Force into an unfavorable public spotlight. The extent of the poor status of the Force began to surface in July of 2006, when it was brought to my attention that the most highly visible units on the Force, the Horse Mounted Patrol Unit, was about to exhaust its horse feed supplies. After verifying the concern, the Labor Committee contacted the vendor and ordered a supply of feed for the horses. This resulted in the discovery that several vendors that had contracts with the Horse Mounted Patrol Unit had substantial outstanding debts owed to them. Additionally, it became clear that some officers were making minor repairs to their assigned motorcycles to keep them running. In the New York Field Office, some members of the Marine Patrol Unit also purchased minor boat parts to ensure that they could fulfill the mission.

At the same time several desperately needed recruits were hired and were about to report for their first day on the Force. At the last minute, these recruits were contacted and advised that the class was cancelled. Many of these recruits had already left their jobs and one was actually having a going away party when he received the call. This event further demoralized the morale of the Force.

Mandated and voluntary training had effectively ceased throughout the entire Force. Other than mandatory on-line computer training, all other training was essentially cut. This included the required semi-annual firearms qualifications. As the February 2008

Inspector General's report stated that officers assigned to the San Francisco Field Office had not been through a mandatory firearms qualification for over a year due to the lack of ammunition.

The vehicle fleet was in poor condition and no new vehicles were projected to arrive to help improve the situation. First responder equipment such as fire extinguishers and first aid kits were in short supply.

Different stations and administrative offices were scrounging for simple office supplies, such as paper clips, staples, pens, copier toner and tape.

Contracted services were in complete disarray. Building maintenance services, bottled water replacement, leased vehicles and ballistic vest replacement contracts were at some point stalled or cancelled.

A former senior-level manager informed me that on one occasion the Force had received an eviction notice to remove one of our communications "repeater" systems from a rented radio tower in the Washington Metropolitan Area due to an outstanding payment due. This would have had a devastating effect on the officers that would've lost all communication with the dispatcher and other street units.

Most importantly, however, was the critical Force-wide staffing levels. It quickly became clear during the entire 2007 year that the Force would have great difficulty in fulfilling the minimum staffing levels each shift. Often times, as confirmed by the Department of the Interior Office of Inspector General's report, posts that were required to be staffed were left empty. Often times officers would be reassigned from a patrol beat to a sedentary security post, leaving the patrol beat uncovered. In the New York Field Office, the lack of staff prompted one of the Statue of Liberty supervisors to admit that not all the mandated posts were covered; rather it was "...all smoke and mirrors."

In February 2008, the Department of the Interior Office of the Inspector General (OIG) released a report that was initiated based on an unscientific survey that was conducted by the Union, which encouraged the membership to evaluate the command staff and provide feedback on the working conditions. After two preliminary interviews with Union Executive Board members, the investigators for the OIG interviewed several Force members and gave every Force member, civilian or sworn the opportunity to respond via email. As the Force spoke, a rather telling report was issued that publicly highlighted the ineptness and the struggles that the Force has had to endure. This was a pivotal event that began the process of bringing the necessary change and hope to the United States Park Police.

Since the report was published, the Force has seen several changes. First and foremost, the direct and immediate involvement of the Secretary of the Interior, and the Director of the National Park Service was essential. While there were many other priorities within the Department of the Interior and the National Park Service, their prompt attention gave confidence to the members of a grateful Force that positive change would be imminent.

Eventually the Chief was reassigned and all of the senior level commanders retired. The Chief Financial Officer had transferred to another agency prior to the release of the report. A retired United States Park Police Major who was employed by the Office of Law Enforcement, Security and Emergency Management (OLESEM) was installed as the “Acting Assistant Chief of Police” until recently appointed as the permanent Chief of Police.

Currently, the vehicle fleet has seen an influx of new police vehicles deployed to the street and there is a reserve of approximately one dozen vehicles. A vehicle committee has been established to develop a plan of action to produce and maintain a vehicle replacement program and determines other vehicle policies.

While voluntary training is still largely considered if it is at no cost to the Force, the mandatory In-Service training in the Washington Metropolitan Area has been broken up in an attempt to be more efficient for the officer and lessens any detrimental impact on the operational needs of the Force. For example, the blocks of instruction are given individually and usually last for about 2 hours per block. Instead of officers being assigned to the Training Branch for an entire week, an officer may be assigned to training for a two-hour period at a time for each block until the mandatory requirements are fulfilled. Although the training may take a few weeks to complete, the impact of street operations are minimal. Mandatory bi-annual firearms qualifications are being conducted at all locations.

The Force has completed the replacement of all the ballistic body armor that contained Zylon material. The uniform/equipment replacement program is in the process of being Force-wide. This will assure accountability of all uniforms and equipment that is issued or replaced.

At the Station Commander level and above, all personnel, including the Chief of Police, have re-instituted regular meetings with the National Park Service. This communication has gone a long way to increase cooperation and progress for each bureau to fulfill each of the missions.

Improvements in financial management and accountability have been made. With the assistance and training from the National Park Service and the Department of the Interior, the Force has hired financial professionals with federal budget knowledge and knowledge of federal purchasing regulations. Additionally, the NPS and DOI budget offices have also assisted the Force to become more accountable and knowledgeable about the budget process, financial management as well as purchasing and contracting practices. It is clear that the Force is benefiting greatly from the assistance from the NPS and DOI.

To illustrate the commitment to preserving and protecting the Icons, the Force has consolidated its resources by realigning the Force, which resulted in the development of the “Icon Security Division.” Affecting mainly the Washington Metropolitan Area, the Central District and the Special Forces Branch have been consolidated to form the new

Division, which includes the New York Field Office, which emphasizes the protection of the Statue of Liberty and Ellis Island. In the Washington Metropolitan Area, the core Icons areas such as the Lincoln, Korean War, Vietnam War, World War II and Jefferson Memorials, Washington Monument, White House/Ellipse and the National Mall are now patrolled by the “Icon District” officers in addition to the S.W.A.T., Canine, Motorcycle and Horse Mounted units. Although these units were already in the core Icon area, this change streamlines the protection responsibility into one chain of command rather than several commanders with overlapping responsibilities and reporting to different senior level commanders.

Since September 11, 2001, the Force has not had consistent leadership. At the time of the terrorist attacks, three Deputy Chiefs were alternating in the vacant Chief position. Then a Chief was brought in from outside of not only the United States Park Police, Department of the Interior but from outside of the federal government system. This inexperience proved problematic. Further complications arose when an equally inexperienced Chief replaced the terminated Chief. When this Chief was reassigned as a result of the OIG report, it emphasized the fact that the Force is not yet ready to stand on its own. Whether members of the Force agree or disagree, we cannot deny the fact that we need the assistance of the National Park Service resources. Our slow progress has proven this.

While I have highlighted some of the negative issues and some of the changes that have taken place over the past 12 months, there is more vital action that needs to be taken to keep the United States Park Police progressing forward.

Currently in the Washington Metropolitan Area, San Francisco and New York Field Offices, personnel numbers are extremely low. Although approximately 40 recruits have been hired so far this fiscal year, our attrition rate is 35-40 officers per year. Recruit hiring must be increased to stay ahead of the attrition rate.

The following steps must be taken:

- Determine what the authorized strength of the United States Park Police should be.

Within the Department of the Interior and the National Park Service, an arbitrary number of 639 officers seem to have been determined as the number of officers to keep the Force functioning. Conversely, an October 1999 “Strategic Counter-Terrorism Plan” conducted for the National Park Service by Booze-Allen & Hamilton indicated that the Force should be staffed with 820 officers. It is important to note that this study was completed 2 years before the 9-11 attacks and the increased responsibilities mandated by the National Park Service and the Department of the Interior. There needs to be a definitive number of sworn personnel to achieve and maintain.

- Determine who has the ultimate responsibility for the individual Icons.

The Department of the Interior and the National Park Service has the overall decision-making responsibility for the Icons; however, the supplemental protection costs (e.g. civilian guards and video monitoring systems) are the financial responsibility of the Force. The funding that is dedicated to this would be better served in hiring personnel, training, equipment or vehicle replacement.

- Ensure that other patrol district beats are required to be properly staffed.

The United States Park Police has many critical infrastructures in all of our areas or immediately adjacent to our primary jurisdiction. Our unique peace officer status in many of the adjacent States provides the United States Park Police Officer to be on the front lines in the war on terror. In addition, the calls for service, proactive and selective enforcement and emergency response must not be compromised due to the Force's commitment to the core Icon areas.

- Increase the funding for the United States Park Police to account for the rising personnel costs.

A large portion of the annual budget for the Force is dedicated to salary and benefits. The Force has officers in two separate retirement systems. Those hired prior to January 1, 1984 are in a system known as the "Title 4" retirement system administered by the District of Columbia. Officers hired after January 1, 1984 are in a retirement system known as "Title 5" and are incorporated in the FERS law enforcement retirement system. The Force incurs an estimated cost of 7-12 percent of the Title 4 officer's salary to fund the benefits/retirement package on a yearly basis, compared to the Title 5 officer's benefits/retirement package of an average of 35-49 percent on a yearly basis. Both retirement plan costs are reoccurring. This contributes to the fact that although our budget sees incremental increases, our staffing levels fall.

- Ensure that key civilian positions are filled.

The Force has several vacant civilian positions that are vital to our operation. Dispatchers, a safety officer, personnel specialists and a contracting specialist are desperately needed to provide relief to others who are working in several positions to fill the void.

In conclusion, I would like to stress upon the Committee that the men and women of the United States Park Police are dedicated to the mission of the Force. I have witnessed these true professionals handle some very stressful times and conditions with complete grace and professionalism. It is this commitment that truly makes me proud to be a United States Park Police Officer.

Thank you again for this opportunity to speak to the Committee and I will be happy to address any questions you may have.