



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #517

Law Enforcement Radios (Natural Resources -- Conservation and Recreation)

[LFB 2019-21 Budget Summary: Page 299, #3]

CURRENT LAW

The Department of Natural Resources (DNR) Bureau of Law Enforcement (BLE) is responsible for enforcement of state laws regarding fish and wildlife, motorized recreation and environmental quality, as well as for ensuring public safety at DNR recreational properties. DNR law enforcement personnel may respond to incidents in coordination with other law enforcement agencies. The Department's current inventory of law enforcement radios includes 365 mobile radios and 430 portable radios. Of these, the Department reports that 330 mobile radios and 210 portable radios were purchased before 2010 and use outdated technology, while an additional 45 portable radios purchased in 2011 and 2012 are nearing obsolescence.

GOVERNOR

Provide \$1,288,300 (\$53,500 GPR, \$1,154,600 conservation fund SEG, and \$80,200 environmental fund SEG) annually as one-time funding for the purchase of law enforcement radios. BLE indicates that it would use this funding to purchase 390 multi-band mobile radios and 290 multi-band portable radios.

DISCUSSION POINTS

1. BLE reports that it has a large inventory of mobile and portable police radios that use outdated technology and that are not currently capable of communicating with many city, county, and state radio systems. The Governor proposes to provide DNR with \$1,288,300 in each year of the biennium. This funding would support the first two years of a four-year master lease for 390 multi-band mobile radios, which are mounted to service vehicles, and 290 multi-band portable radios, which

are carried by law enforcement personnel. Newly acquired radios will replace the Department's current inventory. Radios would be divided among full-time and limited-term employee (LTE) wardens as shown in Table 1. Radios purchased for maintenance would be used as replacement for radios needing service or other situations where additional radios are necessary.

TABLE 1

Allotment of Radios among Wardens

<u>Mobile Radios</u>	<u>Quantity</u>	<u>Portable Radios</u>	<u>Quantity</u>
Truck-Mounted (Full-Time Wardens)	230	Full-Time Wardens	230
Watercraft-Mounted (Full-Time Wardens)	100		
Maintenance/Support	20	Maintenance/Support	20
Truck-Mounted (LTE Wardens)	<u>40</u>	LTE Wardens	<u>40</u>
Total	390	Total	290

2. The proposal would divide funding among law enforcement functions as shown in Table 2. Funding was allocated among law enforcement appropriations based on the number of positions funded by each appropriation.

TABLE 2

DNR Law Enforcement Radios -- 2019-21 Funding

<u>Appropriation</u>	<u>Annual Allocation</u>	<u>Fund</u>
General Program Operations	\$53,500	GPR
Environmental Enforcement	\$80,200	Environmental SEG
Fish, Wildlife, Parks and Forestry Enforcement	\$963,100	Conservation SEG
Boat Enforcement	124,900	
ATV Enforcement	53,500	
Water Resources Enforcement	<u>13,100</u>	
Conservation Fund Subtotal	\$1,154,600	
Annual Total	\$1,288,300	

3. The amounts shown in Table 2 would fund the first two years of a four-year master lease. The Governor's budget also proposes increasing funding for the State Patrol in the Department of Transportation (DOT) to purchase additional radios. (Previous Committee action approved \$1,840,700 over the biennium under a modified request from the administration and DOT.) DNR indicates that, if both requests are approved, it will work with the State Patrol to identify one supplier. DNR argues that this will reduce burdens on State Patrol radio technicians and will save the agencies

time and costs of maintenance, as State Patrol technicians currently service all radios for both State Patrol and DNR law enforcement.

4. In addition to enforcing fish and wildlife, motorized recreation, and environmental quality law enforcement, DNR wardens may respond to other emergencies, as requested and as staffing allow. The radios DNR intends to purchase would enable DNR wardens to communicate on the same channels as the State Patrol and local law enforcement in many communities. It is reasonable to conclude that the acquisition of these radios would have a statewide impact as DNR wardens would be better connected to and more able to respond to emergencies across the state.

5. However, DNR wardens primarily patrol state conservation lands. Under this perspective, it could be argued that DNR law enforcement radios should be acquired using SEG funding only. The Committee could consider providing \$1,288,300 annually to fund the first two years of the master lease without using DNR GPR appropriations, as shown in Table 3 [Alternative 2].

TABLE 3

DNR Law Enforcement Radios -- 2019-21 Funding

<u>Appropriation</u>	<u>Annual Allocation</u>	<u>Fund</u>
Environmental Enforcement	\$83,700	Environmental SEG
Fish, Wildlife, Parks and Forestry Enforcement	\$1,004,700	Conservation SEG
Boat Enforcement	130,300	
ATV Enforcement	55,900	
Water Resources Enforcement	<u>13,700</u>	
Conservation Fund Subtotal	\$1,204,600	
Annual Total	\$1,288,300	

6. As noted above, DNR intends to pursue a four-year master lease to acquire the radios. If the proposal is approved, DNR would need the same amount (\$1,288,300) in each year of the 2021-23 biennium for the final two years of the master lease. The Committee could consider providing one-time funding for DNR to purchase the radios outright [Alternative 3]. DNR indicates that the one-year cost acquiring the radios is \$4,618,800. The funding would be allocated among law enforcement appropriations as shown in Table 4. As shown in the table, the total cost of the four-year master lease is approximately \$534,000 higher than the one-time purchase option. DNR notes that a large one-time cost will not place substantial strain on the balance on any account that would be used to purchase the radios.

TABLE 4**Comparison of Master Lease and One-Time Purchase**

<u>Appropriation</u>	<u>Percent Split</u>	<u>Four-Year Lease Total Cost</u>	<u>One-Time Purchase</u>
General Program Operations (GPR)	4.2%	\$214,000	\$192,000
Environmental Enforcement (SEG)	6.2%	\$320,800	\$287,500
Fish, Wildlife, Parks and Forestry Enforcement	74.8%	\$3,852,400	\$3,452,500
Boat Enforcement	9.7	499,600	447,900
ATV Enforcement	4.2	214,000	192,000
Water Resources Enforcement	1.0	<u>52,400</u>	<u>46,900</u>
Conservation Fund (SEG) Subtotal		\$4,618,400	\$4,139,300
Total	100.0%	\$5,153,200	\$4,618,800

7. DNR reports that it may not be able to complete the acquisition and installation of radios within one year, as it would purchase the radios from a different source than that which completes the installation. The Department estimates that after money is appropriated, the acquisition and installation of new radios could take roughly a year or more. If the process is delayed, the Department is concerned that funding may lapse. A four-year master lease provides DNR with greater flexibility if the contract or procurement is delayed.

8. Many of DNR's current stock of radios use only very high frequency (VHF) bands, rather than VHF-trunked bands. DNR reports that VHF radios using only conventional scanning technology limit the number of users that can communicate at one time and are therefore nearing obsolescence. The Department notes that there have been a series of incidents recently in which DNR wardens could not communicate with other first responders. VHF-trunked radios can improve interoperability by using a more efficient frequency-scanning technology. This enables all radio users to access all frequencies within a range, rather than allowing only certain users to use certain channels.

9. DNR has 221 credentialed full-time wardens and 40 credentialed LTE wardens. DNR would equip all wardens with a portable radio, to be carried by the warden, and a mobile radio, to be mounted on the warden's vehicle. DNR indicates that wardens work alone more often than other law enforcement officers. Currently, DNR also uses LTE wardens in many of the same capacities as full-time law enforcement. LTE wardens often work solo and are outfitted and trained to the same level as full-time wardens. Therefore, DNR believes that it is important to provide the equivalent radio technology to LTE and full-time wardens.

10. It could be argued that providing two radios to each warden is redundant. DNR points out that wardens spend a significant amount of time on foot during normal field duties, necessitating the use of portable radios. DNR further argues that gaps in radio coverage necessitate the use of mobile radios. The Department points out that the state's radio towers were designed to provide local

coverage for county or local first responders. This local system leaves many "dead zones," where radio coverage is weaker. Mobile radios have stronger reception that can provide a wider range of coverage for users. DNR reports that its stock of mobile radios are older than its portable radios and are most urgently in need of replacement.

11. The Committee could consider providing funding to replace 390 mobile units but no portable units [Alternative 4]. This would provide wider coverage for wardens and would incur less cost. Additionally, DNR indicates that most of its portable radios are operable and are therefore less in need of replacement than its stock of mobile radios. The Department estimates that this would cost \$713,600 (\$30,000 GPR, \$44,200 environmental SEG, and \$640,100 conservation SEG) in each year of the biennium. Furthermore, equal funding would need to be appropriated in each year of the 2021-23 biennium to complete the final two years of the master lease.

12. One drawback to this option is that wardens would still keep their current inventory of portable radios, which may not be fully compatible with the mobile radios. Further, DNR believes that the current stock of portable radios is nearing obsolescence and will need to be replaced eventually. If funding is denied for portable radios in this biennium, DNR reports that it will request funding in the 2021-23 biennium. Funding the acquisition of mobile and portable radios in two tranches may incur greater costs than funding the purchase of both together, as DNR will be unable to benefit from bulk pricing.

13. Finally, if the Committee took no action [Alternative 5], the Department would maintain its current stock of radios. Continued use of these radios may incur greater maintenance costs as DOT radio technicians would operate two different radio systems. DNR reports that it will need to acquire new radios in the coming years and will request funding in the 2021-23 biennium if funding were denied now.

ALTERNATIVES

1. Approve the Governor's proposal to provide \$1,288,300 (\$53,500 GPR, \$80,200 environmental SEG, and \$1,154,600 conservation SEG) in each year of the biennium to fund a master lease for the acquisition of 390 mobile radios and 290 portable radios for DNR wardens.

ALT 1	Change to	
	Base	Bill
GPR	\$107,000	\$0
SEG	<u>2,469,600</u>	<u>0</u>
Total	\$2,576,600	\$0

2. Provide \$1,288,300 (\$83,700 environmental SEG and \$1,204,600 conservation SEG) in each year of the biennium to fund a master lease for the acquisition of 390 mobile radios and 290 portable radios for DNR wardens.

ALT 2	Change to	
	Base	Bill
GPR	\$0	-\$107,000
SEG	<u>2,576,600</u>	<u>0</u>
Total	\$2,576,600	-\$107,000

3. Provide \$4,618,800 as an annual appropriation in fiscal year 2019-20 for the purchase of 390 mobile radios and 290 portable radios for DNR wardens.

ALT 3	Change to	
	Base	Bill
GPR	\$192,000	\$85,000
SEG	<u>4,426,800</u>	<u>1,850,200</u>
Total	\$4,618,800	\$1,935,200

4. Provide \$713,600 (\$30,000 GPR, \$44,200 environmental SEG, and \$640,100 conservation SEG) in each year of the biennium for purchasing only mobile (vehicle-mounted) radios.

ALT 4	Change to	
	Base	Bill
GPR	\$60,000	-\$47,000
SEG	<u>1,368,600</u>	<u>-1,101,000</u>
Total	\$1,428,600	-\$1,148,000

5. Take no action.

ALT 5	Change to	
	Base	Bill
GPR	\$0	-\$107,000
SEG	<u>0</u>	<u>-2,469,600</u>
Total	\$0	-\$2,576,600

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