



NEW YORK STATE SUPREME COURT OFFICERS ASSOCIATION, INC. I.L.A.

Testimony to Joint Legislative Budget Committee
New York State Supreme Court Officers Association
Patrick Cullen, President

Good morning, Chair Kruger, Chair Pretlow and all of the esteemed members of this Committee. My name is Patrick Cullen, and it is once again my privilege to submit testimony on behalf of our 2,500 active and retired members. Our membership is comprised of dedicated law enforcement professionals in New York City and Hudson Valley and my objective today is to present some of the present concerns our workforces faces and how they are related to the New York State budget process.

Our members are facing many challenges daily and like most of our brethren throughout different agencies throughout the State, most of them are directly caused by the budget of the Judiciary and New York's overall fiscal planning. The foremost of these predicaments is the failure of our agency to recruit and retain talented, dedicated and qualified individuals for our uniformed workforce. For many years, when the open competitive exams were given for our job, the consistent number of eligible candidates for hiring number over 100,000 people drawing from all walks of life and various experiences. When it was established, the most recent list had approximately 28,000 people on it. This decrease of over 70% of candidates is troubling and can be directly correlated to the continued failure of the Unified Court System to keep up with other public employers in keeping this employment attractive. This means a continued failure to increase compensation based on geographic location as other agencies have. This alone eliminates competitiveness as individuals seeking public employment are always going to compare financial compensation before anything else. Additionally, the pay scale for the titles we represent takes longer than most similar titles to reach top pay. So, despite respectable starting pay when compared to other law enforcement jobs, it would take our members, in most cases, 50% longer to reach top pay. Those citizens of New York State who seek employment in the public sector have always been inclined to take multiple such exams with various agencies and municipalities. For many years, becoming a New York State Court Officer was the preferred job after having been employed by another law enforcement entity. Now, we see hundreds of people leave for other law enforcement jobs when they reach eligibility

elsewhere. This troubling trend has increased rapidly and can only be reversed by positive adjustments to our compensatory package. Court system administrators have fallen behind in creating an attractive professional workforce for new hires.

In addition to the impact that increasing appeal through financial compensation would have, there must be serious consideration made to a major overhaul of the deficiencies of Tier 6. Last year, some minor alterations were made surrounding Tier 6 that included a change to the Final Average Salary component, bringing it more in line with Tier 4 benefits. There were other adjustments made as part of last year's work on this, however, they do not have a far reaching or comprehensive effect on all our members in Tier 6. I recently attended an event where the Governor touted these changes as "fixing Tier 6". This could not be further from the truth. While beneficial at the end of one's career, the changes do nothing to help recruit and retain potential employees, the detriments continue to far outweigh any benefits of these minimal modifications. The only way for the State workforce to thrive and maintain successful entry and long-term allegiance to one profession is to make the difficult but necessary move to reversing service time and age requirements to retirements. Although, the Unions representing some court employees have submitted and support "stand alone" legislative bills to specifically address these deficiencies, we know that the Governor prefers that all bills related to pension reform be included in the budget process. We will continue to support bills that are singularly meant to bring the change that is the only way to achieve true Tier equity, and in the process bring all our public service occupations to their former levels of enticement and appeal.

The safety and security of all New Yorkers are dependent on the massive budgetary decisions that are made here every year. I can report to you that as a direct result of the issues I have already mentioned here, and despite training new recruits at more regular intervals than in the past, we are operating at a major staffing deficit in some of our most overloaded courts. Administrators have been forced to make the decision to place judicial statistics over public safety. For example, Brooklyn Supreme Court Criminal Term, is operating at about 65% of the proper and acceptable staffing for the roster of Officers. Recently, even further changes have been made in this location, taking some personnel away from important posts and yet they still do not have enough to properly staff the building, one of the busiest in the world. In recent months, this particular location has experienced 4 shooting incidents and multiple stabbing incidents, now not able to be handled or deterred based on an extensive staffing deficiency. This is just one of many ways all court users, jurors, judges, prosecutors, attorneys and employees are less safe than ever before. The ability to provide fully secure facilities has decreased while the number of judges and cases has increased. How can any professional workforce expect to be successful and continue to draw new recruits when they are set up for failure? Recently, while these ill-advised changes were being made, numerous gang members engaged in a violent fight in Manhattan Supreme Court resulting in numerous slashings. This facility is better staffed than Brooklyn, but not by much, yet our members there were faced with these vicious attacks and their aftermath. The weapons used in this case were made of fiberglass, not detectable by the archaic magnetometers employed by the Office of Court Administration. We will, during this session once again seek legislation funding a pilot program to introduce non ionizing scanners and millimeter wave technology into the screening process that exists at each of our hundreds of courthouses of varying sizes throughout the State.

In my limited time to bring these issues to you in the State legislature, I hope I can provide you with a brief but impactful snapshot of the considerable uphill battle that our profession is facing. You can assist in making changes to some of these problems and mending some of the damage that has been done. We seek support in helping enact significant changes that would signal a serious commitment from our elected officials to improving the environment and workplace experience for our members both now and well into the future. I appreciate the ability to bring this information to you and pledge any assistance you may require in addressing that which needs to be turned around.