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**2025 Joint Legislative  
Budget Hearing Testimony  
Public Protection**

**Submitted on Behalf of the  
Police Benevolent Association  
Of New York State**

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**February 13, 2025**

## **Introduction**

Good morning/afternoon/evening. My name is Kurt Nolan. I am the Executive Director and Counsel for the Police Benevolent Association of New York State, Inc. I have the honor of representing over eleven hundred police officers from the New York State University Police, New York State Park Police, New York State Environmental Conservation Officers, and New York State Forrest Rangers in the Agency Police Services Unit. On behalf of my members, I would like to thank you for this opportunity. Today, I will discuss how a variety of issues affecting my members impacts the ability of our law enforcement agencies to protect our public colleges and universities, our parks and historic sites, our forests, and our environment.

## **Pension**

Law enforcement agencies across New York State are facing an unprecedented crisis with respect to recruitment and retention. When I became a police officer, you had to wait in line to take a civil service exam, hope that the agency you were applying for was hiring, and hope that you were reachable on the civil service list just to get the chance to interview for a job. Unfortunately, today, there are fewer and fewer people pursuing a career as a police officer.

Where candidates once competed for a limited number of jobs, agencies now compete for a limited number of candidates. Unfortunately for the law enforcement agencies that employ my members, the lack of pension equity leaves them unable to compete for the best and brightest of those few candidates still willing to serve and protect their communities.

To earn a pension, my members are required to work five more years than almost any other police officer in New York State. Thankfully, year after year, the legislature has addressed this issue by passing our twenty-year pension bill. Unfortunately, this critical legislation has been vetoed each and every year. I wish I could provide you with an explanation as to why the bill has been vetoed, but the veto message changes from year to year. Most recently, Governor Hochul commented that “When people present to me the exact same language and the same bill year, after year, after year... they get vetoed year, after year, after year, so that's exactly what happened.”

My members deserve better. Unfortunately, arguing that my members face the same dangers and stressors as every other police officer in the State of New York has never been enough to ensure the pension equity they deserve. The discussion inevitably revolves around money rather than merit.

Most recently, one explanation for the Governor's refusal to sign the twenty-year pension has been the supposed fear of a mass exodus. If the Governor were to sign the twenty-year pension, the argument goes, each and every one of my members with more than twenty years of creditable service would submit their retirement papers the next day, leaving each of our agencies with a staffing crisis.

First and foremost, this argument is inconsistent with the data. According to the Office of the State Comptroller, only two hundred and twenty-six of our eleven hundred and twenty-three members would be eligible for retirement if PBA members had a twenty-year retirement plan tomorrow. Moreover, sixty-three of those members already have twenty-five years of creditable service and could retire today under the current twenty-five year retirement plan. The Governor is apparently more concerned with losing these police officers than the five hundred and forty members with fewer than ten years of creditable service. We lose police officers with less than ten years of creditable service to other law enforcement agencies each and every day and will continue to lose them until our law enforcement agencies can offer the same twenty-year retirement offered by their competitors.

To address the Governor's concerns regarding a mass exodus, the PBA is advocating for legislation that would only provide a twenty-year retirement for PBA members in Tier 5 and Tier 6. In other words, only PBA members hired after January 1, 2010, would be eligible to retire after twenty years of creditable service.

Unfortunately, the remaining PBA members in Tier 2 would still be required to work twenty-five years before being eligible for retirement. Under the current twenty-five year pension plan, a PBA member who retires after twenty-five years of creditable service only receives approximately fifty percent of their final average salary. However, a trooper who retires with twenty-five years of creditable services receives approximately fifty-eight percent of their final average salary. This system is inherently unfair. That is why the PBA is advocating for our members in Tier 2 to receive the same percentage of

their final average salary after twenty-five years of creditable service that a trooper receives.

Every police officer deserves the option to retire after serving their community for twenty years. However, the PBA has heard Governor Hochul's concerns regarding staffing and we have adjusted our advocacy accordingly. We understand the serious staffing crisis facing each and every law enforcement agency and the importance of ensuring that there are enough police officers to protect our public colleges and universities, our parks and historic sites, our forests, and our environment. That is why I strongly encourage you and Governor Hochul to support our legislation providing a twenty-year retirement to PBA members in Tier 5 and Tier 6 and pension equity for our Tier 2 members when they retire after twenty-five years.

Thank you for your time, attention, and continued support.