



**NEW YORK STATE SUPREME COURT OFFICERS ASSOCIATION, INC.
I.L.A. - A.F.L. - C.I.O.**

TESTIMONY BEFORE THE JOINT LEGISLATIVE BUDGET COMMITTEE

NEW YORK STATE SUPREME COURT OFFICERS ASSOCIATION

PATRICK CULLEN, PRESIDENT

Good afternoon to the Chairpersons and assembled legislators. It is once again my privilege to deliver testimony before this Committee on this most important of our State's responsibilities. This is my eleventh year rendering remarks to this body on behalf of the over 2,500 active and retired Court Officers throughout New York City and the Hudson Valley. While a new administration in the Unified Court System has brought a renewal of inclusion of its 16,000 employees, there, of course, are some budgetary and legislative matters which can improve on our professional lives and, in turn the experience of those who engage with our justice system.

For many years, the Unified Court system has continued to grow and diversify into many specialty courts. Most stakeholders in the process have been able to adjust and adapt without too many challenges. Our security services, however have been stretched too thin. We are, in many ways, still operating in a bygone era, while duties and responsibilities expand. Despite the hiring of 250 Court Officers for the downstate region, we operate on a daily basis on a level that can only be described as dangerous. In our Courts handling criminal, civil and family matters, there has been an exponential growth in the occurrence of violent disputes, often resulting in injury to our members. Now, the Unified Court System budget proposal has included funds for the hiring of additional Officers, which we fully support. We ask, with your assistance by way of oversight, that these appropriations be applied to what they are intended for. Previous budgets managed by former administrators included funds for academy classes, yet never went to that

cause. Downstate Courts need 450 new hires to return to a level commensurate with the immense number of cases handled each year along with the substantial security apparatus required in our hundreds of facilities.

Related to staffing, the continued burden that Tier 6 presents has truly begun to impact the Unified Court System. The recruitment and retention problems that public employers, Unions, coalitions and legislators have been reporting for quite some time is real and it is deteriorating. The exam given for employment as a Court Officer was well known for being given every 4-5 years in the past. Administrators have now had to introduce a new and separate exam strictly given for upstate positions. This development is troubling and a prime example of how difficult it has become to hire new employees. A troubling necessity after the previous eligibility list was exhausted in very short order. Furthermore, that same eligibility list has just 28,000 candidates on it. The norm, in the past, for the statewide exam was that over 150,000 individuals would take the exam and the resulting list would consistently render over 100,000 candidates for employment. This almost 70% downturn in potential new Officers poses an unmistakable deterioration in staffing, public safety and morale. Furthermore, the extension of service time required for retirement and the diminishment of retirement benefits that Tier 6 has wrought have yet another consequence. Many current Court Officers have begun over the last several years to seek employment elsewhere in public service. When asked upon their departure the reason for making these changes, the invariable reply is that they are seeking a better retirement configuration. Tier 6 has been tremendously detrimental, has driven away quality employees and is on the verge of devastating the future of public employment. The time is now for legislators and Unions to find a path forward to repairing the damage already done.

In order to maintain the highest level of safety for all who use our Courts and administer justice, we must address the severe devolution of the tools and equipment used to protect the population. Our magnetometers are from an antiquated era. We must replace them throughout the system and the time has come to take the next step in doing so. We must begin introducing training and utilization of what is known as Advanced Imaging Technology which uses non-ionizing radio frequency energy when performing searches at

the entrances to all of our courthouses. These innovations are already in use at many correctional facilities and airports. We are searching hundreds of thousands of individuals monthly. These machines provide durability and more importantly, imaging to a degree not before used in our systems. We will be able to identify certain items that maybe dangerous contraband not typically found with our traditional magnetometers. We will seek to introduce legislation to this end during this session. For many years, I have advocated for the introduction of a K-9 program in our Courts. Such a project will add another level of security to courthouses through both detection and deterrence. The addition of a K-9 program assists Officers in an era where threats have been rampant. There is nothing revolutionary about using highly trained dogs and Officers to provide this level of safety. There are over 65,000 K-9 dogs in use throughout the United States by public agencies. The cost is minimal, as most of the training and dogs are donated to departments. Additionally, the amount of security cameras in and around our courthouses are damaged or inoperable. We cannot continue to adjudicate millions of cases which bring massive portions of the population to court and not have a fully operational system of cameras to monitor the incidents and emergencies that happen many times per day. There is no excuse not to repair and revamp this network as it is another reliable resource toward providing the highest quality of public safety.

Finally, it has been widely reported that the Governor supports eliminating the cap on Supreme Court Justices throughout New York. The prevailing thought is that basing the limit on population still limits the amount of work that can get done and in many locations severely impedes the swift delivery of justice. Our organization takes no direct stance on this idea as our expertise lies in safety and security, however, should such a constitutional amendment eventually be presented to the electorate there are issues this would pose. First, the space available in our facilities is paltry, especially in New York City, our most populous counties. Secondly, any proposal to increase justices that advances must include staffing mandates. For the most obvious reasons, adding even a minimal amount of justices would need to require the addition of 3-4 Officers by decree and not left to the whims of budgetary limits and administrative decisions. Any increase cannot advance on its own, it is

imperative that eventual language eliminating the cap and creating more justices includes and attaches requisite staff.

Thank you for all of the work you are doing on this critical exercise, your support of our members and for your time.