

TO: NYS Senate Finance Committee & NYS Assembly Ways and Means Committee
FROM: Mark A. Torre, Commanding Officer, NYPD Bomb Squad (Ret.)
DATE: February 24, 2026

RE: Joint Legislative Public Hearing on 2026-27 Executive Budget: Workforce Development

PROPOSAL: Technical Amendment to NYC Admin. Code § 13-271 (S1181/S8537 & A6041/A6389)

Statement of Purpose:

As a 40-year veteran of the NYPD and the former Commanding Officer of the Bomb Squad (23 years as CO), I am submitting this testimony to address a critical workforce retention and pension equity failure regarding the Variable Supplements Fund (VSF).

The Inequity:

Current law penalizes our most senior and dedicated first responders. Members who serve past 20 years accrue a "banked" VSF asset. However, if that member is subsequently awarded an Accidental Disability Retirement (ADR)—often due to injuries sustained during decades of high-risk service—they are forced to forfeit that earned, banked asset. In my case, this resulted in the loss of over **\$230,000 in deferred compensation** earned through 20 years of service *beyond* my retirement eligibility.

The Solution: A Fiscally Responsible Technical Amendment

I am proposing a surgical technical amendment to **NYC Administrative Code § 13-271** (see attached language; **proposed additions indicated in red**). This "banked-only" fix resolves the fiscal deadlock that has historically stalled VSF expansion:

1. **Finite vs. Infinite Cost:** Unlike a lifetime annuity, this is a **one-time restoration** of an already-accrued asset.
2. **Workforce Retention:** The current system acts as a "disincentive" for senior leadership to remain on the job. Restoring the bank removes the penalty for staying past 20 years.
3. **Budget Neutrality:** With the NYC Pension Funds reporting 13% returns and a multi-billion dollar state revenue surplus, the fiscal note for this surgical restoration is de minimis.