



**NEW YORK STATE
SUPREME COURT OFFICERS ASSOCIATION
80 Broad Street • New York, N.Y. 10004**



I.L.A. - A.F.L. - C.I.O.

**TESTIMONY BEFORE THE NEW YORK
STATE JOINT LEGISLATIVE BUDGET
COMMITTEE
PATRICK CULLEN, PRESIDENT
NEW YORK STATE SUPREME COURT OFFICERS
ASSOCIATION
FEBRUARY 26, 2015**

Good afternoon Chairman DeFrancisco, Chairman Farrell and member of the legislature.

I am grateful for the opportunity to appear before you today to present some information about the Court Officers of New York State and how this year's judiciary budget affects both the professional and personal lives of the New Yorkers that I proudly represent. Brave citizens, who place the safety and well being of their fellow citizens as the primary objective of their professional lives.

I believe that last year's "Road to Recovery" budget that the court system received was in name only. It was barely sufficient to keep the entire branch afloat. As Judge Prudenti states in this year's budget, "at last, we were not sinking." I must report to this committee that while that may be true as a whole, the men and women I represent feel as if they have sunk even further, in fact, on certain levels, abandoned by the system which they operate on the most essential of bases. We are clearly today no closer to recovery.

Our staffing levels are still suffering terribly statewide. New recruits have been hired at a fair consistency, however, these new officers are still just filling the void left by five years of historic losses. We find ourselves continuing to face a shortage of, at least, three hundred Court Officers from where we stood in Fiscal Year 2009. The failure to recoup these devastating losses of manpower has quite evidently diminished the safety and security in our ever increasingly busy courthouses and the public which they serve. Frankly, the Office of Court Administration has been haphazard and apathetic through its inaction regarding these most serious issues. Allow me to illustrate the effect of this neglect and underestimation. Currently, in Manhattan Supreme Court a case is being tried in the murder of young Etan Patz. This is a case which has been in the public eye for some 36 years. Historically, a case of this interest and magnitude would have been staffed

by a supervisor and four to five officers with an additional three to four on exterior patrol to handle the large media contingent and overflow of onlookers unable to fit in a courtroom filled to capacity. I visited this trial within the last week. It is regularly being staffed by a supervisor and two officers with only one additional exterior officer handling hundreds of court users.

Further examples include an upcoming trial of a police officer accused of shooting an unarmed man which is sure to bring massive protest and attention, certain to stretch the security resources beyond a safe condition. A gang problem in the Bronx that OCA readily acknowledges is at such a volatile level it is only a matter of time before something catastrophically violent occurs. Additionally, places like Richmond County, Newburgh City Court and Middletown City Court, which saw a fatal shooting in the recent past, are not the country courthouses of old. They are overcrowded public spaces acting as petri dishes for violence and revenge. Furthermore, I will reference staffing standards and guidelines which OCA saw necessary to create in 2008, which they continue to ignore by not implementing it as policy. By adhering to their very own suggestions in this document, many of the ills and deficiencies I have cited, along with scores more, would be addressed in sufficient terms.

Currently 24% of the entire state courts workforce is eligible for retirement. We could legitimately see a further loss of a quarter of our staffing in a very short period of time. Needless to say, this would cripple an already injured system. We are also losing more younger officers than ever before. As many people used to join our ranks from other civil service and law enforcement careers, the complete opposite has begun to happen. Our job used to be a final destination and has now become a stepping stone to careers elsewhere in the public sector. This unanticipated attrition can be attributed to two main factors. Morale has never been lower because of the dangerously low staffing levels with no relief in sight. Also, many other jobs in the public sector have become more lucrative, mainly through steady cost of living adjustments, something the court system has seen fit to disregard for a number of years. In order to retain these officers OCA must increase compensation and benefit packages or allow Court Officers to be made eligible for the Police and Fire Retirement system. We, very plainly, cannot afford to lose any more officers.

Finally, I would like to address some concerns about the equipment we use in the administration of our duties. I applaud Judge Prudenti for her initiative to supply and mandate body armor for Court Officers statewide. It is the beginning of what I hope is a sustained effort to modernize this law enforcement agency from all angles. The introduction and usage of our Special Response Team is another positive progression toward innovation and I wholly support the continuation of supplying this highly trained unit with cutting edge equipment. I also believe that an effort to upgrade cameras in all facilities is necessary. While cameras may be in place, a better attempt to keep them online must be made in order to make the program more viable. Our screening and communications equipment is dated and beginning to fail. There needs to be an endeavor

to see that funding be made available to bring magnetometers, x-ray machines and radios up to standards used in federal facilities. Finally, I am requesting that a plan be funded and launched introducing a K9 program utilizing bomb dogs at all of our facilities. These proposals will strengthen our ability to ensure that New York's courthouses become the safest in the country.

I thank the committee for this valuable opportunity to express serious concerns about potentially devastating effects recent austerity budgets have levied on our courts. I am proud to report from the front lines that our training, professionalism and pride have buffered the system from facing tragic consequences for short changing the safety of the public, however, we all know this is an alarming and perilous posture to sustain. We cannot cross our fingers and hope violent and dangerous conditions avoid us, we must all do our part to take every contingency to avoid them.

Thank you again for your time and consideration.