



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

TESTIMONY FOR THE NEW YORK STATE JOINT LEGISLATIVE BUDGET COMMITTEE

NEW YORK STATE SUPREME COURT OFFICERS ASSOCIATION, INC.

PATRICK CULLEN, PRESIDENT

Good afternoon Chairs Krueger and Weinstein and to the esteemed legislators participating in these important hearings. I am once again eager to offer testimony to you all on the budgetary impact on our court system, specifically the dedicated Officers who have been the linchpin in keeping the Unified Court System operating throughout the pandemic, never having closed for a day, and who I have the high honor of representing.

This year's budget presentation by the court system touts the desire to return to core operations, which is most necessary. The financial uncertainty brought about by the initial COVID outbreak forced a hard hiring freeze for our branch of government. Paired with high levels of attrition, security services have especially felt the direct impact of the pandemic. We find ourselves perilously close to the staffing crisis seen in 2018, where we saw the lowest staffing levels in decades. This proposed Judiciary budget includes funding for academy classes this year and we are pleased to see this being treated as a priority in this process. Substandard staffing levels create daily situations in which not every court part in a facility can operate to an optimal degree. Courts regularly sustaining staffing shortages will undoubtedly be unable to provide the expected services to the public, falling far short of the mission of the court system. It is essential to the fair and equal access to the justice system to continually hire Court Officers, as our role in operating our courts is unsung but fundamental. We support the budgetary initiative presented in this proposal for the allocation of funds to support three class of Court Officer recruits totaling 500 new hires.

As we have seen on a national level, the infrastructure within our court system is also in desperate need of rehabilitative attention. Frankly, many of our facilities are in terrible disrepair. This, too, lends to a terrible experience for the public serving as jurors for weeks at a time, in enclosed spaces that in many cases have no restrooms, decrepit furniture, exposed pipes and mold. This is certainly not the scenario anyone would want to be in nor provide to a group of people participating in the most critical role in our justice system. Additionally, the areas utilized for the transfer of custody of incarcerated defendants in many of our criminal courts are falling apart, never cleaned and generally unsafe. Despite the decay of our courthouses, our daily calendars get completed, however they are often times rushed through to avoid the payment of overtime to employees. With the COVID crisis has arrived serious backlogs in cases, especially trial cases in the Supreme Courts and a massive, never-before seen quantity of cases in housing courts, which are about to be overwhelmed with cases. It is vital to the return to core operations that funding be provided and policy be installed to allow for court sessions to be protracted and that the proper payment of overtime be apportioned for that work. Without the ability to conduct

business in pre-pandemic means, including using the full workday and beyond, the court system will struggle to recover from the pandemic and falter in the long term.

Of course, it is the cooperative desire of both labor and management to reach an agreement through collective bargaining. Our intention had always been to achieve that goal with minimal interruption between expiring contracts and their successors. In light of all of the complexities presented by COVID, we were unable to begin that process in due time. Budgetary constraints and fiscal ambiguity placed many public employee Unions in a less than desirable position to commence and complete such negotiations. Now, as we feasibly emerge from those restrictive elements, it is time to initiate these important discussions. All citizens of New York have seen the influx of cash the State has experienced and State employees are keen on sharing in the byproduct of their hard work. In particular, Court Officers have been the only employees in the Courts every single day of the pandemic, never having closed for a day, we have faithfully served the public. Law enforcement personnel do not have the luxury of working in a remote capacity and our members put their health in abeyance and prioritized their duty and commitment to service. As such, we should be compensated with those facts in mind and with a serious focus on the additional hazards we have faced for over two years and will continue to into the future. Budgetary outlooks have been presented through 2025 and the State's budget director can be quoted as saying, " this is the first time we have ever published a financial plan with no gaps in any of the out years of the financial plan." It becomes quite obvious that the capability exists to fairly compensate our members, for their work, the current rates of inflation and for years of taking it on the chin when these promising fiscal conditions did not exist.

Public institutions have never been easy to access nor easy to operate. Our members have been the foundation for achieving an easier way to do those things for the public that the justice system serves. The Excellence Initiative has been fruitful based largely on the backs of our members. As the public face of the court system, we have helped promote the standards and values established by the Excellence Initiative. We seek the same treatment that administrators seek from us, a fair contract, improved workplaces and a mutual understanding of roles, duties and, most importantly, expectations. Only with this acknowledgement, can this system emerge fully from these dreadful years we have experienced. It is with your help to pass this budget as requested or, in fact in excess thereof, that we can begin to succeed.