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**2023 Joint Legislative
Budget Hearing Testimony
Higher Education**

**Submitted on Behalf of the
New York State University Police
Officers, Investigators and Lieutenants Benevolent Associations**

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Good evening, my name is James McCartney, and I am the Director of New York State's University Police Lieutenants Association and President of the PBA of New York State which represents the New York State University Police, Environmental Conservation Police, Forest Rangers, and State Park Police.

I have had the honor of serving as a New York State University Police Officer for 23 years and I currently work at the State University at Morrisville campus.

New York state's public higher education institutions have earned a reputation for academic excellence and are widely regarded for their dedication to promoting diversity, equity, and inclusion as we develop the next generation of community, cultural, educational, business, public sector, and scientific leaders.

A cornerstone of this commitment and success is the sense of community and safety that our officers work tirelessly to promote.

Pension parity is our number one priority. We are grateful that the state legislature has stood with us for the past three years passing legislation to provide the PBA of NYS members with a 20-year pension, putting us in line with the other 96 percent of police and fire fighters in our state.

Your twenty-year pension legislation has now been vetoed twice by Governor Hochul. We are asking that the Legislature please add the provision into your legislative budget proposals and force the issue during the budget negotiation.

There is a body of thought that we do not perform the level of policing that local police officers perform who receive the 20-year benefit; we respectfully disagree.

Our campuses are the crossroads of the world with student bodies comprised of individuals from all cultures, religions, ethnicities, gender identities, and political and philosophical ideologies.

We seek to promote an environment in which traditional disagreements can be safely channeled into productive dialogue that fosters understanding and builds upon shared values and experiences.

At the same time, we are ever acutely aware of the dangers that pervade modern society. Our campuses are microcosms of society at large and subject to these same dangers.

Just last week there was a mass shooting at Michigan State University in which three students lost their lives and many more were wounded.

While we do our best to keep the dangers of the world away from our campuses, they do visit our communities and we must be prepared to deal with them. Sadly, like society as a whole, our state higher education institutions experience violence and firearms related crimes on and near our campuses.

In 2021 New York State University Police came under fire at Upstate Medical Center while protecting the hospital's emergency entrance as the victim of a gang related shooting was brought in for treatment.

In January 2022 a female student at SUNY Brockport was taken hostage at gun point by a non-student who strangled her and attempted to suffocate her with a pillow.

A number of illegal firearms have been, and continue to be, seized on campus by New York State University Police – potentially averting a tragedy similar to Michigan State University.

Our University Police Departments have learned the hard lessons from active shooter events on college campuses going back as far as the Virginia Tech shooting in 2007.

We have taken proactive measures to ensure that our police departments have the training and equipment to respond to violent incidents on campus including providing every officer with active shooter response training.

Officers are not only equipped with sidearms, but our patrol vehicles, investigators, and lieutenants are also equipped with tactical rifles, Level 4 rated ballistic plates, trauma kits, and additional ammunition.

As threats can present anywhere and at any time we must be prepared to respond quickly, effectively, and with overwhelming force to save innocent lives.

Sadly, at times the dangers our students face come from within. It's no secret that college students face a tremendous amount of stress as they undergo one of the most transformative transitions in their life from childhood to adulthood. For some this transition is overwhelming and the students need professional assistance in coping with this stress and navigating new experiences and responsibilities.

State University Police Officers saved the lives of 587 individuals in 2021 who were taken into custody pursuant to Mental Health Law provision 9.41. These individuals were safely transported to a hospital to undergo a mental health evaluation and to prevent them from causing harm to themselves or another. In addition, our Officers performed more than 1,400 welfare checks in that same year ranging from missing persons to persons in crisis.

We often talk about de-escalation and the need to differentiate between willful criminals and those in the middle of a crisis. State University Police Officers are some of the best trained and most experienced law enforcement officers when it comes to recognizing the difference and helping those in crisis receive the intervention and support services to overcome the mental health challenges they are facing.

Our dedication to protecting the community does not end at the borders of our campuses. During COVID our officers manned testing and vaccination sites, transported the afflicted to hospitals for treatment, and ensured that a safe environment was maintained at state hospitals so medical staff could focus on the treatment and welfare of patients.

This past December, over the holiday break, University at Buffalo Police Officers came to the rescue of nearby residents and stranded travelers, digging them out, performing welfare checks, establishing and operating an emergency shelter with heat, and plowing a path to a local Wegman's two miles away to obtain food to feed the hungry.

They took time away from their families to protect people they did not know but who they knew were in need. And their fellow union members in the State Park Police, Forest Rangers and Environmental Conservation Police did the same. Our members put the community in community policing.

We also routinely work in conjunction with local schools to conduct threat assessments and help them harden their facilities against threats.

A major component of our community-centric policing is ensuring that we have the diversity among our officers to reflect our campus communities and breakdown barriers in communication that result from a homogenous police force that does not look like those we serve.

Governor Hochul has challenged New York State law enforcement agencies to increase the number of female officers to 30 percent by 2030. Currently, approximately 20 percent of State University Police Officers are female.

While this is a higher percentage than in other units represented by our union, we lose a staggering number of female officers to state and local agencies that offer a 20-year retirement instead of the 25-year retirement that our members currently work under.

This past April we lost a highly qualified female officer from SUNY Plattsburgh who accepted an appointment to the State Trooper's Academy. She will make substantially more as a Trooper and receive a 20-year pension.

And with the State Troopers slated to offer four academies in the coming year we will continue to lose outstanding officers - but at an accelerated rate. The lack of a 20-year pension is not only a threat to Governor Hochul's 30x30 Initiative, it is essentially New York state cutting off its nose to spite its face. The ranks of female Troopers will soar while the ranks of female State University Police Officers will crater.

It is not just female officers that competing agencies are poaching. One of our downstate campuses lost a Black male lieutenant to a local agency. The former University Police lieutenant accepted a "demotion" to patrolman that came with a 20 thousand dollar pay raise, the opportunity for a promotion and second pay raise in under a year's time, a 20-year retirement and prior service credit.

Dangling prior service credit, substantial pay raises, and the ability to retire five years sooner are potent recruiting tools that many officers cannot resist.

Why wouldn't these agencies seek to poach highly trained diverse and female officers? Every agency is working toward achieving greater diversity while searching for the most qualified and capable officers.

Unlike our Park Police, Environmental Conservation and Forest Ranger brothers and sisters, State University Police Officers attend regional police academies where they are often taught by, and study alongside, members and future members of competing agencies. These instructors and fellow cadets are intimately aware of the exceptional nature of our future officers, and they are identified early on for poaching.

Over the past two years we have lost 114 State University Police Officers – only 19 were due to retirements. In the same time period, we have seen 216 officers across all four units leave service with only 62 to retirement.

In our conversations with our former colleagues, we hear over and over that our antiquated and uncompetitive retirement system is the leading reason for their departure.

With 96 percent of police and firefighters in New York State eligible to retire after 20 years there is no shortage of agencies for our members to consider. When thinking about one's future and the financial well-being of one's family, the choice is obvious, and the impact is evident.

Not only does this attrition jeopardize campus safety, undermine established relationships between State University Police and the campus community, and decrease diversity, it also greatly harms taxpayers.

While the projected cost of a 20-year retirement is 66.7 million dollars, every officer that walks out the door represents in the neighborhood of 120 thousand dollars in lost training and equipment costs for their first year of service. This doesn't factor in the invaluable on-the-job experience developed on our multicultural campuses that is so highly sought after.

The State University of New York System promotes that it is comprised of 64 institutions – most of which are community colleges across the state. These are welcome additions that increase the reach of SUNY's mission and leverage additional resources to serve a greater number of New York's residents.

At the same time only 28 of these institutions, the traditional four-year state universities, are protected by State University Police Officers. The remainder rely upon a patchwork of public safety which can include local law enforcement as well as Campus Public Safety Officers which are not DCJS certified police officers.

Just as these campuses have been brought under the SUNY umbrella for administrative efficiency and improved academic resources for students and faculty alike, so too should their security operations to ensure all students, faculty, staff, and visitors are equally well protected whether at a four-year state university or a two-year SUNY Community College.

For the past several years the state legislature has passed our 20-year pension bill with near unanimous bipartisan support, and we thank you. But, as Governor Hochul has indicated in her multiple veto messages, it needs to be included as part of the state budget.

For this reason, we are respectfully requesting that the legislature include our 20-year retirement in your one house budgets and push for it to be included in the final state budget.

I thank you for the opportunity to present this testimony and thank you for your ongoing support of higher education in New York State and the men and women who put their lives on the line daily to allow our State University campuses to serve as cauldrons of diversity and academic exploration.