

Court Officers Benevolent Association Of Nassau County, Inc.

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Billy Imandt
President

January 30, 2018

Peter A. Piciulo
1st Vice President

Dear esteemed members of the Senate and Assembly,

Michael Riveiro
2nd Vice President

Once again I want to thank you for giving me the opportunity to speak before your committee.

Robert M. Abarno
Treasurer

As some of you may remember, last year and the year before I testified, as the union President, on behalf of my members of COBANC, the Court Officers Benevolent Association of Nassau County.

Rosemarie Hacsí
Secretary

In the two prior years, we were five and six years without a contract and were heading for the three committees that would've had to decide the basics of our contract.

Well, I am happy to tell you that my membership did ratify a contract in September of 2017 and that will be in effect until March 31, 2019. It was a difficult time for my members and I am happy that they are behind us.

So, fortunately, for all of us, I am not here to talk about our lack of a contract. What I would like to discuss with you are issues regarding Security, or safety, staffing issues and people working out of title and how it is affecting NYS citizens and taxpayers.

Let's begin with security. The Nassau County Court Officer ranks were reduced by approximately 15% during the workforce reduction of 2011; from 301 Officers, to the current level of 257. That cut was way too drastic to maintain a proper level of security.

For example, each floor in our District and Supreme Courts had Officers on every level at our information desks or "tubs". No longer is that the case. They are staffed sporadically and only when there are available Officers. Security problems in the courts usually start in the hallways and more so now that there is usually no Court Officer there. This is not safe for the public.

Also, last month, two of our Officers were flagged down in one of our two Motorized Security Patrol (MSP) cars to alert them of a driver, at a red light, who was passed out. They quickly determined that the man was overdosing on heroin. They administered NARCAN to the

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unconscious individual who was revived and taken to the hospital. That probably saved that man's life!

We lost the use of our third MSP car after cost-cutting measures were implemented and that left our Family Court, one of our most isolated and volatile courthouses, without patrol for our parking lot and immediate area. What if that man had passed out at or near the Family Court? He probably would have died.

We have "roving supervising Sergeants" in our back hallways, where we used to have one inside each courtroom of our criminal courts. This is an accident or lawsuit waiting to happen. In Supreme Court, at our magnetometer, our first line of defense, staffing of Officers has been reduced from 4 Officers down to often times only two. Countywide my Officers report to me that they take away weapons or potential weapons away from members of the public every single day. The latest thing seems to be trying to secrete knives into our courthouses hidden in their shoes.

We are dealing with a major gang on gang violence situation, here on Long Island, and both sides show up when an accused is arraigned or on their trial day. That often means eight, ten or even more than twelve alleged gang members showing up to our courts and heading to our courtrooms that often times only has two Officers. We are too often seriously outnumbered and I can only say that because of my Officers training, experience, and professionalism that there hasn't been a major incident yet. We need funding for Court Officers, to protect all that come to our courthouse and I'm here to tell you that the Office of Court Administration is too slow to fill our security ranks.

Other staffing issues are in our Peace Officer Clerks and civilian ranks. Judge DiFiore launched her "Excellence Initiative" with goals of faster trials and dispositions and a safer and more pleasant experience for all who enter our courts. Lack of proper staffing has led to the public waiting much, much longer for trials, hearings, conferences and the processing of paperwork and judgments to conclude their case.

In 2011, when the court budget was cut by the Governor, we had a workforce reduction, statewide. The state court staff was reduced from over 15,000 employees to approximately 13,000 employees; also a 15% decrease.

The average COBANC member earns approximately \$75,000 a year. If those numbers hold up statewide it means that the Office of Court Administration payroll was reduced by approximately \$150,000,000, which is more accurately \$200,000,000 when you consider healthcare and other benefits. We are still getting the job done with 15% fewer people. We have also had budget increases each year since I became Union President four years ago. How is this money being spent?

The same year that the courts laid off 2,000 workers, at the savings I indicated prior, they instituted the Civil Legal Services program which started off at \$15,000,000 in 2011 and has ballooned to over \$100,000,000. Now, this is a very worthy program, but it does not belong in the Office of Court Administration budget. It should be part of the Executive statewide budget. It is strangling the court system by handcuffing them from getting back to proper staffing levels, security and everywhere else. Then, our equal branch of government is mandated by the Governor's caps, instead of what they truly need. We can't create, and then increase these kind of startup programs until we have the courts staffed properly, to serve the public.

Lastly is out of title work.

When the court staff was reduced by the 2,000 employees I alluded to earlier, it put the burden of all the work on the shoulders of the 85% who remained. It has resulted in my members, not only working harder, and they are not afraid to work, but many of their responsibilities have expanded to that of employees that were a much higher grade with no additional compensation.

The Court Clerks job has become so complex they also are working out of title. We have conducted a study and determined that almost all of my members, in the Court Clerk series, are routinely doing 70%-80% of the job specifications of Clerk titles that are between 2 and 4 grades higher than they are being paid for.

Judge Marks and his staff have been reviewing our requests for over two years and, although he agrees that an overhaul of the Clerks series is warranted, nothing has happened. I implore you to push Judge Marks to get this done. It's bad for morale, not fair and against Civil Service law. We have resisted filing out of title grievances, mainly because it would be dozens and dozens, if not over 100; but my member's patience is running thin and we won't wait much longer.

Another example is in our Commissioner of Jurors unit where they have a grade-12 training grade 21's, around the state at half the salary that they make. We grieved it and lost and now we have a lawsuit pending. This is just the tip of the iceberg.

I want to conclude and sum up by saying, yes, we need more funding, like almost every agency that has and will come before you. But I would like you to keep in mind one thing. We are an equal branch of government in New York state, we need ALL the funding necessary to operate and serve the citizens of NYS, not be pigeon-holed and lumped in with some other discretionary agencies because of the Governor's mandate.

I strongly urge you to address the three main issues I have brought to your attention and make your voices heard to Judge DiFiore and Judge Marks, now and throughout the year, as to how he spends the 2018-19 Court budget.