

## Suffolk County Court Employees Association

My name is William Dobbins and I am the President of the Suffolk County Court Employees Association. I would like to begin by thanking the esteemed members of this committee for allowing me to speak. The message I would like to convey to each of you today is that the state of the courts in New York is extremely poor. Morale among the non-judicial staff is the lowest I have seen it in the 33 years I have worked in the Court System. The hardworking men and women of our courts put their heart and soul in everything they do, every single day. They have been asked, however, to do more work with less help for each of the last 6 years and there seems to be no end in sight. The bottom line is that staffing levels throughout the courts, and especially in Suffolk County, are abysmal. Staffing levels are so diminished that our courts are no longer operated in the manner that they should be, and public safety is deteriorating as a result. We are in crisis and it seems as though we are spinning out of control.

Security is a tremendous concern in the Suffolk County Courts because we simply don't have enough Court Officers to keep our courts properly secured and running smoothly. As I speak here today, there are Criminal courtrooms in the Suffolk County District Court that are staffed with a single Court Officer. It's unfortunate that judges are being misinformed by some to believe that they are safe in a courtroom with only one Court Officer. That is a mistake that could have some serious repercussions. The *judge* might be willing to take that risk, but is the Office of Court Administration, and the State itself, willing to take that risk? Will there soon be a tragedy, the coverage of which will be splashed over the front page of all the major newspapers in New York? I sincerely hope not. But, if it does, the questions will come: why were these facilities not staffed with the levels of security outlined in the guidelines set forth by the Office

of Court Administration? This is not mere speculation- in fact, there was a gang war that erupted in the parking lot of one of our court facilities approximately six months ago. Rather than being equipped to quell the situation themselves, our Officers were forced to call-in local police, which significantly increased the response time. The solution here is simple: hire more Court Officers. Yet, the frightening trend is that Court Officers are retiring faster than new Court Officers are hired. The Office of Court Administration was well aware of these forthcoming retirements but chose, instead, to spend the money in their budget elsewhere, rather than hiring a sufficient number of Court Officers. Whatever the answer, it is truly unfortunate and we pray that no one gets hurt.

It seems to me that the sources of the staffing problems we are facing are the discretionary allocations made by the Office of Court Administration from the Judiciary budget. A large portion of the Judiciary budget over several years has been earmarked for “indigent civil legal services” funding. This is money used to pay attorneys to represent indigent individuals in civil matters. Helping the indigent is certainly a noble endeavor that we support. However, it is not a constitutional mandate; the orderly, unimpeded operation of the Courts *is*. Furthermore, I must question the ethical propriety of the Judiciary paying the very lawyers that are standing before it to argue cases. The Judiciary Branch is constitutionally-bound to be impartial. Yet, when lawyers are paid out of its budget, the public perception, false or not, is that it cannot truly be impartial. If funds are to be expended for indigent civil legal services, they should come from the budget of the Executive Branch- not the Judiciary's.

In the meantime, the courts throughout New York, and especially in Suffolk County, are foundering. On any given day in Suffolk County District Court, when an attorney needs his or her client to be brought up to the courtroom from the cell block, it might take hours before that can be accomplished. The reality is that until other courtrooms close for the day, and Officers

can be redeployed from those courtrooms, prisoners cannot be moved from the cellblock to the courtroom. Assemblyman Al Graf has experienced this problem first-hand in his capacity as an attorney who practices in the courts of Suffolk County. The ultimate result is that attorneys who have numerous cases in other courtrooms and in other courthouses, simply cannot wait that long. They ultimately end up waiving their client's appearance in court and adjourn the case. It results in a day of wasted resources: First, there is no disposition of the case because the defendant could not be brought to the courtroom. Next, the defendant (at great expense) was transported 33 miles from the Riverhead jail and never saw a judge. Is this what is meant by public service? I would call it a public disservice. More staffing would solve this problem.

A lack of security personnel has further collateral effects. For instance, if a defendant who had been released on his or her recognizance is remanded back into custody by the judge, the courtroom must be closed so that the remanded individual can be processed and brought to the cellblock. This wastes the court's time, the public's time, and the time of other attorneys who must now wait to have their cases called. With proper security staffing, the remanded individual could be processed and the judge could continue to have the calendar called without interruption of court proceedings.

Short staffing affects public service in our courts in other ways as well. If one walks through the various back office spaces in each of our courts, he or she will find countless boxes of papers and files waiting to be worked-on or filed, sadly outnumbered only by the empty desks where hardworking court employees once sat. If one needs to find a particular file or necessary paperwork, it could take days. In District Court, there is a Bail window that closes at 4:30 pm regardless of whether courtrooms are still working and, therefore, a chance that bail will be unable to be posted there. In other words, if a family wants to post bail for a loved one held in Central Islip at 4:45 pm, they are told they must drive 33 miles to the Riverhead jail to post the

bail. This enrages many people and, occasionally, something that was so simple before budget restrictions, is now a public safety issue. Budget restrictions lead to public service restrictions, which, in turn, anger the public and can lead to serious public safety issues.

Inadequate clerical staffing also endangers crime victims who seek Orders of Protection from the courts. Often, these Orders of Protection, granted by a judge, are unable to be entered into the computer system until the next day. This could easily result in a Police Officer believing, in good faith, that an Order of Protection has not been issued- leaving the order-violating defendant unstopped that night.

The foregoing merely scratches the surface of the issues the Suffolk County Courts, as well as other courts throughout the state, are facing. I invite each of you to come to our courts and see for yourself what is being tolerated. Our court system needs to be funded properly, and that is why I am here today. I am asking you to ensure that there is enough money in the 2016-2017 Judiciary Budget to enable the Office of Court Administration to not only hire staff, but also compensate non-judicial court employees with salary increases similar to the percentage increases that the judges of this state have just been awarded. The people who are the very heartbeat of the courts have been neglected for far too long.

Therefore, we urge you not to make any cuts to the 2016-2017 budget as submitted but, instead, *increase* the Judiciary's allowance in order to provide both for judicial raises and the proper staffing of our courts. Thank you so much.