

Dear Governor Hochul:

I am a state employee and a member of the New York State Correctional Officers & Police Benevolent Association, Inc. (NYSCOPBA) requesting that the language contained in **NYSCOPBA's "Death Gamble" legislation (S8408 Jackson/A9084 Jones)** be included in the final enacted State budget. This legislation is very important for my co-workers and our families. This language would allow the beneficiaries of employees who are eligible to retire under the Section 89 Retirement Plan (Correction Officers, Correction Sergeants & Security Hospital Treatment Assistants who participate in such plan) who die before filing for retirement, with a benefit equal to the value of the employee's pension reserve.

As you know, if an employee is eligible for a service-based retirement benefit, but continues working for the State and unexpectedly dies prior to applying for the retirement benefit, his or her beneficiaries would receive a lump sum payment equal to three-times salary, even though a pension would have been payable if the employee had retired on the date immediately preceding his or her death. NYSCOPBA members have been pursuing this specific legislation for many years. Our position has always been that the dedicated law enforcement officers who provide critical services for the benefit of all New Yorkers should know that their families will be justly compensated in the event of an untimely death. This benefit would also assist retaining experienced employees to train the new staff. Sadly though, this is a benefit that we will only earn upon our death. It is time that the State provide this incentive for us while we are still living and working.

As we are all aware, the State's ability to retain our most seasoned and experienced employees has proven to be a very difficult task in recent years. We are seeing many of our colleagues make the choice to leave State service early, or they are retiring as soon as they become eligible in order to protect the financial interests of their loved ones. By including "Death Gamble" in the budget, the State will ensure that the livelihoods of our families are supported when we continue to work for the people of the State of New York, even after we become retirement eligible.

When you vetoed (Veto Message #87) this important legislation in December of 2023, you stated in your message that you, "fully support our public employees and appreciate the vital services that they provide to New Yorkers"...but due to the costs that, "these costs must be addressed in the context of annual budget negotiations..." So here we are. You have the opportunity once again to assist the families of some of the hardest working people that our state employs. Please do the right thing and support me and my colleagues and our families who have already sacrificed so much for this state.

The State Legislature has already proven to us that they support the Death Gamble concept by passing it in many prior legislative sessions. In fact, you even included a Death Gamble provision for our brothers and sisters in Westchester County corrections in last year's budget. I respectfully request that you now include this language in this year's final enacted budget for the members of NYSCOPBA, whose dedication to this state is unquestioned.

Thank you for your consideration.

Sincerely,