



New York State Correctional Officers & Police Benevolent Association, Inc.

20 Computer Dr. West, Albany, NY 12205
(518) 427-1551 www.nyscopba.org nyscopba@nyscopba.org



President
Chris Summers

Executive Vice President
Matt Keough

Recording Secretary
Stephen Cox

Treasurer
Pamela Welch

Vice President,
Northern Region
John Roberts

Vice President,
Mid-Hudson Region
Joe Horacek

Vice President,
Law Enforcement
John Harmon, Jr.

Vice President,
Central Region
Bryan Hluska

Vice President,
Western Region
Kenny Gold

Vice President,
Southern Region
David Luther

Governor Kathy Hochul
Executive Chamber
NYS State Capitol Building
Albany, NY 12224

RE: Sign NYSCOPBA's "Death Gamble" legislation into law (S8408 Jackson/A9084 Jones)

Dear Governor Hochul:

As a State Corrections Officer/Sergeant/SHTA and a state employee represented by the New York State Correctional Officers & Police Benevolent Association, Inc. (NYSCOPBA) I respectfully request that you sign NYSCOPBA's "Death Gamble" legislation into law (S8408 Jackson/A9084 Jones). This legislation would provide the families 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) and subsequently dies before filing for retirement, with a benefit equal to the value of the employee's pension reserve.

Under existing law, if an employee is eligible for a service-based retirement benefit but continues working 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 their death.

NYSCOPBA has 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 legislation would also improve the ongoing staffing crisis by retaining experienced workers to continue their service to the State. 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, especially in law enforcement titles. 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 to protect the financial interests of their loved ones. By offering a "Death Gamble" benefit, which is already offered to a variety of other law enforcement titles, the State will ensure that the financial interests of our members and our members' families are protected.

Your 2023 veto of this legislation stated that the cost of implementing this death gamble legislation (\$10.4 million) prevented it from becoming law. However, DOCCS and OMH continue to pay out millions-of-dollars in employee overtime cost due to the critical staffing shortages that these agencies are experiencing. If employees had incentives to remain employed past retirement eligibility, then perhaps we would not be experiencing these shortages that result in mandatory overtime and more time away from our families.

Please recognize the sacrifices that we are making every day to keep our communities safe at the expense of spending valuable time away from our families and maintaining a healthy work/life balance. Please sign NYSCOPBA's Death Gamble bill into law to allow us the opportunity to return to some sense of normalcy in our lives. Thank you for your consideration.

Sincerely,