

Home Rule Message No. 10-2013

Laid on Table 9/12/2013

Introduced by Presiding Officer Lindsay and Legislators Krupski, Schneiderman, Browning, Muratore, Calarco, Cilmi, Hahn, Barraga, Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**HOME RULE MESSAGE REQUESTING THE STATE OF NEW YORK
TO AMEND THE RETIREMENT AND SOCIAL SECURITY LAW, IN
RELATION TO PERFORMANCE OF DUTY DISABILITY RETIREMENT
OF SUFFOLK COUNTY PROBATION OFFICERS**

WHEREAS, under existing law, Suffolk County Probation Officers are entitled to a performance of duty disability retirement allowance equal to one-third their final average salary; and

WHEREAS, Suffolk County Probation Officers undergo intensive public safety and rehabilitation training, including training in the use of firearms; and

WHEREAS, Suffolk County Probation Officers are classified as "peace officers" and they supervise thousands of felony/misdemeanor offenders in the community; and

WHEREAS, Probation Officers execute arrest warrants, conduct warrantless searches for weapons and narcotics, confiscate contraband and make summary arrests; and

WHEREAS, the work performed by Probation Officers is inherently dangerous, which exposes them to risk of serious physical injury; and

WHEREAS, legislation has been introduced in the New York State Legislature that would increase the performance of duty disability retirement allowance for Probation Officers to one-half of their final average salary, which is the same level of benefit now afforded to Suffolk County Correction Officers; and

WHEREAS, this Legislature believes that it is equitable and appropriate to provide Suffolk County Probation Officers parity and consistency with other Suffolk County law enforcement officers; now, therefore, be it

1st RESOLVED, that this Legislature hereby requests the State of New York to enact Senate Bill No. S.05153 and Assembly Bill No. A.8160 to amend the Retirement and Social Security Law to provide Suffolk County Probation Officers with a performance of duty disability retirement allowance equal to one-half of their final average salary; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Andrew M. Cuomo; to the Majority Leader of the New York State Senate Dean Skelos; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: September 12, 2013