



We Make Rhode Island Happen

AFSCME Rhode Island Council 94

American Federation of State, County & Municipal Employees, AFL-CIO

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MEMO TO: House Finance Committee Members
MEMO FROM: Jim Cenerini, Legislative Affairs/ Political Action Coordinator
SUBJECT: H-5641/S-508 State Public Safety Professionals Retirement Equity
DATE: May 18, 2023

RI Council 94 AFSCME, AFL-CIO strongly supports H-5641/S-508.

Council 94 represents over 380 state employee public safety professionals.

The classifications/positions Council 94 represents includes: Deputy Sheriffs, Capitol Police Officers, Environmental Police Officers, Juvenile Program Workers, Shift Coordinators, Airport Crash Rescue/Firefighters, and Campus Police Officers employed by the State of Rhode Island and/or Executive Military Staff.

- Council 94’s public safety professionals are subjected to rigorous training.
- Law enforcement officers have full arrest powers.
- Airport Firefighters are trained according to National Guard/Air Force/Federal standards.
- Council 94’s public safety professionals work in demanding jobs that can lead to higher injury rates as members ages’ progress towards the Social Security Normal Retirement Age of 67.

During the 2011 pension changes and mediated/negotiated settlement, Council 94 consistently requested that the public safety professionals we represent be treated comparably to municipal firefighters and police officers.

H-5641/S-508 would ensure that after July 1, 2023 all Council 94/state employee public safety job classifications would be granted the same benefits as MERS Firefighter /Police terms per the negotiated settlement. (RIGL 45-21.2-5, 45-21.2-6, 45-21.2-10, 45-21.2-12, 445-21.2-13)

H-5641/S-508 changes:

- State Employee public safety professionals moved to Defined Benefit only.
- Current Defined Contribution allocations frozen.
- Employee’s contribution rate to 10% of salary, same as MERS with COLA Option.

- **Retirement age-**
 - **50 years old and 25 years of service**
 - **27 years of service and any age**
- **Effective July 1, 2023, previous service credits frozen, subsequent service credit per year is 2.00% of salary.**
- **Effective July 1, 2023 state public safety employees who retire at age 57 with 30 years of service will accrue 2.25% per year for all years of service not already accrued at a higher rate.**
- **Include SRA, Options One, and Two, for beneficiary choices.**
- **Provided same Ordinary and & Accidental Death benefits for MERS Fire/Police.**
- **Cost of Living Adjustment (COLA) calculation remains as in RIGL 36-10-35.**

Council 94 respectfully requests that you support H-5641/ S-508.

###

GRAYING LINE

Aging workforce, recruiting woes are a looming crisis for RI law enforcement THE THIN,

Katie Mulvaney Providence Journal | USA TODAY NETWORK

Lower education criteria. Boosted training salaries. Increased tolerance for tattoos and facial hair. A quicker path to the top pay. Lateral transfers. Law enforcement agencies across Rhode Island are taking steps to sweeten the offerings for would-be recruits. “Everybody’s scrambling. It’s essentially a crisis,” said David Lambert, director of the Justice System Training and Research Institute at Roger Williams University. “There’s a lot of soul-searching in police departments about how to do better recruiting.”

BOB BREIDENBACH/ THE PROVIDENCE JOURNAL, FILE

STEVE SZYDŁOWSKI/THE PROVIDENCE JOURNAL, FILE

Across the state and the nation, agencies are seeing flagging numbers of applicants, even as their ranks edge closer to retirement age. Adding to that is increasing competition from neighboring towns and cities promising better work conditions and benefits. These forces are combining to leave some departments hemorrhaging officers at a time when interest in pursuing a career in law enforcement is lagging as never before.

“From COVID to the present, the numbers are ridiculously low,” said Sid Wordell, executive director of the Rhode Island Police Chiefs Association. “We’re just not seeing the individuals coming forward for law enforcement.”

Department of Corrections faces record retirements

That’s a stark reality in the Rhode Island Department of Corrections, where 194 officers are currently eligible for retirement and another 223 will qualify in the coming year, according to department records. With a workforce of roughly 900 officers at the Adult Correctional Institutions, it amounts to a third of the staff that could head out the door.

“We’re falling far short. If we see this mass exodus, we’re in trouble,” Richard Ferruccio, president of the Rhode Island Brotherhood of Correctional Officers union, said.

The department took steps aimed at recruitment and retention in reaching contract terms in February. The agreement increased the rates that recruits are paid during the training academy from a \$500 weekly stipend to a “competitive” starting salary of about \$60,000. The pace at which officers can achieve the top step quickened from 20 years to 14 years, and officers will see salary hikes of 2.5% at 25 and 30 years in hopes they will remain.

“We’re hoping that will be a more attractive salary,” Ferruccio said. “You get to that top pay scale so much faster.”

Even so, five officers have recently left for the municipal police academy, he said.

Gov. Dan McKee has budgeted for two corrections training classes of 50 officers each in the coming fiscal year, but the class to graduate in May stands at 20, Ferruccio said.

The department relies on online recruiting platforms, mailing lists, social media and career fairs at local colleges and high schools, among other strategies, corrections spokesman JR Ventura said.

“We have been fortunate to have a steady flow of applicants at various stages of our recruitment process,” he said.

So far, there are approximately 150 applicants in the hiring process for the academy class of 2023, he said.

The department is also changing its physical fitness test from one used by many law enforcement agencies to a less rigorous assessment used by the U.S. Bureau of Prisons, a step the union opposes, Ferruccio said.

“We just don’t think it’s the direction to go,” Ferruccio said.

The department stands behind the new standard, which is based on an assessment of physical agility tests conducted by correctional agencies from around the country and “more specific to the duties of a correctional officer.”

A persistent and expensive problem remained unaddressed in the new contract: officers working 32-hour shifts and accruing overtime to plug staff shortages, sometimes tripling their wages.

“Everything is staff-driven,” Ferruccio said. “We have a significant number of officers who are getting frozen in. That’s frustrating.”

Rhode Island is one of the few states that allow officers to work “quads” of four consecutive shifts.

Division of Sheriffs tries to master a ‘shell game’ of staff shortages

Shortages in the Division of Sheriffs are delaying court proceedings statewide, leaving judges at times unable to take the bench, defendants awaiting court appearances in lockup, trials delayed, and lawyers’ schedules being bogged down by complications that ripple throughout the day.

“It’s like a shell game,” said Chief Sheriff David DeCesare, whose deputies are responsible for protecting judges, transporting prisoners to court and overseeing courtroom safety. At least six deputies may be needed to safeguard a courtroom during a trial with a high-risk defendant.

The effects are being felt by the judiciary. “The inability to ensure safety in our courtrooms due to the sheriff shortage impedes access to justice and cannot be overstated,” said Lexi Kriss, spokeswoman for the judiciary.

The division is about 50 officers short of the full 181-member complement. It has seen 11 deputy sheriffs resign and another 11 retire over the last year.

“We’re looked at now like the farm team for the police departments,” DeCesare said.

Exit interviews indicate that the leading contributors are low pay, lack of advancement and the retirement age of 67, unlike most law enforcement agencies in which officers can often retire at 50 years of age and 25 years of service. While deputies work weekday shifts and get weekends and holidays free, they do not have the opportunity to boost their income with detail pay and overtime.

“They say ‘I can’t see myself doing this for 45 years.’ Having been a retired police officer, I get it,” said DeCesare, who served as deputy chief of the Johnston Police Department. “You can see how we’re upside down.”

In 2022, its training academy had six graduates, two of whom have already left, he said. According to the union, the division hired 86 deputies between 2013 and 2022, 47 of whom have resigned.

One deputy in a courtroom is not safe, Jim Cenerini, legislative coordinator for Local 94 of AFSCME AFL-CIO, told state lawmakers earlier this month. “You’re putting people in danger.”

To draw more recruits, the division dropped a requirement that applicants have 60 college credits. It now accepts a high school education or GED.

The division made a big recruiting push this year, branching out on social media, through radio ads and local media outlets, thanks to an employee with marketing expertise. It saw 305 applicants for the training academy set to start in the coming weeks.

While cheering the number of prospective recruits, DeCesare knows many will drop off as the process progresses. As seen with most agencies, about half will show up for the agility test and more will be disqualified by the written test, background checks, or medical and psychological testing. The union is hoping for changes in state law that would put the division’s retirement ages and benefits more in line with local police departments. The division and the courts would also like to see all the sheriffs move to a 40-hour work week — a \$600,000 cost that the governor did not include in his budget.

Rhode Island State Police face a changing landscape

Gone are the days when thousands of prospective recruits flooded the Rhode Island State Police with applications.

“Before, they came knocking on our door. We need good people to be troopers,” said Rhode Island State Police Maj. Kenneth S. Buonaiuto. “All I can say is that people are much less interested in law enforcement.”

Since 2015, the agency has seen a dramatic decline in the number of applicants, which sank below 1,000, to 986, for the first time last year. This year, 629 people applied for 40 slots in its training academy after a recruiting push that hit the Dominican Festival, food truck events and even wedding fairs. “We targeted very diverse groups,” Buonaiuto said. The state police have taken steps to improve their recruiting odds by increasing the salary for their live-in training academy from \$1,300 to \$1,800 biweekly, Col. Darnell Weaver told state lawmakers at a recent House Finance Committee Public Safety Subcommittee hearing. Of the applicants, 525 are men and 99 are women, with 75 identifying as Black and 124 as Hispanic. Like other agencies, the state police have experienced many no-shows for the agility tests and a dismal 25% pass rate. The agency is trying to ease the way for the first time by holding practice sessions to teach prospective recruits the proper form for pushups and other exercises, hoping it will give them an edge.

“We wanted to provide them with every opportunity we could to help them succeed,” Buonaiuto said.

A trooper from the department’s recruiting unit also called each applicant and provided them with a contact they could reach out to during the lengthy process, Weaver told the subcommittee.

The training academy will bring the agency to near full staff, as it currently has 42 vacancies.

Providence Police Department to recruit year-round

The Providence Police Department is down 80 officers from a full staff of 491, but those numbers should ease somewhat this fall when 30 Training Academy graduates join the ranks.

“It’s concerning. ... I would like to be at full strength, but I have to deal with the challenges that are happening nationally with recruitment,” Col. Oscar Perez said.

Facing those difficulties, the department for the first time moved to accept applications for lateral transfers from other Rhode Island police departments, a step Perez hopes will bolster staffing. Several officers are now in that process and will need to be approved by the Rhode Island Police Officers Commission of Standards and Training.

Continued on next page

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THE HUMMEL REPORT

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