



Florida Police Benevolent Association, Inc.



CAPITOL REPORT

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By Matt Puckett, Deputy Executive Director
LEGISLATIVE ACTIVITY FOR THE WEEK ENDING MAY 2, 2008

TIME RUNS OUT ON 2008 SESSION LEGISLATURE PASSES SLIM BUDGET AND LITTLE ELSE

A session dominated by big budget cuts in almost every facet of state government came to a close on Friday with not a whole lot to get excited about for our members. For the first time in the modern era our economy rescinded in consecutive years from the historic high of \$72 Billion in 2006-2007 to \$66 Billion in 2008-2009 and this \$6 Billion slump forced our Legislators to examine every idea in terms of dollars and cents. Money was so scarce that if it was believed that your issue cost something, then it more than likely would need to wait for better economic times.



With all the angst and negativity hanging over the session, it is not surprising that little else but the budget passed. Sadly, **199 of our Correctional Probation Officers** positions were eliminated in the **General Appropriations Bill** along with major reductions to drug treatment and work release programs. The courts were not hit as hard as expected, simply because the Legislature found money to funnel into the system. Truthfully, all this restructuring does little to address the real financial problems facing the entire criminal justice system. At some point, after yet another year of no pay increases for the vast majority of state employees, Florida is going to have to set its priorities and start paying the people who perform public safety jobs a decent salary or they are going to find they have no one left to do the work. Of course, the privateers will say, "No problem! We can just outsource it." And that attitude, my friends, may be the most critical concern we face next session.

BUDGET CUTS AND SALARIES

Just to clear up any of the confusion that is circulating in the departments and agencies around the state, there was never an “either, or” position of “cuts versus a pay raise.” The position was “cuts along with no pay raise.” Our job essentially became to minimize the reductions to positions in the **Department of Corrections** and **Florida Fish and Wildlife Conservation Commission**. In the end, no **Correctional Officers** or **Florida Wildlife Officers** lost their jobs, but **Correctional Probation Officers** took a reduction of **199** positions. Hopefully, the cuts to Probation will not result in anyone actually losing his or her job with the Department, but only time will tell.

As for pay increases, we put forth a fee increase bill (**HB 7121 by Representative Will Snyder**) that would place money into a trust fund to be used exclusively for supplemental salary enhancements. It was a bit of a long shot, but we had nowhere else to go. Historically, fee increases are not used to supplement salaries, so when the idea moved along it was met with some trepidation. Of course, many of you will point to the funding bill our **Florida Highway Patrol Chapter** lobbied for and say, “what about it.” Well, despite a very impressive run, it did not pass either. What it did do was highlight the **20% turnover rate** the Patrol is facing and that Troopers are the lowest paid in the nation compared to their peers. The Legislature authorized \$3.8 million dollars from the Administrative Funds in the General Appropriations Bill to address the Patrol’s critical retention needs.

Obviously, our approach to pay increases with next year’s Legislature is going to be much different.

HOW WILL WE PREPARE FOR NEXT YEAR? Economic Forecasts Are Still Gloom and Doom

As issues go, the crisis in the ranks to recruit and retain has reached critical proportions. We have tried in vain for two years to get our Legislature to put more money into the salaries of the **State Law Enforcement, Correctional and Correctional Probation Officers** to slow down the high turnover. Even our DROP extension is simply a means to retain veteran officers just a few more years while agencies struggle to recruit qualified candidates. So far the outcome has been piecemeal at best.

In the years prior to the economic downturn, **FDLE Special Agents and Correctional and Correctional Probation Officers** received decent increases, but **State Law Enforcement Officers and Troopers** received very little or worse... nothing. Those were the good economic years too. The good years are gone now along with the increases that have been erased by the rising costs of living.

Today we find ourselves deep into a recession. Making matters worse is the reality in Tallahassee that our state officers are going to be forced to compete with kids and the medically needy for essential state dollars. We will have to go on the public relations offensive in order to be competitive.

Therefore, we will start a public awareness campaign similar to campaigns we have conducted for our local officers. Beginning this summer and through the state election cycle, we will highlight how low salaries for public safety officers are a threat to the public’s safety. Crime has been on the rise since the economy started to falter and it is time to remind the citizens of just who is out there protecting them.

Our job will be to demonstrate to our Legislators that this crisis is real and that the only way to truly address it is to spend the necessary funds in next year’s budget and beyond. Pay raises and the Eight Year DROP Extension will be our top two issues heading into next year with this campaign leading the charge.

EIGHT YEAR DROP LEGISLATION

We held onto the optimism that our DROP legislation could pass in this horrible economic environment, but in the end even it got attacked by the fiscal police who pose as Legislative staff.

Still, the effort our team put forth on this issue was impressive. Everyone worked right up until the end with our **President John Rivera** phoning **Governor Charlie Crist**, our **Treasurer Ernie George** phoning **Senate President Designee Jeff Atwater** and the rest of the crew trying to get any member of the **Senate** to help place the **Eight Year DROP** on the final list of bills. Unfortunately, we joined a big list of associations and lobbying firms in coming up just short.

Perhaps it was naïve that we felt we had a chance to pass the DROP extension, especially considering it was stuck in two **Senate** committees heading into the final week, but by Monday afternoon our friends in the **House of Representatives**, led by **Speaker Marco Rubio**, had passed **HB 501** (Eight Year DROP) then sent it over to the **Senate**... so we were encouraged. Next **Representative Robert Schenck** allowed us to amend our language from **HB 501** onto **Senator Al Lawson's SB 2848** before he sent it back over to the **Senate** for reconsideration. This maneuver gave us two bites at the apple (**Rep. Schenck** really stepped up for us and we greatly appreciate his support). These early actions also allowed us a full four days to focus exclusively on the objections of the **Senate**... and there were many objections.

The **Senate** played the role of foil for us this session. From the start, a **Senate** objection would get raised about our DROP bill and we would redraft it to meet their concerns only to find that another concern lay waiting. As many of you may remember from previous **Capitol Reports**, we were delayed by almost three weeks in the **Senate Government Operations Committee** because of concerns. That delay proved to be the bill's downfall. See, since the bill never went through one of the Senate's appropriations committees, it was never cleared as "cost neutral" even though we checked with the Senate's staff on multiple occasions to determine whether our DROP legislation would need a special study to alleviate the fiscal concerns. At each meeting with staff on the topic, we were consistently told no study would be required, but then, in the final three weeks, we were informed that in fact our legislation needed a study and that without it our bill was "unconstitutional." *Obviously, this new position did not sit well with us.*

It was our opinion from the start that the DROP extension did not have a cost, but sometimes a special study is required to show "objectively" that a retirement benefit does not have a fiscal impact. Also, we know the rules of the game well enough to realize cost or no cost that a special study may still need to be conducted, which is the reason we were repeatedly checked in with the staff on the matter only to be reassured that no study was needed, especially since none was done for the Classroom Teachers DROP Extension.

Imagine our shock when in the so-called 11th hour a position change occurred that now required a special study for our legislation. There was absolutely no time left to have a special study completed before the session ended, so we had no other choice than to press ahead with our sponsors **Senator Carey Baker** and **Representative Julio Robaina**, plus the help from **Speaker Rubio** and **Governor Crist**, with our bills as originally drafted. Needless to say, the bills died in **Senate Messages** along with the Retirement Bill (**SB 2848**) that **Representative Schenck** amended our language onto.

A special study is being requested for next year.

PBA LEGISLATIVE AGENDA FOR 2008

- Equitable pay increases for state correctional, correctional probation, and law enforcement officers represented by Florida PBA, including but not limited to, pay compression and retention issues.
- Legislation extending the period of DROP participation for Law Enforcement, Correctional and Correctional Probation Officers, at the rank of Captain and below, an additional 36 months **(Representative Julio Robaina HB 501 and Senator Carey Baker – SB 706)**
- Legislation including Institutional Security Specialist to the definition of Certified Correctional Officer. **(Representative Pat Patterson – HB 427 and Senator Ted Deutch – SB 924)**
- Legislation allowing for purchase of Special Risk credit for certain academy time. **(Representative Anitere Flores – HB 379 and Senator Mike Fasano – SB 106)**
- Legislation changing the Special Risk upgraded credit from two percent to three percent. **(Representative Ed Hooper – HB 397 and Senator Mike Fasano – SB 294)**
- Support for the Officer Malcolm Thompson Act. **(Representative Frank Attkisson – HB 57 and Senator Steve Oelrich – SB 1024)**
- Support for legislation to place security cameras in certain late night business parking lots **(Representative Ari Porth HB 325/HB 327 and Senator Jeff Atwater SB 2770/SB 2774)**
- Support for legislation to require life sentences for murder or attempted murder of a law enforcement officer. **(Representative Will Snyder – HB 321 and Senator Paula Dockery - SB 1064)**

With reference to other legislation, the Board of Directors gives authorization to the Director of Legislative Services to support legislation favorable to the membership or oppose legislation harmful to the membership.



CPO Chapter President Richard Gordon answering a reporter's questions about the cuts to probation officers. Mr. Gordon went on a statewide media blitz prior to the budget announcement and immediately following its completion urged the legislature to hold probation officers harmless.



FHP Chapter President Bill Smith was interviewed extensively about the salaries, attrition and recruiting problems facing the Highway Patrol. His chapter pushed hard for increased fines to fix the retention problems plaguing the Patrol.



Central Florida PBA Chapter President John Park (center) and Board Member Paul Smalley (left) lobby Representative Sandy Adams (right) on changes to our DROP legislation.



Representative Julio Robaina (center left) is lobbied by Dade County PBA Sergeant at Arms Luis De lo Santos (center right).



Florida PBA President John Rivera (right) listens as SB 706 Sponsor Senator Carey Baker (center) explains the latest developments in our push to pass DROP legislation.



Governor Charlie Crist's Deputy Chief of Staff Shane Strum (left) is lobbied by PBA officials on the developments of the DROP legislation at a Governor's Mansion meeting.