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New Jersey State
Policemen's Benevolent Association, Inc.
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To The Editor:

Kevin Manahan's recent story on John Sierchio ("Crusader against Police Disability Fraud") fails to dig deeply into the issue of disability pensions for law enforcement and firefighters in New Jersey and leaves the incorrect impression that law enforcement is filled with schemers and scammers.

First, it would be wrong to suggest that John Sierchio is a lone voice crying out in the wilderness on the issue. The New Jersey State PBA, the State's largest law enforcement organization, has for years been asking the Legislature to address the issue appropriately. During the last two rounds of changes to the State pension systems the State PBA not only lobbied that the problem be resolved but proposed language to amend the pension reform bills. Unfortunately, the subject was never addressed but it was the law enforcement community led by the State PBA that put this issue on the table for discussion.

Second, no one seems to be telling the public why so many disabilities are coming before the pension board. The answer lies in a 2006 Supreme Court decision that removed restrictions and tight standards that limited who was eligible for an accidental disability pension. Before the Court ruling, the PFRS Board regularly rejected those items Mr. Sierchio claims as "fraud". After the Court ruling, the Board finds its hands tied. But let's be clear. The cases approved by the Board aren't necessarily fraudulent since they fall under the Court's order. Some of the cases mentioned in the media might not pass the "smell" test to the average cop on the street but something isn't a "scam" when it's permitted by the Supreme Court.


The real concern that must be addressed is the loophole created in the standard used for pension approvals by the State Supreme Court. Reducing pension amounts and capping post retirement earnings still don't address the need for making the standard for "totally and permanently disabled" more stringent enough to reduce the number of applicants who file to get them. Reduce the number of qualified applicants and the cost to the pension fund will drop as well.

I believe we have a solution to the problem that will preserve accidental disability pensions for those who need them and save PFRS millions in pensions it shouldn't need to pay. Our proposal would tighten the requirements for qualifying for an accidental disability and would limit the

benefit only to those engaged in actual law enforcement duties (as defined under the law and PFRS membership requirements), like responding to a crime or being injured in service to the public. Not only would this tighten the standard but it would give the PFRS Board greater power to reject unqualified applications.

It is critical that any reforms to the accidental disability approval process not hurt officers who are truly disabled in the performance of their duties. Is it right to lower the benefit and eliminate earning possibilities for an officer who is paralyzed by a bullet or critically wounded in a car crash or for a firefighter who is crushed when a roof caves in? We should be honoring the service of those who are so seriously injured in public safety, not reducing their benefits because someone else is getting the same benefit for a lesser injury. The State PBA has held numerous discussions with Republicans and Democrats on this issue and we will continue to push for a more realistic standard for disability pensions that do not punish the few officers who sacrificed their bodies for their communities because the Supreme Court changed the rules for everyone.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony F. Wieners". The signature is fluid and cursive, with a large initial "A" and "W".

Anthony F. Wieners
State President