

FROM THE DESK OF

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## PATRICK BUTTLER

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To whom it may concern,

My name is Patrick Buttler and I am currently employed as a process server for a large process serving agency on Long Island. I have been serving papers for this company for over 10 years, shortly after retiring from the NYPD as a Police Officer after 20 years of service. I am writing this letter because I have been made aware of new rules that are being discussed that may result in a more dangerous workplace for process servers and I would like to share some experiences that I have encountered.

When I started working as a server, I knew there were risks that would likely occur but I thought those incidents would be few and far between and for the most part that is true. However there are times when things do not go as smoothly as one hopes. We, as process servers, often deal with people who are in a desperate situation. They are being evicted from their apartment and have nowhere to go, their house is being foreclosed because of some tragic event in their life, or they are going through a stressful divorce and their lives have been upended. The emotions people deal with are often expressed when they receive these legal documents and the situation becomes "real" and they lash out at those of us who deliver those documents. The NYPD has always taught us to de-escalate these situations by being professional, respectful, courteous and empathetic. However, when dealing with such fiery emotions, mental health and/or substance abuse issues, this is not always possible. In the police department we worked with a partner and if things escalated further we had the best weapon a police officer could have, his radio. We knew that after we made the call for back up that we would have to defend ourselves for less than sixty seconds until the calvary arrived. Unfortunately a process server works alone and the only way to feel safe is to retreat to the safety of our vehicle. Here are just a few examples of what has occurred with me.

I was serving foreclosure papers on a residence and the person I was serving became immediately enraged, demanding that I not leave the papers. As I was walking back to my car I noticed him following me and he grabbed a large spade shovel from a garbage can in front of his garage. I immediately jumped in my car and attempted to pull away, but before I could he took a full swing with the shovel striking my rear window with the metal shovel. Somehow the window did not shatter and I was able to leave safely only to swing back around to obtain a picture of the house with the man

still yelling and appearing violent. I informed my office about what happened and they suggested that I file a police report, but I felt that this man had mental issues and calling the police would only escalate the incident.

On another occasion I was again serving foreclosure papers and was met by a man outside of the residence who accepted the papers and was then told to get off his f\*\*\*ing property and if I came back I would be trespassing and he would "put a bullet your f\*\*\*ing head". I proceeded back to my vehicle and waited a short time for him to turn his back to take a picture because I knew if he saw me snapping a picture of his residence it would have escalated into a possible physical altercation.

Finally, I served papers just this evening for Surrogates Court that had to be served personally. I attempted to serve these papers on this past Saturday when I spoke to a female resident who said the person I was trying to serve did not live here. My instructions were to post the papers on my final attempt and I informed the woman that I would have to come back and post the papers on the front door if I was unable to serve him. She then proceeded to tell me in a thinly veiled threat that she had a large dog that was capable of breaking through the screen door and that I should be careful. Earlier this evening I was able to post the papers without incident, however I made sure that my car was running and the windows were rolled up to ensure I had a safe way to escape if things went wrong.

These examples are not a total accounting of all the incidents I was involved in, but I think that exemplifies some of the challenges of this profession. When I took this job I knew there would be risks involved. My wife knows the challenges of my career, which is why she always tells me to be careful when I leave for work and why she knows what I mean when I tell her I had to make a "quick getaway" from where I served papers. The company I work for is always supportive of me when I express concerns over serving papers that may result in a dangerous situation by offering me a person to accompany me or request a police escort and I hope that those who make the rules and regulations for process servers will also insure that the service of papers is done properly and safely.

Sincerely yours,

Patrick Buttler