



Tompkins County Legislature

Governor Daniel D. Tompkins Building
Ithaca, NY 14850

Meeting: 04/17/18 05:30 PM
Department: County Administration
Category: Public Safety
Functional Category: Alternatives-To-Incarceration, Jail

SCHEDULED

RESOLUTION NO. DOC ID: 7729

1 **Resolution to Authorize the County Administrator to Execute the**
2 **Memorandum of Understanding to Participate in the “Raise the Age”**
3 **Compliance Coalition**

4 WHEREAS, on April 10, 2017, Governor Cuomo signed into law “Raise the Age” legislation that was
5 included as part of the State Budget, and
6

7 WHEREAS, the vast majority of cases of 16- and 17-year-olds charged with criminal offenses will ultimately
8 be heard in the Family Court, either originating there or being transferred there from a new Youth Part of the adult
9 criminal court/superior court, and
10

11 WHEREAS, under “Raise the Age,” no 16- or 17-year-old will be sentenced to or detained in a facility with
12 adults; youth whose cases are heard in Family Court will be detained or placed in OCFS-operated, OCFS-licensed, or
13 ACS facilities (including Close to Home), as Juvenile Delinquents currently are; while Adolescent Offenders who are
14 detained pre-trial will be held in a specialized secure juvenile detention center for older youth, which will be certified
15 and regulated by OCFS in conjunction with the State Commission of Correction, and
16

17 WHEREAS, these “Raise the Age” detention provisions will create challenges for the counties of New York
18 State, in attempting to comply with the edicts of same, and
19

20 WHEREAS, the Municipalities, which include the Counties of Allegany, Chemung, Cortland, Livingston,
21 Ontario, Schuyler, Seneca, Steuben, Tioga, Tompkins, and Yates, share a common interest in developing “Raise the
22 Age” Compliance resources, procedures and protocols, and
23

24 WHEREAS, the Municipalities are acting in accordance with section 119-o of the New York State General
25 Municipal Law, to cooperatively create a “Raise the Age” Compliance Coalition for the purpose of fulfilling their
26 respective public purposes, needs, objectives and programs related to compliance with the detention mandates created
27 by the “Raise the Age” legislation, and
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29 WHEREAS, it is the intention of participating Municipalities to work collaboratively to develop a scope of
30 work to retain expert professional consulting services and identification of proposed contract deliverables, fees, and
31 expenses for the municipalities related to compliance with the detention mandates created by the “Raise the Age”
32 legislation, and
33

34 WHEREAS, there are no fixed fees for participation, however, participating Municipalities shall, to the extent
35 deemed necessary by any such municipality, contribute appropriate in-kind services or their own out of pocket
36 expenses necessary to effectuate the negotiation of a resulting proposed consulting agreement and in connection
37 therewith, the parties have drafted a Memorandum of Understanding to describe the process for working
38 collaboratively, now therefore be it
39

40 RESOLVED, on recommendation of the Public Safety Committee, That the County participate in the “Raise
41 the Age” Compliance Coalition in collaboration with surrounding Counties and community representatives,
42

43 RESOLVED, further, That the County Administrator is hereby authorized to execute the Memorandum of
44 Understanding dated April 2018 and to participate in this collaborative initiative.

1 **SEQR ACTION:** TYPEII-20