



# Tompkins County Department of Administration

125 East Court Street

Ithaca, NY 14850

COUNTY ADMINISTRATOR

Jason Molino

*"Promoting excellence in County operations while respecting the needs of the people we serve."*

To: Public Safety Committee  
From: Jason Molino, County Administrator  
Date: March 27, 2018  
Subject: Memorandum of Understanding for "Raise the Age" Compliance Coalition

## **Background**

Attached please find an MOU regarding the "Raise the Age" Compliance Coalition. Over the past several months as Counties across the State of New York are looking to solve programmatic aspects of the "Raise the Age" legislation that is to take effect October 1, 2018, there has been pressing concerns over housing for 16 and 17-year-old offenders.

Under "Raise the Age," no 16- or 17-year-old will be sentenced to or detained in a facility with adults and youth whose cases are heard in Family Court will be detained or placed in OCFS-operated, OCFS-licensed, or ACS facilities (including Close to Home), as Juvenile Delinquents currently are. Adolescent Offenders who are detained pre-trial, or whose post-conviction sentencing is 1 year or less, will be held in specialized secure juvenile detention (SSD) centers for older youth, which will be certified and regulated by OCFS in conjunction with the State Commission of Correction. SSD facilities are to be locally administered, however not every county must operate a facility but all must have one available to use. Also, facilities cannot be co-located with local jails but can be co-located with current operating secure detention facilities as long as Adolescent Offenders are separated in housing.

There continues to be broad discussions on many levels regarding what counties are willing to and/or have the ability to best manage SSD facilities. In addition, all counties continue to evaluate and estimate daily juvenile housing needs under the new legislation while balancing housing options that have not yet materialized.

Currently Tompkins County Probation and Community Justice and the Department of Social Services have participated in several conversations regarding possible housing options that may exist in Tompkins County, as well as adjacent counties. While we continue to evaluate all options, this MOU represents a parallel and coordinated effort to evaluate additional housing options. The MOU does not bind the County to any financial commitment other than staff time to attend meetings to the extent that we wish to participate. The initial focus of the coalition is work collaboratively on defining a scope of work to retain expert professional consulting services and identification of proposed contract deliverables, fees and expenses related to compliance with the detention mandates created by the "Raise the Age" legislation, including housing. At the time a financial commitment may be needed by Tompkins County to engage with consulting services a request will be brought forward to the County Legislature for consideration.

**Recommendation**

It is recommended that the Legislature authorize the execution of the MOU. Execution of the MOU is merely a non-binding commitment on behalf of the County to participate in an investigatory process with partner counties on how to best solve challenges that arise from the “Raise the Age” legislation.