



New York State Comptroller
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Economic and Policy Insights

Spending on Raise the Age Programs in New York

May 2025

Introduction

New York's "Raise the Age" (RTA) legislation, enacted on April 10, 2017, changed the age of criminal prosecution as an adult from 16 to 18 years old. The law was phased in over two years with the age of criminal responsibility becoming 17 on October 1, 2018 and 18 on October 1, 2019.¹ As a result, most 16- and 17-year-old offenders are now adjudicated through procedures in Family Court, rather than the adult criminal justice system, and can no longer be held in county jails with adults or in State prisons.²

RTA tasks counties with implementing the law in their respective jurisdictions, requiring additional local resources in probation departments, county attorney's offices, mental health services and social services agencies, and spending on court and juvenile detention facilities.³ Counties are reimbursed by the State for all new and ongoing costs associated with implementation of RTA. To qualify for reimbursement, counties must adhere to the State property tax cap (or be granted a hardship waiver) and submit an annual plan of work for RTA that identifies eligible costs to be reviewed by the State Office of Children and Family Services and the State Division of Criminal Justice Services before review and approval by the State Division of Budget. New York City does not participate in the State's RTA reimbursement program.

Appropriations were enacted to provide resources to detain youth offenders in juvenile facilities, divert more youth away from juvenile detention, and provide alternatives to incarceration, including counseling and support services, as a means of rehabilitation. Initially, capital projects drove spending on implementation of RTA; through State Fiscal Year (SFY) 2019, the State disbursed \$46.4 million. After the first two years, spending was comprised mostly of local grants to reimburse counties for eligible RTA expenditures and totaled \$468.5 million through SFY 2025.

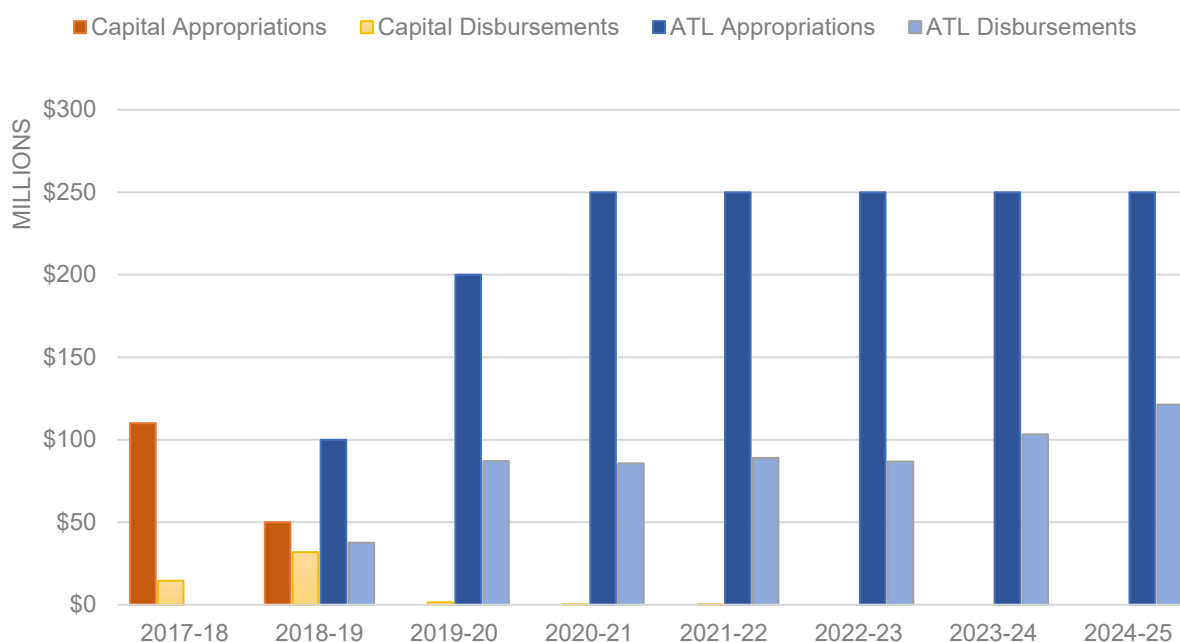
According to plans submitted by counties and approved by the State, Social Services costs, which include personnel costs for case workers, RTA foster care, aftercare costs for RTA youth placements upon discharge, and other programming for certain rehabilitation and recidivism prevention costs, comprise the largest amount of spending in most counties. Overall, detention costs are the largest overall amount of county spending, with expenditures concentrated in a handful of counties. As implementation of RTA continues, costs are likely to continue to grow.

RTA State Spending

Through SFY 2025, the State has appropriated \$1.71 billion for RTA. Those appropriations are comprised of \$160 million for capital and \$1.55 billion in local aid. As of the end of SFY 2025, \$658.8 million has been disbursed.

As shown in Figure 1, of the \$160 million in capital appropriations, \$48 million has been spent on projects to improve existing facilities or build new juvenile detention facilities to be used for RTA, mostly in SFYs 2018 and 2019. Beginning in SFY 2019, the State provided a \$100 million appropriation to make local aid available to counties for reimbursable RTA expenses, including alternative to incarceration programs, mental health and substance abuse treatment and other supportive programming designed to rehabilitate youth convicted of crimes. The Aid to Localities (ATL) appropriation increased to \$200 million in SFY 2020 and to \$250 million in each of the subsequent SFYs.⁴ Disbursements against the ATL appropriation increased from nearly \$37.6 million to \$121.3 million between SFY 2019 and SFY 2025. The timing of disbursements does not necessarily reflect the fiscal year in which county spending took place.

Figure 1
RTA Appropriations and Disbursements by Fiscal Year, SFY 2018 – SFY 2025



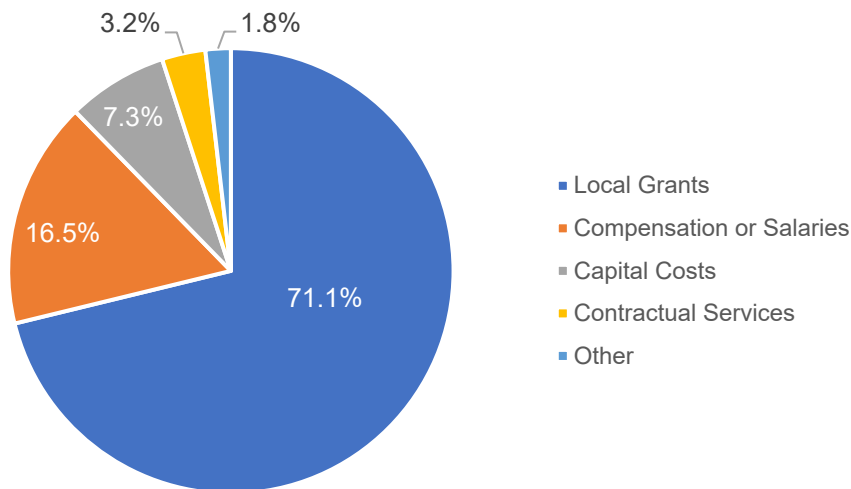
Note: The columns showing Capital and ATL Disbursements represent amounts that were disbursed within the given SFY and do not represent shares of that specific year's appropriation that were used. When submitting vouchers for RTA payments, counties and State agencies may be paid out against a prior Budget Reference Year's appropriation. This chart shows amounts authorized by appropriation each SFY and actual disbursements that were spent on RTA in that same SFY. The ATL appropriation includes language authorizing it to be used for State Operations and Capital and, thus, includes spending beyond local grants and public assistance such as for State employee personal service costs.

Source: Office of the State Comptroller

More Than Two-Thirds of RTA Spending is Reimbursement of County Costs

\$468.5 million, or 71 percent of State funds disbursed over the life of RTA, have been used for local assistance grants, primarily to reimburse counties for eligible RTA costs.⁵ The remaining amounts went to salaries for State employees who work to administer RTA (16.5 percent); capital costs (7.3 percent); third party contractual services to facilitate RTA (3.2 percent); and other expenses such as general state charges and equipment, supplies and materials (1.8 percent).

Figure 2
Share of RTA Spending by Type, All Years (SFY 2018 – SFY 2025)



Note: The "Other" spending types include general state charges; equipment, supplies and materials; temporary service and travel costs for State employees who work on RTA implementation. Collectively, they account for 3.3 percent of all RTA disbursements.

Source: Office of the State Comptroller

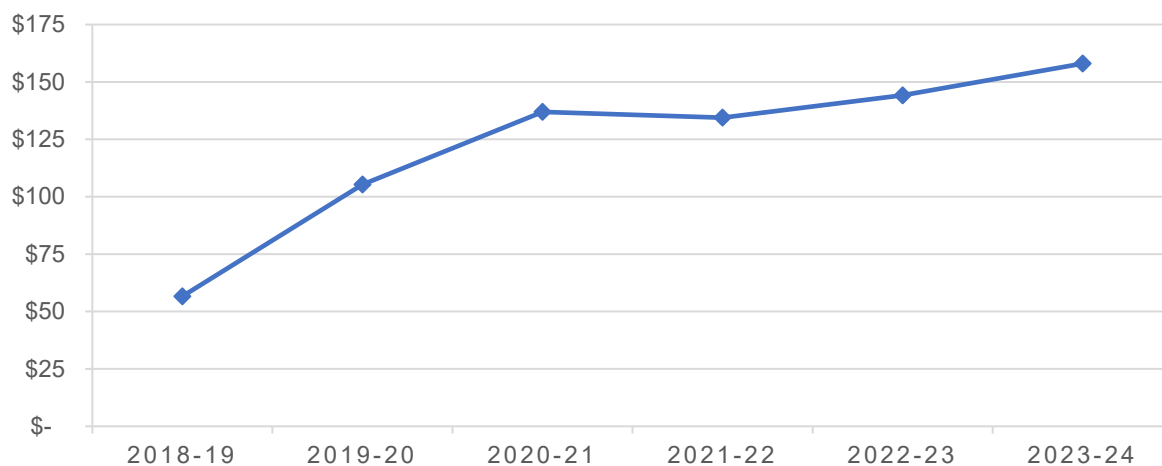
Counties' RTA Plans

RTA provides for total State reimbursement of counties' costs provided they submit annual plans of anticipated RTA expenses that are reviewed and approved by the State and certify to adherence with the State property tax cap or be granted a hardship waiver. Since SFY 2021, amounts requested by counties for the ensuing fiscal year have changed minimally and almost all plans have been approved by the State year-over-year.⁶ Reimbursable amounts are capped once the county's RTA plan is approved. The expenditures discussed in this section refer to the approved amounts in the county RTA plans.

New York City does not participate in the State's RTA reimbursement program due to the requirement that implementation funds be reserved for localities that adhere to a 2 percent tax cap and has not submitted an RTA plan.⁷ New York City, therefore, is excluded from the analysis of county RTA plans.

The first RTA plans submitted by counties included costs for two fiscal years, SFY 2019 and SFY 2020. In the first year of RTA (and while the program was being established), approved amounts totaled \$56.6 million. The following year, the amount all counties were approved to spend nearly doubled to \$105.3 million and increased again in SFY 2021 to \$137 million. Implementation of RTA may initially have been slowed by impacts of the COVID-19 pandemic, including an unanticipated shift in priorities and staffing challenges.⁸ Since then, the total RTA costs requested for approval have risen to \$158 million in SFY 2024 (the last year for which county plan data was provided).

Figure 3
Aggregate Amounts Approved for County Spending, SFY 2019 – SFY 2024



Source: Counties' Approved RTA Plans

In the aggregate, counties' approved amounts have been consistently below the level of annual appropriation. In SFY 2024, the \$158 million in approved spending was 63 percent of the available \$250 million appropriation.

Types of Spending

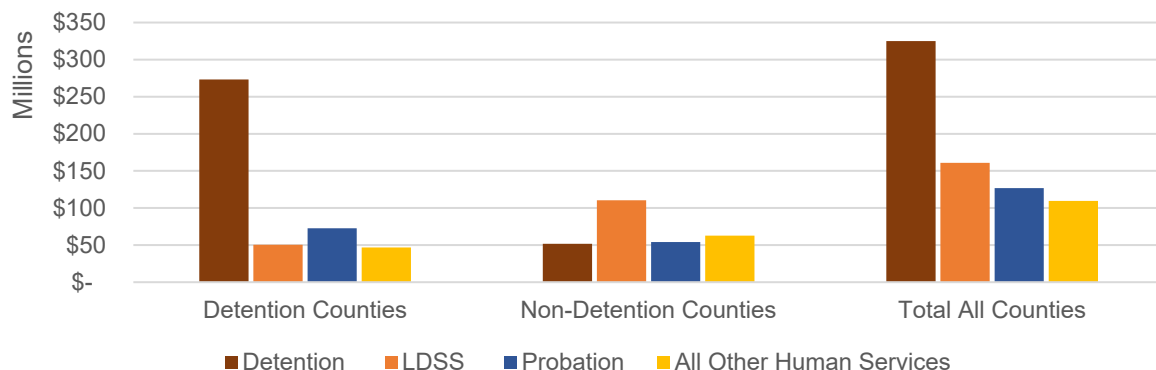
Within each county's RTA plan, anticipated spending is broken down by public safety and human services categories. Public Safety, consisting primarily of probation staffing and services, comprised 18.1 percent of all anticipated spending.⁹ Probation staffing and services may also include alternatives to detention, electronic monitoring, mental and behavioral health interventions, and various forms of mentoring.

Human Services spending comprised almost 82 percent of counties' approved expenditures, which includes:

- Detention costs for the operation of juvenile detention facilities within certain counties, contracting costs for other counties to detain youth outside of the county, and costs for those counties for transportation to and from detention facilities.
- Local Department of Social Services (LDSS) costs, which include personnel costs for case workers, RTA foster care, aftercare costs for RTA youth placements upon discharge, as well as a range of programming and therapy aimed at rehabilitation and recidivism prevention.
- All other related costs, including Supervision and Treatment Services for Juveniles Program expenditures, as well as other programming aimed at rehabilitation, therapeutic interventions, mentoring, life-skills development, vocational training, youth advocates, tutoring, cognitive behavioral change, and other anti-recidivism programs.

The highest share of approved costs in counties' plans is for detention, comprising 45 percent of overall amounts approved for all counties over the life of RTA; however, these costs are concentrated in only a handful of counties. Eighty-four percent of all approved detention expenditures were in six counties that operate a secure and/or specialized secure juvenile detention facility: Westchester, Erie, Onondaga, Monroe, Nassau and Albany.¹⁰ (See Appendix A).

Figure 4
Counties' Approved Amounts Through SFY 2024



Note: Detention amounts reflect costs for a calendar year while probation, LDSS and "All Other" categories of spending reflect costs over a state fiscal year.

Source: Counties' Approved RTA Plans

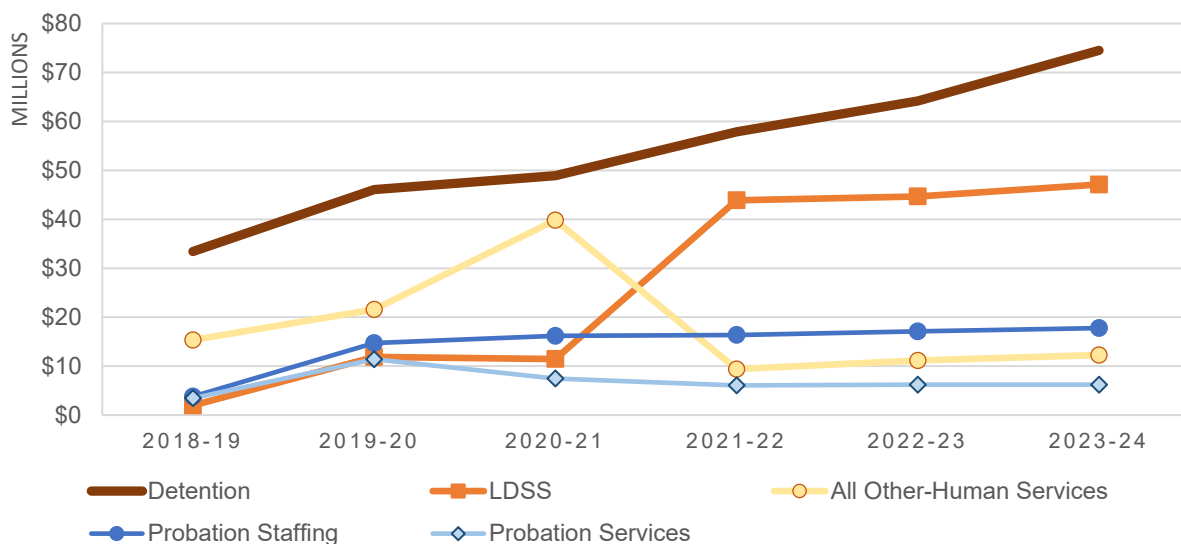
Of the remaining counties, 44 have approved LDSS amounts that are higher than detention. As shown in Figure 4, aggregate approved LDSS expenditures for counties that do not operate RTA juvenile detention facilities were more than twice the amount of those counties' approved detention amounts.

As shown in Figure 5, the year-over-year trend in counties' planned RTA expenses is also driven by detention.¹¹ Approved expenses for this category have consistently risen year-over-year based on actual costs from the prior year and projected detention needs. A 2024 audit from OSC's Office of State Government Accountability found that both the average length of stay and the average daily population in local juvenile detention facilities increased by 7 percent between 2019 and 2023.¹² Anticipated spending on LDSS and All Other-Human Services fluctuates more.

In SFY 2022, LDSS amounts nearly quadrupled (from \$11.5 million to \$43.9 million) while All Other-Human Services spending dropped by similar amounts (from \$39.8 million to \$9.4 million). The SFY 2022 increase in LDSS was the result of being the first year that RTA foster care was included in every county's plan. The previous year, only one plan included funding for RTA foster care.

At the same time, the sharp decrease in All Other – Human Services approved amounts in the SFY 2022 county plans was the result of a one time, multi-million-dollar group of expenditures for six counties in the prior fiscal year. These approved expenditures in SFY 2021 are described as costs to support boarding and aftercare of children in group homes (and similar institutions) and to recoup funds already spent prior to approval for this purpose.

Figure 5
Counties' Approved Amounts, by Category, SFY 2019 – SFY 2024



Source: Counties' Approved RTA Plans

Conclusion

Through SFY 2025, the State has appropriated \$1.71 billion to reimburse counties and pay State costs for implementation, with another \$250 million appropriated in the Enacted SFY 2026 State Budget. In the aggregate, annual county funding requests approved by the State have been less than the annually appropriated funding. Since disbursements have mostly reimbursed counties for their expenses, annual disbursements have similarly been less than appropriations. Of funding appropriated through SFY 2025, 39 percent (\$658.8 million) has been spent.

From SFY 2022 to SFY 2024 the amount approved for county spending has increased from \$134.5 million to \$158 million, an increase of \$23.5 million (17.5 percent). Over the same period, ATL disbursements for RTA increased from \$89 million to \$103.2 million, an increase of \$14.2 million (16 percent). As counties continue implementing RTA through programming and staffing, State spending may continue to increase.

Appendix

County	Total Approved	County	Total Approved
Albany	\$40,987,873	Niagara*	\$4,089,100
Allegany	\$5,733,444	Oneida	\$12,499,744
Broome	\$11,547,750	Onondaga	\$76,676,311
Cattaraugus	\$2,841,520	Ontario	\$2,767,580
Cayuga	\$3,076,823	Orange	\$13,660,358
Chautauqua	\$5,490,361	Orleans	\$3,104,715
Chemung	\$3,901,191	Oswego	\$2,559,267
Chenango	\$2,951,667	Otsego	\$3,892,847
Clinton	\$3,792,537	Putnam*	\$515,154
Columbia	\$2,702,406	Rensselaer	\$16,036,271
Cortland	\$1,418,611	Rockland	\$12,633,401
Delaware	\$6,340,925	Saratoga	\$4,931,890
Dutchess	\$7,984,285	Schenectady	\$15,138,880
Erie	\$105,539,772	Schoharie	\$1,168,601
Essex	\$1,846,144	Schuyler	\$1,762,431
Franklin	\$3,586,662	Seneca	\$1,965,059
Fulton	\$1,977,489	St Lawrence	\$5,300,803
Genesee	\$2,829,329	Steuben	\$9,762,201
Greene	\$1,763,479	Suffolk	\$40,002,840
Hamilton	\$719,258	Sullivan	\$3,956,944
Herkimer	\$3,724,006	Tioga	\$2,673,097
Jefferson	\$3,603,246	Tompkins	\$19,079,791
Lewis	\$1,077,128	Ulster	\$8,257,305
Livingston	\$2,063,318	Warren	\$3,564,611
Madison	\$1,768,280	Washington	\$1,620,899
Monroe	\$58,328,190	Wayne	\$3,961,624
Montgomery	\$1,949,812	Westchester	\$126,579,145
Nassau	\$44,806,624	Wyoming	\$1,220,186
New York City	\$0	Yates	\$1,721,942

Note: Counties designated with an asterisk (*) have one 2019-20 or 2020-21 RTA plan that was not available for inclusion in this analysis.

Source: Counties' Approved RTA Plans

Endnotes

¹ See 2017 Laws of New York, chapter 59, Part WWW.

² New York State Raise the Age Implementation Task Force, *Final Report*, at https://www.ny.gov/sites/default/files/atoms/files/FINAL_Report_Raise_the_Age_Task_Force_122220.pdf (last accessed on January 10, 2025). Sixteen and 17-year-old offenders charged with misdemeanors are adjudicated in Family Court as Juvenile Delinquents. Those charged with felonies are considered Adolescent Offenders and may be tried in either Family Court, or in cases involving significant physical injury, display of a weapon, sex offenses, or other felonies where the District Attorney shows extraordinary circumstances, in a specialized Youth Part of the Criminal Court.

³ See e.g., New York State Association of Counties, *Raising the Age of Criminal Responsibility in NYS: A County Impact Update*, August 2019, at https://www.nysac.org/media/dmmdjz4r/raise-the-age-8_28_19-1.pdf.

⁴ The Aid to Localities appropriation includes language authorizing it to be used for State Operations and Capital and, thus, includes spending beyond local grants and public assistance such as for State employee personal service costs.

⁵ For purposes of RTA, “Local Grants and Public Assistance” (local assistance grants) includes payments to counties, cities, towns, villages, school districts, private schools and other local government units as well as nonprofit organizations. See OSC, Guide to Financial Operations, section IV.4.E Grants and Public Assistance, at <https://www.osc.ny.gov/state-agencies/gfo>.

⁶ Ninety-seven percent of county plans that were submitted to the State through SFY 2024 have been approved. Approved county RTA plans were provided to OSC by the State Division of the Budget for SFYs 2019 through 2024. Comparisons in this section between RTA approved amounts for counties versus SFS data showing amounts disbursed by the State to the counties are through SFY 2024, as opposed to the discussion of State spending in the prior section of this report which includes spending figures through SFY 2025.

⁷ In order to participate in the State’s RTA reimbursement program, New York City would first need to apply for a hardship waiver, which it has not done to date.

⁸ OSC structured interviews with officials in two counties who coordinate RTA for those counties.

⁹ In addition to probation staffing and services, a handful of counties allocated anticipated public safety expenditures in an “all other” category for mental health evaluations, local police department overtime costs, processing and transportation of RTA arrestees, and mileage for local police departments. This category totaled \$5.1 million of \$131.9 million in counties’ aggregate approved public safety expenditures.

¹⁰ Of the six counties that operate juvenile detention facilities, Nassau County operates a secure detention facility, but not a specialized secure detention facility. The other five counties, Albany, Erie, Monroe Onondaga, and Westchester operate both. New York City also operates two secure detention facilities.

¹¹ While the overall amounts in county plans are approved on a SFY basis (April 1 to March 31), the detention costs are provided on a calendar year basis (January 1 to December 31) and may cover portions of two different SFYs for which a plan is approved. To account for the difference in timeframes between detention costs and other program categories, detention amounts were realigned using the second full calendar year in each plan to compare anticipated county detention costs year over year, and to compare detention costs to the other categories of spending.

¹² See OSC Audit Report 2023-S-15, at <https://www.osc.ny.gov/state-agencies/audits/2024/10/21/oversight-juvenile-detention-facilities-outside-new-york-city> (last accessed on January 8, 2025).

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