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Res. No. 274

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to entitle New York City to participate in New York State Raise the Age program funding

By Council Members Stevens, Restler, Nurse, Williams, Zhuang and Louis

Whereas, In April 2017, New York State (State) enacted legislation known as "Raise the Age" (RTA), ending automatic prosecution of 16- and 17-year-olds as adults; and

Whereas, Under RTA, 16- and 17-year-olds charged with misdemeanor offenses are treated as Juvenile Delinquents (JDs); and

Whereas, Cases for JDs are heard in Family Court, where proceedings are confidential; and

Whereas, JDs are shielded from adult jail and prison, and instead required to engage in rehabilitative measures and occasionally placed in youth facilities; and

Whereas, RTA tasks local governments in New York State with implementing the law in their respective jurisdictions, requiring additional local resources to operate probation departments, county attorney's offices, mental health services, social services, courts, and juvenile detention centers; and

Whereas, In New York City, under RTA implementation the share of youth crime as a whole has declined since 2018; and

Whereas, In a December 8, 2025, report, the Mayor's Office of Criminal Justice found that "in 2024, the youth share of citywide felony and violent felony arrests was the same as it was in 2018" and that "youth recidivism rates for all felony, violent, and serious violent offenses are stable or deceasing"; and

Whereas, Despite the City's implementation of RTA, the City does not receive State reimbursements for its administration of the program; and

Whereas, In acknowledgment that local governments incur significant costs to implement RTA, the State has appropriated over $1.5 billion dollars for the purpose of reimbursing local governments for certain eligible implementation expenses; and

Whereas, However, under then-Governor Andrew Cuomo, upon enactment RTA was designed to preclude the City from participating in State reimbursement of local expenditures unless the City applied for a financial hardship waiver; and

Whereas, The exclusion of the City from State funding for RTA stands in stark contrast to the position of other local governments, who remain eligible for State funding of RTA if they adhere to a tax levy limit set forth in section 3-c of the general municipal law (section 3-c), which does not apply to the City; and

Whereas, Counties may participate in the RTA reimbursement program if they are subject to and adhere to the applicable tax levy limit in section 3-c or are granted a hardship waiver; and

Whereas, Additionally, counties must 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; and

Whereas, According to a 2018 Preliminary Budget report released by the Independent Budget Office, the State has placed the burden upon the City to rely on surpluses to absorb the costs associated with implementing RTA, inhibiting the City from further expanding existing juvenile services and programs; and

Whereas, City agencies such as the Department of Probation, Department of Correction, Police Department, and Law Department have borne the cost of RTA implementation, reducing funds otherwise available for other programming and services; and

Whereas, In its 2025-2026 Budget Proposal (Proposal), the New York State Assembly proposed a modification of the RTA statute to remove the requirement that counties must adhere to a 2 percent annual property tax increase or be fiscally distressed to participate in the RTA reimbursement program; and

Whereas, The Assembly's Proposal does not clarify whether it proposes to remove statutory language that operates to exclude the City from eligibility to participate in the reimbursement program; and

Whereas, Permitting the City to seek reimbursement of expenses associated with implementing RTA would support important reforms without negatively impacting the City's ability to provide other crucial services; and

Whereas, In line with the Assembly's Proposal to remove the conditions that currently restrict county eligibility to participate in the RTA reimbursement program, the State should grant such eligibility to the City without the imposition of additional conditions; and

Whereas, It is inequitable, problematic, and unfair for the State to require the City to absorb the costs of a statewide mandate when other localities are eligible for reimbursements, particularly when the City is responsible for half or more of the statewide youth population affected by RTA; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation to entitle New York City to participate in New York State Raise the Age program funding.

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