



Livingston County

New York invests billions of dollars to hold people behind bars in local jails. In 2019, a typical New York county spent more than \$225 to incarcerate a single person for a single night, or more than \$82,000 per year.¹ In 2019, Livingston County spent almost \$158 per person per night of incarceration, or \$57,531 per person annually.² In total, in 2019 Livingston County spent more than \$7 million on its jail.³ That is a conservative estimate because it does not include

debt service on the jail, buildings and grounds costs, insurance, and other expenses. Every dollar spent on the jail comes at the expense of funding other services that could help to build healthy and safe communities.

Jail budgets have grown even as the number of people in jail has gone down

Jail populations in New York have been in decline for several years. In 2020, those numbers dropped even further as a result of changes to arrest and release practices to prevent the spread of COVID-19 as well as bail reform, which went into effect in January 2020. Given this, the number of people incarcerated in jails in New York State has fallen dramatically since 2012.

- > *Across all New York counties, average daily jail populations have fallen 61 percent, from more than 29,000 on any given day in 2012 to an average of 11,258 people in June 2020.⁴*
- > *Outside of New York City, average daily jail populations have fallen 57 percent.⁵*
- > *In Livingston County, the average daily jail population has fallen 22 percent, from 104 on any given day in 2012 to an average of 81 in June 2020.⁶*

But counties have not changed their spending accordingly. Although jail numbers have dropped, counties outside of New York City *increased spending* on jails by an average of 18 percent from 2012 to 2019, accounting for inflation. In Livingston County, the average daily jail population has shrunk by 22 percent since 2012, but its spending on the jail has increased 33 percent, even when accounting for inflation.⁷

The cost of incarceration in Livingston County (2019)

Total county budget (including state and federal aid)^a

\$167,406,859

County budget (excluding state and federal aid)^b

\$128,404,213

Jail budget

\$7,018,813

Percent of county tax dollars spent on jail

5%

Cost to incarcerate one person for one night

\$158

^a This figure represents the sum of all expenditures contained within the county's budget, regardless of the source of funding. It includes state aid for all government purposes (social services, public safety, economic development, health, etc.), mortgage tax, and federal aid for all government purposes.

^b This figure represents the sum of all local sources of revenue. It excludes any source of revenue identified as state or federal revenue. It includes real property taxes, sales and use tax, other non-property taxes, charges for services, charges to other governments, use and sale of property, and other local revenues (fines, forfeitures, gifts, etc.).

While jail budgets have increased, New York has failed to invest in social supports

Even before the COVID-19 pandemic hit, New Yorkers had high—and often unmet—social service needs.

- > Before the pandemic, one out of eight people in Livingston County was living in poverty.⁸
- > On any given night, approximately 233 people in Elmira/Steuben, Allegany, Livingston, Chemung, and Schuyler were living in homeless shelters or on the street.⁹
- > From July 2018 through July 2019, 11 people in Livingston County died as a result of opioid overdoses.¹⁰

To some extent, counties face an uphill climb with regard to securing funding for social services. Unlike county jails, which counties are responsible for funding with their own

money, county social services are primarily funded with money from the state. That means that the state's decisions about spending priorities and budget caps are largely responsible for underinvestment in social services. Counties can, however, choose to supplement state funding, creating programs and services to build healthy and safe communities that do not rely on jails.

But counties have invested more in jails than in programs and services addressing mental health, public health, employment assistance, and housing. In 2019, Livingston County spent:

- > more than 4 times as much on the jail as on employment services,¹¹
- > approximately one-third as much on the jail as on public health,¹² and
- > approximately one-quarter as much on the jail as on housing assistance.¹³

Quick facts about Livingston County

County population
62,914

County demographics

Asian/Pacific Islander: 1.5%

Black/African American: 3%

Latinx/Hispanic: 3.7%

Native American: 0.4%

White: 93.6%

Living below the poverty line
12.5%

How could Livingston County invest differently?

The majority of spending on corrections goes to paying for jail personnel. The State Commission of Correction (SCOC) sets staffing requirements for county jails. It currently ties them to the maximum capacity of the jail. If it changed that requirement so that counties could match staffing to current needs, counties could save substantial amounts of money. That freed-up funding could then be used for efforts that create long-term health, safety, and stability in the community.

As of June 2020, jail incarceration numbers across New York State were the lowest they have been in decades.¹⁴ The Vera Institute of Justice (Vera) used budget data from 2019—the last year for which counties have reported data to the New York State Comptroller's Office—to estimate

how much counties could save by lowering their spending on jail staff commensurate with the 2020 jail populations.¹⁵ The analysis found that *simply by returning to its 2012 ratio of spending on staff to incarcerated people and by keeping its jail population at its June 2020 numbers, Livingston County could save more than \$2.4 million annually.*¹⁶

If it reduced its jail population by another 10 percent—and reduced spending on staff accordingly—it could save almost \$2.8 million. If it reduced the jail population by an additional 25 percent, it could save more than \$3.3 million. And if it reduced the jail population by 50 percent, it could save more than \$4.2 million.¹⁷

How could Livingston County use that \$2.4 million to invest in building healthy and safe communities? Livingston County should use participatory budgeting or other mechanisms to give the community—especially those who are closest to the problems—a role in determining the solutions.¹⁸ Some of those solutions could include:

- › **Supportive housing.** For some of the most vulnerable people, supportive housing—permanent affordable housing combined with on-site case management and care—is remarkably successful.¹⁹ It can also save the county money over time. A study from the New York City Department of Health and Mental Hygiene has shown, for example, that it costs an average of \$17,566 per person to provide supportive housing, but yields a net savings to the county of more than \$10,000 per person per year. These savings come from reducing the number of days people spend in jail, the number of emergency room visits, and the number of hospitalizations.²⁰ For \$2.4 million, Livingston County could fund 139 supportive housing beds and get a return on that investment.
- › **Rapid re-housing.** Lack of safe and stable housing can create or exacerbate crises for anyone, driving even those who do not have high needs into shelters,

For \$2.4 million Livingston County could:

- Provide supportive housing for 139 people, or
- Pay one year of rent for 263 people, or
- Fund 46 social workers to respond to mental health and drug use crises

emergency rooms, mental health facilities, and, too often, jail.²¹ For people experiencing homelessness who do not need supportive housing, rapid re-housing—providing short-term rental assistance without preconditions—has been successful at helping people transition to permanent housing and creating long-term stability in their lives.²² Livingston County could pay for rent temporarily or provide longer term rental subsidies to create the foundation that people need to thrive. In Livingston County, the fair market rent for a one-bedroom apartment is \$775 per month.²³ For \$2.4 million, Livingston County could pay rent for one year for 263 people, setting the stage for longer-term stability.²⁴

- › **Addressing mental health and drug-related crises.** It costs an average of \$6,552 to provide medication-assisted treatment—the gold standard of care for opioid use disorders—for one person for a year. For only \$72,072, Livingston County could have provided medication-assisted treatment to every person in the region who died as a result of an overdose from July 2018 through July 2019. In the Finger Lakes Region, the average salary for a mental health and substance abuse social worker is \$53,530.²⁵ At that rate, for \$2.4 million the county could have hired 46 social workers to respond to mental health and drug-related crises.

Any and all of these investments could pay dividends over time by both reducing the number of people sent to jail and building the foundation for a healthier, safer community.

There are at least two ways New York State can help Livingston County realize these savings and free up money to invest in the community. The SCOC could change its regulations and set staffing requirements to match current needs rather than the maximum capacity of the jail. Alternatively, the legislature could pass a law requiring that the SCOC coordinate with counties, giving them flexibility to set staffing requirements that match current incarceration numbers.

Methodology

The Vera Institute analyzed county budget data from the New York State Comptroller's Office's open data website, accessible here: <https://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovIntro.cfm>. Vera used the Comptroller's data to review budget expenditures for all New York counties, except New York City, over time. All 2012 budget figures were adjusted for inflation.

This brief is part of a series examining county-level budgets outside of New York City. Fact sheets for the other 56 counties outside New York City are available at www.vera.org/the-cost-of-incarceration-new-york-state.

Endnotes

- 1 To calculate the cost of incarcerating a single person for a single night in a county jail, Vera divided the total cost of the county's jail in 2019 by its average daily jail population in 2019, then divided that sum by the 365 days of the year. All county budget data is from the New York State Comptroller's reporting of county revenues and expenditures. The most recently available data is from 2019. See "Open Book New York: Local Government Data Search," Office of the State Comptroller, <https://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovIntro.cfm>. Average daily jail populations are from "New York State Jail Population 10 Year Trends: 2010-2019," New York State Division of Criminal Justice Services, https://www.criminaljustice.ny.gov/crimnet/ojsa/jail_pop_y.pdf. Although budget data for 2020 is not yet available from the New York State Comptroller's office, Vera analyzed individual county budgets and found that jail funding was in line with spending levels in 2019. The \$225 per incarcerated person per night figure is the median cost across all 57 counties outside of New York City to incarcerate a single person for a single night. Vera used the median amount because, as a result of a few outlier counties, it is more representative of the typical amount spent across counties than the average amount.
- 2 See note 1.
- 3 "Open Book New York: Local Government Data Search," Office of the State Comptroller, <https://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovIntro.cfm>. This figure represents the sum of all county expenditures identified as jail personnel services, jail contractual services, jail employee benefits, jail equipment, and capital outlay. It also includes penitentiary personnel services, contractual services, employee benefits, and equipment and capital outlay.
- 4 In 2012, the average daily jail population in New York City was 12,082. See New York City Mayor's Office of Criminal Justice, "Making Data About the Criminal Justice System Available to All New Yorkers," https://criminaljustice.cityofnewyork.us/individual_charts/average-daily-jail-population-in-nyc/. The average daily jail population outside of New York City that year was 17,020. See New York State Division of Criminal Justice Services, "New York State Jail Population 10 Year Trends: 2010-2019," https://www.criminaljustice.ny.gov/crimnet/ojsa/jail_pop_y.pdf. See also New York State Division of Criminal Justice Services, "Jail Population in New York State: Average Daily Census by Month," https://www.criminaljustice.ny.gov/crimnet/ojsa/jail_population.pdf.
- 5 New York State Division of Criminal Justice Services, "New York State Jail Population 10 Year Trends: 2010-2019," https://www.criminaljustice.ny.gov/crimnet/ojsa/jail_pop_y.pdf. See also New York State Division of Criminal Justice Services, "Jail Population in New York State: Average Daily Census by Month," https://www.criminaljustice.ny.gov/crimnet/ojsa/jail_population.pdf.
- 6 See note 4.
- 7 New York State Division of Criminal Justice Services, "New York State Jail Population 10 Year Trends: 2010-2019," https://www.criminaljustice.ny.gov/crimnet/ojsa/jail_pop_y.pdf; "Jail Population in New York State: Average Daily Census by Month," https://www.criminaljustice.ny.gov/crimnet/ojsa/jail_population.pdf.
- 8 U.S. Census Bureau, "Quick Facts: Livingston County, New York," <https://www.census.gov/quickfacts/fact/table/livingstoncountyny/PST045219>.

- 9 National Alliance to End Homelessness, “New York,” <https://endhomelessness.org/homelessness-in-america/homelessness-statistics/state-of-homelessness-report/new-york/>.
- 10 New York State Department of Health, “New York State – County Opioid Quarterly Report,” January 2020, https://health.ny.gov/statistics/opioid/data/pdf/nys_jan20.pdf.
- 11 This figure represents the sum of all county expenditures identified as “employment services,” including any expenditures related to job training services and workforce investment. See Office of the New York State Comptroller, “Open Book New York: Local Government Data Search,” <https://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovIntro.cfm>.
- 12 This figure represents the sum of all county expenditures identified as “public health services,” “public health administration,” “public health facilities,” and “miscellaneous public health” in the comptroller data. Across counties, the public health services category can include subcategories such as “family health planning,” “narcotic services,” “public nursing homes,” “alcoholic addiction control,” “early intervention programs,” “physically handicapped programs,” “immunization of children programs,” etc. See Office of the New York State Comptroller, “Open Book New York: Local Government Data Search,” <https://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovIntro.cfm>.
- 13 This figure represents the sum of all county expenditures identified as “public home, home and community services,” “supportive housing,” and “public facilities.” See Office of the New York State Comptroller, “Open Book New York: Local Government Data Search,” <https://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovIntro.cfm>. See also Office of the New York State Comptroller, “Open Book New York: Local Government Data Search—Comparison Report: Revenues and Expenditures,” <https://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovSearchCompare.cfm>.
- 14 This is largely due to bail reform and responses to the COVID-19 pandemic. Average daily jail populations across New York State were lower in June 2020 than at any time since at least 1997. See New York State Open Data, “Jail Population by County: Beginning 1997,” <https://data.ny.gov/Public-Safety/Jail-Population-By-County-Beginning-1997/nymx-kgkn>.
- 15 Spending on jail personnel represents the sum of all county expenditures related to jail personnel services and jail employee benefits.
- 16 To calculate the potential savings from reducing staffing, Vera divided the county’s total spending on jail personnel in 2012 by the county’s average daily jail census in 2012. This figure represents the amount the county spent that year on staffing costs per person incarcerated, setting aside the fixed costs of contractual and facility services. Vera staff used that annual cost-per-person and multiplied it by the June 2020 average daily jail census. This figure was then subtracted from the actual cost of jail personnel in 2019 to find potential savings.
- 17 To calculate the potential savings from reducing average daily jail populations further, Vera used the annual staffing costs per person incarcerated. (See previous footnote.) Vera staff multiplied that number by 90 percent, 75 percent, and 50 percent of the June 2020 average daily jail census respectively. The actual cost of jail personnel in 2019 was then subtracted from the calculation based on the 2012 numbers to find potential savings.
- 18 Participatory budgeting is a process that lets community members decide how to spend a portion of the local budget. See Participatory Budgeting Project, “What is PB?” <https://www.participatorybudgeting.org/what-is-pb/>.
- 19 See for example Ehren Dohler, et al., “Supportive Housing Helps Vulnerable People Live and Thrive in the Community,” Center on Budget and Policy Priorities, May 31, 2016, <https://www.cbpp.org/research/housing/supportive-housing-helps-vulnerable-people-live-and-thrive-in-the-community>.
- 20 New York City Department of Health and Mental Hygiene, “New York/ New York III Supportive Housing Evaluation,” 2013, <https://shnny.org/images/uploads/NY-NY-III-Interim-Report.pdf>.
- 21 See for example United States Interagency Council on Homelessness, “The Evidence Behind Approaches that Drive an End to Homelessness,” December 2017, https://www.usich.gov/resources/uploads/asset_library/evidence-behind-approaches-that-end-homelessness.pdf.
- 22 Ibid. See also, National Alliance to End Homelessness, “Rapid Re-Housing,” <https://endhomelessness.org/ending-homelessness/solutions/rapid-re-housing/>.
- 23 U.S. Department of Housing and Urban Development, “FY 2020 Fair Market Rent Documentation System,” https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2020_code/2020summary.odn.
- 24 This calculation does not take into account family composition. The total expense would almost certainly be lower because many people experiencing homelessness are members of families who would live together.
- 25 New York State Department of Labor, “Occupational Wages,” <https://labor.ny.gov/stats/lswage2.asp>.