



COUNTY OF ALBANY
DEPARTMENT OF MENTAL HEALTH
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May 28th, 2025

Honorable Joanne Cunningham, Chair
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Chairwoman Cunningham,

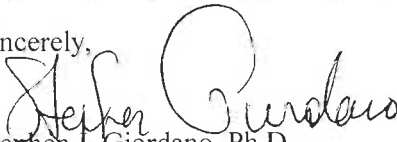
The Albany County Department of Mental Health (ACDMH) respectfully requests permission to amend our 2025 budget with funds from the Appropriated Fund Balance in order to satisfy increased costs associated with inpatient psychiatric hospitalization at NYS Office of Mental Health (OMH) forensic facilities.

According to NYS Mental Hygiene Law (MHL), each county is responsible to assist local courts in determining the legal competency of defendants to meaningfully participate in their defense. When defendants are found not competent to proceed they must enter into a restoration process that often involves hospitalization. NYS MHL stipulates that each county is responsible for the costs associated with hospital-based restoration. Since 2021, counties are required to satisfy 100% of the cost of these services (prior to 2021, counties were responsible for 50%). This is an unfunded mandate.

In Albany County, since 2020, court requests have increased 184%; defendants found to be incompetent have increased three-fold; and, associated costs for inpatient hospitalization have increased almost 10-fold during that same time period. These costs have increased for counties statewide and reflect multiple system-wide trends including increased reliance by the courts upon the mental health system to address issues of public safety and crime, as well as an overburdened mental health system that too often contributes to individuals entering the criminal justice system unnecessarily.

Please feel free to contact either Michael Fitzgerald or me if you have any further questions or require further information regarding this request.

Sincerely,


Stephen J. Giordano, Ph.D.
Director of Mental Health

Cc: Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
James Curran, Minority Counsel