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Sagamore Psych Center Employee Arrested for Allegedly Raping Teen in his Care

Incident Reported to NYS Justice Center for the Protection of People with Special Needs Hotline

Dix Hills, NY-- NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning announced today that Michael Fernandez (DOB: 10/03/83), who is employed at the Sagamore Children's Psychiatric Center has been arrested for allegedly engaging in a sexual relationship with an adolescent in his care. The facility is operated by the NYS Office of Mental Health (OMH).

The incident first came to the attention of law enforcement officials when it was reported to the Justice Center's Vulnerable Persons Central Register (VPCR) Hotline. A call center representative opened a case tracking file and directed the caller to contact the local law enforcement agency. Justice Center investigators provided assistance to the Suffolk County Police Department.

Fernandez, who lives in Port Jefferson Station, was arrested on November 19, 2013 on a Felony Complaint charging him with:

- One count of Rape in the third degree, a class "E" Felony; and
- One count of Sexual Assault in the third degree, a class "E" Felony.

According to the complaint, the defendant allegedly engaged in a sexual relationship with a 16-year-old who ran away from the facility to meet him at a local motel. Fernandez was arraigned on the charges in Suffolk County Court and released on his own recognizance. An order of protection was issued by the Court. Fernandez has been placed on administrative leave. The case is being prosecuted by the Suffolk County District Attorney's office.

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The Justice Center and its statewide hotline and incident reporting system began operations on June 30, 2013. It is staffed 24-hours a day, seven days a week by trained professionals who receive reports of allegations of abuse and neglect of people with special needs. Once a report is received by its (VPCR) Hotline, it is logged and assessed. Serious cases of abuse or neglect are assigned to the Justice Center’s investigation team or, when appropriate, to a local law enforcement agency for follow-up.

The Justice Center also maintains a statewide registry of all persons who have been found to be responsible for serious or repeated acts of abuse and neglect. Once placed on the registry, known as the “Staff Exclusion List” or SEL, they are prohibited by law from ever working again with people with disabilities or special needs.

The Office of Mental Health (OMH) is one of six state agencies under the jurisdiction of the Justice Center. It also oversees certain facilities or programs that are operated, licensed or certified by the Office for People With Developmental Disabilities (OPWDD), the Department of Health (DOH), the Office of Children and Family Services, (OCFS), the Office of Alcoholism and Substance Abuse Services (OASAS), and the State Education Department (SED).

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Editor’s note: In compliance with Disciplinary Rule 7-107A of the Code of Professional Responsibility, you are advised that a charge is an accusation and that a defendant is presumed innocent until and unless proven guilty.