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Finger Lakes DDSO Employee Must Register as Sex Offender

Case Prosecuted by the NYS Justice Center for the Protection of People with Special Needs

Rochester, NY-- NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning announced today that Eric Ferguson (DOB: 9/02/67), who was accused of sexually abusing a woman with a developmental disability while employed at Finger Lakes DDSO pled guilty in Monroe County Court to:

- One count of Endangering the Welfare of an Incompetent or Physically Disabled Person in the first degree, a class "E" Felony; and
- One count of Sexual Abuse in the second degree, a class "A" Misdemeanor.

As a condition of a plea agreement, Ferguson will be required to register as a sex offender and will be permanently barred from working with individuals with special needs in New York State. The defendant is expected to be sentenced on November 6, 2014 to 45 days in jail, followed by 5 years probation.

As admitted in the defendant's plea, Ferguson subjected the victim to sexual contact on multiple occasions, which included touching her breasts and grabbing her groin area. He also had the victim touch his penis.

"This investigation and prosecution should serve as a warning to those who prey on persons with special needs for their own sexual gratification," said Special Prosecutor Gunning. "The Justice Center, along with local law enforcement agencies and District Attorneys will exercise our full legal authority to ensure that complaints of sexual abuse will be fully investigated and that those responsible for such misconduct will be brought to justice."

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. Justice Center investigators, with assistance from investigators of Troop E of the New York State Police arrested the defendant on April 3, 2014. Justice Center Assistant Special Prosecutors Andrew Botts and Rachel Dunn prosecuted the case.

-Continued on page 2-

Page 2 – Former Finger Lakes DDSO Employee Must Register as Sex Offender

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 Vulnerable Persons Central Register (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.

Finger Lakes DDSO is operated by the NYS Office for People With Developmental Disabilities (OPWDD). OPWDD is one of six state agencies under the jurisdiction of the Justice Center. The Justice Center also oversees certain facilities or programs that are operated, licensed or certified by the Office of Mental Health (OMH), 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.