



# Justice Center for the Protection of People With Special Needs

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Contact: Diane Ward, Office of Communications  
(518) 549-0200  
[diane.ward@justicecenter.ny.gov](mailto:diane.ward@justicecenter.ny.gov)

## **Former Tradewinds Counselor Pleads Guilty to Abuse**

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

Utica, NY-- NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning announced today that Robert Harvey (DOB: 07/07/91), admitted in court that he abused a service recipient in his care while employed as a residential counselor at the Tradewinds Education Center of Upstate Cerebral Palsy (UCP). The facility is licensed by the NYS Office for People With Developmental Disabilities (OPWDD).

Harvey, who is a resident of Utica, entered a guilty plea in Oneida 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 Endangering the Welfare of an Incompetent or Physically Disabled Person in the second degree, a class "A" Misdemeanor.

The defendant admitted he dragged the victim, who was in a prone position, down a hallway and stepped onto his back leaving a footprint on his body. As a condition of the plea agreement, Harvey is required to complete an anger management class and 100 hours of community service. If these conditions are met at the time of sentencing, Harvey will be allowed to withdraw his plea to the felony charge and will be sentenced to three- years of probation on the misdemeanor charge. The defendant also agreed to be barred for life from working with vulnerable persons in New York State. He had previously been terminated from his position. An order of protection will be issued for both the victim and the eye-witness to the incident.

The arrest was the result of an investigation conducted by the Justice Center. The case was prosecuted by Justice Center Assistant Special Prosecutor Deandra Macomber.

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 for People With Developmental Disabilities is one of six state agencies under the jurisdiction of the Justice Center. The Justice Center also oversees certain facilities or programs which 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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Robert Harvey (DOB: 07/07/91)

