



FOR IMMEDIATE RELEASE: November 5, 2014  
Contact: Diane Ward, Office of Communications  
(518) 549-0200  
diane.ward@justicecenter.ny.gov

## **Tradewinds Education Center Counselor Arrested for Abusing Student** *Incident Reported to NYS Justice Center for the Protection of People with Special Needs Hotline*

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), who is employed as a residential counselor at Tradewinds Education Center of Upstate Cerebral Palsy (UCP) was indicted by an Oneida County Grand Jury on endangerment charges for allegedly abusing a student in his care. The facility is licensed by the NYS Office for People With Developmental Disabilities (OPWDD).

The incident first came to the attention of law enforcement officials when it was reported to the Utica Police Department and the Justice Center's Vulnerable Persons Central Register (VPCR) Hotline. A call center representative opened a case tracking file. The arrest was the result of an investigation conducted by the Justice Center.

Harvey, who is a resident of Utica, was arraigned on a two-count indictment charging him with:

- 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 allegedly dragged the victim, who was in a prone position down a hallway and stepped onto his back leaving a footprint on his body. Bruises on his face, neck and arms were observed by his teacher the following day. Harvey pleaded not guilty to the charges and bail was set at \$2500. He has been suspended from his job by Upstate Cerebral Palsy. The case is being prosecuted by the Justice Center Assistant Special Prosecutor Andrew Botts.

-Continued on page 2-

## **Page 2 –United Cerebral Palsy Counselor Arrested for Allegedly Abusing Man in his Care**

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).

###

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.

Robert Harvey (DOB: 07/07/91)

