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Justice Center Launches New Spotlight on Prevention Toolkit to Combat Caregiver Fatigue

Delmar, NY – The NYS Justice Center for the Protection of People with Special Needs today announced the launch of the first in a series of *Spotlight on Prevention* toolkits designed to bring attention to the many preventive measures that can easily be employed to help keep people receiving disability services safe.

The toolkits are the result of analysis by Justice Center staff of incidents from the agency's Vulnerable Persons Central Register case files to identify systemic failures that either contribute to dangerous events or -- if not corrected -- are likely to lead to such events in the future. The toolkits are developed to provide information about the risk of such failures, the lessons learned, and simple, common-sense practices to help individuals, family members, staff members and provider agencies take a proactive approach to creating safe, supportive environments for people who are receiving services.

"The preventive steps contained in this first toolkit are designed to shine a light on the serious risk posed by caregiver fatigue and workers sleeping on shifts," said Justice Center Special Prosecutor/Inspector General Patricia E. Gunning. "For example, in DeWitt, New York, a medically frail group home resident died after a nurse slept on her shift and failed to check on the resident's oxygen intake and sleep mask for hours. Her conviction highlights the tragic consequences that worker fatigue can have on individuals receiving services or supports."

Gunning noted that just as New York's District Attorneys focus their efforts on crime prevention, as well as prosecution—the Justice Center also focuses on preventing these tragic events from ever occurring. "Prevention initiatives are at the heart of this agency's mission to improve the quality of care of vulnerable people in this state."

In the case referenced by Gunning, Tanya Lemon of Syracuse is facing 90-days in jail and 5 years probation when she is formally sentenced on January 8, 2015 in Onondaga County Court. Lemon entered a guilty plea to a felony count of Endangering the Welfare of an Incompetent or Physically Disabled Person. The defendant also agreed to be barred for life from working with vulnerable persons in New York State.

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The *Protection of People with Special Needs from the Dangers of Caregiver Fatigue* toolkit features interventions that can help detect and deter caregiver fatigue and sleeping on the job. They include a 10-point checklist for individuals and their families to ask an agency/facility about what procedures are in place to prevent negligence of duty; a *Staff Personal Action Plan* for mitigating risks; and a *Personal Safety Plan for an Individual Receiving Services* that can be used to teach and reinforce safety skills.

To learn more about the toolkit and the Justice Center's prevention initiatives, please visit the agency's web site at: <http://www.justicecenter.ny.gov/spotlight-prevention/home>.

About the NYS Justice Center for the Protection of People with Special Needs

Established by Governor Andrew M. Cuomo and the Legislature, the NYS Justice Center for the Protection of People with Special Needs is dedicated to supporting and protecting people with special needs and disabilities.

The Justice Center serves as a law enforcement agency which seeks to ensure that individuals who receive services from a facility or provider that is operated, licensed or certified by six state agencies, are protected from abuse, neglect and mistreatment. Assessing risks to the health and safety of individuals receiving services, and supporting commensurate action to prevent potential abuse and neglect, are critical components of the agency's independent oversight role.

Through its advocacy-related services, the Justice Center also provides information, technical assistance and training to support and empower individuals with disabilities of all ages, in all settings.

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