



WHO WE ARE
WHAT WE DO
HOW WE DO IT



For the Protection
of People with
Special Needs

Andrew M. Cuomo, Governor

Jeff Wise, Executive Director

The Justice Center's Promise to New Yorkers with Special Needs and Disabilities

OUR VISION

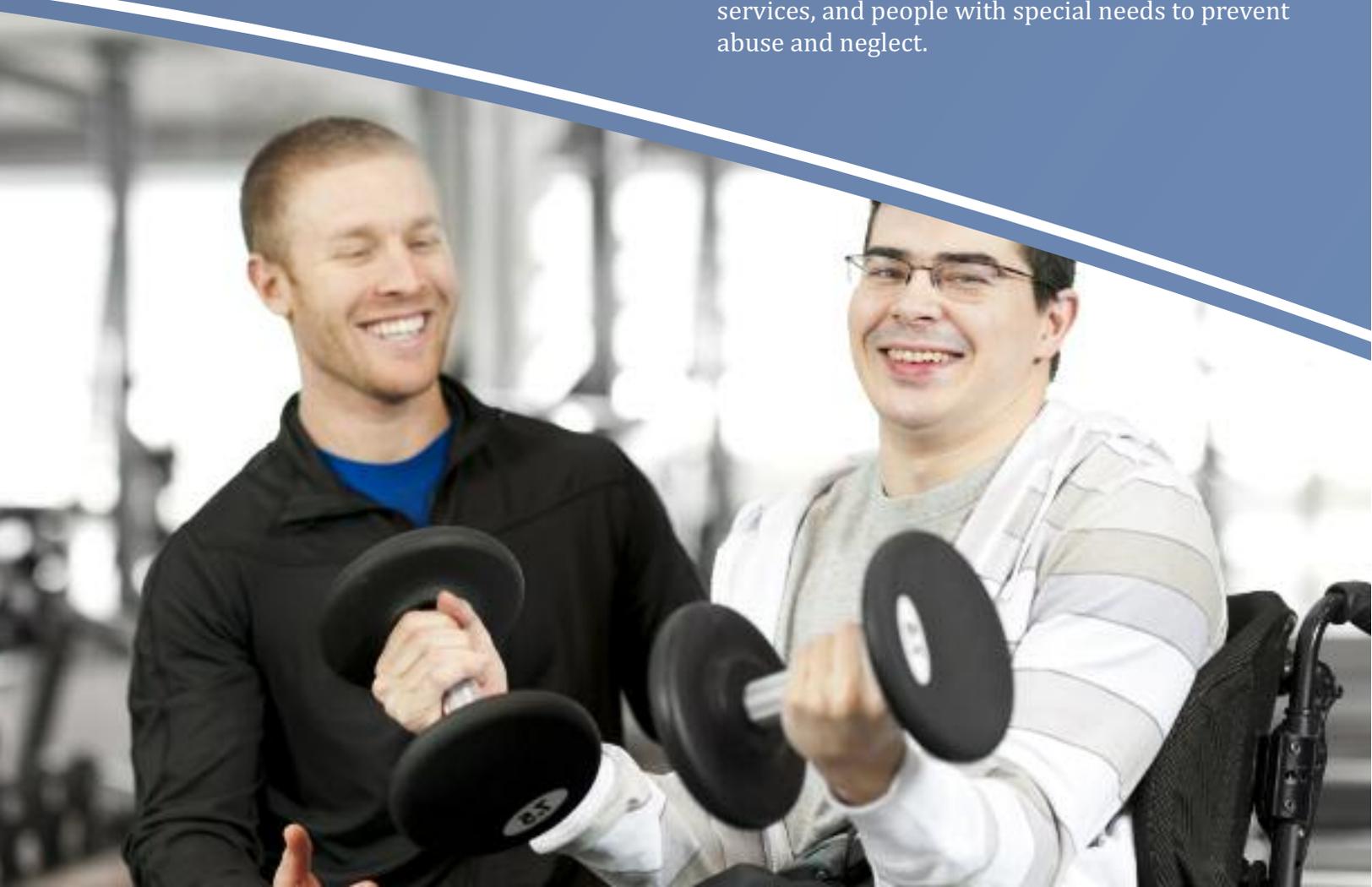
People with special needs shall be protected from abuse, neglect and mistreatment. This will be accomplished by assuring that the state maintains the nation's highest standards of health, safety and dignity; and by supporting the dedicated men and women who provide services.

OUR MISSION

The Justice Center is committed to supporting and protecting the health, safety, and dignity of all people with special needs and disabilities through advocacy of their civil rights, prevention of mistreatment, and investigation of all allegations of abuse and neglect so that appropriate actions are taken.

OUR VALUES AND GUIDING PRINCIPLES

- **Integrity:** The Justice Center believes that all people with special needs deserve to be treated with respect and that people's rights should be protected.
- **Quality:** The Justice Center is committed to providing superior services and to ensuring that people with special needs receive quality care.
- **Accountability:** The Justice Center understands that accountability to the people we serve and the public is paramount.
- **Education:** The Justice Center believes that outreach, training, and the promotion of best practices are critical to affect systems change.
- **Collaboration:** Safe-guarding people with special needs is a shared responsibility, and the Justice Center is successful because it works with agencies, providers, people who provide direct services, and people with special needs to prevent abuse and neglect.



WHO WE ARE

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 operated, licensed or certified by six state agencies are protected from abuse, neglect and mistreatment. Through its advocacy-related services, the agency also provides information, technical assistance and training to support and empower individuals with disabilities of all ages, in all settings.

The Justice Center has established new standards and practices that reform and strengthen the state's system of incident reporting, investigations and disciplinary processes. With these changes now in place, all allegations of abuse and neglect involving people with special needs are being tracked, investigated and, if determined to be criminal in nature, prosecuted. The agency maintains a statewide database of all persons who have been found responsible for the most serious or repeated acts of abuse and neglect to prevent these individuals from ever working again with people with special needs. The Justice Center is also charged with analyzing abuse and neglect patterns and trends, identifying systemic problems, and making recommendations to prevent future occurrences.

An Advisory Council, comprised of service providers, people who previously or are currently receiving services, their family members and advocates -- provides guidance to the Justice Center in its development of policies, programs and regulations.

Together, these efforts help improve the well-being of people with special needs and disabilities and provide assurance to individuals and their families that their respect and dignity are maintained.

WHAT WE DO

The Justice Center was created by legislation known as the "Protection of People with Special Needs Act" to establish the strongest standards and practices in the nation for protecting the safety and ensuring the civil rights of people with disabilities and special needs.

Our primary responsibilities include:

- Advocating on behalf of people with special needs, and overseeing the quality of care they receive;
- Operating a statewide toll-free, 24/7 hotline which receives reports of allegations of abuse, neglect, and significant incidents;
- Ensuring that all reports of abuse and neglect are fully investigated, collaborating with law enforcement agencies and, when necessary, prosecuting allegations that rise to the level of criminal offenses;
- Maintaining a statewide database that ensures all allegations are fully investigated and allows the Justice Center to monitor trends and develop abuse prevention initiatives and "best practices" for the care and treatment of individuals with special needs;
- Maintaining a "Staff Exclusion List" (SEL) of individuals found responsible for serious or repeated abuse or neglect of people with special needs. Anyone placed on the list is prohibited from ever working again with people with special needs in New York State;
- Operating a central clearinghouse for the criminal background check process for facilities or providers overseen by the Office of Mental Health (OMH), the Office for People With Developmental Disabilities (OPWDD) and providers of residential programs for children overseen by the Office of Children and Family Services (OCFS);
- Operating a toll-free, Information and Referral (I & R) service that assists individuals with disability-related issues, connects them to services and provides technical assistance; and
- Monitoring the quality of mental health care in state correctional facilities.

HOW WE DO IT

Reporting Abuse and Neglect

The Justice Center's toll-free Vulnerable Persons Central Register (VPCR) hotline, which receives reports 24-hours a day, seven days a week, is the front line for protecting people with special needs. Anyone who has witnessed or has reasonable cause to suspect that a person with special needs has been abused or neglected, or is in danger of abuse or neglect may make a report. Direct support employees, clinicians, and other staff who have regular and substantial contact with people with special needs, as well as human service professionals are required by law to report allegations of abuse, neglect and significant incidents.

An Individual and Family Support Coordinator, employed by the Justice Center, provides support and assistance to victims of abuse and neglect, their families or their legal representatives.

Investigation, Prosecution and Disciplinary Action

All incidents reported to the Justice Center are assessed, classified and logged into a case management database system. Our trained investigators work in partnership with state and local law enforcement and oversight agencies to thoroughly review or investigate all cases of abuse, neglect and significant incidents. The Justice Center's Special Prosecutor/Inspector General possesses concurrent jurisdiction with local District Attorneys to ensure criminal activity is prosecuted to the full extent of the law. Findings and corrective actions are entered into the database system.

The Justice Center works to remove staff who should not be caring for people with special needs and its attorneys represent the state in disciplinary cases which seek to terminate state employees found responsible for serious abuse or

neglect. Individuals found responsible for serious or repeated acts of abuse and neglect are placed on its Staff Exclusion List, a statewide registry of people who are prohibited from working again with people with special needs.

The agency's Fiscal Bureau investigates allegations of financial abuse of persons with special needs and reviews cost effectiveness in the management, supervision, and delivery of mental hygiene programs.

Prevention

The Justice Center's efforts are focused on preventing abuse and neglect. Through analysis of abuse patterns and trends, the Division of Oversight and Monitoring identifies systemic problems, monitors responses to incidents, and recommends appropriate corrective actions to prevent future occurrences.

Advocacy

Advocacy is also a core function of the Justice Center. The Office of Program and Policy seeks to make the services system more responsive to the needs of individuals with disabilities. Staff members assist adults and children with all types of disabilities, in all environments, and provide a wide array of services to individuals, their families, providers, educators, employers, advocates and others.

Report Logged & Classified

Incident Assignment

Abuse/Neglect Investigation
or Significant Incident Review

Advocacy Services include:

Information & Referral is a toll-free, statewide service that provides assistance to callers who have questions or concerns about disability-related issues and connects them to services.

Technology-Related Assistance for Individuals with Disabilities (TRAID) contracts with 12 local providers to increase access to and acquisition of assistive technology to support education, employment, community living and information technology/telecommunications.

Surrogate Decision-Making Committee Program (SDMC) is comprised of volunteer panels appointed by the Justice Center which provide an alternative to the court system for obtaining an informed decision about major medical treatment or end of life care on behalf

of persons with intellectual disabilities who lack decision-making capacity and who do not have a family member or guardian who is legally authorized and willing to make such decisions.

Ombudsperson for Individuals with Developmental Disabilities Program oversees ombudspersons who serve as client advocates for individuals with disabilities who receive services from a NYS Office for People With Developmental Disabilities (OPWDD) Developmental Center.

Adult Homes Advocacy Program contracts with qualified local non-profit agencies to provide legal and non-legal advocacy services and training on resident's rights and self-advocacy to individuals with mental health disabilities who live in adult homes in New York City and Long Island.



Determination

Prosecution, Staff Exclusion List,
Disciplinary Action, Corrective Action

Inform Policy/Advocacy



WHO IS PROTECTED BY THE JUSTICE CENTER AND WHAT PROGRAMS DOES IT OVERSEE?

Under the law, a vulnerable person, who due to physical or cognitive disabilities or the need for services or placement, is receiving care from a facility or provider within the systems of the following state agencies, is protected by the Justice Center. These individuals are referred to as people with special needs.

Office for People With Developmental Disabilities (OPWDD)

- Facilities and programs that are operated or certified by OPWDD

Office of Mental Health (OMH)

- Facilities and programs that are operated or licensed by OMH

Office of Children and Family Services (OCFS)

- Facilities and programs operated by OCFS for youth placed in the custody of the Commissioner of OCFS
- OCFS licensed or certified residential facilities that care for abandoned, abused, neglected, and dependent children, persons in need of supervision, or juvenile delinquents
- Family-type homes for adults
- OCFS certified runaway and homeless youth programs

- OCFS certified youth detention facilities

Office of Alcoholism and Substance Abuse Services (OASAS)

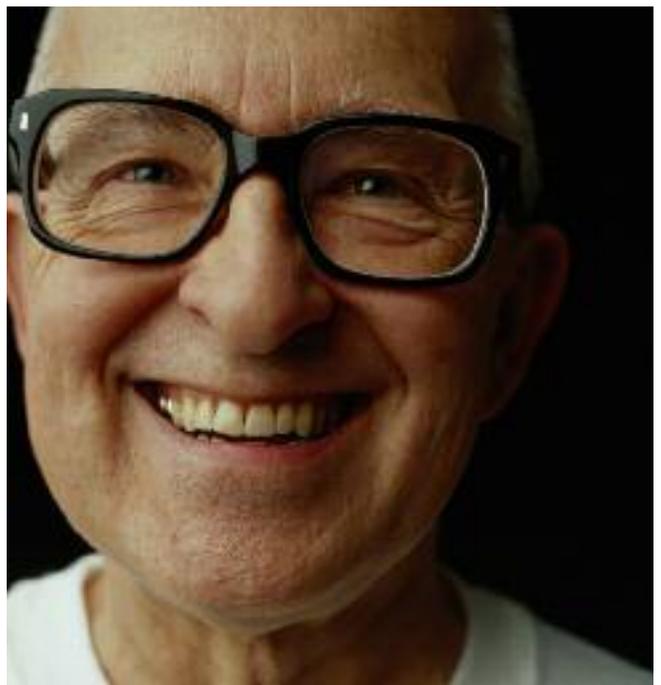
- Facilities and provider agencies that are operated, certified, or licensed by OASAS

Department of Health (DOH)

- Adult homes licensed by DOH that have over 80 beds, and where at least 25 percent of the residents are persons with serious mental illness and where fewer than 55 percent of beds designated as Assisted Living Program (ALP) beds
- Overnight, summer day and traveling summer day camps for children with developmental disabilities under the jurisdiction of DOH

State Education Department (SED)

- New York State School for the Blind
- New York State School for the Deaf
- State-supported (4201) schools, which have a residential component
- Special Act School Districts
- In-state private residential schools approved by SED
- Residential schools or facilities located outside of New York State that serve New York State residents



The Justice Center operates a statewide toll-free, 24/7 hotline which receives reports of allegations of abuse, neglect and significant incidents.

1-855-373-2122

TTY: 1-855-373-2123





For the Protection
of People with
Special Needs

CONTACT INFORMATION:

NYS Justice Center for the Protection
of People with Special Needs

161 Delaware Avenue
Delmar, New York 12054
518-549-0200

NYS Relay Service: dial 7-1-1
and give the operator 1-518-549-0200

E-Mail: webmaster@justicecenter.ny.gov

Website: www.justicecenter.ny.gov

Report Abuse and Neglect:

1-855-373-2122

TTY: 1-855-373-2123

(Staffed 24/7)

Information & Referral Service:

1-800-624-4143

(Staffed Monday-Friday, 8:30 am to 4:30 pm)

NYS Relay Service: dial 7-1-1
and give the operator 1-800-624-4143

E-Mail: infoassistance@justicecenter.ny.gov