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Andrew M. Cuomo – Governor

**Governor Cuomo Announces Opening of the Justice Center
for the Protection of People With Special Needs**

*New State Agency Will Implement the Toughest Standards and Practices in the Nation to Protect
Over One Million New Yorkers with Special Needs and Disabilities*

Albany, NY

Governor Andrew M. Cuomo today announced the opening of the Justice Center for the Protection of People with Special Needs, a new state agency that will implement the toughest standards and practices in the nation to protect the special needs community from abuse and neglect. The Justice Center was created through legislation the Governor spearheaded last year to reform how the state cares for people with special needs. The agency began operations Sunday, June 30th.

“Starting tomorrow, the Justice Center will be dedicated to implementing the strongest protections in the nation for over one million New Yorkers with special needs,” Governor Cuomo said. “Last year, we passed critical legislation which represented a commitment to establish these long overdue protections and now we are living up to that commitment with the opening of this new, state of the art agency. The Justice Center will provide tough oversight and transparency for facilities across the state responsible for the care of special needs individuals, prevent neglect and abuse, and ensure that anyone committing crimes will be swiftly caught and penalized for their actions. Under the Justice Center, we will work around the clock to safeguard the rights and protections of our most vulnerable citizens.”

The Justice Center will dramatically strengthen the level of monitoring, oversight and accountability of state operated, licensed or certified programs and facilities that serve more than one million New Yorkers with developmental disabilities, mental illness, substance abuse disorders and children in residential facilities. The agency will track, investigate and prosecute the most serious allegations of abuse and neglect against vulnerable individuals.

A key feature of the Justice Center is its operation of a statewide hotline and incident reporting system staffed by more than 70 trained professionals who receive reports of allegations of abuse and neglect 24-hours a day, seven days a week. Once a report is received by the Vulnerable Persons Central Register (VPCR) Hotline, it is logged and assessed. Serious cases of abuse or neglect will be assigned to Justice Center investigators or to a local law enforcement agency for a follow-up investigation.

The Justice Center seeks to root out individuals who should not be working with people with special needs. The agency maintains a statewide registry of all persons who have been found to be responsible for the most serious or repeated acts of abuse and neglect and who, under the new law, are prohibited from ever working again with people with disabilities or special needs.

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The Justice Center also tracks systemic progress and makes recommendations with regard to the care and treatment of New Yorkers served by state facilities and provider agencies.

Jeffrey Wise was recently confirmed by the New York State Senate to serve as the Executive Director of the Justice Center. Mr. Wise brings over 25 years of service in the public and not-for-profit sectors. Most recently, Mr. Wise served as president of the NYS Rehabilitation Association (NYSRA), a statewide trade association of community organizations providing support services to people with intellectual/developmental disabilities, mental health issues, and other disabilities. He has also served as a research attorney for the NYS Law Revision Commission, legislative coordinator for the Community Health Care Association of New York State, and as a senior policy analyst at the Manhattan-based Coalition for the Homeless.

“The Justice Center is committed to the fundamental principle that all New Yorkers with special needs are to be protected from abuse and neglect, and receive the best care possible,” said Executive Director Jeffrey Wise. “Our goal is that New York State is second-to-none in the nation in its system of care, support and service.”

Patricia Gunning serves as Special Prosecutor and Inspector General for the Justice Center who will investigate reports of abuse and neglect and prosecute allegations that rise to the level of criminal offenses. Ms. Gunning brings with her a decade of law enforcement experience in prosecuting crimes against vulnerable people.

Most recently, she served as the Chief of the Special Victims Unit with the Rockland County District Attorney’s office. In that position, she managed all phases of the prosecution of cases involving the abuse and neglect of individuals with mental and physical disabilities, the physical and sexual abuse of children and the elderly, as well as victims of domestic violence. In addition, she conducted training on issues related to special victims for law enforcement officials, medical professionals and local community groups. From 2003 to 2008, Ms. Gunning was an Assistant District Attorney for Kings County, where she served in the Crimes Against Children Bureau. In this position, she also managed cases involving the abuse of individuals with disabilities, working closely with law enforcement and crime victims at all stages of the criminal prosecution, both pre and post arrest. During her tenure, she handled a large volume of both misdemeanor and felony cases.

"I have spent my career seeking justice for vulnerable victims," Patricia Gunning said. "I am grateful for this unprecedented opportunity to ensure that individuals who abuse or neglect New Yorkers with special needs will be prosecuted to the fullest extent of the law. While these cases can be challenging, the Protection of People with Special Needs Act provides the Justice Center with unparalleled tools to hold individuals who commit crimes against this population accountable for their actions and further develop measures to prevent such incidents from occurring in the future."

Agencies under the jurisdiction of the Justice Center include: The Department of Health (DOH); the Office of Mental Health (OMH); the Office for People with Developmental Disabilities (OPWDD); the Office of Children and Family Services (OCFS); the Office of Alcoholism and Substance Abuse Services (OASAS); and the State Education Department (SED).

With its creation, the Justice Center also assumed most of the functions and responsibilities of the former Commission on Quality of Care and Advocacy for Persons with Disabilities (CQC). Federal Protection and Advocacy and Client Assistance Programs previously managed by the Commission have been re-designated by Governor Cuomo to Disability Rights New York, a not-for-profit entity.

Other protections and improvements now in place include the following:

- A consistent definition of abuse and neglect that applies to all state facilities and provider agencies;
- Uniform standards for investigative procedures including staff qualifications and training and training for mandated reporters;
- A Code of Conduct containing the basic ethical standards to which all individuals working with people with special needs and disabilities have signed and are being held accountable to;

- Consolidation of background check procedures, including a review and evaluation of the criminal history of any person applying to be an employee, volunteer, or consultant at any facility or provider agency operated, licensed, or certified by OMH, OPWDD and OCFS;
- Establishment of a new database that contains central register reports, results of investigations, and types of corrective actions taken. This information will be used to identify patterns and trends relating to abuse and reporting of abuse that can lead to improvements in the care and treatment of people served by the state's disability programs;
- An Advisory Council that will provide guidance to the Justice Center in the development of policies, regulations, plans and programs. Members include persons with experience in the care and treatment of people with disabilities, advocates, and individuals -- or members of families of individuals -- who have participated in programs or received services from provider agencies; and
- A new level of transparency for private facilities and programs licensed or certified by the state to serve people with disabilities and special needs. These entities must now follow transparency guidelines based on FOIL for information requests regarding cases of abuse or neglect of the people they serve.

When fully staffed, the Justice Center will employ between 250 and 300 people at its headquarters at 161 Delaware Avenue in the Albany suburb of Delmar and will have investigators in four regions of the state.

Additional information about the functions of the Justice Center can be found on its website at: www.justicecenter.ny.gov.

The Governor's legislation was developed, in part, from recommendations outlined in The Measure of a Society: Protection of Vulnerable Persons in Residential Facilities Against Abuse and Neglect, a special report prepared by Mr. Clarence Sundram, the Governor's Special Advisor on Vulnerable Persons. A copy of this report is available at: <http://www.governor.ny.gov/assets/documents/justice4specialneeds.pdf>.

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