



## Justice Center for the Protection of People With Special Needs

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### **Jury Convicts Bronxville Group Home Worker** *Abuse Case Investigated and Prosecuted by the Justice Center*

White Plains, NY-- NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning today announced a Westchester County Supreme Court jury convicted a Bronxville group home worker for her role in an October 2014 case in which a woman with physical and developmental disabilities in her care was seriously injured when her foot was repeatedly slammed in a van door.

The jury found Kimm Thompson (DOB: 05/17/65) of Albany, the third and final defendant in the case, guilty of Offering a False Instrument for Filing in the second degree, a class "A" Misdemeanor for lying in her official reports about the incident in which the victim cried out in pain and failed to receive timely medical treatment for her injuries.

Thompson was acquitted of Endangering the Welfare of a Vulnerable Elderly Person, or an Incompetent or Physically Disabled Person in the Second Degree. The jury failed to reach a verdict and a mistrial was ordered on a second count of Endangering the Welfare of an Incompetent or Physically Disabled Person in the Second Degree. A new trial date on the open count will be determined at a hearing next month.

Thompson has been terminated from her position as a state employee and is scheduled to be sentenced on February 16, 2016. She faces up to one year in jail.

"The victim in this case deserved to be treated with dignity and respect as do all people with special needs," said Special Prosecutor Gunning. "The conviction of this defendant, along with the other defendants in this case demonstrates the Justice Center's commitment to hold accountable all staff members who put vulnerable New Yorkers in harm's way or who attempt to cover-up their conduct by including false information in reports."

In April 2015, co-defendants Monsurat Dindi and Maxine Smith both pled guilty to their involvement in this incident. Dindi pled guilty to felony Endangering the Welfare of a Vulnerable Elderly Person, or an Incompetent or Physically Disabled Person in the Second Degree and Offering a False Instrument for Filing in the Second Degree, a misdemeanor. Smith pled guilty to a misdemeanor count of Offering a False Instrument for Filing in the Second Degree. Both Dindi and Smith were placed on probation and agreed to waive their right to challenge findings that bar them from working with vulnerable persons in New York State. Both defendants were also terminated from state employment.

The case was investigated by the Justice Center and is being prosecuted by Justice Center Deputy Special Prosecutor Jacqueline Kagan and Assistant Special Prosecutor Christopher Mirabella.

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 Vulnerable Persons Central Register (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 group home where the abuse occurred is operated by the Office for People With Developmental Disabilities (OPWDD). OPWDD is one of six state agencies under the jurisdiction of the Justice Center. The Justice Center also oversees certain facilities or programs that 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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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.