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Contact: Diane Ward, Office of Communications
(518) 549-0200
diane.ward@justicecenter.ny.gov

Long Island Group Home Workers Arraigned on Felony Charges for Allegedly Instigating an Attack on Individual with Developmental Disabilities

Incident Reported to NYS Justice Center for the Protection of People with Special Needs Hotline

Southampton, NY-- NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning announced today that three direct care workers, employed by Independent Group Home Living Program, Inc. (IGHL) were arraigned on felony charges for allegedly watching and encouraging an individual with developmental disabilities in their care attack another service recipient with disabilities. A bench warrant was issued for a fourth employee who failed to appear in court.

The incident first came to the attention of law enforcement officials when it was reported to the Justice Center's Vulnerable Persons Central Register (VPCR) Hotline. A call center representative opened a case tracking file. The Southampton Police Department initiated a criminal investigation and made the arrests after obtaining disturbing cell phone video which recorded the incident. In the video, all four defendants are either seen or heard laughing as the attack transpired.

"These arrests should serve as a warning that the Justice Center and the District Attorneys of this state will not hesitate to prosecute behavior that violates, endangers or causes injuries to vulnerable New Yorkers," Gunning said. "We commend the efforts of the Southampton Police detectives who investigated this incident. This is an example of the close collaboration we seek to achieve with dedicated local law enforcement professionals across the state to ensure that justice will be served."

Erin McHenry (DOB: 6/29/85) of Brookhaven, Justin McDonald (DOB: 12/14/94) of Lindenhurst and Stephen Komara (DOB: 1/20/56) of East Moriches, were charged in a Felony Complaint with:

- Two counts of Endangering the Welfare of an Incompetent or Physically Disabled Person in the first degree, a class "E" Felony.

Bail was set at \$10,000 for each of the three defendants. A bench warrant was issued for a fourth defendant, Rosemary Vanni (DOB: 10/19/69) of Eastport, who failed to appear in court. Vanni also faces two felony counts of Endangering the Welfare of an Incompetent or Physically Disabled Person. All four defendants were terminated from their positions.

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“IGHL acted swiftly in the interest of their clients and was instrumental in our successful investigation,” said Detective Sergeant Lisa Costa, of the Southampton Police Department.

The case is being prosecuted by Justice Center Deputy Special Prosecutor Jacqueline Kagan.

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.

Independent Group Home Living Program, Inc. is licensed by the NYS Office for People With Developmental Disabilities (OPWDD), one of six state agencies under the jurisdiction of the Justice Center. It 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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Erin McHenry

Stephen Komara

Rosemary Vanni

Justin McDonald

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.