



Justice Center for the Protection of People With Special Needs

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New York City Caregiver Arraigned on Assault Charges *Case Investigated and Prosecuted by the Justice Center*

New York, NY – NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning announced the arraignment of a New York City woman on charges she assaulted an adult male with developmental disabilities in her care.

Kenya Webb of Manhattan (DOB 05/06/75) has been charged with:

- One count of Assault in the Second Degree, a class “D” felony;
- One count of Endangering the Welfare of an Incompetent or Physically Disabled Person in the First Degree, a class “E” felony;
- One count of Endangering the Welfare of an Incompetent or Physically Disabled Person the Second Degree, a class “A” misdemeanor;
- One count of Assault in the Third Degree, a class “A” misdemeanor
- Menacing in the Second Degree, a class “A” misdemeanor
- Criminal Possession of a Weapon in the Fourth Degree, a class “A” misdemeanor; and
- Harassment in the Second Degree, a violation.

The charges stem from an incident that occurred on August 20, 2015 at a New York Foundling Residential facility in Manhattan. The defendant, a direct support assistant employed by Access Staffing working at the facility is alleged to have thrown a mug at the victim striking the victim about the face causing an injury that required multiple stitches, following a dispute between the victim and the defendant. The victim who suffered the injury is a 47-year-old resident at the facility who has been diagnosed with schizophrenia and developmental disabilities. The defendant was one of several staff members responsible for the victim’s care at the time of the incident.

“Defendants such as this one, who act out physically against vulnerable New Yorkers will be held accountable,” said Special Prosecutor Gunning. “The Justice Center will continue to investigate physical abuse to ensure that cases involving victims with disabilities are prosecuted and these victims in residential facilities are better protected and served.”

The arrest was the result of an investigation by the Justice Center. Webb was placed on administrative leave pending the resolution of this case. The defendant pled not guilty to the charges in Manhattan Criminal Court before the Hon. Steven Statsinger, and was released on her own recognizance. The case is being prosecuted by Justice Center Assistant Special Prosecutor Edwin Ferguson.

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. Through the services provided by the Justice Center's Individual and Family Support Unit – victims, their families, personal representatives and guardians receive guidance and information about the reporting and investigation process and support during criminal cases and court proceedings.

New York Foundling is licensed 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 Children and Family Services (OCFS), the Office of Mental Health (OMH), the Department of Health (DOH), 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.