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Sunmount Aide Arrested for Allegedly Abusing Resident

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

Tupper Lake, NY-- NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning announced today that Timothy MacCrimmon (DOB: 10/01/67), who is employed as an aide at Sunmount Developmental Center was arrested for allegedly physically and verbally abusing a resident following an investigation conducted by New York State Police. The facility is operated by the NYS Office for People With Developmental Disabilities (OPWDD).

The incident first came to the attention of law enforcement officials when a nurse at the facility reported the incident to the Justice Center's Vulnerable Persons Central Register (VPCR) Hotline. A call center representative opened a case tracking file and State Police initiated a criminal investigation. Justice Center investigators also conducted a full investigation into the role these actions will play with regard to the defendant's ability to continue working with people with special needs. The Justice Center is a law enforcement agency which has concurrent authority with district attorneys to prosecute abuse and neglect crimes committed against such persons.

MacCrimmon, who lives at 32 Depot Street, Tupper Lake, was arrested September 25, 2013 on a Felony Complaint charging him with:

- One count of 1st degree Endangering the Welfare of an Incompetent Person, a class "E" Felony

According to the complaint, the defendant allegedly shoved the victim's head into a wall while walking him down a hallway and called him racial epithet. The resident, who is semi-ambulatory and legally blind, suffered bruising and swelling to his head. MacCrimmon was released on his own recognizance after being arraigned on the charge in Tupper Lake Town Court. He has been placed on administrative leave. The case is being prosecuted by the Franklin County District Attorney's office.

"This arrest is the direct result of the Justice Center's statewide hotline," said New York State Police Superintendent Joseph A. D'Amico. "This is exactly the type of unacceptable behavior that the Justice Center is designed to eliminate. It is through the due diligence of Justice Center employees and state police investigators that someone entrusted in caring for some of the most vulnerable among us is now being held accountable for breaking that trust in one of the worst ways imaginable. The New York State Police will continue to work collaboratively with our partners in state government to put an end to this type of criminal activity."

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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.

The Office for People With Developmental Disabilities is 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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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.