



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

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### **Rochester Youth Aide Arraigned for Strangling and Attempting to Assault Youth in his Care**

*Case investigated and prosecuted by the Justice Center*

Rochester, NY – NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning today announced an aide at a youth detention facility operated by Hillside Family of Agencies in Rochester was arrested and arraigned on charges for attempting to assault a teen in his care by putting pressure to the youth's neck and throat.

"Young people receiving services have the right to be free of threats to their physical safety and well-being," said Special Prosecutor Gunning. "Applying pressure to a person's neck can quickly result in the loss of consciousness and has the potential to be lethal. We at the Justice Center see far too many cases where workers intentionally commit an act of strangulation against a vulnerable New Yorker. The Justice Center will not hesitate to bring these very serious cases to light by bringing charges and holding the perpetrators accountable."

Aaron Fairley (DOB: 01/01/90) of Rochester was arraigned in Rochester City Court before the Honorable Caroline E. Morrison on the following charges:

- One count of Endangering the Welfare of a Child, a class "A" misdemeanor;
- One count of Criminal Obstruction of Breathing or Blood Circulation, a class "A" misdemeanor;
- One count of Attempted Assault in the Third Degree, a class "B" misdemeanor;
- One count of Menacing in the Third Degree, a class "B" misdemeanor; and
- One count of Harassment in the Second Degree, a violation.

The charges in this case were the result of an investigation conducted by the Justice Center which alleges the defendant placed his hand around the victim's neck and applied pressure and shoved the teen against a wall and into a bathroom sink.

Fairley pled not guilty to the charges and was released under the supervision of the Monroe County Department of Probation. He is due back in court on June 1, 2016. The defendant was terminated from his position. Justice Center Assistant Special Prosecutor Robin Unwin is prosecuting the case.

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. 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.

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.

Hillside Family of Agencies is certified by the Office of Children and Family Services (OCFS). OCFS 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 for People with Developmental Disabilities (OPWDD), 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.*