



Justice Center for the Protection of People With Special Needs



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(NOTE: the Justice Center does not have an arrest photo of this defendant.)

Justice Center Special Prosecutor & Yates County DA Announce Guilty Plea of Former ARC Employee on Rape Charge *Case Prosecuted jointly by the Yates County DA and the Justice Center*

Penn Yan, NY -- NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning and Yates County District Attorney Valerie G. Gardner today announced the guilty plea of a Steuben County woman on charges that she raped and sexually abused an individual in her care at ARC of Yates in Penn Yan.

Samantha Sabins of Bath (DOB: 06/28/1991) pled guilty to one count of Rape in the Third Degree, a Class "E" felony on July 5, 2016 in Yates County Court before the Honorable W. Patrick Falvey. Sabins also agreed to waive her right to challenge any Justice Center administrative finding, including a determination that may place her on the Justice Center's Staff Exclusion List. The defendant was remanded to the Yates County jail in lieu of \$1500 cash bail or \$3000 bond pending sentencing which is scheduled for September 6, 2016.

Sabins, who was employed as substitute caregiver at ARC of Yates admitted she had intercourse with and committed sexual abuse against a male resident. The defendant has since resigned her position. Under New York penal law, sexual contact of any kind between an employee and a resident, when the employee has reason to know the victim is a resident at a facility certified by the Office for People With Developmental Disabilities (OPWDD) is a crime.

"When a staff member, like this defendant, abuses her position of authority for her own sexual gratification, the abuse will not be tolerated," said Special Prosecutor Gunning. "The Justice Center will continue to fight for individuals with disabilities who are not legally capable of consenting to sexual contact with a staff member. Working together with district attorneys across the state, the Justice Center works to ensure that the state's most vulnerable citizens have a level playing field with all other New Yorkers when they are victimized."

"As District Attorney, my office is committed to prosecuting all crime committed against the residents in this county," said DA Gardner. "Crimes against those in residential care by an individual in authority, like this defendant, are particularly inexcusable. Working with the Justice Center on this prosecution allows our offices to bring our collective experience and expertise in prosecuting crimes against

vulnerable people to bear and ultimately to hold this defendant accountable for her conduct. I will continue to strive to bring those that abuse their authority to justice, no matter their position.”

The case was prosecuted jointly by Justice Center Assistant Special Prosecutor Jennifer Whitman and DA Gardner. The case was investigated by the Justice Center, with the assistance of the Penn Yan Police Department.

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.

ARC of Yates is certified by 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), Office for Alcohol and Substance Abuse Services (OASAS) and the State Education Department (SED).