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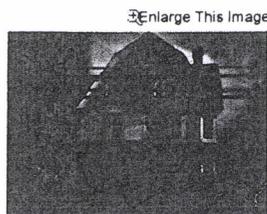
ABUSED AND USED

At State-Run Homes, Abuse and Impunity

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By DANNY HAKIM
 Published: March 12 2011 220 Comments

Nearly 40 years after New York emptied its scandal-ridden warehouses for the developmentally disabled, the far-flung network of small group homes that replaced them operates with scant oversight and few consequences for employees who abuse the vulnerable population.



Nathaniel Brooke for The New York Times
 A group home in Hudson Falls, N.Y., where a worker was said to have sexually assaulted a severely disabled woman

A New York Times investigation over the past year has found widespread problems in the more than 2,000 state-run homes. In hundreds of cases reviewed by The Times, employees who sexually abused, beat or taunted residents were rarely fired, even after repeated offenses, and in many cases, were simply transferred to other group homes run by the state.

And, despite a state law requiring that incidents in which a crime may have been committed be reported to law enforcement, such referrals are rare: State records show that of some 13,000 allegations of abuse in 2009 within state-operated and licensed homes, fewer than 5 percent were referred to law enforcement. The hundreds of files examined by The Times contained shocking examples of abuse of residents with conditions like Down syndrome, autism and cerebral palsy.

At a home upstate in Hudson Falls, two days before Christmas in 2006, an employee discovered her supervisor, Ricky W. Sousie, in the bedroom of a severely disabled, 54-year-old woman. Mr. Sousie, a stocky man with wispy hair, was standing between the woman's legs. His pants were around his ankles, his hand was on her knee and her diaper was pulled down.

The police were called, and semen was found on the victim. But the state did not seek to discipline Mr. Sousie. Instead, it transferred him to work at another home.

Roger Macomber, an employee at a group home in western New York, grabbed a woman in his care, threw her against a fence, and then flung her into a wall, according to a 2007 disciplinary report. He was then assigned to work at another group home.

Mr. Macomber, in fact, was transferred to different homes four times in the past decade for disciplinary reasons. It was

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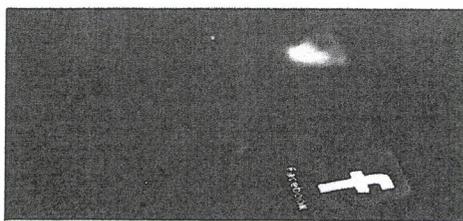
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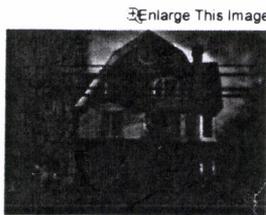
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By DANNY HAKIM

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Nathaniel Brooks for The New York Times A group home in Hudson Falls, N.Y., where a worker was said to have sexually assaulted a severely disabled woman

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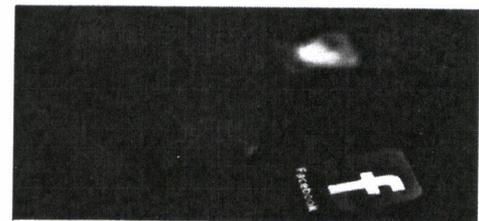
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Nathaniel Brooks for The New York Times

Jeffrey Monsour, a developmental aide, spoke out against inconsistencies he found in records regarding the disciplining of group-home workers. The matter was referred back to his superiors.

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not until last year, after he left a person unattended while he went into a store, that he was put on employment probation and eventually dismissed.

Over the past year, the state agency overseeing the homes, the Office for People With Developmental Disabilities, has repeatedly declined to make its top officials available for interviews. A spokesman, Herm Hill, said that the vast majority of the agency's employees were conscientious, and that its hands were often tied because of the disciplinary and arbitration rules involving the workers' union. Mr. Hill emphasized that the agency takes allegations of abuse "very seriously."

But this month, after learning of The Times's findings, Gov. Andrew M. Cuomo forced the resignations of Max E. Chmura, who led the agency, and Jane G. Lynch, the chief operating officer of the state's Commission on Quality of Care and Advocacy for Persons With Disabilities, which is charged with protecting people with developmental disabilities.

"It is a basic function of state government to protect the most vulnerable among us," Mr. Cuomo said in a statement.

The Cuomo administration said it would undertake immediate and comprehensive review of the agencies and their practices. Asked about the low rate of referral of

allegations of abuse to law enforcement — for example, only a quarter of sexual abuse cases were reported — officials said they were reviewing flaws in their record-keeping.

But they have acknowledged that it had been the practice of the agency to handle most accusations of abuse internally, despite the office's lack of forensic capacity. It does not use a crime lab or standard evidence-gathering techniques, and its investigators generally lack law enforcement training; sometimes, they are simply the supervisors of the accused employees.

The Times reviewed 399 disciplinary cases involving 233 state workers who were accused of one of seven serious offenses, including physical abuse and neglect, since 2008. In each of the cases examined, the agency had substantiated the charges, and the worker had been previously disciplined at least once.

In 25 percent of the cases involving physical, sexual or psychological abuse, the state employees were transferred to other homes.

The state initiated termination proceedings in 129 of the cases reviewed but succeeded in just 30 of them, in large part because the workers' union, the Civil Service Employees Association, aggressively resisted firings in almost every case. A few employees resigned, even though the state sought only suspensions.

In the remainder of the cases, employees accused of abuse — whether beating the disabled, using racial slurs or neglecting their care — either were suspended, were fined or had their vacation time reduced.

Most of the state-operated homes are in economically depressed areas upstate, and the jobs they provide — paying from \$29,000 to nearly \$62,000 with generous benefits — are sometimes among the few decent employment opportunities. The state has no educational requirements for the positions, which involve duties like administering drugs, driving residents to day activities, feeding them and preventing them from choking. Some of those hired have shown no previous interest or skill in caring for difficult populations.

"There are some people that don't belong there; I know some myself," said Robert Matuszewski of Buffalo, who was suspended and ordered to undergo psychiatric

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BY JONATHAN ROSENFELD

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Children Are Frequently Targets Of Abuse In A Group Home Setting

By Jonathan Rosenfeld on March 29th, 2010



Group homes for children are supposed to offer safe homes for children with disabilities or children who have suffered abuse or neglect. Unfortunately, some children in group homes continue to suffer from abuse at the hands of their caregivers. Children in these homes are vulnerable to abuse and neglect and are often unable to report abuse or feel powerless to improve their situation.

Group Homes

Group homes are small, private homes in place to serve children or adults with various disabilities. Most group homes are small, with six or fewer occupants, and have round-the-clock trained caregivers.

Group homes are also in place to serve “troubled teens” and children who are victims of abuse or neglect; most group homes of this type offer temporary housing for children while alternative housing is being secured either with a family member or in a foster home.

Residential Treatment Centers (RTCs) offer housing for children suffering from mental illness or behavioral problems. The number of children in RTCs is increasing. In the United States, over 50,000 children are living in RTCs. Many children are placed in RTCs because there are not adequate community-based and in-home resources available. RTCs should only be used for children who display dangerous behavior that can only be controlled in a secure setting. However, the lack of resources forces many families and social workers to place children in RTCs even though they might not offer the best environment.

Abuse of Children in Group Homes

Physical abuse can include sexual abuse, physical abuse, emotional abuse, and neglect. Common sources of abuse at RTCs include: physical and sexual abuse, improper use of restrains, over-medication, and overly severe punishments. There are two definitional standards for abuse. The first is the harm standard, which means that

behavior is considered abusive if it results in actual harm or injuries. The second is the endangerment standard, which means that physical assault by a parent or caregiver that constitutes a substantial risk of physical injury is considered abuse.

The most dangerous aspect of child abuse is that it “thrives in the shadows of privacy and secrecy . . . it lives by inattention” (Bakan – Slaughter of the Innocents: A Study of the Battered Child Phenomenon). Identification and reporting of child abuse is the first step in reducing the incidence of child abuse and improving the lives of all children in group homes. Children in group homes need to have access to an array of supportive adults including teachers, physicians, therapists, social workers, family friends, and their own friends. Having this network makes it easier for a child to report abuse.

It is very difficult for many children to open up and report abuse. They might be threatened, intimidated, scared, or ashamed to openly discuss abuse. This is especially true for children who have a history of abuse before being a resident of a group home. Some children may think abusive behavior is normal and accept abuse as a reality of life, which should never be the case.

Children are more likely to report abuse to an adult with whom they have a trusting relationship. Caregivers at group homes are supposed to be trustworthy adults who are in place to protect the children from abuse, but sometimes, these caregivers are the sources of abuse. This makes it even more difficult for their victims to report abuse.

Children suffering from disabilities including mental retardation and developmental disabilities are also at serious risk for abuse and neglect because they often have difficulty communicating, which limits their ability to report abuse. These children are vulnerable to abuse because they might not be able to understand or process abuse. Because of this, it is important that caregivers and other authority figures (doctors, nurses, and social workers) pay special attention to notice indicators of abuse.

People who interact with children in group homes, especially children suffering from disabilities, must be properly trained to recognize signs and symptoms of abuse. Training must not only cover physical indicators; it must also include behavioral changes including withdrawn behavior, bedwetting, uncommunicative behavior, depression, violence, running away, self-destructive behavior, and acting out.

Every state has mandatory child abuse reporting laws in order to qualify for funding under the Child Abuse Prevention and Treatment Act (CAPTA), but each state differs in the application of these laws. Despite the prevalence of abuse and neglect in group homes, children continue to suffer because of inadequate monitoring. RTCs (Residential Treatment Centers) are largely unregulated.

They are only required to report major unusual incidents (MUIs), and some RTCs fail to do even this. To compound this problem, many children are placed in RTCs that are far away from their families, so family members are unable to properly monitor their children in order to ensure proper treatment.

Affect of Abuse on Children

Abuse of any person is a horrible and traumatizing experience. However, abused children often continue to suffer from problems later in life, after the abuse has ended. Some children are released from these group homes when they reach 18 years of age. They often leave the home ill-equipped to cope with life outside the group home and face the risk of homelessness, substance abuse, depression, and crime.

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Caregiver arrested for abusing disabled man in Columbia group home

Video of abuse surfaced on YouTube

February 04, 2013 | By Kevin Rector, The Baltimore Sun

A 57-year-old Randallstown woman has been arrested after video of her abusing an intellectually disabled man in her care at a Columbia group home surfaced online, according to Howard County Police.

Donna Everett, of the 9900 block of Cervidae Lane, was arrested after her employer, Emerge, Inc., brought the video to the attention of police after discovering it on the website YouTube, police said.

Everett, a house manager at the home in the 6500 block of Quilting Way in Columbia, "can be seen striking the man in the head, face and neck, and spitting in the man's face," police said.

Everett is also "seen and heard taunting and encouraging a female resident with disabilities to assist in the abuse of the man," police said.

Police have charged Everett with multiple counts of assault for allegedly abusing the 53-year-old disabled man and with endangering the 41-year-old disabled woman, police said.

Police are working to identify other people in the video. Those recording it can be heard laughing, police said.

Everett posted a \$100,000 bond and has been released from the Howard County Detention Center, police said.

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Group Home Operators Arrested for Fatal Fire

Posted on June 18, 2010 by [David Boyles](#)

Two New Jersey group home operators were arrested due to a fatal fire that killed one of their residents last August. After an extensive investigation, police and fire officials determined that the group home did not have proper safety measures in place to prevent the fire.

James and Donna Beerman, operators of the Bright New Horizons group home, were arrested for causing the death of 23-year-old Frank Klekner last August 5. They were both charged with "causing death by failing to comply with a law intended to protect the public health and safety." This is a second-degree crime, with a maximum penalty of 10 years in prison.

Bright New Horizons is a residential group home that provides transitional housing for people in recovery from substance abuse and addiction. Investigators believe the fire was caused by improperly extinguished smoking material. After an extensive investigation, it was determined that the Bright New Horizons facility had no safety measures in place, including fire alarms, sprinklers, or emergency exit signs. In addition, though the facility was only licensed for six residents, there were at least 11 people living there at the time of the fire.

Group home operators are responsible for properly maintaining their facilities and complying with all state regulations. If the negligent maintenance of a group home has caused injury or wrongful death to a loved one, you should visit Solomon & Relihan's [Group Home Abuse website](#).

Tags: [Fire](#), [Group Home Abuse and Neglect](#), [Group Homes](#), [Neglect](#), [wrongful death](#)

Mental Health Worker Verbally Abused for Complaining About Group Homes

Posted on May 26, 2010 by [David Boyles](#)

An Oregon mental health worker is suing the state for \$1 million, claiming that she was verbally abused after she complained about the abuse of group home clients. The woman claims that co-workers at the State Department of Health Services verbally attacked her and used racial epithets after she raised concerns about abuse and improper care at the state-run group homes and the stress caused by these attacks eventually forced her to leave her job.

Vanessa James worked as a mental health therapy technician at a state-run group home. After complaining to superiors about abuse and improper care in the group home, James claims that her co-workers verbally attacked her. The stress from the abuse caused her to seek treatment and counseling and her doctor eventually removed her from her job. When she returned to work, she was assigned to a new nursing home, where she claims she was treated differently from co-workers and not allowed to work overtime in retaliation for her actions. She is currently on leave, as the state has refused to return her to her current job.

This case illustrates a severe problem for workers and clients of nursing homes and group homes. Employees who want to do the right thing are often discouraged by supervisors and co-workers from coming forward because those in charge want to ignore signs of abuse and neglect. Like Ms. James, group home staffers who do come forward may be the subject of abuse and discrimination and put their careers in jeopardy.

Because of this, it is important for friends and family of group home residents to be diligent in identifying and preventing neglect and abuse. If you suspect neglect or abuse, you should report it immediately and contact an attorney to discuss the best way to proceed.

For more information on detecting and preventing group home abuse, visit Solomon & Relihan's [Group Home Abuse website](#).

Tags: [Accountability](#), [Advocacy](#), [Group Home Abuse and Neglect](#), [Group Homes](#), [Staffing](#), [reporting abuse](#), [retaliation](#)

Evaluating a Nursing Home Neglect and Abuse Case

Posted on August 17, 2009 by [Martin Solomon](#)

It is always difficult to tell a family that I am unable to represent them regarding the loss or severe injury of their loved one in a nursing home.

However, arriving at the right decision as to whether to accept a nursing home neglect and abuse case is the foundation of a nursing home practice.

Difficult decisions are made at the junction where emotion and intellect intersect.

Emotion is the first to weigh in when a death or life changing event is presented to me for review. It is difficult not to become incensed at the poor care given to our most vulnerable patients or to become attached to a family that has lost a loved one.

Since intellect, in the form of practical considerations, are slow to appear, caution in the decision process is well advised.

Nursing home, assisted living, and group home cases are expensive, labor intensive and emotionally draining for an attorney. They are also difficult for families because they take a long time to resolve and therefore there is delayed closure of the emotional wound.

The first consideration is whether the neglect or abuse resulted in significant injury or death.

The second consideration is whether the injury or death was the result of neglect or abuse.

Having said that, my analysis as to whether to move forward is based on a broad view of the nursing home (including both the specific facility and the parent organization).

I examine the history of the nursing home to determine whether they have had similar problems in the delivery of patient care. Have they learned from their prior mistakes or are they continuing with the same conduct?

I determine whether the harm was the result of a systemic failure such as inadequate staffing, training or oversight. These systemic failures are evidence that the facility was incapable of providing quality care.

I then determine whether the systemic failures were the result of corporate business decisions. In other words, did the nursing home corporation decide to place profits over quality patient care and did that decision lead to the injury or death?

The answer to this question will determine whether the facility's conduct warrants an award of punitive damages. Punitive damages are assessed against a facility to punish it for outrageous conduct.

Going through these considerations in the case selection process enables me to decide whether to accept or reject a nursing home case. However, it doesn't make it any easier to tell a family that I am unable to help them.

Tags: [Punitive](#), [Abuse](#), [Accepting a Case](#), [Assisted Living](#), [Assisted Living Abuse and Neglect](#), [Damages](#), [Group Home Abuse and Neglect](#), [Group Homes](#), [History](#), [Neglect](#), [Nursing Home Abuse and Neglect](#), [Nursing Homes](#), [Punitive Damages](#), [Rejecting a Case](#), [Systemic Failures](#)

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Culture Of Abuse Rampant At Group Homes, Investigation Finds

By [Shaun Heasley](#)

March 14, 2011 [Text Size](#) [▲](#) [△](#)

A year-long New York newspaper [investigation](#) has uncovered hundreds of cases where group home staff within the state abused residents and faced little consequence.

Employees suspected of beating or sexually assaulting residents of the state's more than 2,000 group homes were rarely reported to law enforcement — despite a law requiring as much. Instead, workers

were frequently transferred to other state-run residences where many faced fresh allegations of abuse, according to records reviewed by The New York Times.

Overall, The Times found about 13,000 allegations of abuse in 2009 alone among state workers in group homes serving people with developmental disabilities. Less than 5 percent of the cases were brought to the attention of police.

State officials often blamed an agreement with the employees' union for limiting what could be done to discipline workers, some of whom were allowed to keep jobs despite criminal convictions or evidence of abuse. Meanwhile, they turned a deaf ear to a whistle-blower who raised concerns about practices within the homes.

Upon learning of the newspaper's findings, New York Gov. Andrew Cuomo pressured two top state officials responsible for overseeing the group homes to resign.

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Comments (8 Responses)

1. *maureen1743* says:
[March 14, 2011 at 2:39 pm](#)

Shame on the Unions protecting workers who intentionally harm those they are hired and PAID to protect! This article has made me physically ill. The state officials responsible for overseeing the group homes and turning their deaf ears to a morally conscious whistleblower ought to be FIRED, not pressured to resign! Maybe we should just "transfer" them to prison for their crimes against humanity. These are not incidents, these are crimes committed by people who have learned they can get away with it and then get transferred to another home to start all over again! Governor Cuomo, please on't drop the ball on this. Clean up and clean out! To The Civil Service Employees Association; OPEN YOUR EYES! WHY would you defend a worker who harms a defenseless person??? WHY would you turn your head away and allow them to continue to work in a caregiving capacity??? Do Union dues trump such heinous crime???

2. *violetred* says:
[March 14, 2011 at 8:45 pm](#)

Two places you never want to see your kid end up: foster care or a state-run group home for the disabled.

3. *KellieME* says:
[March 15, 2011 at 2:14 pm](#)

@maureen1743: Please re-read the article. It states that the state blames the union. No evidence provided. even if it were so, the state is still at fault for entering into that agreement. I am sick of failed state systems and governments blaming all their incompetence on unions.

4. *JFGH* says:
[March 15, 2011 at 2:24 pm](#)

It's institutions like this that make parents so worried about the future of their disabled children.

Adults who cannot live on their own need to have a safe place where they are cared for and given the support they need and deserve.

5. *blondieblue227* says:
[March 15, 2011 at 2:44 pm](#)

consumer directed care for all!

6. *maureen1743* says:
[March 15, 2011 at 4:06 pm](#)

@KellieMe

I re-read and not sure what I'm missing?? The article states – “The state initiated termination proceedings in 129 of the cases reviewed but succeeded in just 30 of them, in large part because the workers’ union, the Civil Service Employees Association, aggressively resisted firings in almost every case. A few employees resigned, even though the state sought only suspensions.” Maybe I just don’t get it? Let’s stop the blame game and work toward a positive outcome for our loved ones being safe and secure in their homes.

I have a daughter who recently began living in a Group Home. I have served on a Human Rights Committee for 20 years reviewing reported allegations and findings of abuse in residential group homes in Pennsylvania.

I am not blaming Unions for the abuse that took place (I am also a union member)...I just hope that they are not defending members who have been found to be harming our loved ones to retain their jobs when they need to be fired.

JFGH is right. I am a parent who wants to know that my daughter is safe in her home. It is my role as a mother to protect my child. It is our role as members of society to protect our most vulnerable citizens.

Just how much evidence is needed here to protect those who can't defend themselves?

7. *angiegardner* says:

March 16, 2011 at 5:50 pm

After reading this New York Times Investigation, the reason why the employees got away with abusing these residents is because the Office of Developmental Disabilities failed to press charges with the police and the state of New York hires the arbitrators who hear cases of employees brought up on abuse charges. If a arbitrator does not find a employee responsible or guilty, the fault lies with the state of New York. The union has the right to defend a worker who is brought up on charges. The unions do not decide what happens to a employee brought up on abuse or neglect charges the state of New York does. The blame lies with the state and the Office of Developmental Disabilities covered up their own wrong doing by not pressing charges against employees that abused residents. That is unacceptable. All of the staff involved in the cover up must be terminated. There needs to be a departmental restructuring that puts the safety of residents first and solid procedures to deal with employees that abuse and neglect residents. There needs to be a zero tolerance policy of abuse and neglect within that department.

8. *Revrandy* says:

April 25, 2011 at 10:59 am

The sad fact is that many residents of group homes suffer abuse and/or neglect all over the U.S. The residents do not have a voice either! We need to demand an change in the system!

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LOCAL

State Lawmakers Seek To Prevent Abuse In Group Homes

April 8, 2011 8:45 AM

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Paul McCann died while under the care of a state contractor. (CBS)

SPRINGFIELD, Ill. (CBS/WBBM) – State lawmakers want to make sure atrocities such as those documented at a group home in downstate Charleston never happen again.

As WBBM Newsradio 780's Alex Degman reports, it was an emotional scene in the House Human Services Committee, as Kathy Slovick, whose brother, Paul McCann, was beaten to death at a home for the developmentally disabled in January.

LISTEN: Newsradio 780's Alex Degman

reports



CBS 2 Investigator Dave Savini reported last month that McCann, 42, who functioned at the level of a 6-year-old, was punched, kicked, and struck with a frying pan inside his group home for reportedly taking a cookie.

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Woman Allegedly Lied About Baby's Abduction To Get Cops To Find Stolen Car

Police rushed to a Chatham neighborhood daycare center around 9:30 a.m. Wednesday, after 25-year-old Jeanette Holt called 911 to report her 1997 Chevy Monte Carlo had been stolen with her 1-year-old son inside.

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The first fight happened inside Proviso West's lunchroom on Monday. Hillside police arrested 15 students, all of them taken out of the school in handcuffs.

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Rare Case Of Typhoid Fever Found At Purdue University

Students and faculty at Purdue University are dealing with a health scare after the discovery of a rare and potentially fatal disease on campus.

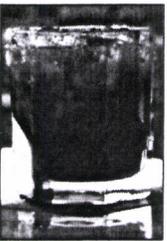
"The surgeon on duty explained before he died that his beating was consistent with having been kicked repeatedly in a fetal position. Thirteen of his ribs were broken. He was covered with bruises from his collarbone to his ankles," Slovick told the Human Services Committee.



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McCann's mother, Lois McCann, took care of her son as long as she could in her Joliet home. Then she put her trust in the Graywood Foundation, a state-licensed group home in downstate Charleston. Two staff members from the facility have been charged in the brutal beating that led to his death.

McCann was not the only victim at Graywood Foundation. State records obtained by CBS 2, which date back to 2003, reveal 33 cases of Graywood staff abusing residents. Those cases included sexual abuse, physical battery and alleged coercion of residents to attack each other.

Even worse, in 2008, a resident named Dustin Higgins was murdered by staff. That death prompted an internal memo from the Illinois Department of Human Services Inspector General. The memo warned that Graywood residents were at risk amid an increase of serious allegations of abuse and neglect.

But state records revealed regulators knew Graywood's substantiated abuse rate was double the state average, yet the state Department of Human Services failed to close it down.

The incident inspired legislation that would require the Department of Human Services to review possible license and funding revocation for group homes where disproportionate cases of abuse or neglect occur.

The legislation would also require independent monitoring where systemic risk of abuse and neglect is suspected.

A state lawmaker also called for a criminal investigation into Graywood.

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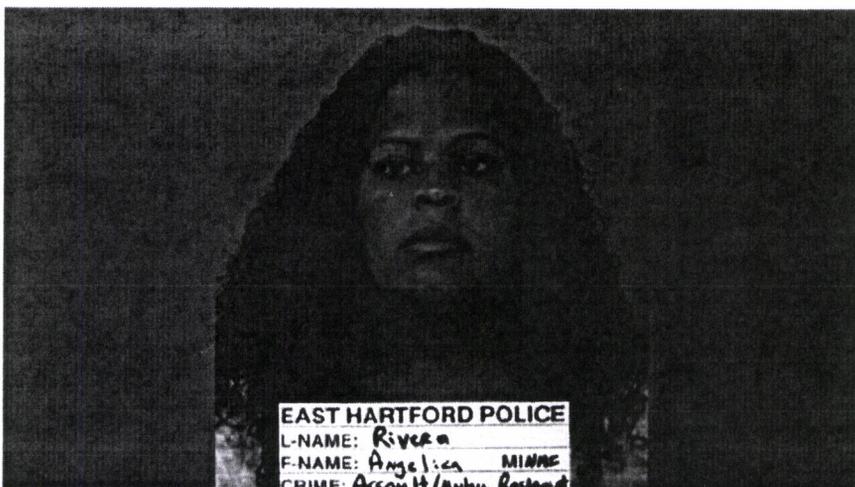
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Police Investigate Others Connected to Group Home Abuse

Detectives seized a computer from another worker at a group home in East Hartford.

Friday, Jul 13, 2012 | Updated 7:36 PM EST

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Angelica Rivera is accused of abusing a patient at a group home in East Hartford

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A worker at an East Hartford group home was arrested Thursday after police said she was caught on camera beating up a severely disabled woman.

On Friday investigators told NBC Connecticut there could be more videos of abuse out there other employees at the group home might have been involved.

33 year old Angelica Rivera turned herself into East Hartford Police and was fired from her job at a group home on King Street.

A video surfaced earlier in the week that showed Rivera allegedly attacking a developmentally disabled resident She is accused of kicking the woman in the stomach and dragging her by the hair.

"It's an enormous violation of the rights of the person with intellectual disabilities," said Dr. Terrence Macy, of the Department of Developmental Services.

The attack happened between January and March of this year, according to Macy. He wants to know why someone didn't come forward sooner.

"This should never have happened. People should have intervened," Macy said.

East Hartford police believe there may be more videos of abuse and that other employees at the home may be involved. Investigators said Friday that Rivera admitted to being the worker seen in



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the video, and led them to a co-workers home on Tolland Street. Detectives seized a computer from that house that may have files with more videos showing abuse, according to police.

"It's incredibly disturbing to think it could happen more than once. We're outraged something like this could have happened at all," said Deputy Chief Beau Thurnauer.

The computer has been sent to the state forensics lab to be analyzed.

The group home in question is run by a non-profit called Options Unlimited, which is contracted by the State of Connecticut. Now the Department of Developmental Services has put all 7 homes run by Options Unlimited on special monitoring to make sure residents aren't in danger.

"We are saddened and shocked by this video. We had no knowledge of its existence prior to yesterday and are now working closely with the authorities who are taking immediate action," said Warren Sparrow, Executive Director of Options Unlimited. "This is unacceptable and we will continue to cooperate and assist in this investigation as well as take all the necessary steps to safeguard against this happening again."

The person who filmed the alleged abuse hasn't worked for the company for the past seven weeks, Sparrow said.

Angelica Rivera was released from jail on a \$25,000 bond. She will be in court on August 1.



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Posted Jul 13, 2012



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Complaints of abuse spark investigation of group home

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State officials are investigating a group home in Bridgewater where a worker is accused of beating a 35-year-old disabled resident and sending him to the hospital, a Department of Human Services spokeswoman confirmed.

The alleged assault on James Mullins last month is one of three complaints pending against AdvoServ of New Jersey's group home on Severin Drive, Human Services spokeswoman Pam Ronan said today.

In addition to Mullins' complaint, the state is investigating another alleging physical abuse and an allegation of verbal abuse.

Although she declined to discuss the details of the investigations, Ronan said the complaints prompted the department's Division of Developmental Disabilities to make a surprise inspection on July 9. She said she could not comment on the findings until the report is shared with AdvoServ.

With 18 group homes and one supervised apartment complex in New Jersey, the Delaware-based company is the state's largest private provider of residential services and program for developmentally disabled adults with severe behavioral problems and mental illnesses.

Bob Bacon, AdvoServ's state program director, declined to comment on the investigation "due to privacy and confidentiality laws we have to follow."

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Amid Abuse Concerns, New Group Home Safeguards Unveiled

By [Shaun Heasley](#)March 31, 2011 [Text Size](#) [A](#) [A](#)

Weeks after a newspaper [investigation](#) uncovered widespread abuse at New York group homes for those with developmental disabilities, state officials are making changes, but advocates say they don't go far enough.

Under the plans announced Wednesday by the state's Office for People With Developmental

Disabilities, new group home staffers will be required to have a high school diploma and will be subject to psychological and drug testing. Current staff will receive additional training emphasizing “individual respect, dignity and professional ethics,” state officials said.

In addition, the agency will establish a centralized team to oversee abuse and neglect allegations and create a review panel to ensure that disciplinary steps are consistent.

“The protection and quality of care for the developmentally disabled is our highest priority,” said Courtney Burke, acting commissioner of the state disability agency. “The actions we announce today are the critical first steps on the road to improving the protection and quality of care for those we serve.”

The developments come after a New York Times investigation published earlier this month revealed a group home system plagued with cases of abuse rarely brought to the attention of law enforcement. In 2009 alone, The Times identified 13,000 abuse allegations among group home staffers. Police were involved in less than 5 percent of the cases.

Advocates for people with developmental disabilities, however, say the new measures are completely insufficient, pointing out that the state is not taking steps to remove group home workers with a history of abuse.

“To create yet more management teams and bureaucracy will never stop these systemic problems,” said Michael Carey, a disability advocate whose son died in 2007 while in state care.

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Comments (2 Responses)

1. *Marc* says:April 1, 2011 at 1:43 pm

Letter we sent to the New York Times in response their article reporting NYS OPWDD announcement. We encourage you to send in your own letter.

Regarding your March 30, 2011 article: Cuomo to Tighten Requirements for Workers in Homes for the Disabled.

We are parents of an autistic young adult and this replay of Willowbrook is our and other parents' worst nightmare. The announcements out of OPWDD do not even come close to what is needed. So new workers will now have to have a high school degree, and pass drug and alcohol screenings, that should have been mandatory from the get-go. Regulations are not being changed, so you can still be a convicted felon and work in a group home. It is sickening and insulting. Where is the announcement from the NYS Attorney General's office regarding a criminal investigation regarding a conspiracy of silence at OPWDD? Why isn't the US Attorney's office investigating for violation of civil rights? Courtney Burke and her new staff have to do a lot more to prove that they are providing a safe environment to our most vulnerable population. It is ironic that we are writing this to you on World Autism Awareness Day.

2. *vmgillen* says:April 1, 2011 at 2:28 pm

Anybody notice a trend here? Abuse in institutional group home (Willowbrook) leads to increased regulation, which is ultimately ineffective, which leads to IRAs and community based residential options, where abuse occurs, so regulation increases...

I submit that regulation alone is not the solution. The solution does not lie in Political or Institutional change. It lies in real community involvement and engagement!

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Nursing Homes Abuse Blog

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BY JONATHAN ROSENFELD

Contact Jonathan At:
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Group Homes Plagued By Patterns Of Abuse & Lack Of Employee Accountability

By Jonathan Rosenfeld on April 1st, 2011

The New York Times ran a troubling article “At State-Run Homes, Abuse and Impunity” recently chronicling the abusive care– and lack of accountability– encountered by residents in the more than 2,000 group homes scattered throughout New York.

Of the more than 13,000 cases of alleged abuse reported in 2009, less than 5% of the cases were transferred to law enforcement for follow-up. Just a handful of the cases reported to law enforcement resulted in criminal prosecutions or employee discipline.

Rather, a strong group home employee union consistently opposed any abuse charges brought against employees – even when the evidence presented against them was substantial. The prosecution of the group home abuse cases were further impaired by the fact that many of the victims suffered from conditions such as Down Syndrome, cerebral palsy and autism– making testimony against alleged abused consistently inconsistent – or impossible.

The resulting situation begs for more state oversight and control of these particularly vulnerable living arrangements. Particularly when a specific facts relating to abusive acts carried out against disabled people living in group home are uncovered by newspaper reporters, it is particularly troubling that the regulatory agencies failed to take any disciplinary action against the perpetrator or move to protect the victim.

Certainly, I don’t have all the answers, but it seems like a system needs to be effectively implemented that both utilizes better oversight of all group homes and importantly holds employees who witness abuse– yet fail to report it equally accountable for fostering an environment where abuse thrives.

Lastly, as a lawyer who has prosecuted matters involving group home abuse, I encourage families to immediately report abusive conditions to law enforcement as soon as the situation comes to bear. Further, if there is any physical evidence of abuse, I encourage families to document the same with their own photos and videos.

Related Nursing Homes Abuse Blog Entries:

[Are Group Homes A Viable Alternative To Nursing Homes?](#)

Thankfully, We Now Have Many Laws To Protect The Elderly From Abuse In A Variety Of Settings. However, Laws Are Worthless, If The People For Whom They Are Intended To Help Are Unaware Of Them

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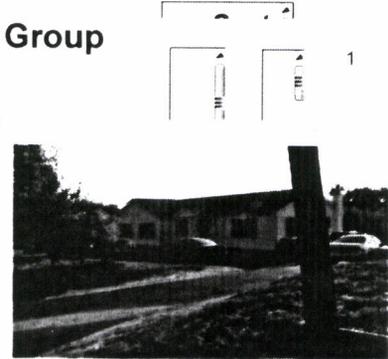
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Video Shows Alleged Abuse At Group Home

July 11, 2012 | By SAMAIA HERNANDEZ, smhernandez@courant.com, The Hartford Courant

EAST HARTFORD — A video that appears to show a group home employee kicking an intellectually disabled person and dragging her by the hair has prompted an investigation of the agency that runs the East Hartford home and the female worker, state officials said.

Copies of the video were dropped off anonymously at three locations Tuesday — the state Department of Developmental Services in East Hartford; Options Unlimited Inc., the Bloomfield-based agency that runs the home; and WFSB Channel 3.



(Bob Hoover, Fox CT)

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"We looked at it, [and] we got a hold of the provider who at the same time was looking at it," DDS spokeswoman Joan C. Barnish said.

"The provider immediately placed the person in question in the video on unpaid leave."

Police said Wednesday the employee seen in the video was identified immediately, but they refrained from naming her publicly or providing other details about the criminal investigation.

Options Unlimited, a nonprofit agency based at 693 Bloomfield Ave., runs six homes that serve about 25 clients. All of its homes were placed under scrutiny — what DDS calls "enhanced monitoring" — after the video surfaced.

"We're going to be monitoring a whole bunch of different things in all of their group homes," Barnish said.

Several other Options Unlimited employees who worked at the home, at 371 King St., had been fired previously, DDS officials said Wednesday.

A DDS agent was sent to the East Hartford home Tuesday, where about five clients are served, to check on their well-being.

A state police sergeant working with DDS brought the DVD to the East Hartford Police Department, which is leading the investigation. The state Office of Protection and Advocacy is also investigating.

"We are deeply saddened and appalled by this incident. As soon we became aware of it, we took prompt action and placed the employee on unpaid administrative leave," Options Unlimited spokesman Michael Lundie said Wednesday in a prepared statement.

"We are working closely with DDS and the East Hartford Police Department on the investigation."

"I am outraged by the images in this video — this is absolutely unacceptable," DDS Commissioner Terrence W. Macy said in a prepared statement.

"Our immediate response was to ensure the accused staffer was removed from the premises and the victim is getting the proper care and support. DDS has begun our own investigation in conjunction with the investigation by the East Hartford Police, and we will work with authorities to aggressively prosecute any wrongdoing."

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December 27, 2012 at 4:15 PM

Abuse reported at group homes in Washington

Posted by Letters coordinator

Listen to the families

Abuse in group homes will continue because groups that claim to advocate for people with developmental disabilities (The Arc, Disability Rights Washington and Developmental Disabilities Council) do not listen to the *families* of these vulnerable people. The *families* are the experts and know what it takes to keep their loved ones healthy and safe. ["Report: State ignoring abuse at group homes," NWTuesday, Dec. 18.]

When questions about accountability are ignored, when "research reports" authored by DSHS employees are bogus and cannot be defended yet are used as "facts" by these so-called advocates to base legislation on; when agencies that receive public funds to "advocate" for citizens with intellectual disabilities use those funds to discriminate against those very people; when these agencies do not share critical information regarding health and safety to *families* — we get the situation we now see.

Many of these unreported, uninvestigated and unpunished criminal acts have come about from the push to deinstitutionalize. The risks of deinstitutionalization clearly outweigh the benefits now.

We, as a community, need to realize there are benefits to supportive communities for *all* — not just the elderly, wealthy, over-55 crowd or any other group that lives in a gated or planned community, but also for people with intellectual and developmental disabilities.

Cheryl Felak, Seattle