



Andrew M. Cuomo, *Governor*
Jeff Wise, *Executive Director*



Overview of the Justice Center

OPWDD Advisory Council
December 11, 2013

Vision

People with special needs shall be protected from abuse, neglect and mistreatment. This will be accomplished by assuring that the state maintains the nation's highest standards of health, safety and dignity; and by supporting the dedicated men and women who provide services.

Key Drivers That Led to the Justice Center

- Inconsistent laws, rules, regulations, requirements and standards across service systems
- No way to prevent staff who committed acts of abuse from getting another job working with people with special needs
- Limited capacity for statewide oversight
- No ability to identify and predict future areas of risk

**In December 2012, Governor Cuomo signed into law the
*Protection of People with Special Needs Act***

Key Elements of the *Protection of People with Special Needs Act*

- Creates the Justice Center
- Creates consistent definitions of abuse and neglect
- Provides for proportional and progressive discipline including termination, for staff responsible for abuse or neglect
- Strengthens penal laws

Justice Center Advisory Council

- Provides guidance to the Justice Center in the development of policies, programs and regulations
- Comprised of 30 members including service providers, people who have or are currently receiving services, family members and advocates
- At least one-half of the members must be individuals or parents or relatives of individuals who are or have received services from programs within the Justice Center's jurisdiction

67%
individual/family
receives services

State Oversight Agency Overview

Certain facilities or programs that are **operated, licensed or certified** by:



— OPWDD —

State-operated and certified/licensed providers for individuals with developmental disabilities.



— OMH —

State-operated and certified/licensed providers for people with mental illness.



— OASAS —

State-operated and certified/licensed providers of substance abuse services.



— DOH —

Overnight summer camps for children with developmental disabilities and adult homes with 80 or more beds and 25% or more of the residents have a serious mental illness.



— OCFS —

State-operated and certified/licensed residential programs for children and youth including juvenile justice detention facilities, group homes and Residential Treatment Centers.



— SED —

Residential schools serving students with disabilities, including schools outside of NYS.

What does the Justice Center do?

- Maintains a 24/7 hotline for reporting incidents
- Ensures allegations of abuse and neglect are fully investigated
- Ensures that individuals found responsible for criminal acts are arrested and prosecuted
- Analyzes trends to predict and prevent abuse
- Develops and implement consistent standards for investigative activities
- Advocates on behalf of people with disabilities and special needs
- Operates an information hotline to respond to general disability-related inquiries
- Makes policy recommendations relating to disability issues
- Monitors the quality of care in facilities
- Consolidates pre-employment checks
- Prevents individuals found responsible for egregious or repeated acts of abuse from working in human services by maintaining a Staff Exclusion List



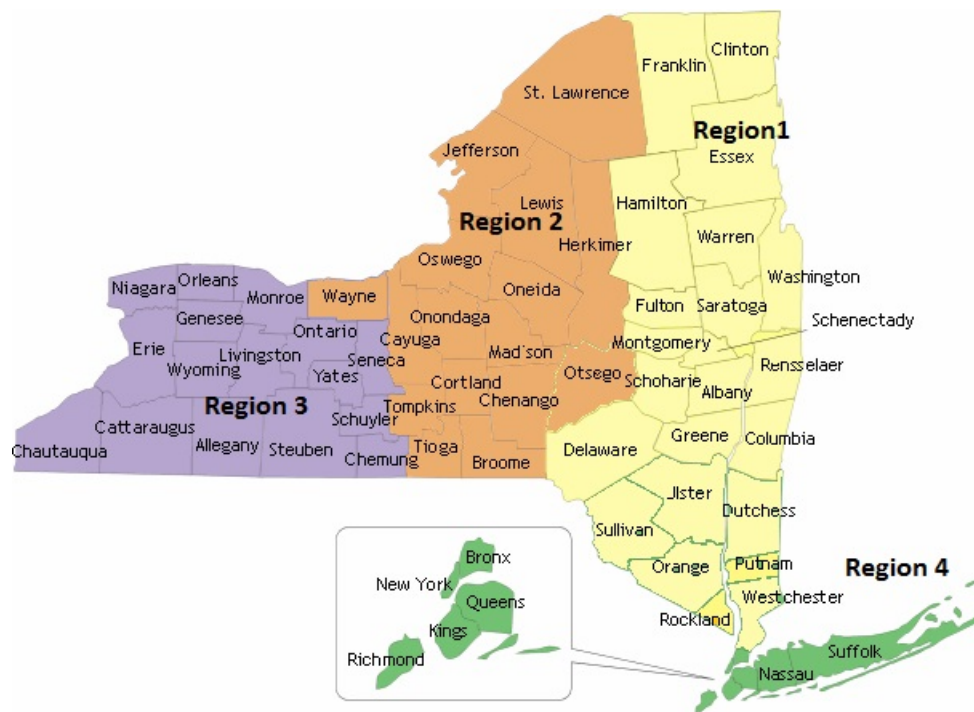
Advocacy Services

- Information and Referral
- Short-Term Case Advocacy
- Technology Related Assistance for Individuals with Disabilities (TRAID)
- Surrogate Decision-Making Committee (SDMC) Program
- Ombudsperson for Individuals with Developmental Disabilities Program
- Adult Homes Advocacy Program
- Interagency Coordinating Council for Services to Persons Who are Deaf, Deaf-Blind, or Hard of Hearing
- Psychiatric Correctional Advisory Committee

Systemic Advocacy and Policy

- Identify trends and issues related to service delivery, policies, procedures or practices that present barriers to individuals with disabilities and work to remove such barriers
- Advise and assist the Governor, Legislature and public in the development and implementation of state policies regarding people with special needs and disabilities
- Conduct or cause to be conducted studies of the needs of people with special needs and disabilities
- Monitor quality of mental health care in NYS correctional facilities
- Reporting and analytics

Justice Center Regions



Contacts:

- Region 1 -- Acting Assistant Chief Michaelleen Campbell 518-795-5684
- Region 2 -- Assistant Chief Mike Daly 518-795-4070
- Region 3 -- Assistant Chief Mark Case 518-925-3390
- Region 4 -- Assistant Chief Mark Smith 518-429-3341



For the Protection
of People with
Special Needs

Justice Center Advocacy Contacts

Rosemary Lamb, Director of Advocacy

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Lisa Rosano-Kaczkowski, TRAIID

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Tom Fisher, SDMC

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Karen Malcolm, Adult Home Advocacy

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Support Coordinator for Individuals and Families

- Dedicated to assisting with questions or concerns about allegations of abuse and neglect
- Works with people receiving services and/or family members
- Provides guidance if required to appear as a witness or file victim statements

Contact: Dee Levy 518-549-0200



For the Protection
of People with
Special Needs

Thank you

www.justicecenter.ny.gov

Report abuse or neglect: 1-855-373-2122

Information & Referral: 1-800-624-4143

General information line: 1-518-549-0200