

June 6, 2012

Editorial: Justice Center sorely needed

--Press-Republican

Over the years, we have reported on or heard about occasional instances of abuse or neglect in local programs that work with people with special needs and disabilities. In every case, the abuse occurred at the hands of an individual employee.

It is heartbreaking to think that anyone would harm these vulnerable citizens — and especially to know the abusers may go unpunished or move on to work with the same population elsewhere.

That will change if a Justice Center for the Protection of People with Special Needs is established, as proposed by Gov. Andrew Cuomo. We firmly believe this initiative is worthwhile, as it will set a clear course for investigation, regulation and discipline.

In an in-depth study, Clarence Sundram, an expert tapped by Cuomo as special adviser, talked with every segment of stakeholder, including clinical experts, statewide associations, families and those with special needs. He also collected 1,700 suggestions from the public through a state-established comment network.

Six agencies now deal with issues of abuse and neglect in this population: the Department of Health, Office of Mental Health, Office for People With Developmental Disabilities, Office of Children and Family Services, Office of Alcoholism and Substance Abuse Services and the State Education Department.

The effort was piecemeal and inconsistent, Sundram told the Press-Republican, with community agencies forced to comply with three different sets of regulations. “It had to be done more consistently and more clearly,” he said.

The major conclusions of his study were the need for trained investigators, a consistent reporting system for suspected abuse and consolidation of background checks into a single registry.

About 1 million New Yorkers with special needs or disabilities are involved with public or private facilities or programs established for their care, treatment and protection.

The Justice Center would have a special prosecutor and inspector general to investigate reports of abuse and neglect. It would include a reporting hotline — similar to what Child Protective Services uses to collect complaints about possible child abuse — with a statewide tracking system. And workers who have committed serious acts of abuse will be listed on a state register and be prohibited from ever working in New York with people with disabilities or special needs.

The Press-Republican has found it extremely difficult to get information on suspected local cases of abuse, due to patient confidentiality and the obstacles put in place by state and private agencies. We rarely can confirm abuse except when arrests are made and police reports can be accessed. That will also change under Cuomo's proposal, which would establish a new level of transparency and make all providers — state and private — subject to Freedom of Information Law access.

As long as support and training for workers is emphasized, the Justice Center will bring focus, consistency and transparency to bear as programs care for people they are entrusted to protect.