



Justice Center for the Protection of People With Special Needs

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Former Unity House Counselor Indicted on 42 Counts Including Rape and Sexual Abuse

Case Investigated and Prosecuted by the Justice Center

Auburn, NY – NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning today announced the indictment of a former counselor at Unity House of Cayuga County on charges she raped and sexually abused a male service recipient in her care.

Evonne Servais of Auburn (DOB: 09/15/1983) was charged with:

- 9 counts of Rape in the Third Degree, a class "E" felony;
- 5 counts of Criminal Sexual Act in the Third Degree, a class "E" felony;
- 14 counts of Sexual Abuse in the Second Degree, a class "A" misdemeanor; and
- 14 counts of Sexual Misconduct, a class "A" misdemeanor.

Servais, a residence counselor, who has resigned her position, was arraigned before the Honorable Thomas G. Leone of Cayuga County Court. Bail was set at \$10,000 cash/\$20,000 bond. The defendant is due back in court on September 15, 2016.

"Individuals receiving mental health services are particularly vulnerable to abuse from those who are responsible for ensuring they receive needed care and treatment," said Special Prosecutor Gunning. "For a residential counselor, like this defendant, hired to check on the individuals receiving services, but who is alleged to have repeatedly used those visits as an opportunity to sexually gratify themselves is unconscionable."

Servais is accused of having a sexual relationship with a client at the facility which lasted several months. Sex crimes under the state penal law include sexual contact of any kind between an employee and a patient, when the employee has reason to know his or her patient is a resident or inpatient at a facility operated or licensed by the NYS Office of Mental Health (OMH).

Assistant Special Prosecutor Deandra Macomber is prosecuting the case. It was investigated by the Justice Center with the cooperation of Unity House of Cayuga County.

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.

Unity House is licensed by the Office of Mental Health (OMH). OMH 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 Alcoholism and Substance Abuse Services (OASAS), the Department of Health (DOH), Office for People With Developmental Disabilities (OPWDD) 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.



Evonne Servais (DOB: 9/15/1983)