



Justice Center for the Protection of People With Special Needs

FOR IMMEDIATE RELEASE: December 23, 2015
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Former Group Home Workers Convicted for Abuse on Long Island

Case Prosecuted by NYS Justice Center for the Protection of People with Special Needs

Riverhead, NY – NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning today announced the convictions of two former Long Island group home workers who encouraged a man with developmental disabilities in their care to engage in an altercation with another man with disabilities. The defendants were found guilty of abuse in a bench trial before the Honorable William J. Condon of Suffolk County Supreme Court.

Defendants Erin McHenry (DOB: 6/29/85) of Brookhaven, and Stephen Komara (DOB: 1/20/56) of East Moriches were employed at an Independent Group Home Living Program, Inc. (IGHL) of Suffolk County at the time of the incident.

McHenry was convicted of:

- Two counts of Endangering the Welfare of an Incompetent or Physically Disabled Person in the first degree, a class “E” Felony.

Komara was convicted of:

- Two counts of Endangering the Welfare of an Incompetent or Physically Disabled Person in the second degree, a class “A” Misdemeanor.

Sentencing has been scheduled for February 22, 2016. Both defendants remain free on their own recognizance.

The case stemmed from an incident recorded on a cell phone where a wheelchair bound man is thrown to the ground by another resident and while on the ground, McHenry, holding the wheelchair down, encourages another resident to attack him. Neither man was injured. Komara and two other defendants were charged for failing to intervene. The incident came to light when the video was sent to IGHL who took swift action against all employees involved.

“The message to caregivers, like these defendants, who choose to use vulnerable residents in their care as unwitting pawns in demeaning activity is clear,” said Special Prosecutor Gunning. “You will be held accountable not only for exposing residents to physical harm, but for endangering their mental or moral welfare as well. The verdicts relating to each resident highlight the duty these workers disregarded by pitting one resident against the other. In this case, we were able to hold these defendants responsible for their conduct.”

Special Prosecutor Gunning thanked the Southampton Town Police Department and the staff at IGHL for their assistance.

A third defendant, who videotaped the incident on his cellphone and another co-worker previously pled guilty for their roles in the case.

Justice Center Deputy Special Prosecutor Jacqueline Kagan prosecuted the case along with Assistant Special Prosecutor David Kim.

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 (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.

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.

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.

Independent Group Home Living Program, Inc. is licensed by the NYS Office for People With Developmental Disabilities (OPWDD), one of six state agencies under the jurisdiction of the Justice Center. It also oversees certain facilities or programs that are operated, licensed or certified by the Office of Mental Health (OMH), the Department of Health (DOH), the Office of Children and Family Services (OCFS), the Office of Alcoholism and Substance Abuse Services (OASAS), and the State Education Department (SED).

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Erin McHenry



Stephen Komara