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Finger Lakes DDSO Employee Charged with Sexual Abuse

Incident Reported to NYS Justice Center for the Protection of People with Special Needs Hotline

Rochester, NY-- NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning announced today that Eric Ferguson (DOB: 9/02/67) a direct care staff member employed by Finger Lakes DDSO has been charged with sexually abusing a woman with developmental disabilities following an investigation conducted by the Justice Center. The facility is operated by the NYS Office for People With Developmental Disabilities (OPWDD.)

The incident first came to the attention of law enforcement officials when it was reported to the Justice Center's Vulnerable Persons Central Register (VPCR) Hotline. A call center representative opened a case tracking file and Justice Center investigators launched an investigation.

"I would like to extend my appreciation to Troop E of the New York State Police for their key assistance during this investigation," said Gunning. "Thanks to the coordination and cooperation of this agency, justice will be served for the victim of this crime."

Ferguson, who is a resident of Rochester, was arrested on a Felony Complaint charging him with:

- One count of Endangering the Welfare of a Vulnerable Elderly Person, or an Incompetent or Physically Disabled Person in the second degree, a class "E" Felony; and
- One count of Sexual Abuse in the second degree, a class "A" Misdemeanor.

According to the complaint, Ferguson is alleged to have approached the victim from behind and grabbed her breasts underneath her shirt and touched her groin area through her clothing. Ferguson was arraigned in Brighton Town Court. Bail was set at \$7500. Ferguson is due back in court on April 9, 2014. He has been placed on administrative leave. The case is being prosecuted by Justice Center Assistant Special Prosecutor Andrew Botts.

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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.

The Office for People With Developmental Disabilities (OPWDD) 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 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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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.