



Justice Center for the Protection of People With Special Needs

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Former Long Island Group Home Workers Sentenced in Fight Incident *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 sentencing of three former group home workers found guilty for their roles in encouraging individuals with intellectual disabilities to fight one another at a residential facility operated by the Independent Group Home Living Program, Inc. (IGHL) in October of 2013. The incident was captured on a cellphone video.

“We are pleased that the defendants in this case have been held accountable,” said Special Prosecutor Gunning. “Despite being well-trained and duty-bound to support and protect people with special needs, these staff members jeopardized the safety of these men and violated their dignity by encouraging one to attack the other. Then, while laughing uproariously, the staff left one of the individuals on the floor without offering aid. With the assistance of the Southampton Town Police Department and the Suffolk County District Attorney’s Office, we were able to bring these crimes to light and help raise awareness of this type of abuse that, prior to the Justice Center, had all too often gone unreported.”

The Honorable William J. Condon in Suffolk County Supreme Court sentenced Erin McHenry (DOB: 6/29/85) of Brookhaven, to five years probation and 840 hours of community service in lieu of a six month jail term. McHenry was convicted in a bench trial of two counts of Endangering the Welfare of an Incompetent or Physically Disabled Person in the First degree, a class “E” Felony.

Defendant Stephen Komara (DOB: 1/20/56) of East Moriches was sentenced to three years probation and 280 hours of community service in lieu of a 60 day jail term after he was found guilty following a bench trial of two counts of Endangering the Welfare of an Incompetent or Physically Disabled Person in the Second degree, a class “A” Misdemeanor.

A third defendant, who was a teenager at the time of the incident, was sentenced to five years probation and granted youthful offender status as part of a plea bargain before trial that included a waiver of his right to appeal a Justice Center’s administrative finding.

In December 2015, a fourth defendant, Rosemary Vanni (DOB: 10/19/69) of Eastport was placed on interim probation for one year after she pled guilty to a misdemeanor and waived her right to appeal a Justice Center Administrative finding.

The case was prosecuted by Justice Center Deputy Special Prosecutor Jacqueline Kagan and 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).