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St. Mary's Healthcare Rehab Counselor Charged with Sex Abuse

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

Amsterdam, NY-- NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning announced today that John Gaston (DOB: 12/09/51), who was employed as a counselor at St. Mary's Healthcare, Inpatient Addictions Rehab has been arrested for allegedly sexually abusing a person in his care following an investigation conducted by the Justice Center. The program is licensed by the NYS Office of Alcoholism and Substance Abuse Services (OASAS).

The incident first came to the attention of law enforcement officials when a supervisor contacted 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. The Amsterdam Police Department facilitated the booking process.

Gaston was arrested on a Misdemeanor Complaint charging him with:

- one count of Sexual Abuse in the Second Degree, a class "A" Misdemeanor;
- one count of Sexual Abuse in the Third Degree, a class "B" Misdemeanor;
- one count of Forcible Touching, a class "A" Misdemeanor; and
- one count of Harassment in the Second degree, a Violation.

According to the complaint, the defendant placed his hands in contact with the breasts and buttocks of the victim. Gaston was arraigned on the charges in Amsterdam City Court and released on \$1,000 bond. He has been terminated from his position. The case is being prosecuted by Justice Center Assistant Special Prosecutor Christina Calabrese.

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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 (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 of Alcoholism and Substance Abuse Services (OASAS) is 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 for People With Developmental Disabilities (OPWDD), the Office of Mental Health (OMH), the Department of Health (DOH), the Office of Children and Family Services (OCFS), 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.