



NEW YORK STATE SENATOR

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Governor Cuomo Announces Joint Agreement Between OPWDD and State Police To Reform Abuse Reporting System

VELMANETTE MONTGOMERY August 16, 2011

| ISSUE: **DEVELOPMENTAL DISABILITIES**

Governor Andrew M. Cuomo today announced an agreement between the Office for People With Developmental Disabilities (OPWDD) and the New York Division of State Police to establish consistent guidelines for which incidents of abuse against any of the 126,000 individuals receiving support from the Office for People With Developmental Disabilities and its network of nonprofit providers should be reported as potential crimes. This joint protocol is another step in a comprehensive agenda being pursued by the Governor and OPWDD Commissioner Courtney Burke to assure the safety, cost effectiveness, and quality of care of those individuals and to streamline government in a way that puts New Yorkers first.

"Government programs operate effectively and provide better services for taxpayers when they work together," Governor Cuomo said. "This cooperative agreement between OPWDD and the State Police will strengthen care and protections for individuals with developmental disabilities, and is another step forward in our comprehensive plan for a government which runs better in a cost-effective way."

A report to law enforcement is to be made in instances such as:

- Intentional hitting, slapping, pinching, kicking, hurling, strangling or shoving of an individual receiving services by a staff member;
- Any sexual contact that occurs between a person receiving services and an employee;
- Any sexual contact that occurs between two persons receiving services in which one person uses force or coercion;
- Any situation where a staff member knowingly fails to act or acts in a manner that is injurious to the physical or mental welfare of an individual unable to care for himself or herself;
- Any instance where a person dies in a manner in which the cause of death is unknown, or in which the individual is not under the care of a physician and the death is not due to natural causes; and
- Theft and property crimes against people receiving services.

The directors of OPWDD's 13 regionally-based Developmental Disabilities Services Offices (DDSOs), as well as executive directors of nonprofit provider agencies, will partner with their local law enforcement entities to develop consistent procedures for reporting incidents—including how reports are processed and incidents are investigated, as well as designating a staff liaison for local law enforcement. OPWDD will provide training to recruits and other members of the State Police Academy regarding the challenges of interviewing witnesses and investigating crimes against people with developmental disabilities.

For incidents in which there is a question on whether law enforcement should be involved, a designated member of the State Police's Bureau of Criminal Investigations Special Victims Unit will assist in a review. This individual will participate in meetings with local State Police units to provide guidance in the development of reporting procedures.

The agreement between OPWDD and the State Police goes into effect on August 15.