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Contact: Diane Ward, Office of Communications
(518) 549-0200
diane.ward@justicecenter.ny.gov

Group Home Counselor Pleads Guilty to Endangerment Charge

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

Nelson, NY-- NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning announced today that Jonathan A. Alvarez (DOB: 02/23/89), who was employed as a resident counselor at a group home for adults with developmental disabilities in Morrisville, New York admitted in court that he abused a man in his care. The facility, which is operated by Upstate Cerebral Palsy, Inc., is licensed by the NYS Office for People With Developmental Disabilities (OPWDD).

Alvarez, who is a resident of Oriskany Falls, entered a guilty plea in Nelson Town Court to:

- One count of Endangering the Welfare of an Incompetent or Physically Disabled Person in the Second Degree, a class "A" Misdemeanor.

The defendant admitted that while on an outing on April 16, 2014, he grabbed the victim, hit his head repeatedly against a van window, spit in the victim's hat and rubbed the hat on his face.

"This plea holds this defendant accountable for his actions," said Special Prosecutor Gunning. "It should also send a message to individuals who are entrusted with the care of vulnerable people that criminal conduct of this nature will not be tolerated and will be vigorously pursued by the Justice Center and the District Attorneys of this state."

When sentenced in January of 2015, Alvarez faces 3-years probation and will be required to complete an anger management course. The case was reported to the Justice Center's Vulnerable Persons Central Register (VPCR) Hotline. It was investigated by Troop D of the New York State Police with assistance from Justice Center investigators. Justice Center Assistant Special Prosecutors Andrew Botts and Deidre Chuckrow prosecuted the case.

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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.

Jonathan A. Alvarez

