

FOR IMMEDIATE RELEASE: November 13, 2014  
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## **Monticello Group Home Counselor Indicted on Sex Charges**

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

Monticello, NY - NYS Justice Center for the Protection of People with Special Needs Special Prosecutor Patricia E. Gunning today announced that a Sullivan County Grand Jury has handed up a 13-count indictment against Michael Cubero (DOB: 11/15/77), for allegedly having a sexual relationship with a female resident in his care while employed by the Orange/Sullivan Division of Rehabilitation Support Services. The group home is licensed by the NYS Office of Mental Health (OMH).

Cubero, a resident of Monticello was arraigned on the indictment charging him with:

- Two counts of Rape in the third degree, a class E Felony;
- Three counts of a Criminal Sexual Act in the third degree, a class E Felony;
- Two counts of Endangering the Welfare of an Incompetent or Physically Disabled Person in the first degree, a Class E Felony;
- Two counts of Sexual Abuse, a class A Misdemeanor; and
- Four counts of Sexual Misconduct, a class A Misdemeanor.

An investigation conducted by the Justice Center, with assistance from the Monticello Police Department and the New York State Police found the defendant had allegedly been involved in an ongoing sexual relationship with a female resident from June to December of 2013. Cubero pleaded not guilty to the charges and remains held on \$25,000 bail. He was terminated from his position.

The case is being prosecuted by Justice Center Assistant Special Prosecutors Christina Calabrese and Renee Behrens.

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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 NYS Office of Mental Health is one of six state agencies which have programs 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 for People With Developmental Disabilities (OPWDD), 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.

**Michael Cubero (DOB: 11/15/77)**

