

# DiNapoli Audit Further Exposes Cuomo's Corrupt Justice Center

*Gov. Cuomo's Justice Center abuse hotline for the disabled was set up to cover-up most reported crimes and deaths*

DELMAR, NEW YORK, UNITED STATES, March 9, 2017 /EINPresswire.com/ -- The New York State Comptroller Audit which I requested as Jonathan's father because of serious concerns for the safety, health, rights and lives of people with disabilities was obstructed almost every step of the way. Here is the AP News story that went out across the nation titled, "NY agency for the disabled stonewalled"

<http://abcnews.go.com/US/wireStory/apnewsbreak-audit-ny-investigators-disabled-stonewall-45948071>. Keep in mind there is only one real reason to hide and conceal documents surrounding staggering numbers of reported crimes, including criminally negligent deaths.

Some of the major findings of Comptroller DiNapoli's State audit that demands the immediate closure of this fraudulent and corrupt agency are;

- Seventy percent of reported cases were blocked from auditors
- 5,400 cases were closed without a formal determination
- In most serious cases- focus was less to ensuring that vulnerable individuals (and their rights) were protected.
- "We are concerned that there is a lack of independent oversight and public accountability"

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Due to the staggering scope of crimes and deaths involved, US Attorney Preet Bharara has been requested to do federal criminal investigations.”

*Michael Carey*



Jonathan Carey "Champion for the Disabled" Born September 12, 1993 Killed by caregivers on February 15, 2007

- "Audit testing also showed that the Center's database of reported allegations contains numerous inaccuracies."
- "We did not have access to records about incident reports that are categorized as significant incidents, unsubstantiated, unfounded, administratively closed, out of state investigations, and active/open investigations."
- "Our analysis showed that the Center took over 300 days to investigate 3,946 of a pool of 16,477 substantiated offenses (24 percent) in our limited data set with dates available." Law requires all investigations to be completed in 60 days.
- From limited records – "our analysis also showed 223

offenses with blank fields for significant dates, such as the date the incident was reported or a finding was made.”

- “We identified over 180 individuals with the same name who had multiple Contact IDs assigned to them.”
- “...even though our examination was severely limited, our tests identified three individuals who had been erroneously left off the SEL after having been found to have committed serious acts of Abuse and Neglect.” The SEL is the Staff Exclusion List or State Abuse Registry banning individuals for life from working with the disabled.

There are distinct reasons why the State audit was obstructed. Almost all reported sexual assault crimes, rapes and deaths reported to Governor Cuomo’s Justice Center, which is not a Justice Center, literally disappear. Here is the actual directive by Executive Deputy Director of the Justice Center, Jay Kiyonaga, directing deaths to be internally investigated by provider agencies <https://www.justicecenter.ny.gov/sites/default/files/documents/JusticeCenterDeathReportingClarification12-17-15.pdf>. Bypassing District Attorney’s and Medical Examiners and Coroners is how most deaths are being easily covered-up. The law requires Medical Examiners and Coroners to be swiftly notified so they can respond, investigate, take statements from witnesses, do an initial written report and take possession of the body so they can do an autopsy to determine the cause of death. Most reported physical and sexual assault crimes and criminally negligent deaths are being purposefully kept from local police and from criminal investigations and are also kept from County District Attorney’s so they cannot be prosecuted. This is a well thought out scheme to cover-up the wide-scale damages and loss of innocent lives to continue the State’s ongoing Medicaid fraud scheme to defraud the federal government. New York State is attempting to conceal the horrors and astronomical scope of what really is happening behind closed doors within the State’s extremely dangerous and deadly mental health care system. Cuomo’s agency, which I have likened to organized crime, is also protected and shielded by another complicit entity called Disability Rights New York (DRNY). Executive Director Timothy Clune worked for Attorney General Cuomo and was handpicked by Governor Cuomo because he would virtually remain silent and protect this multi-billion dollar scheme. Timothy Clune and other top officials at DRNY have refused to seek the appropriate immediate federal criminal and civil rights investigations since September of 2013, but have chosen to look the other way as many innocent people continue to die unnecessarily as the 911 emergency call systems throughout the State are bypassed. DRNY has documented that calling a nurse triage hotline instead of 911 is the number one trend leading to “untimely” deaths of people with intellectual and developmental disabilities. These are criminally negligent deaths that they are calling “untimely.” DRNY sits on the State’s OPWDD mortality review committee and has been fully aware of these criminal cover-ups of staggering numbers of deaths of innocent people with disabilities. It appears that only now they are making some minor statements to protect their own existence and lucrative salaries. DRNY instead of requesting federal investigations and the immediate closure of this failed agency is actually attempting to try to say that the Attorney General should be operating it instead, which is legally a direct conflict of interest. The NYS Attorney General legally represents all State officials, State employees and State agencies. Mr. Clune, who is an attorney, knows this to be true, both him and his organization also must be investigated by the federal government.

The wrongfully named Justice Center is not protecting people with disabilities from abuse, but is operating illegally and it must be defunded and shut down now. All alleged crimes against the disabled should be going directly to 911 call centers throughout New York State, which I have been advocating for the last ten years since my son Jonathan was killed by his caregivers in 2007. People with disabilities must be treated equally and provided the same immediate 911 emergency first responder medical and police services that everyone else receives; it is deadly discrimination to circumvent 911. Due to the staggering scope of crimes and deaths involved, US Attorney Preet Bharara has been requested to do federal criminal investigations. The ongoing obstruction of justice and Medicaid fraud revealed through State documents obtained through FOIL pervades this rogue and lawless entity.

My precious son Jonathan died in State care. Jonathan had autism, he was developmentally disabled

and non-verbal and only 13 when he was killed by his New York State employed caregivers <http://www.nytimes.com/2011/06/06/nyregion/boys-death-highlights-crisis-in-homes-for-disabled.html> and <https://www.nytimes.com/video/nyregion/100000000849083/a-failure-to-protect.html> These horrors must be stopped. No longer can the disabled be treated as a lesser valuable group of people and denied their basic rights to life, liberty and the pursuit of happiness and be denied 911 emergency services and assistance. Preventing our most vulnerable from receiving immediate emergency police assistance is denying this special group of people their equal right to equal protection of laws which also denies them justice. This is dead wrong and it is discrimination in civil rights. Stand with us for “equal rights” and “civil rights” for people with disabilities in New York State and throughout our great country by signing our petition at [www.jonathancareyfoundation.org](http://www.jonathancareyfoundation.org). No longer can 911 be bypassed. 911 call systems must be immediately called by all mandated reporters regarding all physical and sexual abuse, gross negligence of care, significant and suspicious injuries and when a person with a disability is in medical distress or has stopped breathing. <http://jonathancareyfoundation.org/donate/>

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