



# NEWS RELEASE

From New York State Acting Inspector General  
**Catherine Leahy Scott**

FOR IMMEDIATE RELEASE:

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## **STATE EMPLOYEE ARRESTED AND CHARGED WITH ABUSING RESIDENT WITH DISABILITY**

*Incident Alleged to Have Occurred at a North Country Facility*

As a result of a joint investigation by Acting State Inspector General Catherine Leahy Scott, the New York State Police and New York State Office for People With Developmental Disabilities (OPWDD), a state employee was arraigned this week for abusing a resident with developmental disabilities living at an OPWDD facility in northern New York.

Derick R. Mandigo, 46, of Tupper Lake was charged with Endangering the Welfare of an Incompetent Person and Official Misconduct. Mandigo appeared before Town Justice Leonard Young, III for arraignment on Wednesday, April 10, 2013, and was released on his own recognizance. The case has been adjourned to May 15, 2013.

The circumstances which resulted in Mandigo's arrest occurred at an individual residence alternative (IRA) facility, located in Tupper Lake, which houses individuals with developmental disabilities and is operated by OPWDD's Sunmount regional office. Mandigo, who has been employed as an OPWDD Direct Support Assistant, was tasked with providing personal care, treatment and rehabilitation services to four residents of the IRA with developmental disabilities.

"Direct Support Assistants at OPWDD are charged with protecting and caring for our most vulnerable population," said Acting Inspector General Scott. "As a caregiver, Mr. Mandigo's alleged conduct was reprehensible and inexcusable. This joint investigation resulted in the removal of a danger to residents living in this state facility. Abuses of persons with disabilities in New York State will not be tolerated and will be thoroughly investigated."

Images of the August 2009 incident were captured on a cellphone. When OPWDD was first made aware of this, they identified Mandigo and the resident/victim, and immediately placed Mandigo on administrative leave to ensure the safety of the residents of the Tupper Lake IRA. At the same time, OPWDD referred the matter to the Inspector General and New York State Police, and the joint investigation commenced.

Mandigo admitted to authorities that he was verbally abusive towards the resident and that he had struck the resident in the face, as seen on the cellphone.

OPWDD Commissioner Courtney Burke said, "I thank the Inspector General's office, the State Police and the District Attorney for their work and collaboration in taking action on this case. OPWDD takes incidents of abuse in our system very seriously, and we have initiated comprehensive health and safety

reform efforts around reporting allegations and preventing abuse, as we continue to promote positive relationships to strengthen the system for the individuals we serve.”

New York State Police Superintendent Joseph A. D'Amico said, “Today’s arrests would not have been possible without the collaborative effort of the Inspector General, the Franklin County District Attorney's Office and the state Office for People with Developmental Disabilities. The individual charged in this case had a responsibility to provide care to some of the most vulnerable among us. His arrest sends a message that alleged criminal behavior among those entrusted to provide care to the developmentally disabled will be thoroughly investigated and prosecuted.”

Franklin County District Attorney Derek P. Champagne said: “Here, an employee entrusted to serve and protect the developmentally disabled is accused of perpetrating violence against a resident for whom he was providing care. This alleged criminal conduct involves some of our most vulnerable population and will continue to be aggressively investigated and prosecuted.”

Acting Inspector General Scott thanked the New York State Police and OPWDD for their assistance in the case, and District Attorney Champagne for the prosecution of this matter.

The defendant is innocent until and unless proven guilty in a court of law.

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