

FOR IMMEDIATE RELEASE: April 15, 2015

\$2.25 Million Settlement for Abuse of Disabled Adult in a New York State Facility

Albany, NY – Today, the family of K.C. [settled](#) a federal [lawsuit](#) in Albany against staff at O.D. Heck Developmental Center, a New York State facility for the disabled.

K.C. was a 22-year-old, severely disabled man. As alleged in the case, six caregivers employed by the State physically and verbally abused K.C. for months, hitting him with a stick, stuffing socks and towels into his mouth, imprisoning him on a mat for hours, stepping on his fingers, pulling his fingers backwards, or calling him names such as “it,” “the thing,” and “the walking plague.”

The abuse was first revealed by a trainee at O.D. Heck, whistleblower Mary Maioriello. In a sworn deposition, Ms. Maioriello described K.C.’s [horrific treatment](#).

On February 28, 2011, K.C. was rushed to the hospital unconscious and placed on life support. K.C. was severely malnourished and diagnosed with bacterial pneumonia. A month later, K.C. died.

The case was scheduled for a federal jury trial in the Northern District of New York on April 20.

“This was systematic, daily abuse of the most vulnerable, helpless person imaginable,” said Ilann M. Maazel, lead counsel to the family, and a partner at Emery Celli Brinckerhoff & Abady. “It is shocking that the State of New York would still employ any of these defendants to work with disabled people.”

“Nothing can undo the suffering these six people inflicted on K.C. and his family,” said Hayley Horowitz, also counsel to the family. “But this settlement is one small measure of justice.”

O.D. Heck first received national attention after 13-year old Jonathan Carey was asphyxiated and killed by another caregiver at O.D. Heck. K.C.’s abuse was first publicly disclosed in a *New York Times* [article](#) on June 5, 2011.

For more information, contact:

Ilann M. Maazel
Emery Celli Brinckerhoff & Abady LLP (in New York)
212-763-5000
imaazel@ecbalaw.com