



DEPARTMENT OF THE ATTORNEY GENERAL

News Release

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ARC IN HAWAII WORKERS PLEAD GUILTY TO MISTREATMENT AND ABUSE OF MENTALLY AND DEVELOPMENTALLY DISABLED ADULTS

HONOLULU - Six former employees of the Association of Retarded Citizens (more commonly known as the ARC) in Hawaii were charged earlier this year with the criminal offense of Endangering the Welfare of an Incompetent Person, a misdemeanor, stemming from their mistreatment and abuse of several mentally retarded and developmentally disabled adults. All six workers were trained staff employed by the ARC. In separate incidents occurring in September 2001, Defendant Yvette Poki pled guilty to a single count of Endangering this past June, Defendant David Oclinarina also pled guilty to a single count of Endangering in July and Defendants' Bernadette Pule and Gloria Fuga pled guilty in August to single counts each of Endangering the Welfare of an Incompetent Person. The offenses occurred at the ARC in Hawaii residential homes located in Ewa Beach. One of the homes was recently shut down by federal regulators of the Centers for Medicare and Medicaid Services.

Defendants' Lizastarlene Mays-Cargo and Melvin Ho pled guilty this October for the mistreatment of two dependent adults that also occurred in September and October, 2001 at the ARC in Hawaii, Wahiawa Day Care Program. Due to the fact that all of the Defendant's pled guilty prior to trial and that none had prior criminal records, in addition to the fact that none of the dependent adults suffered any injuries or required medical attention, the family court granted them a deferral of their pleas for a period of one year, issued fines and mandated that they seek anger management counseling and treatment. These cases were the result of co-workers promptly reporting the misconduct to ARC in Hawaii administrators who in turn reported these matters to the Adult Protective Services of the Department of Human Services, State of Hawaii.

These mentally challenged dependent adults are a small but growing population who are just as vulnerable as the elderly dependent adult. Anyone who abuses or neglects these adults should be held just as responsible as anyone who does the same to the elderly dependent adult population. By law, persons who are employed by adult residential care homes, adult day care centers or similar institutions are required to promptly report any abuse or neglect to the Adult Protective Services. Failure to do so could result in criminal sanctions against that person. Anyone witnessing any abuse or neglect should promptly report the matters to the Adult Protective Service or the local police.

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