



**Commission of
Correction**

**Final Report of the
New York State Commission of Correction:**

In the Matter of the Death of

**Charles Braun (16B0833),
an incarcerated individual of the
Mohawk Correctional Facility**

December 21, 2021

**To: Honorable Anthony Annucci
Acting Commissioner
NYS Department of Corrections
And Community Supervision
The Harriman State Campus
1220 Washington Avenue
Albany, New York 12226**

Allen Riley
Chairman

Thomas J. Loughren
Commissioner

Yolanda Canty
Commissioner

GREETINGS:

WHEREAS, the Medical Review Board has reported to the NYS Commission of Correction pursuant to Correction Law, section 47(1)(d), regarding the death of Charles Braun who died on July 17, 2018, while an incarcerated individual in the custody of the NYS Department of Corrections and Community Supervision at the Mohawk Correctional Facility, the Commission has determined that the following final report be issued.

FINDINGS:

1. Charles Braun was a 69-year-old male who died on 7/17/18 while in the custody of New York State Department of Corrections and Community Supervision (NYS DOCCS) at Mohawk Correctional Facility (CF) in the Regional Medical Unit (RMU) due to complications of blunt force head injuries that occurred from a self-injury incident on 6/24/18 while at the Green Haven CF. The Medical Review Board opines that as Braun's terminal injuries were self-inflicted that his manner of death should be ruled as a suicide (delayed).
2. Braun was born in Buffalo, NY. Braun was survived by two children and two siblings. Braun served in the United States Army in 1967 and served in Vietnam until 1970. Braun reported being honorably discharged from the military and was awarded a Purple Heart. Braun did have a history of being employed at General Motors for nearly 20 years.

3.

[REDACTED]

4.

[REDACTED]

[REDACTED]

5.

[REDACTED]

In the instant offense on 3/13/15 in Livingston City, NY, Braun violated an order of protection, intentionally by placing the victim in a car and displayed a firearm. Braun forced the victim to drive to a restaurant, switch vehicles, and then drive to Braun's residence. Braun was also arrested on 3/24/15 for Rape 1st Degree related to the instant offense.

6.

Braun was admitted to the Livingston County Jail after the arrest from the instant offense.

[REDACTED]

7.

Braun was admitted to NYS DOCCS at the Wende CF reception on 3/21/16. Braun was transferred to Elmira CF on 3/24/16. Braun spent time in Attica CF, Collins CF, Five Points CF, Clinton CF, and Green Haven CF, before being transferred to Walsh [REDACTED] This is where Braun remained until the terminal event.

8.

During Braun's incarceration, Braun accrued one Tier 3 infraction on 5/3/16 while in the Attica CF for Loss/Damaged Property, Creating a Disturbance, and Arson. Braun was sanctioned to 90 days in the Special Housing Unit (SHU), no phone, no packages, and no commissary. During the 90-day sanction, Braun was transferred from the Attica CF SHU to the Collins CF SHU 200 on 6/14/16. Braun was transferred from the Collins CF SHU 200 to the Five points CF on 8/2/16.

9.

On 12/2/16, Braun was transferred from the Five Points CF to the Clinton CF. Documentation from DOCCS records indicated that the transfer was for separation from other incarcerated individuals.

10.

[REDACTED]

[REDACTED]. This issue was identified by OMH's Risk Management review and addressed with a review with clinical staff of Policy # 9.16.

11.

[REDACTED]

12.

[REDACTED]

13.

[REDACTED]

14.

[REDACTED]

15.

[REDACTED]

16.

[REDACTED]

17.

[REDACTED]

18.

[REDACTED]

19.

[REDACTED]

20.

[REDACTED]

21.

[REDACTED]

22.

[REDACTED]

23.

[REDACTED]

24.

[REDACTED]

25.

[REDACTED]

26.

[REDACTED]

27.

[REDACTED]

28.

[REDACTED]. This issue was identified by OMP's review from Risk Management and addressed with a

review with clinical staff of Policy # 9.30.

29.

[REDACTED]

30.

[REDACTED]

31.

[REDACTED]

32.

[REDACTED]

33.

[REDACTED]

34.

[REDACTED]

35.

[REDACTED]

36.

[REDACTED]

37.

[REDACTED]

38.

[REDACTED]

39.

[REDACTED]

40.

[REDACTED]

41.

[REDACTED]

42.

[REDACTED]

43.

[REDACTED]

DOCCS Office of Special Investigations (OSI) reported that the printout of the [REDACTED] security recording device report indicated that rounds were made on the unit every 15 minutes as directed. The facility log for the [REDACTED] unit also indicated the same. The two officers that were on duty in the [REDACTED] at the time of the incident were Officer D.W. and Officer C.I. Both Officers were interviewed by the Office of Special Investigations (OSI). Neither officer observed Braun cause the injuries to Braun's self on the night of the incident but both offices confirmed hearing a "thud" noise come from Braun's cell just prior to observing Braun on the cell floor. Both officers denied entering the cell and causing the injuries to Braun on that night. A review of Braun's records by Commission staff however revealed that the Green Haven CF's administration did not report this as an Unusual Incident (UI) as per Directive 4040, Unusual Incident Report.

44.

[REDACTED]

45.

[REDACTED]

46.

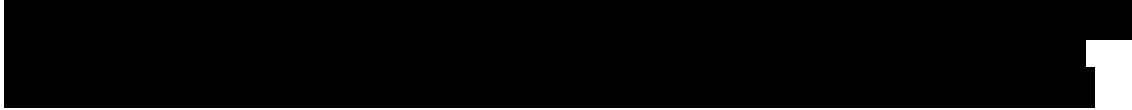
[REDACTED]

47.

[REDACTED]

48.

[REDACTED]



ACTIONS REQUIRED:

TO THE ACTING COMMISSIONER OF THE NYS DEPARTMENT OF CORRECTION AND COMMUNITY SUPERVISION:

The Commissioner shall conduct an inquiry with administrative staff at Green Haven CF as to why Braun's self-injury on 6/24/18 was not reported as an Unusual Incident.

In a response to the Commission's preliminary report dated 11/9/21, DOCCS Deputy Commissioner of Health Services indicated that a review was conducted and an Unusual Incident report was entered retroactively for this event.

WITNESS, HONORABLE THOMAS J. LOUGHREN, Commissioner, NYS Commission of Correction, Alfred E. Smith State Office Building, 80 South Swan Street, 12th Floor, in the City of Albany, New York 12210 on this 21st day of December, 2021.

Thomas J. Loughren
Commissioner & Chair
Medical Review Board

TJL:ET:jdb
2017-M-0128
December 2021

- cc: Dr. John Morley, Deputy Commissioner Chief Medical Officer
Bryan Hilton, Assistant Commissioner for Mental Health
Acting Superintendent Alfred Montegari, Mohawk CF
Dr. Li-Wen Lee, Associate Commissioner
Division of Forensic Services, NYS Office of Mental Health
Danielle Dill, Executive Director, CNYPC
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