



**Commission of  
Correction**

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

**In the Matter of the Death of**

**Gilbert Judge (08A2186),  
an incarcerated individual of the  
Great Meadow 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 Gilbert Judge who died on January 24, 2020, while an incarcerated individual in the custody of the NYS Department of Corrections and Community Supervision at the Great Meadow Correctional Facility, the Commission has determined that the following final report be issued.

FINDINGS:

1. Gilbert Judge was a 51-year-old male who died on 1/24/20 from a suicidal hanging while in the custody of the New York State Department of Corrections and Community Supervision (NYS DOCCS) at the Great Meadow Correctional Facility (CF). Judge had an extensive mental health history with previous suicidal gestures but exhibited no immediate suicidal thought or ideation prior to the terminal event. The Medical Review Board has found that there was a lack of consideration of forensic hospitalization for patient that had multiple crisis admissions.

2.

[REDACTED]

In the instant offense, in July 2017, in Middletown, New York outside of Judge's mother's home, Judge became involved in a verbal altercation with a man and a wife during which the altercation escalated, resulting in Judge stabbing the man. The man died three days later from the wounds. As the wife fled the scene, Judge pursued and swung a knife missing the wife. Thereafter, Judge entered the mother's home and became involved in a verbal exchange with the mother after which Judge ejected the mother from the residence. At the time, three children aged eight, seven, and six years old were upstairs in the residence in bed. As they attempted to exit the home, Judge stood in the doorway and continued to argue loudly with the mother. Police were called to the scene and were eventually able to talk Judge, who initially resisted them while holding the knife, into surrendering. Judge rationalized the behavior by claiming that during the argument, the male victim hit Judge in the head with a bat believing Judge was a member of the Latin King's gang who was going to rob the home. Judge stabbed the man to protect the children within.

3.

[REDACTED]

4. In April 2008, Judge was received at the Downstate CF. In July 2008, Judge transferred to the Wende CF [REDACTED]. In 2011, Judge was transferred to the Wende [REDACTED].

[REDACTED]

5. Judge had a difficult adjustment to incarceration and had incurred multiple Tier 2 and Tier 3 infractions.

6. In 2012, Judge was transferred to the Sullivan CF [REDACTED]  
[REDACTED]

7. [REDACTED]

8. [REDACTED]

9. [REDACTED]

10. [REDACTED]

11. [REDACTED]

12. [REDACTED]

13. On 3/22/18, Judge was transferred to Clinton [REDACTED]  
[REDACTED]

14. [REDACTED]

15. On 6/7/18, Judge was admitted to [REDACTED] Clinton CF [REDACTED]  
[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]

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]

[REDACTED]. This was a violation of the Central New York Psychiatric Corrections Based Operation Manual Policy #4.0 RCTP Observation Cells. 3.B.5. Length of Stay Greater than Seven Calendar Days, which states that *an automated CNet-CBO email referral notification will be sent to the Unit Chief, the patient's treating psychiatrist/nurse practitioner and CNYPC executive team members when an inmate-patient remains in an RCTP Observation Cell in excess of seven calendar days, even if they no longer require RCTP care but are awaiting DOCCS transfer. The e-mail notification always takes place on the eighth day of an inmate-patient's stay in an RCTP Observation Cell.* Additionally, the Medical Review Board opines that Judge, a patient who had seven crisis admissions over six-month period with continual complaints of auditory hallucinations and command hallucinations for self-

harm, should have been referred for forensic hospitalization.

42. [REDACTED]

43. [REDACTED]

44. [REDACTED]

45. [REDACTED]

46. [REDACTED]

47. [REDACTED]

48. [REDACTED]

49. [REDACTED]

50. [REDACTED]

51. [REDACTED]

52. [REDACTED]

53.

[REDACTED]

54.

[REDACTED]

55.

[REDACTED]

56.

[REDACTED]

57.

[REDACTED]

58.

[REDACTED]

59.

On 9/10/19, Judge was transferred to the Great Meadow [REDACTED]

60.

[REDACTED]

61.

[REDACTED]

62.

[REDACTED]

63.

[REDACTED]

64.

[REDACTED]



65. [REDACTED]
66. [REDACTED]
67. [REDACTED]
68. [REDACTED]
69. On 1/24/20 at 9:00 p.m., Judge was seen on security rounds. Rounds were conducted and no abnormalities noted on unit or in the count. At 9:26 p.m., Judge was found in cell D-8-31 by CO W.R. suspended by a state issued sheet while on security rounds. One end of the sheet was tied around Judge's neck and the other end was tied to the cell bars. Judge's feet were barely touching the floor and Judge's back was on the front of the cell bars. CO J.P. responded and retrieved the cut down tool. CO J.P. and CO C.G. utilized the cut down tool while CO L.R. and CO W.R. supported Judge. CO S.S. applied the AED with no shock and CO R. began compressions. At 9:28 p.m., Sgt S.C. and RN [REDACTED] responded to the scene. [REDACTED] . At 9:50 p.m., Fort Ann EMS arrived on the scene. [REDACTED]
70. Per the report prepared by the New York State Office of Special Investigations, RN [REDACTED] failed to take charge and direct security personnel during a medical emergency response of an unresponsive patient. RN [REDACTED] failed to complete the probationary period and was terminated from service on 4/10/20.

ACTIONS REQUIRED:

TO THE DEPUTY COMMISSIONER OF THE NYS DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION, DIVISION OF HEALTH SERVICES:

The Deputy Commissioner shall convene a quality assurance review with the Medical providers at the Great Meadow CF regarding the proper method for filling in the 3278TR form.

*In a response to the Commission's preliminary report dated 10/21/21, DOCCS Deputy Commissioner of Health Services indicated that the requested review was completed with corrective action taken.*

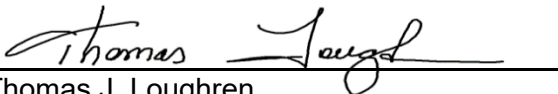
TO THE NYS OFFICE OF MENTAL HEALTH DIVISION OF FORENSIC SERVICES:

1. The Division shall review the Central New York Psychiatric Corrections Based Operation Manual Policy #4.0 RCTP Observation Cells with the Forensic providers at the Clinton CF regarding extended admissions to RCTP.
2. The Division shall conduct a quality assurance review regarding Judge's psychiatric care and why psychiatric hospitalization was not considered for a patient who had multiple crisis admissions for acts of self-harm and continued endorsement of command hallucinations.

A copy of the reviews and findings shall be provided to the Medical Review Board upon completion.

*In a response to the Commission's preliminary report dated 10/25/21, Office of Mental Health indicated that the requested reviews were completed.*

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



Thomas J. Loughren  
Commissioner & Chair  
Medical Review Board

TJL:DC:jdb  
2020-M-0009  
December 2021

cc: Dr. John Morley, Chief Medical Officer  
Bryan Hilton, Assistant Commissioner for Mental Health  
Acting Superintendent Joseph Corey, Great Meadow CF  
Dr. Li-Wen Lee, Associate Commissioner  
Division of Forensic Services, NYS Office of Mental Health  
Danielle Dill, Executive Director, CNYPC  
William Vertoske, Deputy Director of CBO, CNYPC  
Meaghan Bernstein, Director of CBO Risk Management, CNYPC