



**Commission of  
Correction**

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

**In the Matter of the Special Investigation into the Care and Treatment  
Provided to**

**Angela Peng,  
an incarcerated individual of the  
Onondaga Justice Center**

**September 27, 2022**

**To: Sheriff  
County Sheriff's Office  
Address  
New York**

**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)(e), regarding the care and treatment provided to Angela Peng which occurred while an incarcerated individual in the custody of the Onondaga County Sheriff at the Onondaga County Justice Center, the Commission has determined that the following final report be issued.

FINDINGS:

1. Angela Peng was a 27-year-old female who died on 9/06/2021, due to a suicidal hanging with acute fentanyl intoxication and while in the custody of the Onondaga County Sheriff at the Onondaga County Justice Center. The Medical Review Board has found that there were deficiencies and failures to respond by Naphcare medical staff during Peng's incarceration.

2. Peng was born in New York. Peng was survived by her parents and brother. Peng finished the 10th grade. She was single and unemployed. There was no further information available to the Commission regarding Peng's demographic or social history.

3. [REDACTED]

4. [REDACTED]

5. [REDACTED]. On 8/26/21 at 6:39 pm, Peng was arrested by the New York

State Police in North Syracuse for Petit Larceny and Criminal Trespass 3<sup>rd</sup> Degree. The charges were abated by her death.

6. On 9/1/21, at 12:15 p.m., Peng was admitted to the Onondaga County Justice Center by Sergeant (Sgt.) R.S. for violation of probation from Onondaga County Probation Department. Sgt. R.S. performed a pat searched on Peng to check for any contraband, and no contraband was detected on Peng. Sgt. R.S. then took Peng to change out of her street clothing into the facility clothing and a strip search was completed with no contraband visualized. Peng scored a zero on the Suicide Prevention Screening Guidelines and Peng answered “no” to having any mental health treatment, thoughts of killing herself, or having a history of alcohol or drug abuse. Peng was placed on general supervision that requires 30-minute checks. During an interview with Commission staff, Sgt. R.S. reported that the facility received a body scanner in February 2022, that is located in booking and is utilized on new incarcerated individuals during the booking process, if it is not contraindicated. The body scanner will show outlines of any potential contraband that may be introduced into the facility.
7. On 9/1/21 at 1:22 p.m., Peng made a phone call to her boyfriend [REDACTED]. A review of the audio recording by Commission staff revealed that conversation included topics of Peng’s upcoming court date, [REDACTED], and future living arrangements. Peng appeared to be alert and coherent during the telephone conversation.
8. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]. During an interview with Commission staff, RN [REDACTED]. was asked if mental health clinicians were available in the booking area for intake mental health assessments. RN [REDACTED]. reported, “no not really, they basically just go by what we are going to do”. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]. Statcare is a remote provider consult service located at NaphCare headquarters in Alabama. [REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

9. On 9/1/21 at 5:20 p.m., Peng was escorted from intake to POD 3C cell # 5.

10. [REDACTED]

11. [REDACTED]. After a review of Peng's medical chart, the Medical Review Board finds that there was no evidence that Statcare received/reviewed the Nurse's Queue regarding Peng's systolic blood pressure reading of [REDACTED] as there was no response in the Nurse's Queue for the direction of medical care for the medical staff.

12. [REDACTED]. The Medical Review Board finds that Onondaga County jail's medical department is using multiple systems to document medical information back and forth between NaphCare and Statcare with the potential for Onondaga County jail's medical department to not receive adequate feedback for the direction of care for the incarcerated individuals medical needs. The systems identified are progress notes and the alert system screen records. Additionally, the Medical Review Board questions why and order for IV hydration made at 10:41 p.m. was not completed nearly two hours later when being assessed by RN [REDACTED] at 12:33 a.m. and then not verified by a provider until two hours after that at 2:12 a.m.

13. On 9/2/21 at 8:41 a.m., documentation from the Pod 3C shift log entry summary by

Officer M.C. noted that Peng left POD 3C to appear in court and that Peng returned to POD 3C at 9:55 a.m. Documentation indicated that Peng was to return to court on 9/10/21 at 9:00 a.m. for a pretrial hearing.

14. [REDACTED]
15. [REDACTED]
16. On 9/2/21 at 6:24 p.m., Peng made a phone call to her boyfriend. The conversation included topics of Peng's upcoming court date on 9/10/21, [REDACTED] and visits. The boyfriend asked Peng how she was feeling and Peng replied that she felt fine and that "she hadn't taken any yet and that she was waiting". Peng went on to say that she actually felt worse yesterday. The boyfriend advised Peng "not to do it if she didn't have to, and to wait until she did have to". Peng then asked her boyfriend to come and see her at the jail during visiting hours that evening and to bring her something that would help her relax. The boyfriend voiced to Peng that it had been 32 hours since she had "anything" and that the "stuff" was garbage, and it wasn't going to make them sick. The boyfriend said that he had a "sub" in the car and Peng replied that she had left it there for him. Peng and the boyfriend. discussed how they are both going through [REDACTED] [REDACTED] At the end of the conversation, Peng again asked the boyfriend to visit her tonight and to bring her some "stuff" just in case.
17. A review of the facility records did not indicate that Peng had any visitors during her incarceration.
18. On 9/2/21 at 10:53 p.m. Deputy M.R. reported to Pod # C3 to relieve Deputy's M.V. and J.F. from duty. During an interview with Commission staff, Deputy M.R. reported starting a unit head count after arriving on the Pod. Deputy M.R. reported starting the head count at cell # 1 and as she approached cell # 3 there was a foul smell coming from the area where cells # 3, 4, 5, and 6 were. Deputy M.R. reported that she continued to do the count and when she approached cell # 5, she observed the incarcerated individual laying on the cell floor on her back with her arms out. Deputy M.R. reported not knowing that at time that it was Peng's cell. Deputy M.R. stopped doing the head count and banged on Peng's cell window two or three times without getting any reaction from Peng. Deputy M.R. took the Pod keys off of her belt and she opened Peng's cell door and turned on the light. Deputy M.R. physically shook Peng two or three times to get a physical or verbal response from her and Peng did eventually respond physically and verbally. Peng apologized to Deputy M.R. for defecating on herself. Deputy M.R. reported to Commission staff that the vomit and feces in Peng's cell was horrible and that the feces was on Peng and in the surrounding area where Peng was laying. Deputy M.R. told Deputy M.V. to stay with Peng while she finished the head count and not to leave Peng. Deputy M.R. finished the head count and Deputy M.V. was walking back to Peng's cell. Deputy M.V. reported to Deputy M.R. that Peng was fine 15 minutes prior during rounds. Deputy M.R. called medical and spoke with RN [REDACTED] and reported that



[REDACTED]  
[REDACTED]. The Medical Review Board opines that had the ER known that Peng was detoxing from Fentanyl and methamphetamines, an alternative medication other than Fentanyl may have been ordered for pain management.  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

21. On 9/3/21 at approximately 8:00 a.m., Deputy S.R. was notified by Custody Lieutenant B's. watch summary report, that a white pill was located in cell # 5 when medical staff were evaluating Peng. Deputy S.R. documented removing a small plastic baggie containing the round white tablet stamped B 8 and RP out of temporary evidence locker # 2 at the Justice Center. Deputy S.R. identified the pill as 8 mg Buprenorphine Hydrochloride. The 8 mg Buprenorphine Hydrochloride was entered as evidence and secured in CID evidence locker # 2 at Sheriff Headquarters at 11:15 a.m.

22. On 9/3/21 at 8:00 a.m., Deputy M.V. documented in a supplemental report that Peng was placed on Administrative Segregation due to an incident prior to being sent to the hospital.

23. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]. RN [REDACTED] was asked when Statcare does the review of the discharge paperwork, do any of the NP's conduct any type of telehealth visit with the patient where the provider can talk to the patient, and RN [REDACTED]. reported, "typically, no". The Medical Review Boards finds that Peng should have been seen by mental health and placed on increased supervision per 9 NYCRR §7003.3 (h)(1-3) after her return from the ER due to her history of substance

abuse, being in active withdrawal, and being found in possession of an 8 mg Buprenorphine Hydrochloride in her cell.

24. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]. During Peng's incarceration, Peng was never seen or evaluated onsite by any medical provider but instead had all of her orders completely remotely through the corporate headquarters at NaphCare. A review of staff credentials completed during the Medical Review Board's investigation found that there was no documentation available through NYS Office of the Professions to verify that NP J.O. was licensed to practice in New York State (NYS).

25. [REDACTED]  
[REDACTED].

26. [REDACTED].

27. [REDACTED].

28. On 9/3/21 at 3:55 p.m., Deputy C.C. documented in the shift log entry summary that Peng was offered a shower, but she refused.

29. On 9/3/21 at 3:30 p.m., Deputy C.C. documented in the shift log entry summary that Peng was notified of recreation time. Peng did not leave her cell for recreation time.

30. On 9/3/21 at 3:55 p.m., Deputy C.C. documented in the shift log entry summary that Peng was offered a shower but she refused.

31. On 9/3/21 at 5:05 p.m., Deputy C.C. documented in the shift log entry summary that Sgt. J.L. was on the Pod for a visit, tour, and logbook review.

32. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

33. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

34. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].





explain to RN [REDACTED] what an OPA was and RN [REDACTED] told Deputy J.H. that she didn't think that they had those. Deputy J.H. exited cell # 5 and went to the medical cart right outside of cell # 5 and was able to retrieve an OPA. Deputy J.H. inserted the OPA with a good chest rise for Peng. Deputy reported that an oxygen tank was wheeled into cell # 5 and that it did not have a key with it to turn it on. Eventually a key arrived and Deputy J.H. was able to deliver 25 liters of oxygen to Peng via the BVM.

39. During an interview with Commission staff, Deputy J.C. reported that he responded to the code blue call for Pod C3 cell # 5 and observed Deputy A.T. performing CPR on Peng. Deputy J.C. observed that Peng was blue, very pale bluish color with blood coming out from around her mouth and there was a little bit of blood on the floor underneath the toilet. Deputy J.C. reported that Deputy J.H. applied the AED and that it went through about four cycles of no shock advised. Deputy recalled that during the code medical brought the oxygen tank in and it took a long time for them to turn the oxygen on. AMR responded to the scene at 9:27 p.m. and assumed the care of Peng.

[REDACTED]

[REDACTED] The Medical Review Board opines that the NaphCare medical staff was not properly prepared to respond to a medical emergency as evidence by medical staffs failure to render appropriate medical care at the time of the emergency.

40. [REDACTED]

41. On 9/4/21, Lieutenant A.B. contacted Judge S.D. requesting a release from custody for Peng. Judge S.D. agreed to release Peng from custody, and she was released from custody on 9/4/21 at 3:50 p.m.

42. [REDACTED]

ACTIONS REQUIRED:

TO THE ONONDAGA COUNTY JAIL PHYSICIAN AND MEDICAL DIRECTOR FOR NAPHCARE:

1. The Medical Director shall conduct a comprehensive quality assurance review regarding

the following:

- A. Why there was no review by a physician or mid-level provider of Peng's documented elevated blood pressure on 9/2/21.
  - B. Why the order for IV hydration made by Statcare was not completed by nursing staff almost two hours later when reassessed by nursing staff and why a change of orders was not verified until almost two hours later by a medical provider.
  - C. Why the referral to the ER on 9/2/21 was not specific to the reported substances that Peng was withdrawing from.
  - D. Why Peng was not seen by mental health and or placed on increased supervision per 9 NYCRR §7003.3(h) after returning from the ER on 9/2/21 after being found with illicit substances in her possession and going through active withdrawal.
  - E. Why nursing staff was not properly prepared nor equipped to managed Peng's cardiac arrest after her suicide attempt on 9/3/21.
2. The Medical Director shall review why Peng, who was a patient in active withdrawal, found with illicit substances, and prescribed multiple medications was not seen by a medical provider onsite at the Justice Center.
  3. The Medical Director shall review to assure that any providers who are assessing patients and writing orders are properly licensed to practice in NY State.

*In a response dated 8/17/22 to the Commission's preliminary report, Naphcare's Chief Medical Officer indicated that the requested reviews were completed but refuted the Commission's findings that corrective action(s) were necessary in the matter. The Medical Review Board remains affirmed in its opinion that there were serious deficiencies in the standard of care provided to Angela Peng that require corrective action and will be subject to further review by the Commission.*

**TO THE CHAIR OF THE ONONDAGA COUNTY LEGISLATURE:**

As the appointing authority for the delivery of jail incarcerated individual health services pursuant to Correction Law section 501, the County Legislature shall review the above findings and conduct an inquiry into the fitness of the currently designated provider.

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 27<sup>th</sup> day of September 2022



Thomas J. Loughren  
Commissioner & Chair  
Medical Review Board

TJL:BB:jdb  
Special Investigation  
September 2022