



**Commission of  
Correction**

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

**In the Matter of the Death of**

**Tommy Ezquerdo (08B0414),  
an incarcerated individual of the  
Sing Sing Correctional Facility**

**March 22, 2023**

**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 Tommy Ezquerdo who died on August 15, 2020, while an incarcerated individual in the custody of the NYS Department of Corrections and Community Supervision at the Sing Sing Correctional Facility, the Commission has determined that the following preliminary report be issued.

FINDINGS:

1. Tommy Ezquerdo was a 43-year-old male who died on 8/15/20 due to an Acute Fentanyl Overdose while in the custody of the New York State Department of Corrections and Community Supervision (NYS DOCCS) while at the Sing Sing Correctional Facility (CF).
2. This was Ezquerdo's first NYS DOCCS incarceration. In the instant offense in 2006, Ezquerdo, acting in concert with another, caused the death of a female victim by stabbing her numerous times in the head, neck, body and then strangled her. Ezquerdo and his codefendants also stole cash, a tv and a computer from the victim's home. In December 2007, Ezquerdo had been convicted of two counts of Murder 2<sup>nd</sup> Degree and Robbery 1<sup>st</sup> Degree. Ezquerdo was sentenced to 25 years to life.
3. [REDACTED]
4. In February 2008, Ezquerdo was received at the Elmira CF Reception and transferred to Auburn CF. In April 2009, Ezquerdo transferred to Attica CF. In June 2010, Ezquerdo transferred to Green Haven CF. In January 2017, Ezquerdo transferred to Sing Sing CF.
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]
8. [REDACTED]
9. On 8/15/20 at 11:45 a.m., Correction Officer (CO) S.G. released Ezquerdo from his cell along with other incarcerated individuals to the mess hall. At 12:10 p.m., Ezquerdo returned from the mess hall and was observed by CO S.G. locking into his cell. At 1:05 p.m., CO S.G. found Ezquerdo on the toilet slumped over and unresponsive. A medical

emergency was called. Security staff arrived and moved Ezquerdo out onto the gallery. CPR was initiated and the AED was applied. Registered Nurse (RN) [REDACTED] responded at 1:08 p.m. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] EMS arrived at 1:28 p.m.  
[REDACTED]  
[REDACTED].

10. The investigation conducted by the DOCCS Office of Special Investigation found no violations of department directives by department staff. There were no specific findings regarding the source of the contraband drugs. A review of the medical record revealed that the Non-Specific Patient Standing Order form for Narcan was expired on 8/31/18.

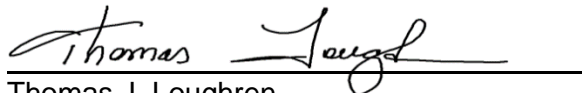
ACTIONS REQUIRED:

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

The Facility Medical Director at Sing Sing Correctional Facility will assure that all expired forms are no longer used at the facility.

*In a response dated 2/16/23 to the Commission's preliminary report, the Deputy Commissioner for Health Services indicated that the requested review was 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 22<sup>nd</sup> day of March, 2023.



Thomas J. Loughren  
Commissioner & Chair  
Medical Review Board

TJL:DC:jdb  
2020-M-0089  
March 2023

cc: Dr. Carol Moores, Deputy Commissioner Chief Medical Officer

Bryan Hilton, Assistant Commissioner for Mental Health  
Superintendent Michael Capra, Sing Sing CF