



**Commission of
Correction**

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

In the Matter of the Death of

**Gaetano Dattore (10A5728),
an incarcerated individual of the
Green Haven Correctional Facility**

September 27, 2022

**To: Honorable Anthony Annucci
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 Gaetano Dattore who died on December 12, 2019, while an incarcerated individual in the custody of the NYS Department of Corrections and Community Supervision at the Green Haven Correctional Facility, the Commission has determined that the following final report be issued.

FINDINGS:

1. Gaetano Dattore was a 53-year-old male who died on 12/12/19 from a suicidal hanging while in the custody of the New York State Department of Corrections and Community Supervision (NYS DOCCS) at the Green Haven Correctional Facility (CF).

2. [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]. In the instant offense, [REDACTED]. On or about 4/12/07, [REDACTED]
[REDACTED], Dattore was found to be in possession of multiple firearms and assorted ammunition. Also found in Dattore's possession was a stolen police radio and one pair of handcuffs. These items were found during a search of Dattore's home following a domestic violence complaint. Dattore was convicted of Criminal Possession Weapon 2nd Degree and 3rd Degree and two counts of Criminal Possession of Stolen Property 3rd Degree. On 7/1/10, Dattore was sentenced to 12 to 14 years in NYS DOCCS.

3. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].
The Medical Review opines that while this did not impact the terminal event or the cause of death, the failure of the medical providers to review and update the medical problems lists to accurately reflect all of the medical conditions being treated should be noted.
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

4. On 12/8/10, Dattore was received at Downstate CF. Dattore transferred to Walsh Regional Medical Unit (RMU) in December 2010. In January 2011, Dattore transferred to Five Points CF. In September 2011, Dattore transferred to Upstate CF. In February 2013, Dattore transferred to Franklin CF. In May 2013, Dattore transferred to Green Haven CF. In January 2015, Dattore transferred to Shawangunk CF. In July 2015,

Dattore transferred to Five Points CF. In November 2015, Dattore transferred to Upstate CF SHU. In January 2016, Dattore transferred to Five Points CF SHU.

5. Dattore had a difficult adjustment to incarceration with over 40 infractions that resulted in multiple keep lock or SHU sanctions.

6. [REDACTED]

7. In June 2017, Dattore was transferred to Upstate CF SHU. In December 2017, Dattore transferred to the Green Haven CF.

8. [REDACTED]

9. On 9/1/18, Dattore was sent to the Green Haven SHU until 1/29/19 for Tier III infractions for Weapon, Violent Conduct, Creating a Disturbance, Assault on Staff, Threats, Direct Order, Interference, and a Movement Violation. [REDACTED]

[REDACTED]

10. [REDACTED]

11. [REDACTED]

12. [REDACTED]

13. [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]
[REDACTED]
[REDACTED].

27. [REDACTED]
[REDACTED].

28. [REDACTED]
[REDACTED]
[REDACTED].

29. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

30. [REDACTED]
[REDACTED]
[REDACTED].

31. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

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

33. [REDACTED]
[REDACTED].

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

35. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. Dattore was placed on Involuntary Protective Custody (IPC) status for 107 days.

36. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. Dattore was admitted to the SHU for Tier III infractions for Violent Conduct, Creating a Disturbance, Direct Order, and Movement Violation that resulted in SHU placement until 4/24/20.

37. [REDACTED]
[REDACTED].

38. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

39. [REDACTED]
[REDACTED]
[REDACTED].

40. [REDACTED]
[REDACTED].

41. [REDACTED]
[REDACTED]
[REDACTED].


42. On 12/12/19 at 3:15 a.m., CO C.D. was conducting a security round in the SHU and upon arrival at SHU 3 company cell 33, the officer noted Dattore sitting on floor of SHU 33 with his back against the bars and facing away from the cell bars. A torn white cloth was wrapped around Dattore's neck and was affixed to the cell bars. A medical response was immediately called. Sgt J.G., CO J.Z., and CO J.D. arrived at 3:20 a.m. and CO J.Z. untied the cloth from the cell bars. The cell was opened and CO J.Z. pulled Dattore from the cell and loosened the cloth from the neck. CO J.D. applied the AED without any shock advised. CO J.Z. began CPR. RN [REDACTED]. arrived [REDACTED]. [REDACTED] EMS was activated by LT. H. [REDACTED]. [REDACTED] EMStar ambulance arrived at 4:07 a.m. Per Sgt. J.C. and RN [REDACTED]'s statements, EMS brought no equipment and had to return to the ambulance to retrieve a monitor and equipment. [REDACTED]
[REDACTED]

ACTIONS REQUIRED:

TO THE ACTING COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS AND
COMMUNITY SUPERVISION:

That this case be closed as a suicide

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 27th day of September, 2022.


Thomas J. Loughren
Commissioner & Chair
Medical Review Board

TJL:DC:jdb
2019-M-0130
September 2022

cc: Dr. Carol Moores, Chief Medical Officer
Bryan Hilton, Assistant Commissioner for Mental Health
Superintendent Mark Miller, Green Haven 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, Advocacy Letter Coordinator, CNYPC