



**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**

**Tabitha Haithcox,
an incarcerated individual of the
Chemung County Jail**

January 25, 2023

**To: Sheriff William A. Schrom
Chemung County Sheriff's Office
203 William Street, P.O. Box 588
Elmira, New York 14902**

Allen Riley
Chairman

Thomas J. Loughren
Commissioner

Yolanda Canty
Commissioner

- [REDACTED]
[REDACTED].
5. Haithcox had no prior criminal history and had never been arrested prior to the instant offense. In the instant offense, on 1/5/2020 at 8:58 p.m., Haithcox was driving in Elmira with her boyfriend, [REDACTED]. Due to heavily tinted windows, Haithcox was pulled over by Elmira Police Department. Haithcox was found to be in possession of a loaded 9mm Luger Hi-Point semiautomatic handgun, a glass pipe, Marijuana, Xanax pills, a canister of pepper spray, 4 grams of crack-cocaine and 6 OxyContin 80 mg pills. The passenger, S.W., was also found to be in the possession of a .40 S&W Hi point loaded firearm. A marijuana cigar, marijuana grinder and extra ammunition were also recovered from the vehicle. Both handguns belonged to members of S.W.'s family and had not been reported as stolen. [REDACTED] was arrested for Criminal Possession of a Weapon 2nd Degree. Haithcox was arrested for Criminal Possession of a Weapon 2nd Degree: Loaded Firearm- Other Than a Person's Home/Business, and Criminal Possession Controlled Substance 5th Degree: Cocaine 500 Milligrams. Elmira Police Department contacted the Burlington, North Carolina Police Department and learned that Haithcox and [REDACTED] were suspects in a shooting incident in Burlington, NC.
 6. On 1/5/20 at 10:00 p.m., Haithcox had a suicide screening performed by Elmira Police Department. Haithcox scored a 4 for answering "YES" to experiencing a significant loss with the last 6 months, [REDACTED] and that it was Haithcox's first incarceration. The Elmira Police Department comments were that Haithcox reported that [REDACTED]. According to the suicide prevention screening guidelines, Haithcox did not score an 8 or more and therefore was not placed on constant watch nor was a supervisor at the Elmira Police Department notified.
 7. On 1/6/20 at 5:03 a.m., Haithcox was admitted into Chemung County Jail by Correctional Officer (CO) M.B. On Haithcox's initial risk assessment, Haithcox reported to CO M.B. that she had [REDACTED]. CO M.B. noted that this was Haithcox's first arrest and incarceration. CO M.B. documented that he notified Registered Nurse (RN) [REDACTED] on 1/6/20 that Haithcox reported having [REDACTED]. CO M.B. made a referral to mental health and notified Sergeant (Sgt.) S.P. CO M.B. documented that Sgt. S.P. would notify mental health staff once they arrived at the facility.
 8. At 6:44 a.m., CO M.B. performed a suicide risk assessment on Haithcox. The arresting and transporting officer from Elmira Police Department reported that there was no information to indicate Haithcox may be a suicide risk. Haithcox scored an 8 on the Chemung County Jail suicide risk assessment. Haithcox had answered "YES" to being worried about her mother and her kids, [REDACTED]. [REDACTED], that it was Haithcox's first incarceration, that she was showing signs of depression by crying during the interview, and that Haithcox was showing signs of mental illness and had reported to CO M.B. that she had [REDACTED]. CO M.B. placed Haithcox on a constant watch until Haithcox could be evaluated and cleared by mental health. Sgt S.P. was aware and

an emergency medical and mental health referral was placed. During an interview with Commission staff, CO M.B. reported that referrals to mental health are made in person if mental health personnel are in the building or by phone.

9. On 1/6/20 at 8:45 p.m., Haithcox had a court appearance.

10. [REDACTED]

11. [REDACTED]. The Medical Review Board opines that given Haithcox's mental health history and known risk factors for suicide a consultation should have occurred with a psychiatric provider prior to removing her from constant supervision.

12. [REDACTED]. [REDACTED] During an interview with Commission staff, PA [REDACTED] indicated that in order to place a mental health referral, he calls the Chemung County Jail nurses and they schedule the mental health visits. PA [REDACTED] also indicated that he reviews the Chemung County Jail booking admissions and their medical histories. A review of Haithcox's records by Commission staff revealed that there were no initials on the documents indicating that PA [REDACTED] had reviewed them. During an interview with Commission staff, PA [REDACTED] was asked approximately how long it takes to complete an incarcerated individual's initial health exam. PA [REDACTED] told Commission staff that the exam times vary. Per the unit CO's shift log entry summary on 1/10/20, Haithcox left for medical to see PA [REDACTED] for her initial exam at 7:21 a.m. and returned to the unit at 7:28 a.m. PA [REDACTED]'s exam on Haithcox lasted approximately 7 minutes minus the time needed

to walk to and from the medical area.

13. [REDACTED]

14. [REDACTED]

15. [REDACTED]

[REDACTED] The Medical Review Board opines that given Haithcox's mental health history, a referral to and evaluation by a psychiatric provider should have occurred within the first week of her incarceration. Additionally, the Board opines that a six to eight week follow up with the psychiatric provider was inadequate to reassess therapeutic response to her newly prescribed psychiatric medications and should have occurred at a minimum within two weeks.

16. On 2/15/20 at 7:28 p.m., Haithcox made a suicidal comment to CO T.W. that she was going to hurt herself. CO T.W. contacted Sgt. W.B. who responded to Post 7 and escorted Haithcox to booking. CO T.H. completed a suicide assessment on Haithcox. Haithcox was crying and upset and told CO T.H. that she was thinking about killing herself. Haithcox scored a 10 on the suicide assessment with 3 answers in the red zone. Due to the "Yes" answer score was over 8, Sgt. W.B. and mental health crisis, LMSW [REDACTED], were contacted. [REDACTED].

17. [REDACTED]

- [REDACTED]
18. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
19. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. The unit shift log entry summary indicated that Haithcox left the unit for medical at 7:14 a.m. and returned to the unit at 7:21 a.m. PA [REDACTED]'s exam on Haithcox lasted approximately 7 minutes.
20. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. It is noted by the Commission that this incident occurred during the height of the COVID-19 pandemic when services were limited due to contact and access restrictions. The Medical Review Board opines that an eight week follow-up for Haithcox with the psychiatric provider was inadequate and needed to occur at closer intervals given the documented acuity of her symptoms.
21. On 4/12/20 at 6:00 a.m., CO R.K. was assigned to work Post 7 on the dayshift. CO R.K. indicated that there were no issues related to running the post. CO R.K made 30-minute rounds on C-Block. During this time, nothing seemed out of the ordinary and Haithcox's behavior was at baseline.
22. At 8:47 a.m., all of the incarcerated individuals on C-Block went out for recreation except Haithcox. CO R.K. asked Haithcox if she was going out for recreation and Haithcox said no. CO R.K. finished getting the rest of the females out to the recreation officers. CO

R.K. was conducting his 9:03 a.m. rounds in C-Block when he observed Haithcox laying on her bunk. Haithcox said “hi” to CO R.K. and he responded “hi” back to Haithcox.

23. At 9:08 a.m., the phone logs showed that Haithcox attempted to call her children without success.

24. At approximately 9:33 a.m., CO R.K. initially observed Haithcox in the common area of the block. Haithcox appeared to be standing on the bars as if she was yelling out the window to the other incarcerated individuals at recreation. As CO R.K. approached, he noticed that Haithcox was facing towards the windows. Haithcox was found hanging on the cell bars of the day space outside of cell 3. During an interview with Commission staff, CO R.K. indicated that Haithcox’s face was blueish purple in color and a sheet was tied around her neck and to the bars. CO R.K. immediately called a medical emergency via the portable radio to C-Block. CO R.K. then ran out of C-Block opening the vestibule door as responding officers arrived. CO R.K ran down the C-Block and lifted Haithcox up to relieve the pressure from Haithcox’s neck. During an interview with Commission staff, CO J.G. reported that Haithcox’s feet were approximately two feet off the ground. CO J.G and CO S.S. assisted CO R.K. in removing the sheet from Haithcox’s neck and lowering Haithcox to the floor to begin lifesaving measures. Medical staff were not on duty at this time due to it being a weekend. Sgt. S.P. responded and when he entered C-Block, she observed CO A.G., CO S.S., and CO R.K placing Haithcox on the day room floor and beginning CPR. During an interview with Commission staff, Sgt. S.P. said that when she first saw Haithcox on the ground, Haithcox was unresponsive and Haithcox’s skin was purple from head to toe. CO M.L. arrived and hooked up the AED to Haithcox which advised no shock. CO M.L. gave respirations with the bag valve mask. Sgt. S.P. contacted the control room and requested Erway Ambulance be sent to the jail. COs R.K., S.S. J.G., and R.B. continued CPR on Haithcox.

25. At 9:38 a.m., Elmira Fire Department arrived and assumed care of Haithcox. Erway Ambulance arrived at 9:43 a.m. [REDACTED]

26. [REDACTED]

27. On 4/13/20 at 3:29 p.m., Haithcox was released from the custody of the Chemung County Sheriff [REDACTED]

28. [REDACTED] ape

- ██████████.
29. Haithcox's cell was searched and a suicide note was recovered. The note indicated that Haithcox thought her kids would be better off without her. Haithcox indicated who she wanted her property to go to and who Haithcox wanted to have custody of her children. Haithcox wrote to tell ██████ that she loved him but that this was too much for her to handle.

ACTIONS REQUIRED:

TO THE CHEMUNG COUNTY JAIL PHYSICIAN:

The Jail Physician shall conduct a quality assurance review to determine if a thorough medical physical exam was completed on Haithcox when she was seen on 1/10/20 and 3/5/20 by PA ██████. Each exam only lasted approximately 7 minutes and the documentation fails to list the time of the exams.

A report of findings and corrective actions taken shall be provided to the Medical Review Board upon completion.

In a response dated 11/18/22 to the Commission's preliminary report, a copy of minutes from a quality assurance meeting conducted by the jail physician were included for the Medical Review Board's review. Although procedures for new admission screenings, assessments, and referrals were reviewed, the issue of the cited medical exam encounters and their documented time frames was not indicated as having been reviewed at the meeting.

TO THE DIRECTOR OF CHEMUNG COUNTY MENTAL HEALTH SERVICES:

The Director shall conduct a comprehensive quality assurance review regarding the following:

1. Why LMSW ██████ released Haithcox from constant watch on 1/7/20 when Haithcox was crying and expressing suicidal thoughts and why there was no consultation with a psychiatric provider prior to such?
2. Why there were no documented follow-ups between mental health staff and Haithcox after NP ██████ documented on 1/28/20 and 3/10/20 that follow-ups were to occur?
3. Why was Haithcox not evaluated by a psychiatric provider until over 20 days into her incarceration despite having a significant mental health history and recent suicidal ideation?
4. Why follow ups with the psychiatric provider were scheduled for inadequate intervals given the acuity of her symptoms and having recurring suicidal ideation?

A report of findings and corrective actions taken shall be provided to the Medical Review Board upon completion.

In a response dated 10/18/22 to the Commission's preliminary report, Family Services of Chemung County Inc. stated "With hindsight, given the tragedy of Haithcox's completed suicide, the frequency and intensity of delivered services was inadequate to address her distress and prevent her death. With hindsight, recommendations would include more available

psychiatric providers hours, immediate referral for psychiatric evaluation and medication management, and revised protocols for required medication management follow-up."

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 25th day of January, 2023.



Thomas J. Loughren
Commissioner & Chair
Medical Review Board

TJL:JW:jdb
Special Investigation
January 2023