



**Commission of
Correction**

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

In the Matter of the Death of

**Samantha Horning (10B0994),
an incarcerated individual of the
Five Points Correctional Facility**

June 28, 2022

**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

9.

[REDACTED]

10.

[REDACTED]

11.

[REDACTED]

12.

[REDACTED]

13.

[REDACTED]

[REDACTED]

14. [REDACTED]

15. [REDACTED]

16. [REDACTED]

17. On 5/21/19, Horning was transferred to Five Points CF due to disciplinary sanctions for contraband weapons and drugs. [REDACTED]

18. [REDACTED]

19. [REDACTED]

20. [REDACTED]

21. [REDACTED]

22. [REDACTED]

23. [REDACTED]

24. [REDACTED]

25. [REDACTED]

[REDACTED]

26.

[REDACTED]

27.

[REDACTED]

28.

[REDACTED]

29.

[REDACTED]

30.

[REDACTED]

31.

[REDACTED]

[REDACTED]

32. [REDACTED]

33. [REDACTED]

34. [REDACTED]

35. [REDACTED]

36. [REDACTED]

37. [REDACTED]

38. [REDACTED]

39. [REDACTED]

40. [REDACTED]

- 41. [REDACTED]
- 42. [REDACTED]
- 43. [REDACTED] months.
- 44. [REDACTED]
- 45. [REDACTED]
- 46. [REDACTED]
- 47. [REDACTED]

- 48. [Redacted]
- 49. [Redacted]
- 50. [Redacted]
- 51. [Redacted]
- 52. [Redacted]
- 53. [Redacted]
- 54. [Redacted]

[REDACTED]

55. [REDACTED]

56. [REDACTED]

57. [REDACTED]

58. [REDACTED]

59. On 1/29/20 at 10:05 a.m., CO G.M. made a round in B Gallery of RMHU. Horning was seen sitting in her cell and asked CO G.M. what time it was.

60. At 10:36 a.m., CO G.M. was conducting rounds on B Gallery in the RMHU and observed Horning's cell window and door covered with a sheet. CO G.M. called Horning's name and banged on the cell door multiple times with no response. CO G.M. made several attempts to get a response from Horning. CO G.M. announced via the block radio that he had a "covered up" and unresponsive incarcerated individual in cell 77-OB-003. Two civilian OMH staff members, LP [REDACTED] and LMSW2 [REDACTED], were seen on video footage also making attempts to get a response from Horning outside her cell with CO G.M. Responding security staff, Sgt. J.C., arrived and attempted to get Horning to respond. Additional responding security staff arrived outside Horning's cell.

61. At 10:42 a.m., Lt. J.F. ordered staff to remove the feed-up chute on the cell door and open the cell door hatch. When the cell door hatch was opened, the sheet covering the cell door fell to the floor. Sgt. J.C. and CO M.G. observed Horning unresponsive and hanging from the ceiling vent in the front of the cell. Horning had tied a ripped state issued bed sheet to the ceiling vent and attached it to tightly rolled up magazines which had resembled a pull-up bar. Horning secured a state sheet to the bar with the other end

tied around the neck. Horning's toes had appeared to be touching the floor. Lt. J.F. ordered the cell door open and Lt. J.F., COs M.G., D.L., and R.M. entered Horning's cell. CO G.M. and CO D.L. lifted Horning's body to release the pressure from the garrote while CO R.M. cut the sheet from Horning's neck with a cut down tool. Sgt. J.C. called for a medical response via the two-way radio. COs M.G. and D.L. carried Horning from the cell down the hallway to the entrance of RMHU B-gallery where they met with medical staff and laid Horning on the floor. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]. Office Assistant 2 (OA2) [REDACTED]. called 911 to dispatch an ambulance to the facility.

62. [REDACTED]
[REDACTED]
[REDACTED].

63. [REDACTED]
[REDACTED]
[REDACTED]

64. [REDACTED]
[REDACTED]
[REDACTED].

65. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

66. [REDACTED]
[REDACTED]
[REDACTED]

67. At 11:20 a.m., Horning's cell was secured. During a search of Horning's cell, no contraband was found. Horning had left a suicide note addressed another incarcerated individual she had been romantically involved with named "Little One". Horning wrote, "Why wanting to be free. I know you are wondering why I have done this. The reason is I wanted to be free. Little One hold your head up and I will always love you. See you on the other side where there is peace and I don't have to go through the everyday sucker shit. Free in Heaven, Samantha loves Little One".

68. Another note was recovered from Horning's cell that was dated 1/28/2020 and read, "To: My Little One. Hope that when you hear what happened you will not be upset with me. You know the time has come to move to the other side. When we both get there, we will be together. Then no one could stop us from loving each other. Keep your head up and I will be looking down on you. Love your little shorty Samantha".

69. [REDACTED]
[REDACTED].

70. [REDACTED]".
71. According to the DOCCS U.I. report, it took 6 minutes from the time Horning was alerted by security to remove the sheet from her cell window until the time CPR started. According to video footage, approximately 12 minutes had passed from the time security staff started banging on Horning's cell with no response until the cell was opened and CPR was started on Horning. In an interview with Commission, Sgt. J.C. reported that he had informed Lt. J.F. that he had enough staff and was going to entered Horning's cell. Lt. J.F. instructed Sgt. J.C. to wait until he got to the scene to open Horning's' cell. Lt J.F. has retired from DOCCS and was not available for an interview with Commission staff.

ACTIONS REQUIRED:


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

The Commissioner shall conduct an investigation into why on 1/29/20 the DOCCS U.I. reported that it took 6 minutes from the time Horning was alerted by security to remove the sheet from her cell window until the time CPR was started as the video footage showed that approximately 12 minutes had passed from the time security staff started banging on Horning's cell with no response until the cell was opened and CPR was started on Horning.

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

In a response dated 4/19/22 to the Commission's preliminary report, DOCCS indicated that there was a delay in the response that was not in comportment with agency directive. Administrative action was taken against the Sergeant and the Lieutenant retired from state service.

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 28th day of June, 2022.


 Thomas J. Loughren
 Commissioner & Chair
 Medical Review Board

TJL:ET:jdb
 2019-M-0025
 June 2022

cc: Dr. Carol Moores, Acting Deputy Commissioner, Chief Medical Officer
Bryan Hilton, Assistant Commissioner for Mental Health
Superintendent Amy LaManna, Five Points 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