



**Commission of  
Correction**

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

**In the Matter of the Death of**

**David Rodrick Jones,  
an incarcerated individual of the  
Tioga County Jail**

**January 25, 2023**

**To: Sheriff Gary W. Howard  
Tioga County Sheriff's Office  
103 Corporate Drive  
Owego, New York 13827**

**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 David Jones who died on April 15, 2022, as a result of circumstances which occurred while an incarcerated individual in the custody of the Tioga County Sheriff at the Tioga County Jail, the Commission has determined that the following final report be issued.

FINDINGS:

1. David Rodrick Jones was a 58-year-old Caucasian, Non-Hispanic male who died on 4/15/22 due to accidental methamphetamine toxicity while in the custody of the Tioga County Sheriff at the Tioga County Jail. The Medical Review Board has found that there was an inadequate medical assessment performed by the jail physician assistant on Jones prior to his terminal event. The Medical Review Board opines that had Jones been properly assessed and sent to a hospital in a timely manner his death may have been preventable.
2. Jones was born in Olean, New York. Jones graduated high school and served in the Marine Corps from 1981 through 1987. Jones lived alone in an apartment. At the time of his death, Jones was unemployed. Jones's last reported employment was in 2018 as an aircraft mechanic. Jones was divorced with one stepdaughter.
3. [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]. In the instant offense, Jones was arrested by the Dryden Police Department at a traffic stop in the early morning hours of 4/15/22 on a warrant for Burglary 3<sup>rd</sup> Degree: Illegal Entry with Intent to Commit a Crime. Jones was arraigned at the Tioga County Courthouse. Jones was released to the New York State Police (NYSP) in Ithaca and then to the NYSP in Candor, where the warrant was issued out of. Trooper V. brought Jones to the Tioga County Jail.
4. On 4/15/22 at 3:45 a.m., CO G.R. admitted Jones to the Tioga County Jail. [REDACTED]  
[REDACTED]  
[REDACTED] [REDACTED]. Jones denied any current charges before the 4/15/22 visit to Tioga County Jail but later in the assessment reported to CO G.R. Jones admitted that he had been previously incarcerated. CO G.R. placed Jones on an active medical watch (15-minute rounds) at 4:30 a.m. [REDACTED]  
[REDACTED]. Jones [REDACTED]  
[REDACTED] CO G.R. indicated on the initial assessment that he notified RN [REDACTED] and LMSW [REDACTED]

5. [REDACTED]

6. [REDACTED]. The Medical Review Board opines that the lethargy and falling asleep were signs of a possible drug withdrawal and warranted the completion of a Clinical Opiate Withdrawal Scale (COWS).

7. During the 7:00 a.m. to 3:00 p.m. shift, Jones was observed by COs J.S. and J.M. to be sleeping or sitting up in his wheelchair. Jones was eating his meals and using the toilet.

8. At 2:58 p.m., shift turnover took place. CO J.S. was the off going dayshift officer and CO Z.W. was the oncoming evening shift officer. From 2:43 p.m. through 4:23 p.m., Jones was laying or sitting on his bunk and using the toilet.

9. At 4:23 p.m., Jones started having some strange behaviors. CO T.P. observed Jones sitting on his bunk with no pants on. Jones also had not grabbed his dinner meal. CO T.P. spoke with Jones and Jones reported to CO T.P. that he was "hot". Jones was instructed to put his pants back on and was handed his meal tray. Jones then stated to CO T.P. that he was sorry and that he was just in pain. From 4:52 p.m. through 6:40 p.m., Jones was observed sitting or lying in his bunk. Jones also ate his dinner meal.

10. At 6:33 p.m., CO Z.W. heard what sounded like Jones heaving. CO Z.W. went over to Jones's cell and spoke with him. Jones told CO Z.W. that he was hot and then pointed to his chest and mumbled something. CO Z.W. offered Jones a medical sick call slip but Jones refused. CO Z.W. then notified his supervisor, Sgt. A.R. Sgt. A.R. called RN [REDACTED] at 6:38 p.m. and asked RN [REDACTED] to go check on Jones because Jones was sweating, pointing to his chest, taking his shirt off and heaving. RN [REDACTED] immediately went to the pod to assess Jones.

11. [REDACTED]

[REDACTED]

[REDACTED]. The Medical Review Board finds that there was a failure by PA [REDACTED] to note Jones's precipitous elevation in blood pressure within an eight hour period which was indicative of a critical medical condition that required a referral to a hospital. The Medical Review Board also finds that the prescribed therapy of [REDACTED] indicated that the PA was suspicious that Jones may be experiencing an acute coronary syndrome, however neither reported to the facility to examine Jones in person nor ordered to have him sent to a hospital for appropriate diagnostic exams. The Medical Review Board opines that had Jones been properly assessed and timely sent to an Emergency Room for evaluation, his death may have been preventable. The Board also opines that, absent any documented review, there appears to be inadequate supervision of the PA by the attending jail physician.

12. At 8:19 p.m., CO Z.W. observed Jones laying on his bunk with his pants around his ankles. CO Z.W. instructed Jones to pull his pants up and Jones complied.

13. At 8:42 p.m. CO Z.W. found Jones on the cell floor unresponsive and called a medical emergency. Sgt. A.R., CO T.P., CO L.K., CO J.M. and RN [REDACTED] responded to cell 520.

[REDACTED]

14. At 8:46 p.m., Town of Owego Fire District arrived and assumed care of Jones. [REDACTED]

[REDACTED]

15. [REDACTED]

ACTIONS REQUIRED:TO THE MEDICAL DIRECTOR OF CBH INC. MEDICAL PROVIDER FOR THE TIOGA COUNTY JAIL:

The Medical Director shall arrange for a peer review of the supervising jail physician and PA R.R. regarding:

1. Why PA [REDACTED] did not send Jones to be evaluated at the Emergency Room when reported that Jones was having possible symptoms of acute coronary syndrome along with acute hypertension ?
2. Why did PA [REDACTED] failed to inquire as to what Jones's previous vital signs were when Jones was admitted to the facility eight hours earlier?
3. Why during Jones's admission process the completion of a Clinical Opiate Withdrawal Scale (COWS) or a Clinical Institute Withdrawal assessment Alcohol Scale Revised (CIWA-AR) was not completed by RN [REDACTED] after noting that Jones was lethargic and fell asleep several times but was easily awakened during the assessment.
4. Whether there is adequate supervision of the physician assistant by the supervising jail physician.

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

*In a response to the Commission's preliminary report dated 11/4/2022, the Medical Director for CBH Medical Inc. indicated that a peer review of PA R.R. was arranged to be conducted by the newly appointed on site jail physician.*

TO THE CHAIR OF THE TIOGA 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 25<sup>th</sup> day of January, 2023.

  
 Thomas J. Loughren  
 Commissioner & Chair  
 Medical Review Board

TJL:JW:jdb  
2022-M-0045  
January 2023