



**Commission of
Correction**

In the Matter of the Death of

**Leroy Cheek,
an incarcerated individual of the
Niagara County Jail**

June 28, 2023

**To: Sheriff Michael Filicetti
Niagara County Sheriff's Office
5526 Niagara Street Ext.
P.O. Box 496
Lockport, New York 14095**

Allen Riley
Chairman

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 Leroy Cheek who died on February 27, 2022, as a result of circumstances which occurred while an incarcerated individual in the custody of the Niagara County Sheriff at the Niagara County Jail, the Commission has determined that the following final report be issued.

FINDINGS:

1. Leroy Cheek was a 36-year-old male who died on 2/27/22 due to a suicidal hanging while in the custody of the Niagara County Sheriff at the Niagara County Jail.
2. On 1/11/22, Cheek reportedly stabbed a 25-year-old male in the neck causing his death. Cheek was charged with Murder 2nd Degree. Cheek appeared in court on 2/1/22 and was remanded to jail pending further court appearances.
3. [REDACTED]
4. On 1/12/22, Cheek was received at the Niagara County Jail. Cheek's initial suicide screen was completed, [REDACTED]
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]

8. [REDACTED]
[REDACTED]
[REDACTED].

9. [REDACTED]
[REDACTED]
[REDACTED].

10. [REDACTED].

11. [REDACTED]
[REDACTED].

12. [REDACTED]
[REDACTED]
[REDACTED].

13. [REDACTED]
[REDACTED]
[REDACTED].

14. [REDACTED]
[REDACTED]
[REDACTED].

15. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

16. On 1/19/22, a letter was written from the Public Defender to the Court requesting an adjournment of his court appearance [REDACTED]
[REDACTED].

17. [REDACTED]
[REDACTED].

18. [REDACTED]
[REDACTED].

19. [REDACTED]

[REDACTED]

20. [REDACTED]

21. [REDACTED]

22. [REDACTED]

23. [REDACTED]

24. [REDACTED]

[REDACTED]. The Medical Review Board opines that since Cheek was presenting with increasing depression and anxiety symptoms, an additional follow-up should have been scheduled with the mental health clinician after the previous encounter on 1/24/22.

25. On 2/21/22 at 10:12 p.m., Cheek received a message via the tablet from his significant other informing him that "Macmillan had died a couple days ago."

26. [REDACTED] ilis.

27. On 2/26/22, Cheek had a J-pay letter from his significant other indicating that his mother had put \$100 on his commissary account for his birthday.

28. [REDACTED].

29. On 2/27/22 at 12:05 a.m., Corrections Officer (CO) D.D. completed a supervisory round and noted that Cheek was hanging by a sheet in his cell. A medical emergency was

called and CO R.K. was requested to bring the cut down tool. Sergeant (Sgt.) R.S. arrived and when Cheek was cut down, Sgt. R.S. immediately began chest compressions. EMS was activated. RN [REDACTED] arrived [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

30. CO C.N. spoke to another incarcerated individual who stated that earlier in the evening Cheek told him that if he heard anything going on in his cell around 12:00 a.m. not to worry about it because it was Cheek's birthday.
31. Cheek left a suicide note that said "happy birthday to me 2/26/86 to 2/26/22". The note indicated that he did not do this because he was in jail, he did this because mental health is real, and he apologized. Cheek went on to discuss his family history and the fact that he never told anyone how bad he felt.

ACTIONS REQUIRED:

That this case be closed as a suicide.

WITNESS, HONORABLE ALLEN RILEY, Chairman, 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, 2023.



Allen Riley
Chairman
Commission of Correction

AR:DC:jdb
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