



**Commission of
Correction**

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

In the Matter of the Death of

**Sean Green (09A4052),
an incarcerated individual of the
Downstate Correctional Facility**

June 28, 2023

**To: Honorable Daniel Martuscello
Acting Commissioner
NYS Department of Corrections
And Community Supervision
The Harriman State Campus
1220 Washington Avenue
Albany, New York 12226**

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 Sean Green who died on October 27, 2020, while an incarcerated individual in the custody of the NYS Department of Corrections and Community Supervision at the Downstate Correctional Facility, the Commission has determined that the following final report be issued.

FINDINGS:

1. Sean Green was a 55-year-old male who died on 10/27/20 due to Acute Fentanyl Intoxication while in the custody of the New York State Department of Corrections and Community Supervision (NYS DOCCS) at Downstate Correctional Facility¹ (CF).
2. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. In the instant offense on 5/9/08, Green shot the victim multiple times in the leg which required surgery to repair the shattered bones in his legs. Green was convicted of Assault 1st Degree and Criminal Possession of Weapon 2nd Degree. Green was sentenced in 2009 to 22 years to Life.
3. [REDACTED]
[REDACTED].
4. In August 2009, Green was received at Downstate CF. Green was transferred to Clinton CF in December 2009. In August 2017, Green was transferred to Auburn CF. Green returned to Downstate CF in November 2017.
5. [REDACTED]
[REDACTED].
6. [REDACTED]
[REDACTED].
7. [REDACTED]
[REDACTED].
8. On 10/27/20 at 7:00 p.m., per Corrections Officer (CO) C.S., Green was seen alive sitting on his bunk. At 7:16 p.m., an unknown incarcerated individual asked CO C.S. to check on Green in 4-A-30S. At 7:19 p.m., Green was found unresponsive in his cell. Green was lying on his left side. A medical response was called. CO C.O. arrived and initiated CPR. The AED was applied without a shock advised. Medical staff Registered Nurse (RN) [REDACTED] and RN [REDACTED] arrived [REDACTED] EM Star EMS arrived at 7:50 p.m.
[REDACTED]
[REDACTED].

9. An investigation conducted by the DOCCS Office of Special Investigations found no violations of department directives by department staff. There were no specific findings regarding the source of the contraband drugs.

ACTIONS REQUIRED:

That this case be closed as an overdose.

¹ DOCCS Downstate CF closed permanently as of March 10, 2022.

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
Allen Riley
Chairman
Commission of Correction

AR:DC :jdb
2020-M-0114
June 2023

cc: Dr. Carol Moores, Deputy Commissioner Chief Medical Officer
Bryan Hilton, Assistant Commissioner for Mental Health