



**Commission of
Correction**

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

In the Matter of the Death of

**James Wilson,
an incarcerated individual of the
Cattaraugus County Jail**

March 22, 2023

**To: Sheriff Timothy S. Whitcomb
Cattaraugus County Sheriff's Office
301 Court Street
Little Valley, New York 14755**

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 James Wilson who died on May 18, 2022 , as a result of circumstances which occurred while an incarcerated individual in the custody of the Cattaraugus County Sheriff at the Cattaraugus County Jail, the Commission has determined that the following preliminary report be issued.

FINDINGS:

1. James Richard Wilson was a 36-year-old white, non-Hispanic male who was admitted to Cattaraugus County Jail on 5/5/22. On 5/7/22, Wilson attempted suicide by hanging in his cell. Wilson secured an elastic cord around his neck with the opposite end to the sprinkler head high on his cell wall. Emergency and life support measures were taken to save Wilson. Wilson was brought to Olean General Hospital for care and was placed in the Intensive Care Unit (ICU) on life support. Wilson died on 5/18/22 when is family withdrew life support.
2. Wilson was born in Buffalo, New York. Wilson obtained his GED and was unemployed. Wilson was married with five sons.
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]. Wilson's last arrest was for the instant offense of Reckless Endangerment 1st Degree that occurred on 7/15/21 Wilson never appeared at court for these charges and a bench warrant was issued for Wilson. He was arrested by Cattaraugus County Sheriff Deputies on 5/5/22.
6. On 5/5/22 at 7:33 p.m., Wilson was admitted to the Cattaraugus County Jail by CO K.W. Wilson was arrested by Cattaraugus County Sheriff Deputies on a bench warrant for the charge of Reckless Endangerment 1st Degree which Wilson was originally arrested for on 7/15/21. [REDACTED]. CO K.W. performed a suicide screening on Wilson, who scored a 2. Wilson answered "YES" [REDACTED]. [REDACTED]. Wilson answered "YES" [REDACTED]. [REDACTED]. During the admission initial risk assessment, Wilson told CO K.W. that his medical conditions included "bad" hips and spine. Wilson denied any history of mental health treatment or suicide attempts. Wilson reported that he was not on any medication. Wilson indicated that he had been incarcerated in 2009 at the Cattaraugus County Jail. CO K.W. did not refer Wilson to medical or mental health services.

7. [REDACTED]

8. At 9:20 p.m., Wilson was sent to C-Pod housing on double lock (D/L) for COVID quarantine and classification purposes.

9. [REDACTED]

10. [REDACTED]

11. At 10:19 a.m., Wilson was escorted by CO D.F. to the Criminal Investigation Bureau and returned to C-Pod at 10:56 a.m. Wilson voiced no complaints to security or nursing staff throughout the day.

12. At 8:55 p.m., Wilson came out of his cell for a shower. Wilson voiced no complaints throughout the evening or overnight.

13. On 5/7/22 at 6:58 a.m., CO N.S. came on duty for the dayshift relieving CO J.W. and CO trainee F.H. from the overnight shift. The last count was completed. The shift-to-shift briefing did not include anything related to Wilson.

14. At 8:32 a.m., per the shift log entry summary, CO N.S. documented that RN [REDACTED] was on the unit talking to Wilson. No details were provided Regarding that conversation.

15. [REDACTED]

16. At 1:46 p.m., Wilson was last observed alive in C-Pod, cell 3 by CO N.S. on rounds.

17. At 2:00 p.m., CO N.S. ordered all Incarcerated Individuals (I.I.'s) to lock in so the double lock (DL) I.I.'s could come out for shower and phone call time. Wilson was a DL as he had just arrived at the jail and was on COVID quarantine and awaiting classification. While the I.I.s in POD C were going to their cells, CO N.S. observed Wilson hanging from the sprinkler head inside cell 3. CO N.S. immediately called for assistance and again ordered all C-Pod I.I.s to lock in their cells. CO N.S. used his radio again to inform responding staff that there was an I.I. hanging and to bring the automated external defibrillator (AED). Once all of the I.I.s were in their cells, all doors were locked except for Wilson's. Responding staff arrived and included COs D.F., S.S., B.G., and Sgt. S.R. Wilson was inside cell 3 to the right of the doorway hanging by an elastic cord with one end secured to his neck and the other to the sprinkler head high on the cell wall. CO B.G. lifted Wilson's body up by his waist and CO D.F. was able to unwrap the elastic cord from the sprinkler freeing Wilson. Wilson was then lowered to the ground by CO D.F. and CO B.G. Wilson was unresponsive. Sgt. S.R. and CO S.S. placed the AED pads on Wilson's chest. The AED advised to start CPR. CO D.F. and CO B.G. rotated doing chest compressions. Sgt. S.R. ordered CO N.S. to have the control room CO call dispatch and get an ambulance in route.

18. At 2:04 p.m., RN [REDACTED] arrived [REDACTED]

19. At 2:07 p.m., Emergency Medical Technicians (EMT) from Randolph EMS and Little Valley Ambulance arrived an assumed care of Wilson. [REDACTED]

20. [REDACTED]

[REDACTED]

ACTIONS REQUIRED:

TO THE CATTARAUGUS COUNTY JAIL PHYSICIAN:

The Jail Physician shall conduct a quality assurance review to ensure that all medical staff are in compliance with 9 NYCRR §7010.2(j) in that all medical documentation including orders and cell side encounters are entered in the Incarcerated Individual's chart.

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

In a response dated 3/7/23 to the Commission's preliminary report, the Cattaraugus County Sheriff indicated that the requested review was completed.

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 22nd day of March, 2023.



Thomas J. Loughren
Commissioner & Chair
Medical Review Board

TJL:JW:jdb
Special Investigation
March 2023