



**Commission of  
Correction**

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

**In the Matter of the Death of**

**David Felder (16B1781),  
an incarcerated individual of the  
Elmira Correctional Facility**

**September 27, 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 David Felder who died on July 22, 2020, while an incarcerated individual in the custody of the NYS Department of Corrections and Community Supervision at the Elmira Correctional Facility, the Commission has determined that the following final report be issued.

FINDINGS:

1. David Felder was a 38-year-old male who died on 7/21/20 due to a suicidal hanging while in the custody of the New York State Department of Corrections and Community Supervision (NYS DOCCS) at the Elmira Correctional Facility (CF).
2. [REDACTED]  
[REDACTED]  
[REDACTED] Regarding the instant offense, in 2018, Felder was seen by police officers making a drug deal. He was found in possession of 30 small wax envelopes containing heroin. Additionally, 436 glassine envelopes containing heroin, marijuana, money, and a .32 caliber revolver were found on Felder. Felder was charged with Criminal Possession of a Controlled Substance in the 3<sup>rd</sup> Degree, and he was sentenced to 8-years of incarceration. Upon incarceration Felder disclosed having an affiliation with a Syracuse street gang named "Fifth Street," reporting it was associated with the 'Bloods.'
3. [REDACTED]  
[REDACTED]  
[REDACTED]
4. [REDACTED]  
[REDACTED]  
[REDACTED]
5. In 2016, Felder was sentenced to his [REDACTED] NYS DOCCS prison term. In June 2016, Felder was admitted into NYS DOCCS at Elmira Reception and subsequently transferred to Clinton CF. On 11/26/19, Felder was transferred from the Upstate CF Special Housing Unit (SHU) to the Elmira CF and was placed in General Population.
6. [REDACTED]  
[REDACTED]  
[REDACTED]
7. [REDACTED]  
[REDACTED]  
[REDACTED]
8. [REDACTED]  
[REDACTED]

- [REDACTED]  
[REDACTED]  
[REDACTED]
9. [REDACTED]  
[REDACTED]  
[REDACTED]
10. [REDACTED]  
[REDACTED]
11. On 7/13/20, Felder received a misbehavior report for creating a disturbance, fighting, and refusing a direct order. [REDACTED]  
[REDACTED] Felder received 30 days of Keeplock time.
12. On 7/14/20, Felder made his last phone call to his girlfriend.
13. [REDACTED]  
[REDACTED]
14. On 7/21/20 at 11:58 p.m., during a security round in keep lock, Correction Officer (CO) M.R. observed Felder hanging by the neck from the cell light fixture in his cell and a medical emergency was called. Sgt C.B., CO N.E., and CO C.K. responded to the medical emergency and entered the cell finding Felder unresponsive. CO C.K. lifted Felder up while CO N.E. used a cut down tool to cut the clothesline. Fleder was lowered to the floor and no vital signs were found. At 12:00 a.m. on 7/22/20, CO C.K. started CPR. At 12:02 a.m., Lt. E.W. called Erway Ambulance. Medical staff RN [REDACTED] arrived at the scene at 12:03 a.m. Officer N.E. [REDACTED]  
[REDACTED] Erway Ambulance arrived at the scene at 12:16 a.m. [REDACTED]  
[REDACTED]  
[REDACTED]
15. The NYS DOCCS Office of Special Investigations conducted a cell search of cell I-3-8 with no contraband discovered. An anniversary card was found in Felder's cell in a sealed envelope with postage. The inside of the card noted an anniversary date of 7/4/15. The card was addressed to [REDACTED] On the wall of the cell, Felder had written "To my queen prince princess broken hearted 317 L.C.L RAD SYR 3-5."

ACTIONS REQUIRED:

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, 12<sup>th</sup> Floor, in the City of Albany, New York 12210 on this 27<sup>th</sup> day of September, 2023.



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Allen Riley  
Chairman  
Commission of Correction

AR:AN:vc  
2020-M-0082  
September 27, 2023

cc: Dr. Carol Moores, Chief Medical Officer  
James Donahue, Associate Commissioner of Mental Health  
Superintendent Christopher Yehl, Wende 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