



**Commission of  
Correction**

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

**In the Matter of the Death of**

**David Snipes (10A2133),  
an incarcerated individual of the  
Clinton 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 Snipes who died on November 3, 2020, while an incarcerated individual in the custody of the NYS Department of Corrections and Community Supervision at the Clinton Correctional Facility, the Commission has determined that the following final report be issued.

FINDINGS:

1. David Snipes was a 52-year-old male who died on 11/3/20 due to a fentanyl overdose while in the custody of the New York State Department of Corrections and Community Supervision (NYS DOCCS) at the Clinton Correctional Facility (CF).
2. [REDACTED]. In 2008, in his instant offense, Snipes invaded the residence of a family. He wore a mask and brandished a gun, 'pistol whipping' a victim and causing them a laceration, bruised eye, and face. Snipes struck another victim with the gun and demanded money and jewelry. He left with \$800 and three pieces of jewelry.
3. In 2010, Snipes was sentenced to his [REDACTED] NYS DOCCS prison term. In May 2010, he was admitted into NYS DOCCS at Downstate CF and subsequently transferred to Attica CF.
4. [REDACTED]
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]
8. In March 2019, Snipes was transferred from Shawangunk to Gouverneur CF Special Housing Unit (SHU).

9. [REDACTED]

10. On 4/30/19, Snipes was transferred from Gouverneur SHU-200 to Clinton CF.

11. [REDACTED]

12. [REDACTED]

13. [REDACTED]

14. [REDACTED]

15. [REDACTED]

16. [REDACTED]

17. [REDACTED]

18. [REDACTED]

19. [REDACTED]

20. [REDACTED]

21. [REDACTED]


- 22. [REDACTED]
- 23. [REDACTED]
- 24. [REDACTED]
- 25. [REDACTED]
- 26. On 11/3/20 at 3:10 p.m., Snipes was observed to be unconscious in his cell by the unit porter. A medical emergency was called by Correction Officer (CO) T.O. RN [REDACTED], RN [REDACTED], and Sgt. [REDACTED]. responded to the scene. Snipes was pulled out by staff and placed on the floor in the front of his cell. [REDACTED]
- 27. [REDACTED]
- 28. The DOCCS Office of Special Investigation's (OSI) report indicated that according to medical documentation, oxygen was not applied to the Bag Valve Mask during resuscitative efforts. The first responding staff failed to bring the AED and First Aid Kit containing Narcan. The AED was not applied until seven minutes after the Medical Emergency was called. In addition, nursing staff failed to document a thorough and complete nursing note regarding the actions taken during the emergency.
- 29. On 1/11/21, Clinton CF implemented a corrective action plan and healthcare staff reviewed multiple directives including: HSP 1.19 Health Appraisal, Updating Problem Lists, Emergency Response Documentation Form 3145, Directors 4059 and 2124 for 3-minute time to apply AED and immediate activation of EMS.

ACTIONS REQUIRED:

TO THE ACTING COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION:

This case be closed as an accidental overdose.

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.



Allen Riley  
Chairman  
Commission of Correction

AR:AN :vc  
2020-M-0116  
September 27,2023

cc: Dr. Carol Moores, Deputy Commissioner Chief Medical Officer  
James Donahue, Associate Commissioner of Mental Health  
Superintendent Donita McIntosh, Clinton CF