



**Commission of
Correction**

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

In the Matter of the Death of

**Stephen Greenway,
an incarcerated individual of the
Niagara County Jail**

December 20, 2023

**To: Sheriff Michael J. 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 Stephen Greenway who died on January 22, 2023 , 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. Stephen Greenway was a 35-year-old male who died on 1/22/23 from an acute mixed drug intoxication including Fentanyl, Methamphetamine, and an unknown Fentanyl analog after being found unresponsive in his cell on 1/20/23 while in the custody of the Niagara County Sheriff at the Niagara County Jail (CJ).
2. [REDACTED]
3. [REDACTED]
4. On 1/18/23 at 8:45 p.m., Greenway was arrested by the New York State Police on a bench warrant. At 10:22 p.m., Greenway was booked into the Niagara CJ. Greenway was scheduled to appear in Pendleton Town Court on 1/23/23 for the charges of Arson 3rd Degree and Burglary 3rd Degree and was scheduled to appear in Lockport Town Court on 2/7/23 for Petit Larceny charges.
5. On 1/18/23 at 11:25 p.m., Greenway's suicide prevention screening was completed by Corrections Officer (CO) M. Greenway scored a '1' for answering in the affirmative to the question "detainee has a history of drug or alcohol abuse" where Greenway admitted to [REDACTED]. At 11:33 p.m., CO M. completed a jail mental health screen for Greenway. Greenway answered 'yes' to the question "have you ever been hospitalized for emotional or mental health problems?" Greenway's score was a '0'

and he was referred to mental health. [REDACTED]
[REDACTED]

6. On 1/19/23 at approximately 3:45 p.m., Greenway was assigned to be housed in general classification and was to remain quarantined until 1/23/23.
7. On 1/19/23 at 7:45 p.m., as documented in the Officer Activity Log for the KL housing unit, Greenway was logged in as a new incarcerated individual (II). At 7:59 p.m., as documented in the Officer Activity Log for 3rd Center, Greenway was housed on the L Block housing unit in cell 8.
8. As per CO M.W. incident report, on 1/20/23 at 4:45 a.m., he observed Greenway asleep sitting up on his bunk with his back to the cell wall. CO M.W. confirmed that Greenway was breathing as Greenway's chest rose and fell. At 5:45 a.m., CO M.W. observed Greenway leaning on his left side somewhat slumped over in a seated position. Greenway was heard snoring. At 6:00 a.m., CO M.W. observed Greenway was again sitting on his bunk with his back to the cell wall, breathing was verified by visually observing Greenway's chest as it rose and fell. CO M.W. continued rounds until he was relieved at 6:45 a.m. During an interview with Commission staff, CO M.W. stated that it was not uncommon for IIs on these housing units to be sleeping in awkward positions as a lot of them are going through some form of withdrawal. CO M.W. stated that each time he made a supervisory round, Greenway was in a different position but was able to observe Greenway's chest rising and heard him actively snoring. At 6:42 a.m., CO C.B. relieved CO M.W. on the 3rd Center post. CO C.B. made rounds on block KL at 7:12 a.m., 7:40 a.m. and for medication pass. During an interview with Commission staff, CO C.B. stated that nothing stood out about Greenway during her previous supervisory rounds and that he looked okay. CO A.J. opened the block KL post at 7:03 a.m. and documented conducting supervisory rounds at 7:05 a.m., 7:25 a.m., and 7:49 a.m. Block L remained locked in under quarantine.
9. On 1/20/23 at 7:53 a.m., while passing medication with Licensed Practical Nurse (LPN) [REDACTED], CO C.B. observed Greenway slumped over on his bunk. CO C.B. attempted to arouse Greenway, who did not respond. CO A.J. was notified and was also unable to arouse Greenway. During an interview with Commission staff, CO C.B. stated that while trying to arouse Greenway, II C.R., who was housed in the neighboring cell, stated that Greenway was "okay" and that II C.R. indicated that he had just talked to Greenway. CO C.B. stated that LPN [REDACTED] went back to the medication cart to gather supplies for the medical emergency. At 7:58 a.m., a medical emergency was called. Responding officers entered Greenway's cell and conducted the initial assessment and determined that Greenway did not have a pulse and was not breathing. LPN [REDACTED] arrived at Greenway's [REDACTED]
[REDACTED]
[REDACTED] At 8:02 a.m., Registered Nurse (RN) [REDACTED] arrived at Greenway's cell. [REDACTED]
[REDACTED]
[REDACTED] At 8:05 a.m., [REDACTED]
[REDACTED] and emergency medical services (EMS) was activated. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

10. After Greenway was taken off the housing unit, COs S. and D.Z. conducted a search of Greenway's cell. CO D.Z. did find pieces of a plastic bag that appeared to have some remnants of possible drugs inside of it. The evidence was secured in an evidence bag for patrol officers to transport to the lab for further testing. The testing resulted in a positive identification of cocaine, methamphetamine, and fentanyl. A report from Niagara County Sheriff's Office Forensic Laboratory named II C.R. as a suspect regarding the drugs that were discovered in Greenway's cell. II C.R. was charged with Promoting Prison Contraband in relation to the drugs that were discovered in Greenway's cell.

11. [REDACTED]

12. During interviews with Commission staff, COs C.B. and M.W. stated that since the Greenway's death, all officers have been trained and now carry nasal Narcan on their person. CO M.W. also stated that nasal Narcan is also available in kits throughout the facility.

ACTIONS REQUIRED:

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, 12th Floor, in the City of Albany, New York 12210 on this 20^h day of December, 2023.



Allen Riley
Chairman
Commission of Correction

AR:MB:vc
2023-M-0006
December 20, 2023