



**Commission of  
Correction**

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

**In the Matter of the Death of**

**James Parker (DIN 14A1862),  
an incarcerated individual of the  
Attica Correctional Facility**

**December 20, 2023**

**To: Honorable Daniel F. Martuscello, III  
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 James Parker who died on September 28, 2020, while an incarcerated individual in the custody of the NYS Department of Corrections and Community Supervision at the Attica Correctional Facility, the Commission has determined that the following final report be issued.

FINDINGS:

1. James Parker was a 46-year-old male who died on 9/28/20 from a suicidal laceration of the right wrist while in the custody of the New York State Department of Corrections and Community Supervision (NYS DOCCS) at the Attica Correctional Facility (CF). Parker was found unresponsive and exsanguinated from a self-inflicted wound during security rounds by a DOCCS officer conducting rounds.
2. Parker was born in Staten Island, NY. Parker was survived by his wife and three children. Parker had a 10<sup>th</sup> grade education and had a history of being skilled in carpentry and concrete. There was no further demographic or social history available to the Commission for Parker.
3. [REDACTED]
4. In 2014, Parker was admitted to NYS DOCCS. [REDACTED]
5. [REDACTED] In the instant offense, on 12/17/12 in Richmond County, NY, Parker stabbed a man with a knife causing his death. Parker pled guilty to the charge of Manslaughter 1<sup>st</sup> Degree and was sentenced to 14 years and six months in NYS DOCCS.
6. Parker was admitted into NYS DOCCS at Downstate CF on 5/2/14. Parker was transferred to Attica CF on 6/12/14. This is where Parker remained until the terminal event.
7. During Parker's incarceration, Parker received one Tier 2 infraction for drug use. Parker received one Tier 3 infraction for alcohol/intoxication. Parker's sanctions included keeplock, no packages, no commissary, and no phone.
8. [REDACTED]

9. [REDACTED]
10. [REDACTED]
11. On 9/24/20 at 11:00 a.m., Parker was arraigned by the Commonwealth of Pennsylvania, via video, on multiple charges which included 2 counts of Rape Forcible Compulsion, 2 counts of Involuntary Deviate Sexual Intercourse by Compulsion, and Rape of a Child less than 13 years old. Following the arraignment, Parker made a statement referring to killing himself. [REDACTED]  
[REDACTED] Despite multiple requests, no documentation was provided to the Commission for review regarding the outcome of the submitted referral and immediate phone notification to OMH for Parker to be evaluated for his statement of self-harm.
12. On 9/27/20 between 11:10 p.m. and 11: 30 p.m., documentation in the E2-52 Company logbook indicated that a count round was performed on the Company by Correction Officer (CO) D.K.
13. On 9/28/20 at 12:10 a.m., CO D.K. documented in the E2-52 Company logbook that a round was performed on the Company. Per a written statement from CO D.K., during his round on 52 Company at approximately 12:13 a.m., Parker was observed lying on his bed with movement.
14. On 9/28/20 at 1:20 a.m., documentation from the NYS DOCCS Unusual Incident (UI) Report indicated that CO D.K. was performing a unit round on 52 Company and observed Parker in cell # 33 unresponsive laying on the ground of his cell with blood coming from a laceration on his wrist. CO D.K. called a medical emergency response on his personal alarm system radio. CO D.K. and CO R.M. entered the cell and pulled Parker onto the gallery. The area Supervisor and Sergeant (Sgt.) R.W. responded to the scene with CO R.L. and CO J.S. CO R.L. applied the Automated External Defibrillator (AED) to Parker's chest with no shock advised. The officers initiated Cardiopulmonary Resuscitation (CPR) with the use of the Bag Valve Mask (BVM) to aid with respirations. Documentation from the New York State DOCCS Naloxone Quality Improvement Usage Report and Inmate Injury Report indicated that Registered Nurse (RN) [REDACTED] arrived at the scene at 1:25 a.m. [REDACTED]  
[REDACTED]  
[REDACTED] Documentation from the NYS DOCCS Unusual Incident (UI) Report indicated that at 1:35 a.m., it was reported to Lieutenant A.E. that an ambulance was needed. [REDACTED] the arrival of Mercy Flight Emergency Medical Service (EMS) at 2:00 a.m. Mercy Flight EMS assumed the care of Parker [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

ACTIONS REQUIRED:

TO THE OFFICE OF MENTAL HEALTH, DIVISION OF FORENSIC SERVICES:

The division shall conduct a review of records to determine if Parker was assessed for risk of self-harm pursuant to the reported referral made by DOCCS on 9/24/20.

*In a response dated 11/17/23 to the Commission's preliminary report, OMH provided a copy of and admission screening note completed on 9/24/20.*

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 20<sup>h</sup> day of December, 2023.



Allen Riley  
Chairman  
Commission of Correction

AR:BB:vc  
2020-M-0101  
December 20, 2023

cc: Dr. Carol Moores, Chief Medical Officer  
James Donahue, Associate Commissioner of Mental Health  
Superintendent Julie Wolcott, Attica 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