



**Commission of
Correction**

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

In the Matter of the Death of

**Andrew Maybee,
an incarcerated individual of the
Chautauqua County Jail**

March 27, 2024

**To: Sheriff James B. Quattrone
Chautauqua County Sheriff's Office
15 E. Chautauqua Street; P.O. Box 128
Mayville, New York 14757**

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 Andrew Maybee, who died on December 7, 2022, as a result of circumstances which occurred while an incarcerated individual in the custody of the Chautauqua County Sheriff at the Chautauqua County Jail, the Commission has determined that the following final report be issued.

FINDINGS:

1. Andrew Maybee was a 23-year-old male who died on 12/7/22 from a suicidal hanging while in the custody of the Chautauqua County Sheriff at the Chautauqua County Jail (CJ). The Medical Review Board had found that although Maybee was properly followed by psychiatry and mental health, a full medical assessment and physical was not completed within 14 days as required by Minimum Standards. Maybee had an extensive mental health history with a recent discharge from psychiatric hospitalization that was not fully accounted for during his mental health assessments.

2. Maybee's criminal history commenced in June 2021, when he was arrested for the instant offense, Unlawful Fleeing A Police Officer In A Motor Vehicle 3rd Degree, Driving While Intoxicated – 1st Offence and Reckless Driving. On 3/18/22, Maybee plead guilty to Driving While Intoxicated – 1st Offence and Reckless Driving and was referred to the Chautauqua County Treatment Court program for alternative sentencing. In October 2021, Maybee was arraigned for Obstruct Governmental Administration 2nd Degree and Harassment 2nd Degree. This charge was abated by Maybee's death with no further information. Maybee was to return to Chautauqua County Treatment Court in Dunkirk, NY on 12/15/22 for the purpose of compliance.

3. Maybee denied having any chronic medical conditions or any active prescriptions on admission. Maybee provided a history of severe alcohol abuse. Maybee reported that he drank daily. Maybee provided that his last drink was consumed the previous night.

[REDACTED]

[REDACTED]

4. On 11/17/22 at 6:38 p.m., Maybee was booked into the Chautauqua CJ on a sanction from Treatment Court stemming from his Reckless Driving and Driving While Intoxicated conviction. At 6:43 p.m., Maybee's suicide prevention screening was completed by Corrections Officer (CO) P. Maybee scored a 'one' for reporting a history of alcohol abuse. Maybee stated that he last drank the day prior.

5. [REDACTED]

6. [REDACTED]

7. [REDACTED]

8. [REDACTED]

9. [REDACTED]

10. [REDACTED]

[REDACTED]

11.

[REDACTED]

12.

[REDACTED]

13.

[REDACTED]

14.

[REDACTED]

15. [REDACTED]

16. [REDACTED]

[REDACTED] During an interview with Commission staff, [REDACTED]

[REDACTED] Dr. [REDACTED] stated that when individuals are on constant observation, he would hear from the mental health staff if the individual was getting better or worse and then decide what to do regarding the continuation of the observation. [REDACTED]

[REDACTED] Dr. [REDACTED] stated that he would typically request inpatient records but that they would not have aided him in his decision made for Maybee's treatment. A review of the Maybee's chart revealed that there was no documentation that showed a request or that a release of information was made for any of Maybee's past [REDACTED] records. The Medical Review Board opines, had these records been requested and reviewed in a timely manner, Maybee's extensive mental health history including his hospitalizations and suicidal ideations could have been more appropriately assessed.

17. [REDACTED]

18. [REDACTED]

[REDACTED]

19. [REDACTED]

20. A review of Maybee's medical records by Commission staff revealed that Maybee was not seen for his admission medical history and physical assessment within the 14 days of his admission. This is a violation of 9 NYCRR §7010.2(b)(1) which states: *Each prisoner shall be examined by a physician licensed to practice in the State of New York or by a medical personnel legally authorized to perform such examination at the time of admission or as soon as thereafter, but no later than 14 days after admission.* Without having a full medical assessment done within 14 days of admission, Maybee's medical history along with the opportunity to obtain release(s) of information for his psychiatric hospitalizations was not properly completed.

21. [REDACTED]

22. [REDACTED]
During an interview with Commission staff, RN [REDACTED] stated when an Incarcerated Individual (II) is on constant observation they are seen daily by medical staff. RN [REDACTED]
[REDACTED] RN [REDACTED] stated that she usually would call Dr. [REDACTED] and he would give the

order to a nurse to remove or continue the constant observation. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

23. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] The Medical Review Board opines, had these records, documenting Maybee’s extensive mental health history, been able to be requested and reviewed in a timely manner, a more comprehensive assessment of Maybee’s mental health status and needs could have been completed.

24. [REDACTED]

[REDACTED]

25. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

26. On 12/7/22 at 2:03 p.m., Maybee was documented as returning to his assigned cell by CO T.G. CO S.R. assumed control of the housing unit at 2:53 p.m. CO S.R. completed supervisory watch tours at staggered approximate 30-minute increments throughout his shift to the terminal event. At 6:03 p.m., Sergeant C. completed a supervisory round. At 7:38 p.m., CO S.R. documented his last watch tour prior to the terminal event.

27. On 12/7/22 at 7:51 p.m., RN [REDACTED] and CO S.R. were alerted by II’s yelling for an officer. CO S.R. responded and observed Maybee with a facility bed sheet tied around his neck

to his cell shelf and two II's in Maybee's cell attempting to untie Maybee. CO S.R. called a medical emergency. At 7:52 p.m., responding officers entered the housing unit and the scene was cleared for safety by locking in the two other II's that were housed in that housing unit. Maybee was observed laying on the floor of his cell with a facility issued sheet tied around his neck and hanging from his cell shelf. CO L.H. utilized the facility cut down tool to cut the sheet from the shelf. Maybee was moved from his cell to outside the housing block. [REDACTED]

[REDACTED]

[REDACTED] At 8:03 p.m., EMS arrived at the scene and assumed care of Maybee. [REDACTED]

[REDACTED]

- 28. CO S.R. documented post tour in his incident report that Maybee had not exhibited any signs of distress or display any sort of unusual behavior. CO S.R. continued that Maybee received and ate his dinner meal as well as his prescribed medications. During supervisory tours, Maybee had not expressed or displayed any suicidal ideations or behaviors that would have indicated the terminal event.

ACTIONS REQUIRED:

TO THE CHAUTAUQUA COUNTY JAIL PHYSICIAN:

The Jail Physician shall conduct a comprehensive quality assurance review of the care provided to Maybee to include why Maybee was not seen for his admission medical history and physical assessment within the 14 days of his admission.

TO THE DIRECTOR OF CHAUTAUQUA COUNTY MENTAL HEALTH SERVICES:

The Director shall conduct a quality assurance review with mental health staff and providers to assure that when individuals who have known psychiatric histories are presented to them for services, that thorough attempts are made to request available records from community providers and hospitals.

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

On 2/27/2024 the Chautauqua County Sheriff Office provided a comprehensive response to the Commission's preliminary report which included minutes from multiple quality assurance reviews. Continuous quality improvement reviews have been implemented to assure

compliance with admission health assessment requirements and a plan has been developed to assure individuals' community records are requested and reviewed. The Commission will verify the corrective actions taken at subsequent health services evaluations.

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 27th day of March 2024.



Allen Riley
Chairman
Commission of Correction

AR:MB:vc
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