



**Commission of
Correction**

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

In the Matter of the Death of

**Luis Figueroa (08A5928),
an incarcerated individual of the
Elmira Correctional Facility**

June 25, 2024

**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

Elizabeth Gaynes
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 Luis Figueroa, who died on November 2, 2022, 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. Luis Figueroa was a 35-year-old Hispanic male who died on 11/2/22 from an accidental overdose while in the custody of New York State Department of Corrections and Community Supervision (NYS DOCCS) at the Elmira Correctional Facility (CF).

2. [REDACTED] In his instant offense in 2008, Figueroa intentionally caused the death of the victim by shooting him with a .380 caliber handgun, firing five shots at close range in the victim's chest. Figueroa shot two more times when the victim fell to the ground. Figueroa was convicted of Manslaughter in the 1st Degree and received a 20-year sentence.

3. [REDACTED]

4. [REDACTED]

5. Figueroa entered NYS DOCCS in November 2008.

6. [REDACTED]

7. [REDACTED]

8. [REDACTED]

9. [REDACTED]

10. [REDACTED]
11. [REDACTED]
12. [REDACTED]
13. [REDACTED]
14. [REDACTED]
15. [REDACTED]
16. [REDACTED]
17. [REDACTED]
18. [REDACTED]
19. On 12/28/21, Figueroa was placed in the SHU when he was discovered to be in possession of contraband.
20. On 1/12/22, Figueroa was housed in the SHU [REDACTED]

21. [REDACTED]

22. [REDACTED]

23. [REDACTED]

24. In April 2022, Figueroa was transferred from Sing Sing CF to Great Meadow CF.

25. [REDACTED]

26. [REDACTED]

27. [REDACTED]

28. [REDACTED]

29. [REDACTED]

30. [REDACTED]

31. [REDACTED]

32. [REDACTED]

33. [REDACTED]

34. [REDACTED]

35. [REDACTED]

36. [REDACTED]

37. Figueroa was transferred from Great Meadow RRU to Elmira CF on 9/8/22.

38. [REDACTED]

39. [REDACTED]

40. [REDACTED]

41. On 11/2/22 at 8:30 p.m., Correction Officer (CO) K.C observed Figueroa laying on his bed in an awkward position. Figueroa was unresponsive to verbal commands and CO K.C called a medical emergency. COs T.B, R.B and L.K responded to the call and entered the cell at 8:31 p.m. Figueroa was lowered to the ground by the officers and an AED was immediately applied, with no shock advised. As a result, CPR was immediately started and one dose of nasal Narcan was administered. At 8:33 p.m., Sergeant (Sgt.) F. called Erway Ambulance for assistance. At 8:34 p.m., a second dose of nasal Narcan was administered with no desired effect. CO L.K. began utilizing the ambu bag to administer breaths. [REDACTED]. Erway Ambulance arrived at the scene at 8:43 p.m. and assumed care of Figueroa. [REDACTED]

42. [REDACTED]

ACTIONS REQUIRED:

This case be closed as an accidental overdose.

WITNESS, HONORABLE YOLANDA CANTY, Commissioner, 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 25th day of June 2024.



Yolanda Canty
Commissioner
Commission of Correction

YC:AH :vc
2022-M-0123
June 25, 2024

cc: Dr. Carol Moores, Deputy Commissioner Chief Medical Officer
James Donahue, Associate Commissioner of Mental Health
Superintendent Kevin McCarthy, Elmira CF