



**Commission of
Correction**

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

In the Matter of the Death of

**Marcos Nieves,
an incarcerated individual of the
Oneida County Jail**

June 25, 2024

**To: Sheriff Robert M. Maciol
Oneida County Sheriff's Office
6065 Judd Road
Oriskany, New York 13424**

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 Marco Nieves, who died on April 20, 2023, as a result of circumstances which occurred while an incarcerated individual in the custody of the Oneida County Sheriff at the Oneida County Jail, the Commission has determined that the following final report be issued.

FINDINGS:

1. Marco Nieves was a 60-year-old male who died on 4/20/23 due to Gastrointestinal hemorrhage complicating Hepatocellular Carcinoma while in the custody of the Oneida County Sheriff while hospitalized at St. Luke's Hospital.

2. [REDACTED] In the instant offense, on 7/30/22, Nieves was arrested and charged with Criminal Possession of a Weapon 4th Degree and Criminal Contempt 2nd Degree. On 8/30/22, Nieves plead guilty and was sentenced to one year in county jail.

3. [REDACTED]

4. On 8/30/22 at 4:07 p.m., Nieves was booked into the Oneida County Jail (CJ) after being convicted and sentenced for Criminal Possession of a Weapon 4th Degree and Criminal Contempt 2nd Degree. [REDACTED] Nieves's suicide prevention screening and initial risk assessment were completed by Correction Officer (CO) J.T. Nieves scored a 'one'. CO J.T. documented that Nieves provided a history of alcohol abuse and daily [REDACTED] use. CO J.T. documented that medical recommended medical observation and Nieves was housed in the infirmary.

5. [REDACTED]

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. [REDACTED]

20. [REDACTED]

21. [REDACTED]

22. [REDACTED]

23. [REDACTED]

24. On 4/20/23 COs R.G. and H.M. documented in an incident report that they took post at St. Luke's Hospital beginning at 6:45 a.m. CO H.M. documented that hospital nurses checked on Nieves and about two minutes later, CO R.G. observed that Nieves's chest was no longer raising and falling. CO R.G. summoned the hospital nurses who entered the room to assess Nieves. [REDACTED]

ACTIONS REQUIRED:

This case be closed as a natural death.

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:MB:vc
2023-M-0042
June 25, 2024