



**Commission of  
Correction**

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

**In the Matter of the Special Investigation into the Care and Treatment  
Provided to**

**Harmonei Tuttle,  
an incarcerated individual of the  
Chemung County Jail**

**June 25, 2024**

**To: Sheriff William A. Schrom  
Chemung County Sheriff's Office  
203 William Street  
P.O. Box 588  
Elmira, New York 14902-0588**

**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)(e), regarding the care and treatment provided to Harmonei Tuttle, which occurred while an incarcerated individual in the custody of the Chemung County Sheriff at the Chemung County Jail, the Commission has determined that the following final report be issued.

FINDINGS:

1. Harmonei Tuttle was a 21-year-old female who died on 1/28/23 while hospitalized from injuries she received from a suicide hanging attempt that occurred on 1/23/23 while in custody of the Chemung County Sheriff's Office at the Chemung County Jail (CJ). Tuttle had been resuscitated after being found hanging in her jail cell but suffered irreversible anoxic brain damage. The Medical Review Board has found that Tuttle was not properly screened for Medication Assisted Therapy and was not adequately followed for opiate withdrawal management.
2. Tuttle was an unemployed single female with an 11<sup>th</sup> grade education. Tuttle had a boyfriend whom she lived with in Elmira, NY but was in the process of moving back to Schuyler County [REDACTED]. Her mother lived in Schuyler County with her stepfather and two half-sisters and a stepsister. Tuttle's biological father was incarcerated in New York State Department of Corrections and Community Supervision at the time of her death. Tuttle had some employment at restaurants and convenient stores but could not maintain any meaningful employment [REDACTED].
3. [REDACTED]. In the instant offense on 4/30/21, Tuttle was arrested by the Schuyler County Sheriff's Office after a call was made by Tuttle's grandmother who was requesting assistance after Tuttle fled a car she was riding in and was making threats of self-harm. [REDACTED]. Tuttle reportedly got out of the vehicle she was riding in and while walking around, set fire to a portable toilet in a parking area. Tuttle was arrested and then transported by the Schuyler County Sheriff's Office to the Cayuga Medical Center [REDACTED]. Tuttle was eventually charged with Criminal Mischief 3<sup>rd</sup> Degree and Arson 5<sup>th</sup> Degree. She pled guilty and was convicted of Criminal Mischief 3<sup>rd</sup> Degree on 3/24/22 and was sentenced to probation and Drug Court. Tuttle was returned to custody by Schuyler County Court on 1/19/23 for a violation of probation. She was booked into the Schuyler CJ and then sent to Chemung CJ on a Substitute Jail Order as Schuyler CJ had no ability to house and supervise females at that time.
4. [REDACTED].
5. [REDACTED].

[REDACTED]

6.

[REDACTED]

7. On 1/19/23, Tuttle was reincarcerated at the Chemung CJ from Schuyler County Jail. Tuttle was remanded to the Schuyler CJ for a violation of her probation. [REDACTED] Tuttle was screened at the Schuyler CJ prior to being transferred to Chemung CJ. [REDACTED]

8. Tuttle arrived at the Chemung CJ on 1/19/23 at approximately 11:10 p.m. Tuttle was given a risk assessment and suicide prevention screening. Tuttle scored a 'four' for having experienced a recent loss, the death of a cousin, having a friend who committed suicide, [REDACTED]. Tuttle was not screened as being high risk and was not indicated as needing to be placed on increased supervision.

9.

[REDACTED]

[REDACTED]

A review by the Medical Review Board reveals that Tuttle only received one COWS assessment. There were no additional orders for any further assessments. The requirements of 9 NYCRR §7011.5 (a) and (b) Program screening, placement and participation state:

*(a) Without unnecessary delay, but no later than seventy-two (72) hours following a referral, an incarcerated individual shall receive a medical screening to determine if the individual suffers from a substance use disorder for which medication assisted treatment exists.*

*(b) Following the medical screening, an incarcerated individual who is determined to suffer from a substance use disorder for which medication assisted treatment exists shall be offered placement in the medication assisted treatment program. Placement in such program shall not be mandatory. The offer of placement shall be made in writing, and the decision to accept or deny placement shall be verified by the incarcerated individual's signature and witnessed and signed by an appropriate staff member. If, for any reason, the incarcerated individual is not able to verify, or refuses to verify the decision, the same must be recorded in writing on the offer of placement and witnessed and signed by two (2) appropriate staff members.*

Per the standard requirements, Tuttle would have been due to have a medical screening completed by the date of her suicide attempt for placement into the Chemung CJ's MAT program. Although a referral was made to the MAT Program, HOPE, there was no documented indication that she was scheduled for a medical screening to be completed. There was also no documentation by the jail physician that MAT medications were considered to manage Tuttle's withdrawal complaints and symptoms. Given Tuttle's well-established history of heroin use and reported withdrawal, the Medical Review Board opines that additional monitoring should have been ordered along with a consideration of prescribing medication therapy to manage her withdrawal.

10. On 1/21/23 at approximately 10:00 p.m., Tuttle was placed on constant supervision by the sergeant due to making suicidal statements. Tuttle was rescreened using the Suicide Prevention Screening Guidelines and scored a '7' with a high risk indicator that she had made suicidal statements to the housing unit officer. Tuttle remained on constant supervision until evaluated by mental health on 1/23/23.

11.

[REDACTED]

[REDACTED]

[REDACTED]. The Medical Review Board noted per their review, however, that there was no indication if Tuttle's reported increase in withdrawal symptoms was reported or referred to medical.

12. On 1/23/23 at 9:16 a.m., Tuttle was [REDACTED] was rehoused in Post 7 Housing area. Tuttle arrived on Post 7 at 9:22 a.m. and was assigned to cell A-1. Officer J.L. was assigned to supervise Post 7. Officer J.L. reported to Commission staff during an interview that Tuttle was quiet and did not make any requests while housed on Post 7 and mostly just remained laying down in her bunk.
13. Officer D.T. was assigned to work Post 7 for the evening shift from 1:50 p.m. to 10:00 pm on 1/23/23. At 1:56 p.m., Officer D.T. entered A block to conduct a formal count when she observed Tuttle hanging from the front cell bars by a jail issued sheet. Officer D.T. called over her radio for a 10-98 Medical Emergency and then proceeded to the A Block walkway entrance to allow responding officers in.
14. Officer J.L. responded and immediately entered Tuttle's cell, lifted her up and began untying the sheet from around her neck. Once Tuttle was freed, Officer J.L. laid her down on the cell floor. Officer J.L. check for breathing and a pulse but found none. Officer J.L. began CPR compressions while responding Officer N.S. began assisting ventilations with a bag valve mask. An AED was brought down and applied but no shock was advised. Lieutenant W.B. called the Communications Center and requested EMS to be dispatched immediately. CPR was continued and nasal Narcan was also administered.
15. Erway Ambulance was dispatched to respond to the jail at 1:58 p.m. The ambulance arrived at the scene by 2:04 p.m. and was at Tuttle by 2:07 p.m. [REDACTED]
16. [REDACTED] Tuttle was released from Chemung County Sheriff's Office custody on 1/25/23 [REDACTED]

ACTIONS REQUIRED:

TO THE CHEMUNG COUNTY JAIL PHYSICIAN:

1. The Jail Physician shall review current opiate withdrawal protocols and establish that COWS assessments be completed at a minimum, daily on all persons placed on withdrawal protocols.
2. The Jail Physician shall review the procedures for the screening, assessment, and management of persons identified with opioid use disorder to assure they are timely provided access to services and medication in accordance with the requirements of 9 NYCRR §7011.5 (a) and (b).

*In a response 5/13/2024, the Chemung County Sheriff's Office indicated that the requested reviews were completed. The Chemung County Sheriff's Office cited that there was no specific law or regulation regarding the frequency or performance of COWS assessments but has now implemented a policy of conducting them daily on individuals who require such. The Medical Review Board remains opined that COWS assessments are part of the standard of care for individuals experiencing withdrawal and must be performed at established intervals to properly assess treatment efficacy. This will subject to further review and follow up by the Commission at a later scheduled health services evaluation.*

TO THE DIRECTOR OF FAMILY SERVICES OF CHEMUNG COUNTY:

The director shall conduct a quality assurance review with the attending mental clinician regarding:

1. Why Tuttle's recent report of suicidal ideation was not accounted for on her suicide risk screening completed on 1/23/23?
2. Why Tuttle's report of having increased withdrawal symptoms was not referred to medical?

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

*In a response dated 5/13/2024 to the Commission's preliminary report the Director from Family Services of Chemung County indicated that the requested reviews were completed.*

WITNESS, HONORABLE YOLANDA CANTY, Commissioner, 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 25<sup>th</sup> day of June 2024.



Yolanda Canty  
Commissioner  
Commission of Correction

YC:CO:vc  
Special Investigation  
June 25, 2024