



**Commission of
Correction**

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

In the Matter of the Death of

**Gregory Acevedo,
an incarcerated individual of the
Vernon C. Bain Center**

September 25, 2024

**To: Commissioner Lynelle Maginley-Liddie
NYC Department of Correction
75-20 Astoria Blvd., Suite 100
East Elmhurst, NY 11370**

Allen Riley
Chairman

Yolanda Canty
Commissioner

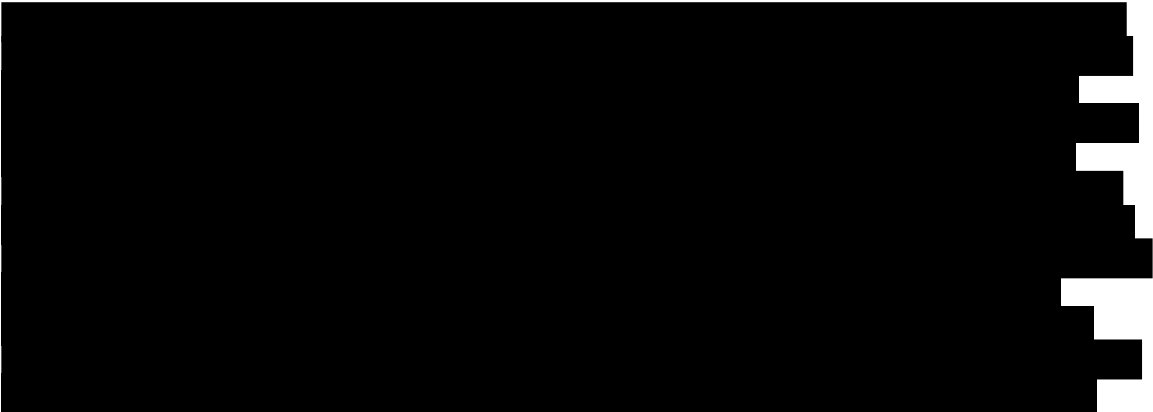
Elizabeth Gaynes
Commissioner

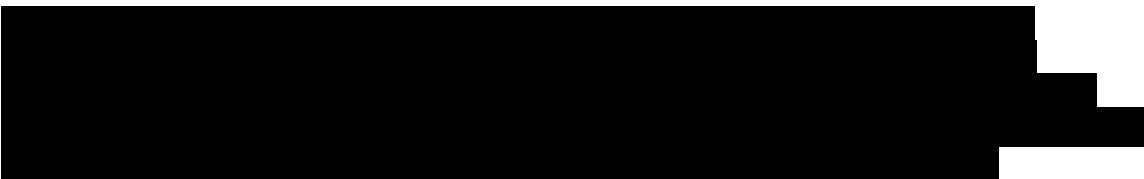
GREETINGS:


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 Gregory Acevedo, who died on September 20, 2022, as result of circumstances which occurred while an incarcerated individual in the custody of the New York City Department of Correction, the Commission has determined that the following final report be issued.

FINDINGS:

1. Gregory Acevedo was a 48-year-old male who died on 9/20/22 from Complications of Drowning that occurred during an escape attempt while in the custody of the New York City Department of Corrections (NYC DOC) at the Vernon C. Bain Center (VCBC)¹, a floating facility that docked in the Hunts Point section of the Bronx in the East River. Acevedo climbed the recreation yard fence at VCBC and jumped into the river, however he was unable to adequately swim and drowned during this attempt.

2. 
In February 2022, Acevedo was arrested and charged with Robbery 1st Degree, Assault 2nd Degree, Criminal Mischief, Criminal Possession of a Weapon 4th Degree, and Possession of Burglar Tools. In June 2022, in the Supreme Court, Acevedo was arraigned on Robbery 1st Degree, Assault 2nd Degree, Criminal Possession of a Weapon 3rd Degree, Assault 3rd Degree, Criminal Mischief, Unauthorized Use of Vehicle, and Criminal Possession Stolen Property 5th Degree. The charges were abated by his death.

3. 

4. On 2/27/22, the Arraignment and Classification Risk Screening Form completed for Acevedo was not completed nor signed by the receiving facility staff or supervisor. 

[REDACTED]

5.

[REDACTED]

6.

[REDACTED]

7.

[REDACTED]

8.

[REDACTED]

9.

[REDACTED]

10. [REDACTED]

11. [REDACTED]

12. [REDACTED]

13. [REDACTED]

14. On 9/20/22 at 11:42 a.m., Acevedo was in the recreation yard at VCBC. Acevedo started to climb the outside fence of the yard. Corrections Officer (CO) W.N. and CO D.C. ordered Acevedo to get off the fence, but Acevedo ignored their orders. CO B.L. and CO J.H. responded with Captain A.V. Chemical agents were deployed toward Acevedo

which took no effect due to Acevedo being too high on the fence. Acevedo then jumped over the fence and ran. Acevedo then jumped off the upper deck of the facility into the water. Acevedo was thrown a life raft but Acevedo refused to accept it. The New York Police Department Harbor Unit 622 was dispatched and responded at 11:55 a.m. Acevedo was rescued by them from the water. Emergency Medical Services (EMS) was activated. Cardiopulmonary Resuscitation (CPR) was initiated on Acevedo by the NYPD Harbor Unit. EMS arrived and assumed care of Acevedo.

[REDACTED]

15.

[REDACTED]

¹ VCBC was closed as of November 2023

ACTIONS REQUIRED:

TO THE COMMISSIONER OF THE NEW YORK CITY DEPARTMENT OF CORRECTION:

The Commissioner shall conduct an investigation as to why Acevedo's Arraignment and Classification Risk Screening form was not completed by the receiving facility staff and supervisor.

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

In a response dated 8/19/24 to the Commission's preliminary report, NYC DOC indicated that the requested review was completed with corrective action taken with staff.

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 September 2024.



Yolanda Canty
Commissioner
Commission of Correction

YC:DC:vc
2022-M-0104
September 25, 2024

cc: Deputy Commissioner of Legal Matters/General Counsel
Deputy Commissioner of Security Operations
Deputy Commissioner of Health Affairs
Director of Compliance
Patricia Yang, DrPH, Senior Vice President
Correctional Health Services
Bipin Subedi, MD, Chief Medical Officer
Correctional Health Services
Executive Director
NYC Board of Correction