



**Commission of
Correction**

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

In the Matter of the Death of

**Edgardo Devictor-Lopez (14B0459),
an incarcerated individual of the
Clinton Correctional Facility**

December 18, 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 Edgardo Devictor-Lopez, who died on June 12, 2021, while an incarcerated individual in the custody of the NYS Department of Corrections and Community Supervision at the Clinton Correctional Facility, the Commission has determined that the following final report be issued.

FINDINGS:

1. Edgardo Devictor-Lopez was a 36-year-old Hispanic male who died on 6/12/21 from an accidental overdose of fentanyl while in the custody of New York State Department of Corrections and Community Supervision (DOCCS) at the Clinton Correctional Facility (CF).

2. [REDACTED]

In the instant offense, Devictor-Lopez entered his ex-girlfriend's home and struck her in the head numerous times and prevented her from leaving the home. He then threatened to harm the victim with a box cutter and threatened to kill her father. He was charged with Burglary 1st Degree, Menacing 1st Degree, and Criminal Possession of a Weapon 3rd Degree and was sentenced to 12 years in state prison with 5 years post release supervision.

3. [REDACTED]

4. [REDACTED]

5. [REDACTED]

6. [REDACTED]

7. [REDACTED]

8. [REDACTED]

9. [REDACTED]

10. [REDACTED]

11. [REDACTED]

12. [REDACTED]

13. [REDACTED]

14. [REDACTED]

15. On 7/21/20, Devictor-Lopez was transferred from Great Meadow CF [REDACTED] to Sullivan CF [REDACTED]

16. [REDACTED]

17. [REDACTED]

18. [REDACTED]

19. [REDACTED]

20. [REDACTED]

21. [REDACTED]

22. [REDACTED]

23. [REDACTED]

24. [REDACTED]

25. [REDACTED]

26. [REDACTED]

27. [REDACTED]

28. [REDACTED]

29. [REDACTED]

30. [REDACTED]

31. [REDACTED]

32. [REDACTED]

33. On 1/5/21, Devictor-Lopez was transferred from Sullivan CF to Great Meadow [REDACTED]

34. [REDACTED]

35. [REDACTED]

36. [REDACTED]

37. [REDACTED]

38. [REDACTED]

39. [REDACTED]

40. [REDACTED]

41. [REDACTED]

42. [REDACTED]

43. [REDACTED]

44. [REDACTED]

45. [REDACTED]

46. [REDACTED]

47. On 5/18/21, Devictor-Lopez transferred from Great Meadow CF to Clinton CF. [REDACTED]

48. [REDACTED]

49. [REDACTED]

50. [REDACTED]

51. [REDACTED]

52. On 6/9/21, Devictor-Lopez was involved in an altercation with another incarcerated individual. [REDACTED]
53. On 6/12/21 at 12:05 a.m., during security rounds, CO J.W. noticed Devictor-Lopez in an awkward position sitting on the toilet in his cell. He was breathing but unresponsive. A medical emergency was called, and the response team entered the cell, placing Devictor-Lopez on a stretcher and beginning Cardiopulmonary Resuscitation (CPR). At 12:07 a.m., the Automated External Defibrillator (AED) was applied but no shock was advised. [REDACTED] The Champlain Valley Physicians Hospital (CVPH) Ambulance arrived at the scene at 12:35 a.m. and assumed care of Devictor-Lopez. [REDACTED]
54. Prior to his transport to the hospital, Devictor-Lopez was frisked by CO C. A green leafy substance wrapped in cellophane was found in the right pocket of his gym shorts.
55. [REDACTED]

ACTIONS REQUIRED:

NYS OFFICE OF MENTAL HEALTH, DIVISION OF FORENSIC SERVICES:

The Division shall conduct a quality assurance review regarding Devictor-Lopez's transfer to Clinton CF and whether proper review of his treatment plan was completed by clinicians per OMH CBO policies.

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

In a response dated 11/12 24 the Division of Forensic Services indicated that the requested review was completed.

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 18th day of December 2024.



Yolanda Canty
Commissioner
Commission of Correction

YC:AH:AL:vc
2021-M-0079
December 18, 2024

cc: Dr. Carol Moores, Chief Medical Officer
James Donahue, Associate Commissioner of Mental Health
Superintendent Mariejosee King, Clinton CF
Dr. Li-Wen Lee, Associate Commissioner
Division of Forensic Services, NYS Office of Mental Health
Danielle Dill, Executive Director, CNYPC
William Vertoske, Deputy Director of CBO, CNYPC
Meaghan Bernstein, Advocacy Letter Coordinator, CNYPC