



**Commission of
Correction**

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

In the Matter of the Death of

**Todd Branham (07A4124),
an incarcerated individual of the
Five Points Correctional Facility**

June 25, 2025

**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

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]

This is a violation of 9 NYCRR §7651.24(c), Dental Services, which states: The department shall establish dental services units accessible to all inmates, each under the direction of a dentist licensed to practice in New York State. (The Commission does note that in 2020, some dental practices were limiting services to emergency procedures only due to the COVID-19 pandemic).

23. [REDACTED]

24. [REDACTED]

25. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] The Medical Review Board
opines that the failure to timely issue an egg crate mattress constitutes a delay in care.

26. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

27. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

28. [REDACTED]
[REDACTED]
[REDACTED]

29. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

30. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

31. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

32. [REDACTED]
[REDACTED]
[REDACTED]

33. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] A review of Branham's
medical chart by the Medical Review Board revealed that there was no documented
abdominal assessment or any further examination by the nurse.

34. [REDACTED]
[REDACTED]
[REDACTED]

35. [REDACTED]

[REDACTED]

36.

[REDACTED]

37.

[REDACTED]

38.

[REDACTED]

39.

[REDACTED]

[REDACTED] The Medical Review Board finds the entry regarding having a medical provider appointment post pandemic entirely vague as such events can last for months.

40.

[REDACTED]

41.

[REDACTED]

[REDACTED]

42. [REDACTED]

[REDACTED] The Medical Review Board finds that there was a failure by health services at Five Points CF to adequately review the records and the patient's history regarding Branham's hearing aids and failed to properly get Branham timely referred to audiology.

43. On 1/26/21, Branham was placed in the Special Housing Unit (SHU) following an infraction for Violent Conduct, Creating a Disturbance, Interference, and Threats.

44. [REDACTED]

45. [REDACTED]

46. [REDACTED]

47. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] This ambulatory health record note had no signature or provider number.

48. [REDACTED]
[REDACTED]

49. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

50. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

51. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] The Medical Review Board opines that with the abdominal pain complaint and elevated blood pressure and pulse rate, Branham should have been referred to a medical provider for follow-up.

52. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

53. On 4/5/21 at 4:45 a.m., Branham was seen alive in his single cell in A-1-16 by Correction Officer (CO) K. and CO N. while they were conducting a round.

54. On 4/5/21 at 6:45 a.m., CO M.W. and CO C.P. were conducting a master count. When CO M.W. and CO C.P. approached A1-16 cell on 8 Block, they found Branham unresponsive. After several attempts to garner a response, CO M.W. called a medical emergency via radio and to have the cell door opened via radio. CO M.W. and CO C.P. entered the cell and CO M.W. found Branham to be pulseless and apneic. CO M.W. noted blood on the floor and on Branham's face and mouth. RN [REDACTED] arrived [REDACTED]

[REDACTED]
[REDACTED] At 6:47 a.m., CO M.W. initiated Cardiopulmonary Resuscitation (CPR) while CO C.P. provided artificial ventilations via an Ambu-bag. CO C.P. administered a dose of nasal Narcan to Branham's right nostril which did not have the

desired effect. At 6:50 a.m., CO C.P. administered a second dose of nasal Narcan to the left nostril which did not have the desired effect. At 6:51 a.m., additional security and medical staff arrived and placed Branham on a backboard and moved him to a gurney.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. At 7:20 a.m. [REDACTED]
[REDACTED] Emergency Medical Services (EMS) South Seneca Ambulance arrived, [REDACTED]
[REDACTED]
[REDACTED]

ACTIONS REQUIRED:

TO THE DEPUTY COMMISSIONER OF THE NYS DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION, DIVISION OF HEALTH SERVICES:

1. The Deputy Commissioner shall conduct a review of the nursing documentation to determine why there is no documentation related to Branham's infectious disease appointment.
2. The Deputy Commissioner shall conduct a review of medical procedures to determine why there was an extended delay in the issuance of an egg crate mattress.
3. The Deputy Commissioner shall conduct a review of medical procedures to determine why Branham's abdominal pain complaint, and elevated blood pressure and pulse rate were not referred to a medical provider for follow-up.

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

In a response dated 5/9/25 to the Commission's preliminary report, the Deputy Commissioner for Health Services indicated that the requested reviews were completed with corrective action training for staff including tracking and follow up of consultant documents, timely delivery of medically necessary equipment, and assessment of abnormal vital signs.

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 2025.



Yolanda Canty
Commissioner
Commission of Correction

YC:AL:vc
2021-M-0048
June 25, 2025

cc: Dr. Carol Moores, Deputy Commissioner Chief Medical Officer
James Donahue, Associate Commissioner of Mental Health
Superintendent Reginald Bishop, Five Points CF