



**Commission of
Correction**

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

In the Matter of the Death of

**Andy Wallcott (00A1646),
an incarcerated individual of the
Fishkill 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

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 Andy Wallcott, who died on January 8, 2022, while an incarcerated individual in the custody of the NYS Department of Corrections and Community Supervision at the Fishkill Correctional Facility, the Commission has determined that the following final report be issued.

FINDINGS:

1. Andy Wallcott was a 58-year-old male who died on 1/8/22 due to complications of COVID-19 while in the custody of the New York State Department of Corrections and Community Supervision (NYS DOCCS) at the Fishkill Correctional Facility (CF). The Medical Review Board has found that there were serious deficiencies in Walcott's medical care at Fishkill CF prior to his hospitalization and terminal event.

2. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] In the instant offense, in 1998, Wallcott shot and seriously injured a male victim during a heated verbal dispute. The male victim died 18 days later as a direct result of his injuries. Wallcott was convicted of Murder 2nd Degree and Criminal Possession of a Weapon 2nd Degree and in February 2000, was sentenced to 20 years to life.

3. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

4. In March 2000, Wallcott was received at Downstate CF. Wallcott had been transferred to Sing Sing CF, Green Haven CF, Sullivan CF, Attica CF, Shawangunk CF, and Midstate CF. In November 2020, Wallcott transferred to Marcy CF. On 2/17/21, Wallcott transferred to Fishkill CF.

5. [REDACTED]
[REDACTED]

6. [REDACTED]
[REDACTED]

7. [REDACTED]
[REDACTED]

[REDACTED]

8.

[REDACTED]

[REDACTED] The Medical Review Board opines that given an elevated blood pressure in a person prescribed two medications for hypertension, blood pressure monitoring was warranted.

9.

[REDACTED]

10.

[REDACTED]

11.

[REDACTED]

12.

[REDACTED]

13.

[REDACTED]

14. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] The Medical Review Board opines that Wallcott should have been ordered a follow-up for his blood pressure and edema.

15. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] The Medical Review Board opines that Wallcott should have been ordered a follow-up earlier than three months for his weight gain, blood pressure and edema.

16. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

17. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
The Medical Review Board opines that the provider failed to provide adequate care for Wallcott's uncontrolled hypertension and associated weight gain and lower extremity edema. There was no evidence to support that the facility's health services director was consulted regarding the uncontrolled hypertension or that a referral to cardiology was considered.

18. [REDACTED]
[REDACTED]

19. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

20.

[REDACTED]

21.

[REDACTED]

22.

[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 convene a quality assurance review of the policy and procedures regarding the deficient level of assessment, monitoring, and follow-up provided to Wallcott for his hypertension which later progressed and was associated with weight gain and edema.
2. The Deputy Commissioner shall review the treatment provided to Wallcott prior to the hospital transfer and assure that the appropriate treatment was given to Wallcott on his arrival to medical with an altered mental state.

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

In a response dated 4/30/25 to the Commission's preliminary report, the Deputy Commissioner for Health Services indicated that the requested reviews were completed, and provider review was completed by the Facility Health Services Director at Fishkill CF.

TO THE MEDICAL DIRECTOR FOR ST. LUKES HOSPITAL:

The Medical Review Board of the Commission of Correction has asked that the hospital conduct a quality assurance review of Mr. Wallcott's care while hospitalized with focus on testing and treatment decisions for a patient with acute critical lung disease.

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:DC:vc
2022-M-0004
June 25, 2025

cc: Dr. Carol Moores, Deputy Commissioner Chief Medical Officer
James Donahue, Associate Commissioner of Mental Health
Superintendent Michael Daye, Fishkill CF