

NEW YORK STATE COMMISSION OF CORRECTION

In the Matter of the Death :
of Steven Morales, an inmate of :
the Robert N. Davoren Center :

FINAL REPORT OF THE
NEW YORK STATE COMMISSION
OF CORRECTION

TO: Commissioner Martin Horn
NYC Department of Correction
33 Beaver Street
New York, New York 10004

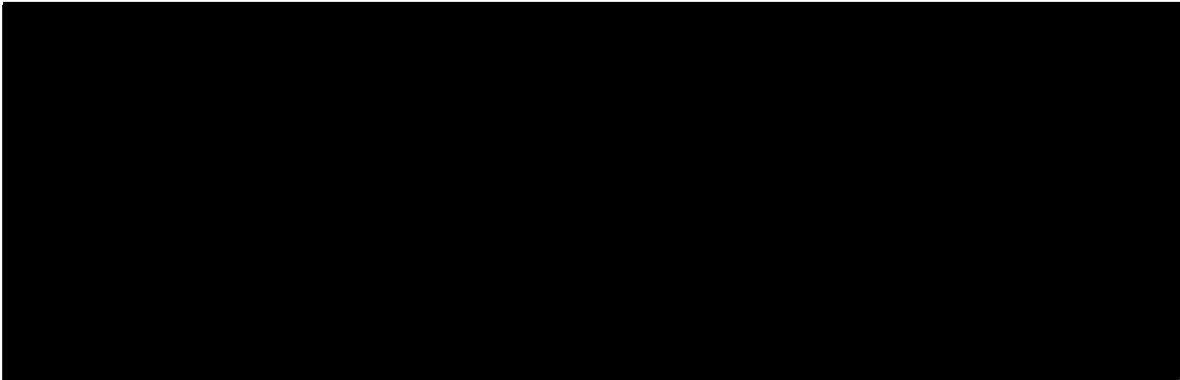
GREETINGS:

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 Steven Morales who died on April 27, 2008 while an inmate in the custody of the NYC Department of Correction at the Robert N. Davoren Center, the Commission has determined that the following final report be issued.

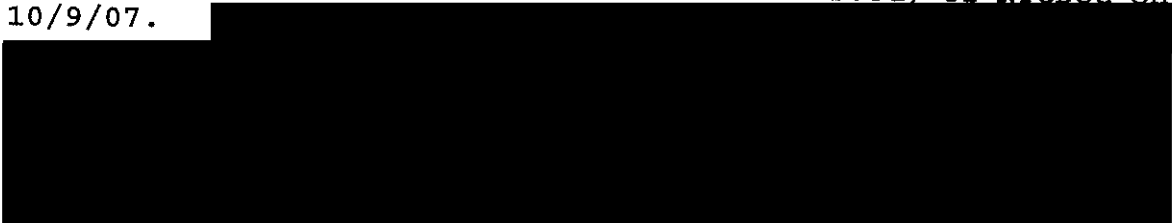
FINDINGS:

1. Steven Morales was a 18 year old Hispanic male who died from suicidal hanging on 4/27/08 while in the custody of the NYC Department of Correction (NYCDOC) at the Robert N. Davoren Center (RNDC) while housed in Close Custody Housing/Protective Custody (CCH/PC).
2. Morales was born 12/25/89 in New York. Morales was placed in foster care when he was in first grade due to physical abuse. During placement, Morales was taken in by two families for short stays. Within a year, Morales was placed with a friend of his father, who also took in two of Morales' half-sisters. Morales also described this as an abusive home. Morales was adopted in 2004 and sent to Florida to stay with the adoptive woman's older daughter. The family subsequently moved from Florida to the Dominican Republic and then to Spain.
3. In Madrid, Morales met the future mother of his child. Although never married, Morales referred to her as his wife. Following a fight with his adoptive mother, the couple lived on the streets, bathing in public showers. Morales was earning 28 euros (approximately \$40.60) a day handing out flyers.
4. Morales daughter was born in June 2007. Morales, his girlfriend and their daughter moved to New York in September 2007. Unemployed and without prospects, they rented a room on Lebanon Street in the Bronx. Morales' girlfriend obtained employment in a New Jersey nightclub and he had applied for health care for their daughter.

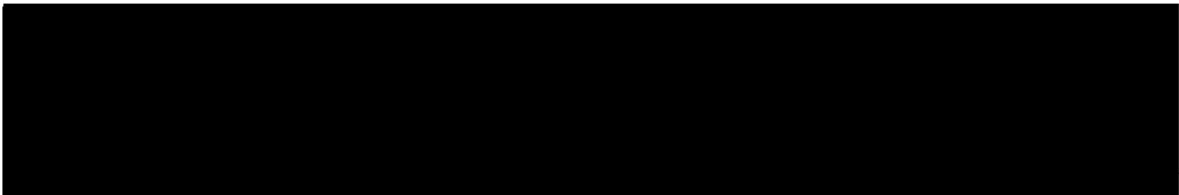
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6. Morales was arrested and remanded to the custody of NYCDOC on 10/9/07.



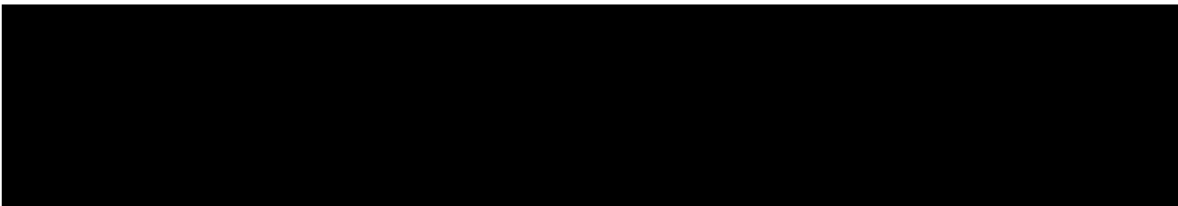
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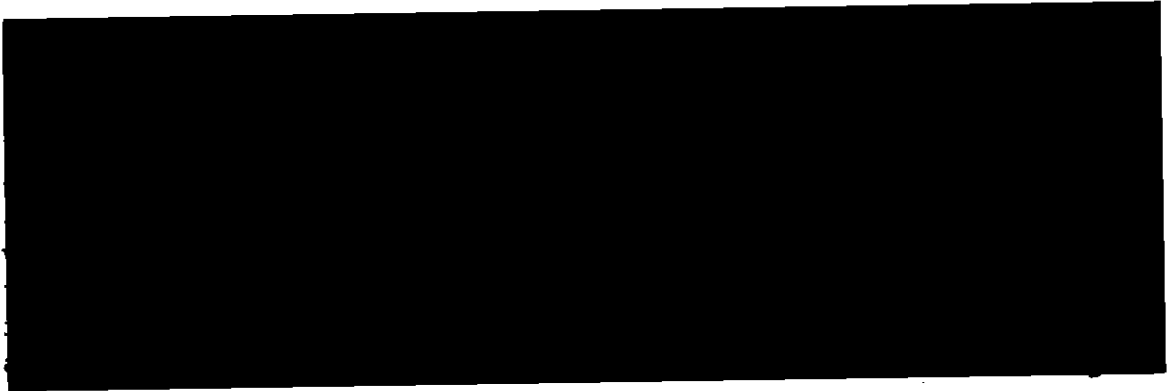


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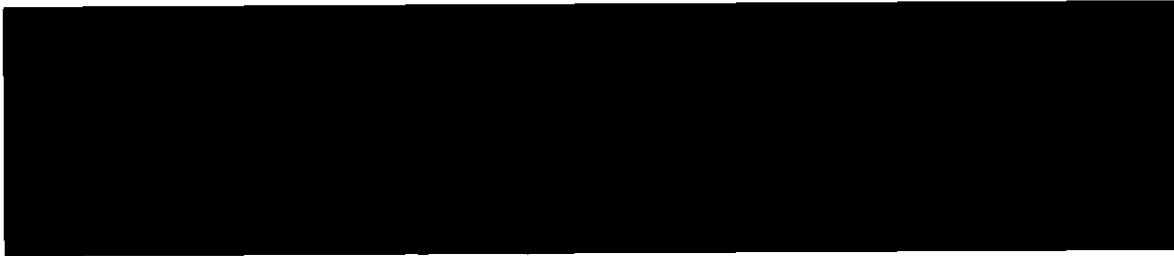


12. On 4/27/08, CO J.D. was assigned to the "C" post in Building 3 Lower-South at the Robert N. Davoren Center. At approximately 3:00 p.m., CO J.D. entered the south side and began his institutional count census/tour of inspection. CO J.D. proceeded down the corridor and as he passed Morales' cell #19 he observed a towel blocking the view of the cell window. Officer J.D. ordered Morales to remove the towel. Morales complied with the order and Officer J.D. continued his count.
13. CO J.D. verified the count and signed the count slip. Officer J.D. then assumed the "A" post instead of his assigned post "C." This was without authorization of the area supervisor. CO T.G. was scheduled for the "A" post in Building 3 Lower-South.
14. At approximately 4:40 p.m., Capt. N. entered the housing area for a tour of inspection along with Officer T.G. Capt. N. and Officer T.G. proceeded to tour the south side of the corridor, when both stopped at cell #19 as they observed a towel blocking the window of the cell. Capt. N. knocked on the cell door but did not get a response. She made several attempts by continuously knocking and verbally shouting for Morales to take the towel down. There was no response.
15. Capt. N. ordered CO J.D. to open the cell. The cell door would only open partially, and Capt. N. observed Morales hanging in the cell. Capt. N. summoned help via portable

radio to central control to notify the clinic ASAP, while Officer J.D. telephoned the clinic.

16. Officer T.G. obtained the 911 knife and cut the sheet that was around Morales' neck. The ligature was cut and Morales fell to the floor. Staff were then able to open the cell door. Officer T.G. removed the ligature from around Morales' neck and Capt. N. began to speak to Morales while tapping his shoulder for a response. Officer T.G. checked for a pulse. No pulse was found and Capt. N. ordered Officer T.G. to start CPR.
17. Officer T.G. began compressions as Officer C.B. went to retrieve the pocket mask. Officer C.B. returned and placed the mask on Morales. Officer M.J. retrieved the AED and applied the pads on Morales. Medical staff arrived as Officer M.J. was applying the AED.

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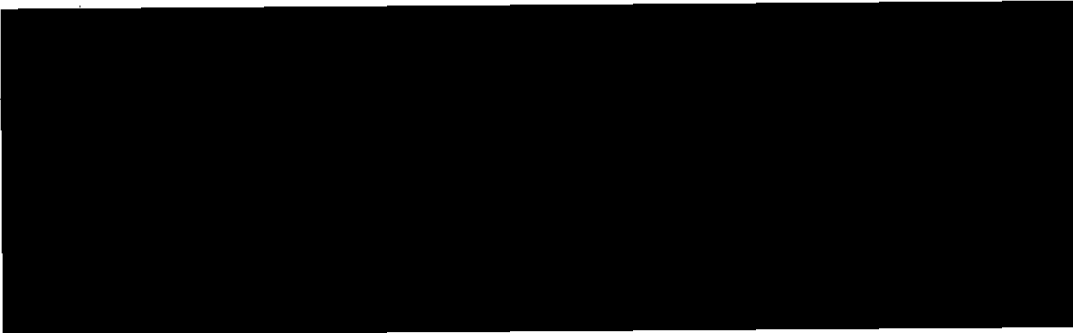
RECOMMENDATIONS:

TO THE DEPUTY COMMISSIONER, DIVISION OF HEALTH CARE ACCESS AND IMPROVEMENT, NYC DEPARTMENT OF HEALTH AND MENTAL HYGIENE:

1. That the Division conduct a vigorous quality assurance review of Prison Health Services, Inc. (PHS, Inc.) mental health evaluation and treatment afforded Morales during his incarceration at RNDC, specifically:

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2. As recommended by the Board in previous cases, the Deputy Commissioner should require that PHS, Inc.'s mental health staff be trained in the Local Forensic Crisis Service Model - Suicide Prevention and Crisis Intervention Program.
3. The Deputy Commissioner, in consultation with the Commissioner of Health, should ask the New York City Corporation Counsel's Office to inquire into the status of PHS, Inc. to lawfully hold itself out as a medical care provider in New York State.

WITNESS, HONORABLE DANIEL L. STEWART, Commissioner, NYS Commission of Correction, 80 Wolf Road, 4th Floor, in the City of Albany, New York 12205 this 19th day of December, 2008.

A handwritten signature in black ink, appearing to read 'Daniel L. Stewart', written over a horizontal line.

Daniel L. Stewart
Commissioner

DLS:mj
08-M-70
9/08

cc: Carolyn Thomas, Chief of Department
Roger Parris, Deputy Commissioner
of Strategic Planning and Programs
Eric Berliner, Executive Director
of Health Services
Florence A. Hutner, General Counsel
Mark Cranston, Deputy Chief of Staff
Louise Cohen, Deputy Commissioner
Correctional Health Services, NYC
Department of Health & Mental Hygiene

Robert Berding, Deputy Executive Director
Policy and Planning, NYC Department
of Health & Mental Hygiene
George Axelrod, Deputy Executive Director,
NYC Department of Health & Mental Hygiene