

NEW YORK STATE COMMISSION OF CORRECTION

In the Matter of the Death : FINAL REPORT OF THE
 : NEW YORK STATE COMMISSION
of George Scribner, an inmate of : OF CORRECTION
the Orange CJ :
 :

TO: Sheriff Carl DuBois
Orange County Sheriff's Office
110 Wells Farm Road
Goshen, NY 10924

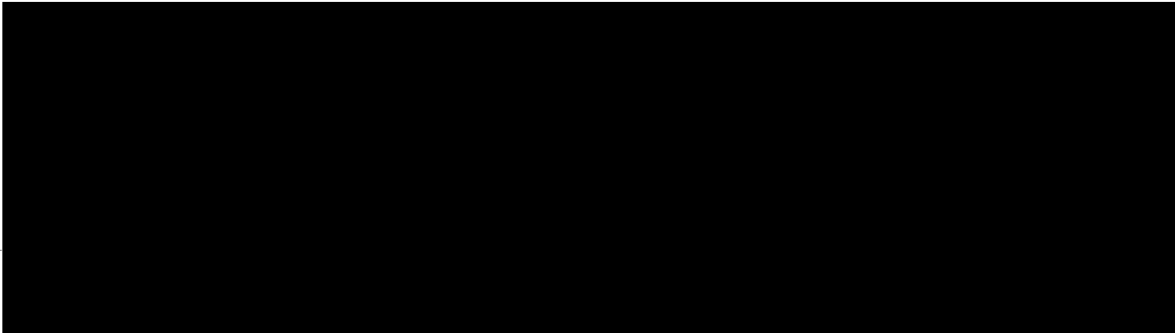
GREETINGS:

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 George Scribner who died on January 18, 2008 while an inmate in the custody of the Orange County Sheriff's Office, the Commission has determined that the following final report be issued.

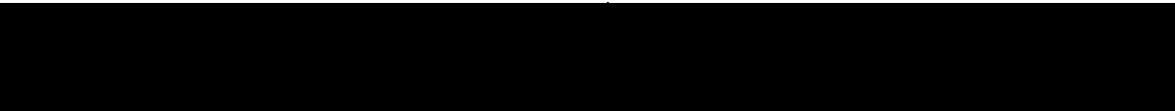
FINDINGS:


1. George Scribner was a 42 year old Caucasian male who died from suicidal hanging on 1/18/08 at 11:29 a.m. while in the custody of the Orange County Correctional Facility (OCCF). Scribner was discovered by another inmate who was walking by his cell who notified the housing officer. Resuscitation efforts were initiated, however, Scribner was pronounced dead at 12:28 p.m. after transport to the Arden Hill Hospital. Pertinent mental health information for Scribner was not communicated to the OCCF from the Town of Newburgh Police Department which may have alerted the correctional staff to Scribner's risk of suicide.

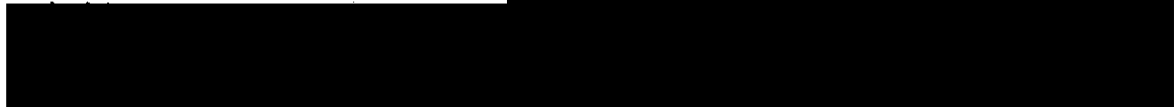
2.



3.



4. Per Town of Newburgh PD documentation dated 1/16/08, Scribner had a history of crack cocaine and heroin abuse. Additionally, Scribner reported an attempted suicide approximately six weeks prior to his arrest. Also, the Town of Newburgh PD documents noted Scribner reported a history of and treatment for depression as well as suicidal ideation. Scribner also admitted taking "Suboxone-Methadone (buprenorphine)." 



5.



6. On 1/16/08 at 2:00 p.m., Scribner was apprehended as he was driving in Newburgh, NY by Town of Newburgh Police Department Detective R.P. The detective arrested and charged Scribner with Burglary 2nd, and Petit Larceny due to entering his step-daughter's apartment and stealing twenty dollars on the previous day 1/15/08. In a statement to the police, Scribner's step-daughter reported Scribner started abusing crack cocaine and heroin in 2003. In the course of the instant offense, Scribner told his step-daughter he needed the money "to get high." Detective R.P. stated Scribner was cooperative, confessed he committed the crime, and was very remorseful.
7. On arrival at the Town of Newburgh PD station Scribner was booked by Detective R.P. Officer M.S. stated he assisted with Scribner's booking procedure. The day before on 1/15/08 Officer M.S. had responded to and taken the initial report of the burglary from the victim of the crime, Scribner's step-daughter. An Arrest Medical Report is dated 1/16/08 at 2:38 p.m. with Scribner giving an affirmative answer to the questions of "Have you ever had mental

health problems or treatment?; Have you ever thought of hurting yourself or attempted to do so?; and Are you taking any medication at this time?." Instructions on the form indicate that "Affirmative answers must be explained, : The comments documented are "depression, and attempted suicide and has thought about it (6 weeks ago)." Additionally, the form reported that Scribner was currently taking "Suboxone-Methadone." Detective R.P. and Officer M.S. stated that this form remains the property of Newburgh PD and is not transferred with the detainee or forwarded to another agency who may assume custody of the detainee.

8. On 1/16/08 at approximately 4:01 p.m., Scribner was placed in cell 3 and was supervised by Detective R.P., the arresting officer, in the Town of Newburgh PD detention area at fifteen minute intervals. A time clock punch system is used by the Town of Newburgh PD. The Town of Newburgh PD documentation indicates Scribner was checked at 4:13 p.m., 4:28 p.m., 4:42 p.m., 5:06 p.m., 5:21 p.m., 5:33 p.m. and described as "awake." Scribner was removed from his cell at the Town of Newburgh PD lock-up at approximately 5:44 p.m. for transport to his arraignment. Detective R.P. and Officer M.S. could not recall if Scribner was placed on a fifteen minute watch due to his mental health history. However, the Town of Newburgh PD documentation indicates he was actively supervised at fifteen minute intervals. Per the Town of Newburgh PD policy, Article XVIII, (4) entitled Lock-up, Supervision of Detention Areas, states:

"Prisoners in the cellblock area will be checked by actual visits to the cell block at intervals that will not exceed thirty (30) minutes, General Supervision. When necessary, Active Supervision visits will be conducted."

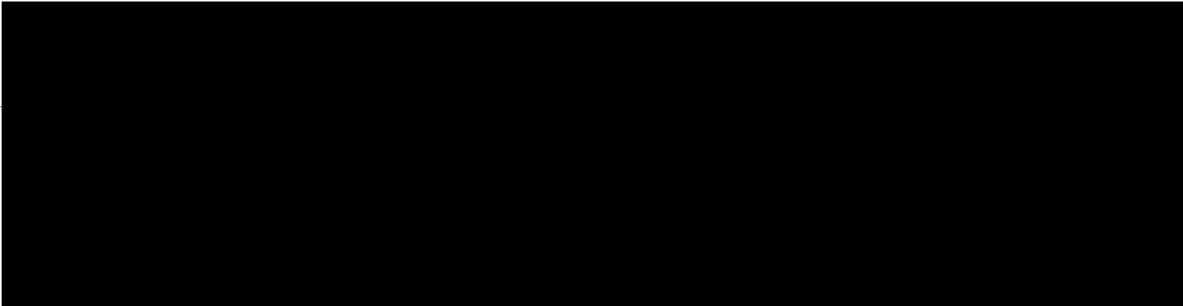


9. Detective R.P., Officer M.S., and Deputy Chief J.M verified the Town of Newburgh PD does not use the State Commission of Correction/Office of Mental Health ADM 330 Suicide Prevention Screening Form with point scoring on any of the detainee admissions to their police lock-up.
10. On 1/16/08, Scribner was arraigned by Town Justice J.M. at the Justice Court of the Town of Newburgh. He was accompanied by Town of Newburgh PD Officers M.S. and T.K. Both officers verified that Town Justice J.M. wrote the notation of "defendant states (he) takes prescription medication," on the bottom of the Securing Order as it is Town Justice J.M.'s practice to ask the defendants if they are taking any medications.
11. Following Scribner's arraignment, Orange County Sheriff Department's transport deputy J.F. was approached by Town of Newburgh PD officers M.S. and T.K. regarding a possible prisoner transport to the Orange

County CF. Deputy J.F., who was in the process of transporting another inmate to and from the Justice Court, stated he told the Newburgh PD officers he would have to contact his supervisor. Deputy J.F. contacted Sgt. C.D. and received permission to transport Scribner to the Orange County CF. Deputy J.F. stated he only received the Security Order from Police Officers M.S. and T.K. Deputy J.F. also stated he received no information, either verbal or written, that Scribner had attempted suicide six weeks ago, suffered from depression, or had thoughts of self-harm. The deputy described Scribner as cooperative. He was transported to the correctional facility without incident. The deputy reported Scribner never spoke on the drive to the Orange County CF. Town of Newburgh PD officers M.S. and T.K. stated they did not recall their conversation with Deputy J.F.

12. On 1/16/08, Deputy B.M. from the Orange County Sheriff's Communication Unit stated he was not contacted by the Town of Newburgh PD that evening regarding Scribner's transport to the Orange County CF. Deputy B.M. stated he called the Town of Newburgh PD and spoke to Detective R.P. There was no communication between the deputy and the detective indicating that Scribner had suffered from depression, had attempted suicide six weeks ago, or had thoughts of suicide.
13. On 1/16/08 at approximately 8:08 p.m., Scribner entered the Orange County CF. At 8:30 p.m., Officer R.D. began the booking process with Scribner. The SCOC/OMH ADM 330 Suicide Prevention Screening Form was completed with Scribner scoring "3." He gave affirmative answers for the questions "Detainee has a history of drug and alcohol use; Detainee has a history of counseling or mental health evaluation/treatment; and, This is the detainee's first incarceration in lock-up or jail." Officer R.D. documented in the comments section that Scribner last used cocaine on 1/16/08 and had been in drug rehabilitation. Scribner denied having any previous suicidal attempts, having thoughts of killing himself, or having major problems other than his legal situation. The Booking Observation Form also completed by Officer R.D. indicated Scribner denied any prior psychological problems. Officer R.D. stated he observed nothing from Scribner's verbal communication or behavior indicating he may have a psychiatric problem.

14.



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15. On 1/17/08 at approximately 1:03 a.m., Scribner was placed in cell 32 of Bravo-2 unit, housing reception for unclassified inmates. Scribner accepted his showers and meals and by all accounts was cooperative with the correction officers and other inmates.
16. On 1/18/08, Officer T.S. last saw Scribner alive during his 11:00 a.m. supervisory rounds. Officer T.S. stated Scribner refused his shower privilege earlier in the morning. The lunch trays arrived on the unit and after verifying the meals to the inmate count, Officer T.S. began opening cells starting at cell #3 in groups of five. At 11:29 a.m., Officer T.S. opened the last group of cells which included Scribner's. All the inmate had come out to retrieve their trays except for Scribner. Officer T.S. called Scribner on the intercom and asked him if he wanted lunch. Inmate R.W. was returning to his cell (40) after picking up his lunch tray and heard Officer T.S. on the intercom asking Scribner if he wanted his tray. As inmate R.W. passed Scribner's cell, he stopped and knocked on the door to wake Scribner up. Inmate R.W. saw Scribner hanging in his cell and called to Officer T.S.
17. Officer T.S. stated he radioed for an emergency response, then obtained the cut down tool. The officer went to the upper level, entered the cell, saw Scribner hanging by a sheet from his neck connected to the wall shelf. Officers V.Z. and A.C. responded to the cell. Officer T.S. cut the ligature and with assistance from Officers V.Z. and A.C., Scribner was placed on his cell floor. 
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18.



19.

[REDACTED]

[REDACTED] There was no suicide note found.

20.

On 1/18/08, Sgt. M.Z. contacted the Town of Newburgh PD asking to speak to the arresting officers on the Scribner case. He spoke to Detective R.P. who informed the sergeant that a mental health screening was completed with Scribner who stated he had a previous history of depression, suicidal tendencies, and Scribner was placed on fifteen minute watches while he was at the police lock-up. Detective R.P. faxed a copy of the Arrest Medical Report completed by Officer M.S. during Scribner's booking. This form contained important information regarding Scribner's depression, attempted suicide (6 weeks ago) and having thoughts about it which Scribner did not share during the screening process at the Orange County CF, nor which was transmitted to the Orange County Jail by the Town of Newburgh Police Department.

RECOMMENDATIONS:TO THE CHIEF OF POLICE OF THE TOWN OF NEWBURGH POLICE DEPARTMENT:

All staff who supervise the holding cell/detention areas be trained in the Suicide Prevention Training Program including the utilization of the SCOC/OMH ADM 330 screening tool for all detainees prior to placement into a holding cell. Additionally, a process should be developed to transfer a copy of the completed SCOC/OMH ADM 330 Suicide Screening Prevention Form and convey a detainee's pertinent mental health findings to the Orange County Sheriff's Department transport deputies and their communication unit.

TO THE SHERIFF OF ORANGE COUNTY:

The Sheriff should direct the present contract medical care providers at the Orange County Correctional Facility to conduct an inquiry into the nursing staff professional conduct focused on documentation of inmate admission screening and emergency care.

TO THE NEW YORK REGIONAL DIRECTOR, CORRECTIONAL MEDICAL SERVICES, INC. (CMS):

The regional director of CMS shall direct their administrative staff at the Orange County Correctional Facility to conduct a quality improvement review of the medical documentation in this case with attention to the nursing documentation of emergency care as well as completion of CMS Medical Screening Form, Urgent Assessment Form, and Emergency Department Transfer Form. It will also be directed that the CMS nursing staff complete an educational in-service

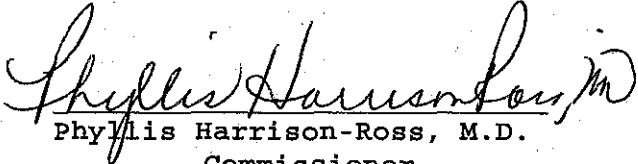
colloquium regarding documentation of the above referenced forms and appropriate recording of an emergency situation and care given.

TO THE NEW YORK STATE EDUCATION DEPARTMENT, OFFICE OF PROFESSIONAL DISCIPLINE (OPD):

That the OPD investigate the professional conduct of LPN's C.T. and M.M. for their failure to make adequate and appropriate medical records, [REDACTED]

[REDACTED] The Medical Review Board requests to be apprised of the findings with respect to both nurses, in the instant case, whether the inquiry identified any history or trend of similar unprofessional conduct and recommendations for improving the practice(s) of these clinicians. The Board requests advise from OPD as to how it will monitor compliance with any corrective action plan with a follow-up of not less than two (2) years hence for evidence of compliance and improved practice

WITNESS, HONORABLE PHYLLIS HARRISON-ROSS, M.D., Commissioner, NYS Commission of Correction, 80 Wolf Road, 4th Floor, in the City of Albany, New York 12205 this 20th day of March, 2009.


Phyllis Harrison-Ross, M.D.
Commissioner

DLS:mj
08-M-56
9/08

cc: Chief Charles Kehoe, Newburgh Town
Police Department
Ann Perhan, Vice President of Operations,
Correctional Medical Services, Inc.