



Julio Medina, Acting Chair
Robert L. Cohen, M.D.
Felipe Franco
Jacqueline Miriam Pitts
Joseph Ramos
Freya Rigterink
Dwayne C. Sampson
Jacqueline Sherman

BOARD OF CORRECTION
CITY OF NEW YORK
2 LAFAYETTE STREET, SUITE 1221
NEW YORK, NY 10007
212 669-7900 (Office)

Amanda Masters
Executive Director

**STATEMENT FROM COMMITTEE ON DEATHS IN CUSTODY ON DEPARTMENT
FAILURE TO REPORT DEATH AFTER COMPASSIONATE RELEASE**

FOR IMMEDIATE RELEASE: September 27, 2022

Compassionate release from jail for people in custody is an important tool for achieving justice, fairness, and death with dignity. However, the Board of Correction, the City agency with oversight of the Department of Correction and responsibility for investigation of all deaths, and near deaths, in custody must be made aware of its use.

In two recent cases, the circumstances surrounding two individuals' release from custody immediately before death have raised concerns about proper reporting and transparency. On September 18, 2022, Elmore Robert Pondexter collapsed in his housing area while in custody and was gravely ill. Mr. Pondexter was granted a compassionate release on September 22, 2022, due to a lack of brain activity. He was pronounced dead within hours of his release. On June 10, 2022, Antonio Bradley attempted suicide while in custody. Mr. Bradley never regained consciousness following the incident. Mr. Bradley was granted a compassionate release on June 15, 2022, due to a lack of brain activity. He was pronounced dead three days after his release. In violation of the Board of Correction Minimum Standards authorized by the City Charter, the Department of Correction failed to notify the Board of these deaths.

The Board will also investigate the circumstances of compassionate release for Walter Turner, who, according to today's media report, was placed on life support due to limited brain activity sometime between April and today. The Department, according to the New York Times, pushed his family to consent to a compassionate release, which was granted by the Courts on June 2, 2022. If this is true, it is troubling. Mr. Turner remains on life support at the time of publication. The Department did not notify the Board of this near death.

Transparency around deaths and near deaths in custody is required by law and regulation. The Board calls on the Department of Correction and partner agencies—specifically the City's Health and Hospitals Corporation and Correctional Health Services—immediately to create a reporting mechanism for situations where a person in custody has been hospitalized and is granted a

compassionate release while in the hospital. Such compassionate releases and any subsequent deaths during the hospitalization should be reported to the Board.