

**COUNTY COURT**

COUNTY OF ONEIDA

STATE OF NEW YORK

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THE PEOPLE OF THE STATE OF NEW YORK,

vs.

Indictment No. I 2025-090-1-2-3-4-5-  
6-7-8-9-10

Index No. 25-\_\_\_\_\_

JONAH LEVI  
CALEB BLAIR  
FRANCIS CHANDLER  
THOMAS ECK  
CRAIG KLEMICK  
DANIEL BURGER  
DAVID FERRONE  
NICHOLAS VITALE  
MICHAEL IFFERT  
DONALD SLAWSON,

*Defendants.*

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**THE GRAND JURY** OF THE COUNTY OF ONEIDA by this indictment accuses

JONAH LEVI and CALEB BLAIR

of the felony crime of **MURDER IN THE SECOND DEGREE (CRIMINAL LIABILITY FOR CONDUCT OF ANOTHER)**

in violation of Section 125.25(2)/20.00

of the Penal Law of the State of New York

committed as follows:

On Saturday, the 1st day of March of 2025, the administration of the Mid-State Correctional Facility in Marcy, New York in Oneida County was dealing with a Corrections Officer strike. To deal with the shortage of Correctional Officers, the Governor of the State of New York mobilized the New York State National Guard to assist New York Correctional Facilities in guarding the incarcerated individuals and to maintain order. The National Guardsmen received little training to deal with these prisoners or on how to interact with them. On this date, at approximately 10:58 a.m. a request for assistance was broadcast by the National Guard resulting in the Mid-State CERT (Corrections Emergency Response Team) team responding to Building 21 to deal with an unknown issue with an incarcerated individual. Defendants were part of that CERT Team and upon arriving at Building 21 they were directed to Room 21-A and Incarcerated Individual Messiah Nantwi by the National Guardsmen. Having no clear understanding of why CERT response was necessary, Defendants entered Messiah Nantwi's room after a number of CERT members had already engaged the Incarcerated Individual. During the subsequent encounter, contrary to DOCCS protocols, defendants began beating Messiah Nantwi, including multiple strikes to his body and head with their boots. Once Messiah Nantwi was no longer responsive, defendants transported Messiah Nantwi out of Building 21 with their objective being to take him to the Facility's Infirmary. While defendants transported Incarcerated Individual Messiah Nantwi down the stairwell out of Building 21, a further assault occurred with Messiah Nantwi being assaulted on the stairs by defendants as he was carried out of the building. Messiah Nantwi was subsequently dumped in a holding cell at the Infirmary and further struck by defendant CALEB BLAIR. As a result of the numerous beatings by defendants and their fellow Correctional Officers, Incarcerated Individual Messiah Nantwi died due to massive head trauma and numerous other injuries to his body. Defendants' conduct in beating Messiah Nantwi, in kicking him and stomping on his head for no legitimate law enforcement purpose, and for further assaulting him and injuring him on the stairs exiting his building, and for leaving him unattended in a holding cell for several minutes while

displaying no urgency for medical personnel to check on him, demonstrated depraved indifference to the life of incarcerated Individual Messiah Nantwi, and resulted in his death.

#### **SECOND COUNT**

AND THE AFORESAID GRAND JURY by this Indictment further accuses JONAH LEVI, CALEB BLAIR, THOMAS ECK, CRAIG KLEMICK and DANIEL BURGER of the violent felony crime of **MANSLAUGHTER IN THE FIRST DEGREE (CRIMINAL LIABILITY FOR CONDUCT OF ANOTHER)** in violation of §125.20(1)/20.00 of the Penal Law of the State of New York committed as follows:

That on or about the 1st day of March of 2025, in the Town of Marcy, in this county, the defendants, with intent to cause serious physical injury to another person, caused the death of such person, to wit: said defendants, acting in concert with each other, intending to cause serious physical injury to incarcerated Individual Messiah Nantwi, and caused his death by beating him to death with their fists, batons and boots.

#### **THIRD COUNT**

AND THE AFORESAID GRAND JURY by this Indictment further accuses JONAH LEVI, CALEB BLAIR, THOMAS ECK, CRAIG KLEMICK and DANIEL BURGER of the violent felony crime of **GANG ASSAULT IN THE FIRST DEGREE (CRIMINAL LIABILITY FOR CONDUCT OF ANOTHER)** in violation of §120.07/20.00 of the Penal Law of the State of New York committed as follows:

That on or about the 1st day of March of 2025, in the Town of Marcy, in this county, the defendants, and others known to the Grand Jury, intending to cause serious physical injury to another person, and aided by two or more other persons actually present, caused serious physical injury to such person to wit: defendants were part of a CERT Team at the Mid-State Correctional Facility responding to Building 21 for a call to assist National Guardsmen for an unknown reason. Making little or no effort to ascertain the reason for the call, the defendants and others known to the Grand Jury, while acting in concert with each other, were directed to the room of incarcerated Individual Messiah Nantwi. Upon entering the room, Messiah Nantwi had his hands raised and displayed no weapon. Protesting being handcuffed and restrained for no reason apparent to him, Messiah Nantwi grabbed the vest of Corrections Officer Joshua Bartlett and was almost immediately physically assaulted by the defendants. The assault consisted of multiple blows to Messiah Nantwi's body, defendants using fists, batons and boots. The beatings intensified after Messiah Nantwi bit the hand of Corrections Officer CALEB BLAIR through his glove and later bit the hand of Corrections Officer THOMAS ECK. The assault on Messiah Nantwi caused serious physical injury, and ultimately death from the injuries inflicted.

#### **FOURTH COUNT**

AND THE AFORESAID GRAND JURY by this Indictment further accuses JONAH LEVI, CALEB BLAIR, FRANCIS CHANDLER, THOMAS ECK, CRAIG KLEMICK and DANIEL BURGER of the violent felony crime of **GANG ASSAULT IN THE SECOND DEGREE (CRIMINAL LIABILITY FOR CONDUCT OF ANOTHER)** in violation of §120.06/20.00 of the Penal Law of the State of New York committed as follows:

That on or about the 1st day of March of 2025, in the Town of Marcy, in this county, the defendants and others known to the Grand Jury, intending to cause physical injury to another person and aided by two or more other persons actually present, caused serious physical injury to such person to wit: as outlined in Count 3, the defendants and others known to the Grand Jury, and acting in concert with each other, intended to cause physical injury to incarcerated Individual Messiah Nantwi and caused serious physical injury to him resulting in his death.

#### **FIFTH COUNT**

AND THE AFORESAID GRAND JURY by this Indictment further accuses DAVID FERRONE and FRANCIS CHANDLER of the felony crime of **MANSLAUGHTER IN THE SECOND DEGREE (CRIMINAL LIABILITY FOR CONDUCT OF ANOTHER)** in violation of §125.15(1)/20.00 of the Penal Law of the State of New York committed as follows:

That on or about the 1st day of March of 2025, in the Town of Marcy, in this county, the defendants recklessly caused the death of another person to wit: defendants are both Sergeants employed by the New York State Department of Corrections and Community Supervision (DOCCS). Both responded to a call for assistance from the National Guard regarding the conduct of Incarcerated Individual Messiah Nantwi. Both defendants had a supervisory role over the responding CERT members. During the response by the CERT Team, both these defendants witnessed a vicious assault on Messiah Nantwi completely disproportionate to the supposed threat he posed including multiple blows to his body by fists, batons, and boots. During this approximately five-minute assault, neither of the Sergeant defendants made any effort to restrain the CERT Team or ameliorate the assault perpetrated on Messiah Nantwi, directly contrary to DOCCS protocols relating to use of force and duty to intervene. As a result of the defendants' lack of intervention, Messiah Nantwi eventually succumbed to his injuries and died.

#### **SIXTH COUNT**

AND THE AFORESAID GRAND JURY by this Indictment further accuses DAVID FERRONE, FRANCIS CHANDLER, JONAH LEVI, CALEB BLAIR, THOMAS ECK, NICHOLAS VITALE, DANIEL BURGER and CRAIG KLEMICK of the misdemeanor crime of **CONSPIRACY IN THE FIFTH DEGREE** in violation of **§105.05(1)** of the Penal Law of the State of New York committed as follows:

That on or about the 1st day of March of 2025, in the Town of Marcy, in this county, the said defendants, with intent that conduct constituting a felony be performed, agreed with each other and others known to the Grand Jury to engage in or cause the performance of such conduct, to wit: after an incident at a New York State Correctional Facility where force is used against an Incarcerated Individual, Corrections Officers are required to fill out Form 21044 listing all staff involved in the use of force, listing all staff present and outlining what force the officer employed and what force by others he or she witnessed. These forms become part of the permanent case file regarding the use of force and may be used in subsequent criminal or civil litigation. Defendants conspired to file false 21044 reports thereby committing the felony of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE** in violation of Penal Law **§175.35(1)**.

Pursuant to Penal Law **§105.20** the following overt acts are alleged in furtherance of the **CONSPIRACY**:

**OVERT ACT #1:** Almost immediately after Incarcerated Individual Messiah Nantwi was transported by ambulance to Winn Hospital, defendants FRANCIS CHANDLER and DAVID FERRONE ordered those involved to assemble in Building 3. While assembled there, and in ear shot of all the defendants, Corrections Officer JONAH LEVI pleaded for those assembled to omit him from their 21044 reports. A similar request was made by Sergeant FRANCIS CHANDLER, and both requests were sanctioned by Sergeant DAVID FERRONE.

**OVERT ACT #2:** In furtherance of the plot to mislead those investigating the use of force on Incarcerated Individual Messiah Nantwi, Corrections Officers CALEB BLAIR, THOMAS ECK, NICHOLAS VITALE, DANIEL BURGER and CRAIG KLEMICK all filled out false 21044 forms that omitted any mention of Sergeant FRANCIS CHANDLER or Corrections Officer JONAH LEVI, even though all the listed defendants knew full well that FRANCIS CHANDLER and JONAH LEVI were present in the room and were actively involved in the use of force.

**OVERT ACT #3:** On March 2, 2025, at the direction of Sergeant FRANCIS CHANDLER, all defendants and others known to the Grand Jury assembled at RASPBERRIES, a local diner, for breakfast in order to develop and coordinate the false narrative that nothing improper was done to Messiah Nantwi and that FRANCIS CHANDLER and JONAH LEVI had not used any force against Messiah Nantwi.

**SEVENTH COUNT**

AND THE AFORESAID GRAND JURY by this Indictment further accuses DAVID FERRONE, FRANCIS CHANDLER, JONAH LEVI, CALEB BLAIR, THOMAS ECK, NICHOLAS VITALE, DANIEL BURGER, and CRAIG KLEMICK of the felony crime of **OFFERING A FALSE INSTRUMENT FOR FILING (CRIMINAL LIABILITY FOR CONDUCT OF ANOTHER)** in violation of §175.35(1)20.00 of the Penal Law of the State of New York committed as follows:

That on or about the 1st day of March of 2025, in the Town of Marcy, in this county, the said defendants, acting in concert, knowing that a written instrument contained a false statement or false information, and with intent to defraud the State presented the 21044 forms to a public office and/or public servant with the belief that they would be filed with, registered or recorded in, or otherwise become a part of the records of such public office, public servant or public authority, to wit: As outlined in Count Six, defendants submitted false 21044 forms in an effort to thwart any investigation into the death of Messiah Nantwi by DOCCS, the New York State Police, or the New York State Attorney General.

**EIGHTH COUNT**

AND THE AFORESAID GRAND JURY by this Indictment further accuses DAVID FERRONE, FRANCIS CHANDLER, and THOMAS ECK of the misdemeanor crime of **CONSPIRACY IN THE FIFTH DEGREE** in violation of §105.05(1) of the Penal Law of the State of New York committed as follows:

That on or about the 1st day of March of 2025, in the Town of Marcy, in this county, the said defendants, with intent that conduct constituting a felony be performed, agreed with each other and others known to the Grand Jury to engage in or cause the performance of such conduct, to wit: in an effort to somehow justify the unlawful beating and killing of Incarcerated Individual Messiah Nantwi, defendants orchestrated an effort to falsely suggest that Messiah Nantwi was armed with a weapon by falsely claiming that a weapon was recovered from the floor of his room, said conduct being in violation of Penal Law §215.40(1)(a), **TAMPERING WITH PHYSICAL EVIDENCE, a felony.**

Pursuant to §105.20, the following overt acts are alleged in furtherance of the **CONSPIRACY:**

**OVERT ACT #1:** After the assault on Messiah Nantwi, and after it became obvious that he was in dire condition, defendant Sergeant FRANCIS CHANDLER ordered a Corrections Officer known to the Grand Jury to retrieve a weapon that had been confiscated earlier that day in an incident totally unrelated to the assault on Messiah Nantwi. Following orders, the crude weapon was retrieved by the Corrections Officer and placed in the custody of defendant FRANCIS CHANDLER.

**OVERT ACT #2:** In furtherance of the conspiracy, defendant DAVID FERRONE was caught discussing the weapon on a body worn camera placed in the Infirmary's restroom. Upon sighting the camera, defendant DAVID FERRONE uttered an expletive and informed a co-conspirator known to the Grand Jury of same.

**OVERT ACT #3:** While still at Building 3 and continuing with the conspiracy to essentially plant evidence posthumously on Messiah Nantwi, defendant FRANCIS CHANDLER asked in a loud voice as to which Corrections Officer would "volunteer" to falsely claim that he or she discovered the weapon. Defendant THOMAS ECK "volunteered" for that role and subsequently claimed he had found the weapon.

**NINTH COUNT**

AND THE AFORESAID GRAND JURY by this Indictment further accuses DAVID FERONE, FRANCIS CHANDLER, and THOMAS ECK of the felony crime of **TAMPERING WITH PHYSICAL EVIDENCE (CRIMINAL LIABILITY FOR CONDUCT OF ANOTHER)** in violation of §215.40(1)(a)/20.00 of the Penal Law of the State of New York committed as follows:

That on or about the 1st day of March of 2025, in the Town of Marcy, in this county, the said defendants intending that a weapon they knew had not been found in Messiah Nantwi's room, and with intent that said weapon be used or introduced at an official proceeding, defendants prepared false physical evidence to wit: as outlined in Count Eight, defendants falsely claimed a makeshift knife had been found in Messiah Nantwi's room in the hope that this would somehow lead to an official finding either by DOCCS or a law enforcement agency that the use of force against Messiah Nantwi was justified.

**TENTH COUNT**

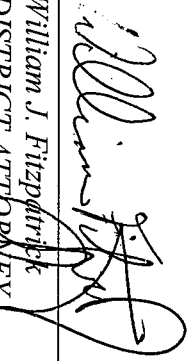
AND THE AFORESAID GRAND JURY by this Indictment further accuses DONALD SLAWSON of the felony crime of **TAMPERING WITH PHYSICAL EVIDENCE** in violation of §215.40(2) of the Penal Law of the State of New York committed as follows:

That on or about the 1st day of March of 2025, in the Town of Marcy, in this county, the said defendant believing that certain physical evidence was about to be produced or used in an official proceeding or a prospective official proceeding and intending to prevent such production or use he suppressed it by any act of concealment or destruction, to wit: after Messiah Nantwi had been removed by ambulance from the Mid-State Infirmary, and knowing full well that incarcerated Individual Messiah Nantwi had been physically abused and was kept in the facility's holding cell, defendant set about to mop up all the blood in the room, thus preventing law enforcement from conducting a detailed analysis of possible blood or blood spatter evidence which would have aided in determining what happened to Messiah Nantwi.

**ELEVENTH COUNT**

AND THE AFORESAID GRAND JURY by this Indictment further accuses MICHAEL IFFERT of the felony crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE** in violation of §175.35(1) of the Penal Law of the State of New York committed as follows:

That on or about the 1<sup>st</sup> day of March of 2025, in the Town of Marcy, in this county, the said defendant knowing that a written instrument contained a false statement or false information and with intent to defraud the State, defendant offered said written instrument to a public office or a public servant with the knowledge or belief it would be filed with, registered, or recorded in or otherwise become a part of the records of such public office or public servant, to wit: in connection with the assault on Messiah Nantwi, defendant MICHAEL IFFERT filed a written memorandum memorializing his observation of said incident knowing that said memo would become part of the official case file and be used for informational purposes in a DOCCS or New York State Police review of the incident. Defendant falsely claimed in said memo that he witnessed no use of force, and further claimed that he had no clear view into Messiah Nantwi's room, even though he was standing directly outside Messiah Nantwi's room when the assault started, and he further remained in the hallway outside the room for the duration of the assault.

  
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William J. Fitzpatrick  
DISTRICT ATTORNEY  
As SPECIAL PROSECUTOR