



# Waukesha County Sheriff's Department

Supplemental Narratives for Incident W21024397

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## SUPPLEMENTAL NARRATIVE:

**Supplement number:** 45

**Name:** ADENT JG

**Date:** 10:08:26 07/01/21

SUMMARY OF INVESTIGATION // DETECTIVE JEFFREY ADENT #12087; CAD #9408

This supplement is the summary of investigation in regards to the in-custody death of Anthony D. Walther, [REDACTED]. The death occurred on 04-05-21 at 12:44 PM, at the Milwaukee County Justice facility (CJF) located at 949 N. 9th St., Milwaukee, Wisconsin. Walther had been assigned to pod 5D cell #32, in CJF. Walther was the sole occupant of cell 32, which was located on the upper tier of the pod. Correctional Officer (CO) Vernisha Jefferson was assigned to pod 5D on 04-05-21 on first shift (6:00 AM to 2:00 PM), and was the sole officer in the pod during the event. CO Jefferson was hired with the Milwaukee County Sheriff's Department on 11-30-20. Jefferson's training consisted of the two-week in-house Jail Academy and three weeks with a field training officer. CO Jefferson had not yet been sent through the State of Wisconsin Jail School, and, therefore, is not certified as a jail officer. CO Jefferson has not been through any medical training and is not certified in CPR and AED. It should be noted that employers have one year from the date of hire to send officers through the State Jail Officer certification program. It is common practice for correctional officers to work on their own in a jail setting prior to being certified.

On 04-05-21, at approximately 11:59 AM, Anthony Walther is found during lunchtime, unresponsive in his cell (pod 5D cell #32), by fellow inmates. The inmates summoned CO Jefferson for help. CO Jefferson responded and found inmate Walther in his cell, unresponsive and blue. CO Jefferson responded to the level of her training, and subsequently contacted Master Control requesting additional assistance for an unresponsive inmate. Jail medical staff, jail nursing staff, and ultimately the Milwaukee Fire Department responded and provided lifesaving measures. Lifesaving measures included CPR, AED, and Narcan. At 12:44 PM, Walther was pronounced deceased. The pod was locked down and a crime scene was maintained on both the pod and the cell. The Waukesha County Sheriff's Department was requested to respond as the lead investigative agency, per Milwaukee County Sheriff's Office policy.

The Waukesha County Sheriff's Department responded with the following staff members:

Capt. Frank McElderry (supervisor in charge), Captain Aaron Bogie, Lieutenant Nicolas Ollinger.

Lead investigator Detective Jeff Adent

Waukesha County Sheriff's Department additional investigators: Detective Michael Toole, Detective Tim Loberg, Detective Mark Conrad, Detective David Schroeder, Detective Daniel Coats, Detective Chris Kohl, Detective Scott Knipfer, Detective Brian Fredericks, Detective Christy Bahr, Detective Charlene Craft, and Detective Dan Chmielewski.

Investigator present from the Milwaukee County District Attorney's office:  
Investigator Matthew Gibson.

Assigned Investigator from the Milwaukee County Medical Examiner's Office:  
Forensic Investigator Maili Fraser.

Investigator present from the Milwaukee County Sheriff's office (liaison officer): Detective Brian Conte.

#### INITIAL BRIEFING:

An initial briefing was conducted by MCSO Jail Commander Inspector Aaron Dobson. We were informed that inmate Anthony D. Walther, [REDACTED], arrived at the Milwaukee County Jail on 02-16-21 at 7:05 PM. Inmate Walther was arrested by the Milwaukee Police Department (MPD) on 02-16-21, at approximately 12:20 PM. Walther was charged with 2nd Degree Sexual Assault of an Unconscious Victim, Wisconsin State Statute 940.225(2)(d). Bail was set for Walther at \$5000 cash. Inmate Walther was currently assigned to general housing unit pod 5D, cell #32. Walther was not assigned a cellmate.

We were advised that on 04-05-21, CO Vernisha Jefferson was assigned Pod 5D, at the Milwaukee County Jail. CO Jefferson was the only officer assigned to the pod. During lunchtime, fellow inmates in the pod found inmate Anthony Walther unresponsive in the cell. CO Jefferson responded and called over her radio for assistance for medical emergency. Jail correctional staff members and nursing staff members responded. Cardiopulmonary resuscitation (CPR) was started by jail staff and an Automated External Defibrillator (AED) was used on inmate Walther. Narcan was also administered. Milwaukee Fire Department (MFD) personnel were already in the jail for an unrelated matter and responded to the scene. Milwaukee Fire Department took over CPR and the AED. Inmate Walther was pronounced deceased at 12:44 PM by Doctor Evan Clark.

We were advised that the cause of death was unknown. MCSO staff members did not find any suicide notes, evidence of drug use, or foul play. There was, however,

#### CRIME SCENE (Pod 5D and Cell #32)

Prior to WKSO arrival, MCSO had secured Pod 5D, cell #32, as the primary (interior) crime scene and also the entire Pod 5D as a secondary (exterior) crime scene. Detective Bahr did photograph, video record, and process both the interior and exterior crime scenes. Detective Kohl assisted Detective Bahr in processing the primary interior crime scene, cell #32. The exterior crime scene stayed secure until I released it back to MCSO later that same evening as the incident. The interior crime scene, which consisted of cell #32, stayed secure until I released the scene on 04-06-21, after a secondary search and a K-9 search utilizing CO Jackson and K-9 Rocko was conducted. It should be noted

that during the K-9 search on 04-06-21, the entire pod 5D was searched with negative results. Cell 32 was searched by K-9 Rocko, and Rocko indicated on the mattress that inmate Walther had been on. An extensive secondary search was conducted on the mattress, however, no contraband was found. The secondary search did not reveal any further items of evidentiary value.

During the processing of cell 32, Detective Bahr noted that inmate Walther had a book cover and papers blocking most of the cell door window. Detective Bahr seized as evidence uniforms, handwritten notes, legal papers, and a plastic cup with small amounts of a red liquid. Detective Bahr also seized the AED belonging to the jail and indicates that she was advised that the AED utilized by the Milwaukee Fire Department had been taken from the scene. Detective Bahr also took nine plastic baggies, as she was advised that Walther should not have had the baggies as they were what items from commissary came in. One baggie did have trace amounts of brown and white residue of unknown origins. Detective Bahr and Detective Kohl searched the cell and did not locate any items of contraband. Detective Toole would later go through all of the seized evidentiary items and did not find anything of evidentiary value.

Detective Bahr did photograph Walther upon arrival of the Milwaukee County Medical Examiner's Office Forensic Investigator Maili Fraser. Detective Bahr noted that she did not observe any obvious injuries. Detective Bahr and Detective Kohl did complete reports regarding the processing of the crime scene, which has been included with this report.

#### INMATE INTERVIEWS (POD 5D)

Detective Fredericks, Detective Schroeder, and Detective Knipfer were assigned to interview witness/inmates in Pod 5D. All inmates were contacted and questioned by detectives. Several inmates indicated that they did not have any information or did not wish to speak with the detectives regarding the incident. Inmate interviews were conducted with the following inmates who indicated they wished to speak with the detectives and stated that they had information regarding the event: Robert A. Nash [REDACTED], Michael K. Harris [REDACTED], Lazarius F. Medina [REDACTED], Robert A. Sergeant [REDACTED], Moshe S. Wilson [REDACTED], Ravonte Q. Love [REDACTED] Harold Henderson [REDACTED]

The following are summaries of the inmate interviews conducted:

INMATE MICHAEL K. HARRIS, [REDACTED] (conducted by Detective Scott Knipfer). Inmate Harris indicated that he last saw Anthony alive the night before, around 9:00 PM. Harris stated that Anthony said he was having girl problems on the outside, but did not seem depressed. Harris stated that Anthony wasn't bullied by anyone and that he traded food with him on several occasions. Harris stated that at approximately noon, he was let out of the cell for lunch and while walking downstairs he overheard inmates talking about Anthony "being blue" and that he "was dead". Harris stated that he went to Anthony's cell and saw other inmates trying to wake Anthony up. Harris stated that Anthony was sitting upright in his bed and was blue. Harris stated that he told inmates to get Anthony on the ground and to try to help him open his airway. Harris asked the CO if he could do CPR, but the CO told him no and asked him to lock in.

INMATE ROBERT A. NASH, DOB [REDACTED] (conducted by Detective Scott Knipfer). Inmate Nash stated that Anthony wasn't bullied by anyone and that he often

traded food with other inmates, but mostly kept to himself. Inmate Nash advised that during lunchtime around noon, he was walking downstairs when a food worker inmate yelled at him to go wake up Anthony for lunch. Nash stated that he opened Anthony's door and saw him sitting on his bed. Nash stated that Anthony would not respond to him and looked unconscious. Nash stated that he went downstairs to tell the CO to check on him. Nash stated that the CO then went upstairs to check on him and told everyone in the pod to lock down for a medical emergency.

INMATE LAZARIUS F. MEDINA, [REDACTED] (conducted by Detective Brian Fredericks). Medina indicated that he walked past Walther's cell at approximately noon today and saw that he was blue.

INMATE MOSHE S. WILSON, [REDACTED] (conducted by Detective Brian Fredericks). Moshe indicated that he walked by Walther's cell and notified the CO to check on him.

INMATE ROBERT N. SERGEANT, [REDACTED] (conducted by Detective Brian Fredericks). Sergeant said that at approximately 12 noon, the CO returned from her lunch break and let the lower tier inmates exit and obtain their lunches. Next the upper tier inmates were allowed to exit to get their lunches. Sergeant stated that he and Robert Nash walked past Walther's cell and noticed that the light was off and his door was shut. Sergeant said he called to him, but Walther didn't respond. Sergeant notified the CO to come and look at Walther. Sergeant said he placed his hand on Walther's back, noted that he was warm, but could not detect breathing. Sergeant reported that Walther was laying with his face close to the wall, with one arm on the wall and the other behind his back. Sergeant described Walther's arms as "reddish", like "the color was going out of him". Sergeant said he next checked for a pulse, but didn't find one. Sergeant said another inmate rolled Walther on his back on the bed and observed his face was blue. Sergeant indicated that Walther was naked. Sergeant stated that the last time he had seen Walther was at approximately 7:00 AM to 7:30 AM on 04-05-21 for breakfast. Sergeant described Walther as being quiet and said that Walther spent a lot of time in his cell.

INMATE RAVONTE Q. LOVE, [REDACTED] (conducted by Detective David Schroeder). Love indicated that he is an inmate worker in pod 5D. Love stated that on 04-04-21, he was serving Walther a drink during either lunch or dinner and said that Walther said "thanks man" and seemed very sad. Love stated that he didn't understand, but it seemed like Walther was saying "goodbye". Love stated that Walther was always the last one out of the cell for meals. Love stated that for lunch on 04-05-21, Walther didn't come out. Love was down by the officer station, handing out trays, and he observed inmate Algie Williams walking past Walther's cell. Love yelled to Williams and requested he ask Walther if he was eating lunch. Love said the correctional officer working had stopped doing rounds and did not check on the inmates. Love said Williams knocked on Walther's door and yelled down that Walther was not responding to his knocks. Love then instructed Williams to open Walther's cell door and check on him. Williams checked on Walther and said Walther was not moving. Love said Robert Sergeant was also walking by Walther's cell at this time, and Love requested someone go in and check Walther's pulse. Love said that he could see several inmates going in and checking on Walther, and a "white guy" came out and Love asked him if he was breathing. The white guy shook his head indicating no. Love indicated that it took the correctional officer 15 minutes to go up there and

check on Walther. (It should be noted that video surveillance shows CO Jefferson responding within one minute of the inmates reporting that Walther needed to be checked on).

INMATE HAROLD HENDERSON, [REDACTED] (conducted by Detective David Schroeder). Henderson is an inmate worker in pod 5D. Henderson stated that Walther rarely comes out of his room. Henderson said that he saw Walther in the morning of 04-05-21, when he came out for breakfast and Walther appeared to follow his normal routine. Henderson said Walther is always the last one out of the cell for food. Henderson said he saw nothing out of the ordinary with Walther.

The inmate interviews were recorded and included with this report. The detectives who interviewed the inmates did file reports. See their reports and the Dictaphone recordings for further information.

#### MCSO JAIL STAFF MEMBER INTERVIEWS

The following MCSO staff members were interviewed regarding this event: Nurse Practitioner (NP) Brandon Decker, RN Brittany Wysocki, RN Samantha Markwardt, CS LT Matthew Carroll, CS LT Crystalina Montano, CO Vernisha Jefferson (POD 5D OFFICER), Deputy Charles Braden, CO Randall Wilborn, CO Paul Mesa, CO Lauren Pachmayer, CO Jessica Kromray, CO Marisol Rodriguez, CO Joseph Haasch, CO Kevin Murphy. All of the interviews conducted have been attached to this report for reference and those of evidentiary value are listed herein.

CO VERNISHA JEFFERSON (interview conducted by Detective Adent and Detective Toole). CO Jefferson stated that on 04-05-21, she was the sole officer assigned to Pod 5D. CO Jefferson stated that she was briefed by the prior shift that there was nothing to report. CO Jefferson stated that it had been 2 to 3 weeks since she worked Pod 5D, and that she did not know inmate Walther. CO Jefferson only knew Walther by his cell number #32. CO Jefferson said that she believed that Walther had come out for breakfast, however, she did not recall actually seeing him. CO Jefferson stated that Walther was not prescribed any medications, and did not receive any medications from the nurse during her visit around 10:00 AM. CO Jefferson said there was no mail delivery during her shift.

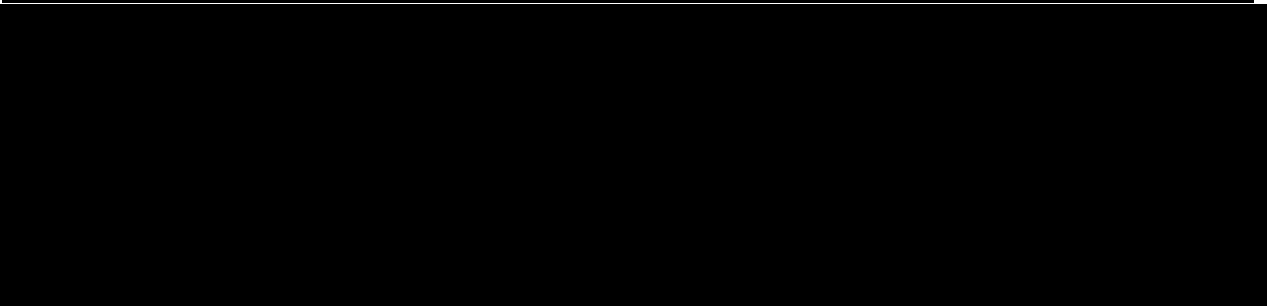
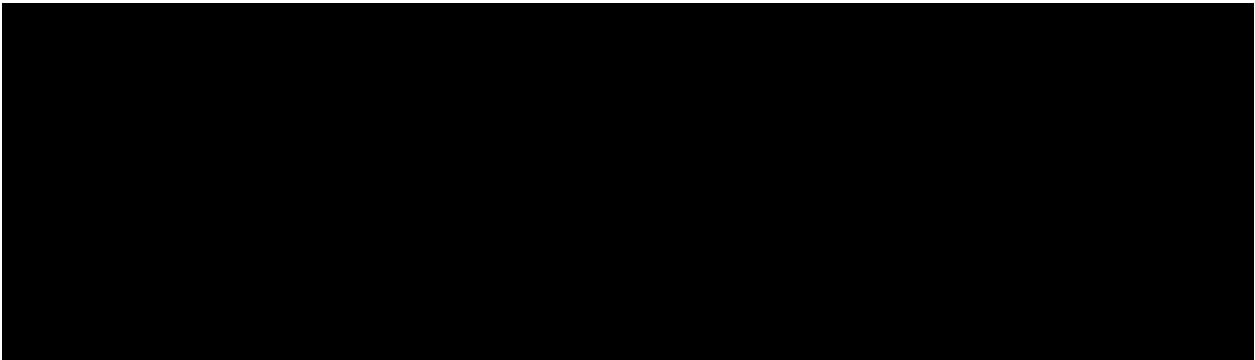
CO Jefferson said that she recalled doing a cell check on cell 32 (Walther) at approximately 11:06 AM. The door was closed and the lights were out. Inmate Walther was lying down on his bunk, and CO Jefferson observed him move from his left side to his right side. CO Jefferson stated that she did not hear him say anything or make any noises, however, said that Walther appeared a little startled when she opened the door. During lunchtime, at approximately 12:00 PM, inmate 33 (Elton Smith) yelled down to CO Jefferson from the second tier that something was wrong and she needed to check on Walther. CO Jefferson responded and observed Walther lying on his bunk with his head by the window and his arms up over his head. Walther was unresponsive and his face was purple. CO Jefferson stated that inmates went into the cell to check on Walther, and recalled them making a comment that he "looked dead!" CO Jefferson waited for back up to arrive before entering the cell for officer safety reasons, as she was worried and nervous that this could be a trap. CO Jefferson ordered the inmates out of the cell, and ordered all inmates to lock down for a medical emergency. CO Jefferson stated that she called for medical assistance over the radio for an unresponsive inmate at approximately 12:01 PM. Jail and Nursing staff arrived to assist, and the Lieutenant brought the AED and Oxygen. The nurse said he was blue and asked for additional staff STAT. They took Walther

off the bed, placed him on the floor and began CPR. They then brought Walther outside of the cell to do CPR, and the AED was utilized. CO Jefferson recalled that the AED advised to shock the patient, and a shock was given by staff.

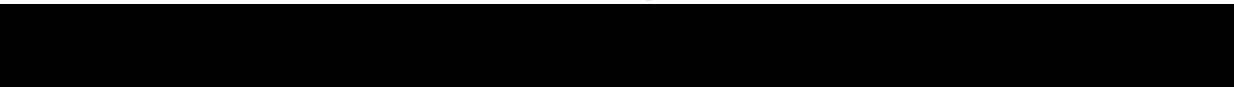
CO Jefferson did not know of any threats or problems with inmate Walther, and did not observe anything out of the ordinary in the Pod. She did recall that Walther had partially covered his cell window, and that she told him in the morning to take it down, but he did not comply. CO Jefferson stated that inmates will regularly do this when they are using the bathroom or want privacy.

After the incident, she recalled inmates stating that he was "cool", and that no one gave him a problem. CO Jefferson did not notice any marks or injuries on Walther.

NURSE PRACTITIONER BRANDON DECKER (interview conducted by Detective Coats).

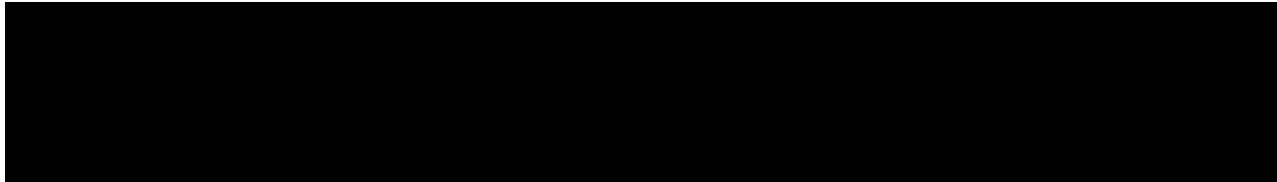
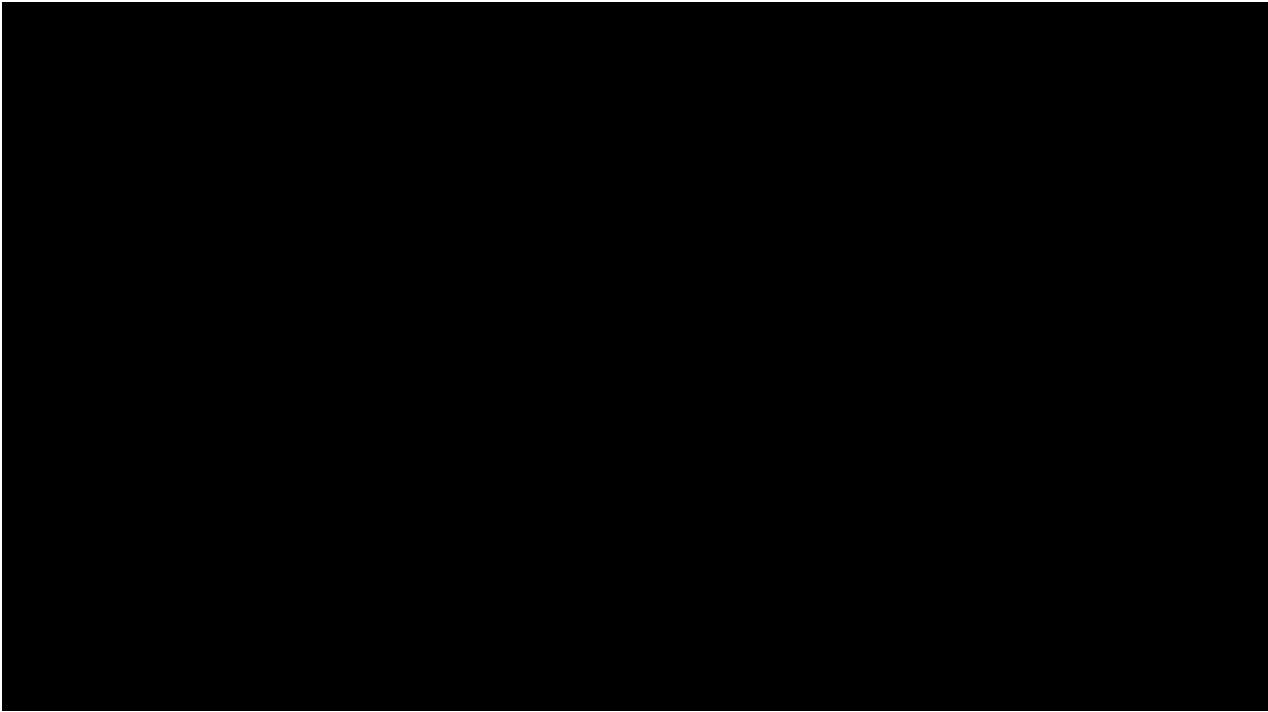
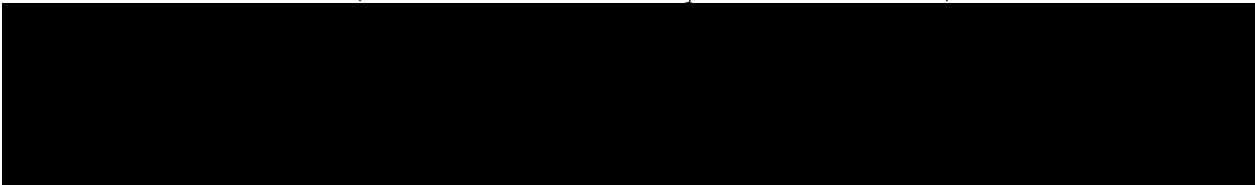


RN BRITTANY WYSOCKI (interview conducted by Detective Conrad).





RN SAMANTHA MARKWARDT (interview conducted by Detective Craft).



CO KEVIN MURPHY (interview conducted by Detective Chmielewski).  
CO Murphy stated that he was assigned to the inmate worker post in Pod 3D, when

he heard a call for an unresponsive inmate. At the time of the call, he was delivering food carts on the second floor of the jail. Normally, because of the post he was assigned, he would not respond to jail emergency calls unless absolutely needed. Murphy stated that he responded to assist when he heard the nursing supervisor, Brittany, call out on the radio "need more staff now". Murphy stated that upon arrival, he grabbed the AED and found Nurse Brittany conducting CPR compressions on the patient in his cell. Murphy advised that he put the AED pads on Walther as trained, and the AED indicated "Shock advised". CO Murphy, using the AED, then shocked Walther one time. Murphy stated that the Milwaukee Fire Department (MFD) arrived shortly after and unplugged the pads from the jail AED, and plugged them into their AED. They began lifesaving measures, and one of the jail nurses administered Narcan to Walther. Murphy stated that he assisted with CPR and provided breaths to Walther via a bag valve for approximately 40 minutes. Murphy stated that he did not notice any "nooses" or ligature marks and did not have any contact with Walther prior to the event.

CO RANDALL WILBORN (interview conducted by Detective Coats).

CO Wilborn stated that at the time of the incident, he was on the second floor of the jail. Wilborn heard RN Brittany on the radio requesting extra staff to respond to 5D, and he responded. Wilborn estimated that it took 45 seconds for him to respond to 5D, and that he arrived with CO Murphy. Upon arrival, a lieutenant requested an AED, which Murphy retrieved from the officer workstation. Wilborn stated that he observed Walther laying on his mattress on the floor, and being attended to by a nurse. Oxygen was placed on Walther while he was still in his cell. Upon arrival of MFD, they removed Walther from his cell and began CPR with the application of the AED. Wilborn stated that he assisted with chest compressions, and estimated that he performed 5 or 6 rounds of compressions. Wilborn stated that the AED did administer shocks during his administration of compressions. Wilborn described Walther as being "very pale", and he did not observe any injuries to him. Detective Coats asked Wilborn if he was aware of any CPR prior to the arrival of MFD. Wilborn stated that he was unsure, but that he did not. Wilborn stated that he did not recall ever having a conversation with Walther and that he did not know anything about him.

CO MARISOL RODRIGUEZ (interview conducted by Detective Roeglin).

CO Rodriguez stated that she responded with CO Wilborn. Upon arrival, Rodriguez observed Lt. Carroll standing by the cell, and Nursing Supervisor Brittany Wysocki inside the cell. Inmate Walther was laying on the floor on a mattress, his shirt was off, and he had a blue blanket covering him from the waist down. Walther's lips were blue and he was not breathing. Rodriguez stated that she immediately assisted with lifesaving measures. Nurse Wysocki was performing chest compressions on Walther. Rodriguez stated that she and Wilborn removed the AED pads and placed them on Walther's chest. Rodriguez stated that the AED analyzed Walther and advised to administer a shock. Rodriguez instructed everyone to clear Walther, and a shock was administered. Rodriguez stated that after the shock was administered, Walther was moved from the cell to the inner area of the pod so that there was more room. Rodriguez stated that she did not notice anything suspicious. Rodriguez stated that she had responded to an overdose in the past, and said that this incident reminded her of that. Rodriguez did not recall having any previous contact with Walther.

CS LT MATTHEW CARROLL (interview conducted by Detective Craft).

Lt. Carroll stated that at the time of the incident, he was assigned to the 5th and 6th floors. Lt. Carroll stated that he was headed to 5th floor to conduct



an inspection at 12:03 PM, when he heard the medical emergency come out. He stated that he grabbed the AED and medical bag to take with him. Upon arrival, Lt. Carroll observed Nurse Brittany already in Walther's cell. Walther was lying on his back in his bed, with his left arm hanging off the side of the bed. Lt. Carroll had skin on skin contact with Walther, and stated that he didn't recall Walther being particularly hot or cold to the touch. He also recalled he was able to move Walther's arm back up onto his chest without any difficulty, stating that it was almost as if he was just unconscious. Lt. Carroll did not notice any rigor or lividity, but stated that Walther's lips were a grayish/blue color. Lt. Carroll stated that he grabbed the head of Walther's mattress, while Brittany grabbed the end, and they moved him to the floor to begin CPR. When they moved Walther, the sheet moved and he noticed that Walther was naked. After getting Walther to the floor, Lt. Carroll ran back to get the AED while Brittany started CPR. CO Murphy was arriving in the Pod, so Lt. Carroll advised him to grab the AED, which he did. CO Murphy hooked up the AED to Walther, and CO Wilborn also assisted with CPR. The AED analyzed Walther and indicated "Shock advised". One shock was delivered. Lt. Carroll advised that the MFD staff arrived and disconnected the jail AED, replacing it with their own. Lt. Carroll believed an additional 5 shocks were delivered to Walther, and that jail staff administered Narcan. While staff members were tending to Walther, Lt. Carroll conducted a check of his cell. Lt. Carroll found several bag lunches including plastic bags, but there was no food in them. Lt. Carroll stated that the bags should have been cleaned out of the cell, and not left to accumulate.

#### EMS INVOLVEMENT MILWAUKEE FIRE DEPARTMENT (MFD)

Detective Craft did receive the MFD run report. The call detail records indicated that on 04-05-21, at 12:08:01, a call was initiated for an unconscious subject with agonal breathing at 949 N. 9th St. The responding units were E21, L9, and M3. Twelve MFD personnel responded from those units. MFD units were dispatched at 12:11:09, on scene at 12:14:45, patient contact 12:17:00, call closed 13:09:44. Notes indicated that "Doc #104 was contacted to give update". "Doc #104 advised a 1099 @ 1244 hours. Mike was contacted with the Medical Examiner's Office and information was given. Scene was given back to MCSO and Med3 cleared." The conversion record notes the patient was "dead on scene", and was a 26-year-old male, Anthony Walther. Resuscitation efforts were made, however, Walther was not revived and was not transported. Detective Craft attempted to get the AED download from MFD, however, was advised that it was not available. I contacted Sue Williams with MFD and was advised that there was a malfunction with the AED and that the information was not recorded. I was later advised by Sue Williams that they located the AED download, however, it would not be available without a court order.

#### NEXT OF KIN NOTIFICATION

On 04-05-21, at 3:25 PM, Detective Fredericks and Detective Knipfer did make personal contact with Anthony Walther's mother, Raquel Rivas De Loyd, DOB: [REDACTED]. Contact was made at her residence located at [REDACTED] in Milwaukee. The detectives verified that Anthony was her son, and advised Raquel that her son was found deceased in his cell. Raquel reported that Anthony had no known serious medical conditions. Raquel stated that she had spoken with Anthony over the phone within the past couple of days, and that he was in good spirits. Raquel stated that she believed that Anthony's bail was going to be reduced at a hearing on 04-06-21, and that the family had raised enough money to pay for the reduced bail.

## AUTOPSY

An autopsy was conducted by Dr. Brian Peterson with the Milwaukee County Medical Examiner's Office (MCMEO) on 04-06-21. Preliminary results showed that the victim had no external injuries and that the most likely cause of death appeared to be an overdose. Dr. Peterson stated that this would need to be verified by the toxicology results. On 04-15-21, Dr. Peterson recontacted me and advised that an extensive drug screen was conducted by the MCMEO and stated that, preliminarily, the death now appeared to be a [REDACTED] related natural death.

## OFFICIAL AUTOPSY PROTOCOL RESULTS MCMEO

On 05-13-21, I did receive official Autopsy Protocol results from the MCMEO. Medical Examiner Brian L. Peterson, M.D., listed the cause of death as acute heart failure, and the manner of death as natural.

## SURVEILLANCE VIDEO

Surveillance video from Pod 5D was reviewed from 04-05-21 (day of death), and 04-04-21 (day prior to death). During the review, it did not appear that Walther was acting unusual or under duress. The following information of evidentiary value was located while reviewing the (MCJ) surveillance video from Pod 5D on 04-05-2021:

07:19:51 Inmate Walther comes out of cell 32 for breakfast and walks downstairs. Walther picks up his breakfast and his prescribed a.m. snack bag and goes back to his cell. In viewing the video, there is nothing in Walther's demeanor that would indicate that there was any sort of problem.

07:30:00 Inmate Walther comes back out of the cell with his tray. Walther walks downstairs with his tray, without having any contact with anyone, places his breakfast tray in the tray carrier and walks back upstairs to his cell #32.

07:30:59 Inmate Walther walks back into his cell #32.

07:31:47 Inmate Walther comes back out of the cell, walks to cell #30 (Raymond Riviera) with something in his right hand. Inmate Walther hands the item to Riviera, turns around, walks back to his cell #32.

07:32:07 Inmate Walther comes out to his doorway and closes the cell door. Inmate Walther remains in his cell. (Last time inmate Walther comes out of cell).

07:54:17 Cell check conducted by CO Jefferson. Jefferson checks Walther's cell #32, and looks into the cell through the cell window. (This is the first cell check conducted on Walther's cell after he is last seen outside of his cell, 21 minutes prior to the check).

11:03:13 Cell check (last cell check prior to the incident). Door closed, lights out. CO Jefferson walked slightly past the cell door, grabbing the cell door handle. CO Jefferson appears to be speaking with an inmate in cell 30. CO Jefferson goes back toward cell 32 and opens the door briefly, approximately 1 foot, for a period of less than one second. During this time, CO Jefferson appears to be still communicating with the inmate in cell 30.

11:59:38 Inmates from the upper tier walking to lunch. Inmate walking

past cell 32 for lunch passes cell then comes back to cell 32.

11:59:44 Inmate looks in cell 32 window.

11:59:47 Inmate opens cell door and looks in.

12:00:00 Inmate closes cell door, starts walking away with second white male inmate walking by.

12:00:09 Second inmate looks in open door.

12:00:16 Inmate turns towards day room, appears to signal for help.

12:01:15 CO Jefferson arrives at cell 32. CO Jefferson stays outside of the cell while other inmates are checking on inmate Walther. CO Jefferson appears to be ordering inmates to lock in and inmates in the cell to come out of the cell and lock in.

12:02:55 Black male inmate walks out of his cell and picks up his tray and leaves. CO Jefferson outside of the cell appears to be on the radio. (Coincides with radio traffic log when CO Jefferson calls Master Control advising that there was an unresponsive inmate in cell 32).

12:05:54 Nurse Brittany Wysocki arrives in pod, putting gloves on by Officer work station.

12:06:40 Nurse Wysocki enters cell 32.

12:06:45 CS Lt. Carroll enters cell 32.

12:08:15 Additional CO staff arrive at cell 32 (seven staff members, including one nurse). One of the seven staff members is seen bringing an AED, and one of the members is seen with a large red medical bag.)

12:09:42 Male staff in white coat arrived at cell 32.

12:10:15 Staff arrive appear to be Milwaukee Fire Department.

12:10:25 Staff members pull inmate Walther into hallway outside his cell on mattress as MFD staff arrive.

12:10:29 Nursing staff visibly giving inmate Walther chest compressions.

12:12:04 Staff members arrive (appears to be MFD).

12:12:04 (12:12:04 to 12:43:14) Staff members continue to arrive as lifesaving measures continue.

12:43:14 Appears that an MFD staff member is checking for signs of life with a stethoscope.

12:44:25 Lifesaving measures appear to end.

12:44:39 Staff cover inmate Walther with blanket.

12:45:46 Staff members close cell 32 and began to secure the scene.

13:00:33 Staff members leave decedent, pod appears secure and remains in lockdown.

#### JAIL PHONE CALL REVIEW

During the course of this investigation, all MCSO Jail phone calls of Anthony Walther were reviewed. All of Anthony's calls were placed to his family members. All calls are included with this report. The following is a brief summary of relevant findings. Walther placed his last phone call on 04-02-21 at 19:19:35, call #196074372. The call was placed to his mother, Raquel Rivas De Loyd, Brother Nicholas Rivas, and Charles Hills. Walther expressed that he was hopeful that he would be out soon, and appears to planning for the future. Walther placed a call to his mother, Raquel, and Charles Hills on 03-12-21 at 17:27:09, call #195012924. Walther told his mother that he had been having "suicidal, almost dark thoughts" and had scheduled an appointment with a therapist. Walther told his mother that he was feeling better now, and didn't feel like he needed to talk to anyone anymore, and was going to cancel the appointment. For more detailed information, see the supplement and the attached calls.

#### ADDITIONAL EVIDENCE OBTAINED/REVIEWED

Milwaukee Police Department arrest report, CJF arrest-detention report, CO radio traffic and emergency call, MCSO cad report, Milwaukee County Emergency Management AED download, inmate visitation log, inmate phone call record, jail phone calls, Pod 5D surveillance camera footage from (04-04-21 and 04-05-21), mail log, inmate communication records, Pod 5D cell assignment, Inmate Walther cell history report, Inmate Walther jail discipline report, Pod 5D MCJ door transaction report, CO assignments, CJF incident report, MFD run report, scene photos, Walther's personal items removed from cell, MCSO body scan of Walther, and Milwaukee County Medical Examiner's report.

#### RELEVANT STATE ADMINISTRATIVE CODE DOC 350.18(1)(A)

DOC 350.18 Security. The jail shall have policies and procedures relating to jail security, including all of the following components:

(1) INMATE SUPERVISION. The jail shall have a system providing for wellbeing checks of inmates. Policies and procedures shall provide that all inmates are personally observed by jail security staff at staggered intervals not to exceed the following:

- (a) 60 minutes.
- (b) 15 minutes for inmates housed on suicide watch.

CO Vernisha Jefferson started work at 0600. During her tour of duty in Pod 5D until the time of the incident, she is seen on video surveillance conducting 8 cell checks at the following times: 06:27:57, 07:22:48, 07:54:17, 08:30:14, 09:44:09, 09:55:39, 10:53:37, 11:03:13. All of the checks, with the exception of the 09:44:09 check (14 minutes overdue), meet the 60 minute time period between checks as required in DOC 350.18(1)(a). It should be noted that the CMS Activity Report shows a pod inspection completed at 9:02, however, video surveillance shows cell 32 being checked at 8:30:14. This discrepancy would not be out of the ordinary as the inspection listed on the CMS Activity Report is for the entire pod. CO Jefferson's recollection of cell check times were relatively consistent with the video surveillance. During CO Jefferson's last cell check of cell #32, she indicated that Walther was lying on his bunk. CO Jefferson observed Walther lying down on his left side, and saw him turn over onto his right side. CO Jefferson recalled the cell check occurring at 11:06

AM, video surveillance indicates that the check was at 11:03 AM. The decedent, Anthony Walther, was found by fellow inmates, unresponsive in his cell, and notified CO Jefferson at 12:00:16. CO Jefferson arrives at Walther's cell #32 at 12:01:15. This time period is within the required 60-minute check. Walther was housed in general population and was not on suicide watch, therefore, 15-minute checks would not apply.

#### FACTS AND SUMMARY OF INVESTIGATION

On Monday, 04-05-21, the Milwaukee County Sheriff's Department contacted the Waukesha County Sheriff's Department requesting assistance in investigating the death of MCJ inmate Anthony D. Walther, [REDACTED]. Walther was assigned to Pod 5D Cell #32. Fellow inmates attempted to summon Walther for lunch at approximately 11:59 AM. The inmates discovered Walther non-responsive in his cell and immediately called out to CO Jefferson for assistance. CO Jefferson responded, and found Walther non-responsive and blue in his cell at 12:01 PM. CO Jefferson orders the inmates to leave the cell, and locked down the pod. At 12:02 PM, CO Jefferson responded to the level of her training, and calls for assistance for an unresponsive inmate. Additional assistance quickly responded, including jail staff, jail nursing staff, and the Milwaukee Fire Department, and provided lifesaving measures including: CPR, 6 shocks AED, Narcan, IV, medication, and King airway. Walther was pronounced deceased at 12:44 PM. An interior crime scene (cell #32), and exterior (Pod 5D) crime scene was maintained. MCSO contacted an outside agency (Waukesha County Sheriff's Department) to conduct the investigation per MCSO policy.

[REDACTED]

An autopsy was conducted by Dr. Brian Peterson with the Milwaukee County Medical Examiner's Office on 04-06-21. Preliminary results showed that the victim had no external injuries and that the most likely cause of death appeared to be an overdose. Dr. Peterson stated that this would need to be verified by the toxicology results. On 04-15-21, Dr. Petersen recontacted me and advised that an extensive drug screen was conducted by the MCMEO and stated that, preliminarily, the death now appeared to be a [REDACTED] related natural death. On 05-13-21, I did receive official Autopsy Protocol results from the MCMEO. Medical Examiner Brian L. Peterson, M.D., listed the cause of death as acute heart failure and the manner of death as natural.

This investigation has not revealed any obvious sign(s) of criminal wrongdoing related to the death of Anthony Walther, nor has it revealed any obvious violation(s) of Wisconsin State Statute. However, this agency is requesting that the Milwaukee County District Attorney's Office review this entire investigation and provide a legal opinion into those findings. Therefore, this

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incident can be considered cleared by referral to the Milwaukee County District Attorney's Office for review.

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