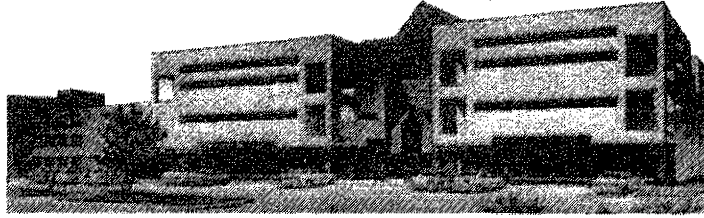




OFFICE OF THE SHERIFF



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ERIC SEVERSON, *Sheriff*

WAUKESHA COUNTY SHERIFF'S OFFICE CASE NUMBER W20001230

IN CUSTODY DEATH OF INMATE NICHOLAS L. STADTMULLER:

This report will serve as the summary of the In Custody Death Investigation of Milwaukee County Jail inmate Nicholas Stadtmuller, which occurred on 01-05-20 at approximately 5:36 p.m. at the Milwaukee County Jail, located at 949 N. 9th St. in the City of Milwaukee. It should be noted that Stadtmuller was transported to St. Mary's where he was pronounced dead on 01-07-20 at 3:10 p.m. from his injuries.

The Waukesha County-Sheriff's Department (WKSO) was contacted and was requested to respond as the lead investigative agency per Milwaukee County Sheriff's Department (MCSO) policy.

WKSO RESPONSE:

Detective Captain Frank McElderry, Detective Lieutenant Aaron Bogie, Lead Investigator Detective Michael Toole, Co-Lead Investigator Detective Alex O'Toole, Detective Brian Fredericks, Detective Christina Rarick, Detective Kendra Moonen, Detective Timothy Loberg, Detective Shawn Friedbacher, Detective Dave Voigt, Detective Christy Bahr and Detective Mark Conrad.

INVESTIGATOR PRESENT FROM MCSO:

Milwaukee County Detective Brian Conte

Milwaukee DA Investigator Steven Strasser

BRIEFING UPON ARRIVAL:

On 01-05-20 at approximately 7:30 p.m., Detectives of the Waukesha County Sheriff's Department were dispatched to the Milwaukee County Jail in reference to a possible inmate suicide. Upon arrival we were advised that the subject was transported from the jail with a correctional officer escort and the subject had a pulse. The subject, identified as Nicholas L. Stadtmuller (M/W, [REDACTED]) had been transported to Columbia St. Mary's after the incident. We were advised a pulse had been reestablished but the subject was not breathing on his own.

Stadtmuller had been arrested on 12-27-19 on warrants out of New York for fraud. MCSO medical personnel provided medical records and advised that earlier in his stay he had been on a medical screen because he was an [REDACTED]. Medical personnel advised that he had been placed on [REDACTED] protocol but since had been taken off of it. Stadtmuller had currently been housed in the intake unit Pod 3B.

WKSO Detectives were advised that on video the subject can be seen tucking what appears to be a sheet into the doorjamb of his cell near the hinges. Correctional Officer Farrand unlocks the door and the subject falls out of the cell onto the floor, this is at approximately 5:36 p.m. Correctional Officer Farrand immediately calls for medical backup, and has all inmate's lock in, and begins controlling the doors for responding correctional officers and medical staff.

SURVEILLANCE VIDEO:

The jail video was supplied by the Milwaukee County Sheriff's Office showed:

- 1716 hours - Nicholas walked out of his room with a white sheet in his hand and looks at the door and then closes the door. Nicholas appears to be putting something in the upper hinge portion of the door. Nicholas is then seen looking at the door and then closes it.
- 17:17:18 hours - Nicholas is standing outside the door looking around at the other inmates.
- 1720 hours - all the other inmates go downstairs and Nicholas goes in his cell.
- 17:21:08 hours - Nicholas closes the door from inside and appears to be doing something with the upper left corner part of the door, which would be the hinged area.
- 1721 hours - Nicholas comes out of his room and is standing by the railing.
- 17:21:50 hours - Nicholas goes into his cell and looks at the same corner as before. It appears that Nicholas is attempting to close the door but can't. There is movement that can be seen in the same corner of the door as previously in the video.
- 17:22:30 hours - the door to Nicholas' cell closes.
- 17:36:41 hours - the CO opens the door and Nicholas falls to the floor with a white sheet around his neck.
- 1737 hours - a second CO arrived on scene and CPR begins.
- 1804 hours - the video ends.

The third file is labeled as 3B PTZ. This camera faces the floor, but has the capability of moving. As previously stated, nothing out of the ordinary is documented from the floor. I will begin documenting this camera footage starting at 17:36:38 hours.

- 17:36:45 hours - the camera turns to cell #46. The second CO rolls Nicholas on his back. You can see the sheet around Nicholas' neck and as the CO takes the sheet off, it appears to be wrapped around his neck multiple times. The CO then begins CPR. From this time forward, CPR continues and MFD arrives. I've documented the different times of arrival on the first file.

INTERVIEWS PERFORMED:

Correctional Officer Farrand, Correctional Officer Pagan, Correctional Officer Cornog, Correctional Officer Hynst, Correctional Officer Branden, Correctional Officer Korngiebel, Correctional Officer Ehrmann, Correctional Officer Peterson, Correctional Captain Hannah, Correctional Lieutenant Stevens, Nurse Dziedzic, Nurse Clanderman, and Inmates Nussbaum, Fairley, Salgado, Vieth, Yops, and Williams.

All interviews are consistent with timelines provided and treatment that was performed for Stadtmuller by all involved and parties that were witnesses to the medical event. All of the interviews performed have been attached to this report for reference, and those of evidentiary value are listed herein.

INTERVIEW WITH CORRECTIONAL OFFICER (CO) JOSHUA FARRAND BY DETECTIVES TOOLE AND O'TOOLE:

CO Farrand stated that their normal protocol in that pod is to have the doors open. He stated that if the inmate chooses to sleep, they can have their door shut and locked, and their lights off. He stated during the day normally the doors are to be open unless they're using the restroom, in which case they can have it closed briefly for some privacy.

CO Farrand stated at the time in question another inmate asked him to open the library. CO Farrand said as he went by Stadtmuller's cell, he thought he saw him by his sink in his cell and thought he moved his head. He stated he continued around the second-tier to the library where he unlocked the library for the other inmate. CO Farrand stated he thought about that door being closed on the second-tier and thought it was weird. CO Farrand went back to the closed cell, unlocked it and the subject fell out of the cell and onto the floor. CO Farrand said the subject had a sheet going up to the doorjamb area and had been stuffed in the crack. He stated that the second time that he went up to that door to unlock it he saw the sheet around the subject's neck. CO Farrand stated the first time he went past the cell door he simply saw the subject's head and thought the subject was going to the bathroom. CO Farrand stated that he immediately radioed for help and also called other inmates to help with the subject. He also directed all inmates to lock in their cells.

CO Farrand stated their protocol is to go to the control desk to allow responding officers in, to the pod area. CO Farrand stated that after the incident, due to Stadtmuller having a pulse, several bio workers were called to clean the cell and that he has no idea where any of the items were taken.

INTERVIEW WITH RN LAURA CLANDERMAN BY DETECTIVE MOONEN:

The jail nurse was identified as Laura Clanderman was interviewed after the incident.

She stated that at 5:36 p.m., she overheard a radio call for an inmate that had attempted to hang himself in pod 3B. Laura advised that she responded to the scene with other Correctional Officers as well as the nursing supervisor, Candice. Upon her arrival, Correctional Officers were already performing CPR. Laura advised that she assisted with CPR, however, noted that the mask used to administer rescue breaths continuously needed to be cleaned as the inmate would vomit into the mask. Laura advised that an AED was placed on the subject, however, no shock was ever advised. Laura advised that the Milwaukee Fire Department arrived at 5:45 p.m. and all patient care was turned over to them.

INTERVIEW OF INMATE NUSSBAUM BY DETECTIVES TOOLE AND O'TOOLE:

Nussbaum stated that it was after dinner and he had been on the second-tier, and as a Correctional Officer approached he asked him to get in the library, it was approximately 5:30 p.m. Nussbaum stated that the Correctional Officer told him that he would open the library. Nussbaum stated that CO Farrand walked around the upper tier to unlock the library, as he went he was checking on the inmates. Nussbaum said that he walked to his cell and was going to continue on to the library. Nussbaum stated that the CO who unlocked the library seemed to be looking at something on the second floor. The CO then went down the stairs, came back up to the second-tier, and unlocked the cell that he had been standing in front of. Nussbaum stated that as the CO unlocked the door the subject fell out; he stated that there appeared to be a bedsheet under his arm or around his neck.

JAIL PHONE CALLS REVIEWED BY DETECTIVE ROEGLIN:

The call reviewed was a telephone call from Nicholas Stadtmuller to Gerald and Elizabeth Stadtmuller on 01-05-20 at 3:11 pm. The conversation was a call between Nicholas and Gerald (his father). Nicholas explains that he was at Milwaukee County Jail and he was picked up for the warrant through New York. Gerald told Nicholas that he was well aware of a lot of what has been going on and told Nicholas that "the gig is up."

The second telephone call reviewed was a telephone call from Nicholas to Gerald and Elizabeth on 01-05-20 at 4:17 p.m. Stadtmuller's parents advise him the warrant is for forging a prescription for suboxone and he may be extradited. After hearing from Gerald that the probability that Nicholas was getting extradited, it seemed the mood had changed on the telephone by Nicholas. Nicholas seemed to be very calm yet saddened that he would have to return to New York. Nicholas began apologizing to Gerald and Elizabeth. Gerald began telling Nicholas that he had contacted several businesses that Nicholas claimed to be employed through, as well as several landlords or apartment complexes to which Nicholas told Gerald and Elizabeth that he was living at. Gerald told Nicholas that based on those phone calls, he knew Nicholas was lying and asked Nicholas to tell the truth. Nicholas replied by telling Gerald that he lied, but did not give a reason. Nicholas then replied by saying, "I think it's just best that you guys cut me loose, I'm a bad seed. You have to let me go guys, you got to let me go." Gerald stated if Nicholas wanted help that he and Elizabeth would support him getting help to get sober. Nicholas replied by telling Gerald that he wanted to get help, but he thinks he "is beyond that, I just don't think that is going to make a difference

Nicholas ends the conversation by saying that he is really sorry and said, "I love you guys more than anything in the world."

SEARCH OF CELL

A search of Inmate Stadtmullers cell was conducted by Detective Bahr. It should be noted the cell was cleaned after the inmate was transported from MCSO by MFD and nothing of evidentiary value was taken.

REVIEW OF LOGS

During this investigation Detective Toole reviewed the jail logs from Pod 3B and found no abnormalities in the counts or how they were done by CO Farrand.

AED DOWNLOAD

The AED from this incident was taken to Office of Emergency Management and downloaded and a copy of the download will be attached to this report.

AUTOPSY AND CAUSE OF DEATH:

On 01-09-20, Detective Kohl, along with Detective Roeglin, attended the autopsy of Nicholas Stadtmuller at the Milwaukee County Medical Examiner's Office. The autopsy was conducted by Dr. Douglas Kelly.

Detective Kohl took overall photos of the body. Detective Kohl did observe some possible ligature marks on the neck and took scaled photos of them. It also appeared that the left wrist had a scabbed-over abrasion. There was no apparent or significant injury to the body.

Please see the Medical Examiner's report for complete information. One DNA card was turned over to us and placed in inventory by Detective Roeglin.

The preliminary manner cause of death was ruled a suicide by Dr. Douglas Kelly on 01-09-20 at an autopsy conducted at 8:30 a.m. on that date. It was noted the subject was pronounced dead on 01-07-20 at approximately 3:10 p.m. at St. Mary's Hospital located at 2301 North Lake Dr. in Milwaukee.

A copy of the subject's medical records were reviewed and will be attached to this report.

TOXICOLOGY

On January 27, 2020 I received a call from Dr. Kelly at the Milwaukee Medical Examiner's office. Kelly stated in the subjects anti-mortem blood "nothing showed up", and in his comprehensive drug screen there was "nothing". He stated his toxicology was negative.

DEATH NOTIFICATION:

On the evening of 01-05-20, I attempted calls to Gerald and Elizabeth to notify them of the incident with their son Nicholas. Unable to make contact with the Stadtmullers the Oshkosh PD was tele typed and made contact with them at their residence for notification.

On 01-06-20 I received a phone call from Gerald Stadtmuller. Gerald Stadtmuller relayed to me that in fact Nicholas was raised in Oshkosh and had lived there most of his life. He stated he did his undergraduate college in Minnesota and then went to St. John's University Law School in New York. He stated he graduated in 2011 from law school and has lived there ever since. Gerald stated his son has had an addiction issue and in 2010 went to rehab in Minnesota for an [REDACTED]. He stated in 2011 his son told him that he got into real estate because he was unable to find a job in the law field. He stated that his son did tell him that after last three or four years he was working for a law firm in New York but did not know which firm. He said his son has recently told him recently he had moved to a different firm but he does not know if this is true. Gerald Stadtmuller stated that his son came home from New York on 12-25-19 for Christmas, and he had picked him up at the airport in the afternoon. He stated he only stayed with them until 12-27-19, at which point he was dropped off at the train station in Milwaukee. He stated he didn't find out until the 01-05-20 that his son had been picked up on 12-27-19 in Milwaukee on warrants.

FACTS AND SUMMARY OF INVESTIGATION:

On the evening of 01-05-20, Milwaukee County Jail staff were made aware of a medical emergency involving inmate Stadtmuller. A medical backup was called, and several CO's and jail medical staff responded to POD 3B. Stadtmuller's condition was evaluated, and CPR was immediately initiated. Phone calls were made to dispatch for the emergency and to have MFD respond. Stadtmuller was transported to St. Mary's Hospital and was placed on a ventilator. Doctors at St. Mary's pronounced Stadtmuller's death on 01-07-20 at 3:10 p.m. A preliminary autopsy report listed Stadtmuller's cause of death as suicide. The AED was downloaded and reviewed. A review of MCSO reports, evidence and video revealed no evidence of foul play involving the death of Stadtmuller. I am asking that this case be reviewed by the Milwaukee County District Attorney's Office to determine if any circumstances of this incident would meet any prosecutorial elements of any crime(s) under Wisconsin State Statutes.

Respectfully submitted,

Detective Michael T. Toole #7476

Waukesha County Sheriff's Office