

W22046330



OFFICE OF THE DISTRICT ATTORNEY
Milwaukee County

JOHN T. CHISHOLM • District Attorney

Chief Deputy Kent L. Lovern, Deputies Lovell Johnson, Jr., Jeffrey J. Altenburg, Karen A. Loebel,
Elisabeth Mueller, Matthew J. Torbenson, Bruce J. Landgraf

January 11, 2023

Sheriff Denita Ball
Milwaukee County Sheriff's Office
821 W. State Street, Room 107
Milwaukee, WI 53233

Re: Death of Briceon Green (DOB [REDACTED])

Dear Sheriff Ball:

This office has completed its review of an investigation by the Waukesha County Sheriff's Office into the death of Briceon Green on June 26, 2022, at the Milwaukee County Jail.

On the afternoon of Sunday, June 26, 2022, Deputies Thomas and Jirsa of the Milwaukee County Sheriff's Office arrested Briceon Green on the Milwaukee lakefront for Disorderly Conduct. He was brought to the Milwaukee County Jail at 5:39 p.m. for additional charges of Resisting an Officer, Carrying a Concealed Weapon and Felony Bail Jumping.

At 6:12 p.m., Green met with an intake nurse at the Jail and a Medical Receiving Triage document was completed. The document shows that the nurse identified Green as being uncooperative, but with no signs of alcohol or drug intoxication or withdrawals, and no reasons to believe that Green may be suicidal or dangerous to himself or others. The triage document contains a number of questions asked of Green, who reportedly answered "No" to all of them, including, "Have you ever done anything to, or currently want to end your life?" During this initial triage process, the intake nurse did not have access to Green's classification and placement history at the Milwaukee County Jail, which included [REDACTED]

After the triage process, Green was processed through booking and body scanning. Due to his level of uncooperativeness, he was escorted and secured into Booking Cell 16. Green was the sole occupant. Cell 16 was equipped with two (2) cement benches, a toilet, and a metal phone that was affixed to the south wall and west of the cell door, being mounted above the western cement inmate bench. The telephone consisted of a wall mounted housing unit equipped with metal push buttons and a handset hanging bracket as well as a short steel cord that connected the housing unit to the handset.

Cell 16 is accessed through the jail's booking / arrestee waiting room. The booking area had multiple deputies on duty, all of which were assigned a variety of tasks, to include, but not limited to: booking and supervising arrestees, undertaking status checks of arrestees, and the movement and placement of arrestees within the jail. As such, one of the deputies, Deputy Merlin Amaya, was tasked to make rounds around the booking room, check the welfare of arrestees, and digitally log his checks through the north and south proximity readers that were affixed to specific areas within the booking room. Additionally, the booking room was equipped with several surveillance cameras, providing the viewer with different perspectives / angles of activity within the room.

MCS 01/11/2023

Sheriff Denita Ball
Milwaukee County Sheriff's Office
January 11, 2023
Page 2

The jail's Booking Camera 2's vantage point was from the east looking west. The camera's angle depicts both the male and female inmate waiting area, the inmate search room door, the medical office entrance, the scan room doorway, and Cell 16's entrance door. Cell 16's door was constructed of steel and has two (2) viewing windows that are located on the upper and lower portions of the door and were also visible to Booking Camera 2.

A review of the video showed that at a time stamp of 18:20, Green exited the search room on his own accord. At 18:24, Green was escorted, placed, and locked into Cell 16 alone. Green was observed walking around the cell on multiple occasions. Then at 18:48, Green began firmly pulling on the telephone handset, consistent with testing the tensile strength of the phone cord. At 18:49, Green wrapped the phone cord around his neck, and then removed it. Shortly thereafter, Green rewrapped the cord around his neck and leaned out of view towards the telephone wall mount. At 18:50, Deputy Amaya entered the viewing range of Camera 2 and removed an object from his upper right breast pocket. Deputy Amaya walked eastbound towards Cell 16 and then the north proximity reader. From the angle of Booking Camera 2, Deputy Amaya briefly looked into Cell 16, but continued walking past the cell, apparently not noticing anything of concern. Shortly thereafter, Camera 2 captures Green having full body convulsions before ultimately slumping down from a concrete bench, but suspended above the floor of the cell by the telephone cord. At time stamp 19:27, Corrections Officer Trotter arrived at Cell 16 and peered inside and down to the left towards Green's body. CO Trotter immediately initiated the jail protocols in the event of a self-harming situation, which prompted additional jail personnel to respond and the other arrestees to clear the waiting room. Lifesaving measures were performed by Milwaukee County Sheriff's personnel, but were unsuccessful in resuscitating Green. The Milwaukee Fire Department was summoned, and despite efforts to revive Green, he was pronounced deceased.

The Milwaukee County Medical Examiner's Office conducted an autopsy and determined the cause of Green's death to be [REDACTED].

After reviewing this investigation and considering the pertinent statutes that might apply to this situation, this office concludes that the failure of Deputy Amaya to observe Green in the process of hanging himself as Amaya glanced into Cell 16 was consequential, but does not rise to the level of criminal conduct under Wisconsin law. This office has concluded its review of this matter.

Sincerely,



Kent Lovern
Chief Deputy District Attorney

cc: Waukesha County Sheriff Eric Severson
Waukesha County Sheriff's Detective Mandy Schwartz
Milwaukee County Sheriff's Chief Deputy Daniel Hughes
Attorney B'Ivory LaMarr
Attorney John Marrese
Attorney Steven Hart