

SUPPLEMENTAL NARRATIVE :**Supplement number:** 69**Name:** WACKER TCW**Date:** 10:56:37 02/22/23

SUMMARY REPORT // DETECTIVE TIM WACKER 9146

This report will serve as a summary of the in-custody death investigation at the Milwaukee County Criminal Justice Facility (CJF) located at 949 N. 9th Street in the City of Milwaukee, Milwaukee County Wisconsin, involving inmate Cilivea S. Thyrior F/I [REDACTED] which occurred on 12/16/2022 at approximately 10:28am.

Thyrior was arrested by Wauwatosa PD and incarcerated at the CJF on 2/14/22. On 12/11/22, Thyrior was placed in the [REDACTED] Unit [REDACTED] and assigned cell #3 of subpod A.

On the morning of 12/16/22, Thyrior requested something to help deal with her [REDACTED] and was provided an adult diaper by C.O. Latasha Hethington. Thyrior took that diaper to her cell and left it there until she was done with her "recreation time" and returned to her cell at approximately 10:03am. At 10:28am, C.O. Hethington notices that Thyrior is behaving abnormally; quickly pacing back and forth in her cell. C.O. Hethington tries to contact Thyrior through the intercom, and when there was no answer, C.O. Hethington goes to Thyrior's cell to check on her. Thyrior motions that she is [REDACTED] and mouths the words [REDACTED]. C.O. Hethington calls over the radio for a medical emergency regarding an inmate with difficulty [REDACTED]. C.O. Hethington and other jail staff enter Thyrior's cell shortly after and begin attempting to assist Thyrior. Thyrior resists attempts by staff to assist her; including clenching her jaw and pushing helpers' hands away from her face, and resisting efforts to get Thyrior in a better position to do [REDACTED] and an [REDACTED] were used by jail staff and eventually the Milwaukee Fire Department (MFD). Thyrior was pronounced deceased at 11:13am. The Milwaukee County Medical Examiner's Office performed an autopsy on Thyrior on Monday, 12/19/2022.

INVESTIGATORS

The Waukesha County Sheriff's Department (WKSO) was requested to act as the lead investigative agency per Milwaukee County Sheriff's Office (MCSO) policy. The Waukesha County Sheriff's Department responded with Captain Aaron Bogie, Lieutenant Chad Niles, Lead Investigator Detective Tim Wacker, and Detectives Christy Bahr, Joseph Mensah, Scott Knipfer, Steve Berg, and Nathan Plennes.

Detective Brian Morgan from the Milwaukee County Sheriff's Office was called to the scene to assist the WKSO and acted as a liaison throughout the investigation.

Milwaukee County District Attorney's Office Investigator Steven Strasser responded to the scene and was consulted during this investigation as well.

Forensic Investigator Anita Loker and Dr. Joseph Calderaro from the Milwaukee County Medical Examiner's (MCME) Office were called to the scene and Dr. Calderaro later performed Thyrior's autopsy.

BRIEFING

Upon WKSO's arrival, Milwaukee County Sheriff's Office Jail Director Joshua Briggs provided us with a briefing regarding the incident. Director Briggs explained that Cilivea S. Thyrior F/I [REDACTED] had been placed in the [REDACTED] Unit [REDACTED] and on [REDACTED] due to past behaviors of [REDACTED] and

██████████ Director Briggs said that a Corrections Officer (C.O.) noticed Thyrior was displaying odd behavior, and then called over the radio for a medical emergency. It was believed that Thyrior had ██████████ and that is what she had ██████████ on. Jail staff, Bell Ambulance, and the Milwaukee Fire Department all attempted lifesaving measures, which were ultimately unsuccessful. Thyrior was pronounced deceased by Froedtert Hospital's Dr. Lindsey Johnson.

CRIME SCENE

Detective Bahr was assigned to process and photograph Cell #3 located within subpod A of the ██████████ Unit ██████████ where Thyrior was housed. Detective Bahr took several photographs of the scene and of Thyrior, as well as a video showing the water in the cell and the intercom system all worked. Detective Bahr also collected several items of evidence including the AED used, and it was determined that MCME Investigator Loker collected and retained the smock that had been cut from Thyrior and remnants of the disposable diaper found in the cell.

After Thyrior was removed and the scene processing was completed, the cell was turned over to MCSO for cleaning.

INTERVIEWS CONDUCTED

The following people were interviewed as part of this investigation:

C.O. Latasha Hethington, C.O. Kelle Honzik, Lieutenant Crystalina Montano, Lieutenant Joel Neumann, Nurse Practitioner Sennait Andu, Jail Director Joshua Briggs, Captain Brian Stadler, Lieutenant Mary Sawczuk, C.O. Joi Brown, C.O. Brittany Leonard, C.O. Alice Jones, C.O. Izaiah Bell, C.O. Lauren Pachmayer, C.O. Boyd, C.O. Dennaris White, C.O. Austin Markiewicz, C.O. Kamryn Palmer, C.O. Mala Hall, , C.O. Mina Lock, Lieutenant Derrick Spidell, Licensed Practical Nurse Rebecca Conrad, Registered Nurse Candace Dziedzic, Nurse Kari Sokolosky, Nurse Fonda D'Amato, Dr. Melissa Harlow, Nurse Practitioner Brandee Michels, Nurse Educator Tammy Pfannerstill, Nurse Practitioner Deborah Mayo, Registered Nurse Barbara Carpenter, Nurse Practitioner Sennait, Health Services Administrator Ethan Wells, Nurse April Choma, Registered Nurse Brittany Wysocki, Nurse Practitioner Tammi Brandt, Medical Assistant Natasa Cvijanovic, Nurse Practitioner Chinwe Opara, Medical Director Dr. Edward Cooney, Nursing Supervisor Samantha Markwardt, Nurse Ebony Rogers, and inmates Michelle Kirby and Denise Malone.

SUMMARY OF INTERVIEW WITH C.O. LATASHA HETHINGTON

C.O. Hethington was assigned to the unit that Thyrior was in during the incident. C.O. Hethington said that Thyrior seemed to be in good spirits the morning of 12/16/22 and that Thyrior gave no indication of anything amiss. At approximately 9am she let Thyrior out of her cell for her one hour of recreation time in the shared "day room". During that recreation time, Thyrior showed C.O. Hethington ██████████ and asked for something to help deal with her ██████████. C.O. Hethington said that her partner at the time, C.O. K. Palmer, retrieved an adult diaper from a different unit, gave it to C.O. Hethington, who later gave it to Thyrior. Thyrior went back into her cell after her recreation time without incident, and approximately a half hour later she noticed that Thyrior was pacing back and forth in her cell, which was abnormal for her. C.O. Hethington attempted contact with Thyrior through the intercom system, and when she got no answer, went to Thyrior's cell to check on her. While at the window of Thyrior's cell, she saw her motion that she ██████████ and mouth the words ██████████. Thyrior radioed that there was a medical

emergency. A short time later more staff arrived, and someone noted that Thyrior looked [REDACTED] and they entered the cell and started trying to help Thyrior. C.O. Hethington tried to get Thyrior to open her mouth, but Thyrior had clenched her jaw and actively resisted efforts to help her. C.O. Hethington was joined by a lot of other staff and she aided in further efforts to save Thyrior. When asked about giving Thyrior the diaper, C.O. Hethington said that she was just trying to be a good human and help Thyrior.

SUMMARY OF INTERVIEW WITH C.O. KAMRYN PALMER

C.O. Palmer said that she had worked the first half of the morning in the MHU with C.O. Hethington, but was relieved shortly after 10am. Prior to that, C.O. Hethington said that Thyrior needed a diaper to deal with [REDACTED]. C.O. Palmer said that she and C.O. Hethington were aware of Thyrior's history of [REDACTED] so they knew that they couldn't give her tampons or maxi pads, and regular underwear were out of the question, so the only option left was the adult diaper. C.O. Palmer said that she had to go to three separate places to get the diaper, and then eventually gave it to C.O. Hethington. C.O. Palmer was done with her shift and relieved before the medical emergency was called.

SUMMARY OF INTERVIEW WITH KELLE HONZIK

C.O. Honzik responded to the medical emergency call, and upon arrival, noted that Thyrior was [REDACTED]. After seeing that, C.O. Honzik requested medical assistance via radio. C.O. Honzik was joined outside the cell by Lieutenant Montano, who radioed to call 911. C.O. Honzik entered the cell with C.O. Hethington, C.O. Lock, and Lt. Montano and immediately attempted to provide aid. C.O. Honzik was present when staff began attempting [REDACTED] but was sent out of the cell by supervisors to retrieve clothing for Thyrior in the event she was transported to the hospital. Upon her return, C.O. Honzik saw medical staff continuing aid and saw a nurse try to open Thyrior's mouth and heard the nurse say, "she's fighting it". C.O. Honzik assisted with [REDACTED] until relieved.

SUMMARY OF INTERVIEW WITH MINA LOCK

C.O. Lock said she was with C.O. Honzik when they heard the radio call for a medical emergency. When C.O. Lock arrived at Thyrior's cell, they looked in and saw Thyrior sitting on her bed looking at the cell door where they were standing. C.O. Lock said that Thyrior looked to be [REDACTED] so they entered the cell and immediately tried to help Thyrior. C.O. also noticed that there was a torn-up diaper on the floor of the cell by the sink, so they surmised that Thyrior [REDACTED]. C.O. Lock said that she also performed [REDACTED] along with several others.

SUMMARY OF INTERVIEW WITH CRYSTALINA MONTANO

Lieutenant Montano was supervising the floor which contained the MHU and had some interaction with Thyrior earlier in the day where Thyrior seemed to be in good spirits. Lt. Montano searched Thyrior's cell the morning of the incident. Lt. Montano heard the radio call for a medical emergency, and while responding noted Nurse Carpenter also on her way with a medical cart. Upon her arrival at the cell, Lt. Montano saw Thyrior on her knees and elbows with her head down. Everyone on scene was talking to Thyrior and encouraging her to [REDACTED]. Lt. Montano attempted [REDACTED] but was unsuccessful. Lt. Montano heard one of the nurses, who was trying to open her mouth, state "unclench your jaw! Why are you fighting me? Open your mouth". Thyrior continued to try and grab at the hands of medical staff trying to help

her, so Lt. Montano had to hold Thyrior's hands at her sides. Lt. Montano left the scene and returned as MFD had taken over lifesaving measures.

SUMMARY OF INTERVIEW WITH MARY SAWCZUK

Lieutenant Sawczuk heard the radio call for a medical emergency and responded to see if she could assist. When she arrived, Lt. Sawczuk stood by until she relieved others and assisted by completing [REDACTED]. Lt. Sawczuk remained on scene until MFD left, and then she began scene security.

SUMMARY OF INTERVIEW WITH DERRICK SPIDELL

Lieutenant Spidell arrived at the cell several minutes into the incident and assisted by attempting [REDACTED] on Thyrior 7-10 times. Lt. Spidell also assisted with [REDACTED] and he noted that Thyrior was [REDACTED]. Next Lt. Spidell assisted with several [REDACTED] and remained on scene to assist until MFD arrived.

The remaining jail and medical staff that were interviewed had minimal or no direct involvement or further information to add to what was already reported.

SUMMARY OF INTERVIEW WITH BARBARA CARPENTER

Registered Nurse Barbara Carpenter arrived shortly after the C.O.s entered the cell and she helped remove the [REDACTED] gown Thyrior was wearing. Carpenter also helped get Thyrior into a better position for a [REDACTED] and after several attempts were unsuccessful, they laid Thyrior back down. Carpenter wiped [REDACTED] while others continued lifesaving measures. Carpenter also indicated that she was familiar with Thyrior and knew she had a history [REDACTED].

SUMMARY OF INTERVIEW WITH TAMMI BRANDT

Nurse Practitioner Tammi Brandt overheard the radio call for a medical emergency and was one of the first to arrive. Brandt said that when she arrived, Thyrior was lying on her side on a mat in the cell and that she attempted [REDACTED] on Thyrior, but got no response. Brandt saw [REDACTED] when she tried to see if something was in her mouth, Thyrior grabbed her hand. Brandt then used [REDACTED]. After Brandt [REDACTED] and did them until she was relieved, then Brandt relieved someone else and continued [REDACTED] until Bell Ambulance arrived.

SUMMARY OF INTERVIEW WITH TAMMY PFANNERSTILL

Nurse Educator Tammy Pfannerstill arrived in the cell when other staff was removing the [REDACTED] smock from Thyrior. Pfannerstill said that when she arrived Thyrior was [REDACTED]. Thyrior had [REDACTED]. Pfannerstill noted that Thyrior's [REDACTED].

The remainder of staff that were interviewed had little or no direct involvement in the incident. Reports detailing their level of involvement are included for further information.

NEXT OF KIN NOTIFICATION

The evening of the incident, Detective Mensah and I met with Thyrior's mother, Kerrie M. Hirte F/I [REDACTED]. We notified Hirte of Thyrior's passing, and while

gaining background information on Thyrior, we learned that Thyrior had [REDACTED] Hirte said that she knew her daughter was in jail for a fight, and that she had her struggles while in jail. Because of those struggles, she maintained contact with jail staff regarding Thyrior. Hirte was aware that Thyrior [REDACTED] throughout her incarceration. The morning of the incident, Hirte said that she spoke with Thyrior and that the conversation was normal, and that Thyrior seemed to be in good spirits.

RECORDED FOOTAGE

I reviewed radio traffic, intercom recordings, jail phone calls, and surveillance footage of the cell area as part of this investigation.

When reviewing the radio recordings, I heard C.O. Hethington call for the medical emergency, and within 3 minutes a flurry of radio traffic regarding calling 911, and needing medical equipment and further medical staff to go to the [REDACTED]. There are also radio updates for when [REDACTED] is started, and for when MFD and Bell arrives.

I also reviewed the intercom recordings and heard C.O. Hethington at 10:28am state "whatcha doing over there girl?", and "Thyrior" several times, followed by "you okay over there" two times.

I also reviewed surveillance video footage of the subpod area covering Thyrior's cell. Thyrior's cell did not have direct video coverage, only a camera that pointed toward, and covered, Thyrior's cell door. I received three days of video coverage that related to Thyrior of that camera. Prior to the incident, the video showed Thyrior in the recreation area on the phone and then on a kiosk tablet. There is nothing of note in any of the videos involving Thyrior prior to the incident. When reviewing the video of the incident and just before it, you see Thyrior let out of her cell to the recreation area for "rec time" at 8:56am. Thyrior is dressed in a blue gown and spends the majority of the time on the telephone that is in the recreation area. At 9:04am Thyrior is provided medications by staff. At 9:26am C.O. Hethington gives Thyrior what appears to be an adult diaper. Thyrior goes into her cell and you can see her set the diaper down in her cell through the open door. Thyrior comes out of the cell and returns to the telephone. At 9:42am Thyrior notes a paperback book in the recreation area and takes it into her cell. Thyrior remains on the telephone until 10:03am when C.O. Hethington makes contact with her and she returns to her cell. Although you cannot see what is going on inside the cell once the door is closed, you can see periodic movement in the cell until 10:27am when C.O. Hethington is seen coming to the cell door. At 10:31am Thyrior's cell door is opened and staff enters the cell. Because of the camera placement and angle, along with the number of people inside, you cannot see what is being done inside the cell. More and more staff arrive and enter the cell, while even more arrive and stand outside the cell.

I was also provided with 30 days of jail calls placed by Thyrior. There was a set of jail phone calls that were completed by Thyrior, but using another inmate's PIN. Those calls were to a single phone number, 414-899-9483. There is no record of the owner, but it is a male subject who Thyrior speaks with frequently. Thyrior and this subject talk about the future, sexual things, and about Thyrior getting out of jail. There is a jail call with this subject on 12/16/22 at 9:09am where Thyrior says she is irritated because she is [REDACTED] and tired of being incarcerated, and that she needs to take her medication.

There was a set of jail phone calls placed using Thyrior's PIN. Thyrior dials

several people throughout. Most calls go to her mother, Hirte, and they are usually positive and usually involve Thyrior asking for money. Thyrior also speaks with a couple of male subjects in flirtatious ways, and those calls remain positive in nature. There were some of those phone calls that are not Thyrior talking, but another subject. During one such phone call, the female subject states that she saw Thyrior [REDACTED] and was disturbed by what she saw.

There was also a set of 30 days of phone calls that were nothing but attempted calls that had not been completed.

EMS INVOLVEMENT

Both Bell Ambulance and Milwaukee Fire Department were on scene and assisted in lifesaving measures. I received reports from both entities. Bell Ambulance's report was password protected, and Bell provided a password of [REDACTED] (Thyrior's [REDACTED]). The report states that their personnel arrived after an [REDACTED] had been started. Bell personnel provided suction equipment that nurses utilized. Shortly after MFD arrived and took over.

MFD's report is heavily redacted and when requested, I was told an unredacted report would require a subpoena to obtain. The report states that they received the call at 10:34am and arrived on location at 10:49am with patient contact at 10:52am. According to their report, MFD personnel assign themselves back into service at 11:20am.

Both reports are included for further information.

AUTOPSY AND CAUSE OF DEATH

On 12/19/22 I attended the autopsy of Thyrior at the Milwaukee County Medical Examiner's Office. The autopsy was conducted by Dr. Calderaro with supervision from Dr. Linert. Photographs were provided and are included.

Prior to leaving, I was advised that the medical examiner's report would be in pending status until all toxicology and other tests are completed and returned. As of this report submission, that status remains pending.

ADDITIONAL EVIDENCE/INFORMATION

Early in 2023 I was notified that an anonymous employee wanted to report things she had heard regarding issues with Thyrior's death. I spoke with the person on the phone, who reported that she heard equipment was missing from the "Code Blue" bags that are placed throughout the jail for emergency medical situations. This person also heard that there are logs for the "Code Blue" bags and that those logs had been falsified and had been completed after the incident.

The anonymous person also heard that some of the reports completed by medical staff had been changed. The anonymous person named Nurses Pfannerstill and Brandt as people who would know more.

I spoke with Nurse Tammy Pfannerstill, who confirmed that there had been an empty oxygen tank with the first "Code Blue" bag. Pfannerstill said she checked the logs right after the incident because of that and found them to be missing or not filled out. She checked again a few days later and found them completed, and was told that the 3rd shift nurse usually responsible for completing them fills them out on a slip of paper and then moves that checklist to the official form at a later time.

I also completed a recorded interview with Nurse Tammi Brandt after finding out

the anonymous information. Brandt said that she noted the oxygen tank empty as well as things like trauma shears, gauze, and pieces of the "Ambubag" (a bag and valve breathing mask) missing. She noted that the last time a signature was on 12/7/22 and had also been told that the bags had actually been checked, but the logs filled out later. I had a copy of Brandt's report of the incident, and she reviewed it and confirmed that it was as she had submitted it; and that it hadn't been altered. Brandt mentioned that she had concerns with some of the [REDACTED] nurses being forced to make decisions outside of their job description without the guidance of a doctor. Brandt said that those nurses did have access to a doctor, but only online as he was based in California. Brandt acknowledged that the letter of the statute that requires the guidance of a doctor had been satisfied, but felt it violated the spirit of the law. Nurse Brandt felt that the missing or empty equipment likely would not have any affect on the outcome of the situation.

FACTS AND SUMMARY OF INVESTIGATION

On 12/16/22 the Milwaukee County Sheriff's Office contacted the Waukesha County Sheriff's Office and asked for assistance in investigating the death of inmate Cilivea S. Thyrion F/I [REDACTED]. While housed in the [REDACTED] Thyrion requested, and was given, an adult diaper to deal with [REDACTED]. Shortly after going back to her cell after recreation time, the Correctional Officer (CO) in charge of the unit at the time of the incident noted Thyrion behaving oddly within her cell and checked on her. It was then that Thyrion indicated to the CO that she [REDACTED]. The cell was entered quickly and extensive lifesaving measures were undertaken; while Thyrion resisted efforts to help her. Thyrion was pronounced dead on the scene on 12/16/22 at 11:13am by Doctor Lindsey Johnson (#0172). The Milwaukee County Medical Examiner's Office took custody of Thyrion's body, and an autopsy was later completed. Final reports from the Medical Examiner's Office are pending. This investigation has not revealed any signs of criminal wrongdoing or violations of Wisconsin State Statutes in relation to Thyrion's death. This agency is requesting that the Milwaukee County District Attorney's Office review this investigation and provide a legal opinion into those findings.

Respectfully Submitted,

Detective Tim Wacker #9146
Waukesha County Sheriff's Department.