

**STATE OF WISCONSIN                      CIRCUIT COURT                      MILWAUKEE COUNTY**

**STATE OF WISCONSIN**  
   **Plaintiff,**

**DA Case No.: 2018ML004008**  
**Court Case No.:**

vs.

**CRIMINAL COMPLAINT**

MEADORS, KASHKA  
949 NORTH 9<sup>TH</sup> STREET  
MILWAUKEE, WI 53233  
DOB: 11/19/1977

**Defendant(s).**

*For Official Use*

THE BELOW NAMED COMPLAINANT BEING DULY SWORN, ON INFORMATION AND BELIEF STATES THAT:

**Count 1: NEGLECT OF RESIDENT OF PENAL FACILITY**

The above-named defendant between April 17 and April 24, 2016, at 949 North Ninth Street, in the City of Milwaukee, Milwaukee County, Wisconsin, being a person employed in a place of confinement, did neglect a person confined in such institution, contrary to sec. 940.29, 939.50(3)(i) Wis. Stats.

Upon conviction for this offense, a Class I Felony, the defendant may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than three (3) years and six (6) months, or both.

**Probable Cause:**

1. I am an investigator and sworn law enforcement officer with the Milwaukee County District Attorney's Office.
2. I base this complaint upon my own personal knowledge, testimony and exhibits from the inquest into the death of Terrill Thomas, official City of Milwaukee Police Department reports, official Milwaukee County Sheriff's Office records and reports, official reports of the Milwaukee County Medical Examiner's Office, and official reports of fellow investigators of the Milwaukee County District Attorney's Office.

Summary

3. Defendant Kashka Meadors is a lieutenant with the Milwaukee County Sheriff's Office. She worked in the Milwaukee County Jail throughout the time period alleged in this criminal complaint. Milwaukee County Jail is located in the Criminal Justice Facility, 949 N. Ninth Street, Milwaukee, WI.
4. Terrill Thomas was an inmate in the Milwaukee County Jail from April 16 to April 24, 2016. He died from dehydration in his locked cell on the night of April 23-24, 2016.
5. On the morning of April 17, 2016, Mr. Thomas flooded his cell in Pod 4C of the Milwaukee County Jail. Defendant Meadors was assigned as the housing lieutenant. She ordered corrections officers to move Mr. Thomas from his flooded cell in Pod 4C to a new cell in Pod 4D. Corrections officers placed Mr. Thomas in cell 15 of Pod 4D subpod B on disciplinary status.
6. When corrections officers moved Mr. Thomas to Pod 4D subpod B cell 15, defendant Meadors ordered Mr. Thomas' cell water shut off and remain off until he behaved. Corrections Officer James

Ramsey-Guy entered the cabinet housing the water valves ("chase locker") to Mr. Thomas' cell and turned off both the hot and cold water. Mr. Thomas had no other source of water or beverage.

7. Defendant Meadors' order violated Milwaukee County Sheriff's Office regulations mandating jail inmates shall have continuous access to water.

8. Defendant Meadors neglected to take adequate steps to assure Mr. Thomas' cell water was restored. Defendant Meadors issued a water shut off order of open-ended duration: water will remain off until "he behaves." She failed to check with corrections officers, later in her shift on April 17, to confirm Mr. Thomas' water was restored. No corrections officer noted Mr. Thomas' water shut off in the Pod 4D jail log. Defendant Meadors failed to review the log and correct this omission. Defendant Meadors failed to note Mr. Thomas' water shut off on the dry-erase notice board in Pod 4D. Defendant Meadors failed to report the water shut off to her immediate supervisor. Defendant Meadors failed to have Mr. Thomas' water turned back on when she left the jail at the end of her shift. Defendant Meadors failed to report the water shut off to the command staff replacing her on the succeeding shift. Defendant Meadors failed to check on Mr. Thomas' water when she returned to Pod 4D the following day of April 18. Defendant Meadors again failed to check Mr. Thomas' water when she returned to Pod 4D on April 20.

9. Mr. Thomas remained constantly locked in his cell for seven days without water. His cell water was never restored. He died during the early morning hours of April 23-24, 2016.

10. Dr. Wieslawa Tlomak, M.D., Milwaukee County Medical Examiner's Office, determined Mr. Thomas died from dehydration.

#### Detention Services Bureau regulations

11. The Milwaukee County Sheriff's Office has regulations for the care and custody of jail inmates. Defendant Meadors was subject to these regulations.

a. Detention Services Bureau IS 3.8, Access to Toilets and Sinks. "Inmates shall have 24 hour a day access to a working toilet and access to hot and cold running water."

b. Detention Services Bureau, OP 2.3.: Jail Log. Corrections officers shall log "any unusual incidents, disturbances or significant activity" and "any other information deemed to be important."

c. Detention Services Bureau OP 2.3.1, Log Reviews. "Lieutenants shall review logs each shift when inspecting housing units and inmate areas. The officer/lieutenant shall document the lieutenant's inspection in the jail log."

d. Detention Services Bureau IM 4.7.1, Responsibilities. "The 4D Lieutenant shall make at least one inspection per shift in all sub pods of 4D. The 4D Lieutenant will conduct a security round of 4D that will include inspection of all accessible rooms on the pod."

#### Interviews of defendant Meadors

12. On June 30, 2016, Major Nancy Evans, Milwaukee County Sheriff's Office (MCSO), and Deputy Inspector Kevin Nyklewicz, MCSO, interviewed defendant Meadors. They wrote a report, dated July 11, 2016, memorializing that interview. Defendant Meadors stated as follows regarding Mr. Thomas: "I ordered his water turned off and took his mattress and told officers Ramsey-Guy, Brito and Collins that he was to get a mattress and his water was to be turned on if he behaves."

13. The memorandum further reflects that defendant Meadors claimed to have informed her first shift supervisor, Capt. William Duckert, that Mr. Thomas' water was shut off. She also stated that she "debriefed second shift Lieutenants Hannah, Briggs and Majeed."

a. The above command staff all testified, at the inquest into Mr. Thomas' death, that defendant Meadors never informed them of Mr. Thomas' cell water shut off.

b. Regardless of whether defendant Meador made the claimed reports to other command staff, her interview statement acknowledges she knew Mr. Thomas' cell water was still off at the end of her shift. Defendant Meadors worked first shift. She stated that she briefed the *second shift* lieutenants about Mr. Thomas' water – which briefing would be during turnover between first shift and second shift. Defendant Meadors statement admits she left the jail, at the end of first shift, knowing Mr. Thomas' water was still off.

14. On July 28, 2016, Det. Erik Gulbrandson, Milwaukee Police Department (MPD), and I interviewed defendant Meadors. Defendant Meadors stated as follows.

a. During her shift on April 17, 2016, she went to Pod 4C to deal with a disruptive inmate. Inmate Terrill Thomas was flooding his cell, kicking the cell door, yelling, and threatening to hurt people. Defendant Meadors observed Mr. Thomas was stuffing his mattress cover into the cell toilet causing it to overflow.

b. Defendant Meadors ordered corrections officers to transfer Mr. Thomas to Pod 4D under disciplinary status.

c. Defendant Meadors told a corrections officer to turn off the water to Mr. Thomas' new cell in Pod 4D. She further instructed the corrections officer to keep the water off until Mr. Thomas calmed down.

d. Defendant Meadors explained that length of water shut off depends on an inmate's continuing behavior. The water can be turned on and then turned back off if the inmate's poor behavior continues.

e. Defendant Meadors understood that a corrections officer must notify the supervising lieutenant when cell water is restored to an inmate's cell.

f. Defendant Meadors called Pod 4D corrections officers about sixty to ninety minutes after Mr. Thomas' transfer to check on him. She did not discuss Mr. Thomas' water status.

g. Defendant Meadors next had contact with Mr. Thomas on April 20. Mr. Thomas refused to leave his cell in Pod 4D to attend a court hearing. He was shirtless, yelling, and acting out like he had on April 17. Defendant Meadors escorted court staff into Pod 4D to conduct the hearing at Mr. Thomas' cell door. The court ordered Mr. Thomas be evaluated for mental competency.

h. Defendant Meadors did not know whether Mr. Thomas' cell water was still off on April 20. She made no inquiries into the matter.

i. Defendant Meadors knew that, when an inmate is placed in Pod 4D on disciplinary status, the inmate receives neutraloaf and bread as his meal. The inmate receives no beverage with the meal. The exception is Sunday, when an inmate receives a standard meal with milk.

j. Defendant Meadors was unaware of any official policy or procedure about shutting off an inmate's cell water.

15. On August 24, 2016, Det. Gulbrandson and Det. Gust Petropoulos, MPD, re-interviewed defendant Meadors. Det. Gulbrandson filed a written report of that interview. He reported as follows.

a. The purpose of the interview was to “clarify the verbiage she [defendant Meadors] used when she instructed the Correctional Officer (CO) to shut the water off.”

b. Defendant Meadors could not remember her exact words when she ordered Mr. Thomas’ cell water shut off. She was concerned that Mr. Thomas might again stuff his mattress and clothes in the toilet. Defendant Meadors told a correction officer something to the effect of “turn the water off to prevent this from happening again.”

c. Defendant Meadors did not follow up to determine whether the corrections officer had actually shut off Mr. Thomas’ water.

Defendant Meador’s inquest testimony

16. Eight months later, on April 27, 2017, defendant Meadors testified at the inquest into Mr. Thomas death. She now claimed to remember that she directed CO Ramsey-Guy to shut off only the toilet water to Mr. Thomas’ cell. Defendant Meadors testified as follows.

a. “His [Mr. Thomas’] clothing and he had the rip-- part of the ripped mattress, and he was pushing that down in the toilet as well flooding it, making the water come out into -- out from under his cell into the day room area.” *Trans. 4/27/17 a.m. pg. 77 Ins. 4-7.*

b. “We knew we could not have him stay there just because of the water and everything else. So the decision was made, because at that time if they were disruptive in 4C we were allowed to take them to 4D and place him on discipline.” *Trans. 4/27/17 a.m. pg. 84 Ins. 2-6.*

c. “At that point I told them, because he was still acting up a little, he was still a little angry and disruptive, so I didn’t want him to ruin another mattress, I said for right now get rid of his mattress, turn off his -- turn off his toilet water because we don’t want him to flood, and we’ll put him in a cell, and we were going to change him over but he was still acting kind of irate.” *Trans. 4/27/17 a.m. pg. 84 In 21 to pg. 85 In. 3.*

d. Defendant Meadors gave the water shut off order to “[t]he officers in 4D.” *Trans. 4/27/17 a.m. pg. 85 In. 9.*

e. “I accompanied him [Mr. Thomas] from 4C to 4D, but I never went up to the cell to actually do the changing over.” *Trans. 4/27/17 a.m. pg. 86 Ins. 3-4.*

f. Defendant Meadors saw corrections officers place Mr. Thomas in cell 15. *Trans. 4/27/17 a.m. pg. 90 Ins. 8-13.*

g. “I instructed them the toilet water cut off because he was flooding the toilet.” *Trans. 4/27/17 a.m. pg. 91 Ins. 11-12.*

h. Defendant Meadors was not familiar with how the plumbing to inmate cells worked. *Trans. 4/27/17 a.m. pg. 91 Ins. 13-15.*

i. Defendant Meadors never asked, on April 17, 2016, whether the corrections officers in Pod 4D restored Mr. Thomas’ water.

The Witness [defendant Meadors]: ...So I was...I was under the assumption that everything was fine...and the water was back...and his toilet water was back on.

The Court: Did you ask whether the water was turned back on?

The Witness: (No verbal response.)

The Court: Did you ask whether the water was turned back on?

The Witness: No. I did not ask...

*Trans. 4/27/17 p.m. pg. 19 Ins. 4-11*

j. "...Because I'm under the assumption that it's just the toilet water. If any other water was turned off, I knew nothing of it so – Because I'm under the assumption that it's just his toilet water. So I can't say I could've prevented anything, as I said, I'm under the assumption just his toilet is turned off and I'm—the sink water is still running." *Trans. 4/27/17 p.m. pg. 28 Ins. 13-22.*

17. Defendant Meadors' inquest testimony, that she ordered only the toilet water shut off in Mr. Thomas' cell, was a lie.

a. On August 24, 2016, Det. Gulbrandson and Det. Petropoulos, MPD, interviewed defendant Meadors specifically to "clarify the verbiage she [defendant Meadors] used when she instructed the Correctional Officer (CO) to shut the water off." At the time of that interview, defendant Meadors said she could not remember her exact words. She only remembered she directed the water be turned off to prevent more flooding. See paragraphs 14(a)-(b) above

b. Eight months later, on April 27, 2017, when testifying at the inquest, defendant Meadors claims now to remember her exact words: "turn off his toilet water."

c. As recited in paragraphs 18-20 below, defendant Meadors does not differentiate between toilet water and sink water when she orders cell water shut off. The language she habitually uses is "**cut their chases off.**"

#### Milwaukee County Jail telephone calls

18. Telephone calls on certain administrative lines in the Milwaukee County Jail are recorded. I obtained recordings for Mr. Thomas' incarceration period from Milwaukee County Jail telephone archives. Defendant Meadors made the following call dated April 17, 2016 at 7:05:52 a.m. (item 123). The call refers to Mr. Thomas flooding his cell in Pod 4C.

CO (male): Master Control, Officer Cannon. May I help you?

Defendant: We need to call everybody with 4C, 5C, 6C. All the...everybody on up. 'Cause whoever upstairs is flushing. All of their water is coming out...coming out in cell 4C fourth floor. It's like a flood.

CO (male): Cell 4C? Cell 4?

Defendant: 4C.

CO (male): Got you.

Defendant: So...so, everybody on up needs to **cut their chases off.**  
And have 3 cut theirs off, too.

CO (male): Got you.

Defendant: So it's between cells 3 and 4.

CO (male): Okay

Defendant: All right?

CO (male): Bye.

Defendant: All right. Bye.

*dial tone*

CO (male): Hello.

CO (female): Yeah.

CO (male): Hey. Meadors needs for you to cut your water off between cells 3 and 4...

19. Jail logs show defendant Meadors made the above call to “**cut their chases off**” while she was in Pod 4C, and, that CO Ramsey-Guy was also present in Pod 4C when she made that call. CO Ramsey-Guy is the corrections officer who, at defendant Meadors’ direction, thereafter shut off Mr. Thomas’ cell water in Pod 4D. See paragraphs 31(a)-(c) and 42(d) below.

a. Corrections officers are required to keep a computerized log in each housing pod in the Milwaukee County Jail. Pods 4C and 4D both have such logs.

b. Pod 4C jail log shows defendant Meadors was present in Pod 4C from 6:52 a.m. to 7:10 a.m. The following two entries appear in the log:

6:50 a.m. LT MEADORS in Pod

7:10 a.m. LT MEADORS out of Pod

c. Milwaukee County Jail telephone records show defendant Meadors made the above call to “**cut off their chases**” at 7:06:52 a.m. She was in Pod 4C at this time.

d. Pod 4C and Pod 4D logs show CO Ramsey-Guy was also in Pod 4C when defendant Meadors made the telephone call to “**cut their chases off.**” CO Ramsey-Guy came to Pod 4C to escort Mr. Thomas to Pod 4D. The Pod 4C log shows Mr. Thomas was “in transit” leaving Pod 4C at 7:07 a.m. The Pod 4D jail logs shows CO Ramsey-Guy and Mr. Thomas arrived in Pod 4D at 7:15 a.m.:

*Inmate* THOMAS, TERRILL J. New inmate added to POD from transition area.  
Escorted by: Lt Townes, O’Guinn, Christopher, Ramsey-Guy, James, Weber, John, Slocum, Maurice.

20. Defendant Meadors uses the phrase “**cut their chases off**” when she orders cell water shut off. She does not differentiate between toilet and sink water. She does not differentiate between hot and cold water. She broadly orders the “chases” be cut off. Defendant Meadors uses the term the “chases” to mean the water valves servicing an inmate’s cells.

21. Defendant Meadors called CO Dominique Smith at the command desk in Pod 4D at 9:49 a.m. on April 17, 2016. The call occurred approximately two and one half hours after she ordered Mr. Thomas' cell water shut off. I obtained a recording of the call from Milwaukee County Jail telephone archives (item 224). Defendant Meadors spoke to CO Smith about "the Ramsey-Guy in cell 15." Mr. Thomas was "the Ramsey-Guy in cell 15." Defendant Meadors and CO Smith discussed providing a clean jail uniform to Mr. Thomas and Mr. Thomas continuing to stand at his cell door window. During the entire conversation, defendant Meadors and CO Smith never mentioned Mr. Thomas' cell water. Defendant Meadors did not ask whether Mr. Thomas' cell water was still off. Defendant Meadors did not direct CO Smith to turn the cell water back on.

22. Defendant Meadors called Captain William Duckert, shift commander for the Milwaukee County Jail, at 10:08 a.m. on April 17, 2016. I obtained a recording of the call from Milwaukee County Jail telephone archives (item 245). In that call, defendant Meadors briefed Capt. Duckert about "the Ramsey-Guy in 4D." Further details in the conversation indicate "the Ramsey-Guy in 4D" was Mr. Thomas. During the entire conversation, defendant Meadors never mentioned Mr. Thomas' cell water. She did not inform Capt. Duckert that Mr. Thomas' cell water has been turned off.

#### Computerized control of inmate toilets

23. Ruben Garcia testified at the inquest into Mr. Thomas' death. Mr. Garcia stated as follows.

a. Mr. Garcia is a plumbing supervisor employed by Milwaukee County. He maintains the plumbing systems in the Milwaukee County Jail. He is familiar with inmate cell toilet and sink plumbing.

b. The command desk computer, in housing pod 4D in the Milwaukee County Jail, can control the toilet flushing in each cell. A corrections officer can make a computer command that remotely turns off an inmate's toilet flushing. When an inmate needs his toilet flushed, the corrections officer can do so by computer.

c. By using the computer shut off function, a corrections officer can shut off an inmate's toilet while leaving on both the hot and cold water flow to the sink tap.

24. The computerized toilet shut off function was available, on April 17, 2016, to prevent Mr. Thomas from flooding his new cell in Pod 4D. Defendant Meadors could have ordered corrections officers to turn off Mr. Thomas' toilet flushing by computer rather than by manually turning off the chase locker water valves thus depriving Mr. Thomas of all sources of water.

#### Schlage card records

25. Corrections officers, including defendant Meadors, carry a Schlage card to track their movement. Jail procedures require correctional staff to scan their cards at each electronic sensor they pass within the housing unit. The scans are recorded in a Transaction Doors Report.

26. Approximately one and one half hours after Mr. Thomas was locked into cell 15, defendant Meadors appeared for six minutes in Pod 4D subpod B. She remained on the main floor of Pod 4D subpod B. She did not go up to the mezzanine level to check on Mr. Thomas.

a. The Pod 4D jail log shows the following entries for April 17, 2016:

8:43 a.m. "The following occurred: Lt Meadors in housing unit."

8:49 a.m. "Tour complete all counts in order LT Meadors."

b. Housing Assignment History records show Mr. Thomas was placed in cell 15 on Pod 4D subpod B on April 17, 2016. Pod 4D subpod B has two tiers of cells: main floor and mezzanine (upper floor). The two tiers are connected by a stairway. Cell 15 is on the mezzanine.

c. The Transaction Doors Report for April 17, 2016 shows defendant Meadors scanned her Schlage card on the main floor of Pod 4D subpod B at 8:44:13 a.m. She did not scan her Schlage card at the mezzanine level sensor near Mr. Thomas' cell.

27. Defendant Meadors returned to Pod 4D on April 18, 2016, but did not check on Mr. Thomas.

a. The Pod 4D jail log shows the following entries for April 18, 2016:

9:48 a.m. "Lt Meadors in pod/on floor for tours."

10:59 a.m. *Inmate* MULL, JOVAN T Inmate is physically out of od. Escorted by: Lt Meadors, Ofc Olson, Lance, Ofc Wilborn, Randall Count:45

b. The Transaction Doors Report for April 18, 2016 shows no Schlage scan by defendant Meadors at the mezzanine level sensor near Mr. Thomas' cell.

28. Defendant Meadors returned to Pod 4D on April 20, 2016. She went up to the mezzanine level where Mr. Thomas was housed.

a. The Pod 4D jail log shows the following entries for April 20, 2016.

6:14 a.m. Capt Duckert (302), Lt meadors (320), Solomon (311), Turner (331), Grove on duty.

8:45 a.m. INMATE THOMAS, TERRILL J Bkg Nbr 639565216 WAS NEEDED IN COURT TYHIS MORNING, OFFICERS ATTEMPTED TO ESCORT INMATE OUT OF POD BUT INMATE REFUSED TO GO. INMATE STAYED IN CELL

2:18 p.m. court personnel visit inmate THOMAS, TERRILL J Bkg Nbr 639565216, Commisioner julia vosper, DA, CAROLE MANCHESTER, ATTY STEVE SARGENT, COURT REPORTER LEPA MUNS, CLERK BARB MARCUM, CLERK LINDEY ROHLEDER, DEPUTY J, MILLER #130

b. The Transaction Doors Report for April 20, 2016 at 1:43:25 p.m. shows defendant Meadors scanned her Schlage card at the mezzanine level sensor near Mr. Thomas' cell.

29. The Pod 4D jail log contains no entry showing defendant Meadors ever checked on Mr. Thomas' water access during any of her tours of Pod 4D. Jail regulations (Detention Services Bureau IM 4.7.1) required defendant Meadors to check inmate cells in Pod 4D each shift.

30. The Pod 4D jail log contains no entries showing Lt. Meadors ever reviewed the log during Mr. Thomas' incarceration. Detention Services Bureau OP 2.3.1 required defendant Meadors to conduct log reviews each shift and to record her reviews in the jail log.

#### Statements of correctional officers

31. Corrections Officer James Ramsey-Guy acknowledged that he shut off Mr. Thomas' cell water. CO Ramsey-Guy gave conflicting accounts about what he did.



a. On July 31, 2016, CO Ramsey-Guy gave an interview statement to Det. Petropoulos and Det. Mike Sarenac, MPD. CO Ramsey-Guy stated as follows. CO Ramsey-Guy was working in Pod 4D on April 17, 2016. He responded to a flooding call in Pod 4C. Mr. Thomas had stuffed his mattress in the toilet. Defendant Meadors was present in Pod 4C. CO Ramsey-Guy escorted Mr. Thomas from Pod 4C to Pod 4D subpod B and placed Mr. Thomas in cell 15. CO Ramsey-Guy knew "that once they got Thomas into his new cell that the procedure would be to shut off his water there." Defendant Meadors gave the order "to shut the water off." CO Ramsey-Guy took the chase locker key from the command center in Pod 4D and turned off Mr. Thomas' cell water. CO Ramsey-Guy explained that "if an inmate wanted water, they could ask for it." CO Ramsey-Guy "did not himself turn the water back on." At no time during the interview, did CO Ramsey-Guy claim to have only shut off Mr. Thomas' cold water.

b. In his testimony at the inquest into Mr. Thomas' death, CO Ramsey-Guy recounted defendant Meadors' order to shut off Mr. Thomas' cell water:

Question: Can you just describe one more time what the actual order from Lieutenant Meadors was?

Answer: To turn the water off.

Question: Just turn the water off?

Answer: Yes.

Question: It wasn't to turn the toilet water off?

Answer: No, sir.

Question: It was to turn the water off?

Answer: That's correct, yes.

*Trans. 4/27/17 p.m. pg. 137 Ins. 4-12.*

c. CO Ramsey-Guy then changed his story about how he shut off Mr. Thomas' cell water. CO Ramsey-Guy testified that he only shut off Mr. Thomas' cold water: "I open up the chase closet where the valves are contained, and I turn off his cold water" and "I didn't turn off his hot water." *Trans. 4/27/17 p.m. pg. 121 Ins. 2-6.*

d. CO Ramsey-Guy's interview statement to Det. Petropoulos was the truthful version of events. In fact, CO Ramsey-Guy turned off both the hot water and cold water valves to Mr. Thomas' cell. On April 25, 2016, the day after Mr. Thomas died, Corrections Officer Brandt Van Wagoner checked the chase locker to Mr. Thomas' cell. CO Van Wagoner found both the hot water and cold water valves were turned off. See paragraph 48 below.

32. Lieutenant Devonta Townes and I spoke by telephone. Lt. Townes stated as follows. In 2016, he worked in the Milwaukee County Jail. He has since left employment with the Milwaukee County Sheriff's Office. On April 17, 2016, Lt. Townes was called to an inmate disturbance in Pod 4C. Lt. Townes saw that Mr. Thomas had stuffed pieces of his mattress into his toilet and was flooding his cell. Defendant Meadors ordered Mr. Thomas transferred to the disciplinary unit, Pod 4D subpod B. Lt. Townes, CO Ramsey-Guy, and other corrections officers escorted Mr. Thomas to Pod D subpod B. Lt. Townes does not remember whether defendant Meadors ordered Mr. Thomas' water shut off.

33. Corrections Officer Maurice Slocum testified at the inquest into Mr. Thomas' death. CO Slocum stated as follows. He was working in the administrative section of the Milwaukee County Jail on first

shift on April 17, 2016. He was called to a disturbance in Pod 4C. Mr. Thomas had flooded his cell. Mr. Thomas had his shirt off and was speaking incoherently. CO Slocum escorted Mr. Thomas from Pod 4C to Pod 4D subpod B and placed Mr. Thomas in a mezzanine level cell. CO Slocum does not recall anyone ordering Mr. Thomas' cell water shut off. He does not recall seeing anyone shut off Mr. Thomas' cell water.

34. Corrections Officer Christopher O'Guin testified at the inquest into Mr. Thomas' death. CO O'Guin stated as follows. He was working at the Milwaukee County Jail on first shift on April 17, 2016. He was called to a disturbance in Pod 4C. Mr. Thomas had flooded his cell in Pod 4C and "did not seem with it." CO O'Guin escorted Mr. Thomas from Pod 4C to Pod 4D subpod B. Defendant Meadors also walked Mr. Thomas from Pod 4C to Pod 4D subpod B. CO O'Guin placed Mr. Thomas in his new cell in Pod 4D subpod B. CO O'Guin does not recall any orders concerning Mr. Thomas' cell water.

35. Corrections Officer John Weber testified at the inquest into Mr. Thomas' death. CO Weber stated as follows. CO Weber was working in Pod 4D at the Milwaukee County Jail on first shift on April 17, 2016. He responded to a disturbance in Pod 4C. Mr. Thomas had flooded his cell. Defendant Meadors was present in Pod 4C. CO Weber and other corrections staff escorted Mr. Thomas from Pod 4C to Pod 4D subpod B. CO Weber said "I would have had his right arm." CO Weber placed Mr. Thomas in cell 15. No one ordered CO Weber to turn off Mr. Thomas' cell water. CO Weber did not see anyone turn off Mr. Thomas' cell water. CO Weber did not recall defendant Meadors giving any orders that morning. No one wrote any message on the white dry-erase board, in the command center of Pod 4D, that Mr. Thomas' water had been shut off.

36. Corrections Officer Dominique Smith provided the following interview statement to Det. Kyle Mrozinski, MPD, and Det. Jason Enk, MPD. CO Smith worked on Pod 4D on first shift on April 17, 2016. He remembered Mr. Thomas was housed in Pod 4D subpod B. CO Smith did not know Mr. Thomas' cell water was shut off.

#### Denial of water for seven days

37. Milwaukee County Jail maintains a Housing Assignment History record for all inmates. Mr. Thomas' record shows he was placed in cell 15 on Pod 4D subpod B on April 17, 2016 under disciplinary status.

38. I interviewed DI Nyklewicz on several occasions. He stated as follows.

a. In 2016, DI Nyklewicz was the second in command at the Milwaukee County Jail. He is familiar with jail regulations, practices, and procedures. Because Mr. Thomas was held in disciplinary status during April 17-24, 2016, Mr. Thomas received discipline meals. Those meals consist of bread and nutraloaf. Mr. Thomas would have received no milk, water, or other beverage with his discipline meal. His only source of beverage would have been his cell water tap. Sundays are an exception to the discipline meal regimen. All inmates receive a standard meal with a carton of milk on Sunday.

b. Pod 4D is the disciplinary unit. Inmates in Pod 4D are essentially in solitary confinement. They are locked into separate cells. Inmates are individually allowed one hour of recreation in the common area of the unit. Corrections officers should log when an inmate is released for his recreation period.

39. I examined the Pod 4D jail log for April 17-24, 2016. That log does regularly record when inmates were individually released for recreation in the unit common area. There is no entry showing Mr. Thomas was ever released from his cell.

40. I examined the plumbing for Mr. Thomas' cell 15 in Pod 4D subpod B. The cell is serviced by a hot water pipe and a cold water pipe. The cold water pipe services both the toilet and the cold water flow to the sink tap. The hot water pipe services the hot water flow to the sink tap. Two water shut off valves – a hot water valve and a cold water valve – are housed in the chase locker to the right of cell 15.

41. I interviewed Terrence Burch. Mr. Burch stated as follows. Mr. Burch was an inmate in the Milwaukee County Jail in April 2016. He was housed in cell 15 on Pod 4D subpod B, on discipline status, on the morning of April 17, 2016. Corrections Officers removed Mr. Burch to open his cell up for another prisoner. When Mr. Burch left cell 15, the water was functioning properly. There was proper water flow to the toilet and both hot and water flow to the sink tap. Mr. Burch further stated that, while he was on discipline status on Pod 4D subpod B, he received nutraloaf as his meals. Except on Sundays, he received no beverage with his meals and had to rely on the cell sink tap for drinking water.

42. Captain George Gold, MCSO, testified at the inquest into the death of Mr. Thomas. Capt. Gold testified as follows.

a. Capt. Gold worked in the Milwaukee County Jail in 2016. He has since left that employment.

b. There is a surveillance camera in Pod 4D subpod B that is directed at cell 15 and the surrounding area. The video surveillance footage is recorded.

c. The day after Mr. Thomas' death, Capt. Gold watched the video surveillance footage of Mr. Thomas' cell area for the period April 17-24, 2016. He watched the entirety of the footage except for some moments when the video malfunctioned and recorded blank.

d. The video surveillance footage showed, on the morning of April 17, 2016, CO Ramsey-Guy opened the chase locker housing the water shut off valves for Mr. Thomas cell.

e. From the time that CO Ramsey-Guy entered Mr. Thomas' chase locker on April 17 until Mr. Thomas was found dead in his cell on April 24, the video surveillance footage showed no one else ever opened Mr. Thomas' chase locker.

f. From the time Mr. Thomas was placed in his cell on April 17 until Mr. Thomas was found dead in his cell on April 24, Mr. Thomas never left his cell. He was continuously locked in.

43. In July 2016, during the investigation of Mr. Thomas' death, Milwaukee Police Department detectives obtained video surveillance footage of Mr. Thomas' cell area. That footage spanned 6:33:39 a.m. on April 21 to 5:09:59 a.m. on April 24, 2016. The footage before that time frame had been overwritten. Detectives Matthew Bell, Jason Enk, and Kyle Mrozinki watched the entirety of the extant footage. They prepared detailed reports of their observations. The detectives reported that no one opened the chase locker housing the water valves to Mr. Thomas' cell.

44. I was present in court throughout the inquest into Mr. Thomas' death. I listened to all testimony. With three exceptions, all corrections officers who worked in Pod 4D during Mr. Thomas' incarceration, testified. No corrections officer turned the water back on after CO Ramsey-Guy turned it off. No corrections officer opened Mr. Thomas' chase locker. CO Dominique Smith, CO JorDon Johnson, and CO Rafael Brito did not testify. During police interviews, these three corrections officers all indicated they did not turn Mr. Thomas' cell water on or off.

45. I interviewed Corrections Officer Thomas Laine in the presence of his attorney. CO Laine agreed to the interview on the condition that his statement cannot be used against him in a criminal prosecution. CO Laine stated as follows.

a. CO Laine worked in Pod 4D on second shift on April 23, 2016. An inmate on Pod 4D subpod B told CO Laine that Mr. Thomas' water was shut off. CO Laine opened the chase locker to the left of Mr. Thomas' cell. It was the wrong chase locker. CO Laine mistakenly believed the water valves to Mr. Thomas' cell were in the chase locker to the left of Mr. Thomas' cell. Because the valves in the locker to the left of Mr. Thomas' cell were on, CO Laine concluded the water to Mr. Thomas' cell was functioning. CO Laine took no further action regarding Mr. Thomas' cell water. After Mr. Thomas died, CO Laine realized that he had checked the wrong chase locker.

b. CO Laine lied when he testified at the inquest into Mr. Thomas' death. CO Laine falsely testified that no inmate told him Mr. Thomas' water was off. CO Laine falsely testified that he checked the chase locker to the left of Mr. Thomas' because of problems with running water in cell 14. CO Laine falsely testified that he had not mistaken the left chase locker for the one servicing Mr. Thomas' cell.

46. Corrections Officer Decorie Smith testified at the inquest into Mr. Thomas' death. He stated as follows. CO Smith worked on Pod 4D on third shift during the early morning of April 24, 2016. CO Smith observed Mr. Thomas lying unresponsive on the floor of cell 15. CO Smith called a medical emergency.

47. Det. Luke O'Day testified at the inquest into Mr. Thomas' death. He stated as follows. During the early morning hours of April 24, 2016, Det. O'Day was dispatched to the Milwaukee County Jail to investigate Mr. Thomas' death. Det. O'Day entered Mr. Thomas' cell and examined the sink and toilet. Both fixtures were completely dry. Det. O'Day pressed the toilet flush button and no water flushed the bowl. Det. O'Day pressed both the hot water button and the cold water button and nothing happened. No water flowed from the sink spigot. The water was not functioning in Mr. Thomas' cell.

48. Corrections Officer Brendt Van Wagoner found Mr. Thomas' cell water was off when he checked on April 25, 2016.

a. CO Van Wagoner testified at the inquest into Mr. Thomas' death. He stated as follows. The day after Mr. Thomas died, on April 25, 2016, a lieutenant ordered CO Van Wagoner to check that all cells in Pod 4D had running water. During that check, CO Van Wagoner opened the chase locker to Mr. Thomas' cell. CO Van Wagoner examined the water valves servicing Mr. Thomas' cell. Both the hot water and the cold water valves were in the off position.

b. CO Van Wagoner made the following entry in the Pod D jail log at 3:44 a.m. on April 25, 2016:

WATER TURNED ON IN ALL CELLS EXCEPT FOR CELL #14 WHOSE WATER  
CONSTANTLY RUNS AND CELL #15 DUE TO INVESTIGATIONAL REASONS.

#### Cause of death

49. Dr. Wieslawa Tlomak, M.D., Milwaukee County Medical Examiner's Office, conducted an autopsy of Mr. Thomas' body on April 25, 2016. She presented her findings in an Autopsy Protocol Report dated September 1, 2016. Dr. Tlomak determined Mr. Thomas died from dehydration and his manner of death was homicide.

50. Dr. Tlomak testified at the inquest into Mr. Thomas' death. She stated as follows.

a. Mr. Thomas died from dehydration.

b. Other than injuries consistent with medical resuscitation efforts, Mr. Thomas' body showed no significant internal or external trauma.

c. Mr. Thomas' vitreous chemistry was abnormal. He had elevated sodium, chloride, blood urea nitrogen, and creatinine levels. His blood was highly clotted and his blood volume was low. Mr. Thomas lost thirty-four pounds while in custody. These findings were consistent with severe dehydration.

d. Dr. Tomak determined that Mr. Thomas was denied water, and, that denial caused his death by dehydration.

#### Mental illness

51. Mr. Thomas had serious mental illness which rendered him highly vulnerable to neglect during his incarceration.

52. Dr. David Macherey testified at the inquest into Mr. Thomas' death. He stated as follows. Dr. Macherey is a psychologist and works at the Milwaukee County Behavioral Health Division. In February 2015, Mr. Thomas stayed for two weeks at Milwaukee County Behavioral Health Division. Dr. Macherey diagnosed and treated Mr. Thomas for mental illness. Mr. Thomas suffered from bi-polar disorder.

53. Mr. Thomas was held from April 15-16, 2016 at the Milwaukee Police Administration Building before being transferred into the Milwaukee County Jail. I reviewed an audio and video recording of Mr. Thomas' stay in the police holding cell. He behaved in a bizarre manner. He talked to non-existent persons, constantly and erratically moved about his cell, and verbalized incoherently.

54. When Mr. Thomas was medically screened for admission into the Milwaukee County Jail, he self-reported a history of schizophrenia and paranoia. He was not taking his prescribed medications to treat those conditions.

55. Mr. Thomas' initial court appearance was held on April 20, 2016, in Pod 4D, before Court Commissioner Julia Vosper. I read a transcript of that hearing. Mr. Thomas' attorney, Steven Sargent, told the court that Mr. Thomas had acted in an inappropriate and uncommunicative manner when Attorney Sargent attempted to interview him. Attorney Sargent further stated, for the record, that Mr. Thomas presently was naked and laughing during the court proceedings. Attorney Sargent requested the court order an evaluation of Mr. Thomas' mental competency. The court granted the request.

56. Corrections officers testifying at the inquest into Mr. Thomas' death stated that Mr. Thomas was often naked in his cell and shouted nonsensically. He would not respond when corrections officers spoke with him.

#### Pattern and practice at the Milwaukee County Jail

57. Defendant Meadors' order to shut off Mr. Thomas' water was consistent with an institutional practice of punitively denying water to disruptive Milwaukee County Jail inmates. The following are two examples of such practice.

58. On April 30, 2016, corrections officers punitively shut off Inmate Joseph Benson's cell water in Pod 4D.

a. Jail disciplinary records show Mr. Benson repeatedly violated jail rules from April 17 through April 30, 2016. Those violations included tampering with the smoke alarm in his cell, covering his cell

window with a blanket, and disrespecting corrections staff. There are no indications that Mr. Benson ever flooded his cell.

b. The Pod 4D jail log has the following entry for Mr. Benson dated 6:50 a.m. on April 30, 2016.

Per Lt Solomon, inmates BENSON, JOSEPH J Bkg Nbr: 694963010 to have his blanket taken away. CO's Do Smith and L.Collins were able to safely retrieve the blanket. **His water will also be turned off temporarily until such time that he agrees to comply with staff orders and follow direction.** (Emphasis added.)

59. On April 30, 2016, corrections officers punitively shut off Inmate Jamie McGee's cell water in Pod 4D.

a. The Pod 4D jail log has the following entry for Mr. McGee dated 4:26 a.m. on May 14, 2016.

Cell 1 inmate MCGEE, JAMIE J Bkg Nbr: 508383823 was told many times by me and LT, Montano and officer yagham about covering window and he still continued. Captain Borucki was notified of the situation inmate will be moved to cell 20 on discipline **everything will be taken until first shift.** (Emphasis added.)

b. The Pod 4D jail log has the following entry for Mr. McGee dated 4:55 a.m. on May 14, 2016.

Inmate MCGEE, JAMIE J Bkg Nbr. 508383823 mattress was taken and water was turned off per LT, Montano. First shift captain and LT, will be informed of the situation to give back mattress and **turn water back on.** (Emphasis added.)

60. The above cell water shut-offs both occurred within three weeks of Mr. Thomas' death and on the same jail pod where he was housed. The incidents demonstrate an institutional practice of punitively shutting off water to unruly inmates. That institutional practice informed defendant Meadors' decision to shut off Mr. Thomas' cell water.

#### Abuse, Neglect, or Ill-treatment of Inmate

61. As a housing supervisor for the Milwaukee County Jail, defendant Meadors was entrusted with the safety and well-being of inmate Mr. Thomas. Mr. Thomas suffered from mental illness and was vulnerable. Defendant Meadors ordered an open-ended shut off of Mr. Thomas' cell water. That order violated jail regulations. Defendant Meadors never checked on Mr. Thomas' water status later on the day his water was shut off or on her shifts later in the week. Defendant Meadors did nothing to assure that her dangerous order, of shutting off an inmate's cell water, was documented in the jail log or posted on the jail pod dry erase board. She failed to inform subsequent shift lieutenants that Mr. Thomas' water was shut off. She failed to inform the jail shift commander. She failed to assure that corrections officers, taking over the next shift on Pod 4D, knew Mr. Thomas' water was shut off. Mr. Thomas' water was never restored and he died of dehydration. Defendant Meadors abandoned Mr. Thomas to his death.

\*\*\*\*End of Complaint\*\*\*\*

#### **Electronic Filing Notice:**

This case was electronically filed with the Milwaukee County Clerk of Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases. Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. You may also register as an electronic party by following the instructions

found at <http://efiling.wicourts.gov> and may withdraw as an electronic party at any time. There is a \$20.00 fee to register as an electronic party. If you are not represented by an attorney and would like to register an electronic party, you will need to contact the Clerk of Circuit Court office at 414-278-4120. Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Criminal Complaint prepared by Kurt B. Benkley.

Subscribed and sworn to before me on 02/12/18

Electronically Signed By:

Kurt B. Benkley

Assistant District Attorney

State Bar #: 1021096

Electronically Signed By:

Investigator Robert G Stelter

Complainant