



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, Megan Newport

August 3, 2023

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

Re: Death of Cilivea Thyrior (DOB 12/12/2002)

Dear Sheriff Ball:

This office has completed its review of an investigation by the Waukesha County Sheriff's Office into the death of Cilivea Thyrior on December 16, 2022, at the Milwaukee County Jail.

Ms. Thyrior was residing in the jail since her arrest in February 2022, and subsequent criminal charges for Strangulation and Battery.

At times during her stay at the jail between February-December 2022, Ms. Thyrior was housed in Special Needs Pods within the jail due to repeated threats and actual attempts to harm herself. At other times, she was hospitalized outside the jail for incidents of self-harm that often related to consuming non-edible items. At the time of her death, Ms. Thyrior was housed in a Special Needs Pod that required additional monitoring by jail staff members.

On December 16, 2022, Ms. Thyrior indicated to Correctional Officer Latasha Hethington that she needed assistance because she was bleeding due to her menstrual cycle. Hethington and another Correctional Officer, Kamryn Palmer, searched unsuccessfully for any underwear made particularly for those on suicide watch, because standard undergarments are considered to create a risk to be used to self-harm. The correctional officers chose not to provide other standard sanitary accessories because those items are easily swallowed and thus deemed to create a risk for those on suicide watch. Ultimately, Hethington and Palmer decided to provide Ms. Thyrior with an adult diaper, because, as they indicated to investigators later, they wanted to meet a basic need for Ms. Thyrior and did not consider that the diaper could be used in a way to self-harm.

Hethington provided Ms. Thyrior with the diaper just before Ms. Thyrior was allowed out of her individual pod, during which time she was permitted to make telephone calls. Ms. Thyrior had not yet put on the diaper at this time. Hethington returned Ms. Thyrior to her pod at 10:04 a.m., and after some attempt at conversation over the intercom system, returned to her pod at 10:28 a.m. At this time, Ms. Thyrior indicated that she could not breathe and Hethington realized that Ms. Thyrior appeared to be choking. Hethington summoned additional jail personal who responded to the pod to assist Ms. Thyrior, but they were unable to retrieve anything from inside her mouth, in part due to resistive reactions Ms. Thyrior exhibited toward jail staff attending to her. Additional medical professionals ultimately responded to the pod and applied lifesaving measures that were unsuccessful. Ms. Thyrior was pronounced deceased at 11:13 a.m. The diaper given to Ms. Thyrior remained unworn in her pod with pieces torn off of it. Fragments were recovered during the autopsy performed by the Milwaukee County Medical Examiner's Office. The final autopsy report is still awaiting completion.

Sheriff Denita Ball
Milwaukee County Sheriff's Office
August 3, 2023
Page 2

At this time, pending the completion of the final autopsy report, the evidence in this matter does not support a finding of criminal wrongdoing by the correctional officers who responded to Ms. Thyron, nor by any other staff member employed at the Milwaukee County Jail. The evidence in this matter does not suggest an intent by staff members to harm Ms. Thyron, nor that staff members acted with reckless disregard for her safety. In the absence of contrary evidence in the final autopsy report, this office will have concluded its review of this matter and take no further action.

Sincerely,



Kent Lovern
Chief Deputy District Attorney

cc: Waukesha County Sheriff Eric Severson
Waukesha County Sheriff's Detective Tim Wacker
Milwaukee County Sheriff Chief Deputy Daniel Hughes
Attorney B'Ivory LaMarr