

FILED
02-21-2018
John Barrett
Clerk of Circuit Court
2018CM000748
Honorable Joseph R.
Wall
Branch 20

STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE COUNTY

STATE OF WISCONSIN
Plaintiff,

DA Case No.: 2018ML004041
Court Case No.:

vs.

CRIMINAL COMPLAINT

ARMOR CORRECTIONAL HEALTH
SERVICES, INC.
4960 SW 72ND AVE., SUITE 400
MIAMI, FL 33155

Defendant(s).

For Official Use

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

Count 1: INTENTIONALLY FALSIFY HEALTH CARE RECORD

The above-named defendant on or about April 21, 2016, at 949 North Ninth Street, in the City of Milwaukee, Milwaukee County, Wisconsin, did intentionally falsify a patient health care record, contrary to sections 146.83(4)(a), 146.84(2)(a)(3), and 146.81, Wis. Stats.

Upon conviction for this offense, an unclassified Misdemeanor, the defendant may be fined not more than Twenty-Five Thousand Dollars (\$25,000).

Count 2: INTENTIONALLY FALSIFY HEALTH CARE RECORD

The above-named defendant on or about April 21, 2016, at 949 North Ninth Street, in the City of Milwaukee, Milwaukee County, Wisconsin, did intentionally falsify a patient health care record, contrary to sections 146.83(4)(a), 146.84(2)(a)(3), and 146.81, Wis. Stats.

Upon conviction for this offense, an unclassified Misdemeanor, the defendant may be fined not more than Twenty-Five Thousand Dollars (\$25,000).

Count 3: INTENTIONALLY FALSIFY HEALTH CARE RECORD

The above-named defendant on or about April 21, 2016, at 949 North Ninth Street, in the City of Milwaukee, Milwaukee County, Wisconsin, did intentionally falsify a patient health care record, contrary to sections 146.83(4)(a), 146.84(2)(a)(3), and 146.81, Wis. Stats.

Upon conviction for this offense, an unclassified Misdemeanor, the defendant may be fined not more than Twenty-Five Thousand Dollars (\$25,000).

Count 4: INTENTIONALLY FALSIFY HEALTH CARE RECORD

The above-named defendant on or about April 22, 2016, at 949 North Ninth Street, in the City of Milwaukee, Milwaukee County, Wisconsin, did intentionally falsify a patient health care record, contrary to sections 146.83(4)(a), 146.84(2)(a)(3), and 146.81, Wis. Stats.

Upon conviction for this offense, an unclassified Misdemeanor, the defendant may be fined not more than Twenty-Five Thousand Dollars (\$25,000).

Count 5: INTENTIONALLY FALSIFY HEALTH CARE RECORD

The above-named defendant on or about April 21, 2016, at 949 North Ninth Street, in the City of Milwaukee, Milwaukee County, Wisconsin, did intentionally falsify a patient health care record, contrary to sections 146.83(4)(a), 146.84(2)(a)(3), and 146.81, Wis. Stats.

Upon conviction for this offense, an unclassified Misdemeanor, the defendant may be fined not more than Twenty-Five Thousand Dollars (\$25,000).

Count 6: INTENTIONALLY FALSIFY HEALTH CARE RECORD

The above-named defendant on or about April 21, 2016, at 949 North Ninth Street, in the City of Milwaukee, Milwaukee County, Wisconsin, did intentionally falsify a patient health care record, contrary to sections 146.83(4)(a), 146.84(2)(a)(3), and 146.81, Wis. Stats.

Upon conviction for this offense, an unclassified Misdemeanor, the defendant may be fined not more than Twenty-Five Thousand Dollars (\$25,000).

Count 7: INTENTIONALLY FALSIFY HEALTH CARE RECORD

The above-named defendant on or about April 21, 2016, at 949 North Ninth Street, in the City of Milwaukee, Milwaukee County, Wisconsin, did intentionally falsify a patient health care record, contrary to sections 146.83(4)(a), 146.84(2)(a)(3), and 146.81, Wis. Stats.

Upon conviction for this offense, an unclassified Misdemeanor, the defendant may be fined not more than Twenty-Five Thousand Dollars (\$25,000).

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 and my review of transcripts and exhibits from the inquest into the death of Terrill Thomas, official City of Milwaukee Police reports, official Milwaukee County Sheriff's Office records, Milwaukee County Jail video surveillance footage, business and patient health care records of Armor Correctional Health Services, Inc., ("Armor Correctional"), Contract for Inmate Health Services for Milwaukee County (2016), 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. Section 146.83(4), Wis. Stats., provides "No person may do any of the following: (a) Intentionally falsify a patient health care record." Violating this prohibition is a crime. Section 146.84(2)(a)(3), Wis. Stats. A jail inmate's patient health care record is "a patient health care record" within the meaning of section 146.83(4) as further defined by section 146.81(4), Wis. Stats.
4. A corporation may be charged criminally for the acts of its employees committed within the scope of employment. See, Section 968.05(1), Wis. Stats.; WIS-JI CRIM 420; *State v. Steenberg Homes, Inc.*, 223 Wis.2d 511, 589 N.W.2d 668 (Ct. App. 1998).

5. Armor Correctional Health Services, Inc. is a foreign business corporation registered with the Wisconsin Department of Financial Institutions.
6. Armor Correctional is contracted to provide health care services to inmates at the Milwaukee County Jail and to maintain a complete and accurate medical record of those services. Milwaukee County Jail is located in the Criminal Justice Facility, 949 N. Ninth Street, Milwaukee, WI.
7. Terrill Thomas was a Milwaukee County Jail inmate. Mr. Thomas was locked in his cell without water from April 17, 2016 until he died of dehydration on the night of April 23-24, 2016.
8. During my investigation into Mr. Thomas' death, I determined that medical staff, employed by Armor Correctional, made multiple false entries in Mr. Thomas' patient health care record. I compared Criminal Justice Facility video surveillance footage of Mr. Thomas' cell area with entries in Mr. Thomas' patient health care records. That comparison showed Armor Correctional employees either walking by Mr. Thomas' cell without stopping or never appearing at his cell at all, when at the same time, the employees recorded they medically assessed Mr. Thomas. On one occasion, an Armor Correctional employee fabricated blood pressure and pulse readings that the employee never performed on Mr. Thomas.
9. I broadened my review and found Armor Correctional employees similarly falsified patient health care record entries for other inmates in Mr. Thomas' jail subpod during April 21-23, 2016.
10. While I focused on just a three day period of April 21-23, 2016, in a single subpod of the Milwaukee County Jail, that snapshot examination showed repeated false patient health care record entries by multiple Armor Correctional employees. I found no evidence that this pattern of patient health care record falsification was an aberration or isolated instance.

Armor Correctional employees

11. Armor Correctional employed the following medical personnel and assigned them to the Milwaukee County Jail during the time frame alleged in this criminal complaint:
 - a. Karen Gray, Registered Nurse (RN);
 - b. Jennifer Henderson, Certified Medical Assistant (CMA);
 - c. De'Angelo McCoy, Certified Medical Assistant (CMA).

12. Each of the above listed Armor Correctional employees' duties included providing health care services to Milwaukee County Jail inmates and documenting those services in the inmates' patient health care record. Armor Correctional maintained those patient health care records.

Computerized patient health care records

13. Armor Correctional provided copies of the patient health care records that they maintain for Mr. Thomas.
14. I interviewed Joel DeWitt, Licensed Professional Counselor (LPC). LPC DeWitt is an Armor Correctional mental health supervisor assigned to the Milwaukee County Jail. He is familiar with Armor Correctional's computerized patient health care records for inmates. LPC DeWitt explained as follows.
 - a. Flow sheets are a form of computerized patient health care record that Armor Correctional maintains for inmates.

b. "Flow sheets :: Custom flows" and "Flow sheets :: confinement" data are recorded in columns. The first column lists the health care provider making the entry. The second column automatically enters the time and date when the data is charted.

c. The final column, headed "Date/time (if different)", allows the health care provider to make a correcting entry if he or she actually provided the service at a date different from the charting date.

15. In the flow sheets presented in paragraphs 18(a), 25(b), 26(b), and 27(b) below, Nurse Karen Gray made a series of patient health care record entries during the time frame 16:41 (4:41 p.m.) to 16:59 (4:59 p.m.) on April 21, 2016. She appears to have completed her rounds that afternoon and was now charting the services she had provided. On several occasions, Nurse Gray made double entries in the same inmate's record that afternoon. In the flow sheets in paragraphs 25(b), 26(b), and 27(b), she marked a second entry, in the "Date/time (if different)" column, documenting the services occurred on "4/20/2016 00:00". This pattern of duplicate entries indicates Nurse Gray forgot to chart her inmate contacts on April 20, 2016. When she charted on April 21, 2016, she entered both the previous day's service (April 20, 2016) and the current day's service (April 21, 2016).

Falsifications of Mr. Thomas' patient health care records

16. Milwaukee County Sheriff's Office provided video surveillance footage for Mr. Thomas' cell area from 6:33:39 a.m. on April 21 to 5:09:59 a.m. on April 24, 2016. Mr. Thomas was housed in Cell 15 on Pod 4D subpod B of the Milwaukee County Jail.

17. I compared the video surveillance footage against Mr. Thomas' Armor Correctional patient health care records.

18. On April 21, 2016, Nurse Gray made a false entry in Mr. Thomas' Armor Correctional patient health care record. **COUNT 1**

a. Mr. Thomas' patient health care records include a computerized record entitled "CorEMR-Flow Sheets::Custom Flow". Nurse Gray made two entries dated **16:51 (4:51 p.m.) on April 21, 2016**. The entries both state Nurse Gray attempted to assess Mr. Thomas' physical health, mental health, and dental status, but Mr. Thomas refused to speak with Nurse Gray. A copy of said computerized record is presented below.

CorEMR - Flow Sheets :: Custom Flow | V3.0.0 Page 1 of 1

TERRILL J THOMAS

#639565216

Chronic Care - Endocrine, Chronic Care - Cardiovascular

Sex: Male
 DOB: 05/09/1977 (Age 39)
 Height: 6ft 5in
 Weight: 299 lbs
 BMI: 35.5
 SSN: 397880385
 CJIS Master ID: 0000287210

Location: [OUT] Allergies: (None on record)
 JMS ID: 639565216

Flow Sheets
 Confinement

User	Record Date	Spoke w/Pt.?	Request Services?	Physical Status:	MH Status:	Dental Status:	Notes/Descriptions:	Date/Time (if different)
RN Gray RN, Karen	04/22/2016 19:03	No	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted	Unable to speak with Pt. d/t lack of Correctional Staff	
RN Gray RN, Karen	04/21/2016 16:51	No	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted	Pt. refused to speak to writer.	
RN Gray RN, Karen	04/21/2016 16:51	No	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted	Pt. pacing in cell naked refuse to speak to writer.	
RN Gray RN, Karen	04/19/2016 18:04	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		

b. I watched the video surveillance footage of Mr. Thomas' cell area from **6:33 a.m. on April 21 to midnight on April 21-22, 2016**. That footage shows Nurse Gray was in the vicinity of Mr. Thomas' cell on only one occasion during her shift. That occurred at 2:20:22 p.m. The footage shows Nurse Gray walked by Mr. Thomas' cell and glanced in. She did not break stride. Her head was directed towards Mr. Thomas' cell for a fraction of a second. She appeared to make no attempt to speak to Mr. Thomas or to determine that "Pt. refused to speak to writer."

c. Nurse Gray's time card records show she punched in for duty at 10:05 a.m. and punched out at 7:41 p.m. on April 21, 2016.

19. On April 21, 2016, CMA Henderson made two false entries in Mr. Thomas' Armor Correctional patient health care record. **COUNTS 2 & 3**

a. Mr. Thomas' patient health care records include a computerized record entitled "CorEMR-Flow Sheets :: Vital Signs". CMA Henderson made an entry dated **21:23 (9:23 p.m.) on April 21, 2016**. The entry states that CMA Henderson took Mr. Thomas' sitting blood pressure and pulse. She recorded blood pressure of 152/84 and pulse of 68. She further noted "Pt. asymptomatic". A copy of said computerized record is presented below.

CorEMR - Flow Sheets :: Vital Signs | V.S.U.U Page 1 of 1

TERRILL J THOMAS

#639565216

Sex: Male
 DOB: 05/09/1977 (Age 39)
 Height: 6ft 5in
 Weight: 299 lbs
 BMI: 35.5
 SSN: 397880385
 CJIS Master ID: 00000287210

Location: [OUT] JMS ID: 639565218
 Allergies: (None on record)

Chronic Care - Endocrine, Chronic Care - Cardiovascular

Flow Sheets
 Vital Signs

User	Record Date	Blood Pressure	Pulse	Respiration	Temperature	Weight	Height	BMI	SPO2	Notes
Jennifer Henderson	04/21/2016 21:28	Sitting 132 80	Sitting 104							
Jennifer Henderson	04/21/2016 21:23	Sitting 152 84	Sitting 68							Pl. asymptomatic
Jennifer Henderson	04/19/2016 20:36	Sitting 138 80	Sitting 84							
CaryAnne Adriano	04/16/2016 03:12	Sitting 142 82	Sitting 102	18	97.6 ° F	299 lbs	6ft 5in	35.5	99 %	
CaryAnne Adriano	04/16/2016 03:06	Sitting 142 82	Sitting 102	18	97.6 ° F	299 lbs	6ft 5in	35.5	99 %	

b. CMA Henderson made a second entry in Mr. Thomas' "CorEMR-Flow Sheets :: Vital Signs" dated **21:28 (9:28 p.m.) on April 21, 2016**. She recorded Mr. Thomas' blood pressure as 132/80 and pulse of 104. This entry is reflected on the above copy from Mr. Thomas' patient health care records.

c. I watched the video surveillance footage of Mr. Thomas' cell area **from 6:33 a.m. on April 21 to midnight on April 21-22, 2016**. That footage shows no one ever took Mr. Thomas' blood pressure or pulse readings. No one appeared with a blood pressure cuff. No one had any physical contact with Mr. Thomas. No one opened Mr. Thomas' cell door or the pass-through chute of his cell door. The blood pressure and pulse data that CMA Henderson recorded in Mr. Thomas' patient health record were complete fabrications.

d. CMA Henderson's time card records show she punched in for duty at 2:00 p.m. and punched out at 10:42 p.m. on April 21, 2016.

e. On February 15, 2018, Investigators David Dalland and Anna Linden, Milwaukee County District Attorney's Office, interviewed LPN Henderson. She denied any wrongdoing.

20. On April 22, 2016, CMA McCoy made a false entry in Mr. Thomas' Armor Correctional patient health care record. **COUNT 4**

a. Mr. Thomas' patient health care records include a computerized record entitled "CorEMR – THOMAS, TERRILL J :: Chart Notes". CMA McCoy made an entry dated **4:46 a.m. on April 22, 2016**. He recorded that he asked Mr. Thomas to submit to a blood draw and Mr. Thomas did not respond. A copy of said computerized record is presented below.

CorEMR - THOMAS, TERRILL J :: Chart Notes | v5.3.0

Page 2 of 2

Type: Misc. Note
Access: Medical StaffDate: 04/22/2016
04:46Author: MA McCoy, De'Angelo [Related Problems](#)

Writer went to draw PT blood, PT was standing at cell door not dress locking out cell. Writer asked PT did he want labs done P just look didn't say one word. Reported it to supervisor Ives, writer was told to reported it to first shift MA to be completed. PT didn't refuse just didn't say nothing.

b. I watched the video surveillance footage of Mr. Thomas' cell area from **6:00 p.m. on April 21, 2016 to noon on April 22, 2016**. That footage shows CMA McCoy never went to Mr. Thomas' cell. CMA McCoy never attempted to speak with Mr. Thomas. He did not ask Mr. Thomas to submit to a blood draw.

c. CMA McCoy's time card records show he punched in for duty at 9:14 p.m. on April 21 and punched out at 5:52 a.m. on April 22, 2016.

21. Inv. Dalland and Inv. Linden interviewed CMA McCoy. CMA McCoy stated as follows. He made the entry in paragraph 20(a) above approximately fifteen minutes after going to see Mr. Thomas on April 22. Inv. Linden informed CMA McCoy that video surveillance does not show him at Mr. Thomas' cell. CMA McCoy then made conflicting and ambiguous statements about whether he actually went to Mr. Thomas' cell. He agreed that it is possible he remained at the Pod 4D command desk and did not go up to Mr. Thomas' cell. He acknowledged this version a second time stating: "I'm not going to lie to you." Later in the interview, CMA McCoy denied making a false entry. He stated that when his job description requires him to go to a cell in Pod 4D that "I'm going to at least attempt to do it."

Falsification of other inmates' patient health care records

22. Having identified the above pattern of falsifications in Mr. Thomas' patient health care records, I broadened my investigation to the patient health care records of other inmates in Pod 4D subpod B during April 21-23, 2016.

23. Milwaukee County Sheriff's Office provided copies of Armor Correctional patient health care records for the following Milwaukee County Jail inmates: E.H-M., D.W., and J.A.H.

24. My comparison of those patient health care records with jail video surveillance footage shows that Nurse Gray habitually falsified entries. She falsely recorded that she spoke to inmates when assessing their medical status. Video surveillance footage shows Nurse Gray walks by these inmates' cells without stopping to assess them.

25. Nurse Gray falsified an entry in E.H-M.'s Armor Correctional patient health care records on April 21, 2016. **COUNT 5**

a. Milwaukee County Sheriff's Office records show E.H-M. was assigned to cell 8 in Pod D subpod B throughout the time period alleged in this criminal complaint.

b. E.H-M.'s patient health care records include a computerized record entitled "CorEMR- Flow Sheets :: Confinement". Nurse Gray made an entry dated **16:42 (4:42 p.m.) on April 21, 2016** documenting her purported medical assessment of E.H-M. The entries state as follows. Nurse Gray spoke to E.H-M. He reported no physical, mental health, or dental problems. She also made a second

entry at 16:41 (4:41 p.m.) for service she provided the previous day. A copy of said computerized record is presented below.

Flow Sheets Confinement								
Confinement								
Viewing 1-12 of 12 Flow Records								
User	Record Date	Spoke w/Pt.?	Request Services?	Physical Status:	MH Status:	Dental Status:	Notes/Descriptions:	Date/Time (if different)
RN Gray RN, Karen	04/29/2016 2116	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		
RN Gray RN, Karen	04/28/2016 1825	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		
RN Gray RN, Karen	04/27/2016 1824	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		
RN Gray RN, Karen	04/26/2016 1807	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		
RN Gray RN, Karen	04/26/2016 1807	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		04/26/2016 00:00
RN Gray RN, Karen	04/22/2016 1808	No	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted	Unable to speak with Pt. or check with Correctional Staff	
RN Gray RN, Karen	04/21/2016 1842	No	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted	Pt appears to be resting	
RN Gray RN, Karen	04/21/2016 1841	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		04/20/2016 00:00

c. I watched the Jail Pod 4D subpod B video surveillance footage from **6:33 a.m. on April 21 to midnight on April 21-22, 2016**. That footage shows as follows. At 2:21:06 p.m., Nurse Gray walked past E.H-M.'s cell without stopping. She glanced at his cell for a fraction of a second. She did not speak to E.H-M. She did not attempt to assess his physical, mental, or dental status. This walk-by was the only time Nurse Gray was near E.H-M.'s cell. Her entries into E.H-M.'s patient health care record on this date were complete fabrications.

d. Nurse Gray's time card records show she punched in for duty at 10:05 a.m. and punched out at 7:41 p.m. on April 21, 2016.

26. Nurse Gray falsified an entry in D.W.'s Armor Correctional patient health care records on April 21, 2016. **COUNT 6**

a. Milwaukee County Sheriff's Office records show D.W. was assigned to cell 14 in Pod D subpod B throughout the time period alleged in this criminal complaint.

b. D.W.'s patient health care records include a computerized record entitled "CorEMR- Flow Sheets :: Confinement". Nurse Gray made an entry dated **16:49 (4:49 p.m.) on April 21, 2016** documenting her purported medical assessment of D.W. The entries state as follows. Nurse Gray observed that D.W. was resting. He reported no physical, mental health, or dental problems. She also made a second entry at 16:48 (4:48 p.m.) for service she provided the previous day. A copy of said computerized record is presented below.

NKDA

Flow Sheets
Confinement
Confinement

Viewing 1-27 of 27 Flow Records

User	Record Date	Spoke w/Pt.?	Request Services?	Physical Status:	MH Status:	Dental Status:	Notes/Descriptions:	Date/Time (if different)
RN Gray RN, Karen	04/22/2016 1802	No	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted	Unable to speak with Pt. d/i lack of Correctional Staff	
RN Gray RN, Karen	04/21/2016 1649	No	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted	Pt appears to be resting	
RN Gray RN, Karen	04/21/2016 1648	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		04/20/2016 00:00
RN				No complaints	No complaints	No complaints		

c. I watched the Jail Pod 4D subpod B video surveillance footage from **6:33 a.m. on April 21 to midnight on April 21-22, 2016**. That footage shows as follows. At 2:22:20 p.m., Nurse Gray walked past D.W.'s cell without stopping. She glanced at his cell for a fraction of a second. She did not speak to D.W. She did not attempt to assess his physical, mental, or dental status. This walk-by was the only time Nurse Gray was near D.W.'s cell. Her entries into D.W.'s patient health care record on this date were complete fabrications.

d. Nurse Gray's time card records show she punched in for duty at 10:05 a.m. and punched out at 7:41 p.m. on April 21, 2016.

27. Nurse Gray falsified an entry in J.A.H.'s Armor Correctional patient health care records on April 21, 2016. **COUNT 7**

a. Milwaukee County Sheriff's Office records show J.A.H. was assigned to cell 16 in Pod D subpod B throughout the time period alleged in this criminal complaint.

b. J.A.H.'s patient health care records include a computerized record entitled "CorEMR- Flow Sheets :: Confinement". Nurse Gray made an entry dated **16:59 (4:59 p.m.) on April 21, 2016** documenting her purported medical assessment of J.A.H. The entries state as follows. Nurse Gray spoke with J.A.H. He reported no physical, mental health, or dental problems. She also made a second entry at 16:59 (4:59 p.m.) for service she provided the previous day. A copy of said computerized record is presented below.

Viewing 1-28 of 28 Flow Records

User	Record Date	Spoke w/Pt.?	Request Services?	Physical Status:	MH Status:	Dental Status:	Notes/Descriptions:	Date/Time (if different)
RN Gray RN, Karen	04/29/2016 2117	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		
RN Gray RN, Karen	04/28/2016 1828	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		
RN Gray RN, Karen	04/27/2016 1830	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		
RN Gray RN, Karen	04/26/2016 1819	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		
RN Gray RN, Karen	04/26/2016 1819	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		04/26/2016 00:00
RN Gray RN, Karen	04/22/2016 1904	No	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted	Unable to speak with Pt. d/ lack of Correctional Staff	
RN Gray RN, Karen	04/21/2016 1659	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		
RN Gray RN, Karen	04/21/2016 1659	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		
RN Gray RN, Karen	04/21/2016 1659	Yes	No	No complaints, no significant physical signs noted	No complaints, alert, oriented, responsive	No complaints, no significant dental signs noted		04/20/2016 00:00
RN				No complaints,		No complaints,		

c. I watched the Jail Pod 4D subpod B video surveillance footage from **6:33 a.m. on April 21 to midnight on April 21-22, 2016**. That footage shows as follows. At 2:22:31 p.m., Nurse Gray walked past J.A.H.'s cell without stopping. She glanced at his cell for a fraction of a second. She did not speak to J.A.H. She did not attempt to assess his physical, mental, or dental status. This walk-by was the only time Nurse Gray was near J.A.H.'s cell. Her entries into J.A.H.'s patient health care record on this date were complete fabrications.

d. Nurse Gray's time card records show she punched in for duty at 10:05 a.m. and punched out at 7:41 p.m. on April 21, 2016.

Pattern and practice

28. The above evidence shows that Armor Correctional employees engaged in a pattern and practice of intentionally falsifying entries in inmate patient health care records.

29. Had Armor Correctional medical staff actually performed the assessments that they falsely recorded in Mr. Thomas' patient health care records, medical staff may have identified Mr. Thomas' fatal medical distress.

30. The final health care entry in Armor Correctional's Chart Notes for Mr. Thomas is dated 3:19 a.m. on April 24, 2016 and reads: "Responded to emergency call at 1:36 for inmate unresponsive...I entered the cell where the inmate was lying naked on the floor of his cell on his right side. CO Yagnam looked at me and said 'He's dead.'"

****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 02/21/18

Electronically Signed By:

Kurt B. Benkley

Assistant District Attorney

State Bar #: 1021096

Electronically Signed By:

Investigator Robert G Stelter

Complainant