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*Milwaukee County*

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January 9, 2019

Sheriff Earnell Lucas  
821 W. State Street, Room 107  
Milwaukee WI 53233

RE: In-custody death of Jose Torres (d.o.b. 8/16/1982)

Dear Sheriff Lucas:

Jose Torres died while in custody at the Criminal Justice Facility (CJF) on October 17th, 2017. The Milwaukee County Medical Examiner's Office determined the cause of death to be blunt force injuries and the manner of death to be undetermined. After an extremely thorough investigation by the Waukesha County Sherriff's Office, I believe that the investigative conclusion that Mr. Torres did not suffer his injuries as a result of either law enforcement, correctional officer or inmate abuse is correct. The evidence suggests that Mr. Torres may have self-inflicted these injuries. I found no basis for criminal liability on the part of the Milwaukee County Jail's correctional officers. I will include a PowerPoint summary of the salient aspects of the investigation as well as an extensive summary of the investigation prepared by the Waukesha County Sheriff. I met with the Torres family and their Attorney and explained the investigative findings. I would note that an extensive amount of the discussion with the family centered on the response of Armor medical staff after the time that the correctional staff discovered Mr. Torres to be unresponsive, which both the investigators and I found troubling, particularly the length of time it took to assess Mr. Torres vital signs after he was removed from his cell. After discussion with the family where I explained I did not believe it meets the threshold for criminal prosecution, it is my belief that that issue will be pursued in civil litigation.

Sincerely yours,

  
John Chisholm  
District Attorney

Enclosure

cc: Chief Deputy District Attorney Kent Lovern