

Wisconsin Division of Criminal Investigation Case Report
Case/Report Number: 20-952/56

Case Synopsis - 03/12/2020

On Monday, February 10, 2020, the Green Bay Police Department (GBPD) requested the Wisconsin Department of Justice – Division of Criminal Investigation (DCI) to investigate the in-custody death of Jason Robert Thomson. Thomson was in custody in the Brown County Jail when he became unresponsive. Thomson was conveyed to Aurora Hospital where he was pronounced deceased at 4:09AM on February 10, 2020.

On Sunday, February 9, 2020 at 11:33PM, the Green Bay Metro Fire Department (GBMFD) responded to the St. John's Shelter in Green Bay for a guest having a seizure in front of the building. GBMFD Med Unit 421 transported Thomson to St. Vincent Hospital and arrived at 11:57PM.

In the St. Vincent Hospital Emergency Room, Thomson was treated by Dr. Christopher Gerwing. Dr. Gerwing remembered that he treated Thomson for the same condition on numerous previous occasions. Dr. Gerwing reported that Thomson was resting comfortably after treatment.

When Thomson was medically cleared and ready to be released, Thomson said he needed to urinate. Technician Kendra Owens brought Thomson a hand urinal and stayed with Thomson to make sure Thomson did not fall. While urinating, Thomson accused Tech. Owens of rolling her eyes at him. Thomson began to yell at and approach Tech. Owens, so Tech. Owens left the room. Thomson followed Tech. Owens into the hall of the Emergency Room and continued to be loud and verbally abusive. Nursing staff and hospital security were unable to calm Thomson and the police were called.

GBPD Police Officers Michael O'Donnell (Squad 4C1), Chris Vaubel (Squad 4C3) and PO Alex Wanish (Squad 4C2) were sent to St. Vincent Hospital for a "Patient out of control – yelling" at 2:40AM on February 10, 2020. PO O'Donnell arrived at 2:43AM and POs Vaubel and Wanish arrived at 2:44AM. GBPD Officers Ben Harvath and Karen Pineda (Squad 4F3), Scott Delsart (Squad 4D2) and Sergeant Thomas Behn (Squad 388S) were also sent to St. Vincent Hospital. According to officer statements and review of the St. Vincent surveillance video, Thomson resisted PO O'Donnell and was directed to the floor. St. Vincent security staff assisted PO O'Donnell with attempting to control Thomson until other GBPD officers arrived. Thomson was handcuffed but continued to kick and resist while on the floor. Per the video and officer statements, no strikes or compliance holds were administered to Thomson.

Sgt. Behn ordered the officers to utilize the WRAP restraint device and its successful application was reported to dispatch at 2:56AM. The WRAP Restraint System is a device authorized and trained by the Green Bay Police Department for controlling combative subjects. This device was placed in accordance with the instructions around Thomson's legs and the shoulder straps were draped over his shoulders to hold it in place.

Wisconsin Division of Criminal Investigation Case Report
Case/Report Number: 20-952/56

According to dispatch records, at 3:01AM, POs Harvath and Pineda began transport of Thomson from St. Vincent to the Brown County Jail. Squad video showed Thomson sitting in a semi-reclined position in the rear seat of the squad, a Ford Explorer. The video had no audio, but Thomson could be seen speaking and breathing during transport.

Upon arrival at the jail, Thomson was removed from the squad and brought into intake. Jail surveillance video showed Thomson conscious and talking. Thomson was examined during intake by the Jail Nurse, Rebecca Warren, who advised that Thomson should be returned to a hospital to be re-cleared for admittance, [REDACTED]

[REDACTED] Thomson was returned to the back seat of Squad 4F3 by jail staff and Nurse Warren who continued to monitor Thomson's condition. Thomson had not been un-cuffed or removed from the WRAP by this time. Nurse Warren noticed that Thomson became unresponsive while in the rear seat of the squad and she had Thomson removed from the squad and placed on the floor of the Sally Port. Thomson's restraints were removed, including the [REDACTED]

[REDACTED] Officers continued CPR until the arrival of another GBMFD Med Unit arrived.

Thomson was placed in the Med Unit and live-saving measures were continued en route to Aurora Hospital. At Aurora Hospital, Thomson was pronounced deceased. The entire incident, until Thomson was placed in the Med Unit to be taken to Aurora Hospital, was captured by video surveillance in St. Vincent Hospital, Squad 4F3 and the Brown County Jail.

During the investigation, nine GBPD officers, two St. Vincent Hospital Security Officers, seven St. Vincent Hospital medical staff members, and 13 GBMFD members were interviewed. Fourteen Brown County Jail staff members submitted written statements. Formal interviews with Union representation were conducted with GBPD Police Officers Vaubel, Pineda, O'Conner and Harvath. Thomson's sister, L.S. was interviewed. S. advised that Thomson had epilepsy and suffered grand mal and petit mal seizures and had "cracked his skull" in the past several times.

On Tuesday, February 11, 2020, at 8:30AM, Dane County Forensic Pathologist Dr. Eli Goodman conducted an autopsy of Thomson. Dr. Goodman did not identify a specific cause of death but did note several medical deficiencies and evidence of abrasions and contusions. Toxicology is pending as of this report.

Thomson's belongings were collected but no items were determined to be of evidentiary value.

On March 12, 2020, the completed DCI Investigative file, as of that date, was submitted to the Brown County District Attorney's Office for legal review.