

Inmate's family blames Port, county officers for her suicide

Written by BILL SCHANEN IV

Wednesday, 02 October 2013 17:34 - Last Updated Wednesday, 02 October 2013 17:41

Husband files claims alleging he told arresting officers she had wanted to kill herself

The family of one of the inmates who hanged herself in the Ozaukee County jail earlier this year has filed wrongful death claims against the City of Port Washington and county alleging that the negligence of officers resulted in her suicide.

The notices of claims — precursors to lawsuits filed last week on behalf of the estate of Sonia Mojica, her husband Michael Williams and their 9-month-old son — allege that the police officers who arrested Mojica at her Port Washington home at 1:50 a.m. June 11 were told by her husband that she had attempted suicide two weeks earlier, but the officers never told the county jail staff of the attempt.

The claims also allege county jail staff did not properly care for a woman who was suicidal, but a report detailing an extensive investigation conducted by the Ozaukee County Sheriff's Department refutes that.

Jailers who had contact with Mojica and at least eight fellow inmates who were interviewed after she was found unresponsive in her cell said they never had reason to believe the 42-year-old woman was suicidal, according to the report, which was reviewed by the Washington County Sheriff's Department and is in the process of being reviewed by the Wisconsin Department of Corrections.

"Washington County confirmed our findings and determined the investigation was properly conducted," Ozaukee County Undersheriff Jim Johnson said Tuesday.

Mojica, who was charged with misdemeanor counts of disorderly conduct and bail jumping in connection with the June 11 domestic dispute, was found by a deputy during a routine inspection hanging by jail-issued bedding from the top bunk in her cell at 10:49 p.m. Sunday, June 16.

Jail staff and emergency medical technicians revived Mojica, but she died of her injuries six days later at Aurora Medical Center in Grafton.

A week before Mojica was found unresponsive in her cell, another Ozaukee County inmate, Bridgitt A. Moorehead, 41, was found dead in her cell. She hung herself with jail-issue bedding, according to the sheriff's department.

The investigation into Mojica's death examined the five days she was in custody, starting with her arrest, which was prompted by a 911 call she made to report that she was drunk and should

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go to jail.

Shortly after she made that call, Mojica met Port Washington police officers Kirstin Moertl and Lt. Eric Leet at the door to the family's apartment. Her husband, who said his wife was drunk and had tried to attack him, had locked himself and the couple's son in a bedroom.

Before police took Mojica to jail, her husband told the officers that on May 28, Mojica was taken to the emergency room at Aurora Medical Center in Grafton because she was drunk and wanted to commit suicide, according to Moertl's report. Mojica was subsequently prescribed the sedative lorazepam, which she told the officers she was taking "to keep her from dying," according to Moertl's report.

The information in the report regarding Mojica's earlier hospitalization for intoxication and her husband's account of her desire to commit suicide was included in the criminal complaint issued the same day she was arrested, but neither the officer's report nor the complaint is routinely forwarded to the sheriff's department.

Ironically, Mojica's copy of the criminal complaint was found in her cell after she hanged herself. On the back of the page that mentioned her husband's statements about her desire to kill herself, Mojica's wrote a suicide note, according to the sheriff's department report.

Jail staff rely initially on an intake screening procedure to determine if inmates are suicidal or suffer from medical problems that require special attention in jail.

According to the sheriff's department investigation, a form filled out by Moertl and given to jailers when Mojica was booked asks, "Has arrestee made suicidal comments or shown signs of suicidal behavior?" Moertl answered no.

Mojica, who had a blood-alcohol content of .28, 3-1/2 times the legal threshold for intoxication, was also asked a series of questions about whether she had ever thought about or tried to commit suicide. She answered no to all of the questions.

Investigators revisited the issue with Moertl after Mojica hanged herself.

"I asked officer Moertl if she could recall any time during her contact with Michael Williams and Sonia Mojica if either one of them made any comments or statements that would lead her to believe Sonia Mojica was suicidal," Detective Gary Speth wrote in his report. "Officer Moertl answered negatively."

Moertl did add, however, that Williams told her that when Mojica was taken to the emergency room on May 28, she was not committed to the hospital for suicide prevention but rather treated for alcohol abuse and released with a prescription for lorazepam, according to the report.

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Mojica had a blood alcohol content of .4% at the time, according to the police report.

When asked during an interview this week if the sheriff's department would have done anything differently had deputies known that Mojica's husband told officers she was taken to the emergency room because she wanted to commit suicide, Johnson said, "Yes, because that would have indicated she was a suicide risk."

Mojica spent the first few days of her incarceration in an observation cell because of intoxication and alcohol withdrawal, which is also where inmates who are deemed at risk for committing suicide are initially held. But while inmates being watched for suicide must undergo mental health screenings before being released into the general jail population, Mojica was not because the jail staff was unaware of any suicide risks, Johnson said.

Contacted Tuesday, Port Washington Police Chief Kevin Hingiss would not comment on specifics of the incident but said the officers who arrested Mojica acted properly.

"Because a claim has been filed that will likely result in litigation, I cannot comment," he said. "But I will say that in my view the officers handled this correctly."

Shortly after Mojica hanged herself, sheriff's department investigators interviewed Williams, who said his wife had a history of suicidal thoughts and actions.

He said Mojica wanted to kill herself when she was incarcerated in November 2012 and attempted to commit suicide on May 28 by cutting her wrists, according to the report. Mojica, however, told doctors at the time she was just drunk, not suicidal, Williams said.

He said he told Port Washington police officers who arrested her on June 11 that his wife was suicidal and that she had attempted suicide two weeks earlier.

"Mr. Williams questioned how we could allow a person who's suicidal to be placed in a cell alone. He advised his wife never should have had the opportunity to do this," according to the report.

Mojica was released into the general population on June 14, three days after her arrest. Members of the jail staff and inmates interviewed after Mojica hanged herself described her as a pleasant person who interacted with other inmates, exercised and talked about wanting to be released from custody to be with her son and in time for her birthday, which was the day after she was found unresponsive in her cell.

One woman, who said she was the first inmate to befriend Mojica, told investigators Mojica was cheerful and seemed fine, although she did talk about being frustrated by her alcohol dependency and her relationship with her husband.

That inmate, as well as others interviewed by inspectors, said they never thought Mojica was suicidal, but some of them told a deputy that they thought Mojica "may need to talk to someone as she was having anxiety attacks and trouble sleeping," according to the report.

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The inmate told investigators the deputy seemed concerned and checked on Mojica more frequently, the report states.

On June 14 and 15, Mojica complained of continued shaking and neck pain and said she was going to see the jail counselor, according to the report.

Although none of the inmates said they thought Mojica was suicidal, suicide was a topic of conversation in jail because of Moorehead's death a week earlier.

According to the report, "They (inmates) were all talking about how she (Moorehead) did it. Ms. Mojica also asked how she did it and if her feet were touching the ground and if that was even possible."

An inmate told investigators that the last words Mojica said to them in a cheerful tone before going to her cell was "Good night, ladies."

The investigation concludes that there was no indication Mojica was feeling suicidal or expressed any suicidal thoughts at the time of her arrest or during her incarceration. Investigators added that there is no indication that members of the jail staff were made aware of current or previous suicidal statements or attempts made by Mojica.

The claims filed by Mojica's husband seek \$150,000 in damages — the maximum \$50,000 each for her estate, husband and son allowed by law — from both the city and county.

The Ozaukee County Board voted Wednesday to deny the claim.

The City of Port Washington has forwarded the claim to its insurance company.