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April 27, 2018

Chief Alfonso Morales
 Milwaukee Police Department
 749 N. James Lovell Street
 Milwaukee, WI 53233

Re: Death of Jamar Ferguson on November 5, 2017

Dear Chief Morales:

I have reviewed the investigative file related to the November 5, 2017 death of Jamar Ferguson. This file includes written reports, photographs, body camera videos, dispatch records and the autopsy report from the Milwaukee County Medical Examiner.

On November 5, 2017, at approximately 8:11 p.m., Milwaukee uniformed police officers Ndivia Malafa and Karlee Kennon attempted to conduct a Terry stop and interview of Jamar Ferguson, who was the driver of a Volvo parked in a BP gas station lot located at 12th and North Avenue. As the lights of the MPD squad car were activated, Ferguson drove the Volvo away from the parking lot of the gas station, driving southbound on 12th Street at a high rate of speed. Officers Malafa and Kennon initially pursued Ferguson in their squad car but ultimately discontinued the chase due to public safety concerns.

Ferguson crashed his vehicle through a cyclone fence at the intersection of W. Garfield Avenue and N. Lindsay Street. He exited his vehicle and ran north from the crash scene into a wooded area near Interstate 43. Additional MPD officers responded to the scene in an effort to locate Ferguson. Several officers eventually located him lying in a brush pile approximately 150 yards north of the area where he crashed his vehicle.

Upon responding to Ferguson, he complained he was stuck in the brush and could not move. He also complained of leg pain and difficulty breathing. Officers handcuffed Ferguson in the front and lifted him from the debris. Approximately three minutes after apprehending Ferguson, officers called for an ambulance. Ferguson lay on the ground and continued to complain of pain and difficulty breathing. Officers told Ferguson that medical attention was on the way and allowed him to lay on his side, as that position provided some relief to him. Several minutes later, medical personnel arrived in an ambulance, responded medically to Ferguson, and ultimately transported him to Aurora Sinai Samaritan Hospital. He was treated in the emergency room of the hospital and ultimately pronounced dead at 9:48 p.m.

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Deputy Chief Medical Examiner Wieslawa Tlomak performed an autopsy on Ferguson and determined the Cause of Death to be Complications of Sickle Cell Trait and the Manner of Death to be Undetermined.

Based on the totality of all the information gathered in this investigation, there is no evidence that any conduct by others, including any member of the Milwaukee Police Department, contributed to Mr. Ferguson's death. The only physical conduct by first responders with Ferguson was to remove him from wooded debris, place him in handcuffs and touch him for the purposes of rendering medical assistance to him.

This completes my office's review of this matter.

Sincerely,



Kent Lovern
Chief Deputy District Attorney

cc: MPD Assistant Chief Raymond Banks
MPD Assistant Chief Michael Brunson
MPD Captain Steven Caballero
MPD Captain Paul Formolo
WAPD Chief Patrick Mitchell
WAPD Lt. Colin Hughes
Attorney Walter Stern III
Attorney Jaclyn Schwartz