

SEALED BY ORDER OF THE COURT

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: [ ] COMPLAINT [ ] INFORMATION [X] INDICTMENT [ ] SUPERSEDING

OFFENSE CHARGED

18 U.S.C. § 2243(b)- Sexual Abuse of a Ward
18 U.S.C. § 2244(a)(4) - Abusive Sexual Contact
18 U.S.C. § 2241(a) - Aggravated Sexual Abuse

[ ] Petty
[ ] Minor
[ ] Misdemeanor
[X] Felony

PENALTY: See attachment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

FILED

DEFENDANT - U.S.

APR 13 2023

Darrell Wayne Smith

CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
OAKLAND OFFICE

DISTRICT COURT NUMBER

CR 23 0110

AMO

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) [X] If not detained give date any prior summons was served on above charges
2) [ ] Is a Fugitive
3) [ ] Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) [ ] On this charge
5) [ ] On another conviction } [ ] Federal [ ] State
6) [ ] Awaiting trial on other charges
If answer to (6) is "Yes", show name of institution

Has detainer been filed? [ ] Yes [ ] No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

[ ] This report amends AO 257 previously submitted

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

DOJ OIG

[ ] person is awaiting trial in another Federal or State Court, give name of court

[ ] this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

[ ] this is a reprosecution of charges previously dismissed which were dismissed on motion of:

SHOW DOCKET NO.

[ ] U.S. ATTORNEY [ ] DEFENSE

[ ] this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

[ ] prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form ISMAIL J. RAMSEY

[X] U.S. Attorney [ ] Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

MOLLY K. PRIEDEMAN

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

[ ] SUMMONS [ ] NO PROCESS\* [X] WARRANT

Bail Amount: No Bail.

If Summons, complete following:

[ ] Arraignment [ ] Initial Appearance

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time:

Before Judge:

Comments:

**Maximum Penalties**

**18 U.S.C. § 2243(b) – Sexual Abuse of a Ward (Counts Seven, Nine, Ten, Eleven, Twelve)**

15 years imprisonment  
\$250,000 fine  
Restitution  
Maximum Supervised Release Term: Life  
Minimum Supervised Release term: 5 years  
Mandatory Special Assessment: \$100

**18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact (Counts One, Two, Three, Four, Six, Eight)**

2 years imprisonment  
\$250,000 fine  
Restitution  
Maximum Supervised Release Term: Life  
Minimum Supervised Release term: 5 years  
Mandatory Special Assessment: \$100

**18 U.S.C. § 2241(a) – Aggravated Sexual Abuse (Count Five)**

Life imprisonment  
\$250,000 fine  
Restitution  
Maximum Supervised Release Term: Life  
Minimum Supervised Release Term: 5 years  
Mandatory Special Assessment: \$100

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

**FILED**

APR 13 2023 *fs*

UNITED STATES OF AMERICA,  
V.

DARRELL WAYNE SMITH  
a/k/a "Dirty Dick Smith,"

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA  
OAKLAND OFFICE  
**SEALED BY ORDER  
OF THE COURT**

**CR 23 0110 AMO**

DEFENDANT(S).

## INDICTMENT

18 U.S.C. § 2243(b)- Sexual Abuse of a Ward;  
18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact;  
18 U.S.C. § 2241(a) – Aggravated Sexual Abuse.

A true bill.

/s/ Foreperson of the Grand Jury *15/*  
Foreman

Filed in open court this 13th day of

April, 2023

*Jury L. Garcia* 4/13/23  
Clerk

Bail, \$ No Bail

*[Signature]* 4/13/23  
HON. DONNA M. RYU, CHIEF MAGISTRATE JUDGE

1 ISMAIL J. RAMSEY (CABN 189820)  
United States Attorney

**FILED**

APR 13 2023 *FR*

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA  
OAKLAND OFFICE

SEALED BY ORDER  
OF THE COURT

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 DARRELL WAYNE SMITH,  
15 a/k/a "Dirty Dick Smith,"  
16 Defendant.

CASE NO. **CR 23 0110 AMO**  
VIOLATIONS:  
18 U.S.C. § 2243(b) – Sexual Abuse of a Ward;  
18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact;  
18 U.S.C. § 2241(a) – Aggravated Sexual Abuse  
OAKLAND VENUE

18 INDICTMENT

19 The Grand Jury charges, that at all times relevant to this Indictment:

20 Introductory Allegations

- 21 1. The Federal Correctional Institution, Dublin ("FCI Dublin") was a federal prison in
- 22 Alameda County, California, within the Northern District of California.
- 23 2. The defendant DARRELL WAYNE SMITH, a/k/a "Dirty Dick Smith," was employed at
- 24 FCI Dublin as a correctional officer.
- 25 3. S.L.H., an individual known to the Grand Jury, was a female inmate at FCI Dublin, who
- 26 was serving a prison sentence.
- 27 4. C.A.H., an individual known to the Grand Jury, was a female inmate at FCI Dublin, who
- 28 was serving a prison sentence.



1 while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with S.L.H., a person who  
2 was in official detention and under the custodial, supervisory, and disciplinary authority of the  
3 defendant, when he touched S.L.H.'s inner thigh and groin in her cell at FCI Dublin, in violation of 18  
4 U.S.C. § 2244(a)(4).

5 COUNT FOUR: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)

6 12. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set  
7 forth here.

8 13. On a date between in or about April 2021 and in or about May 2021 in the Northern  
9 District of California, the defendant,

10 DARRELL WAYNE SMITH,

11 while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with S.L.H., a person who  
12 was in official detention and under the custodial, supervisory, and disciplinary authority of the  
13 Defendant, when he touched S.L.H.'s groin in her cell at FCI Dublin, in violation of 18 U.S.C.  
14 § 2244(a)(4).

15 COUNT FIVE: (18 U.S.C. § 2241(a) – Aggravated Sexual Abuse)

16 14. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set  
17 forth here.

18 15. On a date between in or about April 2021 and in or about May 2021 in the Northern  
19 District of California, the defendant,

20 DARRELL WAYNE SMITH,

21 while in FCI Dublin, a Federal prison, did knowingly cause S.L.H. to engage in a sexual act, when he  
22 digitally penetrated S.L.H.'s anal opening, by use of force against S.L.H., in violation of 18 U.S.C.  
23 § 2241(a).

24 COUNT SIX: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)

25 16. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set  
26 forth here.

27 17. On a date between in or about September 2020 and in or about January 2021 in the  
28 Northern District of California, the defendant,

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DARRELL WAYNE SMITH,

while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with C.A.H., a person who was in official detention and under the custodial, supervisory, and disciplinary authority of the defendant, when he touched C.A.H.'s breast and buttocks in a laundry room at FCI Dublin, in violation of 18 U.S.C. § 2244(a)(4).

COUNT SEVEN: (18 U.S.C. § 2243(b) – Sexual Abuse of a Ward)

18. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set forth here.

19. On a date between in or about September 2020 and in or about January 2021 in the Northern District of California, the defendant,

DARRELL WAYNE SMITH,

while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with C.A.H., a person who was in official detention and under the custodial, supervisory, and disciplinary authority of the defendant, when he digitally penetrated C.A.H's genital opening while they were in a laundry room at FCI Dublin, in violation of 18 U.S.C. § 2243(b).

COUNT EIGHT: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)

20. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set forth here.

21. On a date between in or about September 2020 and in or about January 2021 in the Northern District of California, the defendant,

DARRELL WAYNE SMITH,

while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with C.A.H, a person who was in official detention and under the custodial, supervisory, and disciplinary authority of the defendant, when he touched C.A.H.'s breast and buttocks while they were in a laundry room at FCI Dublin, in violation of 18 U.S.C. § 2244(a)(4).

COUNT NINE: (18 U.S.C. § 2243(b)– Sexual Abuse of a Ward)

22. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set forth here.





1 COUNT TWELVE: (18 U.S.C. § 2243(b) – Sexual Abuse of a Ward)

2 28. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set  
3 forth here.

4 29. On a date between in or about September 2020 and in or about January 2021 in the  
5 Northern District of California, the defendant,

6 DARRELL WAYNE SMITH,

7 while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with L.J., a person who was in  
8 official detention and under the custodial, supervisory, and disciplinary authority of the defendant, when  
9 he digitally penetrated L.J.’s genital opening, while they were in a laundry room at FCI Dublin, in  
10 violation of 18 U.S.C. § 2243(b).

11 DATED: April 13, 2023

A TRUE BILL.

12  
13 */s/*  
*/s/ Foreperson of the Grand Jury*  
14 FOREPERSON

15 ISMAIL J. RAMSEY  
16 United States Attorney

17 */s/ Molly K. Priedeman*  
18 MOLLY K. PRIEDEMAN  
19 Assistant United States Attorney