AO 257 (Rev. 6/78)

PENALTY: See attachment    PROCEEDING	DEFENDANT INFORMATION RELATIVE	TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
Name of Complaintant Agency, or Person (& Title, if any)   DOJ OIG	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  Mir  Mis me  X Fel	NORTHERN DISTRICT OF CALIFORNIA OAKLAND DIVISION FILED  DEFENDANT - U.S  APR 13 2023  Darrell Wayne Smith CLERK, U.S. DISTRICT COURT NORTH DISTRICT OF CALIFORNI OAKLAND OFFICE CR 23 0110  AMO
Name of Complaintant 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 on motion of:  U.S. ATTORNEY DEFENSE  this prosecution relates to a pending case involving this same defendant were recorded under  MAGISTRATE CASE NO. perior 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  Q.U.S. Attorney Other U.S. Agency  Name of Assistant U.S. Attorney Other U.S. Agency  Name of Complaintant Agency, or Person (& Title, if any)  MOLLY K. PRIEDEMAN  Has not been arrested, pending outcome this proceeding.  1) 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 Perderal State  6) Awaiting trial on other charges  If answer to (6) is "Yes", show name of institution  Has detainer Yes Person Person Furnishing Information on this form ISMAIL J. RAMSEY  Q.U.S. Attorney Other U.S. Agency  Name of Assistant U.S. Attorney To U.S. CUSTODY  This report amends AO 257 previously submitted  PROCESS:  ADDITIONAL INFORMATION OR COMMENTS  Bail Amount: No Bail.  "Where defendant previously apprehended on complaint, no new summons or warrant needed, since Megistrate has scheduled arraignment	PROCEEDING	
give name of court	Name of Complaintant Agency, or Person (& Title, if any)	Has not been arrested, pending outcome this proceeding.  1) X If not detained give date any prior summons was served on above charges
per (circle one) FRCrp 20, 21, or 40. Show District     per (circle one) FRCrp 20, 21, or 40. Show District     this is a reprosecution of charges previously dismissed on motion of:		
pending case involving this same defendant   Pes give date filed   DATE OF ARREST   DATE OF ARREST   Dor if Arresting Agency & Warrant were not DATE TRANSFERRED TO U.S. CUSTODY   Month/Day/Year ARREST   Or if Arresting Agency & Warrant were not DATE TRANSFERRED TO U.S. CUSTODY   Month/Day/Year TO U.S. CUSTODY   Month/Da	this is a reprosecution of charges previously dismissed which were dismissed on motion of:  U.S. ATTORNEY DEFENSE	4) ☐ On this charge  5) ☐ On another conviction
Furnishing Information on this form   ISMAIL J. RAMSEY   TO U.S. CUSTODY      X U.S. Attorney   Other U.S. Agency     Name of Assistant U.S.   This report amends AO 257 previously submitted     Attorney (if assigned)   MOLLY K. PRIEDEMAN     ADDITIONAL INFORMATION OR COMMENTS     SUMMONS   NO PROCESS*   WARRANT   Bail Amount: No Bail.     If Summons, complete following:   Arraignment   Initial Appearance   Initial Appearance   Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment	pending case involving this same defendant  MAGISTRAT CASE NO. prior proceedings or appearance(s) before U.S. Magistrate regarding this	give date filed?  DATE OF ARREST  Month/Day/Year
Attorney (if assigned)  MOLLY K. PRIEDEMAN  ADDITIONAL INFORMATION OR COMMENTS  PROCESS:  SUMMONS NO PROCESS* WARRANT Bail Amount: No Bail.  If Summons, complete following: Arraignment Initial Appearance Defendant Address:  * Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment	Furnishing Information on this form ISMAIL J. RAMSEY	TO U.S. CUSTODY
PROCESS:  SUMMONS NO PROCESS* WARRANT Bail Amount: No Bail.  If Summons, complete following: Arraignment Initial Appearance Defendant Address:  * Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment	Attorney (if assigned) MOLLY K. PRIEDEMAN	
Comments:  Date/Time: Before Judge:	PROCESS:  SUMMONS NO PROCESS* WARRANT  If Summons, complete following: Arraignment Initial Appearance  Defendant Address:	Bail Amount: No Bail.  * Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

#### **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 &

UNITED STATES OF AMERICA,

٧.

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

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

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.	i	1
s/ Foreperson of the Grand Jury	15	
	F	oreman

Filed in open court this 13th.

April, 2023

Bail, \$ No Bail

HON. DONNA M. RYU, CHIEF MAGISTRATE JUDGE

FILED 1 ISMAIL J. RAMSEY (CABN 189820) United States Attorney 2 APR 13 2023 3 CLERK, U.S. DISTRICT COURT NORTH DISTRICT OF CALIFORNIA OAKLAND OFFICE 4 SEALED BY ORDER 5 OF THE COURT 6 7 UNITED STATES DISTRICT COURT 8 9 NORTHERN DISTRICT OF CALIFORNIA **OAKLAND DIVISION** 10 CASENCR 23 0110 AMO UNITED STATES OF AMERICA, 11 12 Plaintiff, **VIOLATIONS:** 13 18 U.S.C. § 2243(b) – Sexual Abuse of a Ward; ٧. 18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact; 18 U.S.C. § 2241(a) – Aggravated Sexual Abuse DARRELL WAYNE SMITH, 14 a/k/a "Dirty Dick Smith," 15 16 Defendant. OAKLAND VENUE 17 18 INDICTMENT 19 The Grand Jury charges, that at all times relevant to this Indictment: 20 Introductory Allegations 1. 21 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. INDICTMENT 1

1	5. L.J., an individual known to the Grand Jury, was a female inmate at FCI Dublin, who was
2	serving a prison sentence.
3	COUNT ONE: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)
4	6. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set
5	forth here.
6	7. On a date between in or about May 2019 and in or about August 2020, in the Northern
7	District of California, the defendant,
8	DARRELL WAYNE SMITH,
9	while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with S.L.H., a person who
10	was in official detention and under the custodial, supervisory, and disciplinary authority of the
11	defendant, when he touched S.L.H.'s buttocks in her cell at FCI Dublin, in violation of 18 U.S.C.
12	§ 2244(a)(4).
13	COUNT TWO: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)
14	8. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set
15	forth here.
16	9. On a date between in or about October 2020 and in or about March 2021 in the Northern
17	District of California, the defendant,
18	DARRELL WAYNE SMITH,
19	while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with S.L.H., a person who
20	was in official detention and under the custodial, supervisory, and disciplinary authority of the
21	defendant, when he touched S.L.H's buttocks in her cell at FCI Dublin, in violation of 18 U.S.C.
22	§ 2244(a)(4).
23	COUNT THREE: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)
24	10. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set
25	forth here.
26	11. On a date between in or about April 2021 and in or about May 2021 in the Northern
27	District of California, the defendant,
28	DARRELL WAYNE SMITH,

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INDICTMENT

while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with S.L.H., a person wh
was in official detention and under the custodial, supervisory, and disciplinary authority of the
defendant, when he touched S.L.H.'s inner thigh and groin in her cell at FCI Dublin, in violation of 1
U.S.C. § 2244(a)(4).
COUNT FOUR: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)
12. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully se
forth here.
13. On a date between in or about April 2021 and in or about May 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 S.L.H., a person wh
was in official detention and under the custodial, supervisory, and disciplinary authority of the
Defendant, when he touched S.L.H.'s groin in her cell at FCI Dublin, in violation of 18 U.S.C.
§ 2244(a)(4).
COUNT FIVE: (18 U.S.C. § 2241(a) – Aggravated Sexual Abuse)
14. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully se
forth here.
15. On a date between in or about April 2021 and in or about May 2021 in the Northern
District of California, the defendant,
DARRELL WAYNE SMITH,
while in FCI Dublin, a Federal prison, did knowingly cause S.L.H. to engage in a sexual act, when he
digitally penetrated S.L.H.'s anal opening, by use of force against S.L.H., in violation of 18 U.S.C.
§ 2241(a).
COUNT SIX: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)
16. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set
forth here.
17. On a date between in or about September 2020 and in or about January 2021 in the
Northern District of California, the defendant

1	DARRELL WAYNE SMITH,
2	while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with C.A.H., a person who
3	was in official detention and under the custodial, supervisory, and disciplinary authority of the
4	defendant, when he touched C.A.H.'s breast and buttocks in a laundry room at FCI Dublin, in violation
5	of 18 U.S.C. § 2244(a)(4).
6	COUNT SEVEN: (18 U.S.C. § 2243(b) – Sexual Abuse of a Ward)
7	18. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set
8	forth here.
9	19. On a date between in or about September 2020 and in or about January 2021 in the
10	Northern District of California, the defendant,
11	DARRELL WAYNE SMITH,
12	while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with C.A.H., a person who
13	was in official detention and under the custodial, supervisory, and disciplinary authority of the
14	defendant, when he digitally penetrated C.A.H's genital opening while they were in a laundry room at
15	FCI Dublin, in violation of 18 U.S.C. § 2243(b).
16	COUNT EIGHT: (18 U.S.C. § 2244(a)(4) – Abusive Sexual Contact)
17	20. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set
18	forth here.
19	21. On a date between in or about September 2020 and in or about January 2021 in the
20	Northern District of California, the defendant,
21	DARRELL WAYNE SMITH,
22	while in FCI Dublin, a Federal prison, knowingly engaged in sexual contact with C.A.H, a person who
23	was in official detention and under the custodial, supervisory, and disciplinary authority of the
24	defendant, when he touched C.A.H.'s breast and buttocks while they were in a laundry room at FCI
25	Dublin, in violation of 18 U.S.C. § 2244(a)(4).
26	COUNT NINE: (18 U.S.C. § 2243(b)— Sexual Abuse of a Ward)
27	22. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set
28	forth here.

23. 1 On a date between in or about September 2020 and in or about January 2021 in the 2 Northern District of California, the defendant, 3 DARRELL WAYNE SMITH, 4 while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with C.A.H., a person who 5 was in official detention and under the custodial, supervisory, and disciplinary authority of the defendant, when he penetrated C.A.H.'s genital opening with his penis, while they were in a janitor's 6 7 closet at FCI Dublin, in violation of 18 U.S.C. § 2243(b). 8 COUNT TEN: (18 U.S.C. § 2243(b) – Sexual Abuse of a Ward) 9 24. Paragraphs 1 through 5 of this Indictment are re-alleged and incorporated as if fully set forth here. 10 25. On a date between in or about March 2020 and in or about June 2020 in the Northern 11 District of California, the defendant, 13 DARRELL WAYNE SMITH, 14 while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with L.J., a person who was in official detention and under the custodial, supervisory, and disciplinary authority of the defendant, when 15 he digitally penetrated L.J.'s genital opening, while they were in L.J.'s cell at FCI Dublin, in violation of 16 17 18 U.S.C. § 2243(b). COUNT ELEVEN: (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 19 26. forth here. 20 21 27. On a date between in or about August and in or about December 2020 in the Northern District of California, the defendant, 22 23 DARRELL WAYNE SMITH, 24 while in FCI Dublin, a Federal prison, knowingly engaged in a sexual act with L.J., a person who was in 25 official detention and under the custodial, supervisory, and disciplinary authority of the defendant, when he digitally penetrated L.J.'s genital opening, while they were in a laundry room at FCI Dublin, in 26 violation of 18 U.S.C. § 2243(b). 27 28

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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.
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13	/s/ Foreperson of the Grand Jury
14	FOREPERSON
15	ISMAIL J. RAMSEY United States Attorney
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17	1s/Molly K. Priedeman
18	MOLLY K. PRIEDEMAN Assistant United States Attorney
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