



Sacramento County District Attorney's Office

ANNE MARIE SCHUBERT
District Attorney

Rod Norgaard
Chief Deputy

Michael M. Blazina
Assistant District Attorney

Date: April 28, 2022

To: Captain Anthony Paonessa, Commander
Sacramento County Sheriff's Office
Correctional Services Unit
651 I Street
Sacramento, CA 95814

From: Sacramento County District Attorney's Office

Re: In-Custody Death – Gary Hollis Hamlin (DOB 12/12/42)
SSO Report No. 2020PSD-0028
Date of Incident – January 27, 2020

The above case was referred to this office for review of the circumstances surrounding the death of inmate Gary Hollis Hamlin while in the Sacramento County Main Jail on January 27, 2020. The District Attorney received the reports to review on September 13, 2021.

Inmate Hamlin was arrested and booked into the Sacramento County Main Jail on December 24, 2019. He was charged with a violation of Penal Code Section PC 243.4(b) – Sexual Battery of an Institutionalized Victim.

Inmate Hamlin was being housed on the medical floor of the main jail in cell M-4. He suffered from stage 5 chronic kidney disease (kidney failure), cachexia (the weakness and wasting away of the body due to chronic illness), hypertension (high blood pressure), and urethral stricture (the narrowing of the urethra due to scarring), which restricted his ability to urinate. His diagnosis was considered terminal due to his refusal of treatment.

On January 2, 2020, Hamlin was transported to Sutter Medical Center due to his medical issues. Hamlin refused medical treatment from Sutter Medical Center. Inmate Hamlin refused all medication, refused bladder catheterization (the insertion of a tube to allow urination), and refused dialysis. Dr. Billy Hour signed a POLST/DNR (Physician Orders for Life-Sustaining Treatment; Do Not Resuscitate Order) on January 7, 2020. This order was verbally approved by Inmate Hamlin's sister by telephone that same day.

Hospital staff determined that Hamlin did not suffer from any acute medical issues, but rather only from chronic medical issues. Inmate Hamlin was medically cleared for incarceration at the Main Jail. He was returned to the Sacramento County Main Jail on January 7, 2020. Once back

at the jail, Inmate Hamlin continued to refuse all medical treatment. He was provided with only palliative care as ordered by the Main Jail doctor.

On January 26, 2020, Sacramento County Sheriff's Office Deputies Ryan Toyama and Erik Fuerstenberger were conducting hourly cell checks on the medical floor. At approximately 8:45 p.m., 9:45 p.m., 10:45 p.m., and 11:45 p.m., Inmate Hamlin was lying on the bed in his cell and appeared to the deputies to be alive. However, when the deputies arrived at Hamlin's cell at approximately 12:45 a.m. on the morning of January 27, 2020, they looked through the cell window and observed that Hamlin did not appear to be breathing.

Deputies Toyama and Fuerstenberger immediately requested Medical Registered Nurse Danielle Flores to respond to the cell. Nurse Flores arrived at Hamlin's cell at approximately 12:47 a.m. She checked Hamlin and could not find a pulse or any signs he was breathing. Supervising Registered Nurse Angelina Villon also responded to the cell to evaluate Hamlin. She was also unable to detect a pulse or signs that Inmate Hamlin was breathing. In addition, she noted that Hamlin's pupils were non-reactive. Pursuant to the existing Do Not Resuscitate Order, no further life saving measures were taken.

Sacramento City Fire Department arrived on scene at approximately 1:11 a.m. Paramedic Kevin Meek evaluated Inmate Hamlin and was unable to locate a pulse or signs of breathing. A cardiac monitor showed Inmate Hamlin to be "flat lining." Hamlin was pronounced deceased by Paramedic Meek at approximately 1:18 a.m.

An autopsy of Inmate Hamlin was performed by Dr. Keng-Chih Su of the Sacramento County Coroner's Office on January 29, 2020. Dr. Su noted there were multiple abscesses with probable sepsis. In addition, he noted moderate coronary artery disease with 40-60% blockage of the arteries. Dr. Su identified the medical cause of death to be probable sepsis from multiple abscesses. The manner of death was classified as NATURAL.

CONCLUSION

No evidence of criminal misconduct is presented or suggested in any of the supporting reports. Accordingly, the District Attorney's Office will take no further action in this matter.

Cc: Office of the Inspector General
Sacramento County Sheriff's Office Lieutenant Janae Galovich
Sacramento County Sheriff's Office Sergeant Quis Formoli
Kimberly Gin, Sacramento County Coroner's Office
Sacramento County Office of Inspector General