



Sacramento County District Attorney's Office

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Date: July 13, 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 – Untwan Smith (DOB 1/24/1971)
SSO Report No. 21-13489
Date of Incident – January 26, 2021

The above case was referred to this office for review of the circumstances surrounding the death of inmate Untwan Smith while in the custody of the Sacramento County Sheriff's Office on January 26, 2021. The case was submitted to the District Attorney's Office September 13, 2021.

Untwan Smith was arrested and booked into the Sacramento County Main Jail on June 29, 2017, for violations of Penal Code sections 273a(a) (felony child endangerment), 182(a)(1) (felony conspiracy to commit a crime), and 187(a) (murder).

Smith was diagnosed with a serious medical condition while in custody at the Main Jail. Sacramento County Sheriff's Office Deputy Jared Paulin had multiple interactions with Smith where Smith denied having this medical condition. In some instances, Smith would become verbally argumentative with medical staff when his medical status was mentioned and would refuse treatments and medications specific for that condition offered to him by Main Jail medical staff.

Between May of 2020 and January of 2021 Smith was moved back and forth between the sub-acute medical floor (2E) and the medical floor (2M) due to his slowly deteriorating health. Smith often refused to eat and was sent to the hospital by jail medical staff on at least seven occasions. Smith's hospital stays lasted days or weeks. During one hospital stay, Smith filed a "do not resuscitate" (DNR) order in his medical record. The DNR order remained operative whenever he went out to the hospital.

At approximately 9:09 a.m. on January 14, 2021, Smith was housed by himself on floor 2M, and medical rounds were in progress. When staff members examined Smith, Dr. Sonia Sanga

determined that he needed to go to the hospital due to vomiting, low blood pressure, and possible pneumonia.

At approximately 9:31 a.m., paramedics arrived at Smith's cell to transport him to the hospital. At approximately 9:39 a.m., Smith was transported to the hospital via ambulance with Deputies Gordon Lahann and David Marrs.

On January 26, 2021, Deputy Galvan and Deputy Jeffrey Myers were supervising Smith at the hospital. Smith had been in the hospital since January 14, 2021. A Registered Nurse (RN) informed the deputies that Smith had a DNR order. At approximately 7:55 p.m., another RN entered the room and determined that Smith had no pulse. Additional nurses responded and requested the doctor. At approximately 8:05 p.m., Dr. Meagan Byrne arrived and pronounced Smith deceased. Dr. Byrne indicated Smith's cause of death was septic shock and acute hypoxic respiratory failure complicated by pneumonia. Based upon Smith's extended medical complications and the cause of death, an autopsy was not performed.

Main Jail Surveillance video was reviewed. The events as shown in the video while Smith was in the Main Jail occurred in the same manner as described in the reports.

No evidence of criminal misconduct by any member of the Sacramento County Sheriff's Office 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: 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