

# 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

17  
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           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,

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           23.     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  
6 defendant, when he penetrated C.A.H.'s genital opening with his penis, while they were in a janitor's  
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  
10 forth here.

11           25.     On a date between in or about March 2020 and in or about June 2020 in the Northern  
12 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  
15 official detention and under the custodial, supervisory, and disciplinary authority of the defendant, when  
16 he digitally penetrated L.J.'s genital opening, while they were in L.J.'s cell at FCI Dublin, in violation of  
17 18 U.S.C. § 2243(b).

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

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

21           27.     On a date between in or about August and in or about December 2020 in the Northern  
22 District of California, the defendant,

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  
26 he digitally penetrated L.J.'s genital opening, while they were in a laundry room at FCI Dublin, in  
27 violation of 18 U.S.C. § 2243(b).

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

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  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
 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)  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

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\*  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

SEALED BY ORDER  
OF THE COURT

**FILED**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

APR 13 2023 *fk*

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

**CRIMINAL COVER SHEET**

*Instructions: Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.*

CASE NAME:

CASE NUMBER:

USA v. Darrell Wayne Smith a/k/a "Dirty Dick Smith"

CR

**CR 23 0110**  
**AMO**

Is This Case Under Seal?

Yes  No

Total Number of Defendants:

1  2-7 8 or more

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes No

Venue (Per Crim. L.R. 18-1):

SF OAK  SJ

Is this a potential high-cost case?

Yes No

Is any defendant charged with a death-penalty-eligible crime?

Yes No

Is this a RICO Act gang case?

Yes No

Assigned AUSA

(Lead Attorney): AUSA Molly K. Priedeman Date Submitted: 4/13/2023

Comments:

AO 442 (Rev. 11/11) Arrest Warrant

# UNITED STATES DISTRICT COURT

for the

Northern District of California

United States of America  
v.  
DARRELL WAYNE SMITH  
a/k/a "Dirty Dick Smith,"

Case No.

**CR 23 0110 AMO**  
SEALED BY ORDER  
OF THE COURT

Defendant

## ARREST WARRANT

To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay (name of person to be arrested) Darrell Wayne Smith, a/k/a "Dirty Dick Smith", who is accused of an offense or violation based on the following document filed with the court:

- Indictment       Superseding Indictment       Information       Superseding Information       Complaint
- Probation Violation Petition       Supervised Release Violation Petition       Violation Notice       Order of the Court

This offense is briefly described as follows:

- 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

Date: 4/13/23



Issuing officer's signature

City and state: Oakland, California

HON. DONNA M. RYU, CHIEF MAGISTRATE JUDGE

Printed name and title

### Return

This warrant was received on (date) \_\_\_\_\_, and the person was arrested on (date) \_\_\_\_\_ at (city and state) \_\_\_\_\_.

Date: \_\_\_\_\_

Arresting officer's signature

Printed name and title