



OFFICE OF THE
DISTRICT ATTORNEY
ORANGE COUNTY, CALIFORNIA
TONY RACKAUCKAS

JIM TANIZAKI
CHIEF ASSISTANT D.A.

SCOTT ZIDBECK
SENIOR ASSISTANT D.A.
FELONY OPERATIONS IV

MARGARET ROPER
SENIOR ASSISTANT D.A.
BRANCH COURT OPERATIONS

TRACY MILLER
SENIOR ASSISTANT D.A.
FELONY OPERATIONS III

EBRAHIM BAYTIEH
SENIOR ASSISTANT D.A.
FELONY OPERATIONS II

KEITH BOGARDUS
SENIOR ASSISTANT D.A.
FELONY OPERATIONS I

PAUL M. WALTERS
CHIEF
BUREAU OF INVESTIGATION

JENNY QIAN
DIRECTOR
ADMINISTRATIVE SERVICES

SUSAN KANG SCHROEDER
CHIEF OF STAFF

May 15, 2018

Sheriff-Coroner Sandra Hutchens
Orange County Sheriff's Department
550 N. Flower Street
Santa Ana, CA 92703

Re: Custodial Death on July 3, 2017
Death of Inmate Danny Viet Pham
District Attorney Investigations Case # SA 17-018
Orange County Sheriff's Department Case # 17-025790
Orange County Crime Laboratory Case # 17-51799
Orange County Coroner's Office Case # 17-03052-EK

Dear Sheriff Hutchens:

Please accept this letter regarding the Orange County District Attorney's (OCDA) Office's investigation and legal conclusions in connection with the above-listed custodial incident involving the death of inmate Danny Viet Pham. Based upon a review of all the evidence provided to and obtained by the OCDA, and pursuant to applicable legal principles, it is our legal opinion that currently the evidence does not prove beyond a reasonable doubt that any employee of the Orange County Sheriff's Department is criminally culpable for the death of inmate Pham. Please note that our office concluded that Marvin Magallanes, a fellow inmate of Mr. Pham, is criminally culpable for the death of Mr. Pham. The OCDA is proceeding with prosecuting inmate Marvin Magallanes for the death of Mr. Pham. Consistent with OCDA policy, and since there is currently a pending criminal case in connection with this incident, the OCDA will not release the more detailed letter regarding this incident until after the criminal case is resolved.

Sincerely,

Ebrahim Baytieh
Senior Assistant District Attorney
Felony Operations II

REPLY TO: ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE

WEB PAGE: <http://orangecountyda.org/>

MAIN OFFICE
401 CIVIC CENTER DR W
P.O. BOX 808
SANTA ANA, CA 92701
(714) 834-3600

NORTH OFFICE
1275 N. BERKELEY AVE.
FULLERTON, CA 92832
(714) 773-4480

WEST OFFICE
8141 13TH STREET
WESTMINSTER, CA 92683
(714) 896-7261

HARBOR OFFICE
4601 JAMBOREE RD.
NEWPORT BEACH, CA 92660
(949) 476-4650

JUVENILE OFFICE
341 CITY DRIVE SOUTH
ORANGE, CA 92668
(714) 935-7624

CENTRAL OFFICE
401 CIVIC CENTER DR. W
P.O. BOX 808
SANTA ANA, CA 92701
(714) 834-3952