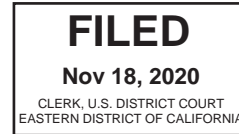


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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

<p>10 UNITED STATES OF AMERICA, 11 12 Plaintiff, 13 14 v. 15 ASHLEY MARIE AURICH, 16 17 Defendant.</p>	<p>CASE NO. 2:20-cr-0219 WBS 18 U.S.C. § 1519 – Falsification of Records in Federal Investigation</p>
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18 I N F O R M A T I O N

19 The United States Attorney charges: T H A T

20 ASHLEY MARIE AURICH,

21 Defendant herein, as follows:

22 I. I N T R O D U C T I O N

23 At all times relevant to this Information:

24 1. The California Department of Corrections and Rehabilitation (“CDCR”) was a law
25 enforcement agency and a department of the State of California responsible for managing the State of
California’s prison system.

26 2. CDCR employed correctional officers to, among other responsibilities, maintain order,
27 enforce the law, and provide security within the California prison system. Under California law, CDCR
28 correctional officers were sworn California peace officers.

1 3. California State Prison, Sacramento (“CSP-Sacramento”) was one of the California state
2 prisons located in Sacramento County. CDCR correctional officers, who were sworn California peace
3 officers under California law, were responsible for maintaining order and providing security within
4 CSP-Sacramento.

5 4. CSP-Sacramento was comprised of a minimum support facility and three other
6 alphabetically identified facilities, each containing eight numerically identified inmate housing
7 buildings. This included Facility A, Block 6 (“Building A6”) and Facility A, Block 7 (“Building A7”).

8 5. Defendant ASHLEY AURICH was a CDCR correctional officer and California peace
9 officer who was assigned to work in Building A7.

10 6. Correctional Officer 1 was a CDCR correctional officer and California peace officer at
11 CSP-Sacramento. On or about September 15, 2016, Correctional Officer 1 was working as AURICH’s
12 partner, performing his correctional officer duties along with AURICH.

13 7. Correctional Officer 2 was a CDCR correctional officer and California peace officer at
14 CSP-Sacramento. On or about September 15, 2016, Correctional Officer 2 was assigned to work in
15 Building A6.

16 8. Correctional Officer 3 was a CDCR correctional officer and California peace officer at
17 CSP-Sacramento. On or about September 15, 2016, Correctional Officer 3 was assigned to work in
18 Building A5.

19 9. Correctional Officer 4 was a CDCR correctional officer and California peace officer at
20 CSP-Sacramento. On or about September 15, 2016, Correctional Officer 4 was assigned to work in
21 Building A8.

22 10. Victim 1 was an inmate at CSP-Sacramento. He resided in Building A6. Victim 1 was
23 65 years old.

24 II. USE OF FORCE ON VICTIM 1

25 11. On or about September 15, 2016, AURICH and Correctional Officer 1 went to Victim 1’s
26 cell in Building A6 in order to escort Victim 1 to his new cell in Building A7.

27 12. AURICH, Correctional Officer 1, and Correctional Officer 2 escorted Victim 1 from
28 Building A6 to Building A7. During the trip from Building A6 to Building A7, Correctional Officer 1

1 walked behind and to the left of Victim 1, while holding Victim 1's left arm. AURICH was positioned
2 behind and to the right of Victim 1. Correctional Officer 2 walked behind Aurich, Correctional Officer
3 1, and Victim 2. During the trip from Building A6 to Building A7, Victim 1's hands were handcuffed
4 behind his back.

5 13. AURICH, Correctional Officer 1, Correctional Officer 2, and Victim 1 entered Building
6 A7 through the building's rotunda area. While in the rotunda, Victim 1 stopped walking. In response,
7 Correctional Officer 1 assaulted Victim 1 by performing the following acts:

- 8 a. Correctional Officer 1 released his grip on Victim 1's left arm.
- 9 b. Correctional Officer 1 wrapped his arms around Victim 1's legs.
- 10 c. Correctional Officer 1 pulled Victim 1's legs backwards, in the direction of
11 Correctional Officer 1.

12 14. Correctional Officer 1's actions caused Victim 1 to immediately lose his balance and fall
13 forward violently with his head and upper torso striking the concrete floor while his hands were
14 handcuffed behind him.

15 15. Victim 1 was subsequently transported to the hospital where he died two days later.

16 III. FALSIFICATION OF RECORDS IN FEDERAL INVESTIGATION

17 16. On or about September 15, 2016, in the County of Sacramento, State and Eastern District
18 of California, with the intent to impede, obstruct, and influence the investigation and proper
19 administration of a matter within the jurisdiction of the United States Department of Justice, to wit, the
20 investigation of the assault of Victim 1, AURICH did knowingly falsify and make a false entry in a
21 record and document, to wit a California Department of Corrections and Rehabilitation Crime/Incident
22 Report, form CDCR 837-C (Rev. 10/15), which included false information and representations as set
23 forth more fully below, among others:

- 24 a. AURICH knowingly and falsely stated that the only witnesses to the assault on
25 Victim 1 were Correctional 1, Correctional Officer 3, and Correctional Officer 4,
26 intentionally concealing the presence of Correctional Officer 2. In truth and in fact,
27 AURICH falsified and made the foregoing false entry in a record knowing that
28 Correctional Officer 2 was present for and witnessed the assault on Victim 1;

- 1 b. AURICH knowingly and falsely stated “Upon arrival to the FA7 rotunda area [Victim
2 1] stopped moving forward, spun to his left and lunged forward, breaking
3 [Correctional Officer 1’s] escort hold.” In truth and in fact, AURICH falsified and
4 made the foregoing false entry in a record knowing that Victim 1 had not spun to his
5 left and lunged forward breaking free of Correctional Officer 1’s escort hold;
- 6 c. AURICH knowingly and falsely stated “[Correctional Officer 1] used immediate
7 force to overcome resistance and effect custody of [Victim 1] by using [Victim 1’s]
8 forward momentum and [Correctional Officer 1’s] body weight to force him to the
9 ground.” In truth and in fact, AURICH falsified and made the foregoing false entry
10 in a record knowing that Correctional Officer 1 had not “used immediate force . . . to
11 effect custody of [Victim 1]. And, in truth and in fact, AURICH falsified and made
12 the foregoing false entry in a record knowing that Correctional Officer 1 did not use
13 [Victim 1’s] forward momentum and [Correctional Officer 1’s] body weight to force
14 [Victim 1] to the ground.”; and
- 15 d. AURICH knowingly and falsely stated “I observed [Victim 1] land on his stomach
16 face down.” In truth and in fact, AURICH falsified and made the foregoing false
17 entry in a record knowing that Victim 1’s head and upper torso struck the concrete
18 floor.

19 All in violation of Title 18, United States Code, Section 1519.

20
21 Dated: November 18, 2020

McGREGOR W. SCOTT
United States Attorney

22
23 By:



24 BRIAN A. FOGERTY
Assistant United States Attorney

United States v. Ashley Marie Aurich
Penalties for Information

Defendant

ASHLEY MARIE AURICH

COUNT 1: ASHLEY MARIE AURICH

VIOLATION: 18 U.S.C. § 1519 – Falsification of Records in Federal Investigation

PENALTIES: Maximum of 20 years in prison; or
Fine of up to \$250,000; or both fine and imprisonment
Supervised release of up to 5 years

SPECIAL ASSESSMENT: \$100 (mandatory)