

OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA

JOYCE E. DUDLEY
District Attorney



JOHN T. SAVRNOCH
Assistant District Attorney

SONIA E. BALLESTE
Chief Deputy District Attorney

MAG M. NICOLA
Chief Deputy District Attorney

MEGAN RHEINSCHILD
Victim-Witness Assistance Program
Director

KELLY A. DUNCAN
Chief Deputy District Attorney

KRISTINA PERKINS
Chief Investigator

MICHAEL SODERMAN
Chief Financial & Administrative
Officer

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**PUBLIC REPORT ON THE DEATH OF JONATHAN PAUL THOMAS IN
SANTA BARBARA COUNTY JAIL ON JANUARY 12, 2022**

The Santa Barbara County District Attorney's Office has completed its review of the investigation, conducted by the Santa Barbara County Sheriff's Office ("SBSO"), of the death of Jonathan Paul Thomas, age 45, occurring on January 12, 2022, while in the custody of the Santa Barbara County Jail.

The following analysis is based upon investigative, autopsy, and coroner's reports; video and audio recordings; photographs; and witness interviews collected during the investigation conducted by the SBSO and submitted to this office by SBSO Detective Adam Alegria.

Autopsy results revealed Thomas's cause of death was the combined effects of morbid obesity, dilated cardiomyopathy, acute methamphetamine intoxication, active resistance, and restraint. His manner of death was determined to be accidental. After review of the investigation, the District Attorney's Office concludes the physical force used by custody deputies to restrain him prior to Thomas's accidental death was reasonable and lawful, and they bear no state criminal liability.

FACTUAL HISTORY

Summary

On the night of January 11, 2022, Santa Maria Police officers arrested Jonathan Paul Thomas ("Thomas") for domestic-violence related charges. After being medically cleared at Marian Regional Medical Center, Thomas was transported to the Santa Barbara County main jail in the early morning hours of January 12, 2022. During the booking process, he made suicidal statements to the intake nurse. Thomas became agitated after the nurse said he would need to be placed in a safety cell due to his suicidal statements.

As four custody deputies attempted to place Thomas in a safety cell and to remove his clothing so he could not use it to harm himself, Thomas became combative with them. Thomas physically resisted the custody deputies' attempts to remove his

SANTA BARBARA OFFICE
1112 Santa Barbara Street
Santa Barbara, CA 93101
Tel: (805) 568-2300
Fax: (805) 568-2453

SANTA MARIA OFFICE
312-D East Cook Street
Santa Maria, CA 93454
Tel: (805) 346-7540
Fax: (805) 346-7588

LOMPOC OFFICE
115 Civic Center Plaza
Lompoc, CA 93436
Tel: (805) 737-7760
Fax: (805) 737-7732

handcuffs and safely exit the small safety cell by kicking his legs and bucking his body. Thomas was 5 feet, 9 inches and weighed 317 pounds.

After an approximately six-minute struggle, the four custody deputies were able to exit the safety cell leaving Thomas inside. Jail staff continuously monitored Thomas both visually and audibly through a slot in the door. They re-entered the cell approximately six minutes after exiting because Thomas did not respond to their words and was no longer moving. Upon finding Thomas without a pulse, jail personnel began life-saving measures. Paramedics responded to assist. Medical personnel were unable to revive Thomas; they pronounced him dead just after 2:00 a.m. Following an autopsy, the forensic pathologist opined that Thomas suffered a sudden cardiac event due to the combined effects of morbid obesity, dilated cardiomyopathy, acute methamphetamine intoxication, active resistance, and restraint. The coroner determined the manner of his death was accident.

Arrest

On January 11, 2022, at approximately 7:52 pm, police officers responded to the Holiday Inn in Santa Maria after receiving a 911 call about a domestic violence incident that had just occurred. Dispatch told the officers that the suspect, Thomas, had threatened to kill himself and left. Upon arriving at the hotel, officers spoke to Jane Doe. She said she had been in a dating relationship with Thomas for about two years. They lived together in area hotels. That night they had argued about relationship issues. Jane Doe gathered her belongings to leave, but Thomas blocked her from leaving the room. He pushed her chest with two open hands, causing her to fall backward onto the bed. Thomas climbed on top of her and covered her mouth with his hands to try to keep her quiet. Jane Doe yelled for help; Thomas got off her and Jane Doe left the room. Jane Doe called police, but when police arrived to the hotel, Thomas had fled. At approximately 9:14 the Santa Maria officers were notified that Thomas had returned to the hotel and was in the parking lot. The officers returned to the hotel and placed Thomas under arrest.

After his arrest, Santa Maria Police officers transported Thomas to Marian Hospital to be medically cleared for booking. After that, they transported him to the Santa Maria Police department. While at the police department, Thomas told the officers he would smash his head against the brick wall if they placed him in the temporary holding area. The officers placed a soft helmet on Thomas for his safety and transported him to the main county jail in Goleta.

Jail Intake

Upon arrival at the jail, Santa Maria Police Officer Matthew Downs stood by as the jail nurse spoke with Thomas during his medical intake. Thomas was handcuffed. In order to comfortably accommodate his size, officers had placed two sets of

handcuffs on him – one on his left wrist and one on his right. The handcuff on his left wrist attached to his left beltloop and the cuff on his right wrist attached to his right beltloop.

The nurse measured Thomas's vital signs, which were all within normal range. In response to questions from the nurse, Thomas denied having high blood pressure, heart conditions, asthma or COPD (Chronic Obstructive Pulmonary Disease). He denied taking any drugs recently. Thomas described a prior suicide attempt where he consumed alcohol then wrapped a shirt around his neck and attempted to hang himself. The nurse asked Thomas if he currently wanted to hurt himself. Thomas responded, "I knew you were going to ask that! Yes, I do. I wish I could have done it before. I am so over this bullshit, and I just want to get it over with." Based on that response, the nurse said Thomas would be placed in a safety cell.¹ Thomas became agitated. He told the nurse he did not want to go into a safety cell. Thomas said he would "hurt [him]self by hitting [his] head against the wall." The nurse tried to calm Thomas by telling him the safety cell was for his own good, but Thomas continued to be agitated saying he did not want to go into the safety cell. In order not to further upset Thomas, the nurse left the medical intake area to alert custodial staff of the need for safety cell placement and advised them that Thomas might become combative. The nurse told Custody Deputy Zachary Salce that Thomas said he would fight going into the safety cell.

Four custody deputies ("CDs") met Thomas at the nurse's intake station and walked with him to the booking area.² The four CDs were Reynaldo Garcia, Joel Mena, Zachary Salce, and Fabian Silva.³ In the booking area Thomas stood as directed, but turned his face away from the wall (contrary to staff instructions) and hit his head lightly against the wall. CD Silva asked Thomas how he was doing. Thomas told CD Silva that was a stupid question and rolled his eyes. CD Silva noted that Thomas's handcuffs were attached to his beltloops. Thomas said it was because he had a prior injury to his wrist. The CDs repositioned the handcuffs, removing them from his beltloops and adding a third set of handcuffs so that Thomas could be more comfortable. Once the booking process was complete, CDs Garcia, Mena, Silva and Salce walked with Thomas down the hall to one of the jail's four safety cells. Thomas had not previously been booked in the Santa Barbara County Jail and none of the custody deputies knew him from prior contacts.

¹ A safety cell is a small single-occupant room designed to temporarily hold inmates who present a danger to themselves or others. The room has a slightly cushioned floor and is empty of items so that there is nothing an inmate can use to injure himself or others.

² Video surveillance cameras captured footage from the booking area, the safety cell, and the connecting hallways.

³ Two other custodial deputies, Christina George and Ansel Noakes were in and out of the booking area while Thomas was being processed.

Safety Cell Procedure

All of the custodial staff involved in placing Thomas in the safety cell had training and experience with placing inmates in safety cells. They described safety cell placements as potentially dangerous because only individuals who are suicidal or combative are placed there, individuals' reactions are unpredictable, and the small size of the cell places the deputies in danger. One of the CDs had previously sustained an injury when a subject tried to gouge his eye out during a safety cell placement.

The typical practice for a safety cell placement was for four CDs to escort the inmate into the cell, facing the back wall with their backs to the sole door. One CD stands on the left of the inmate, one stands to the right of the inmate and one stands directly behind the inmate. The fourth CD stands slightly behind the group, closest to the cell door to receive items such as clothing and handcuffs as they are removed from the inmate. The CDs assist the inmate with removing the inmate's clothes if needed,⁴ then place the inmate on the floor of the cell flat on the inmate's stomach. One CD then controls the inmate's right arm, another CD controls the inmate's left arm and one CD controls both of the inmate's legs. The CDs then remove the inmate's handcuffs. Once the handcuffs are off, the CDs controlling the arms "peel" off one at a time and line up behind the CD controlling the legs. A CD then instructs the inmate to remain in that position until the door is closed. The CDs then back out of the cell single-file still facing the inmate. This procedure is utilized to safely place the inmate inside the cell and to allow the staff to safely exit, all while maneuvering in a very small space.

Placement of Thomas in the Safety Cell

At approximately 1:19 am. Thomas and four CDs entered safety cell number 4. CD Silva was on Thomas's left side; CD Mena was on Thomas's right side; CD Salce was behind Thomas and CD Garcia was behind CD Salce, closest to the door.

CD Silva explained to Thomas that because Thomas told the nurse he was suicidal, they were placing him in a safety cell. CD Silva told Thomas the safety cell was for his safety and to just follow their instructions. CD Silva told Thomas he needed to move down to his knees and remove his clothes. CD Silva told Thomas they would give him a jail smock to wear. Thomas said "I'm not doing anything. You're going to have to do it." CD Silva advised Thomas they would remove his clothes.

CD Salce lowered Thomas's pants and pulled Thomas's shirt up over his head so it was off his chest but still on his back. CD Silva told Thomas to step out of his pants. Thomas responded again that he was not going to do anything and that he was "not going to make it easy for you." At approximately 1:21 a.m., the four CDs lowered

⁴ A jail-issued smock is provided for the inmate to wear in the safety cell.

Thomas's body down in a controlled way so that he lay with his stomach on the floor inside the safety cell.

As the CDs took Thomas to the ground, Thomas began yelling and grabbed CD Mena's hand. Thomas squeezed it hard, but CD Mena was able to reposition his hand to avoid injury. CD Salce placed Thomas's legs in a "figure four" to keep him from kicking the deputies.⁵ CDs Salce and Garcia removed Thomas's pants and passed them into the hallway where CD Noakes and CD George were observing. CD Silva continued to explain to Thomas what they were doing through each step of the process. CDs Silva and Garcia attempted to remove the handcuffs from Thomas's wrists, but the keyhole to the cuffs was facing toward Thomas's body making it difficult for them to insert the key.

The CDs told Thomas to stay calm and they would be done soon. Thomas, however, continued to yell. He was tensing up his body and trying to pull his arms away. He began bucking his body and trying to kick his feet. CD Garcia told Thomas, "give us 20 seconds and we'll be out of here." They succeeded in getting one of the three sets of handcuffs off, but Thomas continued to buck and move his legs so forcefully it caused CD Salce to struggle to stay in place. CD Salce told Thomas, "Stop fighting. We want to get out of here."

With the assistance of CD Noakes, CD Salce released the figure-four hold, straightened Thomas's legs and then re-positioned Thomas's legs back into the figure four. Thomas continued to fight and buck for a few moments while CD Garcia continued working to get the handcuffs off. CD Noakes remained in the cell, helping to brace CD Salce from the force of Thomas's movements.

During this time, CD Silva was squatting down using his knees to hold Thomas's left arm near the shoulder and CD Mena was squatting down using his knees to hold Thomas's right arm near the shoulder. The surveillance video shows CDs Mena and Silva being pushed off balance up against the cell walls due to Thomas's bucking. Both CDs Mena and Silva described keeping their weight on the balls of their feet, to avoid putting pressure on Thomas's body.

At approximately 1:23 am, CD Garcia was able to remove the last set of handcuffs and step out of the cell. Within seconds, CD Mena released Thomas's right arm and peeled back toward the cell door. When CD Mena released Thomas's right arm, Thomas pulled his left arm free from CD Silva. CD Silva became concerned for his safety because it would be dangerous to be trapped in the safety cell with a combative inmate. He told Thomas to just wait and he would leave, but Thomas began to "act

⁵ In a "figure four" hold, a subject's right ankle is drawn toward the crook of his left knee. The left leg then bends at the knee, and is drawn toward the right buttock. A deputy then uses his own weight to control the subject's legs.

up again.” CD Noakes became concerned Thomas would attack the deputies or run out of the cell, so he immediately moved to Thomas’s right arm and took control of it by squatting down and pinning Thomas’s arms with CD Noakes’ knees. CD Noakes was careful to keep his body weight on the balls of his own feet and against the wall. CD Mena then stepped back into the cell and began bracing CD Salce while CD Silva attempted to regain control of Thomas’s left arm. CD Noakes told CD Silva to watch his knees and to make sure Thomas was able to breathe.

Even with the assistance of CD Mena, CD Salce was not able to control Thomas’s legs and was getting moved around by Thomas’s fighting and bucking. Just before 1:24 am, CD Garcia re-entered the cell to assist CD Salce in controlling Thomas’s legs.

During this struggle, one of the CDs clicked their radio which alerted other custodial staff that there was a problem within the jail. After hearing the radio click, Corporal Charles Lamb and Sergeant Bernard Redding saw on the security monitors that staff were in the middle of a safety cell placement, so they responded to safety cell 4. Upon arrival, they saw Thomas bucking and struggling with the CDs. Thomas was grunting and yelling, “get off me.” CD Garcia was attempting to de-escalate the situation by saying things like, “hey bud, stay calm. We just want to exit the cell.”

At 1:24 am, video surveillance footage shows Thomas bucking his hips and kicking his legs even with the CDs attempting to control his movements. The deputies decided to extend Thomas’s legs, hold them in place and wait, in the hopes Thomas would tire out and stop fighting. From 1:25 to 1:26 am, Thomas continued to struggle with the deputies. On the video, his hips can be seen twisting to the right and the left as if attempting to get up. The four CDs continued to hold his limbs and wait. Because he was close to Thomas’s face, CD Noakes was tasked with checking Thomas’s breathing. CD Noakes heard Thomas made a snort type sound once or twice, but CD Noakes never observed anything that made him believe Thomas was having a medical emergency or could not breathe. Thomas continued to yell at the deputies after the snorting sound.

During the struggle, Sergeant Redding checked Thomas’s paperwork to see if he had been booked on charges for being under the influence of drugs. The sergeant did that because if drug use was indicated, it could affect the deputies’ course of action. The paperwork, however, did not indicate under the influence charges.

At approximately 1:27 am, approximately 6 minutes after Thomas was first placed face down in the safety cell, the CDs felt Thomas become less resistant. Believing he had tired out, CD Garcia and CD Salce quickly placed Thomas’s legs in a figure-four hold, peeled off and lined up to exit the cell per protocol. CD Garcia told Thomas something to the effect of, “don’t get up until you hear the door close” and the deputies quickly backed out of the cell. Thomas remained laying on the floor on his stomach as they closed the cell door.

Monitoring Thomas in the Safety Cell

Once the CDs were all out of the cell, they watched Thomas through two windows in the door of the safety cell. The CDs can be seen on surveillance video in the hallway, looking into the cell. Shortly after exiting the cell, they could see he was breathing. As the CDs continued to monitor Thomas from outside the cell, they talked to him through a slot designed to pass food trays. Thomas did not verbally respond or move. The CDs thought Thomas was either exhausted and catching his breath, or possibly pretending to be nonresponsive (according to the custodial deputies it is a common occurrence among combative inmates to lure the deputies back into the cell to attack them.)

At approximately 1:28 am, Sergeant Redding can be seen on the surveillance video pressing a button outside the cell that flushes the toilet inside the cell. He did that because the flush makes a very loud noise inside the cell. In response to the noise, the CDs observed Thomas move his head. His head movement was also captured on the video surveillance footage.

The CDs continued to monitor Thomas, but he did not respond verbally or make any further movements. Sergeant Redding called for the nurse to come to the safety cell area in case Thomas needed medical assistance. At approximately 1:31 am, CD Garcia opened the cell door to better assess Thomas. When Thomas did not verbally respond to CD Garcia or move in response, Sergeant Redding decided staff needed to re-enter the cell to evaluate Thomas. By that time, the jail nurse was in the hallway outside the safety cell. At approximately 1:32 am, CD Garcia formed an entry team, assigning each CD to control one of Thomas's limbs. The team stacked up in a line and entered the cell at 1:33 am.

Re-Entry of the Safety Cell

When the CDs re-entered the safety cell, Thomas did not move or respond. CD Salce attempted to locate a pulse, but could not find one. The nurse entered and also could not locate a pulse. The CDs turned him onto his back and began chest compressions. Paramedics were called to respond. Sergeant Redding brought in an automated external defibrillator ("AED"). They attached the AED to Thomas and turned it on, but it did not advise a shock be administered.

Additional jail medical staff responded at approximately 1:35 am to assist. Staff brought an oxygen machine which the nurse administered to Thomas. The custody deputies and nurse continued to administer chest compressions to Thomas until 1:43 a.m. when medics from American Medical Response ("AMR") arrived and took over. AMR medics attached their own heart monitor to Thomas, but it did not detect a

heart rhythm and did not deliver a shock. AMR personnel, with the assistance of custody deputies, continued life saving measures.

Shortly after AMR arrived, Santa Barbara County Fire paramedics responded. They assisted with resuscitation measures. After working to resuscitate Thomas for 20 minutes without success, they pronounced him dead.

Autopsy

On January 13, 2022, Dr. Manny Montez, a forensic pathologist performed a post-mortem examination of Thomas. Thomas weighed 317 pounds and was approximately 5'9" tall.

Dr. Montez observed minor abrasions and contusions to Thomas's hands, arms and legs, but no other outward trauma. Thomas had bilateral rib fractures and a mid-sternum fracture consistent with cardiopulmonary resuscitation. Dr. Montez observed that Thomas's heart was dilated and the cardiac chambers were dilated. He also observed mild soft atherosclerotic occlusion of the proximal left anterior descending coronary artery. Toxicology results reveal Thomas had amphetamine and methamphetamine in his blood at the time of his death.

Dr. Montez diagnosed Thomas with morbid obesity, dilated cardiomyopathy, coronary artery disease, acute methamphetamine intoxication, in-custody active resistance and restraint, and a fatty liver. He opined that Thomas died of sudden death due to the combined effects of morbid obesity, dilated cardiomyopathy, acute methamphetamine intoxication, active resistance, and restraint. The coroner classified Thomas's manner of death as accident.

LEGAL ANALYSIS

In analyzing whether the custodial deputies have any state law criminal liability for their use of force on Thomas, we look at causation and their intent. Since there is no credible evidence that any of the custody deputies intentionally tried to harm Thomas, no criminal liability for murder or manslaughter is present.

Additionally, for criminal charges of either murder or manslaughter, there must be an act or acts that cause the death of another. In this case, the pathologist determined that Thomas's death was caused by a combination of six factors: morbid obesity, dilated cardiomyopathy, acute methamphetamine intoxication, active resistance and restraint. Thomas's manner of death was determined to be accident. In other words, while the restraint used by the deputies was one factor that contributed to the death, the restraint alone was not the direct cause of Thomas's death.

Turning to an analysis of criminal liability for involuntary manslaughter (Pen. Code 192(b)), we also conclude that the deputies bear no criminal liability for their conduct in this case. Section 192(b) defines involuntary manslaughter as a “killing ... in the commission of a lawful act which might produce death ... without due caution and circumspection.” The phrase “without due caution and circumspection” has been described by the California Supreme Court as the equivalent of “criminal negligence.” (See *People v. Penny* (1955) 44 Cal.2d 861, 869-880; *People v. Stuart* (1956) 47 Cal.2d 167, 173-174.) To support a conviction for involuntary manslaughter, evidence must prove that a person acted in an aggravated, culpable, gross or reckless manner – a manner so imprudent as to be incompatible with a proper regard for human life. In other words, the person must act with a disregard of human life or indifference to the consequences of the act. (*Somers v. Superior Court* (1973) 32 Cal.App.3d 961, 968-969.) Additionally, the evidence must prove that the consequence of the negligent act could reasonably have been foreseen, and that the death or danger to human life was not the result of inattention, mistaken judgment, or misadventure, but the natural and probable result of an aggravated, reckless, or grossly negligent act. (*People v. Villalobos* (1962) 208 Cal.App.2d 321, 326-328; *People v. Rodriguez* (1960) 186 Cal.App.2d 433, 437-441.)

Applying the law to the facts of this case, there is no evidence to support a finding of criminal negligence against the custody deputies. Quite the opposite. The evidence shows the deputies’ conduct demonstrated a conscientious concern for Thomas’s well-being; that they exercised due care for his health and safety; and that they could not have foreseen the combination of events that led to his death.

On the night of his arrest, Thomas denied recent drug use and denied having any medical issues. He was medically cleared by both Marian Hospital staff and the nurse at the jail. During his conversation with the jail nurse, Thomas made statements indicating his intent to harm himself and reported a prior suicide attempt. Based on those statements, the jail nurse decided Thomas should be housed in a safety cell at the jail so he could not harm himself.

In moving Thomas to the safety cell, the custody deputies made efforts to make him comfortable and to get him to cooperate – they adjusted his handcuffs to accommodate his size and prior wrist injury, and they explained to him each step of the process. When they placed him in the safety cell, they followed their usual protocol. They told him he would be provided with a jail smock and asked him to assist in removing his clothes. When Thomas refused to cooperate, the deputies began the process of removing his clothes by placing him on his stomach.

Once on the ground, the deputies attempted to remove the handcuffs and exit the safety cell. Thomas, however, physically resisted the deputies by bucking his hips and moving his legs. When Thomas bucked and fought, he created danger for the

deputies who were trying to remove the cuffs and exit the small safety cell. The deputies had to establish control over Thomas's legs and arms, so that they could line up to exit the cell without being injured or trapped inside the cell. The deputies used appropriate control holds on Thomas's shoulders, arms and legs to stop his resistance. They did not put significant or prolonged body weight on his neck, back or head, nor did they use escalated force options such as strikes, tasers or OC spray. Instead, they exercised due caution to use safe restraint methods to stop his resistance so they could safely leave the cell.

Once the handcuffs were removed from Thomas, the deputies began to peel off one at a time to exit the cell safely. Once his right arm was no longer being held by a deputy, Thomas pulled his left arm away from CD Silva. Concerned for the safety of himself and other staff, CD Noakes quickly regained control of Thomas's right arm.

Thomas continued to buck and resist deputies. The deputies, therefore, used control holds on his arms and legs to stop his resistance and wait for him to tire out. They again were careful not to put body weight on his neck, back or head, or to obstruct his breathing. Instead, they exercised due caution to use safe restraint methods that would not interfere with his breathing.

Under the circumstances, the custodial deputies used reasonable and lawful restraint to place Thomas in the safety cell and to exit the cell. They responded to his physical resistance with reasonable physical force just long enough to restrain him so they could safely exit the safety cell.

Once Thomas stopped actively resisting, the deputies quickly exited the cell. From outside of the cell, the deputies continued to monitor him. The deputies believed he was catching his breath after struggling with them for several minutes. After continuously monitoring him from the time they exited the cell at 1:27 am to 1:31 am, they became concerned for his health because he was not responding verbally or making additional movements. They called for medical staff to respond and quickly formulated a plan to re-enter the cell in order to safely check on Thomas's welfare. Deputies re-entered the cell at 1:33 am. When they could not locate a pulse, they immediately started life-saving measures. Life-saving measures were administered for approximately 30 minutes by jail staff, then AMR, then the Fire Department.

The evidence establishes that the custodial deputies applied reasonable force in a reasonable manner to restrain Thomas so that they could safely place him in a safety cell and safely exit. They did not, and could not, know about Thomas's heart conditions or his acute methamphetamine intoxication. They demonstrated due caution and proper regard for Thomas's safety at all times leading up to the use of force, during the use of force, and following the use of force. The deputies, therefore, bear no state criminal legal culpability for Thomas's accidental death.

CONCLUSION

Based on our review of the facts and circumstances surrounding Thomas's death, the physical restraint employed by the custodial deputies to place him in the safety cell and for them to safely exit the cell was reasonable and lawful. The deputies bear no state criminal legal liability for their actions as they exercised due caution for Thomas's safety throughout their interaction with him.