



# Sacramento County District Attorney's Office

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DATE: September 2, 2020

TO: Chief Daniel Hahn  
Sacramento Police Department  
5770 Freeport Boulevard, Suite 100  
Sacramento, CA 95822

FROM: Sacramento County District Attorney's Office

RE: In-Custody Death: Franklin Santamaria-Escalante  
Report No. SPD-2019-166267  
Date of Incident: May 28, 2019

The above case was referred to this office for review of the circumstances surrounding the death of Franklin Santamaria-Escalante while detained by the Sacramento Police Department on May 28, 2019.

On May 28, 2019, at approximately 1:40 a.m., Sacramento Police Department Officer Matthew Herman was on patrol in a marked police vehicle.

Officer Herman was driving northbound on Plover Street, approaching the intersection with Glenrose Avenue. That intersection is controlled by a four-way stop sign that is clearly marked and visible. He observed a red Nissan truck eastbound on Glenrose Avenue proceed through the intersection without stopping, in violation of California Vehicle Code Section 22450.

Officer Herman turned his patrol unit to follow behind the truck. Before Officer Herman activated his overhead lights, the truck turned into the driveway of a residence on Glenrose Avenue and stopped.

Officer Herman shined his vehicle's spotlight on the cab of the truck. The driver of the truck, a male adult, got out and began walking away. Officer Herman called out to him and he stopped.

Officer Herman tried to talk to the driver, but it appeared to Officer Herman that he did not speak or understand English comprehensively.

The driver reached into his wallet and produced an El Salvador identification card identifying him as Franklin Santamaria-Escalante. Santamaria-Escalante's demeanor did not appear unusual to Officer Herman. Santamaria-Escalante was slow to respond to the officer's questions, but

Officer Herman attributed that to the language barrier. Santamaria-Escalante did not display any objective signs of intoxication or illness.

Officer Herman directed Santamaria-Escalante to sit on the front bumper of the patrol vehicle and Santamaria-Escalante complied.

As Officer Herman was checking the information on Santamaria-Escalante's identification card using his in-car computer, Santamaria-Escalante collapsed and fell from the bumper to the pavement.

Santamaria-Escalante appeared unconscious and did not respond to the officer's attempts to wake him. After approximately 10-15 seconds of attempting to wake Santamaria-Escalante, Officer Herman requested that fire department medical personnel respond to the scene.

Officer Herman rolled Santamaria-Escalante onto his side to open his airway. Santamaria-Escalante's breathing was slow and labored. Officer Rowan Vining arrived on scene approximately four minutes after Santamaria-Escalante's collapse. She checked Santamaria-Escalante's heart rate and gave updates to dispatch on his condition. Both officers noted that Santamaria-Escalante's breathing was slowing.

Additional officers arrived to assist. Officer Justin Shepard noted that Santamaria-Escalante's pulse was becoming faint. Shortly thereafter, Santamaria-Escalante's breathing stopped. Officers began performing CPR and were able to help Santamaria-Escalante resume breathing.

Sacramento Fire Department medics arrived on scene at approximately 1:53 a.m. and continued medical treatment. They transported Santamaria-Escalante to the Kaiser North Medical Facility on Morse Avenue in Sacramento. Santamaria-Escalante was pronounced deceased at approximately 2:37 a.m.

Surveillance video and body-worn camera video from the responding officers was reviewed. The events as shown in the videos occur in the same manner as described in the reports.

Pathologist Keng-Chih Su, M.D., conducted an autopsy and concluded that the cause of Santamaria-Escalante's death was atherosclerotic cardiovascular disease. The Sacramento County Coroner's Office classified the manner of death as natural.

No evidence of criminal misconduct is presented or suggested in any of the supporting reports. The District Attorney's Office will not take any further action in this matter.

Cc: Sacramento Police Department Sgt. Scott MacLafferty  
Office of the Inspector General  
Kimberly Gin, Sacramento County Coroner's Office