



OFFICE OF THE
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COUNTY OF SHASTA

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**DISTRICT ATTORNEY MAKES FINDING OF JUSTIFIABLE
HOMICIDE IN INTRUDER SHOOTING**

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FOR IMMEDIATE RELEASE
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Redding, CA – Today the Shasta County District Attorneys Office announced that the October 21, 2011 shooting of Jesse Edward Theis by Donna Hopper was justified under California law. Below is a summary of events and the final conclusion regarding this shooting.

Shortly before 4 a.m. Ms. Hopper was awakened by the sound of her doorbell at her residence on Branstetter Lane in Redding, California. Looking out a bedroom window Ms. Hopper observed a gaunt white male banging against the metal security screen on her front door while demanding entry into her home. She immediately called and made contact with a 911 operator who remained on the phone throughout the incident. After being denied entry to the residence, the intruder moved to the window where Ms. Hopper had been standing and began beating on it with both hands, breaking

the glass of the window. Ms. Hopper, by this time armed with a .38 revolver, fired two warning shots causing the intruder to retreat to the front yard of the residence. However, the intruder returned to the bedroom window where Ms. Hopper was still located. The intruder then placed his knee on the window sill in an attempt to enter the residence. Ms. Hopper responded with a single round from her revolver, fatally injuring the intruder.

The intruder was later identified as Jesse Edward Theis, who had a long record of arrests and convictions. He had been convicted of burglary, vehicle theft, and possessing marijuana for sale.

An autopsy was completed on Mr. Theis. That forensic examination led to the following findings: The bullet entered just above the right nipple, piercing through the right lung and ending up just below the skin on his back. The bullet was recovered, and it was consistent with a .38 caliber slug. Mr. Theis lost a large amount of blood, which was a substantial factor in the cause of his death. There was no soot or stippling found on his body, meaning the round was either fired at a distance greater than 3 to 4 feet from him or the round passed through glass, which in turn removed the soot and stippling. In addition, the entry wound lacked symmetry, meaning the round may have been tumbling ever so slightly, which would also be indicative of the round striking glass before hitting Mr. Theis. Finally, there were very slight wounds just above the entry hole created by the bullet. These very slight wounds may have been caused by small chards of glass from the damaged window.

A toxicology screening was completed, and the results should be known within two months. However, Mr. Theis's intoxication or sobriety will not be a deciding factor in determining the legality of Ms. Hopper's use of deadly force.

To that end, California law requires that Ms. Hopper must have been justified in believing she was in imminent danger of bodily harm. Moreover, there is a legal presumption in favor of Ms. Hopper in this matter. Specifically, Penal Code section 198.5 provides that the law presumes the person asserting self defense reasonably feared imminent danger of bodily harm when she was faced with an intruder unlawfully and forcibly entering her home.

Thus, what we have here is a textbook example of self defense. Ms. Hopper acted reasonably throughout this incident. She maintained her cool and acted in an appropriate manner when she killed a man who was unlawfully and forcibly entering her home.

It is clear that Ms. Hopper was in fear for her life when she fired the shot that killed the intruder. Therefore, the intruder's death was a justifiable homicide under California Law. This case is now closed.