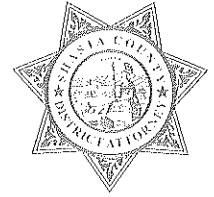




OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SHASTA



Stephanie A. Bridgett
District Attorney

The Shasta County District Attorney's Office has completed its review of the March 19, 2017, fatal shooting of Christopher Rosa by Federico Lazo. After a thorough review of all available evidence, the District Attorney has determined that no criminal charges will be filed against Mr. Lazo.

The investigation of the shooting was conducted by the Redding Police Department. Redding Police investigators gathered physical evidence and spoke to numerous witnesses in an attempt to provide a complete picture of the events that led up to the shooting of Rosa. Following the conclusion of their investigation, Redding Police presented the case to the District Attorney's Office. The role of the District Attorney in this type of investigation is to thoroughly review the facts of the case and make a determination whether there is evidence of a crime that can be proven beyond a reasonable doubt.

FACTS OF INCIDENT

Just after 3:30 am on March 19, 2017, Redding Police Officers were dispatched to a report of a homeowner shooting an intruder who was attempting to gain entry into his home in the area of Country Oak Drive in Redding. Patrol officers were already in the area investigating a reported prowler in the neighborhood at the time, so they arrived within 1-2 minutes of the initial call.

When police arrived, they went to the backyard area of the house, where they observed an individual on the ground apparently suffering from gunshot wounds. This individual was later identified as Christopher Rosa, 23, of Redding. Rosa was lying on the ground on top of an object that responding officers initially believed was a firearm. It was later determined to be a pickaxe with a wooden handle and a metal head.

Once the scene was made safe, Rosa was provided with medical attention and transported to Mercy Medical Center for treatment. Rosa was found to be suffering from two gunshot wounds: one to the left forearm and one to the upper right chest. Rosa died of his injuries while receiving medical treatment.

When police arrived, they also contacted the homeowner, Federico Lazo, 34, of Redding. Lazo is employed as an officer with the California Highway Patrol. At the time of the incident, Lazo was off duty. Lazo was located standing at the rear sliding glass door leading into the backyard area. When officers arrived, he was pointing his firearm in the direction of Rosa. He briefly spoke with arriving officers and informed them that he had fired twice from the area of the sliding glass door toward the area where Rosa was located. Two expended shell casings were later located outside the sliding glass door.

Through the course of the investigation, investigators were able to determine the chronology of events leading up to the shooting of Rosa.

At the time of the incident, Lazo was in his home with his wife and four young children. All were asleep. Lazo was awakened by the sound of extremely loud banging coming from the area of the front door. The banging continued for some time, and was accompanied by the ringing of the doorbell. Upon hearing this noise, Lazo was concerned for the safety of two of his children whose bedroom was down the hall from the front door. Lazo retrieved his handgun and left his bedroom to check on the noise. He went to the front door and found it intact. He checked the inside of the house and found nothing amiss. Later investigation showed damage to the front door consistent with a person forcefully kicking it.

While Lazo was checking the house, he heard a noise coming from the south side of his house. Lazo opened the sliding glass door adjacent to the kitchen to check on the noise. Upon opening the door, Lazo immediately saw Rosa charging quickly toward him from the area of the side gate leading to the front yard. Lazo yelled, "Stop, or I'll shoot" to Rosa, but Rosa continued charging toward him. During this time, Lazo also observed some sort of dark object in Rosa's hand. It was around this time that Mrs. Lazo began to call 911.

At this point, Lazo fired his gun twice in rapid succession. At the point the gun was fired, according to Lazo, Rosa was close enough to grab his firearm. After the shooting, Rosa changed direction as if to run away, but soon fell to the ground.

During his interview with Redding Police, Lazo articulated his fear for the safety of himself and his family. Lazo told police that he believed that Rosa knew that people were in the house when he approached since the Lazos' vehicles were parked in the driveway. Lazo was concerned that, if he did not act to stop Rosa, Rosa could have gained entry into the house, obtained Lazo's weapon, and hurt or killed Lazo's family.

After Rosa went to the ground, Lazo yelled at him to drop whatever he had in his hand. Lazo also asked Rosa if he had a gun. Rosa replied that he had two guns. It was later determined that Rosa did not have any firearms in his possession. However, he did possess a pickaxe, which was likely the dark object that Lazo saw in his hand. Lazo later identified the pickaxe as belonging to him and having come from a different location on the property.

Lazo told investigators that his primary concern was that Rosa would be able to get past him and into the house where his family were located. He was also concerned with the possibility of Rosa overpowering him and taking his firearm away from him.

Surveillance video from the neighborhood was also viewed in the course of the investigation. Rosa was seen on video approaching the front door of the Lazo home and repeatedly kicking it.

CALIFORNIA LAW REGARDING USE OF DEADLY FORCE IN SELF DEFENSE

Under California law, a civilian has the right to protect himself under certain circumstances. In circumstances involving the use of deadly force such as this case, a person may defend himself or another person under all of the following circumstances:

1. He reasonably believes that he or someone else is in imminent danger of being killed or suffering great bodily injury or is in imminent danger of being touched unlawfully
2. He reasonably believes that the immediate use of deadly force is necessary to defend against that danger
3. He used no more force than was reasonably necessary to defend against the danger

The general standard for any self-defense is that the actions taken by the person claiming self-defense must be reasonable under the circumstances. When determining what is reasonable, the situation is examined from the point of view of the person who used the force. This means one has to consider all of the circumstances as they appeared at the time. If, under all of those circumstances, the person's actions were reasonable, he acted in lawful self-defense and is not criminally liable for his actions. Put another way, the question to be answered is this: would a reasonable person in the position of the person who used force have felt the need to defend himself? If the answer is yes, then the person acted in self-defense. Finally, a person who is legally entitled to act in self-defense is under no obligation to retreat, even if he is physically able to do so.

Special rules apply regarding the reasonableness of the force used when the deadly force is used against someone who has intruded or is attempting to intrude into a home. In such a situation, the law presumes that the homeowner reasonably feared death or great bodily injury. This means that the homeowner starts off with the law presuming his actions were lawful. In order to overcome this presumption, there would have to be clear evidence that the homeowner was not reasonably in fear for his safety or the safety of others.

CONCLUSION

In reaching our decision in this case, the responsibility of the District Attorney is to examine the facts of this case in light of the applicable law. The facts of this case show that Rosa, for unknown reasons, violently awakened Lazo and his family and then forced Lazo into a deadly confrontation that ended with Rosa's own tragic death.

Lazo was awakened in the middle of the night by loud and violent pounding on his front door. Both the timing and manner of this activity suggest something more nefarious than a casual visitor knocking on the door.

Lazo was not alone in his home. His family was in the home with him, and he was fully justified in being concerned for their safety.

In investigating these suspicious circumstances, Lazo was immediately confronted by Rosa as soon as he opened the sliding glass door. Rosa charged at Lazo with an unknown item in his hand. Rosa ignored commands to stop and was quickly at the point of being able to enter into the home through the glass door.

Lazo chose to attempt to stop the threat to his safety and his family's safety by using deadly force.

Under these circumstances, Lazo's actions were justified. He was facing an aggressive person armed with a possible weapon acting in a violent and unpredictable manner in the middle of the night. He chose to stop the threat with the means he had available at his disposal.

Because Lazo acted reasonably under the circumstances, he will not be charged with any criminal offense in connection with this event.