



OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SHASTA

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District Attorney

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PRESS RELEASE

Following a detailed review of the case, the Shasta County District Attorney's Office has determined that a Redding Police Department officer acted lawfully in the fatal shooting of Vernchoy John Saechao, 22, of Redding at 2604 Wilson Avenue in Redding on December 8, 2017.

The role of the District Attorney in this matter is to evaluate all of the evidence obtained in the investigation and to reach a determination as to whether law enforcement's use of force was justified and lawful.

Consistent with countywide officer involved shooting protocol, the lead agency in this investigation was the Shasta County Sheriff's Office with the assistance of the Shasta County District Attorney's Office, the California Highway Patrol, and the Redding Police Department. In conducting the investigation, sheriff's personnel and officers from allied agencies interviewed witnesses and collected physical evidence in an effort to gain a full and complete picture of the events that resulted in the death of Saechao.

At the time of his death, Vernchoy Saechao was involved in a six year dating relationship with Marina Xiong. The two had a three year old daughter in common and lived at the Wilson Avenue apartment along with their daughter, Marina Xiong's sister, the sister's husband, and that couple's two children. Saechao and Xiong had lived together for approximately four years. Ms. Xiong had told Saechao to move out in July of 2017 due to his heavy drinking. Saechao moved to Fresno until October of 2017, when he returned to the Wilson Avenue location.

The incident that led to Saechao's death began early in the morning of December 8, 2017. Ms. Xiong, called 911 at approximately 2:03 a.m. This first call was incomplete, and was soon disconnected. The SHASCOM dispatcher called back, and was unable to speak with Ms. Xiong, and instead left a voicemail message.

Within a minute or two of the first 911 call, Ms. Xiong called 911 again. This time, she spoke to the dispatcher and reported that her boyfriend "was drunk and breaking everything". She further reported that her boyfriend, later identified as Saechao, was throwing things at her and hitting her. This phone call was ended prematurely by Ms. Xiong before the dispatcher could obtain additional necessary information.

Ms. Xiong was later interviewed by police and provided additional information regarding the domestic violence incident. She reported that Saechao was intoxicated and angry with her.

He was calling her names, throwing pillows at her, and slapped her once in the face. She managed to call 911 without Saechao's knowledge when he was out of the room.

Redding Police officers were dispatched to the location at 2:07 a.m. The first officer, Officer Tom Landreth, arrived on scene at 2:14 a.m. While waiting for other officers to arrive, Officer Landreth made contact with Ms. Xiong. She exited the apartment and spoke to the officer in the parking lot area. Ms. Xiong told the officer about the domestic violence that had taken place and indicated that she wished to have Saechao arrested for domestic violence. During this conversation, Officer Landreth asked Ms. Xiong if Saechao had any weapons. Ms. Xiong told the officer that Saechao had a handgun, but she did not know where it was located.

During Officer Landreth's conversation with Ms. Xiong, two additional Redding Police officers arrived: Officer Chris Staup and Officer Eva Smith. These two officers arrived at approximately 2:24 a.m. A records check with dispatch revealed that Redding Police had no prior contacts with Saechao. He was also clear of any wants or warrants.

Once all three officers were present, and Ms. Xiong had given them permission to enter the apartment to arrest Saechao, the officers entered the residence. Ms. Xiong remained outside in the parking lot while the officers went into the apartment.

As the officers entered the residence, the lights were off, and the officers used their flashlights for illumination while searching for a light switch. Almost immediately upon entering the apartment, the officers observed a male sleeping on the living room couch. This male was later identified as Jonny Xiong, a resident of the apartment and the brother-in-law of Ms. Xiong. At the time, the officers believed that this male was Saechao.

As the officers approached the couch to detain the male they believed was Saechao, they heard a noise behind them. When they turned, they saw a male dressed in red running out of the apartment into the front parking lot area. This fleeing male was later identified as Vernchoy Saechao.

As Saechao fled, Officer Staup pursued him out the door. Saechao was armed with a handgun. Saechao fired several shots toward the location of the officers. Officer Staup returned fire, striking Saechao multiple times. After being shot, Saechao fell to the ground in the parking lot. Police officers immediately attempted to perform first aid for Saechao, but he died of his injuries at the scene.

Following the shooting, an extensive analysis of the crime scene was conducted. Investigators recovered the weapon fired by Saechao lying near his body. This weapon was a loaded .40 caliber semiautomatic Glock handgun with an extended capacity 22 round magazine. Such a magazine is illegal to possess in California. The gun in Saechao's possession was found to be loaded with a total of 15 live rounds of .40 caliber ammunition. A second magazine loaded with 15 rounds of ammunition was found near Saechao's body, and a third loaded 15 round magazine was recovered from Saechao's pocket.

A semiautomatic handgun expels a spent shell casing following each shot. This fact allows investigators to determine the number of times a handgun has been fired. Numerous expended shell casings were also located at the scene. Investigators were able to determine the origin of the shell casings due to different brands of ammunition used by Saechao and Officer Staup. Crime scene investigators recovered five shell casings matching the ammunition from Saechao's firearm. Nine shell casings matching RPD-issued ammunition were recovered. The location of these casings supports the officer's account that Saechao fired at him as he was running from the apartment.

Responding investigators also interviewed numerous civilians in connection with this investigation. Ms. Xiong, who remained in the parking lot during the incident, reported seeing a handgun in Saechao's hand as he fled the apartment. She also reported hearing multiple gunshots. Likely due to the lateness of the hour, no other citizens reported seeing the incident, although several did report hearing gunshots.

An autopsy was performed on Saechao. The examining pathologist determined that the cause of death was a gunshot wound to the chest. Saechao was shot a total of five times, twice in the arms, twice in the buttocks, and once in the chest.

A thorough review of the evidence has shown that Officer Staup was confronted by an armed suspect intent on provoking a fatal encounter with police. Saechao's death, while unfortunate, was a result of his own actions. The force used by Officer Staup was necessary to protect himself, his fellow police officers, and the public. His actions were justified and consistent with the law.