



# BUTTE COUNTY DISTRICT ATTORNEY



**MICHAEL L. RAMSEY**  
District Attorney

**FRANCISCO R. ZARATE**  
Chief Deputy District Attorney

**RICHARD WEST**  
Chief Investigator

## PRESS RELEASE

For Immediate Release  
December 21, 2015

Butte County District Attorney Mike Ramsey today noted that:

1. He was informed of Andrew Thomas death on Saturday, December 19, by his attorney who Ramsey had been in contact with since Friday.
2. Ramsey expressed sympathy and condolences through the attorney to the family at the hospital.
3. The death was unexpected as friends indicated he was doing well earlier in the week and the hospital had told his attorney they were preparing to move him from the hospital to a rehabilitative facility in the Bay area.
4. Ramsey said Thomas' death now raises the issue of whether Officer Feaster's negligent action in handling his firearm (finger on the trigger) rises to the level of criminal negligence which is necessary to prove a potential charge of involuntary manslaughter.
5. Ramsey said his office will also explore whether the Officer's delay in notifying his superior officer of the discharge of his weapon contributed in any way to the death of Andrew Thomas. That will necessitate waiting until an autopsy and consultation with medical experts is completed.
6. It is doubtful that can be completed before the Holiday period is over.

The criminal negligence necessary to prove involuntary manslaughter is defined in California jury instructions as:

*“Criminal negligence involves more than ordinary carelessness, inattention, or mistake in judgment. A person acts with criminal negligence when:*

1. *He or she acts in a reckless way that creates a high risk of death or great bodily injury;*  
**AND**
  2. *A reasonable person would have known that acting in that way would create such a risk.*
- In other words, a person acts with criminal negligence when the way he or she acts is so different from the way an ordinarily careful person would act in the same situation that his or her act amounts to disregard for human life or indifference to the consequences of that act.”*