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PRESS RELEASE

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Cemetery Shooting Ruled Justified

At a press conference this morning, District Attorney Mike Ramsey discussed the findings of the Butte County Officer-Involved Shooting/Critical Incident Protocol Team investigation into the February 17, 2008 shooting of **Darlene Stace**, 48, at the Paradise Cemetery. Ramsey announced an analysis of the facts found in the investigation showed **Paradise Police Officer Timothy Cooper's** actions were justified under both Penal Code Sections 196 and 197, as well as the general principles of the law of self-defense.

Ramsey said the investigation established Officer Cooper was discharging his legal duty of protecting the public when he was dispatched to the Paradise cemetery in response to a 3:17 p.m. cell phone call by a citizen reporting a "very weird and hyper" woman at the cemetery. Upon Officer Cooper's arrival at the cemetery, he met with the reporting party and was directed toward the west side of the cemetery.

Officer Cooper stated he saw the woman standing near a car parked in a wooded area just outside the cemetery boundaries. As he stopped his car and got out, he observed the woman was yelling something toward the north then toward the south. No one else was around. The officer approached the woman up a slight hill, greeting her in a friendly tone, but she then began to advance straight to him, yelling something in an accusatory tone. The officer said to the best of his recollection, her words were to the effect of "you don't know what you've got" or "you don't know who I am." As the woman approached closer to within 35- 40 feet, he saw what appeared to be a silver-colored pistol in a holster on her right side.

Officer Cooper stopped where he was and put out his left hand to signal her to stop her advance while putting his right hand on his holstered gun, at the same time asking "Ma'am, is that a gun?", and radioing his dispatch center that the woman was armed. The woman's response was to draw her pistol from her holster and to swing it from side to side at a downward angle, while continuing to advance on the officer. He drew his .45 caliber semiautomatic Glock service pistol and yelled for her to stop and drop the weapon – several times. He recalled her response was to say "no" and then to bring the weapon up in an exaggerated arc with the barrel coming to bear upon him from approximately 25 feet away.

Officer Cooper said he waited for the "last possible moment" in hopes she would obey his repeated commands to stop and drop the weapon. She did not and he shot at her twice with his

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pistol. The woman immediately stopped and her pistol was thrown in the air as she began to fall onto her back. The pistol fell onto the ground and the woman fell on the pistol. The officer then took cover and radioed for help.

Other officers arrived quickly along with fire and medical personnel. Immediate lifesaving efforts were instituted and the woman was transported to Enloe Hospital where she was pronounced dead of a single gunshot wound to the abdomen.

The shooting scene was contained and the Butte County Officer-Involved Shooting/Critical Incident Protocol Team was activated. Although there were no eyewitnesses to the moment of the shooting, the team found sufficient corroboration of the officer's statement to make their finding that the shooting was legally justified.

The original reporting party was approximately 200 feet away from the shooting and although he did not see the shooting, he reported he heard the officer repeatedly yelling to "stop" or "lie down" moments before he heard two shots in rapid succession. A number of residents bordering the cemetery all heard the two shots in rapid succession and some reported hearing a single gunshot some 10-20 minutes before.

Several witnesses who were in the cemetery that afternoon also told of encounters with a "strange woman" who was armed with a pistol in a holster and "babbling" about how her family had been murdered and needed to be reburied; and that she was a U.S. Marshall and member of former President Reagan's Secret Service team.

A holster was found on her belt and a .380 caliber semiautomatic silver-colored pistol was found under her right shoulder. The pistol was loaded with five live cartridges including one in the barrel. The officer's expended .45 caliber cartridges were found approximately 25 feet from where the woman fell.

The woman was identified as Darlene Jean Stace, 48, also known by the last names of Palmer, Walker and Mckelligott. She had been mainly a resident of Fresno, but had lived off and on in Paradise and had been staying with a relative in a Pentz Road mobile home park for the last several months.

An investigation of her background revealed a very troubled, violent and mentally-ill woman with numerous felony arrests and at least five felony convictions including stays in the California Youth Authority and the state prison. Fresno criminal records show convictions for robbery, burglary, felony assault, felony domestic violence, and drug possession. A conviction in 2005 led to a temporary commitment to Patton State Hospital as being too mentally incompetent to stand trial.

Friends, relatives and local health care professionals noted that she would often be angry and would confabulate stories about being a U.S. Marshall or Secret Service agent in the Reagan administration who had shot and been shot by John Hinckley.

Ramsey said, "Why Darlene Stace chose to pull a pistol on Officer Cooper may never be definitively known. Her relatives, knowing her violent, unstable background, were not surprised at her actions. Some elements of alcohol and drugs were found in her system, but not excessively

so. We are left to wonder what demons drove Darlene Stace's actions that afternoon."

However, Ramsey noted Stace's brother and sister recently wrote a letter to Officer Cooper in which they stated: "It is our belief that Officer Cooper saved his own life and perhaps the lives of other innocent people."

Ramsey said he agreed.

Ramsey noted this was the first call out of the Shooting Protocol Team this year. The team consists of experienced investigators from each of Butte County's law enforcement agencies as well as forensic crime scene investigators from the California Department of Justice. The purpose of the team is to do a professional, extensive, unbiased and timely investigation of every officer-involved shooting or critical incident occurring anywhere in Butte County. "By assembling these resources from outside the involved agency, the public can be assured the resulting investigation is both complete, fair and objective," Ramsey said.