



BUTTE COUNTY DISTRICT ATTORNEY



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PRESS RELEASE

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Chico State Custodian Admits Hate Crime for YouTube Posts

The Chico State custodian and recent graduate charged with a hate crime for his comments to YouTube news videos pleaded no contest today in Butte County Superior Court.

Kerry Thao, 33, of Chico, appeared in custody and entered his plea to the misdemeanor charge this afternoon. Butte County District Attorney Mike Ramsey said the charge stemmed from comments Thao had posted between May 16, 2022 and May 24, 2022 on various YouTube news channels depicting the recent shootings in Buffalo, Orange County and Texas.

Ramsey said Thao's several comments encouraged "Asians" to take up arms and "kill whites and blacks." YouTube's owner, Google Inc., provided the comments to the FBI National Threat Operations Center. The FBI then notified the Chico State University Police Department of the comments.

University police investigated and learned the comments were posted by Thao, who was employed as a custodian for the University and had recently graduated from there with a bachelor's degree in Psychology. A records check revealed several firearms were registered to Thao.

A no-bail arrest warrant was obtained for Thao and a local judge also issued a California "Red Flag" Gun Violence Emergency Protective Order. On May 27, 2022, Thao was taken into custody and interviewed. Thao acknowledged to the investigators he had posted the comments and he was responding out of anger to videos he saw that were posted about attacks on Asian Americans.

When Thao was informed that a Gun Violence Emergency Protective Order was issued, he voluntarily surrendered all of his firearms. A search of Thao's residence revealed four rifles, three pistols, and a box of ammunition. These firearms were registered and legally possessed by Thao. All firearms belonging to Thao were seized by law enforcement.

Charges of a violation of civil rights, a hate crime, were filed by the Butte County District Attorney's Office on May 31, 2022. On that date, the District Attorney's Office requested that Thao be held without bail pending further investigation into his intent and motivation behind the comments. The motion was granted.

Ramsey said that since then, investigators with the University police along with the Butte County District Attorney's Office did further investigation to determine the true nature of Thao's threat to the public. Numerous coworkers, professors, family members and friends were interviewed and provided statements expressing surprise that Thao was capable of making such comments.

One professor did state Thao told him he suffered from terrible anxiety. Family members and friends of Thao expressed concern that the recent death of his father along with witnessing social media posts about Asians being attacked may have emotionally affected him leading to his recent intense online comments.

Ramsey said to determine whether these comments were just an isolated event, investigators examined all of Thao's social media and found no evidence of further comments or threats made by Thao other than what was provided by Google. All of Thao's photos, videos, web history, search history, and messages were also reviewed. Thao himself cooperated with the examination by voluntarily providing access to his FaceBook account through his attorney.

Ramsey said investigators found no evidence that would indicate any further threat to the public.

Thao told investigators he never intended to carry out any violence or have others carry out any violence. He said he had learned his lesson from his incarceration and that he needs to deal with his anxiety issues.

Ramsey said the judge sentenced Thao to the time he has already served from May 27th and a maximum term of one year of probation with conditions that he seek and maintain mental health treatment through Butte County Behavioral Health. The judge also ordered that Thao is not to have or possess any firearm for the next ten years.

