

Widow Sues Rohnert Park Over Killing by Officer

- [Bill Wallace, Chronicle Staff Writer](#)

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ROHNERT PARK -- The widow of a Rohnert Park man who was shot to death by police last year filed a \$50 million federal lawsuit yesterday against the city, its police chief and two officers involved in the shooting.

The lawsuit, filed by Ayling Wu of Rohnert Park, accuses the city and the officers of wrongfully using deadly force during the April 29, 1997, incident in which her husband, Kwanchung Kao, was slain.

It also alleges that the city attempted to cover up the misuse of force and violated the civil rights of Kao and his family.

At a news conference in the San Francisco federal building, John Burris, one of Wu's attorneys, said, "There are issues of race involved here. There are police practices that were involved. But essentially, it was a wrongful use of force that should not have occurred."

Kao, 33, died of a single gunshot wound in front of his middle-class Rohnert Park home after a confrontation with police responding to numerous 911 calls complaining of Kao's erratic behavior.

He had been drinking earlier at a Cotati tavern and had a blood alcohol level of .23 at the time of his death.

Police claimed Kao had struck several martial arts poses during the confrontation and was armed with a 6-foot-long stick. Officer Jack Shields, 25, the officer who fired the fatal shot, has said he fired because he believed that Kao was a danger to himself and others.

Earlier investigations by the Sonoma County District Attorney's office and the U.S. Attorney in San Francisco found insufficient evidence to prosecute Shields for any criminal wrongdoing.

Yesterday afternoon, Rohnert Park Police Commander Bob Williams said his department is not able to comment on the suit because it has not received a copy yet.

During yesterday's news conference, Burris and his co-counsel, Andrew Schwartz, said that Kao, although drunk, had committed no crime and was not in a position to harm anyone.

"This man was shot in his front yard, posing no threat to anyone," Schwartz said. "You don't see cases like that very often."

Kao's widow, a registered nurse, said police refused to let her give emergency medical aid to her husband after he was shot and left him sprawled on the ground in handcuffs. He was dead by the time paramedics arrived.

"I couldn't get any justice from the government," she told reporters yesterday. "I'm going to fight all the way through."

The shooting has drawn criticism from activists in the Asian American community. The Asian Law Caucus in San Francisco, an advocacy group for Asian Americans, is working closely with Burris and Schwartz on the lawsuit.

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