




GREGORY D. TOTTEN
District Attorney

NEWS RELEASE

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No Charges Will Be Filed Related to Ventura Protest Incident

VENTURA, California – District Attorney Gregory D. Totten announced today that no charges will be filed related to a protest and traffic incident that occurred in the afternoon on June 7, 2020.

Numerous protesters had congregated at the intersection of Victoria Avenue and Telephone Road in the city of Ventura during a planned protest. During that time, protestors were occupying the sidewalk, two lanes of traffic on Victoria Avenue and the center median. Protesters were moving through the lanes of traffic in the roadway, obstructing motorists. Traffic continued to proceed through the intersection, and ultimately a low speed collision occurred between a white pick-up truck and two protestors standing in the roadway on northbound Victoria Avenue. Following the collision, the motorist and the two protestors involved contacted police to report the incident. A review of the witness statements and video footage of the events before, during, and after the collision established that there is insufficient evidence to prove criminal charges against the motorist, as he acted in legal self-defense and out of legal necessity.

Video footage of the incident revealed the motorist was lawfully operating his pick-up on the roadway when he encountered protesters in the roadway, who were in violation of the California Vehicle Code. The motorist motioned with this hand for people to move away as he proceeded slowly and reasonably in his lane when protesters surrounded his pick-up while yelling and pounding on it. Other lanes were occupied by other vehicles as well, and those motorists proceeded at similar speeds, further establishing what reasonable motorist conduct was under the circumstances. As protesters pounded on his vehicle, the motorist and his passenger, who was pregnant, believed that the passenger compartment would be breached and they would be physically harmed. At that point, the motorist acted in reasonable fear for his and his passengers' physical safety and proceeded forward. This caused one of the protesters who

was already in physical contact with the front of the pick-up to be pushed down. This protester quickly rose to his feet and was one of several protesters who chased the pick-up. As the motorist drove forward, a second protester was struck in the foot as she moved out of the way. One of the protesters involved in the collision later reported suffering a fractured ankle. The other protester involved reported no injury. The motorist proceeded to leave the area as one protester struck the pick-up with a skateboard and several others chased the vehicle, placing the motorist in reasonable continued fear for his and his passengers' safety. Once the motorist reached a safe location, he contacted the police to report his involvement in the incident. The pick-up sustained several dents and scratches consistent with the video footage of the protesters striking the vehicle. Based on these facts, there is insufficient evidence to establish that the collision was the result of an intentional assault. The investigation was conducted by the Ventura Police Department.

Relevant videos analyzed during the course of the investigation may be viewed here:

<https://www.youtube.com/user/venturacountyda>

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The Ventura County District Attorney's Office is the public prosecutor for the county's 850,000 residents. The office employs approximately 280 employees including attorneys, investigators, victim advocates, and other professional support staff who strive to seek justice, ensure public safety, and protect the rights of crime victims.

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