



# GREGORY D. TOTTEN

## District Attorney

### NEWS RELEASE

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### **Ventura Woman Accepts Diversion for Protest Incident**

*VENTURA, California* – District Attorney Gregory D. Totten announced today that a misdemeanor charge of battery is approved for filing against Martha Kuppenbender (DOB 7/25/57), of Ventura, related to a traffic and pedestrian incident that occurred at the intersection of Victoria Avenue and Telephone Road in the city of Ventura on July 19, 2020. Kuppenbender has agreed to participate in the Ventura County District Attorney's Misdemeanor Diversion Program for her role in the battery.

On July 19, 2020, pedestrians had congregated at the intersection for a planned protest. During that time, protestors were occupying the center median that separated the north and south bound lanes of Victoria Avenue. Traffic continued to proceed through the intersection past the protestors. Kuppenbender was driving her vehicle south on Victoria Avenue, and stopped for a red light at Telephone Road in the left turn lane. A verbal interaction ensued between Kuppenbender and the protestors. Video footage of the incident obtained by the Ventura Police Department showed that Kuppenbender exited her vehicle and approached one of the protestors, then physically struck a female protestor with her hands. The protestor was not injured.

Kuppenbender is eligible to participate in the District Attorney's Misdemeanor Diversion Program. Upon Kuppenbender's successful completion of the program, the battery charge will not be filed with the court.

The Ventura County District Attorney's Office Misdemeanor Diversion Program was initiated in 2017 in an effort to reduce recidivism by providing meaningful education and rehabilitation to eligible individuals. All cases are reviewed by an attorney to determine if there is proof beyond a reasonable doubt to prove the alleged criminal charge. If so, the program is offered to those with minimal or no criminal history who are facing certain low level misdemeanors, and provides offenders the opportunity to complete rehabilitative classes and pay restitution in lieu of formal prosecution. The program

addresses the individual's particular criminal actions and is funded entirely by offenders, with neither cost nor revenue to the District Attorney's Office or the County of Ventura. Applicants who cannot afford the program may apply for a fee reduction. Since inception, this program has been offered to 1,959 people and 1,170 have enrolled. Of those enrolled, 983 have successfully completed the program and 942 (95.8%) have not reoffended once they completed the program. Similar programs currently operate in various California counties, including San Luis Obispo, Santa Barbara, Riverside, San Bernardino, and Orange.

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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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