



WCPD Case Number: 20-26596

Date / Time Occurred: October 23rd, 2020 at 9:37 p.m.

Location: N. Broadway / Lincoln Ave.

The Walnut Creek Police Department is informing our community of a protest that occurred in the downtown area in the late hours of October 23, 2020. This protest resulted in two bystanders being surrounded by a group while in their car and the arrest of one protestor.

At 9:37 p.m., two WCPD Officers observed a group of 20-25 protestors marching in the roadway on N. Broadway near Lincoln Avenue. Officers saw an uninvolved SUV traveling northbound on N. Broadway when a portion of the protestors walked in front of the vehicle and surrounded it. The actions of this group caused the SUV to stop in the roadway. Officers saw two to three protestors attempting to open the front driver side door to the SUV, while others from the group yelled at the occupants and kicked the car. Officers immediately activated the lights and sirens on their patrol cars in an attempt to get the crowd to disperse. The group did not move and continued kicking the SUV and trying to open the driver's door. Part of the group then walked towards Officers while others remained around the SUV, preventing it from moving. Officers gave repeated orders to move away from the SUV over a loudspeaker; however, the protestors did not move. The Officers feared for their safety and the safety of the occupants inside the SUV; therefore, one Officer deployed one 40mm foam baton round at one protestor, who had previously attempted to open the SUV's car door and who refused to move out of the Officer's pathway to the SUV. The foam round struck the male protestor in the upper torso. Officers later identified this person as Michael Chapman. The same Officer deployed a second 40 mm foam baton round at the ground near the group that still surrounded the SUV. The Officer intentionally deployed the foam round into the street in an attempt to get the group to move away from the SUV. The second round struck the ground and did not hit anyone. This had the desired effect as the group fled the area after the second foam round was deployed.

Officers immediately checked on the welfare of the occupants in the SUV and learned they were not injured but were scared by the incident. No Officers were injured during this incident.

Michael Chapman was later arrested for false imprisonment and obstructing an officer. Officers recognized Chapman as an agitator and counter-protester at a rally supporting President Trump earlier in the day. At this rally, officers witnessed Chapman exposing a ballistic vest that he had under his jacket.

Officers transported Chapman to the Martinez Detention Facility. The investigation into this incident is still active. Detectives are working to identify the other protestors who attempted to open the SUV's car door and who prevented its movement.

The Police Department continues to balance the First Amendment right to protest with the public safety needs of the community. When demonstrators begin to violate the law and create unsafe conditions for the public, police department personnel will continue to take appropriate enforcement action.

Chief Jay Hill commented, "The Walnut Creek Police Department is committed to ensuring individuals can exercise their First Amendment rights to protest peacefully, but we will not stand by and allow unlawful activity that puts public safety at risk."

