

# [***Man charged in death of Jewish protester in California will face trial***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6C1V-1HY1-DY7V-G008-00000-00&context=1516831)

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**Body**

(CNN) &#8212; A man charged with manslaughter in the [*death of a Jewish protester*](https://www.cnn.com/2023/11/17/us/paul-kessler-death-arrest-court-appearance/index.html) he's accused of striking during dueling demonstrations over the Israel-Hamas war last year will stand trial, a judge ruled Wednesday, according to prosecutors.

Prosecutors allege Loay Alnaji hit the 69-year-old protester, Paul Kessler, with a megaphone before Kessler fell and struck his head on the pavement of a street corner in Thousand Oaks, California, in November, the Ventura County District Attorney's Office said in a release.

Kessler, who was demonstrating in support of Israel, later died at a hospital. Medical examiners determined he died from blunt force trauma caused by the blow from the megaphone and his fall, prosecutors said.

Alnaji is facing involuntary manslaughter and battery charges after an investigation police say was complicated by conflicting statements from pro-Israel and pro-Palestinian witnesses. He has pleaded not guilty, the district attorney's office said last year.

The tense confrontation happened during one of many protests sweeping US cities in the weeks after Hamas attacked Israel on October 7, killing an estimated 1,200 people and kidnapping about 200 others. Israel's ongoing military response in Gaza has so far killed more than [*35,000 Palestinians*](https://www.cnn.com/middleeast/live-news/israel-hamas-war-gaza-news-05-12-24/h_e39120f6227db364483282afb5bb9953), according to the Ministry of Health in Gaza, and is fueling a worsening humanitarian crisis.

During a two-day hearing, prosecutors presented evidence against Alnaji, including DNA analysis of blood on the megaphone, which matches Kessler, and video and audio taken on Kessler's phone in the moments leading to his fall, the district attorney's office said.

Prosecutors have yet to find evidence to indicate Alnaji committed a hate crime, the release said.

"While antisemitic hate speech was heard at the November 5, 2023, rally, there is no evidence those words were said by Alnaji," the release said.

Alnaji's attorney, Ron Bamieh, told CNN his client was acting in self-defense during an altercation with the victim and said witness accounts of the incident have been "inconsistent or inaccurate."

"This case is a simple question of whether or not my client had the right to swat Mr. Kessler's phone away, and as a result, hit him in the face in self-defense," Bamieh said.

In November, Bamieh told CNN Kessler stuck his phone in Alnaji's face and he "brushed" it away. "When (Kessler) fell, my client is seen on the video 6 to 8 feet away from him," he added.

The attorney said previously Alnaji "fully cooperated with law enforcement, attempted to aid Mr. Kessler when he fell, and called 911 when he realized that Mr. Kessler was injured."

While Bamieh concedes Alnaji struck the victim during the heated confrontation, he argued prosecutors were "aggressive" in filing the case the way they did. "The prosecution is treating this as more of a publicity case and a political case than an actual criminal case."

A spokesperson for the district attorney's office, Joey Buttitta, told CNN, "We pursue truth and justice based on the facts and the evidence, not ***politics*** and publicity."

After he was charged, Alnaji was placed on administrative leave from his job in the Ventura County Community College District, which includes three colleges, the district said at the time. He worked at Moorpark College, [*The Los Angeles Times*](https://www.latimes.com/california/story/2023-11-16/moorpark-professor-arrested-in-death-of-paul-kessler) reported.

Alnaji is out on $50,000 bail and is scheduled for an arraignment on June 10, the district attorney's office said. He faces a maximum of four years in prison if convicted.

What investigators said happened at the dueling rallies

The incident took place while simultaneous rallies were being [*held by two groups*](https://www.cnn.com/2023/11/07/us/thousand-oaks-protest-man-dies/index.html) identified as "Freedom for Palestine" and "We are Pro-Israel," according to the Ventura County Sheriff's Office. Authorities estimated between 75 and 100 people were present.

Around 3:20 p.m. on November 5, the sheriff's office received multiple calls about a possible assault related to the protests at an intersection, Sheriff Jim Fryhoff has said.

When deputies and medical responders arrived at the scene minutes later, they found Kessler lying on the ground, conscious and responsive, the sheriff said.

Investigators determined a pro-Palestinian protester, later identified as Alnaji, had been involved in an altercation with Kessler, who at some point fell backward and hit his head on the ground, authorities said.

Pro-Israel and pro-Palestinian witnesses at the scene gave contradicting accounts of who the aggressor was and how the altercation occurred, the sheriff said.

A 50-year-old suspect was also interviewed at the scene, where he told deputies he had been involved in an altercation with Kessler, Fryhoff said. His home was searched by investigators the next day, the sheriff said. Authorities did not say at the time whether that suspect was Alnaji.

Kessler was hospitalized in critical condition before dying from his injuries.In addition to determining his cause of death to be blunt force trauma, an autopsy revealedKessler suffered injuries consistent with a fall, including skull fractures, brain swelling and bruising, and nonlethal injuries to his face, according to Dr. Christopher Young, Ventura County's chief medical examiner.

The district attorney described Kessler as a father of one who had been married for 43 years. He worked in medical sales for "a number of decades" and also taught sales and marketing.

CNN's Cindy Von Quednow contributed to this report.

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