

EXHIBIT DD

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POLICE'S BRIEF DESCRIPTION OF "SUSPICIOUS PERSON" WITHIN THE INCIDENT REPORT FOR THE MARCH 5, 2018 ARREST FOR ONE COUNT OF SECOND DEGREE BREACH OF PEACE COMPARED TO INCIDENT REPORTS' BRIEF DESCRIPTION FOR ACTUAL HARASSMENT OR STALKING ARRESTS.

THE 4 INCIDENT REPORTS SUBMITTED BY ALTICE DURING THE PROCESS (ECF 39, ECF 44) THAT WERE FULLY INVESTIGATED RESULTING IN NO ARRESTS CASES LONG CLOSED ALSO HAVE A BRIEF DESCRIPTION OF "SUSPICIOUS PERSON".

(KEEP IN MIND ALTICE NEVER READ ANYTHING OUTSIDE OF THE ARREST WARRANT FOR ONE COUNT OF SECOND DEGREE BREACH OF PEACE AT THE TIME OF THE SLANDER AND LIBEL).

NOV. 5, 2017 ARRESTING INCIDENT REPORT DESCRIBING THE MARCH 5, 2018 ARREST FOR **ONE COUNT OF SECOND DEGREE BREACH OF PEACE** AS A **"SUSPICIOUS PERSON"** THUS ONCE AGAIN SHOWING THE ACTUAL WORDING IN POLICE REPORTS THAT AVOIDS DEPLOYING **STALKING OR HARASSMENT LANGUAGE** FOR NORMALLY A **"SUSPICIOUS PERSON"** IS A ALLEGED FIRST TIME ACT WITHOUT WARNINGS. (Police called me 4 months after alleged incident.)

Page <u>1</u> of <u>7</u>		INCIDENT REPORT		REPORT NUMBER: 2017-022937	
Westport Police Department		50 Jesup Road		OR/# CT0015800	
Westport CT 06880-4385		203-341-6000		REPORT DATE: 11-05-2017	TIME: 18:16
				DATE INCIDENT: 11-05-2017	TIME: 18:16
				DATE END:	TIME:
ADMIN	LOCATION: 605 POST RD E WESTPORT CT	BRIEF DESCRIPTION OF INCIDENT 59 - SUSPICIOUS PERSON			
	METHOD OF OPERATION	OFFENSE TRACT POST RD CENTER		CASE STATUS	
	DISPOSITION	EXCEPTIONAL CLEARANCE CODE	EXC CLEAR DATE	CLR DATE	

FACT: **"SUSPICIOUS PERSON"** COMPLAINTS ARE INITIAL SIGHTINGS HENCE NOT REPEATED OR PERSISTENT AND MOST OFTEN RESULT IN WARNINGS AND ANY KIND OF REPEATED CONTACT WOULD BRING IN THE PROBABLE CAUSE OF **HARASSMENT OR STALKING** AKA INTENT.

GAMES | BROWSE THESAURUS | WORD OF THE DAY | WORDS AT PLAY

Merriam-Webster SINCE 1828

DICTIONARY | THESAURUS

suspicious adjective

 Save Word

sus·pi·cious | \ sə-'spi-shəs \

Definition of *suspicious*

- 1 : tending to arouse suspicion : QUESTIONABLE
// suspicious characters
- 2 : disposed to suspect : DISTRUSTFUL
// suspicious of strangers
- 3 : expressing or indicative of suspicion
// a suspicious glance

PAGE 3 OF THE SAME POLICE REPORT REITERATES THE SAME:

Page <u>3</u> of <u>7</u>	ADDITIONAL NARRATIVE Westport Police Department	REPORT NUMBER: 2017-022937
		ORI# CT0015800
NARRATIVE TITLE Narrative From CAD		
<p>Complaint Type: 59 - SUSPICIOUS PERSON Caller Name: [REDACTED] Officer ID: 04358, Officer Name: SULLIVAN, JAMES</p> <p>[11/05/2017 18:23:49 ; pos2 : 03220] Cross streets: RAYFIELD RD//CRESCENT RD Geo Comment: 606 POST RD E (GMPID: 1) NBH: MAP 47,50 CALLER WAS SHOPPING AT FRESH MKT, A WHITE MALE, SHORT CROPPED BROWN HAIR, JEANS, THIN BLD, 6 FT 1 IN TALL FOLLOWED [REDACTED] OUT OF THE STORE TO HER CAR, SHE NOTICED HIM AND LOCKED HER CAR DOORS, HE MOTIONED FOR HER OPEN THE WINDOW, SHE DROVE AWAY</p>		

NOW - THE ARREST FOR AN ACTUAL HARASSMENT CHARGE – THE FEB. 6, 2019 ALLEGED **SECOND DEGREE HARASSMENT** VIA EMAIL (standing as a Nolle Prosequi).

The alleged harassing Email happened on Sept. 18, 2018.

NOTICE THE “BRIEF DESCRIPTION OF INCIDENT ” HERE.

Page <u>1</u> of <u>16</u>	INCIDENT REPORT Westport Police Department 50 Jesup Road Westport CT 06880-4385 203-341-6000	REPORT NUMBER: 2018-019908 ORI# CT0015800 REPORT DATE: 09-17-2018 TIME:19:02 DATE INCIDENT: 09-17-2018 TIME:19:02 DATE END: TIME:
LOCATION: 75 WEST PARISH RD WESTPORT CT	BRIEF DESCRIPTION OF INCIDENT Harassment	

REPORTING ON **HARASSMENT** BEST HAVE AN ACTUAL **HARASSMENT** BRIEF DESCRIPTION OF THE INCIDENT, THUS JOURNALISTS SHOULD STICK TO THE DESCRIPTIONS OF THE ALLEGED ARREST/CHARGE AND NOT CONFLATE CHARGES WITH OTHER MORE SERIOUS CHARGES.

GAMES | BROWSE THESAURUS | WORD OF THE DAY | WORDS AT PLAY

 SINCE 1828

harassment

DICTIONARY | **THESAURUS**

harass verb

 Save Word

həˈrɑːs | \ hə-ˈras ; ˈher-əs, ˈha-rəs  \

harassed; harassing; harasses

Definition of *harass*

transitive verb

1 a : EXHAUST, FATIGUE

// I have been *harassed* with the toil of verse
— William Wordsworth

b (1) : to annoy persistently

// was *harassing* his younger brother

(2) : to create an unpleasant or hostile situation for especially by uninvited and unwelcome verbal or physical conduct

// was being *harassed* by her classmates

// claims that the police were unfairly *harassing* him

2 : to worry and impede by repeated raids

// *harassed* the enemy

NOW – INCIDENT REPORT FOR AN ACTUAL ATTEMPTED **SECOND DEGREE STALKING** ARREST – DENIED BY PROSECUTOR. NOTICE THE “BRIEF DESCRIPTION OF INCIDENT ” HERE – “**HARASSMENT**”- A COURSE OF CONDUCT CRIME.

Page <u>1</u> of <u>10</u>		INCIDENT REPORT		REPORT NUMBER: 2018-020668		
Westport Police Department 50 Jesup Road Westport CT 06880-4385 203-341-6000				ORI# CT0015800		
				REPORT DATE: 09-28-2018	TIME: 12:24	
				DATE INCIDENT: 09-28-2018	TIME: 12:24	
				DATE END:	TIME:	
ADMIN	LOCATION:	BRIEF DESCRIPTION OF INCIDENT HAR - HARASSMENT				
	METHOD OF OPERATION	OFFENSE TRACT	CASE STATUS			
	DISPOSITION	EXCEPTIONAL CLEARANCE CODE	EXC CLEAR DATE	CLR DATE		
OFFENSE	<input type="checkbox"/> FAMILY VIOLENCE <input type="checkbox"/> GANG RELATED OFFENSE <input type="checkbox"/> ALCOHOL USE <input type="checkbox"/> DRUG USE <input type="checkbox"/> COMPUTER USE <input checked="" type="checkbox"/> COMPLETED <input type="checkbox"/> FORCED ENTRY					
	STATUTE / UCR CODE 53a-181d/13C	STATUTE DESCRIPTION Stalking 2nd			COUNTS 1	F/M M
	MARITAL	DEGREE 2nd	OFFENSE LOCATION	UNITS ENTERED	PREMISE TYPE RESIDENCE/HOME	

REPORTING ON **THIRD, SECOND, OR FIRST DEGREE STALKING** BEST HAVE AN ACTUAL **HARASSMENT/STALKING** BRIEF DESCRIPTION OF THE INCIDENT, THUS JOURNALISTS SHOULD STICK TO THE DESCRIPTIONS OF THE ALLEGED ARREST/CHARGE AND NOT CONFLATE CHARGES WITH OTHER MORE SERIOUS CHARGES.

Merriam-Webster SINCE 1828

stalking

DICTIONARY THESAURUS

stalk verb

stalked; stalking; stalks

Definition of *stalk* (Entry 2 of 3)

intransitive verb

- 1 : to pursue quarry or prey stealthily
- 2 : to walk stiffly or haughtily

transitive verb

- 1 : to pursue by stalking
- 2 : to go through (an area) in search of prey or quarry
// *stalk* the woods for deer
- 3 : to pursue obsessively and to the point of harassment

IN ADDITION,
 FACT: ANY WESTPORT POLICE INCIDENT REPORT IN MY PAST
 RELATED TO THE POLICE WARRANT NARRATIVE THAT AFTER
 THOROUGH INVESTIGATION RESULTED IN NO ARREST WITH CASES
 NOW LONG CLOSED ALSO HAS A BRIEF DESCRIPTION OF
 “SUSPICIOUS PERSON”.

Once again;

~ Judge Underhill: *“It is an open question in the Second Circuit whether courts can take judicial notice of police incident reports, but it seems that many courts refrain from doing so. See, e.g., Alvarez v. County of Orange, N.Y., 95 F. Supp. 3d 385, 398 (S.D.N.Y. 2015); Bejaoui v. City of New York, 2015 WL 1529633, at *6 (E.D.N.Y. Mar. 21, 2015); Serrata v. Givens, 2019 WL 1597297, at *4 (E.D.N.Y. Apr. 15, 2019).” ECF 66 Page 2*

Thereby sticking to proven and provable material and not known closed cases fully investigated resulting in no probable cause and no arrest and no complainant with statute of limitations in effect. Thereby leaving the necessary evidence of any alleged **stalking** to be with the one and only arresting incident and only an arresting incident and not material devoid of actual arrests like 4 Exhibits shared by Altice of past Incident Reports devoid of an arrest that were unproven and are un-provable **stalking** which clearly shows there was not intent for any **harassment**.

Altice submitted the following 4 Incident Reports during the process.
NONE of them document or imply **stalking by the police and all having the Brief Description of “Suspicious Person” or “Police General Service”.**

Altice ECF 39 Exhibit F

Page <u>1</u> of <u>5</u>		INCIDENT REPORT		REPORT NUMBER: 2017-011524	
Westport Police Department		50 Jesup Road		ORI# CT0015800	
Westport CT 06880-4385		203-341-6000		REPORT DATE: 06-08-2017	TIME:12:04
				DATE INCIDENT: 06-08-2017	TIME:12:04
				DATE END:	TIME:
ADMIN	LOCATION: 605 POST RD E WESTPORT CT	BRIEF DESCRIPTION OF INCIDENT 59 - SUSPICIOUS PERSON			
	METHOD OF OPERATION			OFFENSE TRACT	CASE STATUS
	DISPOSITION	EXCEPTIONAL CLEARANCE CODE	EXC CLEAR DATE	CLR DATE	

Altice ECF 39 Exhibit G

Page <u>1</u> of <u>5</u>		INCIDENT REPORT		REPORT NUMBER: 2017-016710	
Westport Police Department		50 Jesup Road		ORI# CT0015800	
Westport CT 06880-4385		203-341-6000		REPORT DATE: 08-14-2017	TIME:20:46
				DATE INCIDENT: 08-14-2017	TIME:20:46
				DATE END:	TIME:
ADMIN	LOCATION: 399 POST RD W WESTPORT CT	BRIEF DESCRIPTION OF INCIDENT PGS - POLICE GENERAL SERVICE			
	METHOD OF OPERATION			OFFENSE TRACT POST RD WEST	CASE STATUS
	DISPOSITION	EXCEPTIONAL CLEARANCE CODE	EXC CLEAR DATE	CLR DATE	

Altice ECF 44 Exhibit I

Page <u>1</u> of <u>4</u>		INCIDENT REPORT		REPORT NUMBER: 2006-016558	
Westport Police Department		50 Jesup Road		ORI# CT0015800	
Westport CT 06880-4385		203-341-6000		REPORT DATE: 10-13-2006	TIME:10:30
				DATE INCIDENT: 10-13-2006	TIME:10:30
				DATE END:	TIME:
ADMIN	LOCATION: 719 POST RD E WESTPORT CT			BRIEF DESCRIPTION OF INCIDENT 59 - SUSPICIOUS PERSON	
	METHOD OF OPERATION			OFFENSE TRACT P	CASE STATUS
	DISPOSITION	EXCEPTIONAL CLEARANCE CODE	EXC CLEAR DATE	CLR DATE	

Altice ECF 44 Exhibit #J

Page <u>1</u> of <u>6</u>		INCIDENT REPORT		REPORT NUMBER: 2003-006735	
Westport Police Department		50 Jesup Road		ORI# CT0015800	
Westport CT 06880-4385		203-341-6000		REPORT DATE: 05-01-2003	TIME:16:51
				DATE INCIDENT: 05-01-2003	TIME:16:51
				DATE END:	TIME:
ADMIN	LOCATION: 31 WEST PARISH RD WESTPORT CT			BRIEF DESCRIPTION OF INCIDENT 59 - SUSPICIOUS PERSON	
	METHOD OF OPERATION			OFFENSE TRACT S	CASE STATUS
	DISPOSITION	EXCEPTIONAL CLEARANCE CODE	EXC CLEAR DATE	CLR DATE	

THUS

It is obvious why the Incident Reports for **SECOND DEGREE HARASSMENT** and **SECOND DEGREE STALKING** (BOTH COURSE OF CONDUCT BEHAVIORS) do not have the Brief Description of **"SUSPICIOUS PERSON"** like the Incident Report for the **SECOND DEGREE BREACH OF PEACE**. Both the Incident Reports (4 Altice Exhibits) that resulted in no arrest after thorough investigation and the March 5, 2018 one-time arrest for **ONE COUNT OF SECOND DEGREE BREACH OF PEACE** were deemed to not have credible evidence aka Probable Cause for any kind of Brief Description of **"HARASSMENT" OR "STALKING"**. After thorough investigations these Incident Reports stand as being without Probable Cause for any type of crime/arrest and thus are unproven and un-provable given the statute of limitations let alone never being re-opened for any reason. If there was any evidence of Course of Conduct behavior or anything related to a **STALKING-LIKE** behavior there would have been an arrest. It is clear that police carefully deploy the **STALKING OR HARASSMENT** language only when there is evidence hence why the officer responsible for the March 5, 2018 arrest (Arrest Warrant) carefully chose his words for the one-time alleged happening now deemed non-criminal after Due Process of Law – **"FOLLOW AND THEN GET RIGHT INTO PERSONAL SPACE"** – a dictionary entry that does not use the words **HARASS** or worse **STALK** – NEVER!