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of which 5 pages only partially filled  
+ exhibits

James James

February 2017

Feb. 20, 2021

# **PETITION FOR REHEARING**

Case #20-393  
Second Circuit Court of Appeals

**James Lawrence**  
**v.**  
**Altice USA**

Electronically Filed  
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## Introduction

### 4 of 11 Quotes from Appeal Court Decision I Take Issue With

#### - Most Important Material to Review Now Within Petition Document

- **Quote #1:** The “... *harassing manner. The totality of Lawrence’s conduct*” (known by reporter to be alleged and unproven and unprovable) and the proper detailed Definition of **Stealth**.

- NO mentioning of **Harassment** in Warrant or within other past Incident Reports verified by Investigating Officer’s Deposition **Exhibit JJJ**.

**EXHIBIT AAA** - Linguistic Evidence that the word **Stealth** is most often associated with a type of secrecy that is basically the misdoing act of **hunting, preying, attacking**, or at least a misdoing act of spying, avoiding detection, being inconspicuous which is not indicative in the Arrest Warrant wording or description of the arresting incident “*follow and stare or get right into personal space*” or any past Incident Report devoid of arrest.

- **Stealth Bombers, Stealth Tanks, Stealth Ships, Stealth Guns, Stealth Armor, Stealth Viruses, Stealth Tax, Stealth Mode, “Stealthing”, etc** .... as more undeniable evidence of the “*mind of the average viewer/reader*” and “*popular acceptance*” of the word **stealth**.

- **Quote #2:** Obvious Differences between **Second Degree Breach of Peace** compared to **Stalking and Harassment**

**EXHIBIT JJJ** – Feb. 22, 2021 Deposition of Westport Police Officer James Sullivan Responsible for the Investigation, Warrant Narrative, and Arrest for **One Count of Second Degree Breach of Peace**, a Deposition for James Lawrence v. Hearst Communications where the OFFICER CONFIRMS that he arrested me for **Section 6 of the Second Degree Breach of Peace Statute and NOT Section 1** to which the Court falsely referred to in their Opinion when conflating **Third Degree Stalking** with **Second Degree Breach of Peace**, and a Deposition that has the OFFICER CONFIRMING arguments I present here within **Exhibits AAA-III**.

**EXHIBIT BBB** – Police’s Brief Description of **“Suspicious Person”** within the Incident Report for the March 5, 2018 arrest for **Once Count of Second Degree Breach of Peace** compared to the Incident Reports’ Brief Description for actual **Harassment or Stalking** Arrests being “**Harassment**”. **ALL Incident Reports that resulted in NO arrest cases long closed** have Police Brief Description of **“Suspicious Person” or “Police General Service”**.

**EXHIBIT CCC** – Notice how within the list of Connecticut Statutes a noncriminal §§ Infraction is a possibility in relation to **Second Degree Breach of Peace** arrest but a noncriminal §§ Infraction is NOT listed as a possible/related outcome with **Harassment or Stalking** charges.

**EXHIBIT FFF** – Connecticut **Harassment** Arrests Distinguished as either Threatening or Non-threatening within Official Police Press Release. My **Second Degree Breach of Peace** arrest Described as Non-threatening.

**EXHIBIT HHH** – An Example of a 2017 Connecticut **Third Degree Stalking Arrest/Charge** in conjunction with a **One Count Second Degree Breach of Peace Charge**.

- **Quote #3:** Court Misrepresents a 25-year-old Stalking Charge that was **Dismissed** 1996.

**EXHIBIT DDD** - **Persistent** Offenders Connecticut Statute that shows the typical charges associated with **Persistence** or “totality”.

- **Quote #4:** Court NEVER refers to Judge Underhill’s language claiming News 12 “*dulled impact*” and “*mitigated problem*” with concrete examples and now injects their own language of “*compensated*”.

## **Conclusions**

**EXHIBIT EEE** - A Picture is Worth a Thousand Words  
**Stalking** as Portrayed by Novels and Movies: A Visual Collection – Notice the weapons, **hunting, preying, intent to attack/violate/or be inconspicuous** aka “*Mind of Average Viewer*” or “*Popular Acceptation*”

**EXHIBIT GGG** – **Stalking Arrests** Happening at or Related to Supermarkets. **This is Stalking**. The Naming of Someone Involved in an Alleged **Supermarket Stalking**.

**EXHIBIT III** – A typical and harmless one-time contact **Suspicious Person** one-paragraph Incident Report from 2002 (20 years ago) between myself (a man) and woman. Notice the respecting of an actual warning (apparent verbal contact) and leaving “**without incident**”. Where is the **stealth**?

## INTRODUCTION:

- Why is the Appeal Court not giving any concrete examples of how News 12 “*dulled impact*” or “*mitigates the problem*” let alone Appeal Court actually using this language “*dull impact*” or “*mitigates the problem*” within Decision and instead now using their own language of “*compensate*”?

- Why does not the Appeal Court entertain and debate any of the numerous examples of how News 12’s extreme coverage actually added “*impact*” and obviously created more problems aka Damages that everyday people can relate to? (See Exhibit JJJ)

- Why is the Appeal Court avoiding and NEVER referring to the following chief argument from my Brief?

Exhibit X – American Psychological Association, Websters Dictionary, and Collins Dictionary definitions of the idiom/phrase “*getting into personal space*” and Internet Search Results of the phrase “*getting into personal space*” aka Arrest Warrant language and how these Dictionaries and Internet search results/articles/resources NEVER use the **stalking, stealth, preying, or harassment language** while discussing the issue of “*getting into personal space*”.

The Appeal Court also NEVER refers to the following “*common definitions of stalking*”:

Exhibit H - Google Searches of “**Definitions of Stalking**” showing “*mind of the average viewer*” and “*popular acceptance*”.

Exhibit I - Wikipedia/Encyclopedia Defining of **Stalking** showing “*popular acceptance*”  
Encyclopedia Britannica Defining Stalking showing “*popular acceptance*”.

Exhibit J - Multilingual/Inter-cultural/International Definitions of **Stalker** shows “*popular acceptance*”.

Exhibits K-V - all the Dictionary definitions of **stalking, harassment, and stealth**.

Let alone

Exhibit W - Major Stalking Prevention Organization’s **Definitions of Stalking** - The Stalking Prevention, Awareness, and Resource Center (SPARC), National Violence Against Women Prevention Research Center, Office of Women’s Health, Rape, Abuse & Incest National Network (RAINN), Safehorizon, The Advocates for Human Rights, ETC...

- Where is there any evidence of police deploying the **stalking or harassment language** and where is there any evidence of any woman calling anything in my past (Connecticut) **stalking** like where are names and witnesses associated with any kind of description of past “cases”/calls of concern that warrants a blunt generalization of being painted with a broad brush –**stalking**, for that is the “*common*” way any media would proceed to making a story in the MeToo zeitgeist – from actual women making the case by stepping forward.

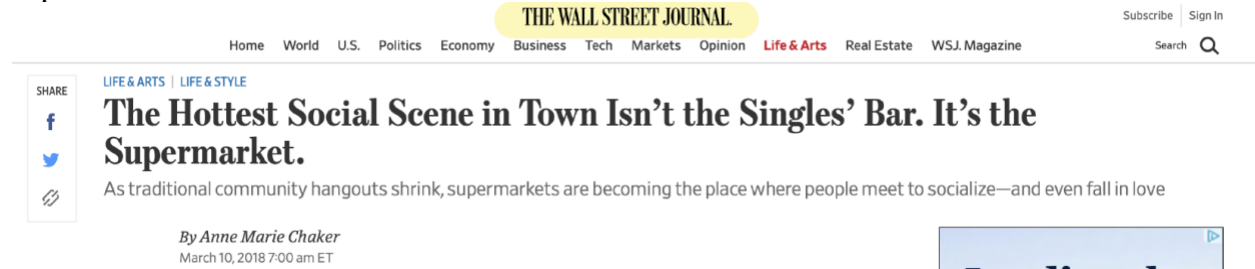
- Where is the Court’s reasoning as to why Police never deploy the **stalk or harass language**?

- Why am I allowed to be conflated with this MeToo zeitgeist **sex harassment**?

- How am I associated with **threats** when NO threats are recorded in the arrest documents and as Exhibit JJJ shows no **threats** in any **past Incident Report devoid of arrest** as well?

**I was arrested on March 5, 2018.**

The following March 10, 2018 Wall Street Journal Article took off in popularity reiterating past similar articles and spawning new types of articles of this topic and current zeitgeist of supermarket encounters.



The screenshot shows the top portion of a Wall Street Journal article. At the top, the logo "THE WALL STREET JOURNAL." is centered. Below it is a navigation bar with links for Home, World, U.S., Politics, Economy, Business, Tech, Markets, Opinion, Life & Arts, Real Estate, and WSJ Magazine. On the right side of the navigation bar are links for "Subscribe" and "Sign In", and a search icon. Below the navigation bar, on the left, is a "SHARE" button with icons for Facebook, Twitter, and a link icon. The article title is "The Hottest Social Scene in Town Isn't the Singles' Bar. It's the Supermarket." Below the title is a sub-headline: "As traditional community hangouts shrink, supermarkets are becoming the place where people meet to socialize—and even fall in love". The author is listed as "By Anne Marie Chaker" and the date is "March 10, 2018 7:00 am ET".

**How is someone who was never convicted of anything from the ONE count of Second Degree Breach of Peace arrest let alone having no prior arrest allowed to be forever depicted as some supermarket stalker? Does the Court have any idea as to how many people could be depicted this way?** There is absolutely NO evidence of any *stalking* – EVER – and this “*substantial stalking*” legal speak is a disgrace. Journalists owe it to the one reported on to take ALL potential unresolved ambiguous factors into consideration and not concoct a biased agenda-driven unproven and unprovable stain upon the public nor the Court to uphold “*outright false*” and “*unfair*” coverage without any proper evidence let alone fair “*compensation*”.

**FACT: Exhibit JJJ** - Deposition of the investigating Officer CONFIRMS there was never any *stalking or stalking-like behavior* from the arrest, as well as from past Incidents Reports for as he says in Deposition there was no “repeated” contacts with anyone let alone *threats*.

Logic dictates that if we are to allow News 12 or any news organization to deviate from the actual Arrest Warrant wording and grossly assign all alleged past Incident Reports (no arrest of any kind after thorough investigation – unproven and unprovable) of “*stalking*” (truly a sign of a agenda-driven lazy and unscientific mind) without any named woman with proper quotes or words or testimony or sworn written statement, then we best have any woman – **name** – and actual testimonies of the type of behavior written about in Arrest Warrant “*follow and getting into personal space*”. Any news story of the recent MeToo zeitgeist has actual women names attached to a story. This phantom number of women to which Altice/News 12 could not even ascertain evidence of should be heard from. If the court believes they have the right to assign the term *stalking* to any completely innocent police report of my past in such a gross without police using this terminology (let alone finding Probable Cause for any kind of arrest) we best have proper descriptions – actual quotes from women (which is still not enough given statute of limitations) because News 12 is doing their own special interpretation of the Arrest Warrant. **Who in their right mind thinks every long past one-time crossing of paths and call of concern to police had absolutely similar scenarios? Just utter simplistic nonsense. See Exhibit III.**

When I started this Appeal, my lawyer from my noncriminal Final Disposition for ONE count of Second Degree Breach of Peace told me I was wasting my time going to the Second Circuit Court of Appeals as a Pro Se Plaintiff. He and others told me there is nearly no respect for Pro

Se Plaintiffs. I did not want to believe this and felt by showing myself in as many ways possible and not hiding behind a lawyer I could get the needed perspective that would yes begin to resolve ALL ambiguities. When not even being afforded an Oral Argument so to at least be able to introduce myself (**for it seems only mere opinions and feelings matter as opposed to actual hard evidence**) in an attempt to unfold the mystery of who is James Lawrence for James Lawrence has never been reported on before, I became aware of what the law community was telling me about being Pro Se was right – I was potentially going to get screwed – in double spaces - and in only a few pages.

FACT: I myself try to write in double space legal speak but find it impossible to present necessary details so I end up writing in single spaces within the word limit because I am not afforded a trial to present **details**. This type of Decision directed at me without a jury is dangerous for the culture for it aids simplistic, under-developed, unprovable narratives. Hardly socially scientific. This case with obvious Damages belongs in front of a jury of everyday people. Hard cold truth and I hope you all can handle it.

I chose to defend myself because I know this case, my life, and know of this hideous gender warring zeitgeist and have written about this unique zeitgeist within this now obvious to all identity politic culture and thus I felt more qualified to show all the details that would and should inevitably be in front of a jury of our peers. **Are we not reading the news?** Recently the House of Representatives actually felt the need to end a harmless traditional prayer of “Amen” with also “Awoman”. I have no problem with this, but these types of virtue signalling stories are happening every day and show obvious pointed agendas that breed conflict and thus deserves as many sources and types of people to attempt to address and resolve this obvious gender war problem in fair and balanced ways to all genders. Are not these and other similar types of stories not enough of a symbol to allow men to properly show their own stories of various **extreme treatment** in front of a jury of our peers? **I am a man with a clean record in regards to ALL of News 12’s accusations against me and yet now I am labelled a stalker. This is not Justice.**

Think about it - the fact that decades old no more than a 30-minute past police investigation old “cases” or best termed “harmless calls of concern” resulting in NO police action got extremely paraded out for the opportunistic hit job directed at me shows how extreme the media and zeitgeist is today. What really happened around any incident of these decades-old calls of concern? My life has absolutely nothing to do with MeToo concerns and did not deserve to be equated with this devoid of any proper evidence. The simple ONE count arrest for **Second Degree Breach of Peace** itself had nothing to do with **harassment or stalking**. These far past harmless calls of concerns devoid of Probable Cause for any crime let alone desire by any alleged concerned/never named woman to press charges for anything (let alone the impossibility of **stalking**) shows this insane extreme zeitgeist and obvious blowback from the MeToo mindsets worthy of perspectives away from stale irrelevant cases of the past spinning about some kind of “*substantial truth*” that is never the case.

**YES - there are no significant case precedents delving into the obvious language questions when comparing the **Harassment and Stalking statutes with dictionaries and other cultural sources**, let alone delving into the obvious differences when attempting to compare the **Second Degree Breach of Peace statute**. For that reason, being a trained linguist fluent in 5**

languages and having lived around the world I knew a proper presentation of issues and facts from someone not living in the legal world could be enough for a proper court to let the people decide on clearly defining the word “stalking” or even worse “*stalking women*” that Altice/News 12 so carelessly deployed that yes extremely deviated from the Arrest Warrant. It is obvious as I will show once again here – there is proper agreed upon definitions and distinctions between **Stalking and Harassment** and **Second Degree Breach of Peace** let alone **any past Incident Report Devoid of arrest NO Probable Cause for anything**. For that reason, this case with both my Brief and Reply Brief with All Exhibits if not resolved properly here is best suited for the Supreme Court for I do not understand how so much information can be excluded from being referenced to - **ALL EXHIBITS A-Z, AA**, and now to aid Court even more **EXHIBITS AAA-JJJ**, when writing Decision. I believe I am entitled to proper references to all my evidence presented even if I am Pro Se male attempting to get fair and balanced treatment in New York. The case belongs in front of a jury of everyday people.

**THE FOLLOWING 4 (due to word limit) of 11 QUOTES FROM APPEAL COURT DECISION I TAKE ISSUES WITH.**

**1: SECOND CIRCUIT COURT OF APPEALS:**

Here, the district court properly granted summary judgment because the evidence showed that News 12 accurately reported on what police said regarding Lawrence’s documented history of following women in a harassing manner. The totality of Lawrence’s conduct—including on November 5th and numerous past instances—met the common definition of “stalking”: “to pursue quarry or prey stealthily,” or “to pursue obsessively to the point of harassment.” *Stalk*, Merriam-Webster’s Online Dictionary (accessed Nov. 9, 2020). As described in the arrest warrant

**Deposition of Arresting Officer James Sullivan - James Lawrence v. Hearst:  
SEE Exhibit JJJ**

25 Q. Okay. Now, from your research, are you aware

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1 that any past incident report of mine fully  
2 investigated, resulting in no arrest, no probable cause  
3 for arrest, with the cases all closed, all have brief  
4 the description of either suspicious person or police  
5 general service, and not one incident report has the  
6 brief description of harassment. Did you read this  
7 fact?

22 A. And you are correct in that assumption.

**There was no descriptions of veritable harassment and harassment was never deployed in Arrest Warrant or any past Incident Report !** The “*totality of Lawrence’s conduct*” (known by reporter - alleged and unproven and unprovable) is very mysterious to say the least. Is it just for a police department or worst court to “*substantially*” assign a criminal behavior and very loaded term like **harassment** to someone devoid of any evidence?

For perspective, lets say someone goes to the market and likes to take more than their share of the free samples put out to taste. This person is warned yet persists in returning to make a snack of free samples. Is it just to call this person a thief and if so what kind of thief? Is the “*totality*”

of this taking of free samples yet never charged for any particular time to be allowed to be labelled thievery let alone the worst kind of thievery like persistent threatening armed robbery of various times and various locations? There is a phrase given by warrant officer to address this “*totality of Lawrence conduct*” and it is “*get into personal space*”. SEE Exhibit X

**FACT: Police NEVER used the word harass (actual Connecticut Statutes) much like they NEVER deployed the word stalk or investigated me for either harassment or stalking and NEVER charged me for anything in related to “cases” of the past mentioned in the warrant.** The “*totality of Lawrence’s conduct*” is at worst various one time now eternally unproven and unprovable “*follow and getting into personal space*” and anything more is complete unproven and unprovable fabrications – dangerous fabrications. Such conflating of the terms of alleged one-time arrest of “*follow and getting into personal space*” (not convicted) let alone past unproven and unprovable “*follow and get into personal space*” with **stalking and harassment** that does not exist within the actual Arrest Warrant wording is dangerous. Are we to describe any courting behavior or allegedly awkward courting behavior at common night clubs or any public space as “*harassment*” or “*stealth*”? I ask – reread all arguments and Exhibits from Brief 1 and Reply Brief 2. There was NO VERITABLE “*stealth*”. The Exhibits you rejected in Reply Brief (my fault not knowing the rules) but now gratefully presented here in Petition will aid you more as to what is veritable “*stealth*”.

SEE Exhibit AAA - Linguistic Evidence that the word **Stealth** is most often associated with a type of secrecy that is basically the misdoing act of **hunting, preying, attacking**, or at least a misdoing act of **spying, avoiding detection, being inconspicuous** which is not indicative in the Arrest Warrant wording or description of the arresting incident/s “*follow and stare or get right into personal space*”. **Stealth Bombers, Stealth Tanks, Stealth Ships, Stealth Guns, Stealth Armor, Stealth Viruses, Stealth Tax, Stealth Mode, “Stealthing”, etc . . . .** as more undeniable evidence of the “*mind of the average viewer/reader*” and “*popular acceptance*” of the word **stealth**.

There was also absolutely NO “*to pursue obsessively to the point of harassment*” for there is no prior warnings or words or hostile communications. No **verbal harassment** is evident in Arrest Warrant and NONE of my past has anything to do with **any harassment** (confirmed in Deposition – See Exhibit JJJ). **Police NEVER deploy this language “to pursue obsessively to the point of harassment” for they would have had Probable Cause for an arrest for something like Harassment which for this non-electronic media case in Connecticut would be a Third Degree Stalking charge.** These alluded past incidents or calls of concerns go back to 2001, 2002, 2004, 2006 – decades! Nothing can be known of these alleged one-time incidents at a public place devoid of ever having a witness. This is nothing but hearsay. Only if there were prior arrests could the court see this as prior bad acts.

**Why is the Court assuming the worst devoid of any kind of evidence?** The police themselves chose to NOT use the word **harass or stalk** for a good reason in tune with the laws and common descriptions of this stalking or harassment behavior. Why is the court never referring to my lack of arrest record in Connecticut and conviction record? Where is there anything **harassing**? You would think a “*totality of conduct*” would have one conviction – one proper form of Discovery but NO. This civil case is not for a Judge to interject their own personal feelings of a past

resolved criminal case nor never deemed criminal case/incident.

**Harassment** is a loaded term. Unlike the general term **stalk** there are types of **harassment** like **sex harassment**, **verbal harassment**, **electronic harassment**, **workplace harassment**, etc... . **Ever hear of supermarket harassment or night club harassment? NO.** There needs to be a proper description relative to the complaint. Google the term harassment and see what a loaded term it is. The first 10 pages of search results show **sex harassment!** Conflating a generalized reference to past Incident Reports to a loaded term like **harassment or stalking** is not justice.

**FACT: YOU CAN STALK SOMEONE WITHOUT THEM KNOWING BUT YOU CANNOT HARASS SOMEONE WITHOUT THEM KNOWING THEY ARE BEING HARASSED.**

So logic dictates if there was any *“pursuit to the point of harassment”* then there would be proper particular **harassment stories** and not some generalized conflated police narrative devoid of particular **harassing stories** with actual names tied to these **harassing stories** and with quotes from a woman telling these **harassing stories**, a generalized police narrative that never even itself uses the **stalk or harassment language** while attempting to cover any past list of Incident Reports (4 submitted by Altice) resulting in no Probable Cause for anything let alone **harassing**. Once again, this “totality” deserves details. Since it is firmly established there was no hostile words or warnings aka **verbal harassment** and it certainly is not **sex harassment** and no evidence of any persistence - Course of Conduct, then what kind of **harassment** are we talking about here? The woman from the one arrest let alone any woman from the past never uses the term **harass** when describing the encounter. What are we talking about here? **Snowflake harassment?**

**FACT: The only time we see the word harass in the Warrant is when the Officer writes in Section 10 that I said the police were harassing me while referencing a past run in with the police.** That is the only time you see the word **“harass”** in the warrant! And notice it is in reference to more than one encounter with police – comparing the incident at the time to another incident in the past – 2 or more Incidents directed at me – Course of Conduct.

### Section 10 of the Warrant:

10. That during our conversation with Lawrence we would have to keep reminding him to lower his voice and stop swearing. He stated that he felt the police were harassing him. That he was arrested in a previous incident in this town (file #2017-022558) and he was able to get the charges cleared because he did not do anything wrong. In checking this file later, I learned that there is still a protective order in effect against Lawrence.

[Note in reference to Section 10: : I never said I was arrested in the past – another mistake from Officer (outside of not able to convict me). Fact: I was never arrested in Connecticut before this fiasco.]

Why would the warrant writing Officer mention the word harass when referring to my feelings with the police yet then never counter with the same harass language when referring to the arresting incident let alone any past complaint/call of concern from another person? The word harass is obviously in his vocabulary. The court accuses me of *“pursuing obsessively to the point of harassment”*. The officer did not write this. THERE IS NO INTENT characteristic with Course of Conduct behavior. If there are no words between anyone over a one brief time how can it be termed *“obsessively to the point of harassment”*. See **Brief #1** again.

## 2A: SECOND CIRCUIT COURT OF APPEALS:

<sup>1</sup> Compare Conn. Gen. Stat. § 53a-181e(a) (third-degree stalking) (“A person is guilty of stalking in the third degree when such person recklessly causes another person to reasonably (1) fear for his or her physical safety, or (2) suffer emotional distress. . . by wilfully and repeatedly following or lying in wait for such other person.”), with *id.* § 53a-181(a) (second-degree breach of peace) (“A person is guilty of breach of peace in the second degree when, with intent to cause inconvenience, annoyance or alarm, or recklessly creating a risk thereof, such person: Engages in . . . threatening behavior in a public place.”).

WHY IS THE COURT NOT QUOTING THE ENTIRE **SECOND DEGREE BREACH OF PEACE STATUTE** IN TUNE WITH THE OFFICER’S WORDING AND OBVIOUSLY WHAT HE ARRESTED ME FOR WHICH IS NOW VERIFIED FROM HIS DEPOSITION?

Deposition of Arresting Officer James Sullivan: **SEE EXHIBIT JJJ - PAGES 25-26**

21 Q. Okay. There are six parts of the  
22 second-degree breach of peace statute, Officer. Which  
23 part of this one count of second-degree breach of peace  
24 did you arrest me for? Did it fit under section 1, 2,  
25 3, 4, 5, or 6?

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1 MR. YUHAN: Objection to form.

2 A. It was being referenced to part 6.

**FACT: I was arrested for #6 “creates a physically offensive condition” and NOT #1 “... threatening behavior in a public place”, nor #2, nor #3, nor #4, nor #5.**

## 2005 Connecticut Code - Sec. 53a-181. Breach of the peace in the second degree: Class B misdemeanor.

**Sec. 53a-181. Breach of the peace in the second degree: Class B misdemeanor.** (a) A person is guilty of breach of the peace in the second degree when, with intent to cause inconvenience, annoyance or alarm, or recklessly creating a risk thereof, such person: (1) Engages in fighting or in violent, tumultuous or threatening behavior in a public place; or (2) assaults or strikes another; or (3) threatens to commit any crime against another person or such other person's property; or (4) publicly exhibits, distributes, posts up or advertises any offensive, indecent or abusive matter concerning any person; or (5) in a public place, uses abusive or obscene language or makes an obscene gesture; or (6) creates a public and hazardous or physically offensive condition by any act which such person is not licensed or privileged to do. For purposes of this section, "public place" means any area that is used or held out for use by the public whether owned or operated by public or private interests.

**The Officer's entire Deposition verifies there NEVER was any threatening from anything in my past as well (SEE Exhibit JJJ).** So how can the Court now conflate **Third Degree Stalking** with **Second Degree Breach of Peace**? Where is the word **stalk** in any of this statute let alone part #6?

Notice in the statute part #6 **"a" physically offensive** condition. The phrase **"physically offensive"** insinuates disorderly conduct. One can be disorderly in a momentary one act and be offensive, yet it is certainly not **stalking or harassment**. For example, one can throw a brick through a window and be charged with **Second Degree Breach of Peace** but not **Harassment or Stalking**.

I was arrested once and not multiple times. Past references to **unproven and unprovable acts devoid of any kind of arrest** cannot be depicted as anything – stalking, harassment, breach of peace, creating a public disturbance, offensive or threatening!

**Threatening** is an actual charge. AND if there are **threats** it is documented by police.

**FACT:** The police in their Harassment Arrests distinguish if the Harassment was Threatening or Non-Threatening. HERE is even how my later **Second Degree Email Harassment Arrest – an actual harassment arrest** was depicted by police (arrest deemed not relative in case at hand because the arrest was 1 year after Altice/News 12 libel and slander but most certainly because of the media treatment of me).

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## Westport Custodial Arrest Synopsis

02/04/2019 to 02/08/2019

CASE:	2018-019908
ARREST DATE:	02/06/2019
ARRESTED:	<b>James Lawrence AGE: 53 RESIDENCE: Westport, CT</b>
CHARGE:	Harassment 2 <sup>nd</sup> : <b>Non-Threatening</b>
BOND:	\$25,000

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**Exhibit FFF** is the actual document – Official Police Press Release of the Feb. 6, 2019 arrest for Second Degree Email Harassment – Non-threatening. (Stands at a Nolle Prosequi without a court date for 15 months due to Covid-19) And notice how the bond for an actual **Harassment** Charge is \$25,000 while the bond for my one time One Count of **Second Degree Breach of Peace** was \$5,000.

**AND FACT:** Within the Official Police Press Release and Incident Report and Warrant for the relative March 5, 2018 **ONE Count of Second Degree Breach of Peace** arrest there are no words describing the act as **Threatening**. If police take the time to distinguish actual **harassment** charges as either threatening or non-threatening logic dictates they take **threatening** serious and would document and distinguish any other charge as **threatening**. Deposition of Officer CONFIRMS all of what I am saying here including any past Incident Report. **See Exhibits FFF, JJJ.**

## 2B: SECOND CIRCUIT COURT OF APPEALS:

<sup>1</sup> Compare Conn. Gen. Stat. § 53a-181e(a) (third-degree stalking) (“A person is guilty of stalking in the third degree when such person recklessly causes another person to reasonably (1) fear for his or her physical safety, or (2) suffer emotional distress. . . by wilfully and repeatedly following or lying in wait for such other person.”), with *id.* § 53a-181(a) (second-degree breach of peace) (“A person is guilty of breach of peace in the second degree when, with intent to cause inconvenience, annoyance or alarm, or recklessly creating a risk thereof, such person: Engages in . . . threatening behavior in a public place.”).

**Why is there confusion with these two different laws?** Are not different laws different for a reason? One is Course of Conduct – 2 or more – veritably repeated behavior after warning hence “wilfully” and “repeatedly”. See Exhibit HHH

THE WAY THE SECOND DISTRICT COURT DEFINES THE CONNECTICUT THIRD DEGREE STALKING STATUTE IS ARGUABLY WRONG. THERE IS NO “reasonably (1) fear for his or her safety, OR (2) suffer emotional distress . . . WITHOUT REFERRING TO THE SECOND DEGREE STALKING LANGUAGE. The Third Degree Stalking Statute is referring to the language of the Second Degree Stalking Statute – “AS DEFINED IN §53A-181D”. It is debatable that §53A-181E says to refer to §53A-181D.

# Connecticut General Statutes 53a-181e – Stalking in the third degree: Class B misdemeanor

Current as of: 2020 | *Check for updates* | *Other versions*

(a) A **person** is guilty of stalking in the third degree when such person recklessly causes **another** person to reasonably (1) fear for his or her physical safety, or (2) suffer emotional distress, **as defined in § 53a-181d**, by wilfully and repeatedly following or lying in wait for such other person.

**NOTICE THE COMMA AFTER** “(2) suffer emotional distress,”  
**THE NEXT PHRASE** “as defined by §53A.181d,”  
**THEN IS REFERRING TO (1) AND (2) TOGETHER.**  
**If §53A.181d was only meant for (2) there would not be a comma.**

Here is a common sense interpretation of the Connecticut **Third Degree Stalking law** from a reputable source that supports this interpretation for scholars realize the need to merge the two statutes when providing a clear definition.

## 2005 Connecticut Code - Sec. 53a-181e. Stalking in the third degree: Class B misdemeanor.

**Sec. 53a-181e. Stalking in the third degree: Class B misdemeanor.** (a) A person is guilty of stalking in the third degree when he recklessly causes another person to reasonably fear for his physical safety by wilfully and repeatedly following or lying in wait for such other person.

(b) Stalking in the third degree is a class B misdemeanor.

The statute is clear that it is a Course of Conduct behavior toward one person – 2 or more willing acts. The officer in Deposition CONFIRMS this. This is never the case with my past “incidents”/“concerns” devoid of complaint in the form of pressing charges and obviously devoid of probable cause for any kind of arrest AS POLICE AVOIDED. The alleged “cases”/incidents were calls of concern to police 10, 13, 15 and 17 years ago and not anything more! I am 55 years old 6 foot 5 inches and will have concerns directed at me forever as any large man of a jury could attest to. I never caused any harms. Nothing was ultimately deemed “offensive”. I have past one-hour investigations that entailed a police call or visit to me that resulted in no arrests (See Exhibit III). I have a clean Connecticut Record to this very day!

This is a very troubling opinion by the Second Circuit Court because they assume the worst without any evidence whatsoever like actual police Probable Cause arrests in the past.

**AND EVEN IF this imagined partially equated language of Connecticut Second Degree Breach of Peace Statute with the Third Degree Stalking Statute is to be taken serious then there needs to be some previous arrest for “offensive” Second Degree Breach of Peace (let alone conviction) to justify writing and saying that I was arrested for stalking several women – plural. I was never arrested for anything in the past. Once again – the pain I experience to have to provide common sense is truly mentally abusive.**

**SEE EXHIBIT BBB - VERY VERY VERY SIGNIFICANT.**

– Police’s Brief Description of “Suspicious Person” within the Incident Report for the March 5, 2018 arrest for Once Count of Second Degree Breach of Peace compared to the Incident Reports’ Brief Description for actual Harassment or Stalking Arrests being “Harassment”. Police Brief Description of “Suspicious Person” or “Police General Service” of any Incident Report that resulted in NO arrest cases long closed.

**SEE ALSO EXHIBIT CCC**

– Notice how within the list of Connecticut Statutes a noncriminal Infraction §§ is a possibility in relation to Second Degree Breach of Peace arrest but a noncriminal Infraction §§ is NOT listed as a possible/related outcome with Harassment or Stalking charges.

**THE DEPOSITION OF OFFICER JAMES SULLIVAN CONFIRMS MY ARGUMENT.**

**Deposition of Arresting Officer James Sullivan: SEE EXHIBIT JJJ – PAGES 30-31**

20

MR. LAWRENCE: Great. Okay.

21

Q. My next question is why did you not charge me

22

with third-degree stalking for the one and only arrest?

Page 31

1

A. The check that I did in your history, I

2

went -- in looking over all the charges, I went with the

3

breach of peace because it was the closest that fit what

4

you had done, your actions.

5

Q. Okay. Thank you. What would I have had to

6

have done to be charged with third-degree stalking?

7

Even if you wanted to arrest me for third-degree

8

stalking, what would I have had to do behavior-wise?

13

A. My understanding of the law itself would have

14

meant you would have had to have repeatedly stalked or

15

harassed the same victim --

16

Q. Okay.

17

A. -- over and over again.

### 3: SECOND CIRCUIT COURT OF APPEALS:

the police said regarding the November 5th incident, Lawrence's charges for similar behavior in California (where he was actually charged with stalking), and his outstanding protective order.

**WRONG!** How can these alleged and known unproven and unprovable Westport incidents already investigated resulting in no charges and statutes of limitations in effect be "*similar behavior in California*" when I was -

**1:** actually arrested in California in 1995 facing a **Stalking charge** ([DISMISSED 1995 SEE Exhibit F, G](#)),

**2:** actually had repeated contacts with someone in California in 1995 for I was living with my ex-girlfriend for 2 years before my Restraining Order Hearing resulting in a Granted Restraining Order (violated), while there was no Restraining Order Hearings for all incidents before 2017, AND only one Restraining Order Hearing in reference to the "cases"/"incidents"/"concerns" within Jan. 2017 resulting in a granting of a 1 year restraint that was never violated hence why there are such hearings and warnings before gross conflation of **stalking behavior** describing affairs devoid of any evidence.

[SEE Exhibit DDD](#) – **Persistent** Offenders Connecticut Statute that shows the typical charges associated with **Persistence** or "*totality*".

**It is very dangerous conflating and associating one-time momentary crossing of paths between strangers at a public market space with persistent crossing of paths between people known to each other as in relationships or involving past warnings.**

**With all due respect** – What is going on behind the scenes when discussing James Lawrence (never reported on before this insanity and never able to be Googled for anything bad let alone criminal) for the court's repeated holes in logic only lead me to conspiracy theories. I am a good law-abiding 55 year old person as my record indicates. What is going on behind my back? Why do I feel I am being judged from feelings and not evidence. Think about it - How did this insane and unproven and unprovable extreme doxing of my innocuous experiences with the police within this one little town of Westport Connecticut happen to which Altice shows 4 past Incident Reports and not 9? Why did this happen? Intuition is real and I clearly have the faculties to ascertain what goes on in this country at this very troubling time rife with political assaults. Am I being targeted for other reasons?

**FACT:** I do not identify with any idiotic general identity politic group. I am a Catholic American with my ancestry being of Italian, Polish, Lithuanian, and Native American backgrounds and identify with the languages I speak not with any idiotic color distinction that people use to define themselves. I do not belong to nor am I associated with any group at all. I do things (like defend myself) on my own and do not line up with cliques. My thoughts and essays of my experience within America since 1965 exist within the various blogs that I write and that is it. Why am I targeted without a trial to find out more about this mysterious hit job?

#### 4: SECOND CIRCUIT COURT OF APPEALS:

Even though the graphics in the fourth and final television report and the headlines of both internet articles gave the impression that Lawrence had been charged with stalking, the contents of those reports compensated for these inaccuracies by accurately describing Lawrence's charged conduct. See *Woodcock*, 230 Conn. at 554 ("Inaccurate headlines are not libelous if they are

The Court is confused and misrepresenting the submitted Evidence. There are 3 Broadcasts (the fourth submitted is a copy of another in case one was not heard due to tape quality). PLEASE RE-READ REPLY BRIEF AND VIEW ALL EVIDENCE SUBMITTED for **ALL** News 12 articles and broadcasts do not "dull any impact" as Judge Underhill wrote, or as this court now says "compensated". What does that mean "compensate"? **If the Court believes removing the material is a type of compensation, then they owe me such proper detailed non-evasive descriptions so I can defend against any future "unfair" and "outright false" coverage.**

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

Merriam-Webster SINCE 1828

compensate

Dictionary Thesaurus

# compensate verb

Save Word

com·pen·sate | \ 'käm-pən-,sāt , -pen-\

**compensated; compensating**

## Definition of *compensate*

*transitive verb*

- 1 : to be equivalent to : **COUNTERBALANCE**  
// Her virtues *compensate* her faults.
- 2 : to make an appropriate and usually counterbalancing payment to  
// *compensate* the victims for their loss
- 3 **a** : to provide with means of counteracting variation  
// *compensate* a magnetic needle
- b** : to neutralize the effect of (variations)



*intransitive verb*

- 1 : to supply an equivalent —used with *for*  
// ... *compensate* for his feelings of loneliness by assertions of superiority.  
— W. H. Auden
- 2 : to offset an error, defect, or undesired effect  
// his enthusiasm *compensates* for his lack of skill
- 3 : to undergo or engage in psychological or physiological compensation  
// His aggression was an attempt to *compensate* for inherent passivity.



PLEASE REREAD what I submitted in REPLY BRIEF DETAILING all the articles and broadcasts and how they do not “*dull impact*” or as the court now says “*compensates*”. **Why is the Second Circuit Court afraid to use the very words Judge Underhill used?** Keep in mind there was not even a follow up story by News 12 to “*compensate*” after they took down their (established by Judge Underhill at Motion to Dismiss) “*unfair*” coverage and “*outright false*” coverage (established at his Summary Judgment). How can such false coverage not have an inkling of some effort to compensate outside of removing the material and not truly compensating me?

I am not asking for a million-dollar settlement. I believe at least the minimum \$75,000 would be at least in order. Why is this system so extreme where we do not even get to a point to seek middle courses in between for News 12 obviously wronged me, yet we are deciding on the case as if it is either absolutely not defaming for News 12 to paint me as a stalker (thereby empowering even more slander and libel from other media) or that News 12 absolutely defamed me and should pay me some large amount of money. American insanity.

**Any proper legal system would be seeking a middle course in between that would benefit society for this middle course in between would attempt to address and discourage the plaque of bad press behavior, let alone start redefining these stale old most often irrelevant precedents that are not appropriate for the new age of electronic media.** For example, New York Times v. Sullivan was in 1964, while Xerox was introduced to society in 1960 and had not saturated the libraries and offices of the culture until the 1970s. Today 2020 (55+ years later!!!) everyone has not only a Xerox machine on their phone but are capable of instantly publishing themselves unlike 1964. With all due respect – wake the hell up!!! If the courts refuse to be proactive in establishing proper rules to discourage this plaque of slander and libel then how do you expect our culture to behave in the future? News 12 had no business attempting to report upon long gone **resolved** investigations of a one-time “**suspicious person**” at a public market as **stalking** that are eternally **unproven and unprovable** – NOT **second degree breach of peace**, NOT **harassment or stalking**, NOT anything but a call of concern that was NOT anything dangerous, harmful, threatening, offensive, let alone criminal! This type of Guilt by Accusation devoid of proper evidence is sadly promoting current snowflake mentalities that fuel the current unfair persecutory practices that exist in this disturbing zeitgeist.

## **MORE CONCLUSIONS – See ALL Submitted Briefs and Exhibits**

This decision empowers police to potentially wield lower arrests/laws to portray people for other crimes devoid of evidence. This decision allows the press to inject other types of crimes not related to anything someone is arrested for. I have shared pages of common sense and ask that what my respectful disagreements with what the Court did attempt to address from my previous arguments in their Summary Judgment be properly processed for as I have shown and can easily show with detailed presentations of Damages - this is not a good decision for the country and empowers others to attempt to misrepresent and cause unstoppable blowbacks of eternal persecution in this age if the Internet. Courts need to have the courage to act where there is undoubtable evidence of someone wrongly portrayed the way Altice/News 12 portrayed me. There is no refuting the numerous errors and overall “*unfair*” and “*outright false*” tones – like headlines and actual content of the articles and broadcasts. Their coverage was not only obviously unproven as police themselves can only say – **their coverage was never meant to be talking about the issue of stalking (see Exhibit III)** which is why they took their “*unfair*” and “*outright false*” coverage down, **and yes - it is forever unprovable.**

WHY HAS THIS TIME PERIOD INVITED SO MANY LOOSE PLAYS WITH LOGIC? A common saying amongst many political camps these days is that  $2+2$  DOES NOT = 4 anymore but we are now being empowered (and bombarded) in regards to many issues that  $2+2=5$ . Our country looks for leadership and the obvious near 50/50 division politically (identity politic groups included) shows this division is going nowhere for the coming decades. People politically right and left (or whatever) are arming themselves and justifying hideous behaviors and violent acts with such types of loose  $2+2=5$  logic. The media is contributing to causing these inversions of reason. This inversions of reason like overly liberal loose conflating of terms must end and it is the job of the courts to send clear messages that if America is going to heal and be fair to all people we all must learn to behave toward each other and respect Due Processes of Law and not instill this insane Guilt by Accusation Culture and allow more chaos that will only cause more conflicts. This does not necessarily mean a gross million-dollar settlement but something temperate – seeking a middle course in between.

The Appeals Court’s decision is extreme. Walking over to talk to someone one time at a public space is not **stalking** in any way as police themselves carefully avoided such hideously extreme descriptions. I never caused any Damages, and never had anyone seek to persecute me for a crime – wilfully repeatedly Course of Conduct or not. Any kind of portrayal of past Incident Reports outside of having past “concerns” leading to no arrest is the only way I can be properly reported upon. All else is slander and libel especially when the police themselves are not deploying the laws or language related to the slander and libel.

THE COURTS ALSO MUST SHOW SOME EMPATHY WITH THE INTERNET ZEITGEIST. Persecutions happen easier than ever but wrongfully attaching police to these persecutions cannot successfully be refuted to those who pick up on the persecution (See Exhibit JJJ). My case has never been frivolous and deserves at the least a jury of our peers to sort out the obviously broad conflated definitions of **stalking** and the veritable “*mind of the average viewer*” and “*popular acceptance*”.

This Decision only aids the current shameful Cancel Culture that violates the Constitution in far too many ways. I think we all know now that there is a domestic culture war going on into the next decade. Does the Court want to empower more types of extreme loose behaviors from the press that breeds more Cancel Culture? Is this the aim of this Decision to empower the press more ways to marginalize and label innocent people accused for I myself have been cancelled ([SEE Damages](#)) because of News 12's coverage?

## Rapper Tom MacDonald's "Fake Woke" that RIPS Cancel Culture Reaches #1 on Hip-Hop, Rap and All-Genre US iTunes Song Sales

By Jim Hoft

Published January 30, 2021 at 8:06pm

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**The Courts have been infamously behind with the times around issues of the past. Books are being written on this worst gender war zeitgeist ever now. I guarantee the following related American ills to Cancel Culture will be seen in a different light in the future:** Self Appointed Social Justice Warriors, Bans and Black Listings and Purges, Victim Playing, Virtue Signaling, Guilt by Accusation, Not Respecting Presumption of Innocence and Due Processes of Law, Conflations of Terms and Alleged Crimes, Doxxing People, Online Shaming, Social Media Finger Pointing Madness, Tattle Tale Mentalities, Identity Politics, De-platforming, "Just Believe the Woman" Absolutist Nonsense, Double Standards, Private Vigilantism, Fake News, Social Media Feelings Become Hard News, Threatening People That You Will Make Them Go "Viral", Attacking and Getting People Fired For Their Beliefs, Allowing Complainants to Hide and Have NO Accountability, Increased Invasions of Privacy, ETC...

Yes I believe a detailed understanding of everyday real news that was related to this case is in order for "*substantial truth*" issues. **Many types of people want reforms with media and police and the courts.** I am a victim of extreme treatment. Extreme treatment is a key aspect of a slander case. Decisions like this are escorting a divided country into the very real future of groups having their own echo chamber of news and their own search engines and their own social media platforms. Is this what the court foresees as a healthy future? Media companies cannot be absolutely freed from any kind of responsibility. The more that we no - not outright punish or cancel media companies, but rather instruct them via at least some form of slaps on the wrist is better than allowing for unproven and unprovable material to fester under various stale "*substantial truth*" unprovable unscientific legal speak bullshit.

### **THE FOLLOWING IS VERY SERIOUS AND HAPPENING EVERY DAY NOW:**

What is to become now of James Lawrence from this reckless Decision by the court if it is not changed. Take the JOHNNY DEPP CASE – the famous actor Johnny Depp sued a British tabloid the past year for slander and libel who gave his ex-girlfriend's words "he is a wife beater" credibility despite him never being arrested for anything. He lost the case due to the "*substantially true*" argument. Sound familiar yet? Now in this Depp case (**unlike mine!**) there is an actual woman coming forward **in a trial** giving some kind of testimony. Why am I not

afforded this for some kind of proper witness and evidence?

After Depp lost the slander and libel case, Depp immediately LOST CONTRACTED WORK AND WILL CONTINUE TO LOSE WORK AND OVERALL QUALITY OF LIFE – **YES a “substantially true” Decision had the same “impact” on the “mind of the average viewer” as if it was true, so now a man trying to get perspective from courts will forever lose work and have his life ruined** being associated with “wife beating” despite NO arrest and NO hard cold truthful evidence.

There was NO arrest of me for **stalking** (let alone anything like **Second Degree Breach of Peace**) before the arrest of **ONE COUNT of Second Degree Breach of Peace** - EVER – in regards to the relevant material of past Westport (and only Westport) “Cases”/Calls of Concern fully investigated resulting in NO ARREST (let alone any conviction), AND I REFUSE TO BE **PROFILED AS A STALKER** IN THIS SICK AND TROUBLING TIME OF GUILT BY ACCUSATION THAT THE MEDIA IS BEING ALLOWED TO PRACTICE BY THE COURTS!!! SHOULD I BE FORCED NOW TO CHANGE MY NAME FOR THIS IS THE ONLY WAY TO GO ON NOW FREE OF BEING TARGETED? IS NOT CHANGING YOUR NAME A KIND OF “*substantially true*” DAMAGE? THE INSENSITIVITY BY THE COURT TO THE REAL ISSUES OF THIS CASE – MALE ISSUES –AND THEIR INABILITY TO ADDRESS THE CURRENT ZEITGEIST IN A FAIR AND BALANCED MANNER IS TROUBLING. My case is ideal to address needed analysis as to how to report in the age of MeToo because my case is not related to MeToo in any way. I come to courts for help to stop the madness being directed at me. This case belongs in front of a jury of multiple generational peers from perspectives in the real everyday world.

# **EXHIBIT AAA**

**STEALTH**

Linguistic Evidence that the word **STEALTH** is most often associated with a type of secrecy that is basically the act of **hunting, preying, attacking**, or at least spying, avoiding detection, being inconspicuous which is not indicative in the Arrest Warrant wording or description of the arresting incident/s **“follow and stare or get right into personal space”** like the fact I approached a car window. It is also impossible to stealthily stare in a market with aisles. A stealth-like stare if not with binoculars would be to avoid detection that is hardly the case when and if men are harmlessly flirting with women.

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

Merriam-Webster SINCE 1828

stealth

DICTIONARY | THESAURUS

### Definition of *stealth* (Entry 1 of 2)

**1** : a cautious, unobtrusive, and secretive way of moving or proceeding **intended to avoid detection**

// Makos, among the fastest of sharks, chase down their prey. Slower species ... rely on *stealth* and explosive power.

— Steve Kemper

// The intricate labor ... required courage and *stealth*.

— Sue M. Halpern

// As we walked closer we began treading with exaggerated *stealth* until we came very close ...

— Dorothy Dimsdale

// A thief does his work in secret and **by *stealth***.

— Harry Shaw

**2** : an aircraft-design characteristic consisting of oblique angular construction and avoidance of vertical surfaces that is intended to produce a very weak radar return —usually used before another noun

// a *stealth* bomber/fighter

// *stealth* aircraft

// *stealth* technology

**3 a** *archaic* : THEFT

**b** *obsolete* : something stolen



SINCE 1828

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

stealthy

DICTIONARY

THESAURUS

Visit the Thesaurus for More »

## Choose the Right Synonym for *stealthy*

SECRET, COVERT, STEALTHY, FURTIVE, CLANDESTINE, SURREPTITIOUS, UNDERHANDED mean done without attracting observation. SECRET implies concealment on any grounds for any motive. // met at a *secret* location // COVERT stresses the fact of not being open or declared. // *covert* intelligence operations // STEALTHY suggests taking pains to avoid being seen or heard especially in some misdoing. // the *stealthy* step of a burglar // FURTIVE implies a sly or cautious stealthiness. // lovers exchanging *furtive* glances // CLANDESTINE implies secrecy usually for an evil, illicit, or unauthorized purpose and often emphasizes the fear of being discovered. // a *clandestine* meeting of conspirators // SURREPTITIOUS applies to action or behavior done secretly often with skillful avoidance of detection and in violation of custom, law, or authority. // the *surreptitious* stockpiling of weapons // UNDERHANDED stresses fraud or deception. // an *underhanded* trick //

**English: Stare – 1: to look fixedly often with wide-open eyes**

**2: to show oneself conspicuously**

**Conspicuous - easily seen or noticed; readily visible or observable**



SINCE 1828

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

stealth

DICTIONARY

THESAURUS

## Examples of *stealth* in a Sentence

### Noun

// The fox uses *stealth* and cunning to hunt its prey.

### Adjective

// the SWAT team carried out a *stealth* raid on the house, which was believed to be harboring a terrorist cell

---

## Again - the etymology of stealth is steal: Websters **Stealth**

- 3 a *archaic* : [THEFT](#)
- b *obsolete* : something stolen

## AFRICAN AMERICAN SLANG FOR THE WORD STEAL – **AN ATTACK**

4



### steal

To **punch someone**

*Yo son, that mofo be [frontin](#). I'm gonna go steal him in his [mouf](#).*

*Damn son, you just [got stole](#) in your dome.*

by **Matt August 13, 2003**

5



### steal

1. to take [someone else's belongings](#)
2. the updated version, or slang that replaced "[sneak](#)", which means to **punch someone in the face**.

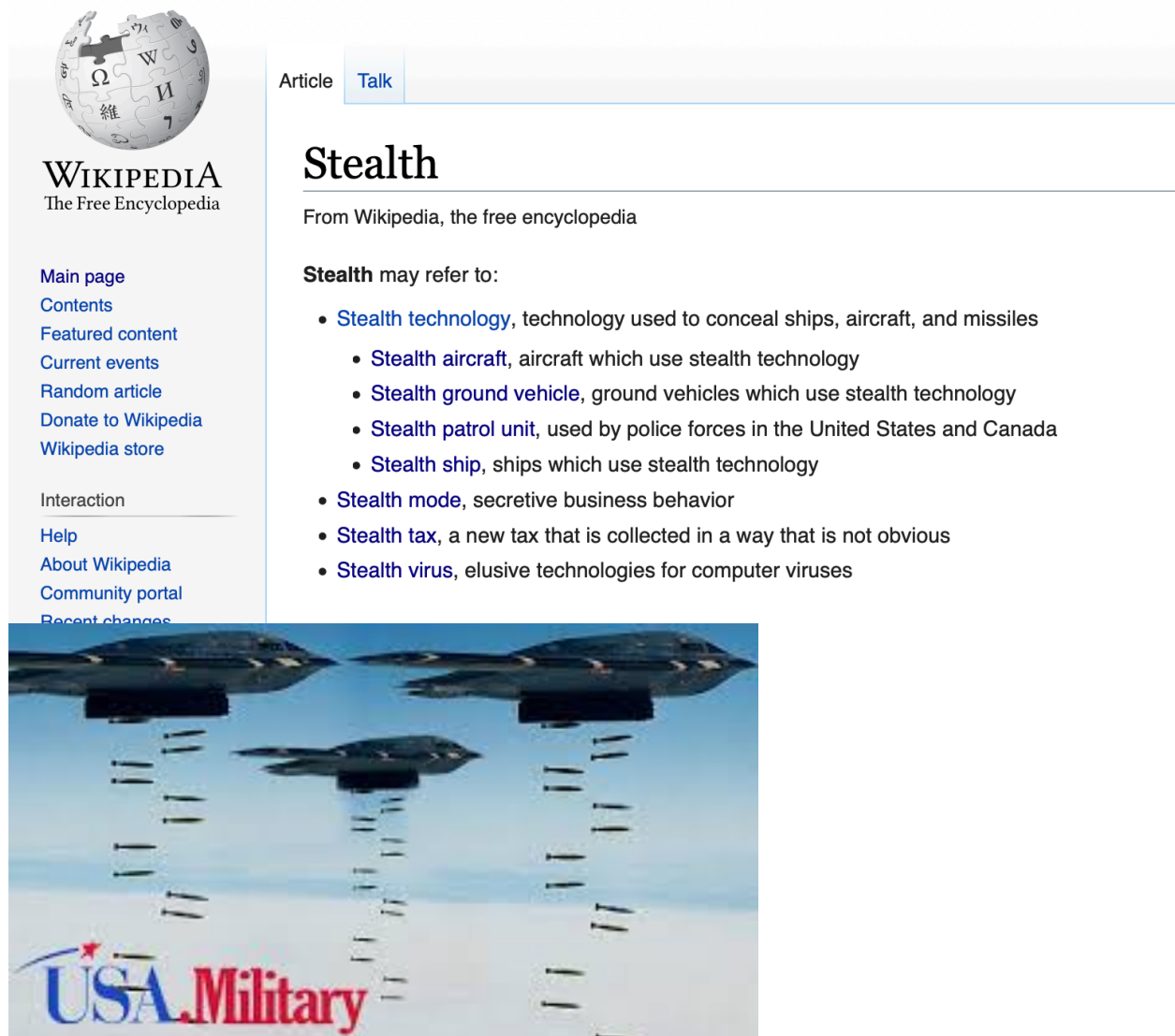
*1. Back when I was younger, I would have told dude '[Im'a](#) sneak you', but thats old so nowadays I just be like 'I'll steal the shit out you'.*

*2. If you steal my shit, [Im'a steal you](#) bitch!*

*3. To steal a person means to **punch them in their face**, therefore, it is redundant to tell someone that you will "steal them in the face".*

**Stealth Bombers, Stealth Tanks, Stealth Ships, Stealth Guns, Stealth Armor, Stealth Viruses, Stealth Tax, Stealth Mode, Stealthing, etc .... as more undeniable evidence of the “mind of the average viewer/reader” and “popular acceptance” of the word **stealth**.**

Once again the following are not simply called secretive bombers, secretive tanks, secretive ships, secretive guns, secretive viruses, secretive taxes, etc ..... because they are types of secretive behavior – they are **hunting, infecting, attacking, being inconspicuous ....**



The image is a screenshot of the Wikipedia article for the word "Stealth". On the left side, there is the Wikipedia logo (a globe made of puzzle pieces) and the text "WIKIPEDIA The Free Encyclopedia". Below this are several navigation links: "Main page", "Contents", "Featured content", "Current events", "Random article", "Donate to Wikipedia", and "Wikipedia store". Underneath these is a section for "Interaction" with links for "Help", "About Wikipedia", "Community portal", and "Recent changes". The main content area on the right has a tabbed interface with "Article" selected and "Talk" next to it. The title "Stealth" is prominently displayed. Below the title, it says "From Wikipedia, the free encyclopedia". The text "Stealth may refer to:" is followed by a bulleted list of definitions: "Stealth technology" (used to conceal ships, aircraft, and missiles), "Stealth aircraft" (aircraft which use stealth technology), "Stealth ground vehicle" (ground vehicles which use stealth technology), "Stealth patrol unit" (used by police forces in the United States and Canada), "Stealth ship" (ships which use stealth technology), "Stealth mode" (secretive business behavior), "Stealth tax" (a new tax that is collected in a way that is not obvious), and "Stealth virus" (elusive technologies for computer viruses). At the bottom of the screenshot is a photograph of three stealth bombers flying in formation, each carrying a large number of missiles. The "USA Military" logo is visible in the bottom left corner of the photo.

**Stealth Bomber is the second definition of stealth in most dictionaries.**

# What is a Stealth Virus?



Stealth is the term used to describe techniques used to make malware inconspicuous – that is, to conceal any changes made by the malware to the infected system. This includes, for example, rootkits.

How Stealth Viruses Infect Computers

**Stealth Viruses are types of stealth that can be considered the second most popular kind of stealth aside from military stealth. Viruses attack.**



## WHO special envoy says COVID-19 will be a virus that 'stalks the human race for quite a long time'

BY REBECCA KLAR - 04/12/20 11:22 AM EDT

759 COMMENTS

**THE TOP NEWS APRIL 12, 2020: World Health Organization -  
"COVID-19 will be a VIRUS that STALKS the human race for a long time.**

What is Stealthing and how is it done? ^

**Stealthing** is the trend of men removing condoms during sex without the girl knowing. ... **Stealthing**, as many people know, is the trend of men removing condoms during sex without the girl knowing. **This is a form of rape and abuse** known as reproductive coercion. Nov 7, 2017

www.yourtango.com › what-stealthing-and-how-tell-if-yo...

## What Is Stealthing And How To Tell If You've Been Stealthed ...

What does Stealth mean sexually? ^

Stealthing is the act of removing a condom during sex without the consent of the partner. It's illegal in many countries, and is a form of **sexual assault**.

www.dictionary.com › slang › stealthing

## What Does stealthing Mean? | Slang by Dictionary.com

Search for: [What does Stealth mean sexually?](#)

**“Stealthing” is a new term that is considered a form of sexual assault - attacks.**

# EXHIBIT BBB

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".

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>		<b>INCIDENT REPORT</b>		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*

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

PAGE THREE OF THE SAME INCIDENT REPORT REITERATES THE SAME.

Page <u>3</u> of <u>7</u>	<b>ADDITIONAL NARRATIVE</b> Westport Police Department	REPORT NUMBER: 2017-022937
		OR/# CT0015800
NARRATIVE TITLE Narrative From CAD		
Complaint Type: 59 - SUSPICIOUS PERSON Caller Name: [REDACTED] Officer ID: 04358, Officer Name: SULLIVAN, JAMES [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		

THE “BRIEF DESCRIPTION” AND “COMPLAINT TYPE 59” IS **NOT HARASSMENT**.  
MEANING - THIS IS NOT A **HARASSMENT COMPLAINT**.  
MEANING – THE POLICE ARE NOT VIEWING THIS AS A **HARASSMENT CASE** YET.  
MEANING – THE COMPLAINANT IS NOT DESCRIBING **HARASSMENT**.  
MEANING – THERE WAS NO “**UNTIL THE POINT OF HARASSMENT**” AS THE COURT ATTEMPTS TO ASSOCIATE WITH A DICTIONARY DEFINITION OF **STALKING**.  
AND THIS IS AN ACTUAL ARREST.  
FACT: THE PAST INCIDENT REPORTS DEVOID OF ARREST ALSO SHOW THE SAME – **NOT HARASSMENT**.  
IT DOES NOT GET ANY CLEARER IN TUNE WITH NOT ONLY LINGUISTICS, LAW, BUT NOW LAW ENFORCEMENT POLICE CODING.

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> <b>INCIDENT REPORT</b> 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

həˈrɑs | \ 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>		<b>INCIDENT REPORT</b>		REPORT NUMBER: 2018-020668		
Westport Police Department		50 Jesup Road		ORI# CT0015800		
Westport CT 06880-4385		203-341-6000		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		
	METHOD OF OPERATION			HAR - HARASSMENT		
	DISPOSITION		EXCEPTIONAL CLEARANCE CODE	OFFENSE TRACT	CASE STATUS	
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	STATUTE DESCRIPTION			COUNTS	F/M
	53a-181d/13C	Stalking 2nd			1	M
	MARITAL	DEGREE	OFFENSE LOCATION	UNITS ENTERED	PREMISE TYPE	
	2nd				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.

## 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>		<b>INCIDENT REPORT</b>		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>		<b>INCIDENT REPORT</b>		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>		<b>INCIDENT REPORT</b>		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>		<b>INCIDENT REPORT</b>		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"**. Dispatch takes a call of concern/complaint and labels an Incident Report with the Brief Description in complainant's own words. 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!

# **EXHIBIT CCC**

**STUDY THE CONNECTICUT STATUTES:  
ANOTHER OBVIOUS DIFFERENCE  
BETWEEN **SECOND DEGREE BREACH  
OF PEACE** AND COURSE OF CONDUCT  
CRIMES **STALKING AND HARASSMENT****

**NOTICE HOW WITHIN THE LIST OF CONNECTICUT STATUTES AN §§§ INFRACTION §§§ IS A POSSIBILITY IN RELATION TO **SECOND DEGREE BREACH OF PEACE** BUT AN INFRACTION IS NOT A POSSIBILITY WITH **HARASSMENT OR STALKING****

- § 53a-180d Misuse of the emergency 9-1-1 system: Class B misdemeanor
- § 53a-180aa Breach of the peace in the first degree: Class D felony
- § 53a-181 Breach of the peace in the second degree: Class B misdemeanor
- § 53a-181a **Creating a public disturbance: Infraction** — yes
- § 53a-181b Intimidation based on bigotry or bias: Class D felony
- § 53a-181c Stalking in the first degree: Class D felony
- § 53a-181d Stalking in the second degree: Class A misdemeanor
- § 53a-181e Stalking in the third degree: Class B misdemeanor
- § 53a-181f Electronic stalking: Class B misdemeanor
- § 53a-181i Intimidation based on bigotry or bias: Definitions *not exist*
- § 53a-181j Intimidation based on bigotry or bias in the first degree: Class C felony
- § 53a-181k Intimidation based on bigotry or bias in the second degree: Class D felony
- § 53a-181l Intimidation based on bigotry or bias in the third degree: Class E felony
- § 53a-182 Disorderly conduct: Class C misdemeanor
- § 53a-182a Obstructing free passage: Class C misdemeanor
- § 53a-182b Harassment in the first degree: Class D felony
- § 53a-183 Harassment in the second degree: Class C misdemeanor *NO infraction*
- § 53a-183a Obstructing or interfering with the lawful taking of wildlife: Class C misdemeanor *NOT EXIST*

**Once again, Infractions are non-criminal and do not show up on a Connecticut Criminal Background check.**

# EXHIBIT DDD

WHY IS **SECOND DEGREE BREACH OF PEACE** NOT PART OF THE STATUTE ABOUT CRIMES OF **PERSISTENCE** or *"totality"*?

**PERSISTENT OFFENDERS CONNECTICUT STATUTE THAT SHOWS THE TYPICAL CHARGES ASSOCIATED WITH PERSISTENCE.**

[Connecticut General Statutes](#) > [Chapter 952](#) > [§ 53a-40d](#)

**Connecticut General Statutes 53a-40d –  
Persistent offenders of crimes involving assault,  
stalking, trespass, threatening, harassment,  
criminal violation of a protective order, criminal  
violation of a standing criminal protective order  
or criminal vio...**

Current as of: 2018 | [Check for updates](#) | [Other versions](#)

(a) A persistent offender of crimes involving assault, stalking, trespass, threatening, harassment, criminal violation of a protective order, criminal violation of a standing criminal protective order or criminal violation of a restraining order is a person who (1) stands convicted of assault under section 53a-61, stalking under section 53a-181d, threatening under section 53a-62, harassment under section 53a-183, criminal violation of a protective order under section 53a-223, criminal violation of a standing criminal protective order under section 53a-223a, criminal violation of a restraining order under section 53a-223b or criminal trespass under section 53a-107 or 53a-108, and (2) has, prior to the commission of the present crime, (A) been convicted of a capital felony under the provisions of section 53a-54b in effect prior to April 25, 2012, a class A felony, a class B felony, except a conviction under section 53a-86 or 53a-122, a class C felony, except a conviction under section 53a-87, 53a-152 or 53a-153, or a class D felony under sections 53a-60 to 53a-60c, inclusive, 53a-

72a, 53a-72b, 53a-95, 53a-103, 53a-103a, 53a-114, 53a-136 or 53a-216, assault under section 53a-61, stalking under section 53a-181d, threatening under section 53a-62, harassment under section 53a-183, criminal violation of a protective order under section 53a-223, criminal violation of a standing criminal protective order under section 53a-223a, criminal violation of a restraining order under section 53a-223b, or criminal trespass under section 53a-107 or 53a-108, or (B) been convicted in any other state of any crime the essential elements of which are substantially the same as any of the crimes enumerated in subparagraph (A) of this subdivision.

MY ARREST FOR **ONE COUNT OF SECOND DEGREE BREACH OF PEACE** LET ALONE **ANY PAST INCIDENT REPORT RESULTING IN NO ARREST** CASE KNOWN BY REPORTER TO BE CLOSED DOES NOT FIT ANY OF THESE CRIMES BECAUSE **SECOND DEGREE BREACH OF PEACE** IS NOT A COURSE OF CONDUCT CRIME INVOLVING **PERSISTENCE OR REPEATED** ACTS AGAINST PRIOR WARNINGS.

[Connecticut General Statutes](#) > [Chapter 952](#) > [§ 53a-181f](#)

## Connecticut General Statutes 53a-181f – Electronic stalking: Class B misdemeanor

Current as of: 2018 | [Check for updates](#) | [Other versions](#)

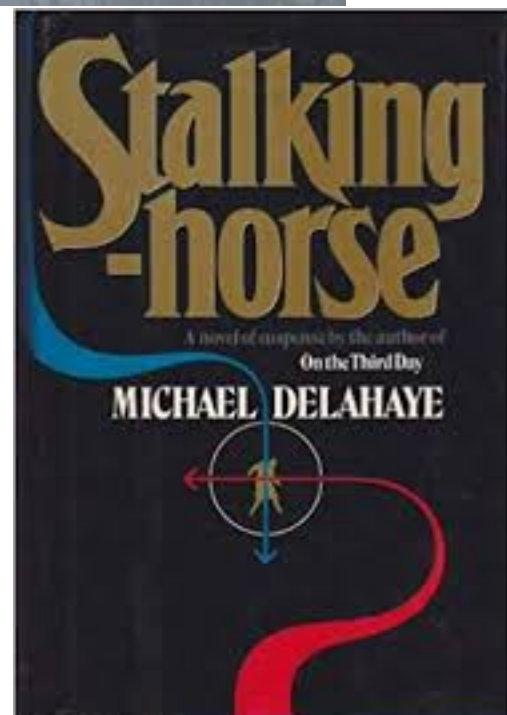
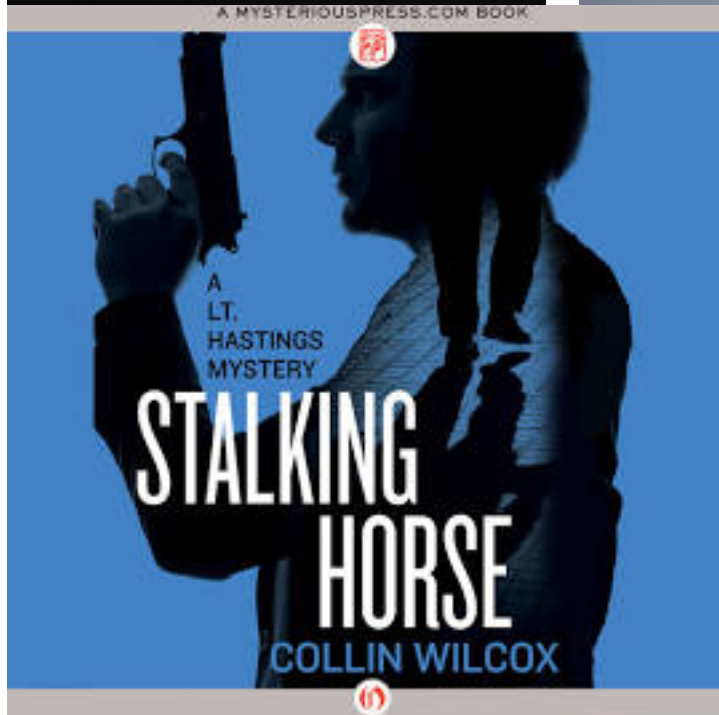
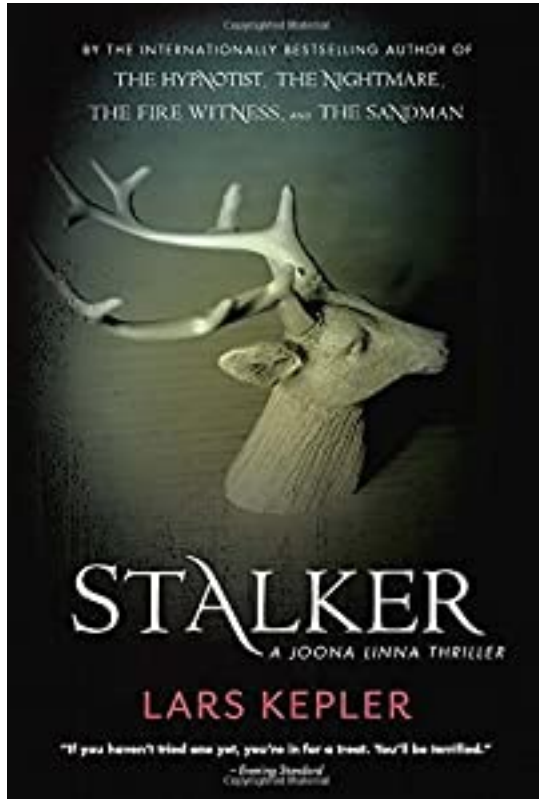
(a) A **person** is guilty of electronic stalking when such person recklessly causes **another** person to reasonably fear for his or her physical safety by wilfully and **repeatedly** using a global positioning system or similar electronic monitoring system to remotely determine or track the position or movement of such other person.

# EXHIBIT EEE

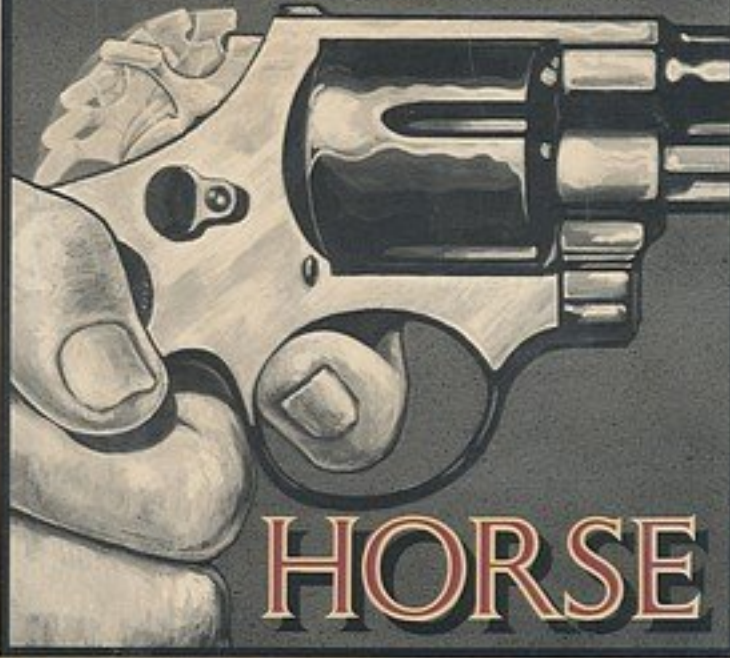
**A picture is worth a thousand words.**

/  
~ Judge Underhill: “The headlines (**Police: Westport Man Charged for Stalking Several Women**) are not defamatory because the average person reading the (News 12) Articles would not have been affected differently if the headlines read, for instance, “**Police: Westport man charged with breach of peace for following woman**.” Thus, the headlines are substantially true.” ECF 66 Page 20

**STALKING AS PORTRAYED BY NOVELS AND MOVIES AKA  
“MIND OF AVERAGE VIEWER” or  
“POPULAR ACCEPTION”**  
A VISUAL MONTAGE:; NOTICE **WEAPONS, PREYING, ATTACKING, HUNTING,**



STALKING

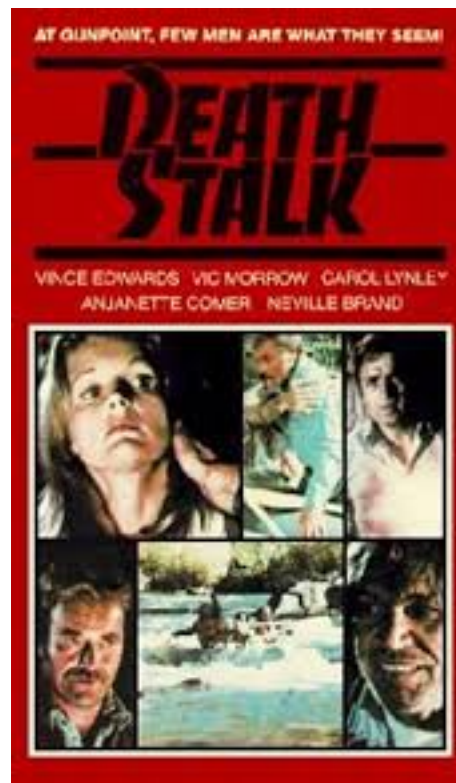
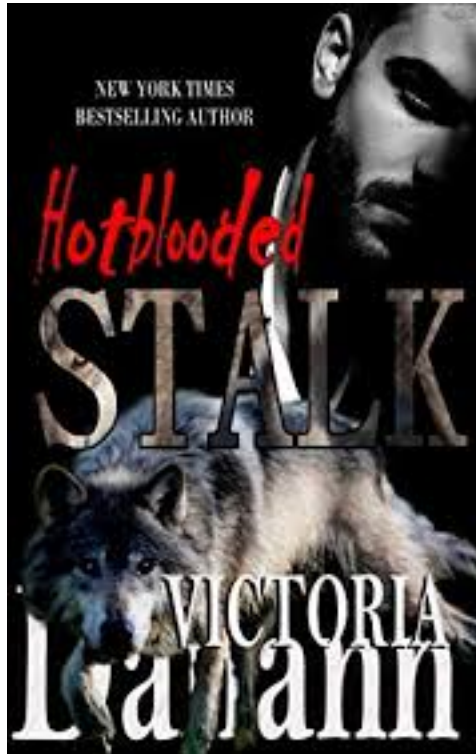
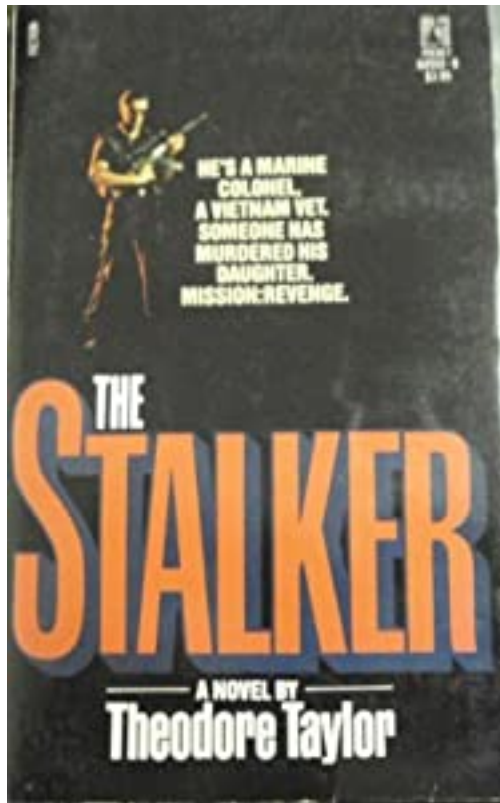


HORSE

COLLIN WILCOX

A Politician, Power and the Past  
Make an Explosive New Case for  
Little History of the San Francisco PD

© M.W. Books





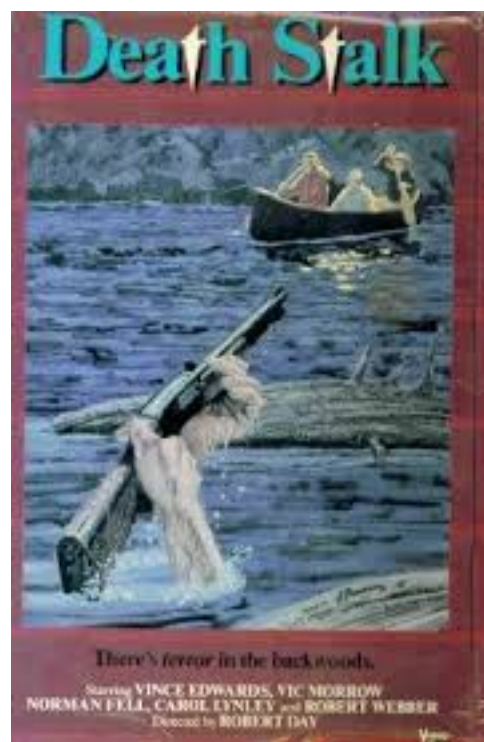
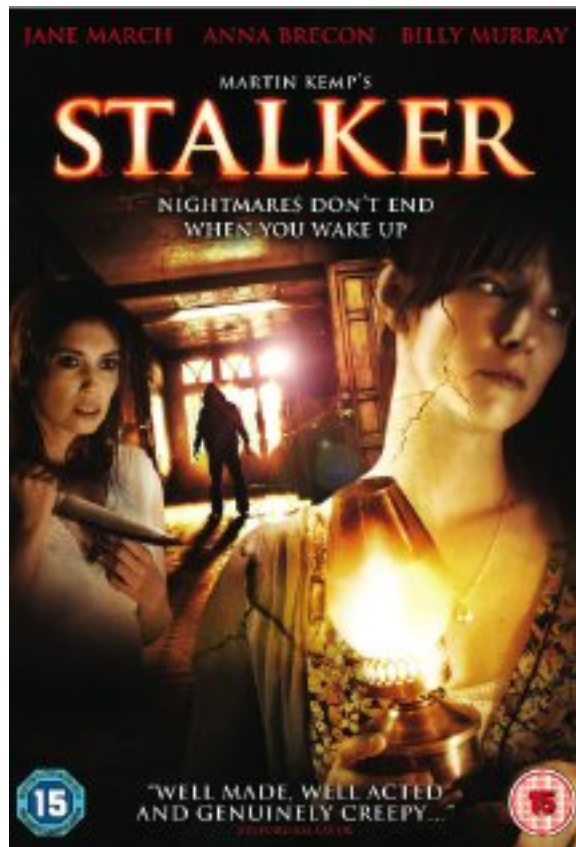
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**The stunning thriller of  
television terror**

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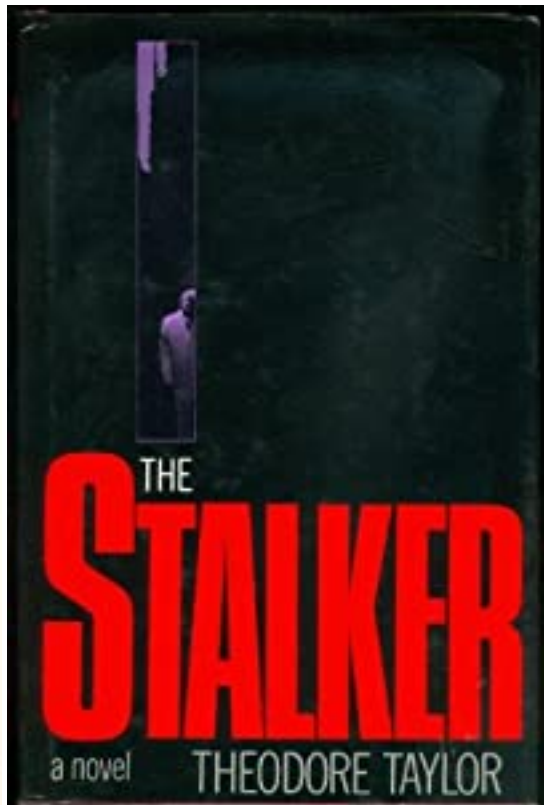
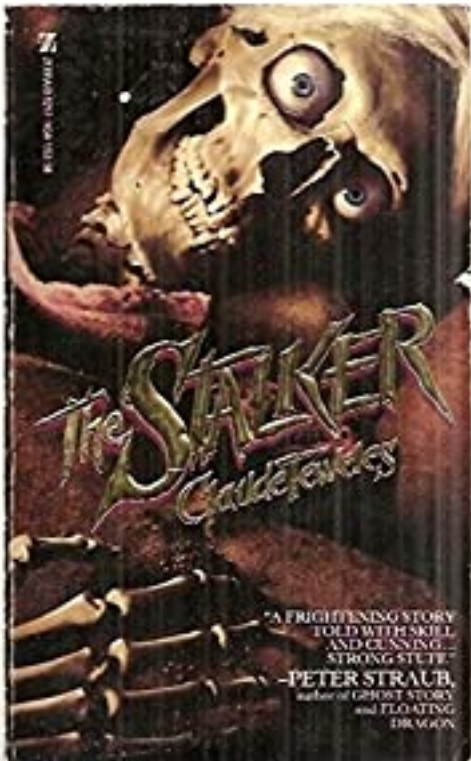
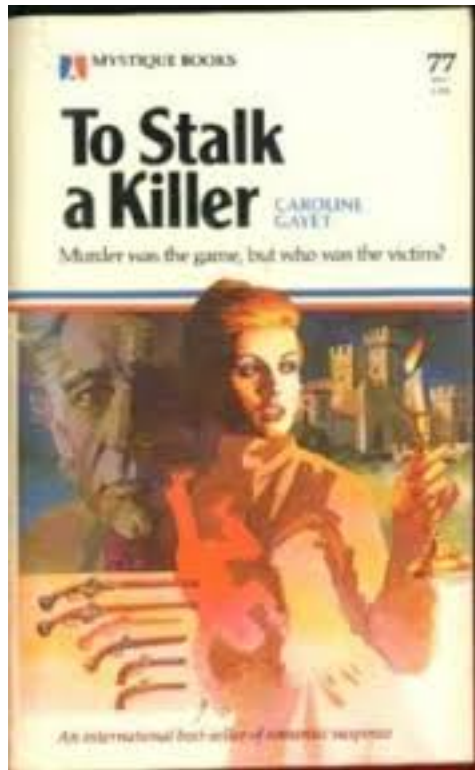
**BOB LANGLEY**  
**DEATH**  
**STALK**

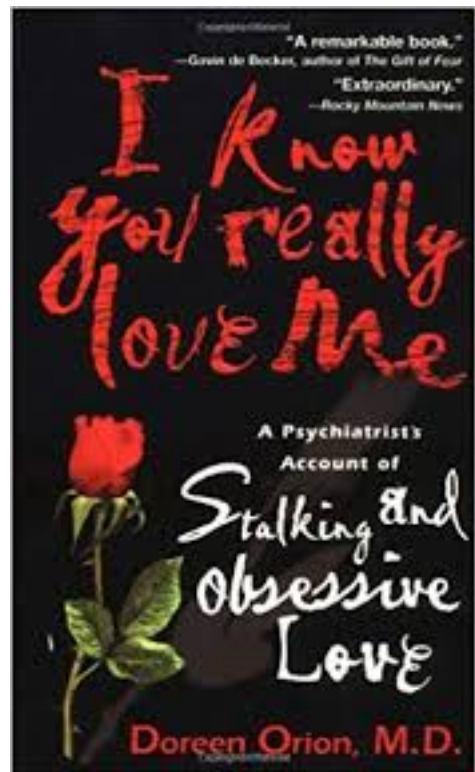
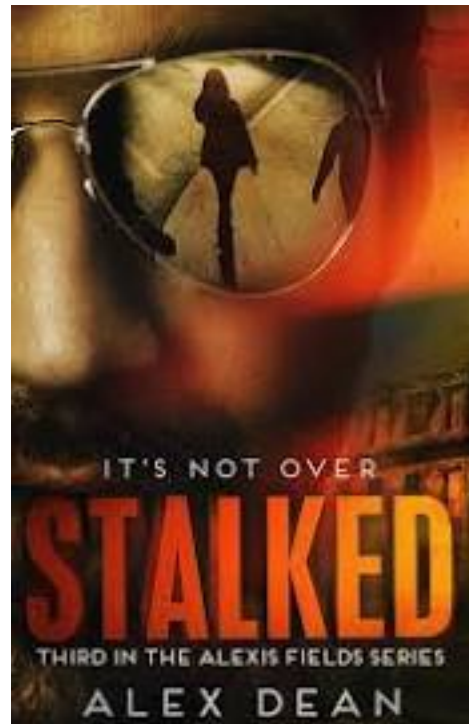
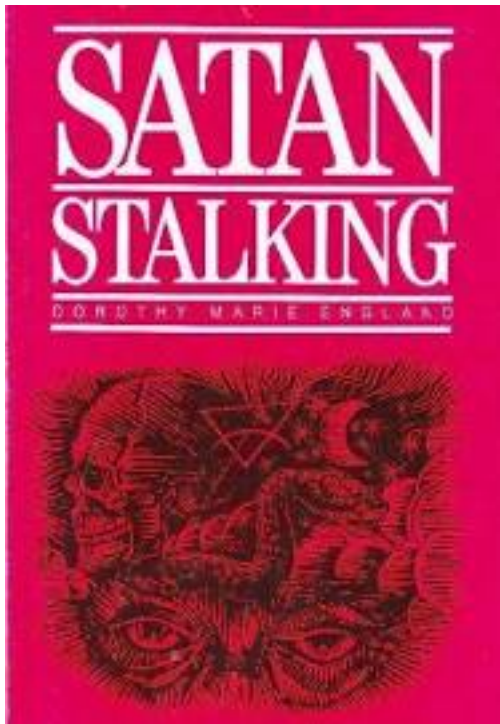


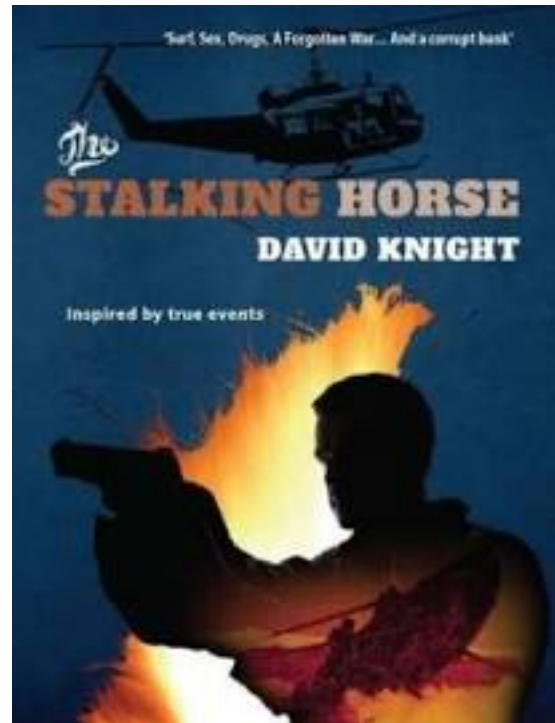
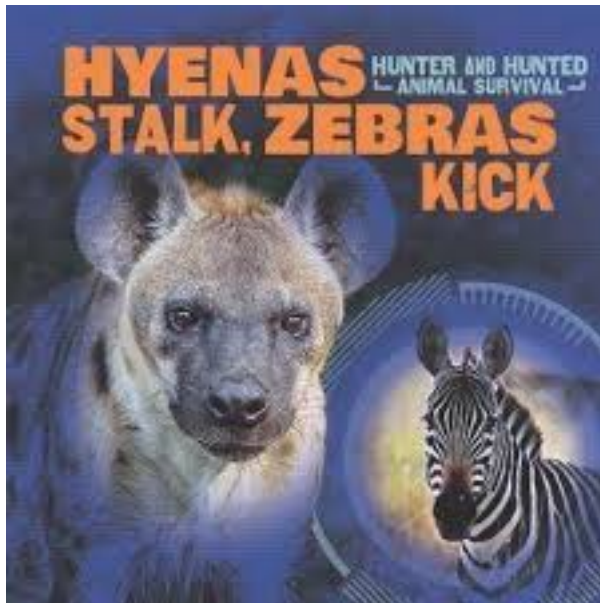
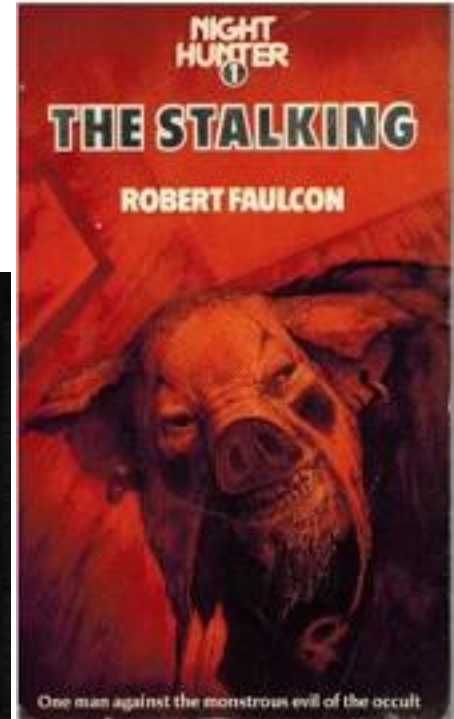




Amazon.com: the stalker (blu-ra...  
amazon.com

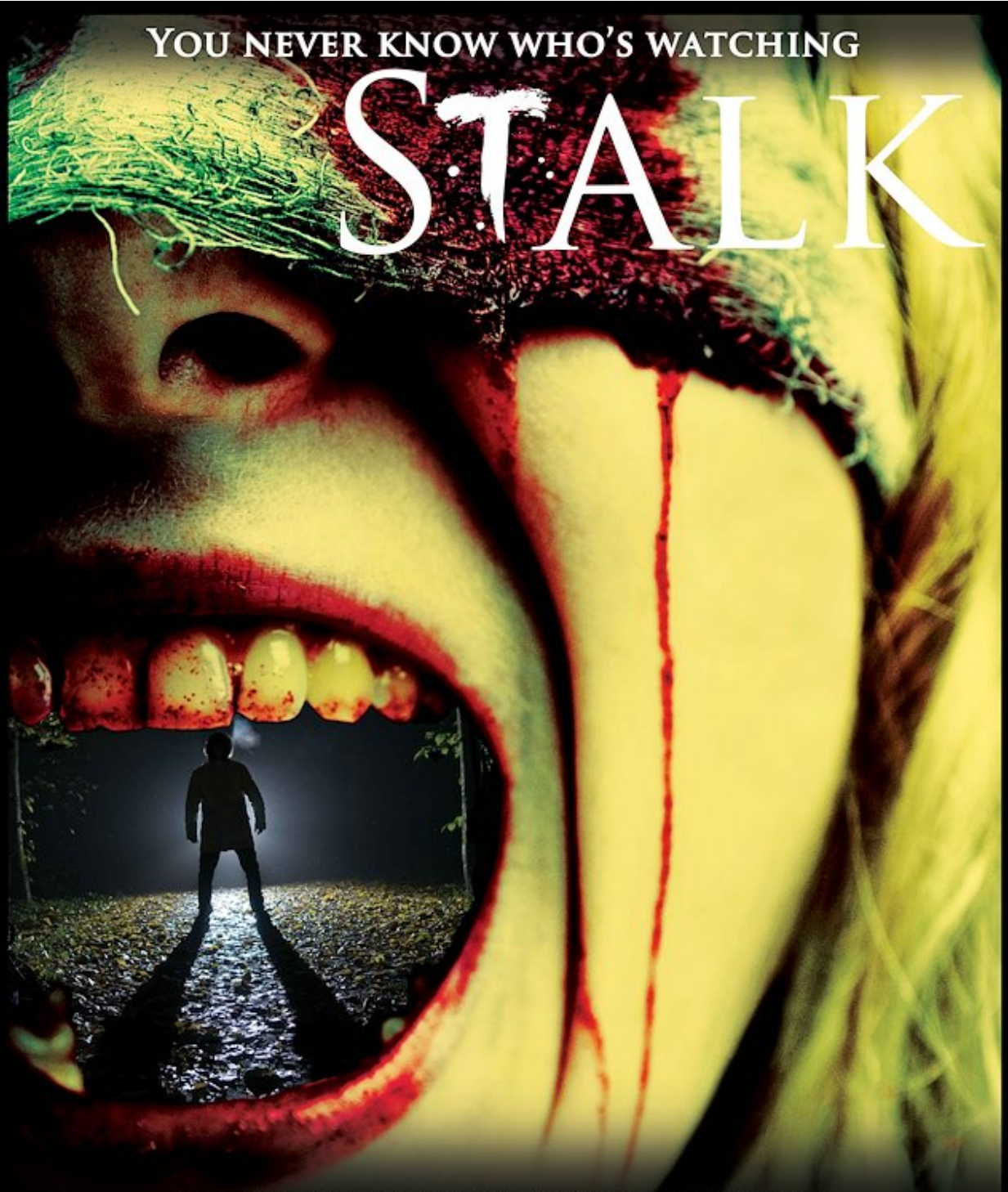






YOU NEVER KNOW WHO'S WATCHING

# STALK



CINEMATIC FILMS PRESENTS A NEW CINEMATIC FILM PRESENT IN ASSOCIATION WITH HYDE LILLIAN A MICHAEL SMAY PRODUCTIONS

IN ASSOCIATION WITH ANDREA STARKEY PICTURES DIRECTED BY SMITH WESSON "STALK" CHRIS EVANS IDRIS ELBA SCARLETT JOHANSSON AND LLCOOL J

CO-EXECUTIVE PRODUCERS ELLEN FAY DIRECTOR OF PHOTOGRAPHY TINA MARRIN MUSIC BY MIKE SWANSON COSTUME DESIGN KIMYSHA WONG FILM EDITOR JJ LIMA SCREENPLAY BY HOPE JOYE



NEZO CINEMATIC  
FILMS

IN THEATERS HALLOWEEN 2013

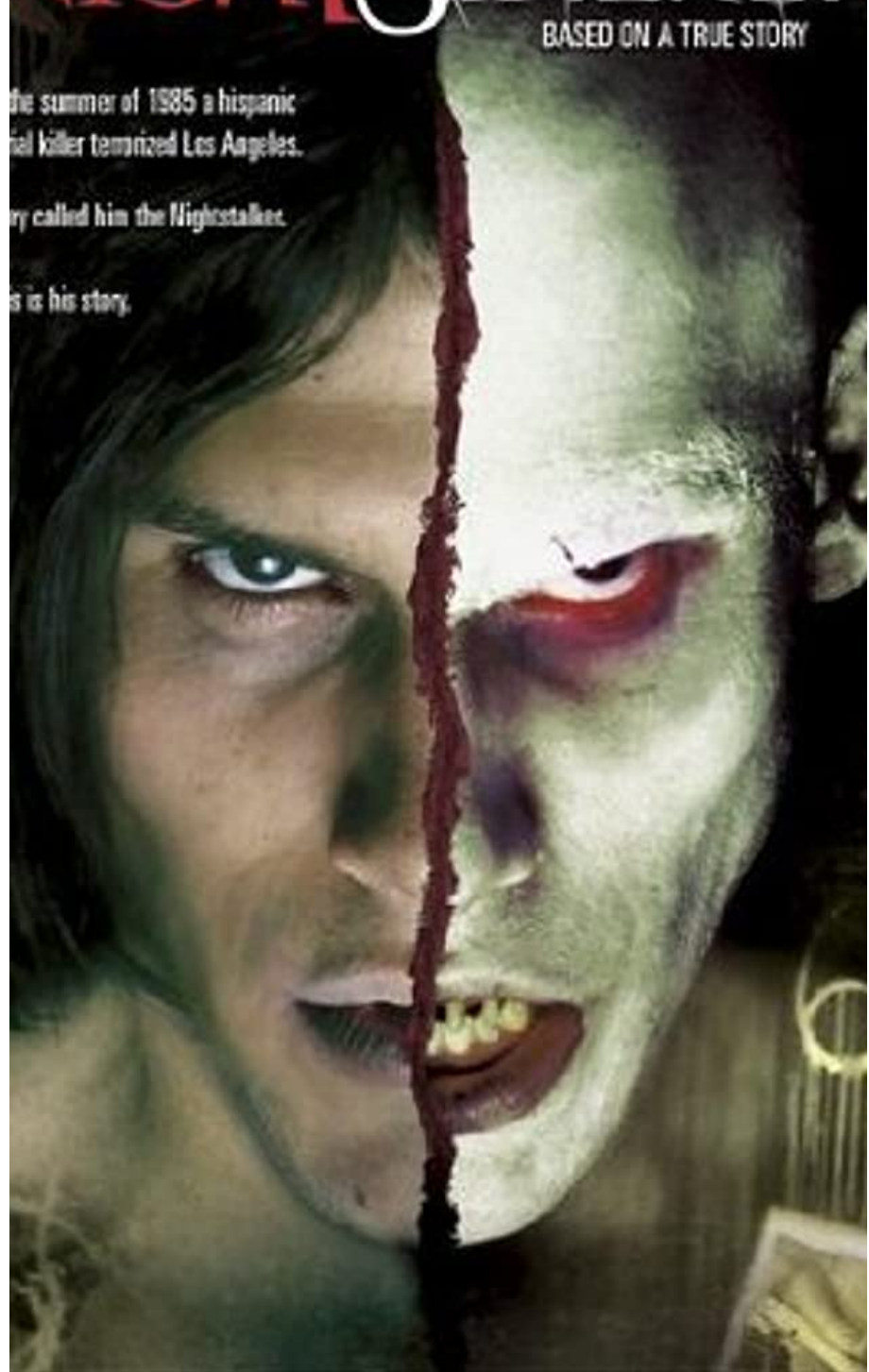
[WWW.STALKMOVIE.COM](http://WWW.STALKMOVIE.COM)

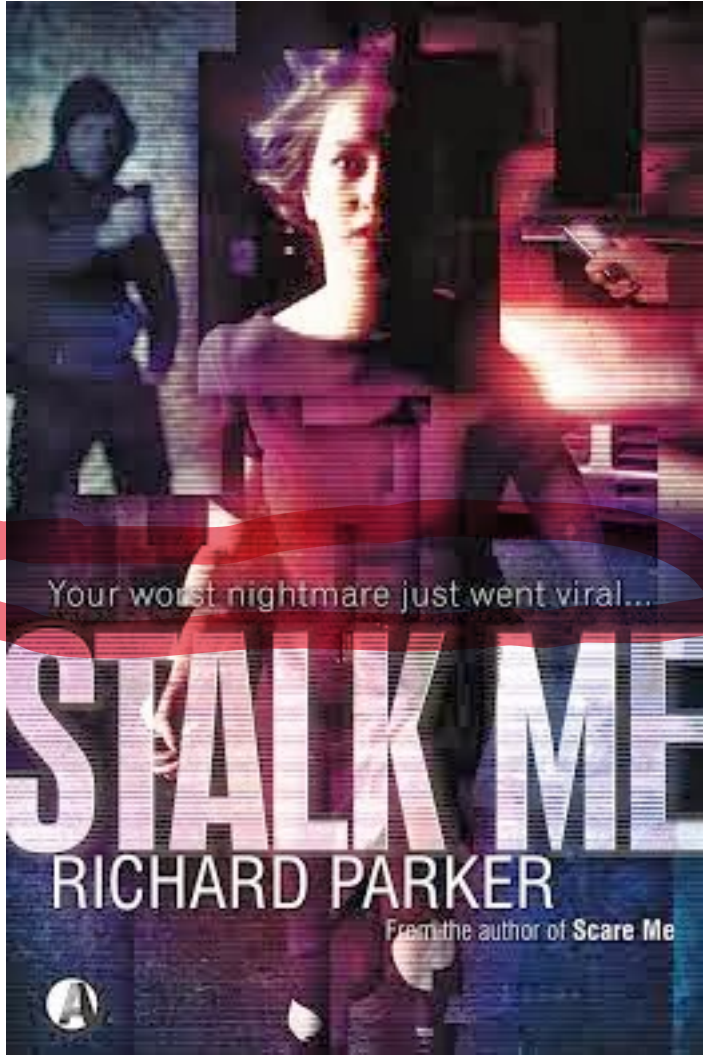
ROSELYN SANCHEZ BRET ROBERTS DANNY TREJO

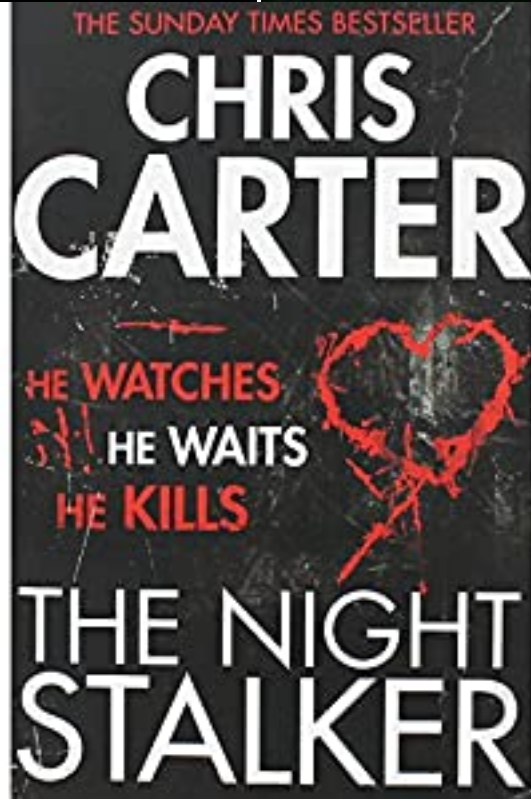
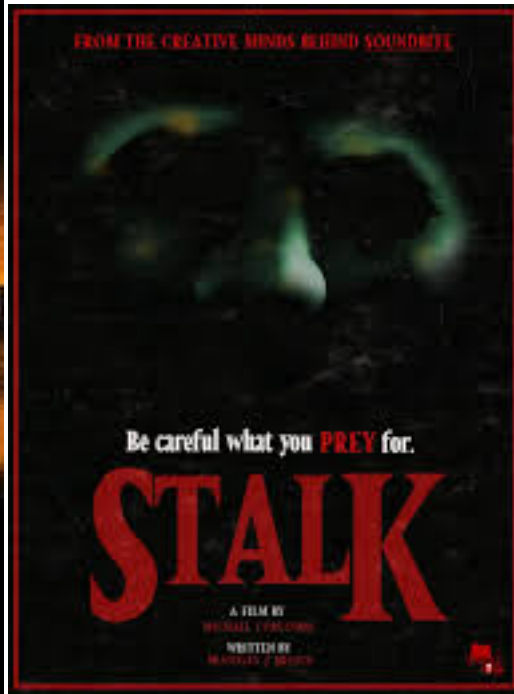
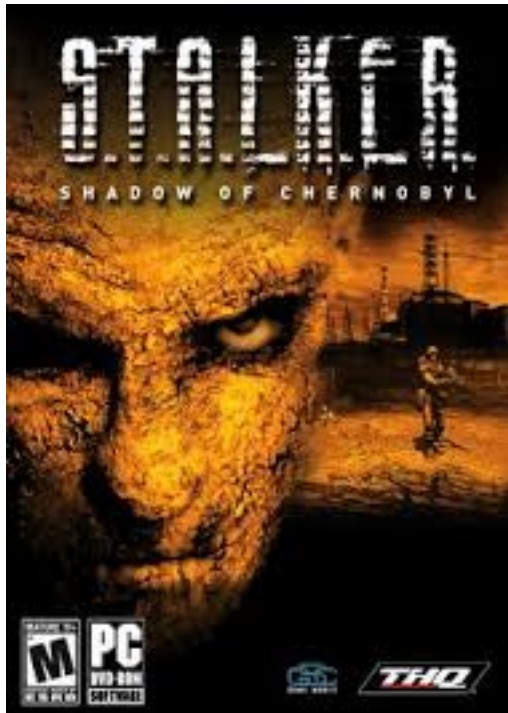
# NIGHTSTALKER

BASED ON A TRUE STORY

In the summer of 1985 a hispanic  
serial killer terrorized Los Angeles.  
They called him the Nightstalker.  
This is his story.







ETC..... YES A HORROR SHOW WITH DAMAGES.  
MORE UNDENIABLE

***"MIND OF THE AVERAGE VIEWER"***

and ***"POPULAR ACCEPTATION"*** of the word ***"STALK"***

# **EXHIBIT FFF**

**SECOND DEGREE BREACH OF PEACE  
ARREST  
AND  
EVEN MY LATER FALSE EMAIL  
HARASSMENT ARREST (deemed not  
relevant to this case) WRITTEN TO BE  
NON-THREATENING**

**If these are NON-threatening then anything  
in past resulting in no arrest is certainly  
non-threatening**

# Westport Custodial Arrest Synopsis

02/04/2019 to 02/08/2019

CASE: 2018-019908  
ARREST DATE: 02/06/2019  
ARRESTED: **James Lawrence** AGE: 53 RESIDENCE: **Westport, CT**  
CHARGE: Harassment 2<sup>nd</sup>: **Non-Threatening**  
BOND: \$25,000

On 09/18/2018, the victim responded to police headquarters and reported ongoing harassment by James Lawrence of Westport, CT. The victim stated multiple requests were made to Lawrence to stop contacting her however, he continued to do so by email. The investigating officer submitted an arrest warrant application, which was later approved.

On 02/06/2019, an officer observed Lawrence at a local gas station. The officer confirmed Lawrence had an outstanding warrant and took him into custody. Lawrence was brought to police headquarters where he was charged with 53a-183 Harassment 2<sup>nd</sup> and released after posting \$25,000 court set bond. Lawrence was scheduled to appear in Norwalk Court on 02/07/2019.

CASE: [REDACTED]  
ARREST DATE: [REDACTED]  
ARRESTED: [REDACTED]  
CHARGE: [REDACTED]  
[REDACTED]  
[REDACTED]  
BOND: [REDACTED]

CASE: [REDACTED]  
ARREST DATE: [REDACTED]  
ARRESTED: [REDACTED]  
CHARGE: [REDACTED]  
[REDACTED]  
[REDACTED]  
BOND: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

# Westport Custodial Arrest Synopsis

03/02/2018 to 03/05/2018

CASE: 2017-022937  
ARREST DATE: 03/05/2018  
ARRESTED: **James Lawrence** AGE: **52** RESIDENCE: **Westport, CT**  
CHARGE: Breach of Peace  
BOND: \$5,000

On 11/05/2017, officers were dispatched to a local grocery store on a report of a suspicious person. The victim reported she was followed around the store by an unknown male who then followed her out to her car and stood by the door of her vehicle. The male was later identified as James Lawrence, 52, of Westport, CT. An arrest warrant application was submitted for approval and granted by a judge. On 03/05/2018, Lawrence turned himself on the active arrest warrant. He was charged with 53a-181 Breach of Peace and released after posting \$5,000 court set bond. Lawrence is scheduled to appear in Norwalk Court on 3/14/18.

CASE: [REDACTED]  
ARREST DATE: [REDACTED]  
ARRESTED: [REDACTED]  
CHARGE: [REDACTED]  
BOND: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

CASE: [REDACTED]  
ARREST DATE: [REDACTED]  
ARRESTED: [REDACTED]  
CHARGE: [REDACTED]  
BOND: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

# **EXHIBIT GGG**

**This is  
Supermarket Stalking**

## **STALKING RELATED TO SUPERMARKETS.**

**THIS IS STALKING** - OTHER CLEAR COMMON SENSE EXAMPLES OF THE **"MIND OF AVERAGE VIEWER"** or **"POPULAR ACCEPTATION"** . (See ALL Exhibits H-X).

# Police Make Arrest In Supermarket Stalking Case

Suspect followed an elderly woman home from grocery store and robbed her.

By Bob Connors • Published September 20, 2012 • Updated on September 21, 2012 at 7:54 am



Wethersfield Police have charged a New Britain man accused of robbing an elderly woman and following her home from a Stop & Shop this summer.

The woman called 911 on June 22 to report she had been robbed by a man who [followed her from the grocery store](#) on Town Line Road in Rocky Hill to her home on Pine Lane in Wethersfield.

The man held the woman at gunpoint in her garage when she got out of her car and stole cash and her debit card.



**FOLLOWING HER HOME – MULTIPLE LOCATIONS – INTENT. THIS IS STALKING!**



**Mirror** CORONAVIRUS NEWS POLITICS SPORT FOOTBALL CELEBS TV MORE      

**M** News ▶ Weird News ▶ Supermarkets

## Supermarket accused of encouraging stalking after man asks it to help find 'dream girl' spotted buying mushrooms

But after it turned out the woman was married one commentator said "'Is it just me or does this seem creepy and inappropriate to be taking photos or people in shops without their knowledge or permission"

SHARE     COMMENTS

By Ruth Halkon  
14:41, 13 APR 2016 | UPDATED 14:44, 13 APR 2016

**NEWS**

**SOMEONE SECRETLY RECORDING AND TAKING PICTURES WITH THE INTENT TO TRACK DOWN AWAY FROM MARKET. THIS IS STALKING!**

## Utah man charged with stalking teen girls at grocery store has two prior convictions for similar crimes



A booking photo of Chad Flitton.

By: Rebecca Green

Posted at 8:47 AM, Sep 25, 2019 and last updated 10:50 AM, Sep 25, 2019



ADVERTISEMENT



A booking photo of Chad Flitton.

By: Rebecca Green

Posted at 8:47 AM, Sep 25, 2019 and last updated 10:50 AM, Sep 25, 2019

FARMINGTON, Utah — A Utah man has been charged with stalking, which is enhanced for two prior convictions, after police say he followed teenage girls at a grocery store and tried to enter a bathroom they were in.

The charging document states Flitton was convicted of attempted stalking in April of 2019 and of stalking in September of 2017.

**SOMEONE PREVIOUSLY INVESTIGATED AND ARRESTED AND FOUND TO BE GUILTY OF STALKING WOMEN WHO FOLLOWS GIRLS INTO BATHROOMS. THIS IS STALKING!**

Bulk

Hand Sanitizer Gel  
with Pump

## Man, 18, arrested for stalking grocery store shopper

Michelle Pekarsky

7 years ago



***EDITOR'S NOTE: FOX 4 originally reported no weapons were found inside the car. On Wednesday (May 29), a victim involved in the incident said he had a knife.***

LEAWOOD, Kan. -- A recent graduate of Blue Valley North High School was arrested early Tuesday morning after a woman accused him of stalking her after she left the Price Chopper at 133rd & Mission Road around 11:00 p.m. Monday.

The woman said the man -- identified as Eric Kaplan, 18, of Leawood, Kan., -- walked toward the front of the grocery store as she was walking out, but he never went inside. Instead, she said Kaplan got back into his car and started following her.

The woman said she turned onto her street and made a loop in a cul-de-sac. When she passed Kaplan, she said he was now wearing a ski mask.

She called police from her cell phone and they instructed her to continue to drive until they could get to her. At 125th and Metcalf police intercepted the woman and Kaplan.

**SOMEONE FOLLOWING A WOMAN FROM A GROCERY STORE WITH HIS CAR - MULTIPLE LOCATIONS. THIS IS STALKING!**

## Goshen woman says alleged burglar followed her home from grocery store

by Walter Smith-Randolph, WKRC | Tuesday, September 17th 2019



*An Arkansas man is behind bars in Clermont County after police say he broke into a family's Goshen Township home. The victim says the suspect stalked her and followed her home from the grocery store. (Clermont County Jail)*



GOSHEN TOWNSHIP, Ohio (WKRC) - An Arkansas man is behind bars in Clermont County after police say he broke into a family's Goshen Township home. The victim says the suspect stalked her and followed her home from the grocery store.

**SOMEONE FOLLOWING A WOMAN HOME FROM A GROCERY STORE WITH HIS CAR - MULTIPLE LOCATIONS. BREAKING AND ENTERING. THIS IS STALKING!**



## Memphis man admits to kidnapping, raping woman who he stalked in grocery store



Ronald McKinney, 60, pleaded guilty to aggravated kidnapping, aggravated rape and aggravated robbery. His case was scheduled to go to trial this week, but he opted to enter a plea instead.

Share

Share

Share

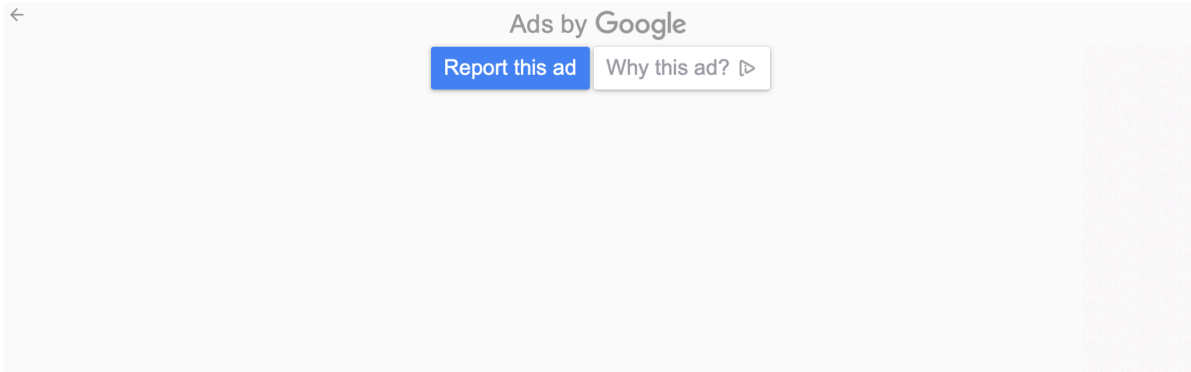
Updated: January 8, 2019 - 1:07 PM

A Memphis man will serve 25 years in prison after pleading guilty to kidnapping and raping a woman who he was stalking in a grocery store.

**SOMEONE FOLLOWING A WOMAN FROM A GROCERY STORE TO HER HOME AND ATTACKING. THIS IS STALKING!**

# Estranged boyfriend nabbed after stalking woman shopping at Wal-Mart

December 20, 2019 Meta Minton



An estranged boyfriend was arrested after allegedly stalking a woman who was shopping for groceries at Wal-Mart at Buffalo Ridge Plaza in The Villages.

The woman had been working at 9:45 p.m. Wednesday when 25-year-old Daequan Raeshard Walker of Leesburg parked outside her workplace, according to an arrest

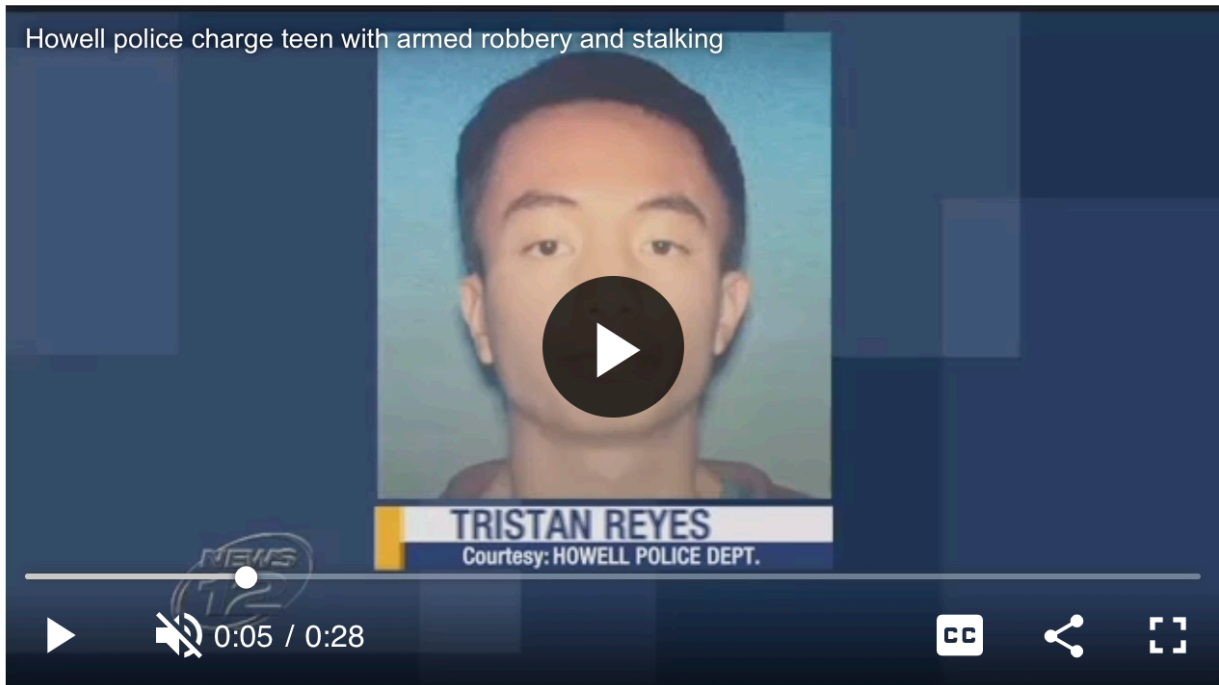


**ESTRANGED FOLLOWING A WOMAN AT MULTIPLE LOCATIONS TO A STORE. THIS IS STALKING!**

A screenshot of a Facebook post from CBS Philly. On the left is the CBS Philly logo (a blue circle with a white '3' and 'cbsphilly.com' below it) and the text "CBS Philly" with a verified checkmark. To the right of the logo are buttons for "Like", "Follow", "Share", and a three-dot menu. The post content includes the CBS Philly logo, the name "CBS Philly" with a verified checkmark, the date "November 21, 2014", and a globe icon. The text of the post reads: "The video shows a man stalking women in a grocery store parking lot. He follows one, then shifts direction when he finds an easier target — a woman loading groceries into her trunk, seemingly unaware. The man then snatches her Coach bag and runs to a waiting car."

**SOMEONE FOLLOWING WOMEN AT A GROCERY STORE WITH THE INTENT TO ATTACK – PURSE SNATCHING. THIS IS STALKING!**

# Howell police charge teen with armed robbery and stalking



suspects vehicle - black Honda Odyssey

Posted: Mar 09, 2018 4:25 PM EST  
Updated: Mar 09, 2018 10:57 PM EST

HOWELL TOWNSHIP - Howell Township police have charged a 19-year-old man with armed robbery and stalking after he allegedly followed two women home with the intent of robbing them.



Police say that the first incident happened Feb. 24. They say that Tristan Reyes followed an 18-year-old woman out of her car and into the Howell Shoprite. He allegedly followed her around the store and then followed her car on her way home.

**FOLLOWED WOMEN HOME FROM STORE - MULTIPLE LOCATIONS. THEN ATTACKING. THIS IS STALKING!**

# EXHIBIT HHH

A Ct. 2017 **Third Degree Stalking Charge** in conjunction with a **Second Degree Breach of Peace Charge** showing multiple encounters.

S

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**Crash with injuries closes Post Road in Fairfield**



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**Balloting in 2020 shapes debate over CT voting laws**



**NEWS**

# Torrington man accused of stalking, scaring girl getting off school bus



**Ben Lambert**

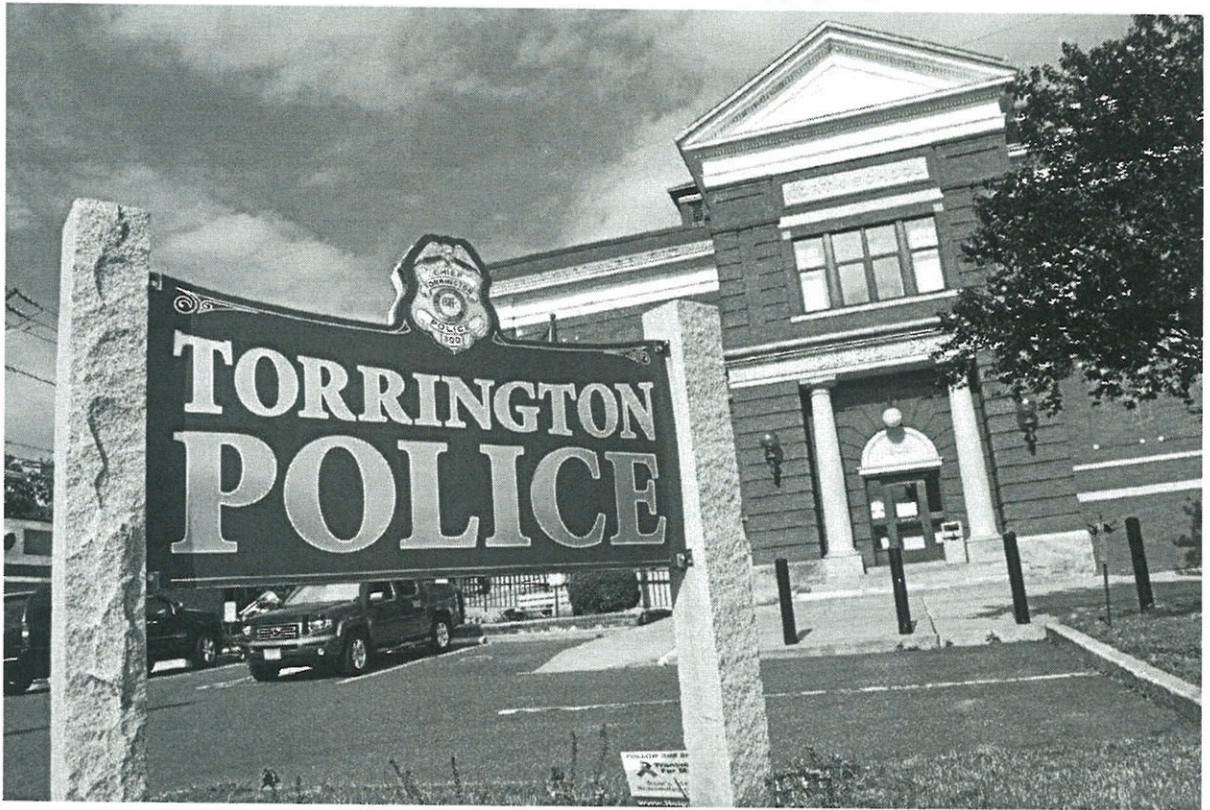
Updated: Dec. 27, 2017 11:38 a.m.



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Tom Caprood - The Register Citizen - The Torrington Police Department, located at the intersection of East Elm and Main streets.  
Journal Register Co.

TORRINGTON — A city man accused of stalking a girl after she got off the school bus and then resisting arrest is facing charges.

Michael Sacco, 31, of 9 Riverside Ave., first-floor apartment, was arrested Dec. 24 and **charged with second-degree breach of peace, interfering with an officer/resisting arrest and third-degree stalking.**

*Why not charge 2 counts of Second Degree Breach of Peace?*

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An officer was first dispatched for a report of someone trying to force their way into a vehicle, according to a probable cause report.

When the officer spoke with the victim, who was visibly upset and still crying, the victim said a white man had been following her home for the past few weeks after she got off the school bus.

Third Degree Stalking

Learn More



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Fort Worth, TX | Texas Motor Speedway

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“The victim said she did not know the man and she became very fearful as this began to occur on a more frequent basis,” police wrote in the report. “The victim said that on a few occasions she would look outside and see Sacco standing in front of her house looking at her front window.”

multiple locations  
private residence

As the victim and her aunt pulled into the driveway last week, Sacco allegedly ran into a local home, prompting a call to police.

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Sacco had allegedly “walked up to the vehicle and began pounding on the rear window telling them to get out of the car,” at which time the aunt sounded the horn and Sacco left the scene, according to the report.

Police were able to identify Sacco based on the description and location the victim provided. The officer located Sacco after a search, according to the report.

**MOST POPULAR**

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6. 15 Connecticut trails to hike in 2021

7. On Valentine's Day, Milford police seek owner of lost engagement ring

According to police, Sacco resisted arrest while being detained, going limp on multiple occasions. He then asked police if he was going to jail, saying he had only approached the girl to ask what time it was.

Sacco was arraigned Tuesday in Superior Court in Torrington. His bail was set at \$2,500 cash or surety and a protective order was issued in the case preventing him from having contact with the victim. He is next scheduled to appear in court Jan. 17.

not happen to me

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Reach Ben Lambert at [william.lambert@hearst.com](mailto:william.lambert@hearst.com)

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# EXHIBIT III

A HARMLESS **SUSPICIOUS PERSON**  
INCIDENT REPORT  
FROM 2002 - 20 YEARS AGO  
BETWEEN MYSELF - A MAN  
AND A WOMAN

Where is the **stealth**?

Notice the respecting of an actual warning  
(apparent verbal non-harassing contact)  
and leaving "without incident"

# INCIDENT REPORT

Westport Police Department  
 50 Jesup Road  
 Westport CT 06880-4385  
 203-341-6000

REPORT NUMBER: 2002-002662

ORI# CT0015800

REPORT DATE: 02-16-2002

TIME: 15:18

DATE INCIDENT: 02-16-2002

TIME: 15:18

DATE END:

TIME:

<b>ADMIN</b>	LOCATION: 44 MAIN ST WESTPORT CT	BRIEF DESCRIPTION OF INCIDENT 59 - SUSPICIOUS PERSON	
	METHOD OF OPERATION	OFFENSE TRACT N	CASE STATUS
	DISPOSITION	EXCEPTIONAL CLEARANCE CODE	EXC CLEAR DATE

<b>OFFENSE</b>	<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 type="checkbox"/> COMPLETED <input type="checkbox"/> FORCED ENTRY							
	STATUTE / UCR CODE	STATUTE DESCRIPTION					COUNTS	F/M
	MARITAL	DEGREE	OFFENSE LOCATION			UNITS ENTERED	PREMISE TYPE	
	LOCAL USE	CRIMINAL ACTIVITY 1.		2.	3.			
	BIAS MOTIVATED CRIME	WEAPON 1. / FORCE USED		2.	3.			

<b>OFFENSE</b>	<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 type="checkbox"/> COMPLETED <input type="checkbox"/> FORCED ENTRY							
	STATUTE / UCR CODE	STATUTE DESCRIPTION					COUNTS	F/M
	MARITAL	DEGREE	OFFENSE LOCATION			UNITS ENTERED	PREMISE TYPE	
	LOCAL USE	CRIMINAL ACTIVITY 1.		2.	3.			
	BIAS MOTIVATED CRIME	WEAPON 1. / FORCE USED		2.	3.			

<b>VICTIM</b>	NAME			HOME PHONE			EMAIL		
	ADDRESS						WORK PHONE		CELL
	DOB	AGE	TO AGE	RACE	SEX	RESIDENT	ETHNICITY		SSN
	EYE COLOR		HAIR COLOR		HEIGHT	WEIGHT	BUILD	SKIN TYPE	GLASSES <input type="checkbox"/>
	DLN	STATE	EMPLOYER			EMPLOYER ADDRESS		EMPLOYER PHONE	
	SMTS								
	RELATED OFFENSES: 1. 2. 3. 4. 5. 6. 7. 8. 9. 10.								
	VICTIM TYPE			AGG ASSAULT 1		AGG ASSAULT 2		JUST HOM CIRCUM	
	VIC TO OFFENDER: 1. 2. 3. 4. 5. 6. 7. 8. 9. 10.								
	INJURIES (UP TO FIVE) <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input type="checkbox"/> INTERNAL <input type="checkbox"/> TEETH <input type="checkbox"/> UNCONSCIOUS <input type="checkbox"/> LACERATIONS <input type="checkbox"/> BONES <input type="checkbox"/> OTHER								

<b>SUSPECT</b>	NAME			HOME PHONE			WORK PHONE		
	ADDRESS						CELL PHONE		EMAIL
	DOB	AGE	TO AGE	RACE	SEX	RESIDENT	ETHNICITY		SSN
	EYE COLOR		HAIR COLOR		HEIGHT	WEIGHT	BUILD	SKIN TYPE	GLASSES <input type="checkbox"/>
	DLN	STATE	EMPLOYER			EMPLOYER ADDRESS		EMPLOYER PHONE	
	SMTS								
	RELATED OFFENSES: 1. 2. 3. 4. 5. 6. 7. 8. 9. 10.								

REPORTING OFFICER  
 89939 Simonetti, David

~~Handwritten signatures and stamps~~  
 Simonetti, David  
 FSI 02-16-2002 15:18

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 type="checkbox"/> COMPLETED <input type="checkbox"/> FORCED ENTRY								
	STATUTE / UCR CODE		STATUTE DESCRIPTION					COUNTS	F/M
	MARITAL	DEGREE	OFFENSE LOCATION				UNITS ENTERED	PREMISE TYPE	
	LOCAL USE		CRIMINAL ACTIVITY 1.		2.		3.		
	BIAS MOTIVATED CRIME		WEAPON 1. /FORCE USED		2.		3.		

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 type="checkbox"/> COMPLETED <input type="checkbox"/> FORCED ENTRY								
	STATUTE / UCR CODE		STATUTE DESCRIPTION					COUNTS	F/M
	MARITAL	DEGREE	OFFENSE LOCATION				UNITS ENTERED	PREMISE TYPE	
	LOCAL USE		CRIMINAL ACTIVITY 1.		2.		3.		
	BIAS MOTIVATED CRIME		WEAPON 1. /FORCE USED		2.		3.		

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 type="checkbox"/> COMPLETED <input type="checkbox"/> FORCED ENTRY								
	STATUTE / UCR CODE		STATUTE DESCRIPTION					COUNTS	F/M
	MARITAL	DEGREE	OFFENSE LOCATION				UNITS ENTERED	PREMISE TYPE	
	LOCAL USE		CRIMINAL ACTIVITY 1.		2.		3.		
	BIAS MOTIVATED CRIME		WEAPON 1. /FORCE USED		2.		3.		

OTHERS	INVOLVEMENT TYPE		NAME					EMAIL	
	COMPLAINANT		[REDACTED]						
	ADDRESS						HOME PHONE	CELL PHONE	
	***** 44 NORWALK CT 06851-						*****		
	DOB	AGE	TO AGE	RACE	SEX	RESIDENT	ETHNICITY	SSN	
	*****	*****		WHITE	F	RESIDENT	NON-HISPANIC		
	EYE COLOR		HAIR COLOR		HEIGHT	WEIGHT	BUILD	SKIN TYPE	GLASSES
					0			<input type="checkbox"/>	
DLN	STATE	EMPLOYER			EMPLOYER ADDRESS		EMPLOYER PHONE		
SMTs									

OTHERS	INVOLVEMENT TYPE		NAME					EMAIL	
	OTHER		LAWRENCE, JAMES J						
	ADDRESS						HOME PHONE	CELL PHONE	
	***** WESTPORT CT 06880-						*****		
	DOB	AGE	TO AGE	RACE	SEX	RESIDENT	ETHNICITY	SSN	
	*****	*****		WHITE	M	RESIDENT	NON-HISPANIC		
	EYE COLOR		HAIR COLOR		HEIGHT	WEIGHT	BUILD	SKIN TYPE	GLASSES
					0			<input type="checkbox"/>	
DLN	STATE	EMPLOYER			EMPLOYER ADDRESS		EMPLOYER PHONE		
SMTs									

OTHERS	INVOLVEMENT TYPE		NAME					EMAIL	
	ADDRESS						HOME PHONE	CELL PHONE	
	DOB	AGE	TO AGE	RACE	SEX	RESIDENT	ETHNICITY	SSN	
	EYE COLOR		HAIR COLOR		HEIGHT	WEIGHT	BUILD	SKIN TYPE	GLASSES
								<input type="checkbox"/>	
DLN	STATE	EMPLOYER			EMPLOYER ADDRESS		EMPLOYER PHONE		
SMTs									

NARRATIVE TITLE  
Narrative From CAD

Complaint Type: 59 - SUSPICIOUS PERSON  
Caller Name: SCARFI CALESTE  
Officer ID: 9939, Officer Name: SIMONETTI

[02/16/2002 15:18:26 : 03746]  
Cross Streets: POST RD E / ELM ST  
36 POST RD E (GMPID: 1)  
NEH:MAP 40  
36 POST RD E (GMPID: 1)  
NEH:MAP 40

W/M EARLY 30'S WEARING SHORTS AND A TANK TOP FOLLOWING COMPLAINANT AROUND

NARRATIVE

OFFICER ID/NAME

DATE

ADDITIONAL NARRATIVE  
Westport Police Department

REPORT NUMBER: 2002-002662

ORI# CT0015800

NARRATIVE TITLE

SUPPLEMENTAL OF OFC SIMONETTI

Upon arrival spoke to complainant [redacted] who stated that she was followed into 44 main st by a white male wearing a white tank top and green shorts with long black hair [redacted] stated that the man approached her and started making advances toward her. [redacted] told him that she was not interested and the man left. [redacted] stated that something about the man made her feel uneasy and wanted an escort to her car this officer escorted [redacted] to her vehicle where she left without incident. Upon arrival back to my vehicle I spoke to officer Kelley who had a man detained who fit the description that [redacted] gave. The man was James J Lawrence of Westport. Lawrence admitted to asking [redacted] out but stated that she was not interested so he left. A back round check on Lawrence showed that Lawrence had been arrested in CA for stalking involving a domestic violence case. Lawrence was warned that his behavior was unacceptable and he would be arrested if it happens again. Lawrence stated he would not do it again and understood what would happen if he did.

~~Handwritten scribbles~~  
~~Handwritten scribbles~~  
~~Handwritten scribbles~~

NARRATIVE

OFFICER ID/NAME

DATE

# **EXHIBIT JJJ**

**FEBRUARY 22, 2021 DEPOSITION OF  
ARRESTING OFFICER JAMES SULLIVAN  
RELATED TO FEDERAL CASE  
JAMES LAWRENCE V. HEARST,  
ANOTHER LAWSUIT ATTEMPTING TO  
HAVE HEARST REMOVE THEIR 3 YEAR  
COVERAGE DEPICTING ME AS A  
*"HARASSER OF WOMEN FOR YEARS"*  
AMONGST OTHER PARTICULAR  
COMPLAINTS.**

**THIS LAWSUIT IS A DAMAGING RESULT OF HOW  
ALTICE USA REPORTED ON ME BEFORE THEY TOOK  
DOWN THEIR COVERAGE AFTER 2 DAYS.**

**THIS LAWSUIT AGAINST HEARST IS AN EXAMPLE OF  
WHAT I AM UP AGAINST WITHOUT PROPER  
REFERENCES TO MY NUMEROUS ARGUMENTS TO  
WHICH A TRIAL COULD PROVIDE.**



1

2

A P P E A R A N C E S

3

4 JAMES LAWRENCE, Pro Se Plaintiff  
1655 Post Road East  
5 Westport, Connecticut 06880  
Phone: (203) 233-4335  
6 Email: sancorgoman@gmail.com

7

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15 Email: rdriscoll@berchemmoses.com  
By: RYAN P. DRISCOLL, Esq.

16

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1 THE REPORTER: Pursuant to Executive  
 2 Order 7(Q) issued on March 30, 2020, by  
 3 Governor Ned Lamont, this deposition is being  
 4 reported remotely. All counsel participating  
 5 in this deposition proceeding acknowledge that  
 6 I am not present in the deposition room, and  
 7 further acknowledge that in lieu of an  
 8 in-person administration of the oath, it will  
 9 be administered remotely. The parties and all  
 10 counsel consent to this arrangement and waive  
 11 any objections to this method of reporting.

12 Counsel, please voice your agreement,  
 13 stating your name and agreement on the record.

14 MR. LAWRENCE: James Lawrence, plaintiff.

15 THE WITNESS: James Sullivan. I agree.

16 MR. DRISCOLL: Ryan Driscoll,  
 17 Mr. Sullivan's attorney. We agree.

18 MR. YUHAN: Stephen Yuhan, counsel for  
 19 defendants. We agree.

20 MR. LAWRENCE: James Lawrence. I agree.

21 J A M E S S U L L I V A N,  
 22 called as a witness, having first been duly sworn  
 23 by Janet C. Phillips, a Notary Public in and for  
 24 the State of Connecticut, was examined and  
 25 testified as follows:

1                   MR. LAWRENCE: Just a quick statement. I  
2                   want this to be efficient. This is not  
3                   intended for any kind of antagonistic way.

4                   My experience with the court is that  
5                   there are certain facts that are not  
6                   clarified. Judges have a hard time sometimes.

7                   So the questions are just basically going  
8                   to be very simple. I have three areas. And  
9                   there will be a few introductory questions to  
10                  the actual question. And it should roll  
11                  really quickly.

12                  I just want to say that we're here  
13                  basically to find out or find out how the  
14                  police define second-degree breach of peace,  
15                  stalking, and harassing, how they define it,  
16                  and how they use these words in their police  
17                  reports, and really not anything else.

18                  There will be a few other maybe related  
19                  side topics, but the witness,  
20                  Officer Sullivan, is basically an authority on  
21                  police procedures, and in this particular case  
22                  of the second-degree breach of peace.

23                  So I'm hoping that we stick to that and  
24                  we don't deviate into things that he's not an  
25                  authority on.

1 DIRECT EXAMINATION

2 BY MR. LAWRENCE:

3 Okay. With that said, I will just start off  
4 with an introductory question. This is the only  
5 hypothetical. Feel free to answer it or not. It's  
6 common sense. There will be four very quick questions,  
7 and they'll be yes or no. And then I'll proceed into  
8 more questioning.

9 All right. The first question,  
10 Officer Sullivan, if you wrote a warrant for petty theft  
11 from one particular location with a \$5,000 bond, and  
12 your warrant was reported on as a threatening armed  
13 robbery of many different locations, would that be fair  
14 or accurate?

15 MR. YUHAN: Objection to form.

16 MR. DRISCOLL: Mr. Lawrence, I'm going to  
17 object too.

18 And just so you understand why I'm  
19 objecting is that -- and I assume Mr. Yuhan is  
20 the same -- but Officer Sullivan is not an  
21 expert witness, so he's not supposed to be  
22 answering hypothetical questions.

23 I'm more than happy to have him answer  
24 questions about his actual interaction with  
25 you or whatever the case may be, but as a fact

1 witness -- I understand your question, but  
2 he's not supposed to opine as to hypothetical  
3 circumstances, because he's not an expert  
4 witness in the trial.

5 MR. LAWRENCE: Like I said, it seems to  
6 be like one of those one plus one equal two  
7 questions. And I just wanted to establish it.  
8 But it's up to you. If you don't want him to  
9 answer that, that's fine. I understand that.

10 The rest of the questions are not so  
11 hypothetical. The rest of the questions are  
12 all related to the arrest and what's  
13 happening.

14 MR. DRISCOLL: If you ask it in the  
15 context of your arrest or your case and it's  
16 based on facts, I'm sure he can answer -- he  
17 may be able to answer your question. But he's  
18 not supposed to be answering hypothetical or  
19 speculative questions.

20 MR. LAWRENCE: Okay. We'll move on.

21 (Discussion off the record.)

22 MR. LAWRENCE: So these are just  
23 basically establishing facts for the reader  
24 for the other questions I ask, which is  
25 relevant to why I brought the officer here.

1 Q. Are you aware, Officer Sullivan, that News 12  
2 reported that I was arrested for stalking women, and  
3 then took down their coverage after one day on  
4 March 14th, 2018?

5 MR. YUHAN: Objection to form.

6 MR. DRISCOLL: If you understand it, you  
7 can answer it.

8 A. I'm aware of the news media putting it out  
9 there. I wasn't aware of any charges. I just knew it  
10 was out in the media. I didn't know what they were  
11 talking about as far as what they said about you.

12 Q. I'll just say it again.

13 Are you aware that News 12 reported that I was  
14 arrested for stalking women, and then took down the  
15 coverage after one day?

16 A. No. I'm aware they put it out there. I'm not  
17 aware of the charge they represented.

18 Q. All right. The second question: Are you  
19 aware that The Westport News reported on me nine days  
20 later for saying that police -- man harassed women for  
21 years on March 23rd, 2018, and has yet to take down  
22 their coverage?

23 MR. YUHAN: Objection to form.

24 A. I'm actually not aware of that one.

25 Q. You're not aware of the article that is out

1     there right now?

2             A.    No.

3             Q.    Okay.  Within the warrant, Officer Sullivan,  
4     you wrote for one count of second-degree breach of  
5     peace, is the word "stalk" in the arrest warrant when  
6     describing me?

7             A.    No.

8             Q.    Within the warrant that you wrote for the one  
9     count of second-degree breach of peace, is the word  
10    "harassment" in the warrant when describing me?

11            A.    I don't believe so.  No.  No.

12                   MR. YUHAN:  Just so the record is clear,  
13     it appears that Mr. Sullivan is reviewing a  
14     document.  Can we just get some identification  
15     of what that document is?

16                   MR. DRISCOLL:  Sure.  Stephen, I believe  
17     it's the arrest warrant, which I think was  
18     your Exhibit A.

19                   MR. YUHAN:  Okay.

20                   MR. DRISCOLL:  I handed it to him to  
21     review.

22                   MR. LAWRENCE:  Okay.  So that's a no on  
23     Officer Sullivan using the word "harassment"  
24     in the arrest warrant when describing me.

25             Q.    Okay.  Did you, Officer Sullivan, arrest me

1 for third-degree stalking?

2 MR. YUHAN: Objection to form.

3 MR. DRISCOLL: If you understand it, you  
4 can answer.

5 A. No.

6 Q. All right. These are just basic common sense  
7 questions that I'm just trying to get to. Okay.

8 Did you arrest me for second-degree  
9 harassment?

10 A. No.

11 Q. Did you arrest me for second-degree  
12 threatening?

13 A. No.

14 Q. Okay.

15 MR. LAWRENCE: Now, for the record, I  
16 want to submit now a cover page from two  
17 incident reports not related to  
18 Officer Sullivan.

19 Q. After the media treatment of me in March of  
20 2018 from the arrest, on February 6, 2019, I was  
21 arrested by another officer for second-degree harassment  
22 involving one email from September 18th, 2018. I now  
23 want to refer to the incident report of that arrest.

24 MR. LAWRENCE: And that would be for you,  
25 Court Reporter -- should I describe this for

1           you?

2                   THE REPORTER: Yes, please.

3                   MR. LAWRENCE: Okay. It's an incident  
4           report. And you'll see there's green writing  
5           on this incident report. It says "Police  
6           report, email harassment, clean copy." And  
7           the report number on the upper right-hand  
8           corner would be 2018-019908. And the report  
9           date would be on 9/17/2018.

10                   Once again, this is not related to  
11           Officer Sullivan's arrest. I just want him to  
12           read this and recite something from it.

13                   (Incident Report No. 2018-019908 deemed  
14           marked Plaintiff's Exhibit 1 for  
15           identification.)

16                   MR. DRISCOLL: Mr. Lawrence, is that a  
17           question for him?

18                   MR. LAWRENCE: Well, here's the question.  
19           Are you ready for the question?

20                   MR. DRISCOLL: I wasn't sure if that was  
21           just a question you asked. I just want to be  
22           clear.

23                   MR. LAWRENCE: No. I'm helping the court  
24           reporter identify it for the record.

25                   MR. DRISCOLL: That's fine.

1 MR. LAWRENCE: Okay. Great. Very  
2 simple. Like I said, this is just common  
3 sense stuff. There should be no problems at  
4 all with 99 percent of the stuff I'm going to  
5 present.

6 Q. Okay. On the first page, the brief  
7 description of this incident report resulting in the  
8 arrest for a second-degree harassment is harassment,  
9 correct?

10 A. Yes.

11 Q. Okay. I now want to refer you,  
12 Officer Sullivan, to an incident report for a rejected  
13 warrant for second-degree stalking submitted by the same  
14 officer around the same time as the former second-degree  
15 harassment warrant.

16 MR. LAWRENCE: This, for the court  
17 reporter, incident report, you'll see in the  
18 upper right-hand corner it would be  
19 2018-020668.

20 Q. Do you see that?

21 MR. LAWRENCE: And for counsel, it's  
22 basically -- you'll see there is a statute  
23 description in it. I highlighted it in red.  
24 This does not have green marking. Have we  
25 identified the document? We've identified

1 document? Yes?

2 MR. DRISCOLL: We have.

3 (Incident Report No. 2018-020668 deemed  
4 marked Plaintiff's Exhibit 2 for  
5 identification.)

6 Q. So, Officer Sullivan, on the first page of  
7 this incident report, the brief description of this  
8 incident report alleging stalking is harassment; is that  
9 correct?

10 A. Yes.

11 Q. Okay. Now I direct you -- okay. I have one  
12 other question before I go on.

13 Given that harassment is a brief description  
14 of the second-degree stalking law, and stalking laws are  
15 course of conduct behaviors, is it logical,  
16 Officer Sullivan, that harassment is considered also a  
17 course of conduct behavior?

18 MR. YUHAN: Objection to form.

19 A. I didn't understand the question.

20 Q. We have here basically a stalking incident  
21 report, where it's being described as harassment, and we  
22 have a harassment incident report, okay, that's being  
23 described as harassment. So I'm seeing the logic of how  
24 police define things within these brief descriptions of  
25 incident reports.

1           And so my question -- and it seems logical --  
2   is that given that harassment is a brief description of  
3   the second-degree stalking law, okay, and stalking laws  
4   are course of conduct behaviors, it is logical to say  
5   that harassment was considered a course of conduct  
6   behavior also, meaning that these acts are, like  
7   third-degree stalking, are basically repeated towards  
8   someone, meaning that it would be more than one act  
9   towards someone? For example, your second-degree breach  
10   of peace was one contact with someone, okay? And we'll  
11   get to that.

12           So my question is basically it seems common  
13   sense to me within police procedures, the way that they  
14   label, the way they define their brief description in  
15   their incident reports that if harassment is the brief  
16   description of a second-degree stalking law, is it  
17   logical to say that harassment is considered a course of  
18   conduct behavior to you, Officer Sullivan?

19           MR. YUHAN: Objection to form.

20           MR. DRISCOLL: I'm going to object to it.

21           If he understands what you're asking, he can  
22   answer it, but --

23           A.   If I think I understand what you're saying,  
24   the brief description of the report is actually done by  
25   dispatch. The statute that's written in the offense is

1 then done by the officer after he's conducted his  
2 investigation. So they could be different, if I  
3 understand you right.

4 Q. I will move on. Let's go to the next  
5 question.

6 So now I bring you to the next incident  
7 report. In the upper right-hand corner, it's  
8 2017-022937. This is the incident report of your  
9 arrest. Okay?

10 A. Yes.

11 (Incident Report No. 2017-022937 deemed  
12 marked Plaintiff's Exhibit 3 for  
13 identification.)

14 Q. All right. So I will now ask you about the  
15 brief description within this incident report of your  
16 one count second-degree breach of peace of me.

17 What is the brief description of the incident  
18 report from your arrest for one count of second-degree  
19 breach of peace?

20 A. Suspicious person.

21 Q. Exactly. Okay. We're moving along. Now, you  
22 have read past incident reports of me for your  
23 investigation; is that correct?

24 A. Yes.

25 Q. Okay. Now, from your research, are you aware

1 that any past incident report of mine fully  
2 investigated, resulting in no arrest, no probable cause  
3 for arrest, with the cases all closed, all have brief  
4 the description of either suspicious person or police  
5 general service, and not one incident report has the  
6 brief description of harassment. Did you read this  
7 fact?

8 MR. YUHAN: Objection to form.

9 MR. DRISCOLL: I'll object too. If you  
10 understand his question, you can answer it.

11 A. I mean, I wouldn't know off the top of my  
12 head.

13 Q. It's very important, Officer, because what we  
14 have here is incident reports, and we have a certain  
15 kind of pattern of the way incident reports are reported  
16 on.

17 So I can literally submit every incident  
18 report and show that, yes, every incident report that  
19 resulted in no arrest has this suspicious person or  
20 police general service, and not one has this label of  
21 harassment.

22 And all I'm asking you, just so we save time,  
23 is that if you could verify this, because if not, then  
24 I'm going to have to submit all of these --

25 MR. DRISCOLL: Is your question whether

1 he knows that every incident report involving  
2 you prior to his arrest of you identified the  
3 description of the incident as suspicious  
4 person? Is that what you're asking him?

5 MR. LAWRENCE: Yes. Either suspicious  
6 person or just very simply that it never had  
7 the description of harassment.

8 MR. DRISCOLL: All right. So put another  
9 way, your question is does he know whether any  
10 prior incident reports describe the  
11 description of the incident involving  
12 harassment, if he knows that as he sits here  
13 today?

14 MR. LAWRENCE: Well, he's studied this  
15 stuff, and he's read this stuff, so it seems  
16 to me it's something easily verified if he has  
17 all the incident reports in front of him.

18 MR. DRISCOLL: I'm trying to get an  
19 accurate answer for you. If your question is  
20 whether he knows that as he sits here today, I  
21 think he can give you an answer on that.

22 A. And you are correct in that assumption.

23 Q. Okay. So that harassment was never part of  
24 any incident report. Okay. Thank you, Officer.

25 MR. YUHAN: Objection to form.

1 MR. DRISCOLL: He's answered the  
2 question.

3 Q. It is logical to say that each incident report  
4 has its own particular details and set of circumstances.

5 So for the record, are the time periods of my  
6 incident reports, either from the year 2017 or prior to  
7 the year of 2007, given I was living in California 2007  
8 to 2017, is this something that you can verify for the  
9 court right now, that all the incident reports that you  
10 researched are either from the year 2017 or prior to  
11 2007?

12 MR. YUHAN: Objection to form.

13 MR. DRISCOLL: If you can recall.

14 A. Yes.

15 Q. Okay. Thank you. Now, given the statute of  
16 limitations and the fact that I never saw any of these  
17 people from the past incident reports again, can an  
18 officer now prove any second-degree breach of peace from  
19 any past decades' old incident report that was already  
20 investigated, let alone prove any stalking or  
21 harassment?

22 MR. YUHAN: I'm going to object to the  
23 form.

24 MR. DRISCOLL: Again, he's not -- is the  
25 question --

1 MR. LAWRENCE: It's common sense.

2 MR. DRISCOLL: Are you asking him to  
3 offer an opinion as to whether the underlying  
4 facts meet a standard of probable cause?

5 MR. LAWRENCE: No. No. It's basically  
6 just within the statute of limitations. The  
7 statute of limitations is 10<sup>2</sup> years from a  
8 particular complaint. Now, if you've never  
9 seen one after that, there's no way that you  
10 can ever begin to write up an investigation or  
11 an incident report.

12 So my question is very simple. Given the  
13 statute of limitations and the fact that I  
14 never saw any of these people from these  
15 decades' old incident reports, can any  
16 officer, him or anyone else, now prove any  
17 kind of second-degree breach of peace from  
18 these decades' old incident reports or let  
19 alone stalking and harassment. Just a common  
20 sense question for the officer.

21 MR. YUHAN: Object to the form.

22 MR. DRISCOLL: I understand you think  
23 it's common sense. You're asking him for a  
24 legal conclusion, and he's a fact witness. So  
25 you need to ask him questions about facts and

1 not legal conclusions, 'cause that's not his  
2 job here.

3 Q. What's the statute of limitations for  
4 arresting someone for second-degree breach of peace?

5 MR. DRISCOLL: If you know.

6 A. I don't know off the top of my head.

7 Q. Okay. What's the statute of limitations for  
8 arresting someone for stalking or harassment?

9 A. I don't know off the top of my head.

10 Q. All right. I'll just move on. It's just  
11 common sense, but I'll move on.

12 Okay. In regards to the arrest for one count  
13 of second-degree breach of peace, the warrant shows  
14 there were no words spoken between myself and the woman,  
15 and it was her boyfriend who called the police as shown  
16 on the dispatch tapes. Is this true?

17 MR. YUHAN: Objection to form.

18 MR. DRISCOLL: If you understand what  
19 he's asking, you can answer it.

20 A. I understand. But, I mean, I don't remember  
21 if her boyfriend called it in or she did.

22 MR. DRISCOLL: If you want to read the  
23 warrant, you can.

24 Your question is whether his warrant says  
25 that the boyfriend called in the report?

1 MR. LAWRENCE: No.

2 Q. The warrant clearly said that there was no  
3 words spoken between me and the woman. I just walked up  
4 to the car and she drove away. So there was no words  
5 inside of the market and there was no words -- I checked  
6 out first. And then I approached her car in the parking  
7 lot, in the first row of the parking lot, and then she  
8 drove away.

9 And so then what happened is she called her  
10 boyfriend, who called, and all the dispatch tapes verify  
11 this. I didn't want to have to bring in the dispatch  
12 tapes.

13 MR. DRISCOLL: Listen, you're asking a  
14 question that has multiple -- it's a compound  
15 question. So we're trying to figure out  
16 whether you're asking him did you interact  
17 verbally with him or did the boyfriend call  
18 the police, or are you asking both of those  
19 questions? I just want to make sure you get a  
20 clear answer.

21 MR. LAWRENCE: It's very simple.

22 Q. The warrant shows that there were no words  
23 spoken between myself and the woman, true?

24 MR. YUHAN: Objection to form.

25 A. Yes.

1 Q. Okay. So there were no verbal warnings  
2 directed at me by this woman, true?

3 MR. YUHAN: Objection to form.

4 MR. DRISCOLL: If you know.

5 A. Yes.

6 Q. Thank you. All right. So we got through the  
7 first half. That wasn't so hard.

8 Just going over facts 'cause, like I said,  
9 when you put stuff together, judges are getting stuff  
10 from all different angles, and they can have a hard time  
11 and they can make mistakes.

12 MR. LAWRENCE: So I want to get to the  
13 second half of this deposition. I want to get  
14 into the issue of the second-degree breach of  
15 peace statute, to which the officer certainly  
16 would have knowledge of since he arrested me  
17 for that.

18 Q. After the media slander and libel, I was  
19 arrested on February 6<sup>th</sup>, 2019, for a second-degree  
20 harassment charge, as I've already mentioned, based on  
21 one email from September 18, 2018.

22 Now, this is the Custodial Arrest Synopsis,  
23 a/k/a, also known as the official police press release  
24 of the second-degree harassment arrest. I want to  
25 introduce this into the record.

1 MR. LAWRENCE: So for the court reporter,  
2 it would be called the Westport Custodial  
3 Arrest Synopsis. And you'll see that the  
4 charge is Harassment 2nd, and it will say  
5 "Non-threatening." Do we all see that?

6 MR. DRISCOLL: Yes.

7 MR. YUHAN: I'm going to object to the  
8 predicate, but I see the document.

9 (Westport Custodial Arrest Synopsis for  
10 Case No. 2018-019908 deemed marked Plaintiff's  
11 Exhibit 4 for identification.)

12 Q. Okay. So, Officer Sullivan, you see the  
13 document. This is -- now I'm trying to understand this  
14 Westport Custodial Arrest Synopsis. This is an official  
15 police press release. We're going to get to your  
16 official police press release.

17 But on this, can you just verify, does it --  
18 it seems to distinguish the arrest as threatening or  
19 non-threatening. And this is an actual harassment  
20 charge. What does this arrest say? Is it threatening  
21 or non-threatening?

22 MR. DRISCOLL: Objection. I'm going to  
23 object because I don't think this is --

24 MR. LAWRENCE: He's reading the police's  
25 own document just to verify.

1 MR. DRISCOLL: I'll just object that the  
 2 document speaks for itself. If you want him  
 3 to read what it says on the paper, he can  
 4 confirm that.

5 MR. LAWRENCE: Yes. That's all I want.

6 MR. YUHAN: Objection to form.

7 A. In looking at this document, it does say  
 8 "Harassment 2nd, non-threatening."

9 Q. Thank you. Okay. Now I want to move on to --  
 10 now, is it correct that someone arrested for  
 11 second-degree threatening would have an official police  
 12 press release signifying threatening?

13 MR. YUHAN: Objection to form.

14 MR. DRISCOLL: If you know.

15 A. That stuff's all above my pay grade. I have  
 16 no involvement with press releases. So I don't know how  
 17 that would be done.

18 Q. Well, I mean, if it says "threatening," then  
 19 that means that it probably would have -- all right.

20 But, Officer, police do take threatening very  
 21 seriously, yes?

22 A. Yes.

23 Q. Okay. And so you're aware of what the  
 24 complainant said on the dispatch tapes for your arrest  
 25 of the one count of second-degree breach of peace, yes?

1 MR. YUHAN: Objection to form.

2 A. Yes.

3 Q. Okay. Now, this is the official police press  
4 release for the one count of second-degree breach of  
5 peace. I want to enter this into the record.

6 MR. LAWRENCE: You'll see, Court  
7 Reporter, it's Westport Custodial Arrest, and  
8 it will say "Charge, breach of peace. Bond  
9 \$5,000."

10 A. Yes.

11 MR. DRISCOLL: For the record, it's the  
12 PDF labeled Official Press Release 1.

13 (Westport Custodial Arrest Synopsis for  
14 Case No. 2017-022937 deemed marked Plaintiff's  
15 Exhibit 5 for identification.)

16 MR. LAWRENCE: And at the top of the  
17 document, it's Westport Custodial Arrest, and  
18 the arrest date would be 3/5/2018. It's from  
19 the arrest of when Officer Sullivan and I met  
20 each other.

21 MR. YUHAN: Can we go off the record for  
22 one second?

23 (Discussion off the record.)

24 Q. Officer Sullivan, do you see any reference to  
25 threatening in the official police press release of your

1 arrest of me for one count second-degree breach of peace  
 2 in this document, Westport Custodial Arrest Synopsis,  
 3 the official police press release?

4 MR. YUHAN: Objection to form.

5 A. No.

6 Q. Okay. Thank you. Now, in reviewing the  
 7 Connecticut second-degree breach of peace statute, since  
 8 the March 5th, 2018, booking of me for one count of  
 9 second-degree breach of peace, I've had one conversation  
 10 with you, a recorded conversation that was on or around  
 11 February 12th, 2021, calling you to ask you a question;  
 12 is that correct?

13 A. Yes.

14 Q. Okay. This conversation was about which part  
 15 of this one count of second-degree breach of peace  
 16 statute you arrested me for or which part of the breach  
 17 of peace statute your warrant's actual wording was  
 18 referring to, the wording of following and getting into  
 19 personal space; is that correct?

20 A. Yes.

21 Q. Okay. There are six parts of the  
 22 second-degree breach of peace statute, Officer. Which  
 23 part of this one count of second-degree breach of peace  
 24 did you arrest me for? Did it fit under section 1, 2,  
 25 3, 4, 5, or 6?

1 MR. YUHAN: Objection to form.

2 A. It was being referenced to part 6.

3 Q. Thank you. Okay. Just for the record, do you  
4 have any video recordings from any market ever, let  
5 alone any signifying harassment? I mean, do you have  
6 any video recordings from a market ever?

7 MR. DRISCOLL: Him personally?

8 MR. LAWRENCE: The police.

9 A. I don't know about the police, but me  
10 personally, no.

11 Q. Okay. 'Cause you mentioned in your warrant  
12 you didn't have one for the arrest.

13 Now, I want to refer you to a -- we can do  
14 this very quickly. I want to refer you to the statute,  
15 53a-181a. It's a subdivision of the second-degree  
16 breach of peace. It's called "Creating a public  
17 disturbance." It's a noncriminal infraction.

18 So my question to you is during your research  
19 into my past, did you find any noncriminal infractions  
20 of creating a public disturbance in your own search in  
21 relation to the incident?

22 MR. DRISCOLL: Objection to form.

23 A. I'm not sure I understand the question.

24 Q. Well, it's basically there were mentions in  
25 the warrant of past arrests, but they didn't distinguish

1 the convictions.

2 Now, I don't know when you do your criminal  
3 background checks if you see stuff that is  
4 noncriminal -- like, for example, this particular  
5 statute is an infraction. It doesn't show up on a  
6 criminal background check, Officer. And so it's kind of  
7 like a traffic violation. So seeing that I was never  
8 arrested before, I think it's common sense, but I can  
9 move on if you want to move on.

10 MR. DRISCOLL: Do you understand what  
11 he's asking?

12 THE WITNESS: Not really.

13 MR. DRISCOLL: Are you asking if he's  
14 aware of whether you were ever charged with  
15 creating a public disturbance or if that was  
16 revealed in his research, or are you asking  
17 whether that would show in a criminal history  
18 check or both?

19 MR. LAWRENCE: You know, I probably  
20 shouldn't even ask this question because I was  
21 never arrested before in Connecticut.

22 Q. Can we establish that? Is that true?

23 MR. YUHAN: Objection.

24 MR. DRISCOLL: Are you asking him if he  
25 knows if you were ever arrested in Connecticut

1 prior to 2017?

2 MR. LAWRENCE: Yes.

3 MR. YUHAN: Objection to form.

4 MR. LAWRENCE: Prior to the arrest that  
5 he made, was I never arrested in Connecticut.

6 A. No. Not that I know.

7 Q. Well, I mean, that's what it said in the  
8 warrant, that I didn't have any criminal background.

9 Now, there's one interesting statute. It's  
10 called 53a-40d.

11 MR. LAWRENCE: Now, Court Reporter, were  
12 you able to find these two documents that I  
13 mentioned that I was talking about?

14 THE REPORTER: I have no ability to go  
15 back and reference things during the  
16 deposition. I'm reporting the proceedings.

17 MR. LAWRENCE: So the next thing I want  
18 to just introduce to the officer, I just want  
19 his professional opinion as an officer. He is  
20 someone who looks at laws and has to interpret  
21 these to see if it fits a particular behavior  
22 or a particular investigation.

23 So I want to refer him to this  
24 Connecticut General Statutes, 53a-40d,  
25 Persistent offenders of crimes involving

1 assault, stalking, trespass, threatening,  
2 harassment, criminal violation of a protective  
3 order, criminal violation of a standing  
4 criminal protective order.

5 (Copy of Connecticut General Statute  
6 53a-181 deemed marked Plaintiff's Exhibit 6  
7 identification.)

8 (Copy of Connecticut General Statute  
9 53a-40d deemed marked Plaintiff's Exhibit 7  
10 identification.)

11 Q. Do we see this document?

12 A. Yes.

13 Q. Okay. Great. Why do you think that  
14 second-degree breach of peace is not part of this  
15 statute?

16 MR. YUHAN: Object to the form.

17 MR. DRISCOLL: I'm going to object and  
18 direct him not to answer those questions.

19 He's not an expert. He's not a lawyer  
20 who drafts legislation. He's a police officer  
21 and he's a fact witness.

22 MR. LAWRENCE: Well, if he's a police  
23 officer, and let's say he sees people  
24 have past -- as a police officer, he sees that  
25 someone might have a past one or two

1 second-degree breach of peace convictions, and  
2 he is investigating another case, I would say  
3 that this is something that's right up his  
4 alley.

5 MR. DRISCOLL: He's a fact witness in  
6 your case. He's not an expert. He's not been  
7 disclosed to give expert opinions.

8 So I'm going to tell him not to answer  
9 questions that ask for expert opinions because  
10 that's not his role here.

11 MR. LAWRENCE: Well, it's a policeman's  
12 job. This is something that would be part of  
13 his everyday --

14 MR. DRISCOLL: I'm not going to tell you  
15 how to prosecute or pursue your case, but his  
16 role as a fact witness relative to your  
17 claims, he can testify about facts or  
18 questions that pertain to facts. He's not to  
19 give expert opinions.

20 MR. LAWRENCE: Great. Okay.

21 Q. My next question is why did you not charge me  
22 with third-degree stalking for the one and only arrest?

23 MR. YUHAN: Objection to form.

24 MR. DRISCOLL: If you understand it, you  
25 can answer.

1           A.    The check that I did in your history, I  
2    went -- in looking over all the charges, I went with the  
3    breach of peace because it was the closest that fit what  
4    you had done, your actions.

5           Q.    Okay. Thank you. What would I have had to  
6    have done to be charged with third-degree stalking?  
7    Even if you wanted to arrest me for third-degree  
8    stalking, what would I have had to do behavior-wise?

9                   MR. YUHAN: Object to the form.

10                  MR. DRISCOLL: I'm going to object to the  
11                   form. But if he understands the question,  
12                   I'll let him answer it.

13           A.    My understanding of the law itself would have  
14    meant you would have had to have repeatedly stalked or  
15    harassed the same victim --

16           Q.    Okay.

17           A.    -- over and over again.

18           Q.    All right. And if you were investigating  
19    someone for stalking or harassing someone already known,  
20    all right, someone is known, would I be described as a  
21    suspicious person if I was already known by the person  
22    making the complaint?

23                   MR. YUHAN: Objection to form.

24                  MR. DRISCOLL: I'm going to object to  
25                   form.

1                   If you understand what he's asking, you  
2                   can answer it.

3                   THE WITNESS: I think I do.

4                   A. Probably not. But again, we wouldn't put the  
5                   brief description on that form. It would have been done  
6                   by somebody else. It would have been done by one of the  
7                   dispatchers, not me.

8                   Q. All right. There's one last incident report.  
9                   It's an actual incident report. Just give me one  
10                  minute. All right. I have two more questions before I  
11                  do this.

12                  Is it true that police must carefully choose  
13                  their words and not use words that would signify or  
14                  describe other unrelated crimes?

15                  MR. YUHAN: Objection to form.

16                  A. I really didn't hear you.

17                  Q. Officer Sullivan, is it true that police  
18                  carefully choose their words and do not use words that  
19                  can signify or describe or label another unrelated  
20                  crime?

21                  MR. YUHAN: Object to the form.

22                  MR. DRISCOLL: I'll object to the form.

23                  But if you understand it.

24                  A. I honestly don't understand the question.

25                  MR. DRISCOLL: He said he doesn't

1 understand the question.

2 MR. LAWRENCE: I'll try it one more time.

3 Q. Is it true that police carefully choose their  
4 words and don't use words that could signify or describe  
5 another unrelated crime?

6 MR. YUHAN: Objection to form.

7 MR. DRISCOLL: If you understand what  
8 he's asking, you can answer.

9 THE WITNESS: Really, I'm not --

10 MR. DRISCOLL: We can hear you clearly,  
11 but he's not understanding what you're asking  
12 him.

13 THE WITNESS: I'm not really sure what  
14 he's looking for.

15 Q. Okay. For example -- all right. We'll move  
16 on.

17 All right. How about this? Okay. We're  
18 going to move on. Is it accurate to say,  
19 Officer Sullivan, that you consciously avoided using  
20 words -- since you did not use the words "stalk" or  
21 "harass" in the warrant, that you consciously avoided  
22 using these terms, because these are actual crimes of  
23 course of conduct behavior, as you've just described,  
24 with their own statutes?

25 MR. YUHAN: Objection to form.

1 MR. DRISCOLL: Objection. If you  
2 understand, you can answer.

3 A. I didn't actively avoid using those terms, if  
4 I understand you correctly. I didn't actively avoid  
5 them. I didn't consciously avoid them. They just  
6 didn't come up.

7 Q. Okay. Officer Sullivan, is it fair for the  
8 news to mention past arrests in ways that insinuate  
9 these arrests resulted in convictions?

10 MR. YUHAN: Objection to form.

11 MR. DRISCOLL: Object to form.

12 But if you understand the question --

13 A. You're going to have to ask that one again. I  
14 didn't get that.

15 Q. Okay. Once again, Officer Sullivan, in your  
16 warrant, you mention past arrests. Now, the warrant was  
17 not distinguishing if any of these were convictions, for  
18 example, the 1995 stalking in California, where that  
19 case was dismissed.

20 In fact, the only conviction I had when you  
21 arrested me was for a -- and the FBI shows that the only  
22 conviction I have is a domestic violence related to  
23 California. Okay?

24 So any of these other arrests that we  
25 mentioned, including the avoiding police in Florida in

1 1987, were dismissed.

2 Now, just for your own sake -- 'cause I know  
3 that 99 percent of the time warrants aren't seized and  
4 you don't have inexperienced journalists, 22-year-old  
5 journalists combing through warrants and trying to make  
6 sense of stuff that is presented in a very simple, like  
7 not detailed way.

8 In your own opinion, is it fair for news to  
9 mention past arrests in ways that insinuate these  
10 arrests resulted in convictions?

11 MR. YUHAN: Objection to form.

12 MR. DRISCOLL: I'm going to object. But  
13 if he understands it, he can answer.

14 Q. In your warrant, would you want -- if someone  
15 was arrested for something, Officer Sullivan, but he was  
16 never convicted of it, would you want the press  
17 presenting it in the way Hearst news, Westport News  
18 reporter presented the arrest, saying that he, quote,  
19 doesn't have an arrest record in Connecticut, but he was  
20 arrested in California for stalking and in Florida for  
21 evading police?

22 Now, that's where she stops. She doesn't go  
23 anywhere else and leaves the reader to imagine, wow, but  
24 he was arrested, so he probably was convicted.

25 So I'm asking you, Officer Sullivan, if you're

1 writing an arrest warrant for someone, would you not  
2 expect the people writing about any kind of criminal  
3 background check or arrest record to at least  
4 distinguish whether the arrest resulted in a conviction?

5 Is it fair for the news to mention past  
6 arrests in ways that insinuate these arrests resulted in  
7 convictions?

8 MR. YUHAN: Objection to form.

9 MR. DRISCOLL: I'll object too.

10 But you can answer if you understand it.

11 A. I mean, even if I understand it, I have no  
12 control of what the media does with an arrest warrant or  
13 with that information.

14 Q. Would you want your information of saying that  
15 someone was arrested for something, but you didn't say  
16 that they were convicted, would you want the news to  
17 insinuate that he was convicted of something that you're  
18 just saying that he was arrested for?

19 Like I said, this is stuff that can blow back  
20 at an officer, and I'm just trying to get an opinion  
21 from you. What do you think is proper procedure for  
22 having your warrant reported on?

23 MR. YUHAN: Objection to form.

24 MR. DRISCOLL: I'll object. He's a  
25 police officer. He's not a media expert. So

1 he can't comment on the proper procedure for  
2 media outlets.

3 Q. Okay. So I just have one last exhibit. And I  
4 will leave it to these last questions that I have right  
5 here.

6 Okay. Officer Sullivan, do you recall a  
7 conversation with me during the booking procedure about  
8 not going to jail over this?

9 A. I do not.

10 Q. Okay. Did you submit the dispatch tape to the  
11 prosecutor?

12 A. I did not.

13 Q. Why not?

14 A. It's not my job.

15 Q. Whose job is it?

16 A. I honestly don't know. Probably our media  
17 person, I would imagine.

18 Q. But as part of your investigation, it's the  
19 actual woman in her own words. Why would you not submit  
20 that to the prosecutor?

21 A. I actually never listened to the tape myself.  
22 It's saved, it's used, but it's not something I used. I  
23 physically spoke to the woman herself and got all my  
24 information.

25 Q. Okay. Did the woman from your arrest make a

1 sworn written statement?

2 MR. YUHAN: Objection to form.

3 MR. DRISCOLL: If you recall.

4 A. I don't believe she did.

5 Q. Okay. Do you know why there were no booking  
6 tapes at all with the booking officer, meaning that  
7 there was no booking tapes submitted to the prosecutor?  
8 And I got the dispatch tapes via a Freedom of  
9 Information Act request, and I tried to get the booking  
10 taped via Freedom of Information, but they said there  
11 was never any booking tapes. Do you know why there was  
12 no booking tapes of the arrest?

13 MR. DRISCOLL: If you know.

14 A. I don't know. I honestly don't know. As far  
15 as I know, every time I'm down there, we're being taped.  
16 If it wasn't working, I have no idea.

17 Q. Okay. Now, do you have any recorded proof of  
18 the woman -- let me put it this way: You take threats  
19 of retaliation serious, right?

20 A. Yes.

21 Q. Now, I'm just trying to be very delicate with  
22 this one. Are subjective fears evidence of any crime?

23 MR. YUHAN: Object to the form.

24 MR. DRISCOLL: Object to the form.

25 Q. Let's go back. You take threats of

1 retaliation very seriously. Is there an incident  
2 report, Officer Sullivan, that is part of your research,  
3 sir, that documents any threat of retaliation?

4 MR. YUHAN: Objection to form.

5 MR. DRISCOLL: I'll join. If you  
6 understand what he's asking --

7 THE WITNESS: I think I understand.

8 A. And I'm going to have to say no to that.

9 Q. Okay. Good. There wasn't. There was no  
10 threats of retaliation.

11 Now, also, in any of the incident reports --  
12 or I'll put it this way: Is there any incident report,  
13 any incident report denying any claim -- and I have them  
14 all right here -- that documents any fear of retaliation  
15 to give a sworn written statement that is from your  
16 warrant? Let me just quote your warrant really quickly.  
17 And then I'll ask the question and then we'll be done.

18 Okay. Section 13 of the warrant, "And in this  
19 case, the complainant would not provide a sworn written  
20 statement for fear that Lawrence would be able to find  
21 out who she was and then be able to retaliate against  
22 her. I also learned that in all the nine other cases  
23 that the complainants all felt the same way, that they  
24 all feared for their safety, and because of this, they  
25 were reluctant to provide statements."

1           Okay. Officer, this is it, and we'll be done.  
2    Like I said, I'm just trying to deal with facts because  
3    we have a life on the line here, and I'm trying to just  
4    have everyone, not just the judge, but Hearst to  
5    understand your warrant in the most detailed way  
6    possible so we can come to a nice resolution.

7           So my question to you, Officer, with that  
8    statement that you made in section 13 of your arrest  
9    warrant, is there any incident report that documents any  
10   fear of retaliation to give a sworn written statement  
11   that you write about?

12           MR. YUHAN: Objection to form.

13           Q. You've read all of them. This is your  
14   research. You wrote in the arrest warrant that all  
15   nine -- a number which is questionable, which I can go  
16   into, but I'm not ready to go into that quite yet -- all  
17   nine did not give a sworn written statement out of fear  
18   of retaliation. And I'm asking you does any incident  
19   report document this?

20           MR. YUHAN: Objection to form.

21           MR. DRISCOLL: Other than his own?

22           MR. LAWRENCE: Excuse me?

23           MR. DRISCOLL: Other than his own

24           reports?

25           MR. LAWRENCE: Yes. Other than his own.

1           He's reading the incident reports that he  
2           is -- because I'm trying to --

3           Q.   All right.  How about this?  If it's not in an  
4   incident report -- which it's not, I'm saving time --  
5   it's actually only in one incident report, and that had  
6   to do with a scuffle between me and a man.  Okay?

7           Now, that's the only time that there was any  
8   kind of phrase or mention of any kind of fear to give a  
9   statement out of fear of retaliation.

10           But let me put it this way:  If you're to  
11   write this on an arrest warrant, Officer, where are you  
12   getting this information?  If it's not in an incident  
13   report -- we're looking at decades' old incident  
14   reports.  They go back to 2002, 2003, 2004.  I lived in  
15   San Francisco from 2007 to 2017.

16           So I really want first to understand that --  
17   look, I'm not trying to come down on anyone.  I'm not  
18   trying to sue the police or anything.  But when someone  
19   reads this, it should be true.

20           And as an investigator, I'm trying to think,  
21   the only other way that you could know is either through  
22   what?  How else would you know if it's not in an  
23   incident report of some kind of past fear?  It's a  
24   generalistic language that you use that you learned that  
25   in all nine cases that the complainants all felt the

1 same way, all felt the same way, that they all feared  
2 for their safety, and because of this were reluctant to  
3 give statements. And where did you get this?

4 MR. YUHAN: Objection to form.

5 MR. DRISCOLL: I'm going to join that.

6 But your question is where he got the  
7 information contained in paragraph 13 of his  
8 warrant?

9 MR. LAWRENCE: Exactly.

10 A. Okay. If I understand you correctly, all  
11 right, I agree with you that that statement was not in  
12 any of the reports. But what I had done between the  
13 time of my report and writing this warrant was actually  
14 speak to the officers.

15 And I can't attest that every single officer,  
16 but every officer that I did talk to that conducted  
17 those other investigations, I asked them if they had  
18 gotten a statement from their complainant, and they all  
19 said the same thing, no, 'cause they were afraid for  
20 retaliation. That's where that came from.

21 Q. All right. So basically this is coming from  
22 hearsay within the police department?

23 MR. YUHAN: Objection to form.

24 MR. LAWRENCE: Well, no, that's basically  
25 what it is because, yes, he could be speaking

1 to other officers and they could mention stuff  
2 like that, all nine.

3 Q. But all nine -- do all nine officers still  
4 work there from all the incident reports, Officer?

5 A. I'd have to check. I'm not sure off the top  
6 of my head.

7 Q. All right. Did you call these complainants?

8 A. No. I don't believe so.

9 Q. So you didn't call them. Basically this  
10 section of the warrant, 13, is based on hearsay. It's a  
11 very strong section of the warrant because it really is  
12 giving people the idea, and it was reported that there  
13 were some kind of threats. And every case had their own  
14 particular circumstances.

15 And I will now end this by just referring to  
16 one incident report, the first incident report of 2002.

17 MR. LAWRENCE: Court Reporter, it's the  
18 incident report, report number 2002-002662.

19 This is the first one.

20 (Incident Report No. 2002-002662 deemed  
21 marked Plaintiff's Exhibit 8 for  
22 identification.)

23 Q. You can actually read this thing. It's not a  
24 very long incident report. It's one paragraph, which  
25 once again has that suspicious person brief description.

1 And when you read it, it doesn't say that anyone was in  
2 fear of retaliation. And it doesn't say -- doesn't use  
3 the word "stalk," doesn't use the word "harass." And it  
4 also showed that it was, like in tune with what were you  
5 were talking about, it was one time. I never saw this  
6 person again.

7 MR. LAWRENCE: So I'll end this right now  
8 and just say that for the record what I'm  
9 entering in is just an example of what  
10 Officer Sullivan has confirmed is that there's  
11 not one incident report, any document, any  
12 kind of hard evidence about section 13 of his  
13 warrant.

14 MR. LAWRENCE: I'm done.

15 MR. DRISCOLL: I'm not sure if that was a  
16 question. But I don't think it was.

17 MR. LAWRENCE: No, it wasn't. He's  
18 already answered the question that no incident  
19 report documents anything --

20 MR. DRISCOLL: Just making sure he didn't  
21 have to answer that.

22 MR. LAWRENCE: Like I said, this is  
23 not -- I'm doing what I have to do. I'm  
24 not -- I haven't sued the police.

25 MR. DRISCOLL: I think Mr. Yuhan might

1 have a couple questions. It's his time.

2 Right?

3 MR. YUHAN: I do.

4 Now, Mr. Sullivan, I know we've been  
5 going for about an hour. Would you rather  
6 take a break for just a couple of minutes or  
7 do you want to just go forward?

8 I think my -- you know, it's always a  
9 challenge to guess, but I would venture to  
10 guess I have maybe 20 minutes or so of  
11 questions.

12 THE WITNESS: I'm good to keep going.

13 CROSS-EXAMINATION

14 BY MR. YUHAN:

15 Q. Mr. Sullivan, my name is Stephen Yuhan. I  
16 represent the defendant Hearst Communications, Inc. in  
17 this matter. And I appreciate you taking the time to  
18 speak with us today. I know it's not always a  
19 particularly pleasant way to spend your day off, so I do  
20 appreciate that. I'll try to keep this brief.

21 Let me just start with this: Mr. Sullivan,  
22 have you and I spoken before?

23 A. No.

24 Q. Have we communicated in any way before?

25 A. No.

1 Q. Prior to our introduction just before the  
2 deposition, did you have any idea that I was  
3 representing Hearst in this matter?

4 A. No.

5 Q. Have you reviewed the complaint filed by  
6 Mr. Lawrence against Hearst in this matter?

7 A. No.

8 Q. Aside from what you may have gleaned either  
9 from your own counsel or from Mr. Lawrence during this  
10 deposition, do you have any idea what the substance of  
11 the claims or defenses in this matter are?

12 A. No.

13 Q. Okay. I want to put before you --

14 MR. YUHAN: Mr. Driscoll, if you could  
15 help me out.

16 Q. -- I want to put before you the document that  
17 was circulated to counsel as Exhibit A.

18 MR. DRISCOLL: He has a copy in front of  
19 him, and we have it pulled up on my screen as  
20 well.

21 MR. YUHAN: Great.

22 (Arrest Warrant Application deemed marked  
23 Defendant's Exhibit A for identification.)

24 MR. YUHAN: Now, for the record, this is  
25 a document that is an arrest warrant

1 application. At the top of the page is a  
2 header case number 3:18-cv-01927, Document  
3 39-4. It's a 12 page document.

4 Q. Mr. Sullivan, do you recognize this document?

5 A. Yes.

6 Q. And what is this document?

7 A. It's my arrest warrant application for James  
8 Lawrence.

9 Q. Okay. And is that your signature at the  
10 bottom of the first page?

11 A. Yes.

12 Q. And I see a numeral sign and it looks to be  
13 the numerals 4358. What's the significance of that  
14 number?

15 A. That's my badge number.

16 Q. Okay. And what is your understanding of the  
17 role that this document, the arrest application, plays  
18 in the course of a criminal proceeding?

19 A. It contains all the information and  
20 circumstances of an event that I know about and are  
21 compiled to show that I have probable cause to believe  
22 that the person mentioned is guilty of the specific  
23 charge, and in this case breach of peace.

24 Q. And an Arrest Warrant Application contains  
25 your statements made under oath; is that correct?

1 A. Yes.

2 Q. And that was true for this document,  
3 Exhibit A, correct?

4 A. Yes.

5 Q. You made those statements under oath  
6 indicating that at the time that you made them, to the  
7 best of your knowledge, information, and belief, those  
8 statements were true; is that right?

9 A. Yes.

10 Q. And this relates to an incident that took  
11 place on or about November 5, 2017; is that correct?

12 A. Yes.

13 Q. And that was the incident in the parking lot  
14 of the Fresh Market involving Mr. Lawrence, correct?

15 A. Yes.

16 Q. And do you know whether or not an arrest  
17 warrant was actually issued relating to this incident?

18 A. Yes.

19 Q. Was an arrest warrant issued relating to this  
20 incident?

21 A. Yes.

22 Q. And it was on the basis of your application,  
23 correct?

24 A. Yes.

25 Q. And that application included the statements

1 contained in paragraph 2, correct?

2 A. Yes.

3 Q. It included the statements made in paragraph 4  
4 identifying Mr. Lawrence?

5 A. Yes.

6 Q. Turning to the next page, in paragraph 7 at  
7 the end of the paragraph, do you see the sentence that  
8 says "Lawrence was advised that it was his behavior and  
9 the fact that he allowed the complainant" -- or sorry --  
10 strike that.

11 Do you see the sentence at the end of  
12 paragraph 7 beginning with "Lawrence was advised that it  
13 was his behavior"?

14 A. Yes.

15 Q. And that statement was true at the time that  
16 you submitted this affidavit to the best of your  
17 knowledge, information, and belief, right?

18 A. Yes.

19 Q. In paragraph 10, at the end of that paragraph,  
20 do you see the sentence that says "In checking this file  
21 later, I learned that there is still a protective order  
22 in effect against Lawrence"?

23 A. Yes.

24 Q. And again, when you filed this affidavit, that  
25 sentence was true to the best of your knowledge,

1 information, and belief; is that right?

2 A. Yes.

3 Q. And could you take a moment and review  
4 paragraph 11 for me, please? You don't have to read it  
5 aloud. You can review it to yourself. Just let me know  
6 when you're done.

7 (Pause in the proceedings.)

8 A. Okay. I'm done.

9 Q. And those statements were true at the time  
10 that you filed this affidavit to the best of your  
11 knowledge, information, and belief, correct?

12 A. Yes.

13 Q. I have the same questions for paragraphs 12,  
14 13, and 14. So if you could read those paragraphs to  
15 yourself and let me know when you're finished.

16 (Pause in the proceedings.)

17 A. I'm finished.

18 Q. At the time that you filed this affidavit, the  
19 statements contained in paragraphs, 12, 13, and 14 were  
20 true to the best of your knowledge, information, and  
21 belief; is that right?

22 A. Yes.

23 Q. Now, the document that we've just gone over,  
24 one, two, three pages, that's a record that is  
25 maintained by the Westport Police in the normal course

1 of its business; is that right?

2 A. Yes.

3 Q. And it was a document that was actually filed  
4 in the Superior Court in Connecticut; is that correct?

5 A. Yes.

6 Q. Okay. If I could ask you to turn to the next  
7 page, this is an incident report. It's a little hard to  
8 tell, but it's report number 2017-022937.

9 MR. DRISCOLL: -937?

10 MR. YUHAN: Yes. Yes.

11 A. Yes.

12 Q. The report date is 11/05/2017, right?

13 A. Yes.

14 Q. And have you seen this document before?

15 A. Yes.

16 Q. And can you describe what this is?

17 A. It's my report from the incident at the Fresh  
18 Market.

19 Q. Okay. The same incident that was discussed in  
20 the Arrest Warrant Application we just reviewed,  
21 correct?

22 A. Yes.

23 Q. And is this a document that is maintained in  
24 the normal course of business by the Westport Police  
25 Department?

1           A.    Yes.

2           Q.    And if you look, we're now on page 4 of 7 of  
3 the incident report. It says "Additional Narrative" at  
4 the top. Do you see that?

5           A.    Yes.

6           Q.    And can you describe for me what is the --  
7 strike that.

8                   Actually, I'm finished with this document.  
9 You can put that to the side. If I could ask you to put  
10 in front of you Exhibit B.

11                   MR. DRISCOLL: I didn't get a chance to  
12 print that, so give me one second.

13                   MR. YUHAN: Sure. No problem. My  
14 apologies. I didn't realize until too late  
15 that I had not originally attached that.

16                   MR. DRISCOLL: Okay. We have it up on  
17 the screen.

18                   MR. YUHAN: Okay. Now hang on. Let me  
19 just make sure that I'm working off the same  
20 document.

21                           (Incident Report No. 2018-019908 deemed  
22 marked Defendant's Exhibit B for  
23 identification.)

24                   MR. YUHAN: Okay. Exhibit B is a  
25 document entitled Incident Report bearing

1 report number 2018-019908. And there's a  
2 legend, a header at the top of that document,  
3 Case number 3:18-cv-01927, Document 39-8.

4 MR. DRISCOLL: We have it.

5 Q. Okay. Now, Mr. Sullivan, is this a document  
6 that you have seen before?

7 A. Not until today.

8 Q. Not till today. And in fact, if you look at  
9 the bottom of the first page of that document, under  
10 Reporting Officer, that's Mark Grasso, correct?

11 A. Yes.

12 Q. And do you know who Mark Grasso is?

13 A. Yes, I do.

14 Q. Okay. Are you familiar with the incident  
15 described in this incident report? Are you personally  
16 familiar with that incident?

17 A. I've had discussions with Officer Grasso, yes.

18 Q. Okay. Now, do you have any reason to doubt  
19 that the statements set forth in the incident report by  
20 Mr. Grasso were true at the time to the best of his  
21 knowledge, information, and belief?

22 MR. LAWRENCE: I would like to object  
23 because basically my objection is based on the  
24 fact that they're talking about an arrest, as  
25 I've already mentioned, an incident report

1           that is after the arrest with  
2           Officer Sullivan.

3           His knowledge of this case is next to  
4           nothing, and he's not an authority on this  
5           particular case. It's established that I was  
6           arrested for second-degree harassment.

7           However, many of my complaints and the  
8           points of my complaint against Hearst have to  
9           do with issues prior to this arrest, and the  
10          way that Hearst reported on this arrest  
11          actually contributed to this false arrest and  
12          the arrest, attempted arrest for second-degree  
13          stalking that was rejected by the prosecutor.

14          So I don't know where defense is going on  
15          this. I'm just going to say that I object  
16          because Officer Grasso -- Officer Sullivan is  
17          not an authority on this -- if  
18          Officer Sullivan is not an authority on past  
19          incident reports, how is he an authority on  
20          someone else's case? It doesn't make sense.

21          MR. DRISCOLL: All right. So the  
22          question was whether he has any reason to  
23          doubt that Officer Grasso accurately reflected  
24          his knowledge of events in his report, right?

25          MR. YUHAN: That is correct.

1                   MR. DRISCOLL:  If you understand, you can  
2                   answer.

3           A.  I believe he is accurate, yes.

4           Q.  Okay.  Now, if you look at page 4 of this  
5           exhibit, it is entitled Additional Narrative.  Do you  
6           see that?

7           A.  Yes.

8           Q.  And do you know -- do you see -- let's see --  
9           three lines down, at the end of that line, there is a  
10          reference to you, "who was arrested by Officer Sullivan  
11          in March 2018."  Do you see that?

12          A.  Yes.

13          Q.  And after that, the line continues, "had  
14          returned to Westport from Europe yesterday for a court  
15          appearance in Norwalk today."  Do you see that line?

16          A.  Yes.

17          Q.  And do you know whether or not that court  
18          appearance was in relation to the arrest that you had  
19          made?

20          A.  Yes.  I believe it was.

21          Q.  And does that indicate to you that as of the  
22          time of this incident report, that matter was still  
23          pending?

24          A.  Yes.

25          Q.  Okay.  To your knowledge, this incident that

1 Mr. Grasso was involved in for the crime of harassment  
2 in the second degree, do you know whether or not that  
3 case is still pending?

4 A. I believe it is still pending.

5 Q. And again, this incident report, this is a  
6 document that is maintained by the Westport Police  
7 Department in the regular course of its business, is it  
8 not?

9 A. Yes.

10 Q. Okay. Just a couple more questions,  
11 Mr. Sullivan, and then I'll be finished with my  
12 examination.

13 Are you currently employed?

14 A. Yes.

15 Q. It's not a trick question. I'm just asking.

16 A. I thought you were going to keep going there.  
17 Yes.

18 Q. Are you currently employed?

19 A. Yes.

20 Q. Who is your employer?

21 A. Westport Police Department.

22 Q. And what is your title with the Westport  
23 Police Department?

24 A. Police officer.

25 Q. And have you been a police officer with the

1 Westport Police Department since about March 7, 2016?

2 A. Yes.

3 Q. Are you aware of any reason why sitting here  
4 today the testimony you've given in this deposition  
5 could not be the -- strike that. That was terrible.

6 Is there any reason, sir, that the testimony  
7 you've given today is not your best recollection and  
8 true to the best of your knowledge, information, and  
9 belief?

10 A. No.

11 MR. YUHAN: Subject to any further  
12 examination by Mr. Lawrence, I have no further  
13 questions. Thank you so much.

14 MR. LAWRENCE: I just have one question  
15 in regards to the warrant that you're talking  
16 about, the second-degree breach of peace.

17 I want to direct Officer Sullivan and his  
18 attorney to section 20 of that warrant. This  
19 is the second-degree harassment arrest,  
20 February 6, 2019, arrest that happened one  
21 year after Officer Sullivan's arrest.

22 MR. DRISCOLL: Are you talking about  
23 Officer Grasso's report?

24 MR. LAWRENCE: Yes. His warrant, the  
25 actual warrant.

1 THE WITNESS: Grasso's warrant or my  
2 warrant?

3 MR. LAWRENCE: Grasso's. Section 20,  
4 please.

5 THE WITNESS: I'm just not sure.

6 MR. DRISCOLL: I don't think we have  
7 Grasso's warrant. We have his incident  
8 report.

9 MR. LAWRENCE: Okay. I guess that's  
10 something I'll have to submit.

11 MR. LAWRENCE: All right. So I think  
12 we're pretty much done here, I think.

13 REDIRECT EXAMINATION

14 BY MR. LAWRENCE:

15 Q. I just have one last question. Did the woman  
16 use the word "harass" on the dispatch tapes, so I don't  
17 have to bring out the dispatch tapes?

18 MR. DRISCOLL: The woman in the incident  
19 that he did the arrest warrant for?

20 MR. LAWRENCE: Yes.

21 Q. Officer Sullivan, in regards to your arrest,  
22 did the woman use the word "stalk" or "harass" in the  
23 dispatch tapes?

24 MR. YUHAN: Objection to form.

25 A. I never listened to the dispatch tapes.

1 Again, I got all my information from her directly.

2 Q. But she was recorded on the dispatch tapes --

3 A. Absolutely.

4 Q. -- from the initial call? The initial call  
5 was in her own words?

6 MR. DRISCOLL: He said he didn't listen  
7 to those.

8 A. I'm told by the dispatcher themselves what's  
9 going on with the call, not by listening to the actual  
10 tape.

11 Q. Okay.

12 MR. LAWRENCE: I'm wondering if this  
13 phrase that he used -- I find it to be a very  
14 proper choice of words, "follow and get into  
15 personal space," meaning the idiom "get into  
16 personal space," it's actually an idiom in the  
17 dictionary that it's usually violate personal  
18 space.

19 Q. But are you aware that that is a phrase in the  
20 dictionary?

21 A. No. Not really.

22 Q. Okay. I think we're done.

23 MR. LAWRENCE: I want to thank everyone.  
24 I don't see anything else. Since you don't  
25 have Grasso's warrant, I'm not looking to ask

1           any other questions. I want to keep it  
2           simple.

3           MR. YUHAN: No further questions.

4           THE REPORTER: Do you want the witness to  
5           read and sign?

6           MR. DRISCOLL: No.

7           THE REPORTER: Do you both need a copy of  
8           this transcript?

9           MR. YUHAN: Yes.

10          MR. LAWRENCE: I told Michael that I need  
11          it to be expedited, if I could have it by like  
12          Wednesday.

13          THE REPORTER: Attorney Yuhan, do you  
14          need a copy of the transcript?

15          MR. YUHAN: Yes, please, on the same  
16          basis.

17          THE REPORTER: Is a PDF email acceptable  
18          or paper copy?

19          MR. YUHAN: PDF is fine for me.

20          MR. LAWRENCE: PDF would be great.

21                 (Time noted: 1:47 p.m.)

22                 (Signature waived by agreement.)

23

24

25

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25 (Counsel retained their own exhibits.)

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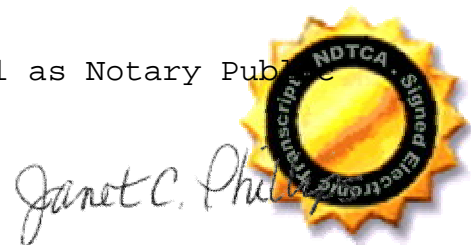
C E R T I F I C A T E

I hereby certify that I am a Notary Public, in and for the State of Connecticut, duly commissioned and qualified to administer oaths.

I further certify that the deponent named in the foregoing deposition was by me duly sworn, and thereupon testified as appears in the foregoing deposition; that said deposition was taken by me stenographically remotely via videoconferencing and reduced to typewriting under my direction, and the foregoing is a true and accurate transcript of the testimony.

I further certify that I am neither of counsel nor attorney to either of the parties to said suit, nor am I an employee of either party to said suit, nor of either counsel in said suit, nor am I interested in the outcome of said cause.

Witness my hand and seal as Notary Public  
this 23rd day of February 2021.



Janet C. Phillips  
Notary Public  
CSR No. 124

My Commission expires:  
October 31, 2021