



Pending Final Report Review Approval

NARRATIVE CONTINUATION

Bittman never called Dujan anything and that portion of the video subtitles is a fabrication. Jennings advised that she also observed the fourth member of Dujan's group in an SUV filming her own car from across the aisle as she arrived at her vehicle to leave.

Considering all of the above, and the interviews conducted by Ofc. Schmidt in the OPPD Case Report filed under this number, R/O concludes that the allegations made against Bittman are unfounded. Dujan and his group do reserve the right to shoot video in public spaces. Bittman also has the right to question the need for such video to be shot and also the expectation that she can utilize public sidewalks without intentional obstruction. R/O finds that Dujan and his group had video setup in anticipation of Bittman exiting the Civic Center, due to the fact that the video was running prior to Bittman's actual exit from the building and that Allen had located Jennings' vehicle ahead of time and positioned himself in such a manner as to shoot video of Bittman leaving. R/O also finds that Dujan chose not to allow Bittman to use the sidewalk to pass based on both the video showing him standing his ground as she approaches and Kraft informing her that she should walk around him. Dujan and his group appear to have willingly setup Bittman for a confrontation, thereby nullifying their ability to experience a breach of peace. Any statements made by anyone on scene, regardless of their nature, would also be protected speech by law.

No further this R/O.

REPORTING OFFICER

Grimmett, James G.

DATE

07/10/2014

REVIEWED BY

Grimmett, James G.

7/10/2014

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