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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

El Comité de Trabajadores por el Progreso y Bienestar Social, Monmouth County Residents for Immigrant Rights, National Day Laborers Network, Alejandro A., Juan G. Tomas, V., Pedro E., Adalberto Cruz and Everado Cruz

FILED
DEC 30 2003

Plaintiffs,

WILLIAM T. WALSH
CLERK

CIVIL ACTION

No. 03-6180(AET)

-against-

Freehold Borough, Mayor Michael Wilson, both in his in his individual and his official capacities as Mayor of Freehold Borough,

CLASS ACTION
COMPLAINT

JURY TRIAL

Defendants.

PRELIMINARY STATEMENT

1. The Borough of Freehold has embarked on a deliberate and coordinated campaign to harass Latino day laborers and deprive them of their constitutional and civil rights as provided under United States and New Jersey law. The Borough has announced an intention to prohibit these laborers from expressing their availability for employment at a location these laborers gather to find work. The Borough has threatened to fine the laborers hundreds of dollars for such offenses as "officer's discretion" in an attempt to intimidate them. Lists of license plates, apparently of persons driving in and around this hiring area, as well as lists of allegedly overcrowded homes in neighborhoods primarily populated by Latino residents, have

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CLERK OF COURT
DISTRICT OF NEW JERSEY

been provided by white residents to the Borough. The Borough's Code Enforcement officers have "raided" private homes in these Latino neighborhoods late at night to evict alleged "unauthorized" guests. Further, the Borough has publicly identified these laborers as potential security threats, stating that anyone violating the prohibitions on seeking work would be reported to the United States Department of Homeland Security (the "Department of Homeland Security").

2. In short, the Borough is waging its own war of terror on these Latino day laborers who, along with organizations representing or assisting them, seek the intervention of this Court to enjoin the Borough from taking these unlawful actions and to provide monetary relief to those harmed by these actions.

3. This is a class action suit brought pursuant to 42 U.S.C. §1983 and §1988. Plaintiffs challenge the defendants' discriminatory actions towards them in violation of the First Amendment to the United States Constitution, as well as the Equal Protection and Due Process clauses of the United States and New Jersey Constitutions.

JURISDICTION

4. Jurisdiction is founded upon 28 U.S.C. §1331, §1343(3) and the aforementioned statutory and constitutional provisions. The court has supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. §1367. Venue is proper in this district under 28 U.S.C. §1391(b) in that all claims arose in this district.

CLASS ACTION ALLEGATIONS

5. Plaintiffs bring this action pursuant to Rule 23(a) and (b) (1) and (2) of the Federal Rules of Civil Procedure, on their own behalf and on behalf of a class defined as: all Latino persons living or working in the Freehold Borough area who have in the past been harassed by defendants, may be harassed in the future, or who have been or will be deterred from expressing their availability for employment at the Hiring Area or elsewhere in Freehold Borough.

6. This class is so numerous that joinder of all its members herein is impracticable. The number of members of the class is not known with precision but consists of at least several hundred.

7. There are questions of law and questions of fact common to the class; the claims of the plaintiffs are typical of the claims of the class and they will fairly and adequately protect the interests of the class. Defendants have acted on grounds generally applicable to the class, thereby making appropriate injunctive relief with respect to the class as a whole. A class action is superior to other available methods for a fair and efficient adjudication of this matter in that prosecution of separate actions by individual members of the class would unduly burden the Court. Separate actions would also create a risk of inconsistent adjudications with respect to individual members of the class, which would establish incompatible standards of conduct for the defendants.

8. This action is maintainable under Rule 23 (b) (1) and (2) of the Federal Rules of Civil Procedure.

9. The plaintiffs will fairly and adequately protect the interests of the class. The Puerto Rican Legal Defense and Education Fund and the Mexican American Legal Defense and Educational Fund have litigated constitutional and civil rights cases and served as class counsel and will adequately represent the class.

10. Plaintiffs know of no conflicts of interest among members of the class with regard to the issues in this case.

11. The questions of fact common to the class relate to the use by defendants of harassment tactics against Latinos in the Freehold Borough area.

12. The questions of law common to the class relate to their right to be treated similarly to other persons residing or seeking work and to be free from harassment in Freehold Borough and to the denial of their right to express their availability for work.

PARTIES

Plaintiffs

13. Plaintiff El Comité de Trabajadores por el Progreso y el Bienestar Social/ Committee of Workers for Progress and Social Welfare is an unincorporated association of Latino workers and day laborers whose members seek employment in Freehold Borough.

14. Plaintiff Monmouth County Residents for Immigrant Rights is an unincorporated association of residents of Monmouth County, including Freehold Borough, concerned about the community of day laborers and/or immigrants in Monmouth County and the well-being of its members. It provides advocacy for, and assistance to, day laborers in Monmouth County.

15. Plaintiff National Day Laborers Organizing Network is an unincorporated non-for-profit organization that provides advocacy by and on behalf of, and assistance to, day laborers across the United States. Some of its members/clients work and live in the Freehold Borough area. Some of its members/clients have been injured by defendants' actions at issue here. These members/clients are deterred by fear of reprisal from pursuing their claims in their own names.

16. Plaintiff Alejandro A. resides in Freehold Borough and has regularly sought employment as a day laborer at the Hiring Area in Freehold Borough. The last name of Plaintiff Alejandro is being withheld for fear of retaliation, and with the court's permission, the plaintiff's full name will be filed under seal with the clerk.

17. Plaintiff Juan G. resides in Freehold Borough and has regularly sought employment as a day laborer at the Hiring Area in Freehold Borough. The last name of Plaintiff Juan is being withheld for fear of retaliation and, with the court's permission, the plaintiff's full name will be filed under seal with the clerk.

18. Plaintiff Tomas V. resides in Freehold Borough and has regularly sought employment as a day laborer at the Hiring Area in Freehold Borough. The last name of

Plaintiff Tomas is being withheld for fear of retaliation, and with the court's permission, the plaintiff's full name will be filed under seal with the clerk.

19. Plaintiff Pedro E. resides in Freehold Borough and has regularly sought employment as a day laborer at the Hiring Area in Freehold Borough. The last name of Plaintiff Pedro is being withheld for fear of retaliation, and with the court's permission, the plaintiff's full name will be filed under seal with the clerk.

20. Plaintiff Adalberto Perez resides in Freehold Borough and has regularly sought employment as a day laborer at the Hiring Area in Freehold Borough.

21. Plaintiff Everado Cruz resides in Freehold Borough and has regularly sought employment as a day laborer at the Hiring Area in Freehold Borough.

Defendants

22. Defendant Freehold Borough is a New Jersey municipal corporation.

23. Defendant Michael Wilson is the Mayor of Freehold Borough. He is the City Official charged with overall responsibility for implementing and administering the policies of Freehold Borough. He is sued in his individual and his official capacities.

24. During all times mentioned in this complaint, the defendants were acting under color of law, that is, under color of the statutes, laws, charter, ordinances, rules, regulations, customs and usages of the State of New Jersey, Monmouth County, or Freehold Borough.

STATEMENT OF FACTS

Background

25. Mayor Michael Wilson and other members of the City Administration and City Council have repeatedly taken actions hostile to Latino day laborers who live and/or work in and around Freehold Borough. They have interfered with the system by which these laborers obtain employment and otherwise conduct their lives in Freehold Borough.

26. The system by which these laborers seek employment in Freehold primarily revolves around an outdoor hiring area ("Hiring Area"), described by the Borough as a muster area, located between County Highway 522, also known as Throckmorton Street, and a set of parallel railroad tracks, between Throckmorton and Bannard Streets in Freehold Borough.

27. This Hiring Area is a rectangular area, approximately 65 feet by 300 feet, consisting of two indistinguishable strips of open, vacant land. The strip of land immediately adjacent to Highway 522 is owned by Monmouth County. The other strip of land, immediately adjacent to the railroad tracks, is owned by Conrail.

28. The portion of the land immediately adjacent to Highway 522, similar to other areas adjoining streets in Freehold, has been dedicated to public use.

29. On a daily basis, these laborers seeking day labor jobs gather at the Hiring Area and wait until potential employers enter into the Hiring Area to seek their services. The laborers then speak to these potential employers about employment

possibilities and negotiate an employment agreement. Employers range from professional landscapers and contractors to individual homeowners seeking someone to shovel snow off their driveways. They arrive there at all times of the day, seven days a week.

30. The racial, ethnic and national origins of the vast majority of the laborers seeking employment at the Hiring Area are Latino.

31. Fifty to one hundred laborers typically gather there on any given day.

32. Freehold Borough formally designated this site as the Hiring Area about four years ago so as to establish a single site where the services of day laborers could be obtained, at a location that was some distance from commercial stores and residences and that would not interfere with traffic or other activities in the Borough. The Borough brought in and set up picnic tables and garbage receptacles to make the Hiring Area more convenient for laborers and ensure that garbage did not accumulate.

33. The operation of the Hiring Area does not interfere with traffic on Highway 522 or other activities in the neighborhood. The Hiring Area is large enough so that employers seeking the services of day laborers can pull off the highway and seek laborers at a safe distance from the highway. Upon information and belief, there has not been any increase in crime or other violations of law within the immediate vicinity of the Hiring Area due to its presence.

34. Upon information and belief, as a result of complaints from white residents, Borough officials decided approximately one year ago to begin a campaign of

harassment and intimidation against Latinos and Latino day laborers living and/or working in the Borough in an effort to force them to leave the Borough.

Defendant's Harassment of Latino Day Laborers

35. In or about March, 2003, the Borough passed new legislation requiring landlords to provide the names, ages and sex of every member of the tenant household living in a rental unit and to include in every rental agreement a provision in which the tenants consent to inspections of their homes for possible violations without prior notice, even at night.

36. Upon information and belief, the Borough then supplies these lists of tenants and their household members to its Police Department.

37. Upon information and belief, at some point in the last year, the Borough's Code Enforcement officers significantly increased the number of investigations of private homes in Latino neighborhoods, making visits even late at night to investigate and evict any "unlawful" guests.

38. Upon information and belief, these Code Enforcement Officers have in fact evicted allegedly "unlawful" guests late at night.

39. White residents of the Borough compiled a list of residences with Latino occupants and provided this list to Borough officials.

40. The Borough accepted this list for review, and upon information and belief, on the basis of this list the Borough's Code Enforcement officers investigated

alleged housing code violations.

41. Upon information and belief, the Borough's Code Enforcement officers have not significantly increased their investigations, made any late night visits, or otherwise attempted to evict alleged "unlawful" guests at private homes in white neighborhoods.

42. Plaintiffs are aware of numerous Latino homes in Freehold Borough that have been "raided" and live in fear that their homes will also be raided.

Defendants' Selective Issuance of Summonses to Day Laborers

43. The Borough's Police Department recently began to wrongfully issue summonses to Latino day laborers for frivolous reasons in an attempt to deter them from utilizing the Hiring Area to obtain work.

44. On more than one occasion, police officers issued tickets to Latino day laborers who were simply walking across a convenience store's private parking lot, a store that serves a large number of laborers as it is the closest convenience store to the Hiring Area. The laborers had just bought coffee at the store. The alleged violation listed on the summons was "Officer's Discretion."

45. Day laborers would have to pay hundreds of dollars in fines as a result of these tickets.

46. Upon information and belief, no such violation as "Officer's Discretion" exists in federal, state or local law and if it did, it would be patently unconstitutional.

47. Upon information and belief, police officers have not issued tickets to white persons under similar circumstances nor have they issued tickets to white persons for the violation "Officer's Discretion."

Defendants' Closure of the Hiring Area

48. On or around October 2003, Mayor Wilson publicly stated that the Borough was going to close the Hiring Area by prohibiting day laborers from expressing their availability for work with potential employers at the site.

49. Beginning in early December, 2003, the Police Department stationed a police cruiser and officer on the periphery of the Hiring Area to hand out flyers (the "Flyer") to both potential employers and laborers entering the Hiring Area informing them of the Borough's intention to prohibit such activities at the site January 1, 2004. See copy of the Flyer annexed as Exhibit A.

50. The Flyer, written both in English and Spanish by "Freehold Borough", explicitly identifies "day laborers" and their attempts to express their availability for work as the target of this intended police action, stating that persons engaged in such conduct at the site will be issued tickets and be subject to fines of up to \$500. In relevant part the English version of the flyer states:

The Muster Area located on Throckmorton Street will be **permanently** closed.

This area may not be used for day labor pickup or discharge.

Any persons trespassing on this property will be arrested and can be punished by up to 30 days in jail and a fine up to \$500.00.

51. Upon information and belief, neither of the two owners of the land upon which the "Hiring Area" is sited, Monmouth County and Conrail, have requested the Borough to enforce laws against trespass at the Hiring Area.

52. Conrail owns extensive tracks of land in the Borough upon which their many miles of railroad tracks are located, including the land adjacent to the segment of track from which the Borough now seeks to exclude day laborers.

53. Borough residents and visitors, both as pedestrians and drivers of motor vehicles, regularly and frequently enter onto and cross this property owned by Conrail in the Borough as its tracks cut through many of the most populated and used sections of the Borough.

54. Upon information and belief, the Borough has not arrested, or threatened to arrest, anyone for trespass on any other property owned by Conrail in the Borough, including its property immediately adjacent to the Hiring Area.

55. Similarly, Monmouth County owns numerous lengthy tracts of land running adjacent to its many Highways that crisscross the Borough, again including land immediately adjacent to Hiring Area.

56. Borough residents and visitors, both as pedestrians and drivers of motor vehicles, regularly and frequently enter onto and cross this property owned by Monmouth County in the Borough.

57. Upon information and belief, no one has been arrested, or threatened with arrest, for trespassing on any other property owned by Monmouth County in the Borough, including its property immediately adjacent to the Hiring Area.

58. Upon information and belief, the Borough has not put up notices stating their intention to enforce, or in fact enforced, trespassing violations in such a strict and severe manner at any location in the Borough other than at the Hiring Area.

59. Upon information and belief, the Borough has not attempted to prohibit people from expressing their availability for employment elsewhere in the Borough other than at the Hiring Area.

60. The Flyer states that ordinances prohibiting horn blowing, loitering and obstructing traffic will be strictly enforced in the Borough.

61. Upon information and belief, no where else in the Borough has the Borough handed out flyers declaring, or otherwise given notice, that ordinances prohibiting horn blowing, loitering and obstructing traffic will be strictly enforced.

62. Upon information and belief, in Freehold Borough people honk their horns, loiter, and/or obstruct traffic every day, yet none have ever been ticketed for doing so.

63. Upon information and belief, the Borough has obtained and reviewed lists of license plates provided by white residents of vehicles driving in and around the Hiring Area for the purpose of discouraging the use of the Hiring Area.

64. The Flyer also implies that the laborers are security threats, asserting that the Borough will report them to the Department of Homeland Security if they violate any of the listed infractions at the Hiring Area. In relevant part it states:

All violators will be reported to the state of New Jersey and the Department of Homeland Security.

65. Upon information and belief, the Borough has not threatened to report to the Department of Homeland Security any alleged violators of local trespass laws at any location in the Borough other than at the Hiring Area.

66. The above actions taken by the Borough have intimidated the day laborers such that they are afraid to enter the Hiring Area and to express their availability for employment.

67. The above actions taken by the Borough have intimidated potential employers such that they are afraid to enter the Hiring Area and to express their desire to hire day laborers.

Facts of Individual Named Plaintiffs

68. Plaintiff Alejandro A. has regularly sought employment at the Hiring Area; however, as a result of defendants' actions of harassment and intimidation and because the Borough has threatened to arrest those using the Hiring Area, his ability to seek employment in Freehold Borough has been substantially impaired. In addition, as a result of being singled out as Latino for disparate and unfair treatment by defendants, Plaintiff Alejandro A. has suffered emotional and psychological harm.

69. Plaintiff Tomas V. has regularly sought employment at the Hiring Area; however, as a result of defendants' actions of harassment and intimidation and because the Borough has threatened to arrest those using the Hiring Area, his ability to seek employment in Freehold Borough has been substantially impaired. In addition, as a result of being singled out as Latino for disparate and unfair treatment by defendants, Plaintiff Tomas V. has suffered emotional and psychological harm.

70. Plaintiff Juan G. has regularly sought employment at the Hiring Area; however, as a result of defendants' actions of harassment and intimidation and because the Borough has threatened to arrest those using the Hiring Area, his ability to seek employment in Freehold Borough has been substantially impaired. As a result of being singled out as Latino for disparate and unfair treatment by defendants, Plaintiff Juan G. has suffered emotional and psychological harm.

71. Plaintiff Pedro E. has regularly sought employment at the Hiring Area; however, as a result of defendants' actions of harassment and intimidation and because the Borough has threatened to arrest those using the Hiring Area, his ability to seek employment in Freehold Borough has been substantially impaired.

72. Plaintiff Pedro E. has been informed by the contractor whom he has worked for as a day laborer for the past year, that as a result of the actions of defendants, he will no longer be able to employ him as a day laborer after January 1, 2004. Plaintiff Pedro E. is unsure of whether he will be able to find new employment.

73. As a result of being singled out as Latino for disparate and unfair treatment by defendants, plaintiff Pedro E. has suffered emotional and psychological harm.

74. Plaintiff Adalberto Jimenez has regularly sought employment at the Hiring Area; however as a result of defendants' actions of harassment and intimidation and because the Borough has threatened to arrest those using the Hiring Area, his ability to seek employment in Freehold Borough has been substantially impaired.

75. On September 6, 2003 Plaintiff Jimenez was walking along the parking lot of a convenience store located in Freehold Borough. He was on his way to seek employment as a day laborer when he was stopped by an officer from the Freehold police department. Plaintiff Jimenez was told to turn around and place his hands on the police car. The officer proceeded to pat Plaintiff Jimenez down and remove his wallet with his identification from his pocket

76. Plaintiff Jimenez was then given a summons for the offense of "Officer's Discretion." A copy of the summons is annexed to the Complaint as Exhibit B. At no time during this encounter was Plaintiff Jimenez told what he was being ticketed for, or what, if any, offense he had committed.

77. In addition, as a result of being singled out as Latino for disparate and unfair treatment by defendants, Plaintiff Jimenez has suffered emotional and psychological harm.

78. Plaintiff Everado Cruz has regularly sought employment at the Hiring Area; however as a result of defendants' actions of harassment and intimidation and because the Borough has threatened to arrest those using the Hiring Area, his ability to seek employment in Freehold Borough has been substantially impaired.

79. On September 6, 2003 Plaintiff Cruz was walking along the parking lot of a convenience store located in Freehold Borough. He was on his way to seek employment as a day laborer when he was stopped by an officer from the Freehold police department. Plaintiff Cruz was told to stand next to the police car and to provide identification.

80. After providing the officer with identification, Plaintiff Cruz was then given a summons for the offense of "Officer's Discretion." At no time during this encounter was Plaintiff Cruz told what he was being ticketed for, or what, if any, offense he had committed.

81. In addition, as a result of being singled out as Latino for disparate and unfair treatment by defendants, plaintiff Cruz has suffered emotional and psychological harm.

82. Plaintiffs and the class they represent have no adequate remedy at law for these recurring violations of their First Amendment rights to express their availability for employment opportunities and their Fourteenth Amendment rights to due process and equal protection of the laws.

FIRST CAUSE OF ACTION

Violation of Plaintiffs' First Amendment Rights

83. By threatening and acting to prevent day laborers, including plaintiffs, from making their availability for employment known while standing in the Hiring Area and in other areas, such as sidewalks, off of but adjacent to borough streets, defendants prohibit and regulate speech and other expressive activity in areas that are traditional public forums for free speech.

84. In adopting their proposed prohibition, defendants are discriminating between speech and other expressive activity on the basis of content -- prohibiting and prescribing criminal penalties for speech of particular content while speech of different content, even if expressed in the same time, place, and manner, is not proscribed or regulated.

85. Defendants lack either a compelling or substantial legitimate governmental interest in regulating speech and expression in this manner. Defendants' announced and actual prohibition on day laborers' speech is not sufficiently narrowly tailored to serve any legitimate governmental interest that the defendants may assert that it is designed to serve.

86. Defendants' announced and actual prohibition also fails to leave ample alternative avenues of communication open for proscribed speech of the specified content -- day laborers' solicitation of employment.

87. By enforcing and/or threatening to enforce their announced prohibition on day laborer's solicitation speech, defendants' actions have a chilling effect, and otherwise deprive plaintiffs and others of rights guaranteed by the First Amendment of the United States Constitution.

SECOND CAUSE OF ACTION

Violation of Plaintiff' First Amendment Rights

88. By threatening and acting to prevent day laborers, including plaintiffs, from making their availability for employment known in Freehold Borough, defendants seek to and do prohibit lawful, truthful, and non-misleading commercial speech.

89. Defendants lack any substantial governmental interest in regulating this commercial speech.

90. Defendants' announced and actual prohibition on day laborers' solicitation speech does not directly advance any substantial governmental interest that defendants may assert that it is designed to serve, and the prohibition is more extensive than necessary to serve any such interest.

91. By enforcing and/or threatening to enforce their announced prohibition on day laborer's solicitation speech, defendants' deprive plaintiffs and others rights guaranteed by the First Amendment of the United States Constitution.

THIRD CAUSE OF ACTION

Fourteenth Amendment Due Process

92. Defendants' prohibitions on "loitering" and "officer's discretion" fail to give a person of ordinary intelligence notice of what conduct is forbidden. These prohibitions also encourage arbitrary and discriminatory enforcement by failing to provide minimal guidelines to govern law enforcement.

93. Defendants' prohibitions on "loitering" and "officer's discretion" are therefore void for vagueness. In enforcing these prohibitions, defendants violate due process rights protected by the Fourteenth Amendment of the United States Constitution.

FOURTH CAUSE OF ACTION

Violation of Plaintiff's Equal Protection Rights Under the United States Constitution

94. As a result of defendants' efforts to harass and intimidate persons of Latino descent, plaintiffs and the class they represent have been deprived of their right to equal protection of the laws under the Fourteenth Amendment to the United States Constitution.

FIFTH CAUSE OF ACTION

Violation of Plaintiff's Equal Protection Rights Under the New Jersey Constitution

95. As a result of defendants' efforts to harass and intimidate persons of

Latino descent, plaintiffs and the class they represent have been deprived of their right to equal protection of the laws under Article 1, paragraph 1 of the New Jersey Constitution.

SIXTH CAUSE OF ACTION

Federal Pre-emption of Regulation of Immigration

96. Defendants' actions have been taken for the purpose of discouraging immigrants from working in the Borough. Because the federal government exercises plenary power over the regulation of immigration, defendants' actions are pre-empted by federal law.

SEVENTH CAUSE OF ACTION

Unauthorized Enforcement of State Trespass Law

97. Because the defendants have not been authorized by the owners of the land on which the Hiring Area is situated to prohibit entry upon the land, they are without authority to enforce state trespass laws at the Hiring Area.

WHEREFORE, plaintiffs and the class they represent request the following relief, jointly and severally, against all defendants:

1. Preliminary and permanent injunctive relief for plaintiffs and the class they represent:

a. Enjoining defendants from harassing or otherwise interfering with plaintiffs and the class members in the exercise of their right to speak about employment opportunities at the Hiring Area or elsewhere in Freehold Borough;

b. Enjoining each of the above-named defendants from harassing or otherwise treating differently from other persons the plaintiffs and the class members;

c. Enjoining each of the above named defendants from issuing tickets to plaintiffs and class members for loitering and/or "officer's discretion" and directing defendants to void tickets that they have already issued to plaintiffs and class members for such offenses;

2. A declaration that the defendants' prohibitions on "loitering" and "officer's discretion" are void for vagueness and in violation of the plaintiffs' and class members' due process rights protected by the Fourteenth Amendment to the United States Constitution.

3. Compensatory damages for individual plaintiffs;
4. Punitive damages for individual plaintiffs;
5. Reasonable attorney fees and costs;
6. Such other and further relief as appears reasonable and just.


A jury trial is hereby demanded.

Dated: New York, New York
December 29, 2003

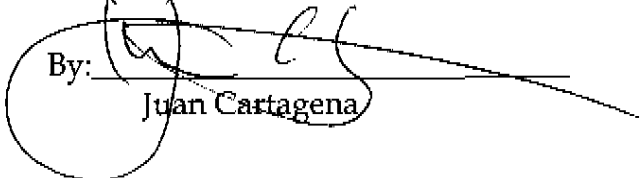
Respectfully submitted,

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FREEHOLD BOROUGH

NOTICE

AS OF JANUARY 1, 2004, THE MUSTER AREA LOCATED
ON THROCKMORTON STREET WILL BE
PERMANENTLY CLOSED.

THIS AREA MAY NOT BE USED FOR DAY LABOR
PICKUP OR DISCHARGE.

ANY PERSONS TRASPASSING ON THIS PROPERTY WILL
BE ARRESTED AND CAN BE PUNISHED BY UP TO
30 DAYS IN JAIL. AND A FINE OF UP TO \$500.00
MAKE OTHER ARRANGEMENTS FOR WORK
TRANSPORTATION.

MOTOR VEHICLE & ORDINANCE VIOLATIONS SUCH AS
HORN BLOWING, LOITERING & OBSTRUCTING TRAFFIC
WILL BE STRICTLY ENFORCED IN
FREEHOLD BOROUGH.

ALL VIOLATORS WILL BE REPORTED TO THE STATE OF
NEW JERSEY AND THE DEPARTMENT OF
HOMELAND SECURITY.

FREEHOLD BOROUGH

AVISO IMPORTANTE

**A PARTIR DEL PRIMERO DE ENERO DEL 2004,
EL AREA DE CONFLUENCIA
LOCALIZADA EN LA CALLE THROCKMORTON (LAS VÍAS)
SERÁ CERRADA DE MANERA PERMANENTE.**

**ESTA AREA NO DEBE SER UTILIZADA PARA RECOGER O DEJAR
A TRABAJADORES O JORNALEROS.**

**CUALQUIER PERSONA QUE INVADA ESTA PROPIEDAD
SERÁ ARRESTADA Y PUEDE RECIBIR
UNA PENA DE HASTA 30 DÍAS DE CÁRCEL
Y UNA MULTA DE HASTA \$500 DÓLARES.**

**TRATE DE BUSCAR OTRAS FORMAS DE TRANSPORTARSE
HASTA SU SITIO DE TRABAJO.**

**TODAS LAS VIOLACIONES AL CÓDIGO DEL DEPARTAMENTO DE
VEHÍCULOS Y MOTORES (DMV)
TALES COMO
TOCAR EL CLAXON, TIRAR BASURA Y ENTORPECER EL
TRÁFICO, SERÁN ESTRICTAMENTE SANCIONADAS EN
EN FREEHOLD BOROUGH, NUEVA JERSEY.**

**TODA DETENCIÓN SERÁ NOTIFICADA A LAS AUTORIDADES DEL
ESTADO DE NUEVA JERSEY Y AL DEPARTAMENTO DE
SEGURIDAD INTERNA (HOMELAND SECURITY)
QUE TIENE A CARGO
LOS DEPARTAMENTOS DE INMIGRACIÓN Y ADUANAS.**

COURT ID: 1315 PLAT: SC COMPLAINT NUMBER: 012834
 Freehold Borough Municipal Court
 62 Hudson Street
 Freehold, NJ 07728

The State of New Jersey

Defendant's Name: [Redacted] **Sex:** [Redacted] **Age:** [Redacted] **DOB:** [Redacted]

Address: [Redacted] **City:** [Redacted]

State: [Redacted] **Zip Code:** [Redacted] **Telephone:** [Redacted]

DMV License: [Redacted] **State:** [Redacted] **Exp. Date:** [Redacted]

STATE OF NEW JERSEY COUNTY OF MONMOUTH 186

Complaining Witness: [Redacted] (Name)
 of [Redacted] (Identify Dept/Agency/Represented) (Badge No.)
 Residing at [Redacted]

by certification or on oath, says that to the best of his/her knowledge or information and belief, the named defendant is or about the Month Day Year time
 FREEHOLD BOROUGH 1915 County of MONMOUTH NJ

did commit the following offense:
 (Violation of one charge only) (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE: [Redacted] **Describe Location:** [Redacted]

OATH: Subscribed and sworn to before me this day of [Redacted] y. [Redacted]

CERTIFICATION: I certify that the foregoing statements made by me are true, I am aware that if any of the foregoing statements made by me are willfully false, I am liable to punishment.

(Signature of Complaining Witness) (Date)
 (Signature of Person Administering Oath) (Signature of Complaining Witness)

PROBABLE CAUSE OF TERMINATION FOR ISSUANCE OF PROCESS

COURT USE ONLY **LAW ENFORCEMENT USE ONLY**

Probable cause is supported by the facts of the Complaint/Summons.

Yes No (Signature of Judicial Officer)

Yes No (Signature of Judge)

The complaining witness is a law enforcement officer and a probable cause determination is not required prior to the issuance of this Complaint/Summons.

YOU ARE HEREBY SUMMONED TO APPEAR
 BEFORE THIS COURT TO ANSWER THIS COMPLAINT IF YOU FAIL TO APPEAR ON THE DATE AND AT THE TIME STATED. A WARRANT MAY BE ISSUED FOR YOUR ARREST.

NOTICE TO APPEAR

COURT APPEARANCE REQUIRED: [Redacted]

COURT DATE: [Redacted] [Redacted] [Redacted] [Redacted] AM/PM

(Date Summons Issued) (Signature of Person Issuing Summons)

COMPLAINT

SUMMONS

SUMMONS

DATE 10/28/2003 TIME 14:49
 RECEIPT # 2419
 COMPLINT # 1315 SC 2003
 DEFENDANT ADALBERTO J PEREZ
 20.00 FINE 2834
 2.00 AF MISCELLANEOUS CODE/AMOUNT
 AMT RECVD 50.00
 BALANCE 130.00
 TOTAL PAID 50.00
 CASHIER JUJRL2
 PAY TYPE CA

FREEHOLD BORO MUNICIPAL COURT

Freehold Borough
Municipal Court
Hudson Street
Freehold, NJ 07729

The State of New Jersey
VS.

Defendant's Name: First Initial Last
ADALBERTO J PEREZ

Address City
111 Ocean Ave Freehold

State Zip Code Telephone

Birth Date: Mo Day Year Sex Eyes Height Restrictions

Driver's License # State Exp. Date

STATE OF NEW JERSEY
COUNTY OF MONMOUTH JSS:

Complaining Witness: (Name)
Of (Identify Dept/Agency Represented) (Badge No.)

Residing at
by certification or on oath, says that to the best of his/her knowledge or information and belief, the named defendant on or about the
in FREEHOLD BOROUGH Month 1315 Day Year Time
County of MONMOUTH N.J.

did commit the following offense:
OFFENSE

In violation of (one charge only) (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE	Describe Location
	Freehold Borough

OATH: Subscribed and sworn to before me this _____ day of _____, yr _____
CERTIFICATION: I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

(Signature of Complaining Witness) (Date)
(Signature of Person Administering Oath) (Signature of Complaining Witness)

PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS:

COURT USE ONLY	LAW ENFORCEMENT USE ONLY
Probable cause is found for the issuance of this Complaint-Summons <input type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judicial Officer)	<input checked="" type="checkbox"/> The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.
<input type="checkbox"/> Yes <input type="checkbox"/> No (Signature of Judge)	

YOU ARE HEREBY SUMMONED TO APPEAR
BEFORE THIS COURT TO ANSWER THIS COMPLAINT IF YOU FAIL TO APPEAR ON THE DATE AND AT THE TIME STATED, A WARRANT MAY BE ISSUED FOR YOUR ARREST.

NOTICE TO APPEAR

COURT APPEARANCE REQUIRED

COURT DATE: 10/7/03 Time: 1:00 PM

(Date Summons Issued) (Signature of Person Issuing Summons)

DATE 10/28/2003
TIME 14:49
FREEHOLD BORO
MUNICIPAL COURT

RECEIPT # 2418
COMPLINT # 1315 SC 2003 2834
DEFENDANT ADALBERTO J PEREZ
20.00 FINE 28.00 COST
2.00 AF MISCELLANEOUS CODE/AMOUNT

AMT RECVD 50.00
BALANCE 130.00
TOTAL PAID 50.00

CASHIER JUURL2
PAY TYPE CA

INVESTIGATOR

COMPLAINANT

SUMMONS

SUMMONS

STATE OF NEW JERSEY
MUNICIPAL COURT OF FREEHOLD BORO
COUNTY OF MONMOUTH

COMPLAINT NO. SC 2003 002834

ORDER
PAYMENT OF FINES, COSTS AND OTHER ASSESSMENTS

36 JACKSON STREET
FREEHOLD NJ 07728-0000
TELEPHONE NUMBER 732-963-2444

STATE OF NEW JERSEY VS ADALBERTO J PEREZ

DL#

ON 10/25/2003, YOU WERE FOUND GUILTY OF A TRAFFIC OR OTHER OFFENSE AND SENTENCED TO PAY A FINE OF \$130.00, COURT COSTS OF \$50.00 AND \$1.00 IN OTHER ASSESSMENTS (INCLUDING RESTITUTION, IF ORDERED), TOTALING \$180.00.

I HAVE REVIEWED THE SUPPORTING FINANCIAL INFORMATION THAT YOU PROVIDED AND APPROVE OF YOUR REQUEST FOR THE ENTRY OF A FINE PAYMENT ORDER. THEREFORE, BEGINNING ON 10/25/2003, IT IS ORDERED THAT YOU PAY TO THIS COURT THE SUM OF \$130.00 EVERY 14 DAYS UNTIL THE TOTAL OF \$180.00 IS PAID IN FULL SUBJECT TO THE FOLLOWING SPECIAL INSTRUCTION, IF ANY:

YOU MAY MAKE PAYMENT EITHER IN PERSON OR BY MAILING A CHECK OR MONEY ORDER TO THIS COURT AT THE ABOVE ADDRESS. YOUR PAYMENT MUST BE RECEIVED ON OR BEFORE THE DATE DUE. ALL CHECKS AND MONEY ORDERS MAILED TO THIS COURT MUST BE MADE PAYABLE TO THE FREEHOLD BORO MUNICIPAL COURT.

ALL PAYMENTS BY CHECK OR MONEY ORDER MUST BE CLEARLY MARKED WITH THE FOLLOWING COMPLAINT NUMBER (SC 2003 002834) TO INSURE THAT YOUR ACCOUNT IS PROPERLY CREDITED.

IF, FOR ANY REASON, YOU ARE UNABLE TO MAKE TIMELY PAYMENTS, YOU MUST NOTIFY THIS COURT IN WRITING OR BY PHONE PRIOR TO THE DUE DATE TO EXPLAIN WHY PAYMENT CANNOT BE MADE AND OBTAIN APPROVAL FROM THIS COURT FOR A NEW DUE DATE.

IT IS FURTHER ORDERED THAT YOU ARE TO NOTIFY THIS COURT IN WRITING WITHIN THREE (3) DAYS SHOULD YOU CHANGE YOUR ADDRESS.

IF YOU FAIL TO COMPLY WITH ANY OF THE TERMS OF THIS ORDER, THIS COURT MAY: (1) ISSUE A WARRANT FOR YOUR ARREST; (2) SUSPEND YOUR DRIVING PRIVILEGES; AND/OR (3) IMPOSE ADDITIONAL PENALTIES.

10-28-03

DATE

Michael C. Bl...

SIGNATURE OF JUDGE

I HAVE RECEIVED A COPY OF AND HAVE NO QUESTIONS CONCERNING THE TERMS OF THIS ORDER. MY ADDRESS OF RECORD, 14 OCEAN AVE, LAKEWOOD, NJ 08701-0000, IS: () CORRECT OR () INCORRECT AND SHOULD BE CHANGED TO:

_____ DATE

Adalberto

SIGNATURE OF DEFENDANT