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Attorneys for Plaintiff, Jacqueline Love-Skinner

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

JACQUELINE LOVE-SKINNER, : Civil No.
: :
Plaintiff, : :
: :
v. : Civil Action
: :
CITY OF BRIDGETON, : :
THROUGH ITS POLICE DEPARTMENT; : COMPLAINT AND JURY DEMAND
OFFICER RONALD BROOMALL; : :
AND OFFICER JAMES RILEY, : :
: :
Defendants. : :

Plaintiff, Jacqueline Love-Skinner, a resident of Cumberland County, New Jersey, by way of Complaint against the Defendants, says:

JURISDICTION

1. The jurisdiction of this Court is invoked pursuant to 42 U.S.C. §1983. This Court has jurisdiction over Plaintiff's federal civil rights claims pursuant to 28 U.S.C. §1331 and §1343, and supplemental jurisdiction over Plaintiff's state law claims pursuant to 28 U.S.C. §1367.

PARTIES

2. Plaintiff, Jacqueline Love-Skinner, is a resident of the City of Bridgeton, Cumberland County, New Jersey.
3. At all times relevant to the allegations of this Complaint, Defendant, City of Bridgeton, was the employer of the individually named Defendants and acted under color of state law. Defendant, City of Bridgeton, is a jural entity that is sued for ratifying the unconstitutional actions, customs and practices of its police officers.
4. Defendant, Officer Ronald Broomall, is a police officer employed by the City of Bridgeton who, at all times relevant to the allegations of this Complaint, was acting in the course of his employment and/or under color of state law. He is sued in his individual capacity.
5. Defendant, Officer James Riley, is a police officer employed by the City of Bridgeton who, at all times relevant to the allegations of this Complaint, was acting in the course of his employment and/or under color of state law. He is sued in his individual capacity.

FACTS

6. On May 05, 2015, Plaintiff was parking her vehicle in the parking lot of the Amity Heights Apartment Complex in Bridgeton, New Jersey. Plaintiff intended to obtain an employment application for her son to work at the apartment

complex.

7. As Plaintiff exited her vehicle, an individual, later identified as Lenora Adams, for no apparent reason, called Plaintiff "a drunken bitch".
8. An exchange occurred between the two women.
9. Thereafter, Defendants Broomall and Riley arrived at the scene.
10. Defendant Broomall approached Plaintiff and, without justification, struck Plaintiff in the back of her neck and/or head with either his arm, fist or elbow. Plaintiff fell to the ground - scarring her face and fracturing her ankle.
11. Plaintiff did not pose an immediate threat to the safety of the Defendant Officers or anyone else. The force used on Plaintiff was excessive and unreasonable under the circumstances.
12. Further, Defendant Broomall had reason to know he had injured Plaintiff.
13. Nonetheless, as Plaintiff was lying injured on the ground, Defendant Broomall dragged her to the curb, sprayed her with mace, and stood on her broken ankle.
14. Defendant Broomall's actions were observed by and/or occurred in the presence of Defendant Riley.
15. Defendant Riley knew that Defendant Broomall's use of force

- was excessive and unreasonable. Yet Defendant Riley failed to intervene to prevent the use of excessive force against Plaintiff's person - despite having a reasonable opportunity to do so.
16. The citizens of Defendant City of the Bridgeton have filed numerous complaints against its police officers alleging the use of excessive force.
 17. Defendant City of Bridgeton was aware that its police officers were using excessive force against its citizenry yet failed to train, supervise and/or discipline them - thus encouraging and acquiescing to this unconstitutional practice.
 18. Defendant City of Bridgeton's well-documented history of subjecting its citizens to excessive force, and encouragement and acquiescence of this unconstitutional practice, was done pursuant to an existing and longstanding pattern and culture condoned by Defendant.
 19. Indeed, the conduct of the individually named Defendants was in keeping with Defendant City of Bridgeton's longstanding pattern and culture of subjecting its citizens to excessive force.
 20. Upon dragging Plaintiff to the curb, Defendant Broomall arrested Plaintiff and charged her with Disorderly Conduct - Improper Behavior, in violation of N.J.S.A. 2C:33-2a(1).

The charge was improper, had no basis in fact and was not supported by probable cause.

21. Plaintiff was subsequently transported to Inspira Medical Center - Vineland for her injuries.
22. On or about July 23, 2015, Plaintiff appeared in the Bridgeton Joint Municipal Court to address the criminal charge levied against her. At that time, the charge was dismissed.
23. As a result of the incident, Plaintiff has suffered physical and/or bodily injury, emotional distress, and loss of earnings, earning capacity and/or power.

CAUSES OF ACTION

**COUNT I
VIOLATION OF FEDERAL CIVIL RIGHTS
DEFENDANTS BROOMALL AND RILEY**

24. Plaintiff repeats the allegations of the previous paragraphs as if set forth at length herein.
25. The actions of Defendant Broomall, as outlined above, constitute the use of excessive force against Plaintiff's person, in violation of the Fourth Amendment to the United States Constitution.
26. Defendant Riley is liable for the use of excessive force under the theory of Bystander Liability as he failed to intervene to prevent Defendant Broomall's use of excessive

force against Plaintiff's person when there was a reasonable opportunity for him to do so.

27. The actions of Defendant Broomall resulted in Plaintiff being unlawfully detained and falsely arrested, thereby depriving Plaintiff of her right to be free from an unreasonable seizure of her person, in violation of the Fourth Amendment to the United States Constitution.

**COUNT II
MUNICIPAL LIABILITY
DEFENDANT CITY OF BRIDGETON**

28. Plaintiff repeats the allegations of the previous paragraphs as if set forth at length herein.
29. Defendant, City of Bridgeton, through its Police Department, is required to properly train, supervise and/or discipline its officers to ensure they exercise their law enforcement authority within safe and constitutional parameters.
30. Defendant, City of Bridgeton, through its Police Department, acting under color of state law, failed to properly train, supervise and/or discipline its police officers on the use of force and failed to provide the appropriate safeguards to prevent the deprivation of Plaintiff's Fourth Amendment rights by the individually named Defendants.
31. Defendant, City of Bridgeton, through its Police Department, acting under color of state law pursuant to an official policy or custom and practice, has been deliberately

indifferent to the violent propensities of its police officers, including the individually named Defendants.

32. Defendant, City of Bridgeton, through its Police Department, had knowledge of, or had it diligently exercised its duties, should have had knowledge of, the fact that its police officers were engaging in the use of excessive force.
33. By virtue of Defendant, City of Bridgeton's deliberate indifference to the need for training, supervision and/or discipline of its police officers on the use of force, the individually named Defendants expressed malicious, reckless and indifferent violence toward Plaintiff.

**COUNT III
VIOLATION OF NEW JERSEY STATE RIGHTS**

34. Plaintiff repeats the allegations of the previous paragraphs as if set forth at length herein.
35. This Court has supplemental jurisdiction to hear and adjudicate state law claims.
36. Defendants violated Plaintiff's civil rights under the New Jersey Constitution and New Jersey Civil Rights Act.

**COUNT IV
ASSAULT AND BATTERY
DEFENDANT BROOMALL**

37. Plaintiff repeats the allegations of the previous paragraphs as if set forth at length herein.
38. Defendant Broomall's actions, as outlined above, were done with the intent to cause a harmful or offensive contact with

Plaintiff's person, or an imminent apprehension of such a contact.

39. As a result, Plaintiff was put in such imminent apprehension, and thus assaulted by Defendant Broomall.
40. The assault of Plaintiff's person and actual, non-consensual contact by Defendant Broomall constituted battery.

RELIEF

WHEREFORE, Plaintiff seeks relief and judgment against the Defendants, including but not limited to:

1. An award of compensatory damages and punitive damages based on the intentional and malicious acts of the Defendants, which are allowed by statutes pleaded herein or as permitted by common law and rules;
2. An award of reasonable attorney's fees and all costs of suit and interest thereon;
3. An award of damages as allowed under 42 U.S.C. §1983 and 42 U.S.C. §1988;
4. Any other award and equitable relief allowed under statute or pursuant to the law or equitable and just power of this Court to which Plaintiff is entitled; and
5. Any prospective injunctive relief that the Court deems just and appropriate under the circumstances.

JURY DEMAND

Plaintiff hereby demands trial by jury of all issues in this action.

DESIGNATION OF TRIAL COUNSEL

Plaintiff designates the Law Offices of Conrad J. Benedetto as trial counsel in this matter.

/s/ Conrad J. Benedetto
CONRAD J. BENEDETTO
Attorney ID No. 013921981

Dated: March 11, 2016