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Attorney for Plaintiff

HASNA ALAOUI, a.k.a. HASNA JALAL,

Plaintiff,

v.

CITY OF BAYONNE; BAYONNE POLICE  
DEPARTMENT; COUNTY OF HUDSON;  
HUDSON COUNTY CORRECTIONAL  
CENTER; WELLPATH MEDICAL  
SERVICE; PERLA ESTEVEZ, JOHN AND  
JANE DOES ONE THROUGH THIRTEEN,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: HUDSON COUNTY

DOCKET NO.

CIVIL ACTION

SUMMONS

From The State of New Jersey To The Defendant(s) Named Above:

The Plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to Plaintiff's attorney whose name and address appear above, or to the Plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Clerk of Superior Court

**Defendants/Addresses to be Served:**

CITY OF BAYONNE, Law Division, 630 Avenue C, Bayonne, New Jersey 07002;

COUNTY OF HUDSON, Law Department, 595 County Avenue, Secaucus, New Jersey 07094;

BAYONNE POLICE DEPARTMENT, Headquarters, 630 Avenue C, Bayonne, New Jersey 07002;

HUDSON COUNTY CORRECTIONAL CENTER, 595 County Avenue, Secaucus, New Jersey 07094;

WELLPATH MEDICAL SERVICE; 3340 Perimeter Hill Drive, Nashville, TN 37211

PERLA ESTEVEZ, Law Division, Headquarters, 630 Avenue C, Bayonne, New Jersey 07002;

JOHN AND JANE DOE ONE THROUGH FIVE, Headquarters, 630 Avenue C, Bayonne, New Jersey 07002;

JOHN AND JANE DOE SIX THROUGH THIRTEEN, 595 County Avenue, Secaucus, New Jersey 07094;

**DIRECTORY OF SUPERIOR COURT DEPUTY CLERK'S OFFICES  
COUNTY LAWYER REFERRAL AND LEGAL SERVICES OFFICES**

**ATLANTIC COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division, Direct Filing  
1201 Bacharach Blvd., First Fl.  
Atlantic City, NJ 08401

LAWYER REFERRAL

(609) 345-3444

LEGAL SERVICES

(609) 348-4200

**BERGEN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division, Room 115  
Justice Center, 10 Main St.  
Hackensack, NJ 07601

LAWYER REFERRAL

(201) 488-0044

LEGAL SERVICES

(201) 487-2166

**BURLINGTON COUNTY:**

Deputy Clerk of the Superior Court  
Central Processing Office  
Attn: Judicial Intake  
First Fl., Courts Facility  
49 Rancocas Rd.  
Mt. Holly, NJ 08060

LAWYER REFERRAL

(609) 261-4862

LEGAL SERVICES

(800) 496-4570

**CAMDEN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Processing Office  
Hall of Justice  
1st Fl., Suite 150  
101 South 5th Street  
Camden, NJ 08103

LAWYER REFERRAL

(856) 964-4520

LEGAL SERVICES

(856) 964-2010

**CAPE MAY COUNTY:**

Deputy Clerk of the Superior Court  
9 N. Main Street  
Cape May Court House, NJ 08210

LAWYER REFERRAL

(609) 463-0313

LEGAL SERVICES

(609) 465-3001

**CUMBERLAND COUNTY:**

Deputy Clerk of the Superior Court  
Civil Case Management Office  
60 West Broad Street

LAWYER REFERRAL

(856) 692-6207

LEGAL SERVICES

(856) 451-0003

P.O. Box 10  
Bridgeton, NJ 08302

**ESSEX COUNTY:**

Deputy Clerk of the Superior Court  
Civil Customer Service  
Hall of Records, Room 201  
465 Dr. Martin Luther King Jr. Blvd.  
Newark, NJ 07102

LAWYER REFERRAL  
(973) 622-6204  
LEGAL SERVICES  
(973) 624-4500

**GLOUCESTER COUNTY:**

Deputy Clerk of the Superior Court  
Civil Case Management Office  
Attn: Intake  
First Fl., Court House  
1 North Broad Street  
Woodbury, NJ 08096

LAWYER REFERRAL  
(856) 848-4589  
LEGAL SERVICES  
(856) 848-5360

**HUDSON COUNTY:**

Deputy Clerk of the Superior Court  
Superior Court, Civil Records Dept.  
Brennan Court House--1st Floor  
583 Newark Ave.  
Jersey City, NJ 07306

LAWYER REFERRAL  
(201) 798-2727  
LEGAL SERVICES  
(201) 792-6363

**HUNTERDON COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
65 Park Avenue  
Flemington, NJ 08822

LAWYER REFERRAL  
(908) 735-2611  
LEGAL SERVICES  
(908) 782-7979

**MERCER COUNTY:**

Deputy Clerk of the Superior Court  
Local Filing Office, Courthouse  
175 S. Broad Street, P.O. Box 8068  
Trenton, NJ 08650

LAWYER REFERRAL  
(609) 585-6200  
LEGAL SERVICES  
(609) 695-6249

**MIDDLESEX COUNTY:**

Deputy Clerk of the Superior Court,  
Middlesex Vicinage  
2nd Floor - Tower  
56 Paterson Street, P.O. Box 2633  
New Brunswick, NJ 08903-2633

LAWYER REFERRAL  
(732) 828-0053  
LEGAL SERVICES  
(732) 249-7600

**MONMOUTH COUNTY:**

Deputy Clerk of the Superior Court  
Court House  
P.O. Box 1269  
Freehold, NJ 07728-1269

LAWYER REFERRAL  
(732) 431-5544  
LEGAL SERVICES  
(732) 866-0020

**MORRIS COUNTY:**

Morris County Courthouse  
Civil Division  
Washington and Court Streets  
P. O. Box 910  
Morristown, NJ 07963-0910

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 285-6911

**OCEAN COUNTY:**

Deputy Clerk of the Superior Court  
118 Washington Street, Room 121  
P.O. Box 2191  
Toms River, NJ 08754-2191

LAWYER REFERRAL  
(732) 240-3666  
LEGAL SERVICES  
(732) 341-2727

**PASSAIC COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
Court House  
77 Hamilton Street  
Paterson, NJ 07505

LAWYER REFERRAL  
(973) 278-9223  
LEGAL SERVICES  
(973) 523-2900

**SALEM COUNTY:**

Deputy Clerk of the Superior Court  
Attn: Civil Case Management Office  
92 Market Street  
Salem, NJ 08079

LAWYER REFERRAL  
(856) 678-8363  
LEGAL SERVICES  
(856) 451-0003

**SOMERSET COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
P.O. Box 3000  
40 North Bridge Street  
Somerville, N.J. 08876

LAWYER REFERRAL  
(908) 685-2323  
LEGAL SERVICES  
(908) 231-0840

**SUSSEX COUNTY:**

Deputy Clerk of the Superior Court  
Sussex County Judicial Center  
43-47 High Street  
Newton, NJ 07860

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 282-7400

**UNION COUNTY:**

LAWYER REFERRAL

Deputy Clerk of the Superior Court  
1st Fl., Court House  
2 Broad Street  
Elizabeth, NJ 07207-6073

(908) 353-4715  
LEGAL SERVICES  
(908) 354-4340

**WARREN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division Office  
Court House  
413 Second Street  
Belvidere, NJ 07823-1500

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(908) 475-2010

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Attorney for Plaintiff

HASNA ALAOUI, a.k.a. HASNA JALAL,

Plaintiff,

v.

CITY OF BAYONNE; COUNTY OF  
HUDSON; BAYONNE POLICE  
DEPARTMENT; HUDSON COUNTY  
CORRECTIONAL CENTER; WELLPATH  
MEDICAL SERVICE; PERLA ESTEVEZ;  
JOHN AND JANE DOES ONE THROUGH  
THIRTEEN,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: HUDSON COUNTY

DOCKET NO.

CIVIL ACTION

VERIFIED COMPLAINT AND JURY  
DEMAND

Plaintiff HASNA ALAOUI, A.K.A. HASNA JALAL, by and through her attorneys, JOHN PAUL DEVERNA ESQ PC, as and for their Verified Complaint herein, alleges upon information and belief as follows:

**PRELIMINARY STATEMENT**

1. This is a civil rights action to recover money damages arising out of Defendants' violation of Plaintiff's rights as secured by the Civil Rights Act, 42 U.S.C. Sections 1983 and 1988, and of rights secured by the Fourth, Fifth and Fourteenth Amendments to the United States Constitution, and the common law and the laws of the State of New Jersey.

2. Plaintiff's claims arise out of an incident that began August 12, 2022 in which Defendants acting under color of state law used excessive force upon Plaintiff during her arrest and detention, and subsequently through intentional acts, deliberate indifference, recklessness,

negligence and other malfeasance caused Plaintiff to suffer serious physical and emotional injuries for the duration of her detainment.

3. Plaintiff seeks monetary damages (compensatory and punitive) against Defendants, as well as an award of costs and attorneys' fees, and such other and further relief as the Court deems just and proper.

4. The Court has federal question jurisdiction under 28 U.S.C. § 1331. The court has supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367 (a), as such plaintiff's state claims arise out of a common nucleus of operative facts.

5. Plaintiff in furtherance of their cause of action brought pursuant to New Jersey Tort Claims Act and New Jersey Statutes Title 59 § 8-8 filed a timely Notice of Claim against the CITY and COUNTY, in compliance with the Law, in accordance with controlling New Jersey State law and jurisprudence.

6. Since service of said Notice of Claim was filed and CITY nor COUNTY has failed to pay or adjust the claims or otherwise resolved them.

7. Since their filing Plaintiff has never been noticed of a request for oral examination pursuant.

8. This action and all associated claims have been timely brought within the applicable statutes of limitations.

9. Plaintiff has sustained damages in an amount in excess of the jurisdictional limits of all the lower Courts of the State of New Jersey.

10. Plaintiff seeks monetary damages (compensatory and punitive) against Defendants, as well as an award of cost and attorneys' fees, and such other relief as the Court may deem just and proper.

### **PARTIES AND JURISDICTION**

11. Plaintiff HASNA ALAOUI aka HASNA JALAL, was at all times relevant a resident of the State of New Jersey.

12. The Defendant CITY OF BAYONNE (“CITY”) is a municipal corporation organized under the laws of the State of New Jersey.

13. At all times relevant hereto, CITY, acting through the BAYONNE CITY POLICE DEPARTMENT (“BPD”), was responsible for the policy, practice, supervision, implementation, and conduct of all police department matters and was responsible for the appointment, training, supervision, discipline and retention and conduct of all police department personnel, agents, office holders, supervisors, as well as the individually named Defendants herein.

14. In addition, at all times here relevant, CITY was responsible for enforcing the rules of the BPD, and for ensuring that the police department personnel obey the laws of the United States and the State of New Jersey.

15. The Defendant County of Hudson (“COUNTY”) is a local government located in and under the laws of the State of New Jersey.

16. COUNTY was responsible for the policy, practice, supervision, implementation, and conduct of all county matters and was responsible for the appointment, training, supervision, discipline and retention and conduct of county personnel, agents, office holders, supervisors, as well as the individually named Defendants herein.

17. Defendant, COUNTY, established and maintains the HUDSON COUNTY CORRECTIONAL CENTER (“HCCC”), duly authorized public authorities and/or correction departments, authorized to perform all functions of a correction department as per the applicable

sections of the New Jersey State Criminal Procedure Law, acting under the direction and supervision of the aforementioned corporation.

18. That at all times hereinafter mentioned, the COUNTY, owned HCCC.

19. That at all times hereinafter mentioned, COUNTY, by and through its HCCC, operated the aforesaid jail.

20. That at all times hereinafter mentioned, COUNTY, by and through its HCCC, managed the aforesaid jail.

21. That at all times hereinafter mentioned, COUNTY, by and through its HCCC, supervised the aforesaid jail.

22. That at all times hereinafter mentioned, COUNTY, by and through its HCCC, controlled the aforesaid jail.

23. That at all times hereinafter mentioned, COUNTY, by and through its HCCC, by its officers, agent, and employees, maintained, managed, supervised, and controlled the areas within HCCC, and the jail generally.

24. At all times relevant, COUNTY employed Correction Officers and supervisory officers who are required to perform their duties.

25. The duties of Correction Officers and supervisory officers include assuring the safety and well-being of the detainees.

26. At all times relevant the correctional officers were duly appointed and acting correction officers of COUNTY.

27. As uniformed corrections officers, these defendants are supposed to supervise inmates including the PLAINTIFF herein. Correction officers are required to carry out their

responsibilities in a manner consistent with the legal mandates that govern the operation of HCCC, including the written DOC directives and orders.

28. Supervisory officers were and are responsible for the supervision of correction officers with respect to the care, custody, and control of inmates confined in the jail. These responsibilities were and are required to be carried out in a manner consistent with the legal mandates that govern the operation of HCCC and its jails, including the written Department directives and orders. Supervisory correction officers are responsible for reviewing and approving reports and the performance of Correction Officers including the duty to ferret out, observe, and correct unsafe conditions.

29. At all times relevant herein, the individual defendants were acting under color of state law in the course and scope of their duties and functions as agents, servants, employees and officers of the HCCC, and otherwise performed and engaged in conduct incidental to the performance of their lawful functions in the course of their duties. They were acting for and on behalf of the CITY, COUNTY, and HCCC at all times relevant herein, with the power and authority vested in them as officers, agents and employees of HCCC and incidental to the lawful pursuit of their duties as officers, employees and agents of the HCCC.

30. At all times relevant hereto, COUNTY, acting through the HCCC, was responsible for the policy, practice, supervision, implementation, and conduct of all HCCC matters and was responsible for the appointment, training, supervision, discipline and retention and conduct of all HCCC personnel, agents, office holders, supervisors, as well as the individually named Defendants herein.

31. In addition, at all times here relevant, COUNTY was responsible for enforcing the rules of the HCCC, and for ensuring that the HCC personnel obey the laws of the United States and the State of New Jersey.

32. At all relevant times, defendant Wellpath Care (“WELLPATH”) is a medical service provider for the HCCC. Even though WELLPATH is a “private entity,” as a contracted-arm of COUNTY, it is involved in a symbiotic, governmental status and made policy decisions and implementations of policy affecting the constitutional rights of persons who were detailed or incarcerated at HCCC.<sup>1</sup>

33. Defendant PERLA ESTEVEZ was, at all times here relevant, a police officer employed by the Bayonne Police Department and as such was acting in the capacity of an agent, servant and employee of the City of Bayonne. Defendant PERLA ESTEVEZ is sued in their individual and official capacities.

34. At all times relevant Defendants JOHN AND JANE DOES ONE THROUGH FIVE were police officers, detectives, undercover police officers, supervisors, policy makers and/or officials employed by the BPD. At this time, Plaintiff does not know the real names and/or shield number of JOHN AND JANE DOES ONE THROUGH FIVE, but such information is believed to be in the possession of the Defendants.

35. At all times relevant herein, Defendants JOHN AND JANE DOES ONE THROUGH FIVE, were acting as agents, servants and employees of the CITY and BPD. Defendants JOHN AND JANE DOES ONE THROUGH FIVE, are sued in their individual and official capacities.

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<sup>1</sup> [northjersey.com/story/news/udson/2020/11/24/udson-county-nj-freeholders-extend-contract-house-ice-detainees/6407189002/](https://northjersey.com/story/news/udson/2020/11/24/udson-county-nj-freeholders-extend-contract-house-ice-detainees/6407189002/)

36. At all times relevant Defendants JOHN AND JANE DOES SIX THROUGH THIRTEEN were correction's officer, detectives, supervisors, policy makers and/or officials employed by the COUNTY, HCCC, and WELLPATH. At this time, Plaintiff does not know the real names and/or shield number of JOHN AND JANE DOES SIX THROUGH THIRTEEN , but such information is believed to be in the possession of the Defendants.

37. At all times relevant herein, Defendants JOHN AND JANE DOES SIX THROUGH THIRTEEN, were acting as agents, servants and employees of the COUNTY, HCCC, and WELLPATH. Defendants JOHN AND JANE DOES SIX THROUGH THIRTEEN, are sued in their individual and official capacities.

38. At all times relevant herein, the individual Defendants were acting under color of state law in the course and scope of their duties and functions as agents, servants, employees and officers of the CITY, and/or HCCC, and/or COUNTY, and/or HCCC, and/or WELLPATH, and otherwise performed and engaged in conduct incidental to the performance of their lawful functions in the course of their duties. They were acting for and on behalf of CITY, and/or HCCC, and/or COUNTY, and/or HCCC, and/or WELLPATH at all times relevant herein, with the power and authority vested in them as officers, agents and employees of the CITY, and/or HCCC, and/or COUNTY, and/or HCCC, and/or WELLPATH and incidental to the lawful pursuit of their duties as officers, employees and agents of the CITY, and/or HCCC, and/or COUNTY, and/or HCCC, and or WELLPATH.

#### **FACTUAL CHARGES**

39. On or about August 12, 2022, at approximately 9:30 am, Plaintiff was in the vicinity of NJ Division of Child Protection and Permanency (location #463), 690 Broadway, Bayonne, NY 07002.

40. At the above time and place Defendant Officers, including Defendants PERLA ESTEVEZ and JOHN AND JANE DOE ONE THROUGH FIVE, while acting in concert and while each aiding the other, without adequate cause and in contravention of BPD policies and procedures and the law more generally, assaulted Plaintiff.

41. During the assault, Defendants, among other things grabbed Plaintiff's arm and placed her in excessively tight handcuffs.

42. Plaintiff complained about the tight handcuffs which Defendants refused to loosen despite her repeated requests.

43. After Plaintiff's arrest, on August 12, 2022, Plaintiff was transported to the Bayonne Police Department ("BPD") precinct, located at 630 Avenue C, Bayonne, NJ 07002, where she continued to complain about the tight handcuffs which Defendants refused to loosen. At the precinct, Plaintiff was made to sleep on a cement floor and was denied water.

44. Plaintiff was later transported to located at HCCC, located at 30 Hackensack Ave, Kearny, NJ 07032, where she, Defendants JOHN AND JANE DOE SIX THROUGH THIRTEEN acting in concert and at different times placed Plaintiff in excessively tight handcuffs. Plaintiff continued to complain about the tight handcuffs which Defendants refused to loosen

45. Additionally, and soon after her initial detention began and continuing through at least August 13, 2022, at BPD, and at HCCC, Plaintiff requested aid and assistance, and expressed a need for medical attention. Despite Plaintiff's request for aid and her displaying symptoms consistent with a worsening medical event including bleeding and vomiting blood, Defendants denied Plaintiff appropriate care.

46. Beginning on August 12, 2022, and continuing through at least August 13, 2022, Plaintiff suffered serious medical events—manifested in a seizure-like episode—that was brought about or contributed to by Defendant’s actions and failure to act.

47. During her medical event(s) Defendant officers, including BPD and HCCC staff, provided inappropriate and insufficient aid.

48. Between August 12, 2022, and August 13, 2022, Defendant officers, including JOHN AND JANE DOE SIX THROUGH THIRTEEN, assaulted Plaintiff, by among other things, placing Plaintiff in tight handcuffs, grabbing, striking and placing parts of their body placing their body on top of Plaintiff, causing Plaintiff serious physical pain, injury, and causing her further injury.

49. On August 13, 2022, Plaintiff was transported by law enforcement, via ambulance to Jersey City Medical Center (“JCMC”), located at 355 Grand St, Jersey City, NJ 07302. During Claimant’s transport, Claimant was harassed and ridiculed by accompanying Defendant officers. During her hospitalization, Plaintiff continued to be handcuffed, causing further injury.

50. Plaintiff was discharged from the hospital on or about August 19, 2022.

51. Defendants’ actions commencing on August 12, 2022, and continuing through August 13, 2022, did cause Plaintiff to become fearful for her life and safety, and did cause emotional and physical injuries to Plaintiff, the full extent of which is unknown but include partial paralysis, loss of motor function, inability to move portions of her body, pain, swelling, and bruising to large and numerous areas of the body, as well as mental anguish and other psychological injuries including fear, anxiety, shame, humiliation, indignity.

52. Some of the Defendant officers, as well as the CITY, and COUNTY, knew or should have had reason to know of the assaulting officers’ temperament and propensity for

violence yet failed to appreciate the risk posed to the public and further failed to take adequate precautions to prevent the conduct as described herein

53. Defendants were knowingly and deliberately indifferent to the possibility that its officers and agents, were wont to violate the constitutional rights of arrestees as described herein.

54. During all of the events described, Defendants acted maliciously, willfully, knowingly and with the specific intent to injure Plaintiff and violate their civil rights.

55. Some of the Defendant officers who did not participate in the incident but were otherwise present and observed the violation of Plaintiff's constitutional rights failed to intercede on Plaintiff's behalf.

56. Plaintiff's injury was a foreseeable result of Defendants unlawful conduct and was the proximate cause of their injuries

57. CITY and COUNTY have been on notice that Defendants had a history and practice of misconduct against individuals but failed to take appropriate corrective action.

58. CITY and COUNTY have been on notice that Defendants had a history and practice of misconduct against individuals but failed to take appropriate corrective action.

59. CITY and COUNTY have been on notice for more than a generation that brutality is widespread and that particular reforms need to be implemented.

60. Prior to August 12, 2022, the CITY had developed and maintained policies and customs exhibiting deliberate indifference to the constitutional rights of its citizens, which caused the violations of Plaintiff's rights.

61. It was the policy and/or custom to supervise and discipline officers inadequately, including the officers use of force, failure to report, and providing false statement, thereby failing

to discourage constitutional violations on the part of its police officers, but instead making violations more prevalent and more egregious on citizens, such as Plaintiff.

62. Plaintiff asserts that the Defendants who violated Plaintiff's civil rights, are part of a larger pattern and practice of similar conduct, which is so widespread, pervasive and consistent throughout the BPD, and the CITY that the commission of such constitutionally violent behavior has become tantamount to an official policy or custom within the BPD, and the CITY or, at the very least, conclusive evidence that the CITY and BPD have either tacitly approved of such egregious wrongdoings or that they have become deliberately indifferent to the Civil Rights of those who may come into contact with police officers.

63. The individually named Defendants herein, as well as other officers serving in the employee of the BPD, and the CITY, have blatantly, shamelessly, consistently, and repeatedly engaged in conduct violative of the civil rights guaranteed and protected by the Constitution of the United States, in addition to the laws and Constitution of the State of New Jersey, or without incurring any ramifications for such misconduct and, ostensibly, with the full and complete blessing of the BPD, CITY and their respective policymakers and supervisors.

64. The foregoing acts, omissions, systemic deficiencies and deliberate indifference to the danger of harm to citizens like plaintiff and the need for more or different training and discipline are policies, practices and customs of the CITY and have caused police officers, including the officer defendants in this case, to believe that they can violate the rights of citizens with impunity, and that their fellow officers would conceal such conduct, including swearing falsely and committing perjury, and if found out not be severely punished all with the foreseeable result that officers are more likely violate the constitutional rights of citizens.

65. *The Hudson County View* as well as numerous other reputable journalistic enterprises, have reported on the widespread corruption and abuse by the BPD, and CITY, particularly the incredibly disconcerting proclivity of many BPD officers to engage in abuse. On January 23, 2015, *The Hudson County View* published an article entitled *FBI confirms the arrest of Bayonne Police Officer Domenico Lillo*.

66. The COUNTY has similarly instituted policies that have contributed to the violation of Plaintiff's constitutional rights. Since 2009, it was generally reported in the news media that COUNTY has privatized the care, health and wellness responsibility of inmates at HCCC leading to a spate of suicides and injuries to inmates.<sup>2</sup> The decision to delegate care, is a policy of COUNTY.

67. Upon information and belief, the BPD, CITY, and COUNTY and their respective policymakers, officials or supervisors have approved or acquiesced to policies, customs, or patterns and practices within the BPD and HCCC that resulted in Plaintiff's assault.

68. Upon information and belief further details and facts relating to the unlawful policies customs or patterns and practices of the BPD, CITY, COUNTY, and HCCC, and their respective policymakers supervisors police officers or employees, will become known after the completion of Discovery, as such information is presently within the exclusive possession of defendants.

69. Upon information and belief, the personal files, records and disciplinary histories of the officers Defendants will reveal a history of constitutional violations indicative of Defendant's knowledge that the individual officer Defendants were unfit for employment as BPD

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<sup>2</sup> <https://www.nj.com/hudson/2024/04/hudson-county-defies-state-comptrollers-order-approves-135-million-contract-for-jail-medical-services.html>

and/or HCCC officers, or poor employment in general, and that the probability of the individually named defendant committed similar violations in the future was extremely high.

70. Upon information and belief said personnel files records and disciplinary histories will conclusively show that the city, and the BPD and HCCC were fully aware Defendant passed constitutional violations, unacceptably high probability for the reoccurrence of similar transgressions, the unreasonably dangerous situations that were likely to result from their hiring or retention, as well as their unsuitability for employment as Law Enforcement Officers, or for employment in general, and not the BPD, CITY, COUNTY, and HCCC, to engage in any preventative or corrective action in the likelihood of recurrence for such violations, which is tantamount to the city of tacit approval of such misconduct or the city's deliberate indifference towards civil rights of those who may interact with employees including Plaintiff.

71. As a direct and proximate result of the acts of Defendants, Plaintiff suffered the following injuries and damages: violation of their rights pursuant to the Fourth, Eighth, Fourteenth Amendments of the United States Constitution, physical injury, physical pain and suffering, emotional trauma and suffering, including fear, embarrassment, humiliation, emotional distress, frustration, extreme inconvenience, anxiety, loss of liberty and harm to reputation.

**FIRST CAUSE OF ACTION (CITY + BPD)**

Failure to Intervene  
Under New Jersey State Law

72. The above paragraphs are here incorporated by reference as though fully set forth.

73. Those Defendants that were present but did not actively participate in the aforementioned unlawful conduct observed such conduct, had an opportunity to prevent such conduct, had a duty to intervene and prevent such conduct and failed to intervene.

74. Defendant City and Defendant County, as employers of the individual Defendants, are responsible for their wrongdoing under the doctrine of *respondeat superior*.

75. As a direct and proximate result of this unlawful conduct, Plaintiff sustained the damages hereinbefore alleged.

**SECOND CAUSE OF ACTION (CITY + BPD)**

Failure to Intervene

Under 42 U.S.C. § 1983 Against Individual Defendants

76. The above paragraphs are here incorporated by reference as though fully set forth.

77. Those Defendants that were present but did not actively participate in the aforementioned unlawful conduct observed such conduct, had an opportunity to prevent such conduct, had a duty to intervene and prevent such conduct and failed to intervene.

78. Accordingly, the Defendants who failed to intervene violated the Fourth and Fourteenth Amendments.

79. As a direct and proximate result of this unlawful conduct, Plaintiff sustained the damages hereinbefore alleged.

**THIRD CAUSE OF ACTION (COUNTY + HCCC)**

Failure to Intervene

Under New Jersey State Law

80. The above paragraphs are here incorporated by reference as though fully set forth.

81. Those Defendants that were present but did not actively participate in the aforementioned unlawful conduct observed such conduct, had an opportunity to prevent such conduct, had a duty to intervene and prevent such conduct and failed to intervene.

82. Defendant City and Defendant County, as employers of the individual Defendants, are responsible for their wrongdoing under the doctrine of *respondeat superior*.

83. As a direct and proximate result of this unlawful conduct, Plaintiff sustained the damages hereinbefore alleged.

**FOURTH CAUSE OF ACTION (COUNTY + HCCC)**

Failure to Intervene

Under 42 U.S.C. § 1983 Against Individual Defendants

84. The above paragraphs are here incorporated by reference as though fully set forth.

85. Those Defendants that were present but did not actively participate in the aforementioned unlawful conduct observed such conduct, had an opportunity to prevent such conduct, had a duty to intervene and prevent such conduct and failed to intervene.

86. Accordingly, the Defendants who failed to intervene violated the Fourth and Fourteenth Amendments.

87. As a direct and proximate result of this unlawful conduct, Plaintiff sustained the damages hereinbefore alleged.

**FIFTH CAUSE OF ACTION (CITY + BPD + ESTEVEZ + J&J DOE 1-5)**

Assault and Battery Under

New Jersey State Law

88. The above paragraphs are here incorporated by reference as though fully set forth.

89. Defendants made Plaintiff fear for their physical well-being and safety and placed plaintiff in apprehension of immediate harmful and/or offensive touching.

90. Defendants engaged in and subjected Plaintiff to immediate harmful and/or offensive touching and battered her without her consent.

91. Defendant City and Defendant County, as employers of the individual Defendants, are responsible for their wrongdoing under the doctrine of *respondeat superior*.

92. As a direct and proximate result of this breach, Plaintiff sustained the damages hereinbefore alleged, including but not limited to physical, emotional and psychological injuries,

as well as to suffer serious, severe, permanent personal injuries and extreme conscious physical, mental and emotional pain and suffering, and required, and will require, hospitalization, medical care and treatment all of which are believed will for a long time to come.

93. By reason of the above, the amount of damages sought on this cause of action exceeds the jurisdictional limits of all lower Courts which would otherwise have jurisdiction.

**SIXTH CAUSE OF ACTION (CITY + BPD + ESTEVEZ + J&J DOE 1-5)**

Excessive Force Under  
42 U.S.C. § 1983

94. The above paragraphs are here incorporated by reference as though fully set forth.

95. Defendants violated the Fourth, Eighth, and Fourteenth Amendments because they used unreasonable force on the Plaintiff without consent.

96. As a direct and proximate result of this unlawful conduct, Plaintiff sustained the damages hereinbefore alleged.

**SEVENTH CAUSE OF ACTION (J&J DOE 6-13)**

Assault and Battery Under  
New Jersey State Law

97. The above paragraphs are here incorporated by reference as though fully set forth.

98. Defendants made Plaintiff fear for their physical well-being and safety and placed plaintiff in apprehension of immediate harmful and/or offensive touching.

99. Defendants engaged in and subjected Plaintiff to immediate harmful and/or offensive touching and battered her without her consent.

100. Defendant City and Defendant County, as employers of the individual Defendants, are responsible for their wrongdoing under the doctrine of *respondeat superior*.

101. As a direct and proximate result of this breach, Plaintiff sustained the damages hereinbefore alleged, including but not limited to physical, emotional and psychological injuries,

as well as to suffer serious, severe, permanent personal injuries and extreme conscious physical, mental and emotional pain and suffering, and required, and will require, hospitalization, medical care and treatment all of which are believed will for a long time to come.

102. By reason of the above, the amount of damages sought on this cause of action exceeds the jurisdictional limits of all lower Courts which would otherwise have jurisdiction.

**EIGHTH CAUSE OF ACTION (J&J DOE 6-13)**

Excessive Force Under  
43 U.S.C. § 1983

103. The above paragraphs are here incorporated by reference as though fully set forth.

104. Defendants violated the Fourth, Eighth, and Fourteenth Amendments because they used unreasonable force on the Plaintiff without consent.

105. As a direct and proximate result of this unlawful conduct, Plaintiff sustained the damages hereinbefore alleged.

**NINTH CAUSE OF ACTION**

Intentional Infliction of Emotional Distress  
Under New Jersey State Law

106. The above paragraphs are here incorporated by reference as though fully set forth.

107. Defendants unlawfully assaulted Plaintiff, for the purpose of causing severe emotional distress, and recklessly conducted themselves towards Plaintiff in a manner so shocking and outrageous that it exceeded all reasonable bounds of decency resulting in causing plaintiff severe emotional distress.

108. Defendants were at all times agents, servants, and employees acting within the scope of their employment by the CITY, BPD, COUNTY, and/or HCCC which are therefore responsible for their conduct.

109. CITY and COUNTY, as employers of the individual Defendants, are responsible for their wrongdoing under the doctrine of *respondeat superior*.

110. By reason of the foregoing, Plaintiff suffered mental injuries, economic injury, deprivation of property, liberty and privacy, terror, humiliation, damage to reputation and other psychological injuries. All of said injuries may be permanent.

111. By reason of the above, the amount of damages sought on this cause of action exceeds the jurisdictional limits of all lower Courts which would otherwise have jurisdiction.

**TENTH CAUSE OF ACTION**  
Negligent Hiring, Retention and Supervision  
Under New Jersey State Law

112. The above paragraphs are here incorporated by reference as though fully set forth.

113. CITY and COUNTY owed a duty of care to Plaintiff to adequately hire, retain and supervise its employee defendants.

114. CITY and COUNTY breached that duty of care.

115. CITY and COUNTY placed Defendants in a position where they could inflict foreseeable harm.

116. CITY and COUNTY knew or should have known of its employee Defendants' propensity for violating the individual rights granted under the United States Constitution and the laws of the State of New Jersey, prior to the injuries incurred by Plaintiff.

117. CITY and COUNTY failed to take reasonable measures in hiring, retaining and supervising its employee Defendants that would have prevented the aforesaid injuries to Plaintiff.

118. As a direct and proximate result of this unlawful conduct, Plaintiff sustained the damages hereinbefore alleged.

119. By reason of the above, the amount of damages sought on this cause of action exceeds the jurisdictional limits of all lower Courts which would otherwise have jurisdiction.

120. CITY's conduct and COUNTY's conduct did cause the violation of Plaintiff civil rights enumerated within the Constitution of the United States pursuant to the Fourth, Sixth, and Fourteenth and under rights including:

- a) Not to be deprived of liberty without due process of law;
- b) To be free from seizure and arrest not based upon probable cause;
- c) Not to have summary punishment imposed upon them; and
- d) To receive equal protection under the law.

121. As a direct and proximate result of this conduct, Plaintiff sustained the damages hereinbefore alleged.

**ELEVENTH CAUSE OF ACTION**

Unnecessary and Wanton Infliction of Pain Due to a Deliberate Failure to Provide Timely or Sufficient Medical Treatment  
(Under Federal Law)

122. PLAINTIFF repeats and realleges each and every allegation as if fully set forth herein.

123. The DEFENDANTS violated the Fourth, Eighth, and Fourteenth Amendments because DEFENDANTS were aware PLAINTIFF's medical condition was serious, and were responsible for the acts or omissions regarding their medical condition.

124. PLAINTIFF were informed of DEFENDANTS injuries, DEFENDANTS were aware of their injuries, and yet they still refused to provide them care.

125. As a direct and proximate result of this unlawful conduct, PLAINTIFF sustained the damages hereinbefore alleged.

**TWELFTH CAUSE OF ACTION**

Deliberate Indifference  
(Under Federal Law)

126. PLAINTIFF repeats and realleges each and every allegation as if fully set forth herein.

127. Defendants and each of them were under an affirmative legal duty to provide for reasonable human safety within the JCCC

128. At all relevant times, defendants and each of them failed to monitor and supervise the Plaintiff and these failures facilitated and caused, proximately and directly, Plaintiff's injuries

129. As a direct and proximate result of this unlawful conduct, PLAINTIFF sustained the damages hereinbefore alleged.

**THIRTEENTH CAUSE OF ACTION**

Monell Liability  
(Under Federal Law)

130. PLAINTIFF repeats and realleges each and every allegation as if fully set forth herein.

131. DEFENDANTS, collectively and individually, while acting under color of state law, engaged in conduct that constituted a custom, usage, practice, procedure or rule of the respective municipality/authority, which is forbidden by the Constitution of the United States.

132. The aforementioned customs, policies, usages, practices, procedures and rules of the CITY, BPD, HCCC include, but are not limited to, the following unconstitutional practices:

- A. failing to discipline problem employees who abuse detainees and inmates;
- B. failure to discipline problem employees who are neglectful of inmates in need of care;
- C. failing to protect detainees and inmates;

133. The foregoing customs, policies, usages, practices, procedures and rules of the CITY, COUNTY, BDP, and HCCC constituted deliberate indifference to the safety, well-being and constitutional rights of the PLAINTIFF.

134. The foregoing customs, policies, usages, practices, procedures and rules of the CITY, COUNTY, BDP, and HCCC were the direct and proximate cause of the constitutional violations suffered by the PLAINTIFF as alleged herein.

135. The foregoing customs, policies, usages, practices, procedures and rules of the CITY, COUNTY, BDP, and HCCC were the moving force behind the constitutional violations suffered by the PLAINTIFF as alleged herein.

136. DEFENDANTS, collectively and individually, while acting under color of state law, were directly and actively involved in violating the PLAINTIFF's constitutional rights.

137. DEFENDANTS, collectively and individually, while acting under color of state law, acquiesced in a pattern of unconstitutional conduct by subordinate correction officers, and were directly responsible for the violation of the PLAINTIFF's constitutional rights.

138. The acts complained of deprived the PLAINTIFF of their right:

- A. Under the Fourth Amendment;
- B. Under the Eighth Amendment;
- C. Under the Fourteenth Amendment;
- D. To be free from Unreasonable force
- E. Not to have summary punishment imposed upon him; and
- F. To receive equal protection under the law.

**JURY DEMAND**

139. Plaintiff hereby demands a trial by jury as to all matters herein.

140. WHEREFORE, PLAINTIFF respectfully requests the Court grant the following relief:

- a) Award compensatory damages in an amount to be determined in an amount to be determined at trial;
- b) Awarding PLAINTIFF punitive in an amount to be determined at trial;
- c) Awarding PLAINTIFF reasonable attorneys' fees together with the costs of this action under 42 U.S.C. § 1988 and statutory authority; and
- d) Granting such other and further relief as this Court deems just and proper.

**TRIAL DESIGNATION**

141. Pursuant to Rule 4:25-4, John Paul DeVerna Esq. is hereby designated as trial counsel for the within matter.

**CERTIFICATION PURSUANT TO RULE 4:5-1**

142. I certify, pursuant to Rule 4:5-1, that the matter in controversy is not the subject of any other action or arbitration proceeding, now or contemplated, and that no other parties should be joined in this action at this time.

**CERTIFICATION OF COMPLIANCE**

143. Pursuant to Rule 1:38-7(c) and Rule 4:5-1, I hereby certify that all personal information has been redacted from this pleading in the above referenced matter as no personal information was provided.

144. I further certify that confidential personal identifiers have been redacted from documents now submitted to the Court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

145. 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.



JOHN PAUL DEVERNA, ESQ PC  
John Paul DeVerna, Esq.  
Attorney for Plaintiff(s)  
111 John Street, Suite 1850  
New York, New York 10038  
T- (212) 321-0025 | F- (212) 321-0024

Dated: August 12, 2024

**ATTORNEY'S VERIFICATION**

**JOHN PAUL DEVERNA**, an attorney duly admitted to practice before the Courts of the State of New Jersey, affirms the following to be true under the penalties of perjury:

I am a counsel of the law firm of **JOHN PAUL DEVERNA ESQ PC**, I have read the annexed **VERIFIED COMPLAINT** and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters, I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my files. The reason this verification is made by me and not Plaintiff is because plaintiff does not reside in the county where I maintain my office.

DATED: August 12, 2024



JOHN PAUL DEVERNA, ESQ PC  
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Attorney for Plaintiff(s)  
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New York, New York 10038  
T- (212) 321-0025  
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Index No. :

SUPERIOR COURT OF THE STATE OF NEW JERSEY

COUNTY OF HUDSON

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HASNA ALAOUI, A.K.A HASANA JALAL,

Plaintiff,

-against-

CITY OF BAYONNE; BAYONNE POLICE DEPARTMENT; COUNTY OF HUDSON; HUDSON COUNTY CORRECTIONAL CENTER; WELLPATH MEDICAL SERVICE; PERLA ESTEVEZ, JOHN AND JANE DOES ONE THROUGH THIRTEEN

Defendants.

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**SUMMONS AND VERIFIED COMPLAINT**

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JOHN PAUL DEVERNA ESQ PC

By John Paul DeVerna, Esq.

Attorney for Plaintiff(s)

111 John Street, Suite 1850

New York, New York 10038

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To: CORPORATION COUNSEL OF NEW JERSEY

Attorney(s)for Defendants

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Service of a copy of the within is hereby admitted.

Dated

Attorney(s) for