

COMPLAINT - SUMMONS

COMPLAINT NUMBER			
1608	S	2022	001014
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
PATERSON MUNICIPAL COURT 111 BROADWAY PATERSON NJ 07505-0000 973-321-1515 COUNTY OF: PASSAIC			
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 21-16944	
COMPLAINANT A T KOEHLER NAME: NEW JERSEY STATE POLICE			

THE STATE OF NEW JERSEY	
VS.	
JOSE TORRES	
ADDRESS :	
DEFENDANT INFORMATION	
SEX: M	EYE COLOR: BROWN
DOB:	
DRIVER'S LIC. #:	
SOCIAL SECURITY #:	
TELEPHONE #:	(c)
LIVESCAN PCN #:	
DL STATE:	
SBI #:	

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **02/12/2022** in **PATERSON CITY**, **PASSAIC** County, NJ did: FROM ON OR ABOUT FEB. 12, 2022 THROUGH ON OR ABOUT MARCH 4, 2022, IN THE CITY OF PATERSON, COUNTY OF PASSAIC, ELSEWHERE AND WITHIN THE JURISDICTION OF THIS COURT, JOSE TORRES, DID PURPOSELY OR KNOWINGLY DISOBEY A JUDICIAL ORDER OR PROTECTIVE ORDER, PURSUANT TO SECTION 1 OF N.J.S.A. 2C:28-5.1, OR HINDER, OBSTRUCT, OR IMPEDE THE EFFECTUATION OF A JUDICIAL ORDER OR THE EXERCISE OF JURISDICTION OVER ANY PERSON, THING, OR CONTROVERSY BY A COURT, ADMINISTRATIVE BODY OR INVESTIGATIVE ENTITY, THAT IS, BY HOLDING HIMSELF OUT AS A CANDIDATE FOR MAYOR, SOLICITING SIGNATURES ON NOMINATING PETITIONS AND ATTEMPTING TO SUBMIT NOMINATING PETITIONS FOR A POSITION OF MAYOR TO THE CITY OF PATERSON, OFFICE OF THE CITY CLERK, WHICH POSITION HE IS BARRED FROM APPLYING FOR OR HOLDING BY ENTRY OF A FORFEITURE CONSENT ORDER FILED ON OR ABOUT SEPT. 25, 2017, AND PURSUANT TO HIS PRIOR CRIMINAL CONVICTION, CONTRARY TO THE PROVISIONS OF N.J.S.A. 2C:29-9A, A CRIME OF THE FOURTH DEGREE. CASE TO BE PROSECUTED BY DAG MICHELLE MCBRIAN, MCBRIANM@NJDCJ.ORG.

in violation of:

Original Charge	1) 2C:29-9A	2)	3)
Amended Charge			

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.

Signed: A T KOEHLER Date: 03/11/2022

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.

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: PASSAIC
at the following address: PASSAIC SUPERIOR COURT
NEW COURTHOUSE 77 HAMILTON ST PATERSON NJ 07505-0000
If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

Date of Arrest: **Appearance Date:** 04/04/2022 **Time:** 09:00AM **Phone:** 973-653-2910

Signature of Person Issuing Summons: **A T KOEHLER** Date: **03/11/2022**

<input type="checkbox"/> Domestic Violence – Confidential	<input type="checkbox"/> Related Traffic Tickets or Other Complaints	<input type="checkbox"/> Serious Personal Injury/ Death Involved
Special conditions of release: <input type="checkbox"/> No phone, mail or other personal contact w/victim <input type="checkbox"/> No possession firearms/weapons <input type="checkbox"/> Other (specify):		<div style="background-color: #cccccc; text-align: center; padding: 10px;">ORIGINAL</div> <div style="padding: 10px;"> Page 1 of 7 <div style="text-align: right;">NJ/CDR1 1/1/2017</div> </div>

COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER

1608**S****2022****001014****STATE V.****JOSE TORRES**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

FTA Bail Information

Date Bail Set:

Amount Bail Set: \$ _____

by: _____

☐ Bail Recog. AttachedReleased
on Bail

R.O.R.

Committed
DefaultCommitted
w/o Bail

Place Committed:

Date Referred to
County Prosecutor: _____Date of First
Appearance: **04/04/2022**☐ Advised of Rights by _____Defendant Desires Counsel:
☐ Yes ☐ No**Prosecuting Attorney Information****Defense Counsel Information****Name:****Name:**

State

County

Municipal

Other

None

Retained

Public Def

Assigned

Waived

Other

Original Charge

1) **2C:29-9A**

2)

3)

Amended Charge

Waiver Indt/Jury

Plea/Date of Plea

Plea:

Date:

Plea:

Date:

Plea:

Date:

Adjudication (* see code)

Finding
Code:

Date:

Finding
Code:

Date:

Finding
Code:

Date:

Jail Term

Jail time credit

Susp. Imp

Jail time credit

Susp. Imp

Jail time credit

Susp. Imp

Probation Term

Susp. Imp

Susp. Imp

Susp. Imp

Cond. Discharge Term

Community Service

D/L Suspension Term

Fines/Costs

Fines:

Costs:

Fines:

Costs:

Fines:

Costs:

VCCB/SNSF

VCCB:

SNSF:

VCCB:

SNSF:

VCCB:

SNSF:

DEDR/Lab Fee

DEDR:

LAB:

DEDR:

LAB:

DEDR:

LAB:

CD Fee/Drug Ed Fnd

CD:

DAEF:

CD:

DAEF:

CD:

DAEF:

DV Surch/Other Fees

DV:

Other:

DV:

Other:

DV:

Other:

Restitution

Beneficiary: _____

Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:**Related Traffic Tickets and Complaints:***** Finding Codes**

- 1 – Guilty
- 2 – Not Guilty
- 3 – Dismissed – Other
- 4 – Guilty but Merged
- 5 – Dismissed-Rule
- 6 – Dismissed Lack of Prosecution
- 7 – Dismissed – Pros Motion/Vic Req
- 8 – Conditional Discharge
- D – Dismissed- Prosecutor Discretion
- M – Dismissed- Mediation
- P – Dismissed-Plea Agreement
- S – Disposed at Superior
- W – Dismissed-False ID

ORIGINAL - Court Action

JUDGE'S SIGNATURE _____

DATE _____

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NJ/CDR1 1/1/2017

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. JOSE TORRES	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
1608	S	2022	001014	ADDRESS: [REDACTED]	
PATERSON MUNICIPAL COURT 111 BROADWAY PATERSON NJ 07505-0000 973-321-1515 COUNTY OF: PASSAIC					
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 21-16944		DEFENDANT INFORMATION	
COMPLAINANT NAME: A T KOEHLER				SEX: M EYE COLOR: [REDACTED] DOB: [REDACTED] DRIVER'S LIC. #: [REDACTED] DL STATE: [REDACTED] SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] (C) LIVSCAN PCN #: [REDACTED]	
By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 02/12/2022 in PATERSON CITY, PASSAIC County, NJ did: FROM ON OR ABOUT FEB. 12, 2022 THROUGH ON OR ABOUT MARCH 4, 2022, IN THE CITY OF PATERSON, COUNTY OF PASSAIC, ELSEWHERE AND WITHIN THE JURISDICTION OF THIS COURT, JOSE TORRES, DID PURPOSELY OR KNOWINGLY DISOBEY A JUDICIAL ORDER OR PROTECTIVE ORDER, PURSUANT TO SECTION 1 OF N.J.S.A. 2C:28-5.1, OR HINDER, OBSTRUCT, OR IMPEDE THE EFFECTUATION OF A JUDICIAL ORDER OR THE EXERCISE OF JURISDICTION OVER ANY PERSON, THING, OR CONTROVERSY BY A COURT, ADMINISTRATIVE BODY OR INVESTIGATIVE ENTITY, THAT IS, BY HOLDING HIMSELF OUT AS A CANDIDATE FOR MAYOR, SOLICITING SIGNATURES ON NOMINATING PETITIONS AND ATTEMPTING TO SUBMIT NOMINATING PETITIONS FOR A POSITION OF MAYOR TO THE CITY OF PATERSON, OFFICE OF THE CITY CLERK, WHICH POSITION HE IS BARRED FROM APPLYING FOR OR HOLDING BY ENTRY OF A FORFEITURE CONSENT ORDER FILED ON OR ABOUT SEPT. 25, 2017, AND PURSUANT TO HIS PRIOR CRIMINAL CONVICTION, CONTRARY TO THE PROVISIONS OF N.J.S.A. 2C:29-9A, A CRIME OF THE FOURTH DEGREE. CASE TO BE PROSECUTED BY DAG MICHELLE MCBRIAN, MCBRIANM@NJDCJ.ORG.					
in violation of:					
Original Charge	1) 2C:29-9A		2)	3)	
Amended Charge					
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 Signed: A T KOEHLER Date: 03/11/2022					
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.					
SUMMONS YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: PASSAIC at the following address: PASSAIC SUPERIOR COURT NEW COURTHOUSE 77 HAMILTON ST PATERSON NJ 07505-0000 If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest. Date of Arrest: Appearance Date: 04/04/2022 Time: 09:00AM Phone: 973-653-2910 Signature of Person Issuing Summons: A T KOEHLER Date: 03/11/2022					
<input type="checkbox"/> Domestic Violence – Confidential		<input type="checkbox"/> Related Traffic Tickets or Other Complaints		<input type="checkbox"/> Serious Personal Injury/ Death Involved	
Special conditions of release: <input type="checkbox"/> No phone, mail or other personal contact w/victim <input type="checkbox"/> No possession firearms/weapons <input type="checkbox"/> Other (specify):				COMPLAINT - SUMMONS (DEFENDANT'S COPY)	
				Page 3 of 7 NJ/CDR1 1/1/2017	

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER

1608**S****2022****001014**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

PATERSON MUNICIPAL COURT**111 BROADWAY****PATERSON****NJ 07505-0000****973-321-1515** COUNTY OF: **PASSAIC**

of CHARGES

1

CO-DEFTS

POLICE CASE #:

21-16944COMPLAINANT **A****T KOEHLER**

NAME:

NEW JERSEY STATE POLICE*THE STATE OF NEW JERSEY**VS.***JOSE TORRES**

ADDRESS:

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **[REDACTED]**DOB: **[REDACTED]**

DRIVER'S LIC. #:

DL STATE: **[REDACTED]**

SOCIAL SECURITY #:

SBI #:

TELEPHONE #:

(C)

LIVESCAN PCN #:

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **02/12/2022** in **PATERSON CITY**, **PASSAIC** County, NJ did: FROM ON OR ABOUT FEB. 12, 2022 THROUGH ON OR ABOUT MARCH 4, 2022, IN THE CITY OF PATERSON, COUNTY OF PASSAIC, ELSEWHERE AND WITHIN THE JURISDICTION OF THIS COURT, JOSE TORRES, DID PURPOSELY OR KNOWINGLY DISOBEY A JUDICIAL ORDER OR PROTECTIVE ORDER, PURSUANT TO SECTION 1 OF N.J.S.A. 2C:28-5.1, OR HINDER, OBSTRUCT, OR IMPEDE THE EFFECTUATION OF A JUDICIAL ORDER OR THE EXERCISE OF JURISDICTION OVER ANY PERSON, THING, OR CONTROVERSY BY A COURT, ADMINISTRATIVE BODY OR INVESTIGATIVE ENTITY, THAT IS, BY HOLDING HIMSELF OUT AS A CANDIDATE FOR MAYOR, SOLICITING SIGNATURES ON NOMINATING PETITIONS AND ATTEMPTING TO SUBMIT NOMINATING PETITIONS FOR A POSITION OF MAYOR TO THE CITY OF PATERSON, OFFICE OF THE CITY CLERK, WHICH POSITION HE IS BARRED FROM APPLYING FOR OR HOLDING BY ENTRY OF A FORFEITURE CONSENT ORDER FILED ON OR ABOUT SEPT. 25, 2017, AND PURSUANT TO HIS PRIOR CRIMINAL CONVICTION, CONTRARY TO THE PROVISIONS OF N.J.S.A. 2C:29-9A, A CRIME OF THE FOURTH DEGREE. CASE TO BE PROSECUTED BY DAG MICHELLE MCBRIAN, MCBRIANM@NJDCJ.ORG.

in violation of:

Original Charge

1) **2C:29-9A**

2)

3)

Check

✓

Certification by Police Regarding Complaint-Summons

✓

I certify that I served the complaint-summons by delivering a copy to the defendant personally.

I certify that I personally served the complaint-summons by leaving a copy at the defendant's usual place of abode with a competent member of the household of the age 14 or over

Name of family member over 14 years of age

I certify that I mailed a copy of the complaint-summons by ordinary mail to the defendant at his or her last known address.

Defendant's last known address

I certify that I served the complaint-summons by delivering a copy to a person authorized to receive service of process on the defendant's behalf.

Name and title of authorized person

Other manner of service: I certify that I served the complaint-summons in the following manner:

I certify that I was unable to serve the complaint-summons.

Signed: **A T KOEHLER NEW JERSEY STATE POLICE**

Name, Title and Department of Officer

Date of Action: **03/11/2022****RETURN OF SERVICE
INFORMATION**

Affidavit of Probable Cause

COMPLAINT NUMBER

1608**S****2022****001014**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

PATERSON MUNICIPAL COURT**111 BROADWAY****PATERSON****NJ 07505-0000****973-321-1515**COUNTY OF: **PASSAIC**

of CHARGES

1

CO-DEFTS

POLICE CASE #:

21-16944COMPLAINANT **A****T KOEHLER**

NAME:

NEW JERSEY STATE POLICE*THE STATE OF NEW JERSEY**VS.***JOSE TORRES**

ADDRESS:

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **[REDACTED]**DOB: **[REDACTED]**DRIVER'S LIC. #: **[REDACTED]**DL STATE: **[REDACTED]**SOCIAL SECURITY #: **[REDACTED]**SBI #: **[REDACTED]**TELEPHONE #: **[REDACTED]****(C)**

LIVESCAN PCN #:

Purpose: This Affidavit/Certification is to more fully describe the facts of the alleged offense so that a judge or authorized judicial officer may determine probable cause.

1. Description of relevant facts and circumstances which support probable cause that (1) the offense(s) was committed and (2) the defendant is the one who committed it:

On or about September 25, 2017, the Honorable Sheila A. Venable, P.J.Cr. entered an Order of Forfeiture and Permanent Disqualification from Future Public Employment. The order provided that pursuant to N.J.S.A. 2C:51-2, Jose Torres shall forfeit any and all public offices or employment and shall be forever disqualified from holding any office or position of honor, trust or profit under the State or any of its administrative or political subdivisions. The order also provided that if Torres makes any future application for public employment in violation of this Order, he will be subject to an additional charge under N.J.S.A. 2C:29-9a (fourth degree - Contempt of Court). On or about February 12, 2022, Jose Torres, made a public speech stating that he is running for mayor of the City of Paterson in the 2022 election and requested that the people in the audience vote for him to return him to City Hall. On March 4, 2022, Jose Torres went to the City of Paterson, Office of the City Clerk and presented a stack of what he purported to be nominating petitions completed in support of his candidacy. Upon those petitions being rejected, Torres filed a civil Order To Show Cause seeking to compel the City of Paterson, Office of the City Clerk, to accept the petitions. In that civil action, Torres certified, "I make this Certification in support of my application to require the City of Paterson to accept the valid petitions I submitted in order to run for Mayor of the City of Paterson in the upcoming election in May 2022." He also certified, "I went to Paterson City Hall on Friday, March 4, 2022 at about 4:00 PM. I was carrying petitions signed by 1,150 voters supporting me to run as a candidate for Mayor in the May 2022 election." He further certified, "If the City Clerk continues to refuse to accept my petitions, I will be irreparably harmed by being denied my right to run for office."

Affidavit of Probable Cause**Page 5 of 7**

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Affidavit of Probable Cause

COMPLAINT NUMBER

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001014

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YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

JOSE TORRES

2. I am aware of the facts above because: (Included, but not limited to: your observations, statements of eyewitnesses, defendant's admission, etc.)

The criminal investigation into this matter uncovered the above facts through examination physical evidence, personal observations, the defendant's statements and actions, and other investigative methods.

3. If victim was injured, provide the extent of the injury:

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.

Signed: A T KOEHLER LAW ENFORCEMENT OFFICER

Date: 03/11/2022

Affidavit of Probable Cause

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1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER

1608**S****2022****001014**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

PATERSON MUNICIPAL COURT**111 BROADWAY****PATERSON****NJ 07505-0000****973-321-1515** COUNTY OF: **PASSAIC**

of CHARGES

1

CO-DEFTS

POLICE CASE #:

21-16944COMPLAINANT **A****T KOEHLER**

NAME:

NEW JERSEY STATE POLICE*THE STATE OF NEW JERSEY**VS.***JOSE TORRES**

ADDRESS:

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **[REDACTED]**DOB: **[REDACTED]**DRIVER'S LIC. #: **[REDACTED]**DL STATE: **[REDACTED]**SOCIAL SECURITY #: **[REDACTED]**SBI #: **[REDACTED]**TELEPHONE #: **[REDACTED]****(C)**LIVESCAN PCN #: **[REDACTED]**

Purpose: The Preliminary Law Enforcement Incident Report (PLEIR) is intended to document basic information known to the officer at the time of its preparation. It is recognized that additional relevant information will emerge as an investigation continues. The PLEIR shall be in addition to, not in lieu of, any regular police arrest, incident, or investigation reports. Note that the PLEIR is specific to each defendant charged in an investigation.

-The defendant made statements/admissions.

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.

Signed: **A T KOEHLER LAW ENFORCEMENT OFFICER**Date: **03/11/2022****Preliminary Law Enforcement Incident Report****Page 7 of 7**

7/20/2018