

JOHN DOES 4-6, City of)
 Bainbridge Police Officers, in their)
 individual capacities,)
)
 CITY OF PELHAM,)
)
 CITY OF BAINBRIDGE,)
)
 Defendants.)
 _____)

COMPLAINT

Plaintiffs Adel Edwards, Fred Barber, Vera Cheeks, Ulysses West, and James H. Davis, Jr., on behalf of themselves and the class alleged herein, by counsel, state as follows for their Complaint:

INTRODUCTION

1. This is an action to stop Defendants—a private probation company, private probation officers, and city police officers—from wrongfully detaining and jailing poor people who cannot afford to make payments on city court fines and probation supervision fees in cases before the Municipal Court of Pelham and the Municipal Court of Bainbridge. This action further seeks to stop the private probation company in question from requiring former probationers to report to probation officers and to pay fines and fees after the expiration of the probationers’ sentences.

2. Red Hills Community Probation, LLC (“Red Hills”) contracts with local governments to supervise probation cases. These cases are handled by the municipal courts of Bainbridge, Cairo, Pelham, and Whigham, and by the Magistrate Court of Grady County.

3. Plaintiffs are indigent men and women who received citations for misdemeanors or ordinance violations in Pelham or Bainbridge. Plaintiffs Edwards, Barber, and Cheeks appeared in court and pleaded guilty to a misdemeanor or ordinance violation before Judge Joshua C. Bell, the presiding judge in the Pelham and Bainbridge Municipal Courts.

4. Judge Bell fined each Plaintiff and placed each Plaintiff on probation. Judge Bell then instructed each Plaintiff to meet with a probation officer.

A. Immediate Payment or Seizure Policy

5. Each Plaintiff met with a Red Hills probation officer inside the courthouse. In each case, the probation officer, without legal authority, informed the Plaintiff that he or she could not leave the courthouse until a payment was made. In each case, the probation officer threatened the Plaintiff with jail if he or she did not pay a certain amount of money by the end of court proceedings.

6. On the date Plaintiff Adel Edwards pleaded guilty to burning leaves in his yard without a permit, Red Hills personnel and city police detained Edwards in

the courthouse and then caused Edwards to be jailed for several days because Edwards could not afford to make a \$250 payment.

7. On the date Plaintiff Fred Barber pleaded guilty to driving with a suspended registration, Red Hills personnel and city police confined Barber in an inmate holding cell in the courthouse until Barber's cousin brought \$70 to secure his release.

8. On the date Plaintiff Vera Cheeks pleaded guilty to the offense of failing to come to a complete stop at a stop sign, Red Hills personnel and city police detained Cheeks at the courthouse until Cheeks's fiancé brought \$50 to secure her release.

9. Defendants have a longstanding policy, custom, and practice of seizing and detaining indigent probationers to coerce immediate payments without notice, opportunity to be heard, or opportunity to comply ("the Immediate Payment or Seizure Policy"). The seizures are unsupported by any reason to believe that Plaintiffs have committed a probation violation. The seizures are made without any hearing to investigate the reasons for nonpayment or alternatives to detention. Red Hills personnel, with the assistance and approval of municipal police officers who participate, have detained people in this manner repeatedly, over the course of years, in violation of clearly established law.

10. Red Hills personnel and city police officers have caused some indigent probationers to be detained in the courthouse for hours while the probationers' families scrambled to come up with money demanded by Red Hills. In other cases, Red Hills personnel and city police officers have caused indigent persons to be jailed because the probationers could not afford to pay.

11. Defendants' policy and practice of detaining people to coerce date-of-adjudication payment violates provisions of the United States Constitution and the Georgia Constitution. Further, this policy and practice violates Georgia law and constitutes false imprisonment. Plaintiffs assert claims for violations of their civil rights under 42 U.S.C. § 1983 and Georgia law.

B. Expired Probation Sentence Policy

12. Plaintiffs further bring this litigation to challenge a second, illegal business practice by Red Hills—its practice of falsely representing to former probationers that they are required to report to Red Hills personnel and to pay Red Hills any remaining money owed on fines and fees even after the probationers' sentences are complete (“the Expired Probation Sentence Policy”).

13. When probationers are finished with their probationary periods but still have not paid all fines and fees, Red Hills personnel have falsely instructed former probationers that they could be taken back to court and jailed for failing to report to Red Hills officers and failing to make payments to Red Hills.

14. Red Hills personnel have used threats of probation revocation and incarceration to ensure that former probationers will continue to pay and to report weekly to Red Hills officers.

15. The threats made by Red Hills personnel are backed by no legal authority. Red Hills's policy in this regard constitutes fraud under Georgia law. The policy also deprives Plaintiffs and similarly situated probationers of their liberty without due process of law in violation of the United States Constitution and the Georgia Constitution.

16. Plaintiffs bring this action on behalf of themselves and all indigent persons who face criminal charges requiring them to appear in the Pelham Municipal Court or the Bainbridge Municipal Court and who are subject to the Defendants' policies and practices of: (a) demanding date-of-adjudication payments and seizing those who are unable make such payments; and (b) falsely representing to former probationers that they are required to report to Red Hills personnel and to pay Red Hills money even after the probation sentences are complete.

17. Plaintiffs seek damages and declaratory and injunctive relief as set forth herein.

JURISDICTION AND VENUE

18. This court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1331, as this action arises under the laws and Constitution of the United States; pursuant to 28 U.S.C. § 1983; pursuant to its supplemental jurisdiction under 28 U.S.C. § 1367; and pursuant to 28 U.S.C. § 2201, as an actual controversy exists within this Court's jurisdiction. This Court is authorized to grant declaratory and injunctive relief pursuant to 28 U.S.C. §§ 2201 and 2202.

19. Venue is proper pursuant to 28 U.S.C. § 1391, because at least one Defendant resides in this district and all Defendants reside in this State, and because a substantial part of the events or omissions giving rise to the claims set forth in this Complaint occurred within this district.

PARTIES

A. Plaintiffs

20. Adel Edwards is a 54-year-old, indigent, African-American man who resides in Pelham, Georgia. Edwards has an intellectual disability. On April 24, 2013, Edwards pleaded guilty in the Municipal Court of Pelham to burning leaves in his yard without a permit.

21. Fred Barber is a 52-year-old, indigent, African-American man who resides in Bainbridge, Georgia. On August 21, 2013, Barber pleaded guilty in the Municipal Court of Bainbridge to driving a vehicle with a suspended registration.

22. Vera Cheeks is a 52-year-old, indigent, African-American woman who resides in Bainbridge, Georgia. On October 22, 2014 Cheeks pleaded guilty in the Municipal Court of Bainbridge to failing to come to a complete stop at a stop sign.

23. Ulysses West is a 57-year-old African-American man who resides in Meigs, Georgia. West has a fixed and limited income. On March 27, 2015, West received a traffic citation for speeding in Pelham. West cannot afford to pay his fine. West's citation requires him to appear in Pelham Municipal Court at a future date. Absent injunctive relief from this Court, West is imminently likely to be subject to the Defendants' unlawful policies as described in this Complaint.

24. James H. Davis, Jr., is a 54-year-old African-American man who resides in Atlanta, Georgia. Davis lives on a fixed income of approximately \$710 per month, most of which goes towards rent. On January 29, 2015, Davis received a traffic citation for speeding in Pelham. Davis cannot afford to pay his fine. Davis is required to appear in Pelham Municipal Court at a future date. Absent injunctive relief from this Court, Davis is imminently likely to be subject to the Defendants' unlawful policies as described in this Complaint.

B. Defendants

25. Defendant Red Hills Community Probation, LLC, is a Georgia company that does business in the State of Georgia, in this District, and in this

Division. Red Hills is headquartered in Cairo, Georgia. Red Hills performs a public function that was traditionally the exclusive prerogative of the State – supervision of people on probation. Georgia law authorizes the Pelham Municipal Court and Bainbridge Municipal Court to contract with Red Hills to perform that public function. O.C.G.A. § 42-8-100(h)(1). Red Hills is a state actor and a person acting under color of state law and is liable under 42 U.S.C. § 1983.

26. Defendant Margaret Crutchfield is the owner of Red Hills Community Probation, LLC, and the company's probation supervisor. She resides in this District and this Division. Crutchfield is a "private probation officer" performing a public function. O.C.G.A. § 42-8-100(a)(2). Crutchfield has caused, authorized, condoned, ratified, approved, and knowingly participated in a longstanding policy and practice of (A) detaining probationers at the Bainbridge and Pelham courthouses, without legal authority or probable cause, to coerce date-of-adjudication payments; and (B) informing probationers they will be jailed if they fail to make payments by the end of the day's court proceedings. Crutchfield has caused probationers to be seized and detained for their failure to make immediate payments. She has also caused probationers to continue reporting and making probation payments after their sentences have expired. At all times pertinent to this action, she was acting under color of state law.

27. Defendant Martiele Pickle is a probation officer employed by Red Hills Community Probation, LLC. She resides in this District and this Division. Pickle is a “private probation officer” performing a public function. O.C.G.A. § 42-8-100(a)(2). Pickle has caused, authorized, condoned, ratified, approved, and knowingly participated in a longstanding policy and practice of (A) detaining probationers at the Bainbridge and Pelham courthouses, without legal authority or probable cause, to coerce date-of-adjudication payments; and (B) informing probationers they will be jailed if they fail to make payments by the end of the day’s court proceedings. Pickle has caused probationers to be seized and detained for their failures to make immediate payments. At all times pertinent to this action, she was acting under color of state law.

28. Defendant Jodi Simpson is a probation officer employed by Red Hills Community Probation, LLC. She resides in this District and this Division. Simpson is a “private probation officer” performing a public function. O.C.G.A. § 42-8-100(a)(2). Simpson has caused, authorized, condoned, ratified, approved, and knowingly participated in a longstanding policy and practice of (A) detaining probationers at the Pelham courthouse, without legal authority or probable cause, to coerce date-of-adjudication payments; and (B) informing probationers they will be jailed if they fail to make payments by the end of the day’s court proceedings. Simpson has caused probationers to be jailed for their failure to make immediate

payments. She has also caused former probationers to continue reporting and making probation payments after their sentences have expired. At all times pertinent to this action, she was acting under color of state law.

29. Defendant Nealie McCormick is the Chief of the City of Pelham Police Department. He resides in this District and this Division. McCormick is the final policymaker for the City of Pelham with respect to the participation of Pelham Police Department officers in implementing the policies challenged in this Complaint. McCormick knew or should have known of the City's and Red Hills's longstanding policy of detaining indigent probationers to coerce payment, and knew that police officers under his command effectuated these illegal detentions. McCormick caused, authorized, condoned, ratified, approved, participated in, or knowingly acquiesced in the illegal policies or practices described in this Complaint. His actions and inactions were deliberately indifferent to the constitutional rights of Plaintiffs. He is sued in his individual capacity and in his official capacity as Chief of Police. At all times pertinent to this action, he was acting under color of state law.

30. Defendant Eric Miller is the Director of the City of Bainbridge Department of Public Safety. He resides in this District and this Division. Miller is the final policymaker for the City of Bainbridge with respect to the participation of Bainbridge Department of Public Safety officers in implementing the policies

challenged in this Complaint. Miller knew or should have known of the City's and Red Hills's longstanding policy of detaining indigent probationers to coerce payment, and knew that police officers under his command effectuated these illegal detentions. Miller caused, authorized, condoned, ratified, approved, participated in, or knowingly acquiesced in the illegal policies and practices described in this Complaint. His actions and inactions were deliberately indifferent to the constitutional rights of Plaintiffs. He is sued in his individual capacity and in his official capacity as Public Safety Director. At all times pertinent to this action, he was acting under color of state law.

31. Defendants John Does 1-3 are officers of the City of Pelham Police Department. Each is sued in his individual capacity. Does 1-3 include officers of the Pelham Police Department who were present in the Pelham Municipal Court on April 24, 2013, and who were personally responsible for detaining Edwards and transporting him to and confining him in the Pelham City Jail. At all times pertinent to this action, each of Does 1-3 was acting under color of state law.

32. Defendants John Does 4-6 are officers of the City of Bainbridge Department of Public Safety. Each is sued in his individual capacity. Does 4-6 include officers of the Bainbridge Department of Public Safety who were present in the Bainbridge Municipal Court on August 21, 2013 and October 22, 2014, and

who were personally responsible for detaining Barber and Cheeks. At all times pertinent to this action, each of Does 4-6 was acting under color of state law.

33. Defendant City of Pelham, Georgia, is a municipal governmental entity whose policies, practices, and customs were a moving force in the constitutional violations described in this Complaint. For years, city police officers have participated routinely with Red Hills in the illegal detention of probationers to coerce payments. Red Hills is able to carry out the policies and practices challenged in this case only with the approval and assistance of city police officers, whose active participation in the seizures adds credibility to threats of Red Hills personnel. These officers participate in the seizures of probationers both at the courthouse and at the city jail. The City is liable under 42 U.S.C. § 1983 because (a) Plaintiffs' constitutional rights were violated; (b) the City had a well-settled and longstanding custom, policy, or practice of detaining indigent probationers to coerce immediate payment that constituted deliberate indifference to these constitutional rights; and (c) the custom or policy caused the violation. In the alternative, the City delegated its final policymaking authority to Red Hills to obtain revenue from probationers, and delegated its final policymaking authority concerning arrests and detentions to the Chief of Police and Red Hills.

34. Defendant City of Bainbridge, Georgia, is a municipal governmental entity whose policies, practices, and customs were a moving force in the

constitutional violations described in this Complaint. For years, city police officers have participated routinely with Red Hills in the illegal detention of probationers to coerce payments. Red Hills is able to carry out the policies and practices challenged in this case only with the approval and assistance of city police officers, whose active participation in the seizures adds credibility to threats of Red Hills personnel. The City is liable under 42 U.S.C. § 1983 because (a) Plaintiffs' constitutional rights were violated; (b) the City had a well-settled and longstanding custom, policy, or practice of detaining indigent probationers to coerce payment that constituted deliberate indifference to these constitutional rights; and (c) the custom or policy caused the violation. In the alternative, the City delegated its final policymaking authority to Red Hills to obtain revenue from probationers, and delegated its final policymaking authority concerning arrests and detentions to the Director of Public Safety and Red Hills.

CLASS ACTION ALLEGATIONS

35. Plaintiffs bring this class action pursuant to Rules 23(a) and (b)(2) and/or (b)(3) of the Federal Rules of Civil Procedure on their behalf and on behalf of a class similarly situated and affected during the pendency of this lawsuit and in the future. Plaintiffs will seek to certify two classes, the first of which will seek relief with respect to the "Immediate Payment or Seizure Policy" and the second of which will seek relief with respect to the "Expired Probation Sentence Policy."

The first class is defined as all indigent persons with criminal charges requiring them to appear in the Pelham Municipal Court or the Bainbridge Municipal Court who are or were subject to the Defendants' policy and practice of seizing and detaining probationers who fail to make date-of-adjudication payments. The second class is defined as all indigent persons with criminal charges requiring them to appear in the Pelham Municipal Court or the Bainbridge Municipal Court who are or were subject to Red Hills's policy of requiring persons to report to Red Hills personnel and/or pay Red Hills personnel even after their probation sentences had expired.

36. Plaintiffs meet the requirements of Rule 23(a) in that:
 - a. Each class is so numerous that joinder of all members is impracticable. The first class consists of hundreds of persons who have been or will be under a legal obligation to appear before the municipal courts in question, and who are subject to Defendants' policy or custom of demanding immediate payments and seizing those who fail to make such payments. The second class consists of a large but as yet unknown number of persons who have been or will be subject to Defendants' policy of requiring persons to report to Red Hills personnel and/or pay Red Hills even after the probationary period has expired.

- b. There are questions of law and fact common to the classes concerning the constitutionality and lawfulness of the Defendants' policies challenged in this Complaint. The absence of any lawful basis for detaining probationers to coerce payment presents a question of fact and law common to all class members. Similarly, there is a common question as to whether the "Expired Probation Sentence Policy" violates state and federal law.
- c. The policies challenged in this action apply with equal force to the named plaintiffs and all members of each class so that the claims of the plaintiffs are typical of those of the class. Edwards, Barber, and Cheeks were subject to the "Illegal Detention Policy." Edwards was subject to the "Expired Probation Sentence Policy." West and Davis have yet to be adjudicated, and face an imminent risk of being subject to both illegal policies.
- d. The named Plaintiffs will fairly and adequately protect the interests of each class. The Plaintiffs possess the requisite personal interest in the subject matter of the lawsuit and possess no interests adverse to other class members. The Plaintiffs are represented by attorneys at the Southern Center for Human Rights, a nonprofit organization with extensive experience in complex class action litigation.

37. Plaintiffs meet the requirements of Rule 23(b)(2) in that the Defendants acted or refused to act on grounds that apply generally to each class, so that final injunctive relief or corresponding declaratory relief is appropriate respecting the class as a whole.

38. Plaintiffs meet the requirements of Rule 23(b)(3) because common questions of law and fact predominate over questions affecting individual class members. A class action is superior to any other method of adjudicating this dispute because hundreds of indigent people are subjected to the illegal policies described in this Complaint, but few are likely to have the time, legal acumen, and resources to pursue the claims at issue in this case on their own.

STATEMENT OF FACTS

A. The Cities' Delegation of Municipal Probation Services to Red Hills

39. Georgia law authorizes municipalities to contract with private companies to provide probation supervision services. O.C.G.A. § 42-8-100(h)(1).

40. Specifically, under Georgia law, “[t]he judge of [a] municipal court . . . with the approval of the governing authority of that municipality . . . is authorized to enter into written contracts with private corporations, enterprises, or agencies to provide probation supervision, counseling, collection services for all moneys to be paid by a defendant according to the terms of the sentence imposed and any moneys which by operation of law are to be paid by the defendant in consequence

of the conviction, and other probation services for persons convicted in such court and placed on probation.” O.C.G.A. § 42-8-100(h)(1).

41. Red Hills is a party to contracts authorizing it to provide probation supervision services to defendants adjudicated in the Municipal Court of Bainbridge and the Municipal Court of Pelham.

B. The Defendants’ Policy of Detaining Probationers to Coerce Payment

42. The city courts in Bainbridge and Pelham each hold court approximately once per month. Judge Joshua C. Bell presides over both courts.

43. Indigent defendants are seldom appointed counsel in either court.¹

44. In Bainbridge and Pelham, Red Hills personnel are present in the city courthouses during adjudications. In Bainbridge, where city court is held in the county courthouse, a Red Hills representative is stationed in a room adjacent to the courtroom. In Pelham, where city court is held in a large room housed in a former train depot, a Red Hills representative is stationed inside the courtroom across the room from the judge’s bench.

45. In both city courts, defendants who cannot afford to pay their fines on or before the day of court are typically placed on probation with Red Hills for the

¹ The Pelham Municipal Court adjudicates over 1,000 cases each year. In 2012, the Pelham Municipal Court appointed counsel in 19 cases; in 2013, the court appointed counsel in 9 cases. The Bainbridge Municipal Court adjudicates approximately 2,000 cases each year. In 2012, the Bainbridge Municipal Court appointed counsel in 14 cases; in 2013, the court appointed counsel in 26 cases.

purpose of having Red Hills collect their money. Once on probation, these defendants are required to pay probation supervision fees of \$44 per month, which can more than double the amount of a defendant's monetary obligation.

46. As a matter of policy and practice, after Judge Bell places a defendant on probation, he instructs the defendant to talk to a Red Hills probation officer.

47. During the initial probation meeting, the probation officer tells the person his total monetary obligation. Red Hills multiplies its monthly fee by the number of months of probation, adds the fine, and presents the probationer with a lump sum for which the probationer is liable.

48. Pursuant to the Defendants' policy, the probation officer then informs the probationer that he or she is not free to leave, and that he or she must remain in place until a fixed payment has been made.

49. Red Hills probation officers inform probationers that if they do not make the payment, they will go to the Pelham City Jail until a payment is received. (The City of Bainbridge contracts with the City of Pelham to house Bainbridge inmates in the Pelham City Jail.)

50. In Bainbridge, defendants meet with a Red Hills probation officer in a room accessible through a door in the courtroom. Once the probationer enters that room, Red Hills personnel and Bainbridge Department of Public Safety officers, without legal authority or probable cause, prevent the probationer from leaving

until a probation officer authorizes him or her to leave. The only other exit is through a locked door controlled by law enforcement officers. Police officers are present in the courtroom and move back and forth between the courtroom and the probation holding area.

51. In Pelham, defendants meet with a Red Hills probation officer at a desk across the courtroom from the judge's bench. Without legal authority or probable cause, Red Hills personnel and Pelham Police Department officers prevent probationers from leaving the courtroom until permitted to do so by a Red Hills probation officer. Police officers are present in the courtroom and move back and forth between the courtroom and the probation holding area.

52. In both Bainbridge and Pelham, Red Hills probation officers follow a policy, custom, and practice of conscripting families and friends into paying Red Hills. When the probation officers know that a probationer cannot pay, they instruct the probationer to contact family members or friends. In this way, Red Hills probation officers exploit poor families under color of law, effectively demanding a ransom for the return of their loved ones.

53. The policy described in the preceding paragraphs is persistent, widespread, longstanding, and so common and well-settled as to constitute a custom that fairly represents municipal policy.

C. The Defendants' Policy of Threatening Probationers with Jail after Sentences Have Expired

54. Some probationers are unable to pay their fines and fees in full before their probation sentences expire.

55. Red Hills probation officers have threatened to jail individuals for nonpayment of unpaid fines and fees even after probation has ended and the former probationer is no longer subject to the supervision of Red Hills or the jurisdiction of the municipal court. Red Hills personnel refer to these cases as "expired pay" cases.

56. Red Hills probation officers know that they have no legal basis for requiring former probationers to continue reporting. The officers use false statements to mislead former probationers into believing otherwise. Red Hills probation officers, in order to keep individuals under their control, instill fear in current probationers with the threat of revocation and jail.

57. Red Hills personnel have instructed purported probationers in "expired pay" status to solicit contributions from friends and loved ones so that the purported probationers will not have to go to jail.

D. Application of Defendants' Policies to Adel Edwards

58. On February 16, 2013, Adel Edwards received a citation for burning leaves in his yard without a permit. Edwards appeared in the Pelham Municipal Court on April 24, 2014, and pleaded guilty.

59. The Pelham Municipal Court sentenced Edwards to pay a \$500 fine. Because Edwards could not pay this fine on the day of court, Judge Bell placed Edwards on probation for 12 months and ordered him to pay \$44 per month.

60. After Judge Bell sentenced Edwards, Judge Bell instructed Edwards to meet with Red Hills representatives. Edwards complied. City of Pelham police officers were stationed in the courtroom and around the probation meeting area, such that Edwards was not free to leave. A uniformed police officer was stationed at the door to the courtroom to prevent anyone from leaving without authorization.

61. Plaintiffs expect to show the probation officers on duty that day were Defendants Pickle and Simpson. When Edwards met with Pickle and Simpson, he was told that he owed not \$500, but \$1,028, to include \$528 for probation supervision fees.

62. After the Red Hills probation officer told Edwards that he owed \$1,028, the probation officer told Edwards that he was required to make an immediate payment before he could leave the courthouse. The probation officer instructed Edwards to remain in the courtroom until he paid. Before meeting with

the probation officer, Edwards had not been informed of his probation conditions, and had no reason to know that he would be required to make a payment that day.

63. Edwards and loved ones accompanying him that day told his probation officer that he was physically and intellectually disabled, that he could not work, and that he had no money.

64. Pickle and/or Simpson responded that if Edwards did not have the full amount, he would have to go to jail.

65. There were law enforcement officers in Edwards's immediate vicinity when he met with Red Hills representatives and when Pickle and/or Simpson told Edwards he could not leave the courthouse.

66. As instructed by the Red Hills representatives, Edwards remained in the courtroom until court was over.

67. When court proceedings ended, City of Pelham police officers transported Edwards to jail.

68. Edwards remained in jail for several days until a friend was able to bring \$250 to have Edwards released.

69. Thereafter, Edwards reported to Red Hills probation officers and made four installment payments totaling \$138 over 12 months. During the course of probation, Edwards was repeatedly threatened by Defendant Simpson. Simpson told Edwards that Red Hills would have him incarcerated if he did not pay.

70. Edwards's probation expired on April 24, 2014. Although Edwards was no longer on probation after April 24, 2014, and was no longer under any obligation with respect to Red Hills, Simpson continued to instruct Edwards to report to Red Hills and to pay. These instructions were given to Edwards on the occasions set forth below when Edwards reported to Simpson after his probation had expired.

71. In reliance on his probation officer's false representation regarding his responsibility to report and pay Red Hills, Edwards reported to Simpson and paid Red Hills numerous times following the expiration of his sentence, including on: August 14, 2014 (\$2); September 11, 2014 (\$4); October 17, 2014 (\$4); November 13, 2014 (\$5); and December 11, 2014 (\$5).

72. In or around December 2014, Simpson told Edwards that if he did not bring in money the following week, she would take a warrant out on him.

73. Edwards reported to Simpson as recently as the first week of March 2015, and Simpson instructed Edwards to report again on March 12, 2015.

74. As a result of Edwards's post-probation reporting, Defendant Simpson obtained two benefits for Red Hills. First, she obtained payments of money that Edwards otherwise would not have paid. Second, she obtained a reputation among Red Hills's customers for maximizing collections from poor people whose limited

resources would not have been diverted to probation-related debts absent credible threats of incarceration.

75. Red Hills stopped requiring Edwards to pay and report after undersigned counsel filed a “Motion to Stop Enforcement of Expired Probation Sentence” in the Pelham Municipal Court on March 11, 2015.

E. Application of Defendants’ Policies to Fred Barber

76. In June 2013, Fred Barber received a citation for driving a vehicle with a suspended registration. On August 21, 2013, Barber appeared in the Bainbridge Municipal Court and pleaded guilty.

77. Judge Bell sentenced Barber to a fine of \$590 and 12 months probation at \$44 per month.

78. After Judge Bell sentenced Barber, Judge Bell instructed Barber to meet with a probation officer. A Bainbridge police officer led Barber to a room behind the courtroom. The room had two exits. One was through the courtroom. The other was through a locked, back door.

79. In this room, Barber met with Defendant Martiele Pickle. Pickle told Barber that he owed a \$590 fine, plus \$528 for one year of probation supervision, for a total of \$1,118.

80. Pickle told Barber that he had to pay \$280 in cash before he could leave the courthouse. Before meeting with Pickle, Barber had not been informed

of his probation conditions, and did not have any reason to know that he would be required to make a payment that day.

81. Barber told Pickle that he had \$210 in his pocket from his last paycheck. He asked if he could give Pickle \$210 and bring in the rest at a later time. Pickle said if Barber did not immediately pay \$280, he would be incarcerated in the Pelham City Jail.

82. There were law enforcement officers in Barber's immediate vicinity when Pickle told Barber he could not leave the courthouse until he paid \$280. There was no way for Barber to leave Pickle's office, except through the courtroom. And there were uniformed officers stationed in the courtroom and in Pickle's office. The officers controlled access into and out of the area. When Barber got to Pickle's office, he was not free to leave.

83. To avoid being taken to jail in Pelham, Barber summoned his cousin who had come to court with him that day. Barber asked his cousin if she could borrow money from a friend for whom Barber did yard work.

84. While Pickle and city police officers detained Barber at the courthouse, Barber's cousin left the courthouse to attempt to borrow money to secure Barber's release. Pickle and a city police officer required Barber to sit in an inmate holding cell in the courthouse while Barber waited for his cousin to bring money.

85. Barber's cousin borrowed \$70 from Barber's friend. Barber gave Pickle the \$70 in borrowed money plus the \$210 he brought to court. Pickle permitted Barber to leave the room only after Barber paid \$280.

F. Application of Defendants' Policies to Vera Cheeks

86. On September 23, 2014, Vera Cheeks received a traffic citation for failing to come to a complete stop at a stop sign. On October 22, 2014, Cheeks appeared in the Municipal Court of Bainbridge and pleaded nolo contendere to the charge. Judge Bell imposed \$135 fine.

87. At the time of her adjudication, Cheeks was unemployed and caring for her father who was then terminally ill. Because Cheeks did not have \$135, Judge Bell placed her on probation for three months.

88. After Judge Bell sentenced Cheeks, Judge Bell instructed Cheeks to meet with a probation officer. Cheeks proceeded to a room behind the courtroom. The room had two exits. One was through the courtroom. The other was through a locked, back door.

89. Once Cheeks was in the probation room, Defendant Pickle informed Cheeks that she owed \$135, plus \$105 in probation supervision fees, and \$27 for the Georgia Crime Victims Emergency Fund. Pickle gave Cheeks a document that told her to report to the probation office once per week.

90. Pickle then told Cheeks that Cheeks could not leave until she paid \$50. Cheeks explained that she did not have \$50. Pickle said again that Cheeks could not leave until she paid \$50. Pickle told Cheeks that if she did not pay, she would go to jail. Before meeting with the probation officer, Cheeks had not been informed of her probation conditions, and did not have any reason to know that she would be required to make a payment that day.

91. Cheeks's fiancé, James Bullard, was waiting for Cheeks in the courtroom. Cheeks was permitted to open the door to the courtroom and motion to summon Bullard.

92. Bullard took the engagement ring off Cheeks's finger. Then he went to get a piece of lawn equipment from his house, and pawned both the ring and the lawn equipment at American Pawn & Jewelry in Bainbridge. Together, the ring and equipment were exchanged for \$50 in cash.

93. Unable to leave, Cheeks sat in the probation room. She worried about going to jail because her father was terminally ill, and she was helping to care for him in his final weeks.

94. Later that day, Bullard returned to the courthouse and gave \$50 to Pickle. Only then did Pickle let Cheeks leave the courthouse. After Cheeks paid, a law enforcement officer used her badge to open the door of the probation room so Cheeks and Bullard could exit.

CLAIMS FOR RELIEF

COUNT ONE

Due Process Clause Violations

**Violation of the Fourteenth Amendment to the United States Constitution,
Brought Under 42 U.S.C. § 1983, and
Violation of Art. I, Sec. I, Para. I of the Georgia Constitution**

(by all Plaintiffs against all Defendants)

95. Plaintiffs incorporate herein and re-allege, as if fully set forth herein, all factual allegations of paragraphs 1-17, 20-34, and 39-94.

96. Defendants seized indigent probationers and caused probationers to be detained and/or jailed when probationers were unable to make date-of-adjudication payments on city court fines and fees. Defendants detained probationers without notice to the probationers that they would be required to make date-of-adjudication payment, and without any process available to challenge the legality of detention.

97. By detaining Plaintiffs without notice or legal authority to collect payments on city court fines and fees, Defendants deprived Plaintiffs of their liberty without due process of law in violation of Plaintiffs' rights. U.S. Const. amend. XIV; Ga. Const. art. 1, § I, ¶¶ I and II.

98. Defendants jointly and severally caused deprivations of Plaintiffs' liberty, under color of law, without providing notice or an opportunity to be heard. In addition, Defendants jointly and severally caused deprivations of Plaintiffs'

substantive due process rights through their deliberate indifference to Plaintiffs' rights and their conscience-shocking behavior.

99. Defendants knew or should have known that the conduct described herein violated Plaintiffs' rights.

100. As a direct and proximate result of Defendants' illegal policies and practices, Defendants deprived Plaintiffs and others of their liberty.

101. Defendants' above-described actions were willful, deliberate, and malicious, and involved reckless or callous indifference to Plaintiffs' rights and should be punished and deterred by an award of punitive or enhanced damages against individual Defendants as permitted by law.

COUNT TWO

Equal Protection Clause Violations

Violation of the Fourteenth Amendment to the United States Constitution, Brought Under 42 U.S.C. § 1983, and Violation of Art. I, Sec. I, Para. II of the Georgia Constitution

(by all Plaintiffs against all Defendants)

102. Plaintiffs incorporate herein and re-allege, as if fully set forth herein, all factual allegations of paragraphs 1-17, 20-34, and 39-94.

103. Defendants seized indigent probationers and caused probationers to be detained and/or jailed when probationers were unable to make date-of-adjudication

payments on court fines and fees. Defendants treated people with money differently than indigent people without a rational basis for the disparate treatment.

104. By detaining indigent Plaintiffs without notice or legal authority to collect payments on fines and fees, Defendants deprived Plaintiffs of the equal protection of the law. U.S. Const. amend. XIV; Ga. Const. art. 1, § I, ¶¶ II.

105. Defendants jointly and severally caused deprivations of Plaintiffs' liberty, under color of law.

106. Defendants knew or should have known that detaining indigent persons, without legal authority, violated Plaintiffs' constitutional rights.

107. As a direct and proximate result of Defendants' illegal policy and practice, Defendants deprived Plaintiffs and others of their liberty.

108. Defendants' above-described actions were willful, deliberate, and malicious, and involved reckless or callous indifference to Plaintiffs' rights and should be punished and deterred by an award of punitive or enhanced damages against individual Defendants as permitted by law.

COUNT THREE

Unconstitutional Seizure

Violation of the Fourth and Fourteenth Amendments to the United States Constitution, Brought Under 42 U.S.C. § 1983, and Violation of Art. I, Sec. I, Para. XIII of the Georgia Constitution

(by all Plaintiffs against all Defendants)

109. Plaintiffs incorporate herein and re-allege, as if fully set forth herein, all factual allegations of paragraphs 1-17, 20-34, and 39-94.

110. Without probable cause or legal authority, Defendants caused probationers to be detained and/or jailed when probationers were unable to make immediate payments on court fines and fees.

111. Defendants had no particularized and objective basis to believe that any Plaintiff they seized had committed or was committing any criminal offense or violation.

112. The detentions of the Plaintiffs were unreasonable seizures under the Fourth and Fourteenth Amendments to the United States Constitution and under Ga. Const. art. I, sec. I, para. XIII.

113. The seizure of the Plaintiffs was excessive and unreasonable in its duration and scope.

114. The seizure of the Plaintiffs constituted an arrest for which probable cause was required. The arrest of the Plaintiffs was unreasonable.

115. Defendants intended to confine the Plaintiffs, committed acts resulting in their confinement, and the Plaintiffs were aware of their confinement. The Plaintiffs reasonably did not believe they were free to leave.

116. It was clearly established before the dates of Plaintiffs' detentions that seizing and detaining Plaintiffs simply because they did not have money, would violate the Plaintiffs' clearly established rights. The Defendants had fair warning that their conduct would violate the Constitution and no reasonable officer or probation officer could have believed that the seizure or incarceration of the Plaintiffs was legal.

117. The Defendants' actions were conducted pursuant to the Defendants' policy, practice, or custom with the force of law: (A) to seize and detain probationers during municipal court proceedings to coerce payments; (B) to threaten probationers with further detention and incarceration for non-payment; (C) to transport indigent probationers to jail in the event of non-payment; and (D) to hold indigent probationers in jail to coerce payment on court fines and fees.

118. In each and every instance set forth above, Defendants acted intentionally, with malice, and with actual intent to cause injury in the performance of their official functions. Defendants knew or should have known that detaining Plaintiffs, without any legal authority, violated Plaintiffs' constitutional rights.

119. As a direct and proximate result of Defendants' illegal policies and practices, Defendants deprived Plaintiffs and others of their liberty. Defendants are jointly and severally liable for the violations of Plaintiffs' rights, and the harm they suffered as a result, because each Defendant either personally participated in the actions or failures to act, or implicitly authorized, approved, or knowingly condoned or failed to remedy the wrongs at issue.

120. Defendants' above-described actions were willful, deliberate, and malicious, and involved reckless or callous indifference to Plaintiffs' rights and should be punished and deterred by an award of punitive or enhanced damages against individual Defendants as permitted by law.

COUNT FOUR

False Imprisonment

(by Plaintiffs Barber and Cheeks against Defendants Red Hills, Crutchfield, Pickle, and John Does 4-6; by Plaintiff Edwards against Defendants Red Hills, Crutchfield, Pickle, Simpson, and John Does 1-3)

121. Plaintiffs incorporate herein and re-allege, as if fully set forth herein, all factual allegations of paragraphs 1-17, 20-34, and 39-94.

122. "False imprisonment is the unlawful detention of the person of another, for any length of time, whereby such person is deprived of his personal liberty." O.C.G.A. § 51-7-20.

123. By unlawfully detaining Plaintiffs and depriving them of their personal liberty, Defendants are guilty of false imprisonment, a tort for which an action for damages will lie under O.C.G.A. § 51-7-20.

124. Defendants conspired to accomplish the unlawful objective of falsely imprisoning Plaintiffs by unlawful means.

125. The false imprisonment was the act of the several Defendants jointly, and Defendants are jointly and severally liable for the entire damages pursuant to O.C.G.A. § 51-7-22.

126. The individual Defendants, with malice and oppression, falsely imprisoned and/or combined and conspired to falsely imprison Plaintiffs, and did so under color of law.

COUNT FIVE

Unlawful Imprisonment for Debt

Violation of Art. I, Sec. I, Para. XXIII of the Georgia Constitution

(by Plaintiffs Edwards, Barber, and Cheeks against all Defendants)

127. Plaintiffs incorporate herein and re-allege, as if fully set forth herein, all factual allegations of paragraphs 1-17, 20-34, and 39-94.

128. Ga. Const. Art. I, Sec. I, Para. XXIII states: “There shall be no imprisonment for debt.”

129. Defendants imprisoned Edwards for debt when they caused Edwards to be jailed because Edwards could not afford to pay \$250. Defendants imprisoned Barber and Cheeks for debt when Defendants seized and detained Barber and Cheeks in the courthouse because they could not pay their city court debt.

COUNT SIX

Fraud

**(by Plaintiff Edwards against Defendants Red Hills,
Crutchfield, and Simpson)**

130. Plaintiffs incorporate herein and re-allege, as if fully set forth herein, all factual allegations of paragraphs 1-17, 25-34, 39-41, and 54-75.

131. Defendants Red Hills, Crutchfield, and Simpson committed the tort of fraud against Adel Edwards. The tort of fraud has five elements: false representation, scienter, inducement, reliance, and injury.

132. Defendant Simpson made a series of false, verbal representations to Edwards that he was required to continue to report in person to Red Hills personnel and to pay court fines and fees after his probation sentence was over. Simpson knew when making this false representation to Edwards that Red Hills had no legal authority to require Edwards to pay or report after his sentence was over. Red Hills, through Simpson, nonetheless induced Edwards to pay and report to the

probation office for nearly one year after Edwards's sentence expired. Defendants undertook these acts with malice and intent to deceive Edwards.

133. Edwards relied on Defendants' false representations and, as a proximate result of the false representations, Edwards paid and reported to Red Hills for months after his sentence expired. Edwards was injured by his reliance on the false representations because he continued to pay, continued to report, and continued to experience worry and stress that he would be jailed for falling behind in his "probation" obligations.

COUNT SEVEN

Injunctive Relief

134. Plaintiffs incorporate herein and re-allege, as if fully set forth herein, the allegations of paragraphs 1-17, 20-34, and 39-94.

135. Plaintiffs seek an injunction to prevent Defendants from detaining and jailing poor people who fail to make extorted, date-of-adjudication payments on city court fines and probation supervision fees. Plaintiffs seek an injunction to prevent Defendants Red Hills and Red Hills probation officers from requiring probationers to pay and report to probation officers, even after the probationers' sentences are complete.

136. Defendants' conduct is not authorized by any Georgia law and violates 42 U.S.C. § 1983.

137. Defendants' conduct is likely to continue unless enjoined. Defendants' conduct is causing Plaintiffs immediate irreparable harm that cannot be remedied by the award of money damages. Plaintiffs have no plain, adequate, or complete remedy at law to redress the wrongs described herein.

138. The balance of the hardships and public policy strongly favor the Court entering a preliminary injunction and thereafter permanently enjoining Defendants' unlawful policies and practices as described herein.

COUNT EIGHT

Declaratory Relief

139. Plaintiffs incorporate herein and re-allege, as if fully set forth herein, all factual allegations of paragraphs 1-17, 20-34, and 39-94.

140. Without legal authority, Defendants caused probationers to be detained in the courthouse and/or jail when probationers were unable to make immediate payments on court fines and fees. Defendants detained probationers without any notice to the probationers that they would be required to make day-of-court payments, and without any process to challenge the legality of detention.

141. Pursuant to 28 U.S.C. § 2201, Plaintiffs seek a declaration by the Court that Defendants may not use detention, incarceration, and the threat of incarceration to coerce payments from indigent persons who cannot afford to pay.

142. Plaintiffs and putative class members will be adversely affected if Defendants continue to detain indigent people to coerce payment. Plaintiffs and putative class members will be adversely affected if Defendants continue to require former probationers to report and pay after the probationers' sentences are expired.

PRAYER FOR RELIEF

On the basis of the foregoing, Plaintiffs respectfully pray that this Court:

- a. Assume jurisdiction over this action;
- b. Determine by Order pursuant to Rule 23 of the Federal Rules of Civil Procedure that this action be maintained as a class action;
- c. Award Plaintiffs all actual damages, including damages for deprivation of liberty, deprivation of money, mental anguish and emotional distress;
- d. Award Plaintiffs nominal and presumed damages for violations of Plaintiffs' constitutional rights;
- e. Award Plaintiffs punitive damages to the extent permitted by law;
- f. Declare that Defendants violated Plaintiffs' constitutional rights by:

1. seizing and detaining probationers during municipal court proceedings to coerce immediate payments; threatening probationers with further detention and incarceration for non-payment; and holding indigent probationers in jail to coerce payment on city court fines and fees.
 2. requiring probationers to report to Red Hills personnel and pay money after probation sentences are complete.
- g. Enjoin Defendants from:
1. seizing and detaining probationers during municipal court proceedings to coerce payments; threatening probationers with further detention and incarceration for non-payment; holding indigent probationers in jail to coerce immediate payment on city court fines and fees.
 2. requiring probationers to report to Red Hills personnel and pay money after probation sentences are complete.
- h. Award costs and reasonable attorney fees under 42 U.S.C. § 1988 and any other applicable provision of law;
- i. Award such other and further relief as the Court deems just and proper.

Respectfully submitted this 10th day of April, 2015.

s/Sarah Geraghty

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Ryan Primerano

Georgia Bar No. 404962
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Counsel for the Plaintiffs

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
 Adel Edwards, Fred Barber, Vera Cheeks, Ulysses West, James H. Davis, Jr.

(b) County of Residence of First Listed Plaintiff Mitchell
 (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
 Sarah Geraghty, Gerald Weber, Ryan Primerano, Southern Center for Human Rights, 83 Poplar Street, NW, Atlanta, GA 30303 (404) 688-1202

DEFENDANTS
 Red Hills Community Probation, LLC, Margaret Crutchfield, Martiele Pickle, Jodi Simpson, Nealie McCormick, Eric Miller, John Does 1-6 (municipal police officers), City of Pelham, City of Bainbridge

County of Residence of First Listed Defendant _____
 (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known) _____

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff

3 Federal Question (U.S. Government Not a Party)

2 U.S. Government Defendant

4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157
			LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
			SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157
			FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. 1983

Brief description of cause:
civil rights action for wrongful detention/seizure of poor persons who cannot pay fines/fees to probation company

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ _____ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE _____ DOCKET NUMBER _____

DATE 4/10/15 SIGNATURE OF ATTORNEY OF RECORD [Signature]

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____