

NEWS RELEASE



Monmouth County Prosecutor's Office
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Luis A. Valentin, Prosecutor

MAN INDICTED FOR ASSAULT, DISARMING, ATTEMPTED ESCAPE FOLLOWING COURTROOM MELEE

On January 4, 2010, a Monmouth County Grand Jury returned an indictment charging Charles Barnes, 20, formerly of Willingboro, N.J., with multiple crimes relating to a courtroom melee which he initiated on September 15, 2009. The fracas occurred in the courtroom of Monmouth County Superior Court Judge Ira Kreizman shortly after a jury returned a guilty verdict against Barnes in another, unrelated criminal case.

The fray was investigated by the Monmouth County Sheriff's Office. The investigation revealed Barnes was free on bail during the trial, and that following the jury's verdict Judge Kreizman advised Barnes that he was increasing Barnes' bail to \$150,000. Barnes was unable to immediately post the new bail, so uniformed Sheriff's Officers in Judge Kreizman's courtroom began to take the steps necessary to transport Barnes from the Monmouth County Courthouse to the Monmouth County Correctional Institution. One of the steps which the Sheriff's Officers began to take in anticipation of transporting Barnes was to place handcuffs on Barnes.

As the Sheriff's Officers started to place handcuffs on Barnes, Barnes physically resisted the Sheriff's Officers' efforts to handcuff him. Barnes' resistance escalated to a struggle. Barnes then assaulted three of the Sheriff's Officers as he attempted to escape from them and exit the courtroom. During the altercation the courtroom was cleared of court personnel, attorneys and spectators. The fight took several minutes, and numerous additional Sheriff's Officers responded to the courtroom before Barnes was successfully subdued.

One of the three Sheriff's Officers whom Barnes assaulted sustained serious injuries. The Sheriff's Officer who sustained serious injuries is expected to remain out of work for several additional months as a result of the injuries he sustained in the altercation.

At one point during the confrontation, Barnes attempted to disarm one of the Sheriff's Officers by grabbing the Sheriff's Officer's expandable baton. The Sheriff's Officer was able to maintain control of the baton and wrestle it from Barnes' grip.

Barnes did not sustain any injuries during the struggle.

The indictment charges Barnes with one count of third degree Resisting Arrest, three counts of third degree Aggravated Assault on a Police Officer, one count of second degree Aggravated Assault, one count of second degree Disarming a Police Officer, and one count of second degree Attempted Escape.

If convicted of second degree Aggravated Assault, Disarming a Law Enforcement Officer or Attempted Escape, the maximum potential custodial sentence is a State Prison term of up to 10 years. The crime of Disarming a Law Enforcement Officer is subject to the No Early Release Act (“N.E.R.A.”), which means that Barnes must serve 85% of the sentence imposed for that crime before he becomes eligible for release on parole. If convicted of any of the third degree crimes contained in the indictment, the maximum potential custodial sentence is a State Prison term of up to five years.

Monmouth County Prosecutor Luis A. Valentin stated, “Our courtrooms are sacrosanct. They are places where court business is to be conducted in safety and with decorum. Barnes’ conduct was outrageous and placed all those in the courtroom and the courthouse in jeopardy.” Prosecutor Valentin added, “I commend the actions of the Sheriff’s Officers whose courageous efforts in gaining control over this violent offender prevented an already serious situation from escalating.”

Monmouth County Sheriff Kim Guadagno stated, “Our Sheriff’s Officers do an outstanding job protecting the courthouse. The officers involved in the incident ensured the safety of the people in the courtroom and prevented the situation from getting worse.”

Barnes remains in custody in State Prison where he is serving a custodial sentence which was imposed on him for the charges which the jury found him guilty of at trial.

Despite these charges, every defendant is presumed innocent, unless and until found guilty beyond a reasonable doubt, following a trial at which the defendant has all of the trial rights guaranteed by the U.S. Constitution and State law.

The case is assigned to Executive Assistant Monmouth County Prosecutor Richard E. Incremona. Defense counsel has not yet entered an appearance with the Monmouth County Prosecutor’s Office in connection with the charges contained in today’s indictment.

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