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10 N.Va. Day Laborers Plead Not Guilty in Loitering Sweep; [FINAL Edition]

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Eleven Hispanic day laborers arrested in a sweep of a 7-Eleven parking lot in Woodbridge six weeks ago appeared in Prince William County General District Court yesterday to answer loitering charges.

Supported by three attorneys, a legal coordinator and three volunteers, 10 of the men pleaded not guilty and agreed to return to court Jan. 13. One laborer, Johan Pavon, 22, reached agreement with the commonwealth's attorney that his charges will be dismissed if he is not involved in any criminal activity in the next six months.

Seven men who were arrested with the others Oct. 19 did not appear in court because they are being held by federal immigration authorities for possible deportation. Four others simply did not appear.

The loitering charge carries a \$100 fine.

The arrests have magnified the larger issue of how Prince William authorities should deal with dozens of day laborers who congregate each morning at the 7-Eleven to wait for contractors to offer them jobs. Some nearby residents and businesses have complained that the men litter, urinate in public and occasionally pester passersby, particularly women.

"It shouldn't be a crime to wait for work," said Tim Freilich, a lawyer for the Virginia Justice Center for Farm and Immigrant Workers in Falls Church.

Communities across the region have dealt with the same issue, and some have established locations and workers' centers where the laborers can gather, Freilich said. "We want Prince William County to find a community solution to day laborers that respects the rights of the workers," he said.

Freilich, who is fluent in Spanish, served as an interpreter for John Zwerling, an Alexandria lawyer brought on to the case by the Workers Committee of Woodbridge.

After the hearing, Zwerling told the volunteers supporting the men that the workers must come to an understanding with the management of the 7-Eleven as to where they can stand on the store's property.

The store's management hung "no loitering" signs on both sides of the store entrance this year after the parking lot became the day laborers' meeting site. The store was frequented by contractors and was within walking distance of the laborers' homes.

Covenant Presbyterian Church, located behind the store on Longview Avenue, allowed laborers to use its parking lot as a pickup spot. But construction on Longview has made it difficult for contractors to easily pick up laborers.

Prince William police cited three more laborers during a sweep of the parking lot Nov. 15. Capt. Tim Rudy has said the sweeps will continue as long as residents complain about the laborers' behavior.

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