

HOME BENOTGUILTY.COM RESUME OF KENNETH VERCAMMEN, ESQ. DIRECTIONS TO LAW OFFICE

# BE NOT GUILTY

Criminal and Motor vehicle violations can cost you. If convicted of a criminal offense you could face Jail Time and loss of Job. You will have to pay fines in court or receive points on your drivers license. An accumulation of too many points, or certain moving violations may require you to pay expensive surcharges to the N.J. DMV [Division of Motor Vehicles] or have your license suspended. Don't give up! The Law Office of Kenneth Vercammen can provide experienced attorney representation for criminal motor vehicle violations.

## Welcome to Kenneth Vercammen & Associates, P.C.

2053 Woodbridge Ave.  
Edison, NJ 08817  
732-572-0500  
Toll Free 1-800-NJLAWS7 (1-800-655-2977)  
Criminal on Weekends 732-261-4005

Kenneth Vercammen was the Middlesex County Bar Municipal Court Attorney of the Year.

**FREE SPECIAL REPORT**  
**AFTER ARRESTED:**  
**WHAT TO DO**

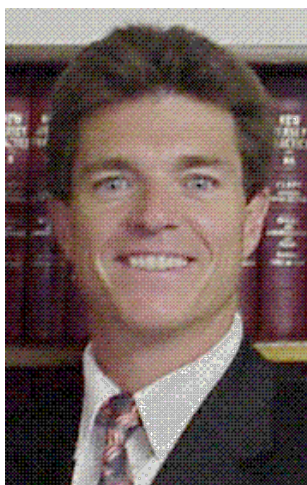
**FREE SPECIAL REPORT**  
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**FINES FOR NJ MOTOR**  
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**FREE SPECIAL REPORT**  
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**CRIMES AND**  
**DISORDERLY CONDUCT**

## E399 NJ Laws Email Newsletter

NJ Laws Email Newsletter E399  
Kenneth Vercammen, Attorney at Law

June 20,2012



Greetings Kenneth Vercammen,

**1. You are invited to:**  
**Kenneth Vercammens**  
**Annual Summer Blast Happy Hour**  
**Friday, July 20, 2012**  
**5:00PM - 7:00PM**

atBar Anticipation Where Summer Never Ends  
703 16th Avenue  
Lake Como/ Belmar, NJ 07719

Free for you and two friends.

5-7PM Hot & Cold Buffet with carving station

The reduced price Happy Hour is 6-7PM with \$1 House Drink, Bud/BudLt draft & House Wine Specials  
We will be at the outside Boardwalk bar under the tent.

Email Kens Law Office so we can put your name on the VIP

**Office Phone Number:**

(732) 572-0500

[www.njlaws.com](http://www.njlaws.com)

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FOR POTENTIAL CLIENTS TO CONTACT US DURING NON-BUSINESS HOURS, PLEASE FILL OUT THE FORM.

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Details of the Case

Agree

By typing " agree" into the box you are confirming that you wish to send your information to the Law Office of Kenneth Vercammen



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IN THIS ISSUE:

**1. You are Invited to Kenneth Vercammens Annual Summer Blast Happy Hour, Friday, July 20, 2012, 5-7PM Bar Anticipation, Belmar, NJ**

**2. DWI Guilty Plea Reversed where No Reasonable Suspicion Under the Influence.**

**3. Judge is Reprimanded for Helping Prosecutor in DWI Trial.**

**4. New statewide ban on the manufacture, distribution, sale, and possession of any of the hundreds of dangerous, manmade chemicals designed to mimic the effects of marijuana.**

**5. Belmar 5 Mile Race**

**6. Coming Soon.... Mobile App for Iphone and other Smartphones!**

list for wristbands.

[VercammenLaw@Njlaws.com](mailto:VercammenLaw@Njlaws.com)

Bring a canned food donation for the St. James Food Bank Hands of Hope or drop off at:  
Kenneth Vercammen Law Office,  
2053 Woodbridge Ave,  
Edison, NJ 08817.

Meet the SuperLawyers of NJ and past award winners of Municipal Court Attorney of the Year  
More details at:

<http://www.facebook.com/events/437918506222131>

**2. DWI Guilty Plea Reversed where No Reasonable Suspicion Under the Influence.State v. Maclay, App. Div.Docket No. A-4542-10T4) Unreported.**

Defendant appealed from the order of the Law Division, denying de novo his motion to suppress a motor vehicle stop that led to his arrest and conditional plea to driving under the influence. The Law Division sustained defendants objection to consideration of the 911 recording, finding the state violated its continuing duty to provide it; defense counsel did not have an opportunity to cross-examine witnesses regarding it; and he did not have the opportunity to argue its significance before the municipal court.

The appellate panel found the state failed to present sufficient facts on which one could draw a reasonable and articulable suspicion of driving under the influence. There was no observation of inebriation or alcohol consumption before defendant entered his vehicle; nor was there any record evidence - after suppression of the 911 recording - that defendant was observed driving erratically, or unusually, or in violation of other motor vehicle laws. The panel reverses and remands to the municipal court to allow defendant to withdraw his conditional guilty plea.

Source-Daily Briefing - March 1, 2012

**3. Judge is Reprimanded for Helping Prosecutor in DWI Trial.In the Matter of Gregory R. McCloskey, JudgeDocket ACJC 2010-283Unreported**

A municipal judge who fed questions to the prosecutor during an ex parte chat in a drunken-driving case was publicly reprimanded on Feb. 24. The state Supreme Court agreed with the Advisory Committee on Judicial Conduct that Gregory McCloskey undermined confidence in the benches independence and impartiality by showing a preference for the prosecution and should have disqualified himself. According to the ACJC presentment, McCloskey directed the prosecutor - outside the presence of defense counsel - to ask two questions of a witness that were specifically central to the States case and specifically critical to the defense theory.

Unreported Source:

[dailybriefing@njsba-njldailybriefing.com](mailto:dailybriefing@njsba-njldailybriefing.com)

DailyBriefing - February 28, 2012

above

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Clear

**4. New statewide ban on the manufacture, distribution, sale, and possession of any of the hundreds of dangerous, manmade chemicals designed to mimic the effects of marijuana.**

Attorney General Jeffrey S. Chiesa announced a statewide ban on the manufacture, distribution, sale, and possession of any of the hundreds of dangerous, manmade chemicals designed to mimic the effects of marijuana, commonly known as synthetic marijuana, K2, or Spice.

Attorney General Chiesa noted that the ban, issued by the Division of Consumer Affairs, is much more comprehensive than previous efforts to eliminate synthetic marijuana. It includes both broad and specific language that includes all possible variants of the drug.

**More Information at:**

<http://www.state.nj.us/lps/ca/press/02292012.htm>

**5. Belmar 5 Mile Race fun teams July 14, 8:30am**

Kenneth Vercammen is again putting together 5 teams of both competitive and non- competitive runners. If you can finish 5 miles in less than 1 hour, you can be on our teams of fun.

Our winning team last year won free beer tickets. Individual Application online at: <http://www.belmar5.com/belmar.pdf> or visit:

<http://Active.com>

The names of Kens teams are US Olympic Development 1, RVRR Beer Mile Champs, and US Olympic Development 3 [just trying to finish] and our masters, known as The Legends of Belmar. We will have runners from several running clubs, including RVRR, JSRC, CJRR & Sandy Hooker Tri Club and Rumson Hash.

You do not need to be a member of USATF or any club to be on a team. We would like 30 people of different abilities.

**Post Race Activities -**

Enjoy a complimentary massage and stop by the sponsor and merchant tables in Silver Lake Park, for sampling and giveaways.

Team awards, music and Beach party, after the race at Bar Anticipation.

Bring your Belmar Five Mug - mug discounts all day after the Race!

Bar Anticipation - 703 16th Avenue, Lake Como (formerly South Belmar)

If you have or will enter the Belmar 5, email Ken V at: [KenV@njlaws.com](mailto:KenV@njlaws.com)

Call Kenneth Vercammen at: 732-572-0500

More details on the Belmar 5 at:

<http://www.belmar5.com/>

### **6. Coming Soon... Mobile App for Iphone and other SmartPhones!**

Editorial Assistance provided by Kylie Cohen. Ms. Cohen will be entering her second year at Seton Hall University School of Law. She is currently participating in Kenneth Vercammen Summer Internship Program.

#### **Editors Note and Disclaimer:**

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#### **Consequences of a Criminal Guilty Plea**

1. You will have to appear in open court and tell the judge what you did that makes you guilty of the particular offense(s)
2. Do you understand that if you plead guilty:
  - a. You will have a criminal record
  - b. You may go to Jail or Prison.
  - c. You will have to pay Fines and Court Costs.
3. If you are on Probation, you will have to submit to random drug and urine testing. If you violate Probation, you often go to jail.
4. In indictable matters, you will be required to provide a DNA sample, which could be used by law enforcement for the investigation of criminal activity, and pay for the cost of testing.
5. You must pay restitution if the court finds there is a victim who has suffered a loss and if the court finds that you are able or will be able in the future to pay restitution.
6. If you are a public office holder or employee, you can be required to forfeit your office or job by virtue of your plea of guilty.

7. If you are not a United States citizen or national, you may be deported by virtue of your plea of guilty.
8. You must wait 5-10 years to expunge a first offense. 2C:52-3
9. You could be put on Probation.
10. In Drug Cases, a mandatory DEDR penalty of \$500-\$1,000, and lose your driver's license for 6 months - 2years. You must pay a Law Enforcement Officers Training and Equipment Fund penalty of \$30.
11. You may be required to do Community Service.
12. You must pay a minimum Violent Crimes Compensation Board assessment of \$50 (\$100 minimum if you are convicted of a crime of violence) for each count to which you plead guilty.
13. You must pay a \$75 Safe Neighborhood Services Fund assessment for each conviction.
14. If you are being sentenced to probation, you must pay a fee of up to \$25 per month for the term of probation.
15. You lose the presumption against incarceration in future cases. 2C:44-1
16. You may lose your right to vote.

The defense of a person charged with a criminal offense is not impossible. There are a number of viable defenses and arguments which can be pursued to achieve a successful result. Advocacy, commitment, and persistence are essential to defending a client accused of a criminal offense.

#### **Jail for Crimes and Disorderly Conduct:**

If someone pleads Guilty or is found Guilty of a criminal offense, the following is the statutory Prison/Jail terms.

NJSA 2C: 43-8 (1) In the case of a crime of the first degree, for a specific term of years which shall be fixed by the court and shall be between 10 years and 20 years;

(2) In the case of a crime of the second degree, for a specific term of years which shall be fixed by the court and shall be between five years and 10 years;

(3) In the case of a crime of the third degree, for a specific term of years which shall be fixed by the court and shall be between three years and five years;


(4) In the case of a crime of the fourth degree, for a specific term which shall be fixed by the court and shall not exceed 18 months.

2C:43-3 Fines have been increased recently! 2C:43-3. Fines and Restitutions. A person who has been convicted of an offense may be sentenced to pay a fine, to make restitution, or both, such fine not to exceed:

- a. (1) \$200,000.00 when the conviction is of a crime of the first degree;
- (2) \$150,000.00 when the conviction is of a crime of the second degree;
- b. (1) \$15,000.00 when the conviction is of a crime of the third degree;
- (2) \$10,000.00 when the conviction is of a crime of the fourth degree;
- c. \$1,000.00, when the conviction is of a disorderly persons offense;

d. \$500.00, when the conviction is of a petty disorderly persons offense;

If facing any criminal charge, retain an experienced attorney immediately to determine your rights and obligations to the court. Current criminal charge researched by Kenneth Vercammen, Esq. 732-572-0500

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<p><a href="#">Telephone Consultation Program</a></p>	<p><a href="#">New Article of the Week</a></p>
<p>Meet with an experienced Attorney to handle your important legal needs. Please call the office to schedule a confidential "in Office" consultation.</p>	

Kenneth Vercammen's Law office represents individuals charged with criminal, drug offenses, and serious traffic violations throughout New Jersey. Our office helps people with traffic/ municipal court tickets including drivers charged with Driving While Intoxicated, Refusal and Driving While Suspended.

Kenneth Vercammen was the past NJ State Bar Municipal Court Attorney of the Year and past president of the Middlesex County Municipal Prosecutor's Association.

Criminal and Motor vehicle violations can cost you. You will have to pay fines in court or receive points on your drivers license. An accumulation of too many points, or certain moving violations may require you to pay expensive surcharges to the N.J. DMV [Division of Motor Vehicles] or have your license suspended. Don't give up! The Law Office of Kenneth Vercammen can provide experienced attorney representation for criminal motor vehicle violations.

When your job or driver's license is in jeopardy or you are facing thousands of dollars in fines, DMV surcharges and car insurance increases, you need excellent legal representation. The least expensive attorney is not always the answer. Schedule an appointment if you need experienced legal representation in a traffic/municipal court matter.

Our website [www.benotguilty.com](http://www.benotguilty.com) provides information on traffic offenses we can be retained to represent people. Our website also provides details on jail terms for traffic violations and car insurance eligibility points. Car insurance companies increase rates or drop customers based on moving violations.



Providing 21+ years of excellent service to clients. Kenneth Vercammen has been a trial attorney for more than 20 years. You want to have an experienced attorney.

**Contact the Law Office of  
Kenneth Vercammen & Associates, P.C.  
at 732-572-0500  
for an appointment.**

The Law Office cannot provide legal advice or answer legal questions over the phone or by email. Please call the Law office and schedule a confidential "in office" consultation. The Law Office now accepts payment by American Express, Visa and Master Card.

**Criminal/Traffic Interview Form**



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**NJ CRIMINAL LAW BLOG**

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