

Recent Case

1. **Miranda waived unless defendant clearly requests attorney.**
2. **Free Power of Attorney or Advance Director for Law Enforcement**
3. **Consequences of a Criminal Guilty Plea**
4. May Fun Upcoming Running Races and Community Events

Recent Case

1. **Miranda waived unless defendant clearly requests attorney. State v Alston 204 NJ 614 (2011)**

Defendant's statements after he waived his right to counsel, when clarified, were not an assertion of his right to counsel, and the police officer's questions did not exceed the scope of permissible clarification.

2. **Free Power of Attorney or Advance Director for Law Enforcement**

To recognize National Police Week, we will provide a free Power of Attorney or Advance Director for Middlesex County Police Officers. Appointments need to be scheduled by May 31. Call 732-572-0500. We have previously served as a volunteer with Wills for Heroes, which are programs provide essential legal documents to our nation's first responders, including Wills, Living Wills, and Powers of Attorney. By helping first responders plan now, they ensure their family's legal affairs are in order before a tragedy hits. The 501(c)(3) charitable non-profit Wills for Heroes Foundation supports these Wills programs, giving back to the community and "protecting those who protect us."

3. **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) in front of a crowded room of people and sometimes newspaper reporters
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 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

#### **4. May Fun Upcoming Running Races and Community Events**

If you are attending any of these races, please call or email Ken V. Often we car pool or meet at these events.

5/15/2011 Thorne 4m W. Long Branch 9am free beer afterwards great JSRC

May 15, 2011 **Stomp the Monster 5K** Marlboro, NJ. The USAT-certified 5K goes off at 10:30. The event includes a festival featuring beer, food and fun after the race

May 19 Thursday 1-2:30pm Municipal Court Practice program Borgata Hotel Atlantic City

Learn the new rules and statutes, an insider's guide to handling cases in New Jersey's busiest courts. Municipal Court practice requires more knowledge than just showing up and pleading someone guilty. Learn from two of New Jersey's most respected lecturers on the subject. This course qualifies for Bridge The Gap credits.

#### **NJ State Bar Annual Meeting**

**5/ 21/11** Commotion By The Ocean Rumson Hash- The Windjammer. Seaside Park \$40 for all day event hash Run starts at 10:17, with free beer prior

10:17 Gather for Hash at (This is the scheduled start time of all Rumson hashes)

**"CoMotion by the Ocean Hash"** includes:

- o Unforgettable hash,
- o A considerable commotion on the Atlantic Ocean,
- o Multiple beer checks,
- o Lunch at a nearby restaurant

Return to the Windjammer in early afternoon. That's when the pool party starts. Enjoy a relaxing swim in the heated pool, join in the pool games, or just do whatever comes naturally. 7:50 Dinner, more beer, band

Later: <https://sites.google.com/site/comotionbytheocean2011/> and <https://store.hashspace.com/product.php?productid=16600>

5/22/2011 Get a Clue - Race for PKU2" 5k Race, 9:30am, 1 mile, 9am Colonial Park, Somerset

5/26/11 Legal Run Around Somerville 7pm

May 27, 2011 - "Start of Summer Happy Hour with the Legends of Belmar" Join Ken V and friends the Friday night before Spring Lake 5 race for "Legends Night" in Belmar at D'Jays, Bar A & Columns not a race, just social event

6pm D'Jais [ free quality food]

8pm Bar Anticipation

10:30 Columns

see some of the Legends of Belmar, including Bar A Tug of War Champions Chris Knigge and Ken Vercammen

<http://www.facebook.com/event.php?eid=186067818107487>

5/28/2011 Spring Lake 5 mile free food and reduced price drinks Bar A after race

Congratulations Shannon Vercammen, Straight A student and Brendan Vercammen, Deans List, University of Miami Pre- Med on academic scholarship.