

E519 news

Recent cases

1 Defendant's furtive movement after car stop justified removal of passenger State v. Bacome __ NJ __ (2017)

The heightened-caution standard announced in Smith, supra, 134 N.J. at 618-20, remains the proper test for determining the appropriateness of ordering a passenger from a car. Under the Smith test, defendant's furtive movements inside a recently stopped vehicle provided an objectively reasonable basis for officers' exercising heightened caution, justifying removal of the passenger. (A-9-15)

2. Plain feel search not permitted with strip search for DP State v Evans __ NJ Super. __ (App. Div. 2017)

In this appeal, the court considered the application of the "plain feel" exception to the warrant requirement, Minnesota v. Dickerson, 508 U.S. 366, 113 S. Ct. 2130, 124 L. Ed. 2d 334 (1993); State v. Jackson, 276 N.J. Super. 626, 628 (App. Div. 1994), to a strip search that was conducted after defendant was arrested on a warrant for failing to pay a \$6.50 traffic fine. In the absence of a warrant or consent, N.J.S.A. 2A:161A-1 prohibits a strip search of a person "detained or arrested for commission of an offense other than a crime" unless the search is based on probable cause and "a recognized exception to the warrant requirement." N.J.S.A. 2A:161A-1.

Guidelines issued by the Attorney General's Office set forth even more exacting criteria to be satisfied before a strip search is conducted. The court concluded the plain feel exception did not apply and, further, that the seizure of drugs from defendant's person was not objectively reasonable. The court reversed defendant's convictions and remand for a hearing to determine whether the search of an automobile pursuant to a search warrant was sufficiently free of taint from the unlawful search and seizure. A-0489-14T1

Next community events

Edison Elks Family Pool day and outdoor band 6/10/17

Open to area Elks. For tickets go to the lodge Edison Elks Lodge #2487. If not an Elk, join now.

375 Old Post Road

Edison NJ 08817-4653

(732) 985-2487

near ShopRite and Edison HS.

June 11 New Jersey Irish Festival 2017 Monmouth Park

<https://www.facebook.com/NJIrishFestival/>

June 14 Learning at Lunchtime update 2017 Wills and Estate Planning- Free Seminar

Wednesday

12:15-1:00 PM Law Office of Kenneth Vercammen,
2053 Woodbridge Ave, Edison, NJ 08817

COST: Free if you pre-register by email. Complimentary materials provided at 12:00 sharp. We previously held this seminar for the Metuchen and Edison Library. This program is limited to 15 people. Please bring a canned food donation, which will be given to St. Matthews St. Vincent DePaul Food Bank. Please email us if you plan on attending

**July 14, 2017 Annual Happy Hour & Networking Social
Attorneys, Staff, Professionals, Law Enforcement invited to
Happy Hour & Networking Social
at Bar Anticipation**

703 16th Ave. Lake Como/ Belmar, NJ 07719

Free !

5:30-7:55PM Hot & Cold Buffet

The reduced price Happy Hour is 6-7PM with \$1.50 House Drink,
Bud/BudLt draft & House Wine Special

Outdoor bands, prize giveaways. Bring your friends. Pass this along. Please bring a canned food donation for the St. Matthews St. Vincent DePaul food bank, continuing to provide food and help to individuals in need. 4 blocks from Belmar Train Station and 6 blocks from the ocean

Email Ken Vercammen's Law Office so we can put your name on the VIP list for wristbands. VercammenLaw@Njlaws.com

If your group, non-profit or organization wishes to co-sponsor the next networking happy hour, please contact

KENNETH VERCAMMEN, Esq.

2053 Woodbridge Ave. Edison, NJ 08817

732-572-0500 VercammenLaw@Njlaws.com

<https://www.facebook.com/events/1579828042310755/>

Fun Upcoming Running Races selected by Kenneth Vercammen If you are attending any of these charity races, please call or email Ken V. at Kenv@njaws.com Often we car pool or meet at

these events.

6/10/17 Pancreatic Cancer 5k Run for a Cure, 8am, Roosevelt Park, Edison,

June 11 The Tour de South Brunswick Bike Ride features 3 levels of participation: a 4-mile family fun ride, a 10 mile fun ride, and the 25 mile Tour de South Brunswick.

<https://www.facebook.com/events/1911128345788600>

6/13/17 Tuesday night Raritan Valley Road Runners RVRR 5k summer series Highland Park Donaldson Park 7pm

6/18/17 Congratulations to long time office paralegal/ office manager Mike McDonald & Tonianne Dougherty getting married Sunday

June 18 Fuce 5K 8:30 Metuchen HS no awards but good cause

June 18 **Happy Father's Day** and special Happy Father's Dad to my Dad, Al Vercammen, veteran of Korean War, past president Metuchen First Aid, and a volunteer leader of the YMCA Indian Guides. As a kid one of my high lights was to sit in the Metuchen First Aid ambulance and hit the siren as we rode in the Metuchen Memorial Day parade. Dad was selected as Man of the Year by the Metuchen Jaycees for his volunteer work.

Dad and mom traveled to Scranton while I was in college to see Mike Brennan and I win a race for the University of Scranton Varsity Cross-Country team. We enjoy spending time every Wildwood Elks Convention, 4th of July and Labor Day at the Poconos, plus their Active Adult Community Pool in Jackson on Father's Day.

6/ 19/17 PRESIDENT'S CUP NIGHT RACE 5K, 8pm, Charlie Browns, Millburn Free beer, big post race party Ken V needs a ride from Edison or East Brunswick or South Brunswick Presidents Cup 5k, coed team event