

Summer Is Here! (Cont.)

Locations with governmental and First Amendment activity

- Polling places
- Courthouses
- Law enforcement stations and offices
- Government buildings and locations with government meetings
- Demonstrations, protests, and licensed public gatherings

Backpacks in Sea Isle City

Last year, Sea Isle City passed a new ordinance focused on the size of bags and backpacks larger than 8 by 6 by 8 inches deep from the Promenade boardwalk, beaches, and beachside streets between 10 p.m. and 1 a.m. from May 15 to Sept. 15. Excluded items are medical devices, equipment for journalists, people engaged in fishing, or Sea Isle City police officers.

This city ordinance was passed in response to teens gathering late at night to allegedly drink and vandalize property. Violators will have to pay a fine (adults \$25 to \$100.) Minors will be given two warnings and after the second warning, police

will take minors to the police station to call their parents.

Ocean City police can detain minors for 'breach of peace'

There is already a curfew for kids under 17 years old in Ocean City which prohibits them from public areas without an adult between the hours of 1 a.m. to 6 a.m. from May 16 to Sept. 30 — in the offseason, it's 10:30 p.m. to 6 a.m. (students and workers are exempt).

Again, while each of these ordinances are not criminal offenses, they still subject the violators to fines and potential jail. A civil ordinance violation, however, would not affect a person's criminal record.

Our law firm wishes you and your family a happy and healthy summer 2024. If you have questions about your constitutional rights in Pennsylvania or New Jersey, call our law firm today!

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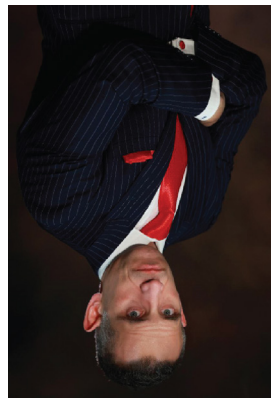
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Question of the Month What are the 5 Most Common Crimes that Occur During Summer Music Concerts?

Summer is here and Philadelphia, along with its surrounding counties in Pennsylvania and New Jersey will host musicians such as Kenny Chesney, Zac Brown, Megan Moroney and Uncle Kracker who all performed this Summer! The most common crimes and offenses our law firm encounters during and following these large events are the following:

- Disorderly conduct - (Summary or Misdemeanor Crime)
- Underage drinking - (Summary Offense)
- Criminal mischief - (Misdemeanor or Felony Crime)
- Drunk driving - (Misdemeanor or Felony Crime)
- Simple Assault - (Misdemeanor Crime)
- Aggravated Assault - (Felony Crime)

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Newsletter



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Summer is Here!

Shore Towns Pass New Ordinances & Enforce Old Codes

Margate, New Jersey – Ordinance 117-4—Parental Responsibility

Margate Police will begin to enforce town **Ordinance 117-4—Parental Responsibility**. This ordinance will permit police to issue tickets to the parents of juveniles observed unsupervised after the 10 p.m. curfew or otherwise breaking local laws. Specifically, the ordinance allows officers to issue a summons, between 10PM and 6AM, who observe a juvenile unsupervised and engaging in any behavior that is unlawful or puts their safety at risk. The juveniles will be transported back to the police station and a responsible adult will be called in to take custody of the child and a summons will be issued to the parent.

Wildwood, New Jersey – Ban on Alcohol at Beaches, and Alcohol & Backpacks on Boardwalk

Wildwood, New Jersey has banned backpacks on the boardwalk—effective immediately. The new ordinance prohibits bags larger than eight inches will be allowed on or near the boardwalk between 8 p.m. and 4 a.m. in Wildwood. This includes backpacks, fanny packs, cinch bags, coolers, briefcases, luggage, computer bags, and camera bags.

Last year Wildwood banned all alcohol on its beaches and boardwalk. These ordinances passed unanimously through its Board of Commissioners. The alcohol ordinance prohibits the consumption, display or possession of any alcoholic beverage on

the entire beach and boardwalk. This would apply to all types of containers, whether open or closed, except in designated bars and restaurants. Violators will face fines of up to \$2,000 and potentially 90 days in jail; these, however, are the maximum penalties.

In addition, underage drinking, alcohol possession and other offenses as “breach of peace” violations. This would allow police the authority to arrest violators and potentially hold them until they are picked up by parents or legal guardians, depending on the offense.

No Guns in Atlantic City Casinos or other “sensitive places”

All 9 of Atlantic City’s casinos have banned firearms and weapons from casino property. Prior to this ban, however, Governor Phil Murphy signed a law which banned guns from the following “sensitive places”:

High-density locations

- Entertainment venues, including stadiums, arenas, amusement parks, casinos, racetracks, and publicly owned libraries and museum;
- Youth sporting events and other recreational facilities, such as public parks, beaches, and playground;
- Bars, restaurants where alcohol is served, and any other locations that serve alcohol for on-premises consumption;
- Airports and public transportation hubs

Locations with vulnerable populations

- Schools, colleges, and universities
- Daycare and child-care facilities
- Hospitals and health care facilities
- Long-term care facilities and nursing homes
- Correctional facilities, juvenile justice facilities, and halfway houses
- Homeless shelters

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President Trump's Appellate Rights

What is the timeline and what are his defense team's strongest arguments.

President Donald Trump trial concluded with a conviction but he and his legal defense have already indicated their intent to appeal. This appeals process will likely extend beyond the November Presidential election in which he continues to lead in national polls. His campaign raised \$52.8 million less than 24 hours following the verdict.

What is the timeline for the appeal process in President Trump's case?

On appeal, Trump must prove that Justice Juan Merchan made significant errors in overseeing the trial. While the judge provided the defense until June 13 to file post trial motions in the case, which could include requests for the judge to re-examine some aspect of the case or verdict, these motions have a very low probability of success. The real fight will begin following sentencing which is scheduled for July 11th. While some have indicated that Trump could face jail time, most legal experts agree that it is unlikely based on sentencing guidelines.

The New York State Court System

Following sentencing, President Trump will have 30 days to file notice of his appeal. After a notice of appeal is filed, the case will go to the New York Appellate Division. Once the Appellate Division makes its decision, the New York Court of Appeal (the highest State Court in New York) can decide if it

will hear the case. Given, the historic nature of this case, it is very likely that this Court will review the case.

This process through the New York State Court System will likely go beyond the November election. Even if Trump were to be reelected President, his Presidential pardon powers only extend to federal crimes, so he would be unable to overturn his conviction because the charges were brought at the state level. The New York Governor, however, could pardon Trump and despite political difference, deals are made every day between opposing parties.

Once this case makes it way through the New York Courts, the United States could hear the case if some element of the appeal relates to the Constitution or federal law. This remains undetermined at this point but Prosecutors did allege that President Trump falsified records to interfere with the 2016 Presidential violating Federal campaign finance laws through an alleged hush money payment to Stormy Daniels;

What are President Trump's Strongest Argument on Appeal

President Trump's defense team will likely argue on appeal that Judge Juan Merchan had a conflict of interest because of his daughter's work for a political consulting firm with Democratic clients, and that his gag order restricting Trump's public statements violated his rights.

In addition, the team will argue that the Judge should have excluded the testimony of Stormy Daniels and that the venue itself was unfair given that Manhattan is heavily democratic (86.4% voted Democrat in 2016 election).

His lawyers will also argue that the charges

themselves were improper. Falsifying business records on its own is a misdemeanor in New York, but it is elevated to a felony if done to further or conceal another crime. This type of prosecutorial theory has not been tested on appeal.

Finally, the defense will target the jury instructions on appeal. To convict the former President, jurors had to conclude not only that he falsified records but that his purpose in falsifying them was to conceal another crime or commit another crime.

Prosecutors alleged that President Trump falsified records to interfere with the 2016 Presidential Election using the following "unlawful means":

- Violating Federal campaign finance laws through an alleged hush moneypayment to Stormy Daniels;
- Falsifying bank records to Michael Cohen's payment to Daniels' attorney; and
- Violating New York tax laws.
- The instructions, however, the Judge gave to the jury have raised substantial
- controversy in that the Judge instructed the jurors that they did not need to be unanimous in means used to falsify records.

President Trump's conviction was historic but his appeal and possible reelection will continue to make history that will last past all of our lifetimes!



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What Can You Learn from Hunter Biden's Federal Conviction

– Who CAN NOT own or possess a handgun or firearm under federal law?

Recently, a federal jury in Delaware convicted Hunter Biden, the son of President Joe Biden, of violating federal gun laws pertaining to drug addicts. The basis for the charges against the President's son was an application and subsequent possession/ownership of a gun despite his prior drug addiction. The case has sparked interest from our current, former and prospective clients regarding the laws pertaining to gun ownership in New Jersey and Pennsylvania as well as federal law.

In the Biden gun case, he faced 3 criminal counts. The first two counts pertained to making false statement on the federal background check form while the third count was for possessing a gun while addicted to, or using, illegal drugs.

Who is NOT permitted to possess or own a gun or firearm under Federal Law

Federal law is the baseline of the criteria that make people ineligible to acquire and possess guns or firearms.

The federal Gun Control Act of 1968 (18 U.S.C. § 922) prohibits the sale to, and possession of firearms by, a person who:

- Has been convicted of, or is under indictment for:
 - A federal crime punishable by imprisonment for more than one year (typically a felony, however, federal or state offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices are exempt.
 - A state crime that is not classified as a misdemeanor and is punishable by imprisonment for more than one year
 - A state crime that is classified as a misdemeanor under state law and is punishable by more than two years imprisonment
- Is a fugitive from justice
- Is "an unlawful user of or addicted to any controlled substance"
 - Though certain states have legalized the use of medical and recreational marijuana, it remains illegal under federal law. Therefore, ATF considers people who use marijuana legally under state law unlawful users of a controlled substance.
- Is underage
- Has been found by a court, board, commission, or other lawful authority to be a danger to self or others
- Has been involuntarily committed to a mental health or substance abuse treatment facility by a court, board, commission, or other lawful authority.

- Is unlawfully in the United States or has been admitted to the US under a nonimmigrant visa
- Has been dishonorably discharged from the US Armed Forces
- Is subject to an active court order restraining them from harassing, stalking or threatening an intimate partner, their child, or a child of a partner, or from engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child
- Has been convicted of a misdemeanor offense of domestic violence



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Alcohol – Why regular drinking is a roadblock to your health, fitness and body composition goals!

Summer is here and with it comes various events such as graduations, barbeques and other events. Most of these events will include alcohol! While it is not necessary to eliminate it from your life, there are substantial benefits to substantially limiting your consumption. If you are, however, trying to lose or maintain your weight, eliminating alcohol in exchange for water, or even no sugar and even diet soda is an easy way to achieve your goals. If you find that you can not stop drinking, it may be a sign that you have unhealthy relationship with alcohol!

Despite the common myth that drinking offers some benefit, drinking alcohol reg-

ularly will negatively affect not only your performance in the gym, and your body composition, specifically your body fat levels aka beer belly or skinny fat!

Alcohol is a sedative that slows down movement. It impairs judgement and slows down reaction time. Alcohol, along with processed sugars, are empty calories, or calories that provide you with practically no nutritional value. Further, Alcohol will slow down your metabolism, weaken your muscles, and give you fatigue. Exercising increases good blood circulation brings about those good feelings (dopamine). The natural release of dopamine that you get from working

out helps prevent you from turning to that unnatural release of dopamine from alcohol to cope with bad feelings or simply boredom.

Finally, in addition regular exercise, restricting your alcohol consumption combined with focusing your diet on lean proteins, cruciferous vegetables, avoiding sugar, limiting starches, flour, and processed foods will promote continuous good choices in your life, leading to smarter actions and happier occurrences! Your mind, body and overall sense of well-being will thank you!

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