

Charles Placa Spends \$10k To Be Exonerated For Getting Beach Access Key For His Disabled Daughter

Charles Placa has [been acquitted](#) after appealing his conviction of disorderly conduct while obtaining a key to unlock the handicap gate for access to the beach in Bradley Beach, New Jersey.

Placa is a consulting engineer who lives in Milford, Ohio with his wife Connie and daughter Lauren, who has cerebral palsy and uses a wheelchair. In July 2013 the Placa family traveled to Bradley Beach for a vacation, as they had every other year for about twenty years. Bradley Beach is on the Atlantic Ocean, about 70 driving miles south of New York City.

On July 29 Placa found the gate to the handicapped ramp to the beach locked. Placa talked to a beach-badge checker who pointed to the beach hut where the key was located. Placa went to the hut and opened the door that was marked “Employees On-



Charles Placa after his acquittal (Andrew Ford, Asbury Park Press)

When the police arrived she told them she thought Placa was going to rob her and that he cursed at her when he came into the hut.

The police arrested and handcuffed the 58-year-old Placa on the beach in front of his wife and daughter. His daughter became so hysterical that she fell out of her wheelchair, and had to be helped back in it by a lifeguard. Placa was charged with criminal mischief, disorderly conduct and defiant trespass.

Placa’s case garnered publicity because it highlighted problems with handicap beach access, and Hamilton, New Jersey attorney Kelly Anderson Smith agreed to handle his case *pro bono*.

Even though Placa lived in Ohio and a trial would require him to travel the 630 miles to Bradley Beach, he refused to plea bargain, insisting he did nothing wrong.

Placa’s bench trial was held on April 24, 2014. The prosecution’s case was based on the cashier’s testimony she was frightened when Placa came into the hut unexpectedly. [She testified](#), “I was petrified. I had money in there. I thought he was coming in to rob me. ... He said to me, ‘Where is the (expletive) key for the ramp?’” On cross-examination she acknowledged Placa did not ask for any of the money that was kept in the hut.

Placa testified he entered the hut after a beach-badge checker pointed to it as where he could get the handicap gate key, but that he did not curse at the woman inside. [He stated](#), “The only thing I told Vivian was I was disappointed what a parent has to go through to get his daughter on the beach.” He also said she yelled at him to get out and go to the window, which he did, and he obtained the key. He said his daughter was very upset seeing him arrested and handcuffed by a police officer.

At the conclusion of the trial Judge Richard Thompson gave the attorneys three weeks to submit written summations and that he would then reach a verdict.

ly.” Inside the 72 year-old cashier was startled and told him he needed to go to the window. He did and she gave him the handicap gate key. After he left the cashier called the Bradley Beach Police Department and reported the hut had been broken into.



The boardwalk in Bradley Beach, New Jersey

Four months later, on August 20, 2014, Judge Thompson acquitted Placa of criminal mischief and defiant trespass, but found him guilty of disorderly conduct. He fined Placa \$106.

After his conviction Placa [told a reporter](#), “I guess it was expected, based on the arrogance at the beach when they arrested me and the attitude of the beach staff in not wanting me to get on the beach. I guess you could have scripted this.”

Placa appealed. Since he was tried in Municipal Court his appeal was heard in the Monmouth County Superior Court.

On December 12, 2014 Judge Francis Vernoia rejected the prosecution’s argument Placa entered the beach hut in a hostile way, and acquitted him [in ruling](#), “The court finds that when Mr. Placa entered the booth, he did nothing more than ask for the key to the access ramp.”

After his acquittal Placa [told reporters](#), “It’s not about the money, It’s about satisfaction. My daughter definitely didn’t do anything wrong, and I know I didn’t.”

Lauren Placa [said of the incident](#), “I was terrified. I didn’t know what happened to my dad. This was the first time I ever saw my dad get arrested. I was in panic. I fell out of the beach chair. It was nuts.”

Although Smith handled his case *pro bono*, Placa estimated he spent about \$10,000 traveling four times from Ohio to New Jersey for court appearances, and his appeal.

Source: [Overturned conviction for man](#) who wanted beach access, *Asbury Park Press*, December 14, 2014

[Man who wanted beach access](#) for disabled daughter found guilty, *Asbury Park Press*, August 20, 2014

[A troubled day at the beach for family](#), *Asbury Park Press*, April 25, 2014

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he directly answered the question later in his testimony.

Prosecutions based on guilt by association and the type of shaky “evidence” that resulted in Bonds’ conviction occur with variations every day all across the United States. It is not known why the U.S. Attorney’s Office went after Bonds with such a vengeance, but he is just one of the innumerable innocent people victimized by what is more properly described as a persecution than a legitimate prosecution.

[Click here to read](#) the complete ruling in *USA v. Barry Bonds*, No. 11-10669 (9th cir, 4-22-2015) (The *per curiam* decision, the four concurring opinions, and the dissenting opinion.)

Sources: [USA v. Barry Bonds](#), No. 11-10669 (9th cir, 4-22-2015) (vacating conviction based on insufficient evidence)

[USA v. Bonds](#), 730 F. 3d 890 (9th Circuit 2013) (Affirming conviction)

[The Persecution of Barry Bonds](#), By Hans Sherrer, *Justice Denied*, March 28, 2011

[Barry Bonds’ obstruction conviction thrown out](#) by appeals court, AP story, *USA Today*, April 22, 2015

