

The Road To Justice Starts Here

December 2018



**PURCHASE GEORGE
& MURPHEY P.C.**
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what's inside

page 2

Big crowd for gun talk

Dashboard cameras aren't just for police

page 3

Field sobriety tests – what you need to know

Solid advice for young tenants

Road construction zone danger cuts both ways

page 4

Holiday greeting

REFERRALS

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accidents never take a holiday

For many people, the holiday season truly is the most wonderful time of the year. Visiting with family and friends, church events, holiday parties, decorating, shopping, and other activities are part of the festivities and tradition.

However, as Grinch-like as this may sound, the risk of personal injury and property damage is heightened as well. Take driving, for instance. There are more travelers on the roads—sometimes driving long distances—whether to visit with family or go shopping. In many parts of the country, like northwest Pennsylvania, drivers face hazardous driving conditions caused by wet leaves, sleet, snow, ice, and shorter days. Alcohol is frequently part of the holiday celebration, so drunk driving is more of a problem. Dazzling outdoor decoration displays add to the causes of distracted driving.

Slip-and-fall accidents can be more of a menace around the holidays. Ice and snow on sidewalks, wet floors at store entrances, and poorly placed Christmas light extension cords can make staying upright a challenge, even more so for older adults and young children.



Defective products such as Christmas lights, toys, new electric cookware for the big party, or a recently purchased ladder to hang decorations may cause injury or start a fire. And speaking of toys and other gifts, beware of pedestrian (and auto) accidents in shopping mall parking lots and rowdy customers willing to scrap for the last whatever-is-trendy-this-year gift item.

Thankfully, most people celebrate the holiday season without incident. But the hazards are real, and some fall victim to them. If you suffer injury or property damage resulting from someone else's negligence, contact Purchase, George & Murphey at (814) 833-7100. But we prefer that you remain healthy by being aware of these safety risks and taking appropriate precautions. Stay safe and enjoy the holidays! ■

big crowd for gun talk

Gun owners attended the public forum in Albion to learn about the rights and responsibilities that accompany a permit to carry a concealed weapon in Pennsylvania.

Representative Parke Wentling (R-Erie) hosted the educational forum at the Albion Fairgrounds Arts & Crafts Building in Albion. Tim George of Purchase, George and Murphey, P.C., Erie County Sheriff John Loomis, and Trooper Cynthia Schick of the Pennsylvania State Police spoke to the group on September 20, 2018 for more than two hours.

They addressed various topics which included how to obtain a concealed carry license, when and where gun owners can carry concealed firearms, under what circumstances someone is (and is not) justified in using deadly force, and where they can receive handgun training.

“There seems to be a lot of misinformation about the rights and responsibilities of gun owners in Pennsylvania. We want to provide good information about this important topic and show others where they can get answers to their questions and find gun training opportunities. We believe that this is the best way to ensure safe and responsible gun ownership in our community,” says Tim George.

The feedback from our series of seminars held over the past four years has been overwhelmingly positive and similar forums will be held in the future. ■



December 2018 Notable Dates

Dec 1 – National Eat a Red Apple Day **Dec 4** – National Trick Shot Day **Dec 12** – Gingerbread House Day
Dec 17 – National Maple Syrup Day **Dec 21** – Crossword Puzzle Day **Dec 30** – Bacon Day



DASHBOARD CAMERAS

aren't just for police

Once reserved for law enforcement vehicles, dashboard cameras (“dash cams”) are now available to U.S. civilians—and growing in popularity. A dash cam can monitor activity outside your vehicle and capture crucial information in the event of an auto accident.

If you are the victim in an auto accident, the at-fault driver’s insurance company may try to pin the blame on you, or at least claim you were partially responsible. A dash cam might be able to show conclusive evidence that the other driver was at fault, corroborate (or refute) eyewitness accounts, give you leverage in negotiating a favorable settlement, or provide strong evidence in court.

Most dash cams are actually designed to be mounted on the windshield but can be adapted for dashboard mounting. Laws on dash cam use vary from state to state. Some states prohibit dash cams mounted on the windshield; some permit windshield mounts; and others permit windshield mounts, with certain restrictions.

Many dash cams possess both video and interior audio capabilities. Some states require permission from both parties inside a vehicle for audio usage. Other states require the OK from just one party—the owner.

The most popular dash cams cost between \$50 and \$250. Higher-end models provide better video quality, and some offer night-vision support. Field of view generally ranges from 120 to 180 degrees.

However, dash cams can be double-edged swords. If you did something wrong that led to or contributed to an accident, information gathered by your dash cam can be used against you.

If you have been injured by a negligent driver, contact Purchase, George & Murphey at (814) 833-7100 to protect your rights. ■



field sobriety tests — WHAT YOU NEED TO KNOW

If you are ever pulled over on suspicion of driving under the influence, you'll likely be asked by the police officer to perform a series of field sobriety tests. Unfortunately, the vast majority of people don't know that they can refuse to take field sobriety tests in most states, including Pennsylvania, without losing your driver's license or going to jail.

To put it simply, field sobriety tests are designed for you to fail. They're subjective, inaccurate, and many times are administered incorrectly by officers.

While there are a variety of field sobriety tests, the most common and widely used are the:

- Horizontal gaze nystagmus test (in which the officer asks you to follow a moving pen with your eyes while keeping your head still)
- Walk-and-turn test
- One-leg stand test

Some of the problems inherent with these tests include the possibility that the person asked to perform the tests may be too old or out of shape to "pass" them; the terrain or even the types of shoes the person is wearing can affect balance tests; the officer may give unclear instructions regarding the tests; the weather and lighting make them unfair; and ultimately, because of the subjectivity involved, the officer can rely on his or her own scoring method to guarantee failure.

As mentioned above, your best bet course of action is to refuse (politely and respectfully) to take field sobriety tests. You still might be charged with DUI, but it won't be because you refused to take the roadside sobriety test. If you are, call Purchase, George & Murphey at (814) 833-7100. ■

solid advice FOR YOUNG TENANTS

College students attended a landlord/tenant presentation at Edinboro University to learn how to avoid the common mistakes while renting housing.

Dr. Joe Conti, professor of legal studies in Criminal Justice, and Tim George of Purchase, George and Murphey, P.C. offered the group a number of best practices and provided 15 minute mini-consultations to interested students on November 26, 2018.

The educational seminar focused on an overview of the law in Pennsylvania, including the retention and return procedures of security deposits, the eviction process, understanding contractual obligations of a lease, the importance of inspecting the premises before and after occupancy, creating and using a move-in checklist, and keeping an electronic file of all communications before, during and after occupancy. ■



ROAD CONSTRUCTION ZONE DANGER cuts both ways



Each year, hundreds of road construction workers across the country are killed in work zones due to traffic incidents. One of the top causes is drivers who pass on the outside of the construction zone and collide with workers, equipment, or other vehicles. Drivers passing through work zones need to pay attention, follow instructions, and observe the speed limits.

However, construction zones can be dangerous for passersby as well. According to a study conducted by the Federal Highway Administration in 2010, construction zones were the sites of roughly 87,000 vehicular accidents per year, nationally, leading to over 37,000 injuries, not to mention damage to property.

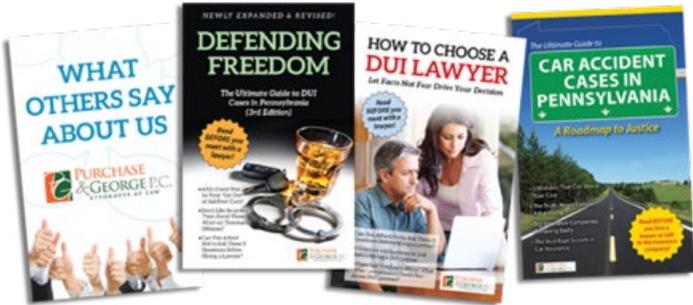
Work zones containing incorrect, improper, or confusing signage; insufficient warnings on lane closures, merges, or shifts; sudden speed changes; missing cones or barrels at key points; dangerously uneven pavement or unblocked, unmarked holes in the road; poor lighting; and construction vehicles entering and exiting the roadway in a reckless manner are a few of the hazards that may lead to accidents.

Road repair/construction is an inevitability. Roadways in a state of disrepair will be a source of danger to motorists and need to be fixed. But it needs to be done with the highest standards of safety and care in mind. All of the situations mentioned previously are completely avoidable.

If you are the victim of negligence at a road construction zone, you may file a claim against a worker, the construction company, the city, or other entity involved in the situation. Contact Purchase, George & Murphey at (814) 833-7100 to safeguard your rights. ■



Free Books



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Holiday Greeting

At this joyous time of year, all of those from Purchase, George & Murphey wish to extend our very best wishes to you and yours for a safe, happy and healthy holiday season, and it is our sincere hope that the New Year brings you peace and contentment.

We find there is no better time than the holiday season, to look back with appreciation for your loyalty and trust in us to protect you and your family.

We are joyously looking forward to moving into the New Year together. Thank you to all of our clients, friends, and colleagues who have made the past year so special.

