



Written by [Bob Adelman](#) on July 28, 2020

New Jersey Gym Owners Defy Judge's Orders to Close, Get Arrested

At 5:10 a.m. Monday, officers from both the Bellmawr Police Department and Camden County Sheriffs' office entered the Atilis Gym in Bellmawr, New Jersey, where the owners were waiting for them. When the owners were asked to leave and close the facility, they refused and were arrested. They were transported to police headquarters and booked on charges of defying New Jersey Governor Phil Murphy's stay-at-home orders and then released.



The owners, Ian Smith and Frank Trumbetti, got national attention in May when they refused to close their gym. Since then there have been numerous openings and closings of the gym and much legal maneuvering along the way.

Last Wednesday, New Jersey Superior Court Judge Robert Lougy heard an appeal and ruled against the owners, ordering them to shut down.

Smith said no: "So, I can do full-contact martial arts. I can box somebody outside. I can tackle them in football. I can do rugby, you know, scrum and I can't get COVID. But, somehow, if I walk into my gym and decide I want to lift weights or even go inside a martial arts studio, I will get COVID if I do the same exact things? It's actually insanity."

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When asked what happens next, Smith said:

We have two weeks' worth of clothing in here. And, we will not be leaving unless we're arrested or unless the state backs down. We have had enough of this.

We can operate our business safely, responsibly. We have shown that to be true. We haven't had a single case of COVID reported and we have everybody's records here. So, we're not backing down from this one.

On Friday the judge ordered the state to take action to close the gym and have the owners arrested. Smith continued his defiance:

We are not upset that we got arrested. We wanted [Governor] Murphy to look like a fool. He looks like a fool arresting small business people. We are not upset with the fact that we got arrested. I am upset at the fact that this is the length that we have to go to to feed our families.

Following their arrest, Smith posted this on the gym's Facebook page:

Welcome to America 2020, where feeding your family and standing up for your Constitutional rights is illegal. @govmurphy flexing his little tyrant muscles finally — only took him 70 days.

Officers from the county sheriffs entered the premises without a warrant or adhering to the signage posted on the door requesting they call first.



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They took Frank and I away and boarded up our private place of business. This is gonna be fun in court.

If this doesn't alarm you, you're part of the problem. Please share and repost, let's make these idiots answer for their power trip.

On Tucker Carlson Tonight, Smith continued his defiance:

I'm not afraid of tyrants. No American should be. We outnumber them greatly and the only thing they run off of is fear, which is why you see what you see in the media where they are pumping fear.... They don't ever offer any solutions. It is: "Wear a mask, shut up, and wait for a vaccine."

That's not public health, and I won't subscribe to it.

At issue is the constitutionality of New Jersey's Disaster Control Act, under which the governor has seized power over every municipality, every business, every individual, and every bit of private property:

The purpose of this act is to provide for the health, safety and welfare of the people of the State of New Jersey and to aid in the prevention of damage to and the destruction of property during any emergency as herein defined by prescribing a course of conduct for the civilian population of this State during such emergency and by centralizing control of all civilian activities having to do with such emergency under the Governor and for that purpose to give to the Governor control over such resources of the State Government and of each and every political subdivision thereof as may be necessary to cope with any condition that shall arise out of such emergency and to invest the Governor with all other power convenient or necessary to effectuate such purpose.

Accordingly, The Governor is authorized to utilize and employ all the available resources of the State Government and of each and every political subdivision of this State, whether of men, properties or instrumentalities, and to commandeer and utilize any personal services and any privately owned property necessary to avoid or protect against any emergency subject to the future payment of the reasonable value of such services and privately owned property as hereinafter in this act provided.

In other words, using COVID-19 as cover, the governor now controls everything in the state.

The owners are obviously going to press the issue. They have resources — there are four GoFundMe accounts set up that have raised nearly \$150,000 for court costs. They have the support of the Bellmawr community — hundreds of people have shown up daily to enjoy the gym's facilities. They have gotten national attention.

And author BJ Dowlen is writing a book about the owners' confrontation with the state. She said: "Look for my video footage on national channels. And this morning [Monday] I am writing this new book chapter right now!"

Image: screenshot from [YouTube video](#)

An Ivy League graduate and former investment advisor, Bob is a regular contributor to The New American, writing primarily on economics and politics. He can be reached at badelmann@thenewamerican.com.

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