

Police say driver told of chase

Joshua Paniccia, 18, faces trial in death of bicyclist in Clifton Park

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BALLSTON SPA -- Minutes after Joshua Paniccia struck and killed a bicyclist with his 2002 Nissan Sentra last summer, he told State Police that he was speeding and "chasing" a car in front of him, officers testified in Saratoga County Court on Thursday.

Paniccia, an 18-year-old with a lengthy list of traffic tickets, allegedly made the statements to State Trooper Kevin McMahon and then State Police Investigator Henry Abell about 8 p.m. June 29 while in a Vischer Ferry firetruck after the accident.

The Niskayuna teenager revealed that he had reached 60 or 65 mph trying to catch up to friends in another car when he hit a small bump on Riverview Road in Rexford, fishtailed on the street's wet surface and clipped David Ryan, a 32-year-old physicist, police said.

The speed limit on Riverview Road, a windy rural path in southern Clifton Park, is 45 mph.

"He stated he was chasing the car and having fun with the vehicle," McMahon testified during an evidentiary hearing Thursday. Both he and Abell said Paniccia told them that he had been traveling 60 or 65 mph.

Paniccia pleaded not guilty to second-degree manslaughter and criminally negligent homicide, both felonies, in September.

On Thursday, his attorney, Charles Wilcox, moved to suppress Abell's testimony. He charged that the police interviews were improperly conducted because Paniccia was not free to leave the firetruck and was not read his rights.

State Police Investigator Robert Carter testified that, later the night of the accident, he took a statement from Paniccia and read him his rights at Ellis Hospital in Schenectady.

Judge Jerry J. Scarano Jr. denied Wilcox's motion, ruling the defendant was not in custody when he made the statements in the firetruck. He set a trial date for March 7. Paniccia faces up to 15 years in state prison if he is convicted.

Ten days prior to the accident, Niskayuna police ticketed Paniccia for road racing, speeding and misuse of dealer license plates, Saratoga County Assistant District Attorney Jim Davis told the court.

Paniccia was acquitted on the road racing charge but pleaded guilty to traveling 52 mph in a 45 mph zone and to the dealer plate charge on Wednesday in Niskayuna court, Wilcox said.

Police in Colonie and Schenectady also have ticketed Paniccia for speeding, but those tickets were pleaded down to traffic and moving violations, according to court papers.