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'Serial' speeders targeted

Speakers at workshop point to traffic record of driver accused in fatality

By **DENNIS YUSKO**, Staff writer

First published: Tuesday, September 28, 2004

CLIFTON PARK -- Serial speeders should be prevented from pleading speeding tickets down, some area bicyclists said Monday at a workshop to discuss rider safety.

They pointed to the case of Niskayuna resident Joshua Paniccia, 18, who police say was recklessly speeding on June 29 when he struck and killed David Ryan, 32, on Riverview Road.

Court records in Niskayuna, Colonie and Schenectady indicate Paniccia, who faces felony manslaughter charges today in Saratoga County Court, was ticketed for speeding three times in the 22 months prior to the fatal accident. Each of the tickets had been pleaded down to traffic or moving violations.

"I think the pleading down of tickets is part of the problem. If there had been more of a punishment, maybe he would have learned a better lesson," said Jesse Day, executive director of the New York Bicycling Coalition, which sponsored Monday's workshop.

Saratoga County District Attorney James A. Murphy III, Walter Cicha, Ryan's friend, and representatives from the coalition, the governor's Traffic Safety Committee and the Capital District Transportation Committee spoke at the workshop. No town officials attended the 2 p.m. meeting in Town Hall.

A county grand jury indicted Paniccia last week on charges of second-degree manslaughter and criminally negligent homicide. He faces up to 15 years in prison.

Colonie police ticketed the man for driving 62 mph in a 40 mph zone on Aug. 21, 2003. Paniccia pleaded guilty to disobeying a traffic device and paid a \$135 fine, the town's court clerk said.

Two months later, Schenectady Police charged Paniccia with speeding. He pleaded that ticket to "parking on the highway," a city court clerk said.

Niskayuna police ticketed Paniccia for "speed not reasonable or prudent" in 2002. His plea reduced it to a parking ticket, according to a Niskayuna court clerk. The town also convicted Paniccia of two license plate violations during the last two years and a muffler violation in June, she said.

"I was appalled to hear about the records," said Jeff Fedison, a self-described concerned rider from Niskayuna. "There's so many unstopped speeders out there, but serial speeders are the problem."

Paniccia is still allowed to drive. Prior violations cannot be used in speeding case trials, Murphy said.

Jeff Olson, a cycling advocate from Saratoga Springs, argued that police should have the discretion to take a driver's license away on the spot if that driver is believed responsible for someone's death.

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"I think there clearly should be a much bigger response to this issue from our local leaders. This is a tragedy that no community should let happen again," Olson said.

Clifton Park Supervisor Philip Barrett said the town supports biker safety and is committed to hiring extra police patrols in the town's 2005 budget. "We need to continue to do that to make sure we don't fall behind," he said.

Last week, state Assembly Majority Leader Paul Tokasz, D-Cheektowaga, said that reducing speeding tickets to lesser violations makes a mockery of state Vehicle and Traffic laws that are designed to make drivers and roadways safer.

But Saratoga County prosecutes 52,000 traffic and vehicle violations a year, and trying to convict each speeder would require many more county attorneys, one law enforcement official said.

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