

Victim's mother speaks of betrayal

At sentencing of driver who killed cyclist, woman cites prior charges

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First published: Tuesday, June 7, 2005

BALLSTON SPA -- The death of David Ryan left the world a poorer, darker place, his mother said Monday, and the driver who killed him is a loose cannon who will kill again. Anne Ryan traveled from her home in England to speak at the sentencing of Joshua Paniccia, 19, who pleaded guilty to criminally negligent homicide, a felony, in the death of Ryan, 32, on June 29.

Paniccia admitted he was driving more than 80 mph in a 45 mph zone when he struck Ryan, who was biking on Riverview Road in Rexford. The General Electric scientist and avid cyclist was thrown 40 yards after the impact.

Saratoga County Judge Jerry Scarano Jr. granted youthful offender status to Paniccia, who was 18 at the time of the crash, and sentenced him to one to three years in state prison on Monday. Paniccia's record will be sealed after he serves his time. A separate charge of second-degree manslaughter was dropped in a plea bargain reached in March.

Supporters of the Ryan and the Paniccia families filled the courtroom. The defendant's parents sat in the front row, their arms wrapped around each other. When Assistant District Attorney Jim Davis spoke, he pointed at the couple and blamed them for not taking away their son's driver's license when he was stopped repeatedly by police for speeding in his cherry red, souped-up 2002 Nissan Sentra.

"Parents have the option, when a minor is 18 or younger and still lives in the house, to fill out a form at the Department of Motor Vehicles to take away the privilege of driving," Davis said.

At one point in the process, Scarano threatened to throw observers out of the courtroom after a Ryan supporter complained that Paniccia's mother was talking.

The judge also exhorted Paniccia to stop referring to Ryan's death as an accident.

"People don't go to prison because of accidents. You are here because you were criminally negligent," Scarano said.

Reading from a prepared statement at the sentencing, Anne Ryan said, "He has shown a near total absence of explicit remorse. ... He is a killer who goes on with his life seemingly unaffected." She did not look at Paniccia.

Accompanying Ryan were her husband and surviving son.

Breaking into tears at the end of her statement, she said her family has been betrayed by a legal system that acquitted Paniccia on road racing charges before the fatal crash and allowed the man to plead down speeding tickets. She said she wanted Paniccia to receive the maximum sentence.

Paniccia sobbed as he read a brief statement.

"I am deeply sorry. ... I know no words can take away the loss, but I hope the Ryans can someday find it in their hearts to forgive me," he said.

In the front row behind the defendant's table, Paniccia's mother also wept.