
The Intelligencer

State police probe 2005 fatal crash

Bv: Michael Rubinkam
THE ASSOCIATED PRESS

ALLENTOWN – Three years ago, the stepson of a state police corporal swerved across a highway center line in his truck and collided with a car, killing a mother of three. State police did not try to determine if the driver was drunk and no charges were filed though a hospital exam later showed him with a blood-alcohol level above the legal limit, according to a lawyer for the victim's children. Now, state police confirm that they have reopened an investigation into the 2005 crash, and that an internal affairs probe may also be conducted.

Attorney Mark Tanner won a multimillion-dollar settlement earlier this month in a case against the driver and his company, and is pressing the state attorney general and state Police commissioner to examine how the crash investigation was handled.

"Either the investigation that was conducted by state police was extraordinarily inept, or alternatively, this young man got some preferential treatment that I don't think other citizens of this commonwealth would receive" Tanner said.

Dean O'Halloran, then 22, drove across the center line of a road in Wayne County in April 2005 and slammed into a car driven by Diane Glynn, a single mother of three. She was pronounced dead at the scene. Wayne County District Attorney Michael Lehutsky said he has seen no evidence of impropriety. "The information that I received certainly does not back up the conclusion that anyone related to Mr. O'Halloran influenced what was done by the state police in any way" he said.

But state police spokesman Jack Lewis said that the investigation into the crash is open, and that Tanner's letter has been referred to the state police Internal Affairs Division "for a determination of whether an internal investigation is warranted."

According to Tanner, O'Halloran called his stepfather, State Police Cpl. Michael McTavish, from the scene. A state police trooper then arrived to investigate the crash but did not conduct a field sobriety test, nor ask O'Halloran to take a breath test or a blood-alcohol test, Tanner said. "Luckily, hospital personnel themselves requested blood alcohol testing on Mr. O'Halloran," Tanner wrote in a Feb. 21 letter to Attorney General Tom Corbett, state police commissioner Col. Jeffrey Miller and Lehutsky.

The test revealed that O'Halloran's blood-alcohol level more than two hours after the accident was above 0.08, the legal limit for driving Tanner said. Lehutsky, the district attorney, said police had lacked probable cause to ask O'Halloran for a blood-alcohol test, and that there was simply not enough evidence in 2005 to charge a crime. But he said police would look into the information that Tanner provided.