



## **Orange County News**

---

For Immediate Release  
Wednesday, January 25, 2023

Contact: Ryan Greenbaum  
845.615.3657, 845.415.0868c

### **District Attorney Hoover Announces Result of Investigation Into Fatal Collision in which EMT Died**

*Videos and toxicology reports show no criminal wrongdoing on the part of driver whose vehicle struck a pedestrian as she was walking across street on rainy night. .*

Orange County District Attorney David M. Hoover announced that on Wednesday, January 25, 2023, that his Office has completed its investigation into the tragic death of an Emergency Medical Technician (EMT) who was struck by a vehicle when she was walking across State Route 9W, near the intersection at North Street, in the City of Newburgh on December 16, 2022. The driver of the van which struck the EMT, immediately stopped and cooperated with law enforcement officers, including consenting to have a sample of his blood taken so that it could be analyzed. The results of that analysis showed evidence that the driver had not consumed any alcohol or any legal or illegal drugs, cannabis, or marijuana, which would have affected his ability to drive.

City of Newburgh Police Officers recovered digital recordings of the collision which showed the collision from various angles. Based on those recordings, there is no indication that the driver was driving faster than the speed limit and he was not driving faster than other traffic. The recordings also show that he maintained travelling in his lane prior to the collision. The weather conditions were dark and raining. It appears from the recordings that the pedestrian, who was wearing dark colored clothing and was not walking in a nearby crosswalk, stepped in front of the van as it drove by.

Traffic tickets which were originally issued in the incident have been dismissed.

“This was a tragic accident which claimed the life of someone who had devoted their life to helping others,” said District Attorney Hoover. “It is clear from the toxicology report and the digital evidence that no charges should be brought against the driver. No alcohol, illicit drugs, or prescription medication were found in the blood of the driver, and the digital recording shows no traffic infractions. As District Attorney it is my duty not just to prosecute the guilty, but to protect the innocent. The evidence in this case shows that this was a tragic accident not a crime.”



State  
Police

Forensic  
Investigation  
Center

KATHY HOCHUL  
Governor  
STEVEN A. NIGRELLI  
Acting Superintendent  
DR. RAY WICKENHEISER  
Director

Newburgh City Police Chief  
Newburgh City Police Department  
55 Broadway  
Newburgh, New York 12550

Lab Case No.: 22ML-01801  
Report Date: January 18, 2023  
Agency Case No.: 22-032872

**TOXICOLOGY REPORT**

**Subject Name:** [REDACTED]

*Date of Occurrence:* December 16, 2022

**Item # 7 - Blood Kit**

Submission Date: December 19, 2022

*Testing Performed: Alcohol and Drugs*

| COMPOUND | RESULT |
|----------|--------|
|----------|--------|

**No compounds were detected for this specimen (refer to 'Testing Summary' for scope of analysis).**

(CPL 190.30(2) Certification)

*I, Dustin L. Abbott, D-ABFT-FT, Forensic Scientist III, hereby certify that I am a public servant in the employ of the New York State Police and performed a forensic examination on or concerning certain evidence submitted to the New York State Police Crime Laboratory System in the above referenced case. I further certify that this is the electronic record of my report and contains the results, opinions and interpretations of the forensic examination I performed in the above referenced case. The electronic record of this report is maintained in and made available to the District Attorney's office through the New York State Police Crime Laboratory System's electronic Laboratory Information Management System.*

*False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law.*

Dustin L. Abbott, D-ABFT-FT  
Forensic Scientist III

Definitions of terms used in this report can be located within the Report Standardization Manual at <http://criminaljustice.ny.gov/forensic/labreportstandards.htm>.

The reported results relate only to the items tested.

This report does not constitute the entire case file. The case file may be comprised of worksheets, images, analytical data, and other documents.



**TOXICOLOGY REPORT**

Subject Name: [REDACTED]

Lab Case No.: 22ML-01801

Report Date: January 18, 2023

Agency Case No.: 22-032872

**Testing Summary**

Toxicology testing included the following analyses. No compounds were detected other than those listed in the results table.

**Volatile Analysis** (Headspace Gas Chromatography with Flame Ionization Detection/Mass Spectrometry):

ethanol, acetone, isopropanol, methanol

*Analyst:* Shane W. Lanahan, Forensic Scientist III

BAC 2 (HS-GC-FID/MS)

01/03/2023 - 01/09/2023

**Immunoassay Drug Screen - Blood** (Enzyme Linked Immunosorbent Assay - ELISA)

**Amphetamine** - amphetamine, methylenedioxyamphetamine (MDA)

**Benzodiazepines** - alprazolam, clonazepam, diazepam, lorazepam, nordiazepam, oxazepam, temazepam

**Buprenorphine** - buprenorphine

**Cannabinoids** - 11-nor-9-carboxy-delta-9-tetrahydrocannabinol

**Carisoprodol** - carisoprodol, meprobamate

**Cocaine** - benzoylecgonine (cocaine metabolite)

**Fentanyl** - fentanyl, acetyl fentanyl

**Methadone** - methadone

**Methamphetamine** - methamphetamine, methylenedioxymethamphetamine (MDMA)

**Opioids** - morphine, codeine, hydrocodone

**Oxycodone** - oxycodone, oxymorphone

**Phencyclidine** - phencyclidine (PCP)

**Tramadol** - tramadol

**Zolpidem** - zolpidem

*Analyst:* Cherry A. Tsai, PhD, Forensic Scientist II

ELISA 4

12/27/2022 - 12/28/2022

Michaela C. Vertorano-McHugh, Forensic Scientist II

ELISA 5

12/30/2022 - 01/03/2023

