

# Waterbury Republican-American

Watertown / Pomperaug

Friday, July 19, 2002

\$2 weekly home delivered, 50 cents single copy

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Republican-American

## Bus driver in fatal crash indicted in New York

### Accident claimed lives of 5 from Waterbury

By Cara Rubinsky  
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A New York state grand jury issued a sealed indictment Thursday against the driver of a bus that crashed outside of Rochester, N.Y., last month, killing five Waterbury residents and injuring 42 others.

The charges against William J. Hovan, 59, of Trumbull won't be made public until July 30, when he will be arraigned in front of a judge in Ontario County, N.Y. Bail will be set after the arraignment.

New York state police allege that Hovan fell asleep at the wheel June 23 because he had slept just three hours in the two days before the crash. They say he spent the rest of the time at a casino.

Hovan, who has declined comment, told police a bump in the road or a blown tire sent the Arrow Line/Coach USA bus careening through a guardrail and down a 75-foot embankment on the New York Thruway 17 miles south of Rochester.

Passengers, who were returning from a three-day church trip to Niagara Falls, reported that Hovan was sleeping in the front seat when they boarded for the return trip to Waterbury.

They also said he appeared to doze off about two hours into the trip, just before the bus crashed. Other passengers say a passenger offered to take the

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## INDICT: Bus driver charged for crash

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wheel when the bus started swerving, but Hovan said he was fine, according to passengers.

Jasmine Santiago and Alex Blondet, 16-year-old Kennedy High School students, were among the dead. Also killed were longtime couple Eneroliza Polanco and Maikel Mota, both 29; and Polanco's cousin, Ruth Restituyo, 30.

Police said they had enough evidence to arrest Hovan on second-degree manslaughter charges two days after the crash, but that would have given them just a few days to prepare for a preliminary hearing. They said the case was too important to be rushed.

The 23-person grand jury, which heard testimony from 15 surviving crash victims Thursday, was expected to consider either second-degree manslaughter or second-degree murder charges.

The manslaughter charge, which carries a maximum sentence of 15 years, would apply if he recklessly caused the deaths. Second-degree murder, which carries a maximum sentence of 25 years, would apply if he showed depraved indifference to human life.

Under New York law, when a person is charged before he or she is arrested, the charges must remain sealed until the person appears in court. The sealed indictment was issued after a five-hour

hearing.

Hovan's Rochester-based attorney, John Speranza, declined comment Thursday except to say Hovan will turn himself in July 30. Hovan has been suspended with pay since the accident.

Arrow Line/Coach USA provided a limousine to transport the 15 victims from Waterbury to Canandaigua, N.Y., on Wednesday so they could testify Thursday. They returned to the Church of God on East Main Street around 10 p.m., drained from the day's events and the 6½-hour trip.

The Rev. Apolinar Santos said the limousine did not have seatbelts for the passengers and some of them were thrown from their seats, but he said the driver, who was provided by Arrow Line, was driving "normally."

Santos said he understood that those who testify before a grand jury are exempt from the gag order placed on jurors and attorneys, but he still did not want to share the details of the testimony.

"We don't want to say anything about the grand jury because it is a matter for the courts now and we don't want to impede that process," he said in Spanish.

Jasmine Santiago's grandfather, Andres Rivera Sr., 59, said he did not want to discuss the grand jury either until he sees what happens with Hovan's case. Rivera clarified he is not the licensed bus driver who offered to relieve Hovan

before the accident, as previously reported.

While they await the outcome of the criminal investigation, eight passengers injured in the crash have already filed two separate civil suits seeking damages from Hovan and the bus company.

A suit filed in Hartford Superior Court on behalf of Peter and Maria Strohecker and Angel Eloisa and Daniel Serrano contends the bus went off the road and into the track on the shoulder just before the crash. They say the noise of the track and the screams of passengers woke Hovan but he refused to stop or slow down despite repeated pleas.

The Stroheckers' affidavits, filed with the suit, also contend Hovan did not help the dying or injured, but was only concerned with finding his watch and other belongings.

Watertown attorney Mike D'Amico also plans to file suit in Waterbury Superior Court on behalf of Eva and Elizabeth Velez and Juan Pabon. The suit, which is being served, contends that Hovan was negligent and careless, in part because he operated the bus without adequate rest and/or sleep.

Republican-American staff writers Amy Montemierlo and David Hammer, and reporter Joseph Spector of the Democrat and Chronicle of Rochester contributed to this report.