

CRIMINAL COMPLAINT

Docket Number:	Date Filed: 11	OTN/LiveScan Number	Complaint/Incident Number: 2007-19877-A
Defendant Name	First: JAWAUN	Middle:	Last: PESSOA

AFFIDAVIT of PROBABLE CAUSE

On Monday, November 26, 2007 at 1436 hrs., the West Goshen Police Department received a report of a two vehicle accident in the area of the 600 block of South Five Points Road. The reporting person, Cindy KERN, resides at 701 South Five Points Road. KERN heard the collision and looked outside to investigate further at which time she observed a blue Honda that appeared to have been in a collision and was partially blocking the roadway. KERN called 911 and while reporting the collision she was able to obtain further information from a female motorist who was passing by the collision that there were three (3) injured people in a second vehicle which KERN could not see. Once KERN hung up the telephone she went outside and assisted with the injured at the scene.

Sgt Joseph BURT arrived within five (5) minutes and observed two (2) vehicles having extensive damage, one located at the mouth of the driveway of 698 South Five Points Road and another near the driveway of 613 South Five Points Road. Upon further investigation he located four (4) injured passengers in one vehicle and one (1) injured passenger in the other. Sgt BURT requested the response of the Traffic Safety Division. I was contacted and arrived on scene at 1510 hrs.

Five passengers were transported to area hospitals by ambulance as the medical helicopters were grounded due to weather. Anthony GIUNTA, the front seat passenger of the silver Chevrolet, was transported to Crozer Chester Medical Center.

I spoke to both operators of the vehicles involved and identified the driver of the blue Honda as being Jawaun PESSOA and the driver of the silver Chevrolet as being Margaret GIUNTA.

On November 29, 2007, I was contacted by Margaret Giunta and advised that her husband Anthony Giunta died on Wednesday 28NOV07 at 2030Hrs. A preliminary autopsy report filed by the Delaware County Medical Examiners Office indicated that the cause of death was attributed to multiple injuries as a result of the automobile accident.

The investigation revealed that the GIUNTA vehicle had been traveling southbound in the 600 block of South Five Points Road and was negotiating a left turn into the driveway of 613 when the PESSOA vehicle, which was traveling north on South Five Points Road, crested a hill and struck the GIUNTA vehicle.

A speed analysis was conducted on the PESSOA vehicle. It was determined that the PESSOA vehicle was traveling at a minimum speed of 52 mph upon impact with the GIUNTA vehicle. The posted speed limit for five points road is 25mph.

I have been a police officer for over fourteen years and have received advanced training in vehicle collision investigation and reconstruction. During my career I have been involved in the investigation and causation analysis of over five hundred vehicle collisions. I have also participated in various vehicle crash testing that offered empirical evidence in substantiating reconstruction methods. My experiences have provided me with a comprehensive understanding of the dynamics and causation of a vehicle crash. Therefore, based upon review of the evidence documented through the investigation, it is apparent that Mr PESSOA operated his vehicle at such a high rate of speed, in an area of limited visibility as he crested a hill, is the reason the collision occurred. Therefore Mr. PESSOA is responsible for the death of Mr GIUNTA.

Based on the aforementioned probable cause, I request that a warrant be issued for Jawaun PASSOA.