

NEWS RELEASE



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Luis A. Valentin, Prosecutor

FREEHOLD TOWNSHIP MAN RECEIVES 44 YEAR STATE PRISON TERM FOR FATAL CRASH THAT KILLED ONE MOTORCYCLIST AND INJURED A PASSENGER

On June 17, 2010, Scott Bennett, 44, of Freehold Township, N.J., was sentenced to an aggregate 44 year State Prison term in connection with a fatal motor vehicle collision which he caused while intoxicated and eluding a Manalapan Township police officer. Pursuant to the "No Early Release Act," Bennett must serve approximately 28 years and 18 days before he becomes eligible for parole. In addition, Bennett will be on parole supervision for five years after he is released from State Prison.

On May 13, 2010, following a four week trial in Monmouth County Superior Court, a jury found Bennett guilty of first degree Aggravated Manslaughter, first degree Aggravated Manslaughter by Eluding, second degree Vehicular Homicide, second degree Eluding, second degree Leaving the Scene of a Motor Vehicle Accident Resulting in Death, third degree Causing Death While Driving With a Suspended License, second degree Aggravated Assault by Eluding, two counts of third degree Endangering an Injured Victim, and the disorderly persons offense of Resisting Arrest. The trial was presided over by Monmouth County Superior Court Judge Ira E. Kreizman, who also imposed the sentence.

Evidence presented during the trial revealed that on October 7, 2007, at approximately 6:30 p.m., Patrolman Charles Alaimo of the Manalapan Township Police Department initiated a vehicular pursuit of Bennett after he observed that Bennett was driving his GMC Jimmy S.U.V. in a reckless manner and above the posted speed limit. Bennett eluded Officer Alaimo and accelerated as he drove on Gravel Hill Road before entering the intersection of Gravel Hill Road and Route 537.

At the intersection of Gravel Hill Road and Route 537, Bennett failed to stop as he was required to do by virtue of a lawfully posted stop sign. Bennett then accelerated into the eastbound lane of Route 537, thereby causing a collision with a motorcycle being operated by Timothy Flanagan. On the motorcycle with Mr. Flanagan was a passenger,

Diane Oberley. During the collision, Mr. Flanagan's motorcycle struck Bennett's vehicle, causing Mr. Flanagan to be thrown into the air. Mr. Flanagan landed on the northbound lane of Gravel Hill Road. Ms. Oberley was also thrown from the motorcycle and she landed in the middle of Route 537.

The collision caused Bennett's vehicle to rotate 180 degrees and become positioned approximately 30 feet from Patrolman Alaimo, who had stopped at the opposite side of the intersection. Bennett continued to elude Patrolman Alaimo and accelerated onto the eastbound lane of Route 537. As Bennett did so he drove directly over the head and torso of Mr. Flanagan. The crushing trauma of being run over by Bennett's vehicle caused devastating injuries to Mr. Flanagan's head, resulting in severe skull fractures and hemorrhaging of his brain.

Mr. Flanagan was pronounced dead at the scene. Ms. Oberley was transported to Jersey Shore University Medical Center where she received emergency medical treatment for a concussion and a fractured pelvic bone.

Patrolman Christopher Otlowski of the Freehold Borough Police Department developed Bennett as a suspect after receiving descriptions of the GMC Jimmy and the individual who had been driving it. As Patrolman Otlowski arrived at Bennett's residence, he observed Bennett concealing the damaged portion of his S.U.V. with a blanket. After a brief conversation, Patrolman Otlowski detected damage to the S.U.V. in addition to human tissue and blood on the edges of the shattered rear window. In an attempt to avoid apprehension, Bennett fled on foot and forcefully struggled with Patrolman Otlowski.

At the time of the fatal collision, Bennett's blood alcohol concentration ("B.A.C.") was determined to be between .11% and .14%. Under New Jersey's motor vehicle statutes it is an offense to operate a motor vehicle with a B.A.C. of .08% or higher. It was also determined that Bennett did not have a valid driver's license. In 1996, Bennett's driving privileges had been suspended for a total of 30 years as a result of sentences imposed for his third, fourth and fifth convictions for Driving While Intoxicated.

Monmouth County Prosecutor Luis A. Valentin stated, "Bennett deliberately eluded a Manalapan police officer, driving at a high rate of speed and recklessly failing to stop at a stop sign, thereby resulting in the death of an innocent motorist and injuries to his passenger. This substantial period of incarceration, which ensures that Bennett will be removed from society for nearly three decades, will protect the community and will hopefully aid the healing process of the the victim's family." Prosecutor Valentin commended the efforts of the Manalapan, Freehold Township and Freehold Borough police departments and the Monmouth County Serious Collision Accident Team ("S.C.A.R.T.") for the manner in which they conducted the investigation.

The case was prosecuted by Assistant Monmouth County Prosecutor S. Allan Stacy. Bennett was represented by Edward C. Bertucio, Esquire, of Eatontown, N.J.

Released: June 17, 2010