

Amity Township supervisor denied probationary program admission for the third time

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COURTHOUSE — For the third time, an Amity Township supervisor has been denied admission into a special probationary program on charges he allegedly was driving drunk at the time of a West Pottsgrove crash that injured a 3-year-old child.

A third request by Terry Jones, 47, of the 100 block of Worman Road, for admission to Montgomery County's Accelerated Rehabilitative Disposition program was denied by county prosecutors, according to court papers. Prosecutors cited "nature and circumstances: accident with injuries" as the reason for denying Jones' latest request.

As a result, Jones will be scheduled for trial on charges of driving under the influence of alcohol, recklessly endangering other persons and careless driving in connection with the 7:35 p.m. Feb. 11 two-vehicle crash in the 1600 block of West High Street in Stowe.

Jones, who is represented by defense lawyer Paul A. Bauer III, remains free on \$30,000 unsecured bail pending trial. Jones previously pleaded not guilty to the charges at his arraignment. Assistant District Attorney Lauren McNulty is prosecuting the case.

If he's convicted of the charges at trial, Jones faces a possible maximum sentence of two-to-four years in prison.

Prosecutors initially denied Jones' request for ARD on June 22. After Jones sought a reconsideration of the decision, Assistant District Attorney Tracey Potere again denied the request on July 14, according to court papers.

Jones apparently made a third request to be allowed in the program and on Oct. 24 Assistant District Attorney Karen Ricca denied the request, according to court papers available on Thursday.

The ARD program, a special probationary program for first-time offenders of non-violent crimes, allows offenders to clear their criminal records after successfully completing a probationary period.

Court papers indicate prosecutors also turned down a request for ARD made by Shannon Nester, the driver of the second vehicle involved in the crash.

Nester, 25, of the 400 block of East Vine Street, Stowe, is awaiting trial on charges of endangering the welfare of a child and recklessly endangering another person in connection with allegations she did not properly restrain her child in a child safety seat. Police alleged the little girl was unrestrained in the rear seat of the vehicle at the time of the crash.

Ricca cited "nature and circumstances" as the reason for denying Nester's admission to the ARD program. Nester remains free on \$20,000 unsecured bail.

An investigation began after township police responded to the report of a two-vehicle crash and found Jones, who appeared to have a head injury, walking around outside his Ford Explorer.

Nester, who was driving a Mitsubishi Lancer, and her 3-year-old daughter, were treated at Lehigh Valley Hospital for injuries, police said. The little girl, who was flown by medical helicopter to the hospital, suffered "a small hematoma with left sided facial fractures," according to the criminal

complaint.

Jones also was transported to a local hospital for treatment, court papers indicate.

“As officers spoke to Jones they detected an odor of an alcoholic beverage about his person and breath,” West Pottsgrove Detective Sergeant Steven J. Ziegler alleged in the criminal complaint.

A blood test subsequently determined Jones had a blood-alcohol content of 0.091 percent, which is above the legal blood-alcohol content of 0.08 percent for Pennsylvania drivers, according to court papers.

“Jones was interviewed at a later date and stated he consumed alcoholic beverages at a local tavern on the date in question. After leaving the tavern he drove to the Dunkin Donuts that was a short distance away,” Ziegler alleged in the arrest affidavit.

“Jones further said that after getting a coffee he attempted to exit the parking lot of the Dunkin Donuts onto West High Street, failing to safely enter the highway and was struck by an oncoming vehicle,” Ziegler alleged.

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