

**COUNTY OF SUFFOLK
DISTRICT ATTORNEY'S OFFICE**



**THOMAS J. SPOTA
DISTRICT ATTORNEY**

January 30, 2012

Drugged drivers involved in fatal crashes indicted by grand jury

Suffolk County District Attorney Thomas Spota today announced the indictments of two drivers who are alleged to have caused fatal accidents driving while impaired by prescription medications.

“The indictments I announce today demonstrate the devastating consequences of getting behind the wheel while under the influence of multiple medications, prescribed or acquired illegitimately,” DA Spota said. “The synergistic effects of these drugs on each of these defendants resulted in the deaths of a five year old child and a young mother.”

Steven Kinalis, 30, of Ronkonkoma, was arrested last month after causing a rear end collision on Sunrise Highway that fatally injured five year old John Gaffney. Kinalis will be arraigned Tuesday for the crimes of Aggravated Vehicular Homicide, a class B felony punishable by up to 25 years in prison, Manslaughter in the Second Degree, a class C felony punishable by up to 15 years in prison. Vehicular Manslaughter in the Second Degree, a class D felony punishable by up to seven years, and the misdemeanor counts of Driving While under the Combined Influence of Drugs or of Alcohol and Any Drug or Drugs and Reckless Driving.

On the morning of December 10, Kevin and Teri Gaffney of West Islip and their three children were travelling eastbound on Sunrise Highway on their annual trip to buy a Christmas tree when Kinalis plowed into the rear of the family’s pickup truck, violently pushing the vehicle off the highway into a tree. John Gaffney, strapped into his booster seat in the back seat, died from head and neck injuries.

“Our investigation has established that Kinalis was speeding and driving recklessly; cutting off motorists, making unsafe lane changes and driving so fast a witness moments before the crash said her car literally shook as Kinalis sped by,” said DA Spota.

Kinalis’ toxicology report found he was driving while under the influence of Oxycodone, Xanax and Carisoprodol, aka SOMA, a skeletal muscle relaxant whose active metabolite is Meprobamate, a Schedule IV controlled substance. “Each has the ability to impair but taken together they have a synergistic effect increasing the likelihood and severity of the impairment,” the district attorney noted.

“As we have seen so often in recent cases”, Spota said, “there is ample evidence that Mr. Kinalis was shopping for large quantities of prescription drugs.” In Kinalis’ car, police recovered two bottles of Oxycodone, both prescribed by the same physician but dispensed at different pharmacies.

“One bottle, filled the day before the crash, was for 360 Oxycodone pills and 107 pills were missing and the second bottle, for 120 pills, filled two days before the crash, was completely empty,” said Spota.

The follow-up investigation led to the recovery of evidence of more prescribed medications in Kinalis' home on Boulder Street in Ronkonkoma. "During the execution of a court authorized search warrant secured by this office we recovered quantities of Xanax and Adderall, and empty SOMA and Oxycontin prescription bottles. These medications, found in his residence, were prescribed by three different doctors and filled at five different pharmacies on Long Island," he said.

"The aftermath of this defendant's doctor shopping is the death of this five year old boy. This is what is at stake."

Kinalis, who told police he was unemployed, is incarcerated in the Suffolk County jail in lieu of \$300,000 cash bail and will be arraigned Tuesday, January 31.

Arraigned before Judge James F.X. Doyle today was Elizabeth Peacock, 45, arrested New Year's Eve after hitting 40 year old Maria Galeas, on Horseblock Road in Medford. Peacock, who had Xanax and other medications in her system at the time of the accident, struck Galeas she stood behind her car on the shoulder of the road. She died of her injuries at a local hospital.

Peacock pleaded not guilty to Vehicular Manslaughter in the First Degree, a class C felony punishable by a maximum sentence of up to 15 years in prison, Vehicular Manslaughter in the Second Degree, a class D felony with a maximum sentence of seven years, and a class E felony charge of Driving While Ability Impaired by Drug, punishable by up to four years in prison. She is being held in the county jail in lieu of \$150,000 cash bail.

District Attorney Spota said evidence of "a multitude of other drugs" was found in Peacock's system according to the Suffolk County crime lab tests. Substances detected included "seizure medication, medication used in the treatment of anxiety and panic disorders, as well as other more commonly prescribed medications," said Spota.

A prescription bottle of Xanax was recovered during the execution of a court authorized search warrant in the defendant's residence. Investigators determined, the district attorney said, "the Xanax was prescribed on December 15, a prescription written for 120 tablets to be taken 4 times per day or, in other words, a 30 day supply."

"On December 31st, the day of the accident - 16 days after the prescription was filled - there should have been 56 Xanax left...but on the day the bottle was recovered, only 23 remained."

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Defendants are innocent until proven guilty in a court of law.