

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



**THOMAS J. SPOTA  
DISTRICT ATTORNEY**

July 31, 2013

**SUSPECT ARRAIGNED FOR DEATH OF JOGGER IN MT. SINAI**

Suffolk County District Attorney Thomas Spota announced today the arrest and indictment of a Coram man who on June 23, 2013 allegedly ran down a female jogger and left the scene of the crash. The victim, Karen Benjamin, died as a result of the injuries she suffered on July 17.

The indictment, unsealed this morning by Acting State Supreme Court Justice Fernando Camacho in Central Islip, charges the defendant Thomas Costa, 31, with Leaving the Scene of an Incident Without Reporting, as a "D" felony, and speeding. Costa pled not guilty.

"Thomas Costa, struck Ms. Benjamin while she was jogging on Canal Road in Mt. Sinai and left her in the road with injuries that ultimately claimed her life ." DA Spota said. "His thoughtless and criminal behavior caused the death of a vibrant 56- year old woman."

An eyewitness provided police with a partial description of the car. The county crime lab, after a forensic analysis of car parts collected at the scene of the collision, narrowed the field of eligible BMW's to the model and year. After a house-to-house canvass in the vicinity of the hit and run, detectives attached to the Suffolk County Police Department's newly formed Vehicle Crimes Unit found a damaged BMW in the rear yard against a fence at Costa's parents' house. The defendant's mother and father gave police permission to examine the vehicle and gave investigating detectives a statement.

"The detectives learned from the defendant's parents that he showed up at their house with the damaged BMW approximately 18 minutes after the crash, and that their son lied to them, explaining that the car was vandalized while he was in a Patchogue night club," DA Spota said.

The BMW's windshield was smashed, the side view mirror was missing, and there was blood spatter on the vehicle. "It was the victim, Karen Benjamin, who told us who her killer was, ' Spota said, "in that her DNA was in the blood found on the BMW."

Costa is incarcerated in the county jail and will return to court on August 6<sup>th</sup>.

**SUFFOLK COUNTY DISTRICT ATTORNEY THOMAS SPOTA**

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Defendants are entitled to a fair trial with the burden on the government to prove guilt beyond a reasonable doubt.

INDICTMENT:

COUNTY COURT: COUNTY OF SUFFOLK

-----X  
THE PEOPLE OF THE STATE OF NEW YORK

- against -

Case No.  
I-1779-13

THOMAS COSTA,

Defendant(s).

-----X

COUNT ONE: LEAVING THE SCENE OF AN INCIDENT WITHOUT  
REPORTING, AS AN "D" FELONY

COUNT TWO: SPEEDING

FOREPERSON

ASSISTANT FOREPERSON  
JULY 15- AUGUST 9, 2013  
TERM VIII  
GRAND JURY NUMBER 1B

THOMAS J. SPOTA  
DISTRICT ATTORNEY  
SUFFOLK COUNTY

**COUNT ONE**

**THE GRAND JURY OF SUFFOLK COUNTY**, by this Indictment, accuses the defendant Thomas Costa, of the crime of **LEAVING THE SCENE OF AN INCIDENT WITHOUT REPORTING, AS A "D" FELONY**, in violation of Section 600, Subdivision Two of the Vehicle and Traffic Law of the State of New York, committed as follows:

The said defendant, on or about June 23, 2013, in Suffolk County, New York, while operating a motor vehicle, and knowing or having cause to know that personal injury had been caused to another person due to an incident involving the motor vehicle operated by the defendant, before leaving the place where said personal injury occurred, failed to stop, exhibit his license and insurance identification card for such vehicle, and give his name, residence, including street and street number, insurance carrier

and insurance identification information to the injured party, if practical, namely, Karen Benjamin, and also to a police officer, or to report said incident as soon as physically able to the nearest police station or judicial officer. Said personal injury resulted in the death of Karen Benjamin.

**COUNT TWO**

**THE GRAND JURY OF SUFFOLK COUNTY**, by this indictment, accuses the defendant, Thomas Costa, of the traffic infraction of **SPEEDING**, in violation of Section 1180(a) of the Vehicle and Traffic Law of the State of New York, committed as follows:

The said defendant, on or about June 23 ,2013, in Suffolk County, New York, did drive a vehicle at a speed greater than is reasonable and prudent under the conditions and without having regard to the actual and potential hazards then existing.