

'Reckless' truck driver cause of school bus tragedy— judge

Calgary man barred from driving for five years

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Calgary Herald

Calgary

A judge ruled a tragic school bus accident was caused solely by the "negligence, carelessness and recklessness" of a Calgary truck driver, in sentencing him to 90 days in jail Friday.

Justice Robert Cairns also prohibited Walter Don McCutcheon, 34, from driving for five years after convicting him in Court of Queen's Bench.

McCutcheon will serve his jail time on weekends.

He was found guilty of dangerous driving causing the deaths of three people and causing bodily harm to two others after his tractor-trailer unit plowed into the back of a school bus near Carseland on Sept. 3, 1991. The propane-powered bus burst into flames, court heard. Carseland is 50 kmsoutheast of Calgary.

The bus was stopped at temporary traffic lights at a bridge under construction on Highway 24. McCutcheon had testified he thought the bus had moved and

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— Vern Neufeld

thought it was going to move again across the bridge.

Killed were bus driver Rona Gowin, 29, her five-year-old niece Amanda Gowin, and Lee-Ann Neufeld, 11. Chantelle Gowin, 9, and Bradley Neufeld, 9, were hurt.

Outside court, Lee-Ann's father, said he's satisfied with the sentence.

"He loses the right to drive and that is how three people died and our son was injured," said Vern Neufeld, who attended the two-week trial with relatives. "Like the judge said, you can't assume what the other driver's going to do.

"We lost our daughter and it's been a long two years . . . We miss her every day."

He said he has mixed feelings towards McCutcheon: "In some ways I can't stand him, in other ways, I feel sorry for him."

Defence lawyer Larry Phillippe told court his client sought the help of a psychologist to deal with

the accident, and McCutcheon has since gone into personal bankruptcy.

The sight of that "inferno" will live with him forever, said Phillippe.

Phillippe said McCutcheon told him: "Whatever happens in the courtroom is not the worst thing that will happen to me in my life.

"That happened to me on Sept. 3, 1991."

McCutcheon had no prior criminal record and a demerit-free driving record, court heard.

His wife and two sons, aged 13 and 11, were in court Friday.

McCutcheon left his job shortly after the accident, and now works for his brothers' trucking business after bouts of unemployment.

Phillippe had asked for a sentence that spared his client jail.

However, Cairns ruled a jail term was warranted in this case, saying "lethal weapons," such as motor vehicles, must be curbed.

He said he also considered that, but for the refitting of the bus to propane from gasoline, the deaths and injuries would likely not have occurred.

The Edmonton Journal
Edmonton, Alberta, Canada
Sunday, August 15, 1993

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