



NEWS RELEASE

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FOR IMMEDIATE RELEASE

Woman Acquitted in Traffic Crash Deaths, Court Finds She was Not Reckless

SPRINGFIELD, Mo. – Greene County Prosecuting Attorney Dan Patterson announces that today Greene County Judge Calvin Holden announced his verdict finding Antonia L. Reiss, 37, of Columbia, Illinois, not guilty of two counts of involuntary manslaughter arising from a motor vehicle crash on July 28, 2015, at Battlefield Road and West Bypass in Springfield Missouri. The verdict follows a bench trial presided over by Judge Holden on May 22, 2017.

In this case, the evidence was that Ms. Reiss was speeding westbound on Battlefield Road and left the road by crossing over the north curb. After crossing over the curb on Battlefield Road, Ms. Reiss continued west in a relative straight line, struck a street sign post, crossed the northbound lanes of West Bypass, struck the raised median in the middle of West Bypass, and then struck the driver's side of a white SUV. After the initial impact both vehicles moved west crossing the two southbound lanes of traffic and the paved shoulder. The vehicles then continued west off the road, striking the far uphill face of the ditch and continued up the hill. The vehicles continued to their final rest location with the rear of the black passenger vehicle on top of guardrail at the top of the hill. During the post impact travel the two vehicles rotated approximately one hundred eighty (180) degrees. The two occupants of the white SUV, Barbara Lewis and C.L. Lewis, of Springfield, were ejected from the vehicle by the force of the crash and died at the scene.

According to the event data recorder in Ms. Reiss' vehicle, her speed at the time of the impact was 96 miles per hour, the accelerator was depressed 100% and there was no braking. At the scene of the crash, Ms. Reiss told an officer that she did not mean to hurt anyone and that she was asleep at the time of the crash. When asked further about being asleep at the time of the crash, Ms. Reiss yelled at the officer and became verbally abusive. When asked at the hospital what caused the crash all Ms. Reiss would say was that she was trying to take care of her family.

Subject: Greene County Prosecuting Attorney Press Release, State v. Reiss, 1531-CR04666-01

The defense presented the testimony of a psychologist Dr. Kent Franks, who testified that Mr. Reiss was bipolar and in a manic state at the time of the crash. Dr. Franks testified that Ms. Reiss told him that she had come to Nixa to visit her brother, that she had not slept in two or three days, was upset over family issues, and was worried that her house would be broken into in St. Louis. Ms. Reiss said she was trying to return home to St. Louis when she became lost in Springfield and was driving back to her brother's house in Nixa when she confused the brake pedal with the accelerator causing the crash. On cross examination, Dr. Franks admitted that Ms. Reiss, in her statements, acknowledged she was driving a motor vehicle and that she was speeding to go back to St. Louis.

The defense presented Dr. Franks' testimony under what is commonly referred to as the diminished capacity doctrine. Under the law, evidence of a mental disease or defect is admissible to prove that the defendant did or did not have a state of mind which is an element of the offense. Missouri Courts have explained that unlike the doctrine of not guilty by reason of insanity which provides a defendant is not criminally responsible for his conduct, under the diminished capacity doctrine, the defendant accepts criminal responsibility for his conduct but seeks conviction of a lesser degree of the crime because the mental disease or defect prevented the defendant from forming the mental element of the higher degree of the crime.

Prior to announcing his verdict Judge Holden stated in court that he did not find Ms. Reiss' conduct to be reckless. First Assistant Prosecuting Attorney Phil Fuhrman asked the Judge to consider the lesser included offense of involuntary manslaughter in the second degree based upon criminal negligence and the Judge also stated he did not find that Ms. Reiss to have been criminally negligent.

Under Missouri law, a person is reckless when a person consciously disregards a substantial and unjustifiable risk that circumstances exist or a result will follow, and such disregard constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation. A person is criminally negligent when a person fails to be aware of a risk that circumstances exist or a result will follow, and such disregard constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation.

This case was being prosecuted by Assistant Prosecuting Attorney Philip Fuhrman. It was investigated by the Springfield Police Department and Detective Brian Reeves was the lead investigator assigned to the case.

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