

Evidence damns hit-run driver, prosecutor says

Final arguments focus on accused's mental state

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Everything points to Colin Jones knowing he struck and killed Lindsay Giacomelli with his Dodge Durango in a marked southeast crosswalk and fleeing nearly two years ago, a judge was told Friday.

Crown prosecutor David Torske told Court of Queen's Bench Justice Allen Sulatycky in his final argument of Jones's hit-and-run trial that eyewitness accounts, scene evidence and post-offence conduct all pointed in that direction.

"Everything points to him being aware," said Torske.

The prosecutor said witness Christopher Patterson saw Jones's vehicle hit the brakes before colliding with Giacomelli, 20, on Bonaventure Drive near Southcentre Mall, then stop as her body flew 22 metres down the road, drove around her and left.

He also said bizarre events in the ensuing days, including Jones being involved in a second "staged" collision with a parked truck in Carstairs the following day to cover up evidence on the Durango and driving to Regina before taking a series of one-way flights -- to Winnipeg, Toronto and Gatwick, England -- are very suspect.

"There are quite a string of coincidences and occurrences that lead him to be here," said Torske. "It takes quite a lot to have to accept that story."

Torske also said evidence from two psychologists and two psychiatrists do little to shed any light on Jones's state of mind at the time of the crash, because they all start from the premise that Jones can't remember anything about the fatal collision.

He said it was all speculation and the experts agreed one does not go in and out of amnesia. Torske noted Jones can't remember the fatal crash, but was able to present a complex construction proposal at work the next morning, but allegedly cannot recall the second collision in Carstairs later that day.

Defence lawyer Balfour Der agreed the critical issue was proving that his client knowingly was in the accident and left the scene to escape civil and criminal responsibility but argued for an acquittal as he believed the Crown hadn't proven it.

Jones, 49, testified he has no memory of the collision and very little memory of what occurred the next four days.

Der pointed out that Jones's mental health at the time was affected by clinical depression, high stress from work and the breakup of his marriage, consumption of alcohol and stopping taking medication, all of which contributed to his amnesia.



CREDIT: Ted Rhodes, Calgary Herald

Leslie and Gerald Giacomelli, Lindsay's parents, leave court this week during a break in the trial of accused hit-and-run driver Colin Jones.

"Mr. Jones doesn't have any reason to flee," Der argued. "He wasn't even speeding, he wasn't impaired. There's no reason for him not to stay. We all could understand if he was impaired or fleeing a robbery and didn't stop, but this person doesn't have a reason."

Der agreed that Jones's method of getting to Toronto, where he was arrested on-board a plane, might seem strange, but noted he used his real name on all documents. "While the route is unusual, not something I'd travel by, it can't account for the mental state he was in: distraught."

He also said his client's testimony concerning his unawareness was corroborated by the medical experts.

The judge will give his verdict on April 11.

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