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Victim sues cop over crash injuries

Formerly 'spry' elderly man is homebound since collision with cruiser, attorney says.

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By **RUSS FLANAGAN**
The Express-Times

EASTON | Legal woes for a suspended Forks Township police officer continued to mount Thursday when he was sued for allegedly causing the New Year's Day crash that left a 90-year-old man with debilitating injuries.

The lawsuit, filed by attorney Gary Asteak, says officer Jeremy McClymont, 40, was reckless and negligent when he crashed his marked police cruiser into a 1995 Oldsmobile driven by James W. Stitt of Easton.

The suit seeks unspecified damages from McClymont and Forks Township. McClymont is also a part-time Northampton County deputy sheriff.

According to the lawsuit, Forks Township should have known McClymont was incapable of safe driving and "that McClymont was a negligent and careless driver." The suit also says the township should have known of "McClymont's reputation and propensity for unsafe vehicular operation."

The suit also says McClymont "should have known that his operation of the vehicle at an excessive rate of speed, twice the posted speed limit, on the roadway in question posed risk of serious bodily harm or death to others on the road."

When reached at his Palmer Township home Thursday, McClymont declined comment. Township Solicitor Karl H. Kline said he had not yet seen the lawsuit.

"All I can say is that it's under investigation and in the hands of the insurance company for the township," he said.

Asteak said that prior to the crash, Stitt, now 91, was spry and vibrant. But the crash left him with a broken clavicle, several broken ribs, a cracked sternum and a broken hip.

"He's now totally homebound. He's not driving. He's not doing anything he was doing before. He used to drive. He was mobile. He cared for himself," Asteak said. "He was in perfect health for a 90-year-old."

The crash occurred just after 8 p.m. when McClymont, speeding through an area of hilly terrain with limited sight distances, slammed into Stitt's car at the intersection of Paxinosa Avenue and Lafayette Street, police say. The impact sent McClymont's cruiser into a utility pole and Stitt's car into another vehicle.

An investigation by Easton police revealed McClymont was driving 56 mph in a 25 mph zone. McClymont was charged with driving a vehicle at an unsafe speed, careless driving and reckless driving. He pleaded not guilty to the charges April 11, but the case is still pending.

The lawsuit was just the latest legal setback for McClymont.

On Monday, he was charged by the Northampton County District Attorney's Office with two second-degree misdemeanor counts of tampering with or fabricating evidence. The district attorney's office alleges McClymont falsified a document relating to a drunken-driving arrest he made in May 2006.

If convicted on both counts, he faces a maximum of two to four years in prison and a \$10,000 fine.

McClymont remains suspended without pay from both the police force and sheriff's department, officials

said. McClymont joined the Forks Township police force as a part-time officer in 2000 and has been full time since 2002. He has been a part-time deputy sheriff since 1999, officials said.

Reporter Russ Flanagan can be reached at 610-258-7171 or by e-mail at rflanagan@express-times.com.

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