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The County Times

Thursday, August 4, 2011 | **16**

Report on ‘Yogi’ Death Raises More Questions

By Guy Leonard
 Staff Writer

It has been nearly seven months since 87-year-old Buhrman K. Baird – known as the Lawnmower Man because he pushed one along county highways for years – was struck and killed by an off-duty state trooper on Mervell Dean Road in Hollywood.

While the finished crash investigation report puts Baird at fault in the collision, reconstruction diagrams and analyses show the officer involved, Trooper Wesley Goldston, was driving over the posted speed limit, and driving on the white line demarking the shoulder of the road.

Also, Baird was not pushing his mower in the middle of the travel lane the night of Jan. 19, as was reported, but was near the white line of the shoulder, the report shows, when he was struck head on.

The County Times requested the finished crash investigation several months ago through the Freedom of Information Act due to questions the community raised in the aftermath of Baird's death. The County Times found that the report reveals some discrepancies and unanswered questions regarding the events of that night.

Some of these unanswered questions include a statement by Goldston, who wrote that the first thing he did after the crash was contact the motorist who was driving directly behind him before calling to report the crash. Goldston gave no description of that driver, their name or the nature of the conversation, the report revealed.

Goldston also reported that he believed his speed just before the crash to be 40 to 45 miles an hour, but the crash analysis determined that he was driving 52 miles an hour — 12 miles over the posted limit.

Other discrepancies noted in the report include a statement by the reconstruction expert that neither Baird nor Goldston attempted to take any evasive actions before the crash, despite witness statements, and even a state police press release to the contrary, which was sent out hours after the crash.

The investigation revealed that Goldston called the Leonardtown state police barrack directly from a cell phone, instead of dialing 911 to report the crash.

Also, when investigators attempted to get a recording of Goldston's call to the Leonardtown Barrack after the crash, they were told there was no recording because the system that records every phone call to the barrack was broken, the report stated.

Also investigators stated that Goldston had not made any calls from his cell phone according to records they subpoenaed, but Goldston said in his initial statement that he used a cell phone to make the call to the Leonardtown Barrack.

The crash report states Goldston was not under the influence of alcohol or drugs, but the report offers no details on how investigators came to this conclusion.

The report also notes that Goldston, who was assigned to the Automotive Safety Enforcement Division, was involved in to other traffic accidents. Both of those crashes are labled “not preventable”, but no further information is given.

Goldston's lawyer, James Nichols of Warnken LLC in Towson, said he advised his client not to speak with the media and that Goldston would answer questions in the future during an internal affairs inquest from the Maryland State Police.

One question posed to Goldston that went unanswered, was why he was unable to see Baird that night, when tests done to vehicles identical to the one he was driving – a white Jeep Grand Cherokee – showed the headlights should have given him at least 100 feet of visibility.

“In his recollection it [the collision] was unavoidable,” Nichols told The County Times. “He didn’t see the guy until the last minute.”

In his statement, Goldston said that he did not see Baird until the moment of impact, and that the conditions on the road were dark.

“Goldston felt the collision could have been avoided if the pedestrian was not in the roadway,” the crash investigator wrote in the report.

But two witnesses to the crash, Charles Eddleman of St. Leonard and Elizabeth Quade of Mechanicsville, both wrote statements saying that while conditions were dark there was still sufficient street lighting. This was supported in a later portion of the report that stated there was a full moon that night.

Both witnesses stated they were able to see Baird, or at least what they believed to be an object in the road, before the impact despite the darkness, one witness from 25 feet away and another from 150 feet.

Eddleman told The County Times in a phone interview this week that he stands by the change he made in his original statement to police: he initially reported he saw the vehicle swerve to avoid striking Baird, but later recanted saying that the driver did not have enough time.

Eddleman was in the parking lot of a church across the street from where the accident took place.

“I think what happened is the impact moved the truck,” Eddleman said in a phone interview. “The Trooper really had no place to go.”

But Eddleman stayed with his original statement that he saw Baird, attempt to move away from the oncoming car.

“He looked like he was at least making an attempt to turn [the lawnmower] away,” Eddleman said.

In her statement, Quade said she saw Goldston's vehicle hit the object in the road, which she later found out was Baird, and drag it beneath the vehicle.

The report stated that from the point of impact to the time the vehicle stopped it traveled 277 feet, almost 100 hundred yards, to just before the intersection of Beck Road.

Baird's body had fallen away from the vehicle and came to rest 225 feet past the point of impact, the report stated, and was run over by the car and lawn mower.

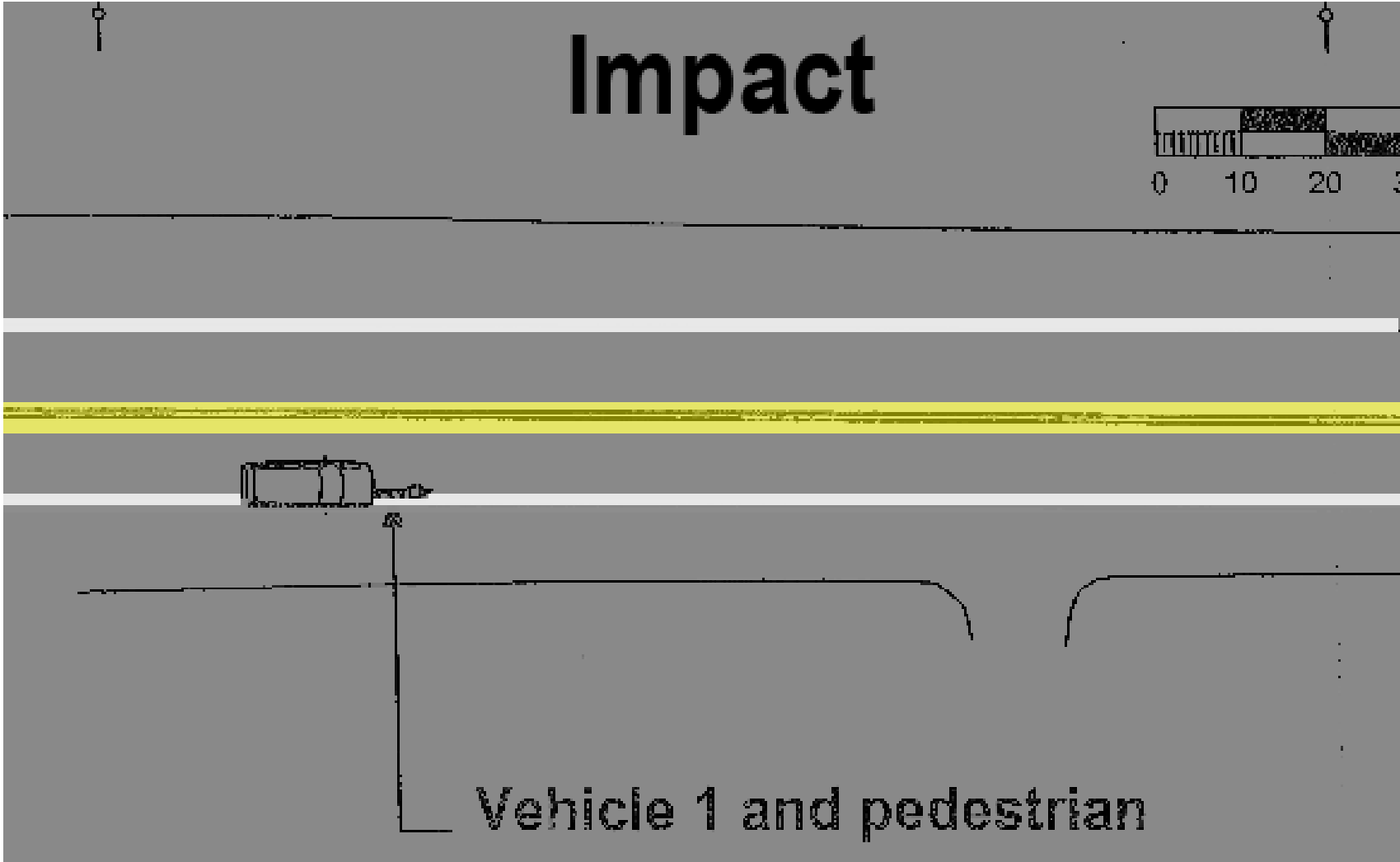
When The County Times contacted to the crash reconstruction expert who submitted the report to get answers to questions raised in the findings, he referred The County Times to State Police public relations officials, who in turn said that crash reconstruction expert is unavailable for comment.

State Police officials said the case will be reviewed by the St. Mary's County State's Attorney's Office, headed by Richard Fritz.

As of press time, Fritz did not return phone calls for comment.

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Buhrman K. Baird



This drawing from the crash reconstruction report which has been colorized by The County Times to show the striking vehicle and the pedestrian were both traveling on the white line marking the shoulder.

The County Times

Thursday, August 4, 2011 | **17**

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