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Trucker receives 4 years-- Driver in '06 crash that killed 5 people from Taylor could get out in a year

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PORTLAND, Ind. -- A Michigan truck driver was sentenced to four years in prison Tuesday for causing a 2006 highway crash that killed five people from Taylor University and sparked a weeks-long case of mistaken identity. Robert F. Spencer, 38, could have received up to 24 years in prison, according to his plea agreement. On May 29, he pleaded guilty to five counts of reckless homicide and four counts of criminal recklessness resulting in serious bodily injury in the April 26, 2006, crash.

Jay Circuit Judge Brian Hutchison sentenced Spencer to eight years but suspended four of them, which are to be served on probation. With time already served and time for good behavior, he will be eligible for release in about a year, a prosecutor said.

He must pay a \$5,000 fine within two years of his release and spend 500 hours doing community service. He also likely will lose his commercial driver's license permanently.

"Your driving days are done as a way of making a living," Hutchison said as he sentenced Spencer.

Sheriff's deputies escorted Spencer into a squad car and away from the courthouse in Portland in eastern Indiana, about 10 miles from the Ohio state line.

"I know I'll have to deal with this the rest of my life," Spencer said before being sentenced.

Spencer's semitrailer truck collided with the Taylor van on I-69 as students and staff were on their way back to the Upland campus from Fort Wayne. Taylor is an evangelical Christian school of 1,850 students.

Authorities say Spencer, Canton Township, Mich., near Detroit, had **driven at least nine hours more than allowed under federal rules before he fell asleep behind the wheel, causing the crash on the highway about midway between Indianapolis and Fort Wayne.**

The case drew additional national attention after one of the students who was killed in the crash was misidentified by the county coroner as one of five others who were injured. The identity mix-up wasn't discovered until five weeks later, when the family of Laura VanRyn, 22, Caledonia, Mich., realized that the woman they thought was their daughter actually was then-19-year-old Whitney Cerak, Gaylord, Mich., another Taylor student who has since recovered and returned to classes. Also killed in the crash were students Laurel E. Erb, 20, St. Charles, Ill.; Bradley J. Larson, 22, Elm Grove, Wis.; and Elizabeth A. Smith, 22, Mount Zion, Ill.; and university employee Monica Felver, 53, Hartford City. The crash occurred in Grant County, but Spencer's court hearings were moved about 40 miles to Jay County because of pretrial publicity.

Grant County Prosecutor James Luttrull Jr. argued for the full 24 years possible under the plea agreement. He said Spencer knew he was risking harm to multiple people and that his expression of remorse was insufficient for a lighter sentence.

"I don't think Mr. Spencer gets it," Luttrull said. "He was flirting with disaster that day." The judge said he believed Spencer's expression of remorse was truthful. A secretary at the office of Spencer's defense attorney, Max Ludy, said Ludy would not comment on the sentence.

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