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Kristian A. Kemp will be sentenced on Feb. 7.

By ERIC WALTER / ewalter@mpnewspapers.com

The trial may be over, but father Paul Kato can't help feeling empty inside.

"It's a very hollow feeling, very incomplete," the Alverstone Road resident said. "Certainly it doesn't feel like any stretch of the imagination."

He was referring to the plea deal reached between Kristian A. Kemp, 40, of 1460 Brighton-Henrietta Townli and prosecutors last Tuesday. Kemp plead guilty to second-degree manslaughter and second-degree vehic assault, both felonies, and a misdemeanor charge of driving while intoxicated in the July 21 crash that killed **Kato** and injured Shawn Elliot, both 17.

As part of the deal, he agreed to serve 5 to 15 years in prison. He will be sentenced on Feb. 7 and will not b appeal.

Kemp originally faced an indictment for second-degree murder for "a depraved indifference to human life," b prosecutors decided to let him plead in order to ensure a conviction, said Assistant District Attorney Sandra who handled the case.

"We decided it would be an appropriate sentence and it spares the (Kato) family the trauma of going through she added. Kemp had two prior convictions in the 1980s for drinking and driving.

Paul Kato said he and his family gave their consent before the deal was offered, and that it was probably th resolution that could have been expected.

Getting a jury to convict drunk drivers of murder is usually difficult, he said.

"If someone used a knife or a gun it would have been murder," he said. "Because they used a car, why doe reduce the sentence do dramatically?"

Richard Dever, Kemp's attorney, said his client took the deal as the best thing for all concerned.

"He's asked me to express to the Kato and Elliot families how sorry he is about what happened that day," D

According to accident and arrest documents included with the original murder indictment, Kato and Elliot were traveling west on Lehigh Station Road on July 21 when they were broadsided by Kemp's Toyota sports car intersection of Beckwith Road.

Deputies said Kemp displayed slurred, sometimes incomprehensible speech and smelled strongly of alcohol.

According to the indictment, Kemp was driving at an "excessive rate of speed " at the time of the accident and a pre-screen blood alcohol content of at least .14 percent, about twice the legal limit.

Kato died from a broken neck, a collapsed lung and other injuries, according to a sheriff's accident report.

Kemp and Elliot suffered non-life threatening injuries in the crash and Kemp suffered two broken legs.



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