

# Impact Statement.

6

July 29, 2003

Your Honor:

When my son, Kevin was 3 years old, I was divorced from his father and have raised him as a single parent with no real assistance from his father. Kevin was a great soft-spoken kid with a beautiful smile and the ability to light up a room with his laughter. Although he was quiet, Kevin was extremely bright, sensitive, and loving. He was very thoughtful and loved all living things from puppies to snakes to cats.

I had been teaching Kevin to be thoughtful of consequences and always instilled in him "That if you do right things, you get right results". I also taught him that when you do the wrong things, you need to be willing to pay the consequences for those actions.

My Mom passed away when Kevin was 10 and my father when he was 11. He was devastated at these losses as his father was not significant in his life. At that time, he tried even harder to do the right thing to make his "Gramma in heaven very proud".

He was bright, and witty, with a great sense of humor. He loved to make people laugh, but at times struggled to fit in he did not drink or do drugs, nor was he an athlete. He was a beautiful, thoughtful adolescent who was struggling to find his place in a world that seemed less than fair to him.

Since it was only Kevin and I, we had a number of traditions that we did every year. We went to Hampton Beach for the 4<sup>th</sup> of July, we went to Red Sox, Falcons, and Bruins games on a regular basis. Every year, we would volunteer at the open pantry on Thanksgiving and then spend the rest of the day going to cut down the biggest and most beautiful Christmas tree that we could find. Every year we would also go to NY City to skate in Rockefeller Center and visit FAO Schwarz. We would end the day by seeing the Christmas Show at Radio City Music Hall. Kevin was an avid Dolphins fan as well as a huge fan of music, we would take a friend or two every year and go to the Patriots and Dolphins game.... which he particularly enjoyed as I am a Patriots Fan....he loved taking shots at the Patriots. We also enjoyed concerts and swimming in our pool and spending time playing tug of war with Kevin's dog, Emily. Kevin was my entire family as well as all of my hopes and dreams. I worked very hard to ensure that Kevin enjoyed life as he was certainly the light of my life. Right before Christmas, a friend asked me how come I was happy all the time, and I said "I had no reason not to". I also told him that I was finally figuring out this parenting thing, and although I was not in a rush, I would certainly make a great grandmother.

On January 13<sup>th</sup>, I arrived home from work at 6:00 as I always did. Kevin had called me at work and told me that he was working from 3:00-6:00 and that he had already done his homework. I then asked him if he wanted to watch the end of a movie that we had started the night before, and he said yes. He also added that I should not make dinner since

would probably fill up on doughnuts (he worked at Dunkin Donuts and you know how 16 year olds can be). I said "ok Buddy, I will see you later" He replied, "ok, love you Mom, and I said "love you too Buddy." At that time, it never occurred to me that I would never see him, hug him, talk to him, badger him (as we do with teenagers), laugh with him or kiss him goodnight ever again. I would never see him graduate high school or go to college. He was in the top 5% of his class academically and we were starting to plan his college. I would never see him get married nor would I ever become that wonderful "Grandmother". All of my hopes and dreams and everything I had worked so hard for involved a future with my family.... this family was Kevin and my dog Emily.

When Kevin was not home at 6:30, I went to look for him.... he was very responsible and considerate and always call to let me know if he was not coming right home. I thought he might possibly have a flat tire and I went to look for him...I soon realized that not only did he not have a flat tire, but that there were parts of his body hanging off of the wheel well of a car. His glasses he was wearing were flattened, and the chain he was wearing was shredded.... This ring on his hand was even flattened. There was not one part of his body that was left intact for me to touch or hug or kiss good-bye. His life was taken because Mr. Martinez chose to drive despite the fact that his license had been suspended, his registration revoked and his insurance cancelled. His blatant disregard for the law caused my son his life. I must also add that in his statement, he saw my son and attempted to pass him with another vehicle coming in the other direction. My son swerved about 30 inches; Mr. Martinez hit him with the front of his car, and did not even immediately stop. A second car with a low undercarriage saw the bike and since Mr. Martinez did not stop, he went to go around the bike as well.... not realizing that my son's body lay in the road. Mr. Martinez hit him so hard that he knocked him out of his sneakers.

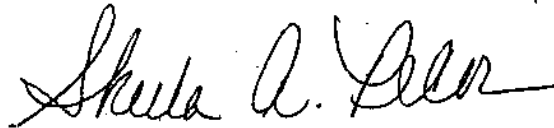
It is so ironic that Kevin had taken all of his driving lessons, and was eligible to have his driver's license. He was saving for a car, and certainly would have registered it and insured it. I told him that I would get him a car if he wanted to, and he said that he would rather wait until spring when there was no ice or snow on the roads. He was not confident of his driving ability and did not want to hurt anyone. He decided to wait until spring when it was safer. Had Mr. Martinez exercised the same respect for the law and safety of others, I would have my family today. He stripped me of my entire family and future. As a parent, we find we live for our children. Since it was just Kevin and I for so long, my relationship with him was even closer than most. Mr. Martinez took Kevin's life and future as well as mine. Kevin's dog Emily still sniffs outside his room looking for her boy. The 16-year-old friends of Kevin's that were pall bearers at his funeral still struggle with the sudden and tragic loss. For them, it still seems almost unreal.... for me, it seems all too real every minute of every day.

I recently contacted the second driver who ran over Kevin since he was not at fault. He was in the wrong place at the wrong time. He has suffered consequences of Mr. Martinez behavior as well. He is in counseling, and was out of work for several weeks. He often stutters and shakes when he speaks and has recurring nightmares much like my own. He is 32 years old, and his life will never be the same either. I gave him a picture of Kevin

to remember the wonderful, funny, witty person that Kevin was and not the fragments of flesh and blood left on the road as a result of Mr. Martinez.

Although I understand one years jail time is the maximum consequences that he can receive; I do not feel as though that is sufficient consequences for the impact that his behavior has had on so many people. I must also add that at 20 years old, with no consequences for his behavior and the lack of remorse I witnessed in his previous courtroom demeanor, I must request that he be sentenced to the maximum extent of the law. He did not show for his 1<sup>st</sup> pre trial hearing and at the second one, smirked and laughed on at least two occasions. His disrespect for the system, the law, and ultimately for life as well was evident. I cannot imagine being in court for charges that resulted in such a devastating loss and find any thing entertaining or amusing. This person needs to be made aware of the continued impact of his behavior on so many lives. It is my hope that he will learn before he damages or destroys any other lives and another parent has to experience the nightmare that my life has become.

Thank you for your time and I hope that you will consider punishing this young man to the maximum extent of the law.

A handwritten signature in black ink, reading "Sheila A. Pecor". The signature is written in a cursive style with a long, sweeping underline.

Sheila Pecor  
Mother of Kevin Pecor