

Sheila A. Pecor  
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West Springfield, MA. 01089  
(413) 747-5785

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Capt. Campurciani  
West Springfield Police Department  
26 Central Street  
West Springfield, MA. 01089

Hand Delivered

July 23, 2003

Re: Kevin Pecor-Lengthier Investigation Case #03-585

Dear Capt. Campurciani,

On July 6, 2003, I wrote to you with some Right of Way Laws and Definitions, as I believed that they pertained to my son Kevin's death on January 13th. Although I am not certain if you received it, on July 17th, I faxed a copy of the definition of "Pedestrian" from "Motor Vehicle Laws: The Rules and Regs: Highway" 720 CMR §9.01 (page 610) to Mayor Gibson. It states as follows:

**"Pedestrian. Any person afoot or riding on a conveyance moved by human power, except bicycles or tricycles."**

It is my belief that Officer Duffy's original findings may have been based on an outdated definition of pedestrian that included bicycles. This has recently been changed in the laws and from what I understand, is still very ambiguous.

As I have previously stated, the road was narrowed dramatically from the snow. My son, Kevin, was entitled to use that roadway. Mr. Martinez attempted to pass him when it was not safe to do so. As a result, he hit my son. This resulted in his death. According to the law, he should have waited until Ms. Wood's vehicle had completely passed and there was ample room for him to pass Kevin safely.

Mr. Martinez saw Kevin and attempted to pass him. Kevin was 2 feet into the lane of traffic, and therefore, had the Right of Way. Mr. Martinez failed to yield the Right of Way to him, resulting in Kevin's death. Please refer to my letter dated July 6, 2003 for these laws.

I have also learned from Mr. Vassallo's sister that Mr. Martinez did not initially attempt to stop after hitting Kevin. He continued down the road. For that reason, Mr. Vassallo claims to have had no indication that there was any thing other than a bike on the side of the road. I must also note that Mr. Vassallo believes that the first driver hit Kevin so hard that he knocked him out of his sneakers. I am not certain that this would happen at 20 or 25 miles per hour. Mr. Martinez was travelling faster than Mr. Vassallo was. If you have

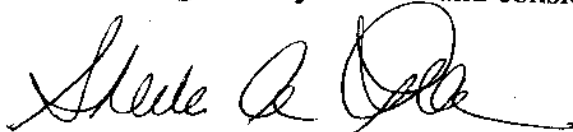
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spoken to Mr. Vassallo during this lengthier investigation, I am certain he has verified this for you.

As I have previously stated, it is my hope that the information I am sharing with you will help you prove the negligence on behalf of Mr. Martinez, and prevent him from hurting anyone else. If however, your investigation still determines that there was not any negligence on behalf of Mr. Martinez, I would like you to send me a written copy of the Right of Way Laws that you applied to this situation. I would also like any other Laws you used in your determination and a detailed explanation of what your investigation involved as well as the facts that you based your decision on. This will help me come to some understanding and possibly gain some closure around the untimely death of my son.

As you are probably aware, the hearing for the citation that Mr. Martinez was mailed is scheduled to be heard on July 29, 2003. I am hoping that he is sentenced in a manner that is consistent with the consequences of his actions as well as his previous courtroom demeanor.

Thank you again for your time and consideration,



Sheila A. Pecor

cc: Mayor Gibson  
Chief Burke  
District Attorney Bennett  
A/District Atty. Safford  
Kathy O'Connor  
Atty. William Fallon  
Atty. Terrance Dunphy  
Representative Buoniconti  
Senator Melconian

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Hand Delivered

Mayor Ed Gibson  
City Of West Springfield  
26 Central Street  
West Springfield, MA. 01089

July 31, 2003

Re: Kevin Pecor-Lengthier Investigation Case #03-585

Dear Mayor Gibson,

On July 6, 2003, I wrote to Captain Campurciani with some Right of Way Laws and Definitions, as I believed that they pertained to my son Kevin's death on January 13th. On July 23, 2003, I delivered a follow up letter with further information that I believed applied.

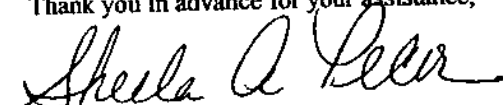
As I have previously stated, it is my hope that the information I have shared with you will help you prove the negligence on behalf of Mr. Martinez. As you are probably aware, the Hearing for the traffic violations that was mailed to Mr. Martinez was heard in front of Judge Beattie on July 29, 2003. Although A/DA Rogers passionately attempted to get ensure just consequences; Judge Beattie gave Mr. Martinez a suspended sentence. This young man is driving legally today having had no significant consequences for the wrongful death of my son, Kevin. This decision was based largely on the finding from the initial investigation in which Officer Duffy determined that there was no negligence on his behalf. The information I offered you indicates to me that there was negligence.

I still have not received a response to either of my letters or a return phone call from the West Springfield Police Department. My lack of understanding and feeling of injustice as well as a perception of ambivalence from the Police Department is not allowing me even begin to come to any closure surrounding Kevin's sudden and tragic death.

I have received a number of phone calls since the article that was published in the Republican on July 30, 2003. There is a lot of community agreement as to the injustice.

At this time, I must request of you, as Mayor of West Springfield, a written response as to the findings of the investigation as well as what laws and evidence were applied in coming to that conclusion. I would also like a response from you regarding the lack of feedback and sensitivity that I have received from the Police Department. It is my hope that no other parent needs to experience a similar situation in the future. It is a reasonable expectation that the Police Department would want to assist me in ensuring justice is served or at least allowing me to understand the limitations within the laws that do not allow them to proceed with charges.

Thank you in advance for your assistance,

  
Sheila A. Pecor

cc: Mayor Gibson  
Chief Burke  
District Attorney Bennett  
A/District Atty. Safford  
Kathy O'Connor  
Atty. William Fallon  
Atty. Terrance Dunphy  
Representative Buoniconti  
Senator Melconian  
Jack Farrell