

## Testimony of Albert Vannucchi before the House Transportation Committee on April 20, 2009

Good day. I would like to thank you for allowing me to speak to this committee today. On May 29, 2007, my life and the lives of my family were changed forever. Our son, Erik Mark Vannucchi, was killed by a hit and run driver.

On that morning, at approximately 1 a.m., we received a phone call from Erik's girlfriend telling us that he had been hit by a car. It was a phone call that all parents dread. We did not know at that time how serious it was. We woke our daughter to tell her we were going to the hospital and to let her younger brother remain sleeping. We then proceeded to the hospital. My wife and I arrived there before the ambulance and we waited in the waiting room for the arrival of our son. In what seemed like an eternity, with no one telling us anything, a side door opened with several people standing there and the ER doctor asked, "Are you Erik's parents? My wife immediately knew that Erik was dead. For some unknown reason there was a delay in my head until I realized why she was asking. There were screams and many no-no-no's- by both my wife and myself.

The people who were there took us into the ER room and opened the curtain were our son, Erik, was lying. We walked in and gently held him, kissed him and held his hand. He was still warm!

We spent several hours with him. He was given his last rites by our parish priest. We spoke with the ER doctor and asked some questions. We also spoke with a representative of the coroner's office and were given his clothes. The coroner's representative said that they had to take our son and perform an autopsy because of the manner of death.

It was at this point, when we were told that the person who had hit Erik and killed him never stopped. Not even a brake light was seen or stopped to see what they had hit.

At some point in the early hours, my wife and I said goodbye to Erik and started the slow journey to our home. Not knowing how to tell his younger sister and brother or how we were going to tell his older brother, who lives out of town and all by himself. As my wife and I drove home, I kept thinking to myself, how could anyone have done this terrible act and not stopped to see if Erik needed some help. We would soon find out why.

As my wife and I walked from our car to the front door, it was the longest walk I had ever taken and it was only the distance of a couple of feet. We were in pain. We were lost. But most of all we did not have any idea as to how we were going to break the news to his sister and brothers.

When we went into the house, our daughter was still awake and walked down the hallway. I don't remember what we said exactly, but she screamed and cried. When we woke our youngest son and told him, he told us that he was going back to bed because this was only a bad dream and everything would be okay when he woke up. This was to be the absolute worst day of our lives. When our oldest son was called he cried, asked why and said that he would be home in a few hours.

Erik's friends started to come to our home, Erik's home. By 6 a.m. that same day, it was a steady stream of both people and endless tears and hugs. We never knew how many lives Erik had touched in his 19 short years. It was both the best and the worst day of our lives.

In the days to follow we were left to deal with our local funeral director. Picking out burial plots, writing his obituary and choosing his coffin are things no parents should ever have to do. My mother always said that the worst thing that could happen to any family was for parents to outlive their children. We were now living her haunting words.

The news of Erik's accident was on the local midday news reports. A description of the vehicle that hit and killed Erik was given at these newscasts. It was also given on local radio shows. At this point, the person who had hit Erik still had not been caught, but more importantly, they had not turned

themselves into the police.

The girl who killed Erik was arrested later that same day, not because she turned herself in, but as we later found out from the Luzerne County DA, a concerned citizen who had watched the news, had seen the vehicle and notified the police. The coward that hit our son was found hiding in the corner of a room.

The pain of not knowing who killed our son was unbearable! She knew that she had hit our son, but was only concerned about herself. She had told the police in an interview that the reason she ran was because she was scared. Did she ever think that our son was scared also when he saw her driving at him? She also told police that she had no intention of turning herself in, but with her boyfriend's help, she was trying to find a way to flee.

In dealing with the day to day pain of losing our son, we had to deal with the fact that the person who killed him didn't think enough of him or us to at least stop and help! As we would find out in the upcoming days, because of the laws in the commonwealth, it was to her advantage to flee the scene of the accident because she had been drinking. She even admitted that she had too much to drink. Because of the time between the accident and her arrest, nothing could be done as far as a blood alcohol test. She broke so many laws in so many ways that because of a law that was in affect, it was to her advantage to not stop. What a shame!

Let me change gears for a moment and tell you about the great young man that this coward killed that morning in May, 2007.

Erik Mark Vannucchi was a bright, intelligent, well mannered young man. He had everything going for him. He had graduated from Coughlin High School in Wilkes-Barre in June of 2005. He was a four year honor student who was inducted into the National Honor Society in May, 2005. He was then accepted at Penn State Wilkes-Barre where he learned to budget his time, work and spend time at home. Erik was on the Dean's List at PSU. He had attained his black belt in karate at Huntzinger's Karate in Wilkes-Barre. He was also training as a mixed martial artist while holding down a job and going to school. Erik was bi-lingual, being fluent in both English and Spanish and was in the process of teaching himself Arabic. His goal was to work for either the FBI or the CIA. He also needed a law degree to make him more appealing to these government agencies. He wanted it all and I do believe that any parent here today would have been proud to call him "SON".

Erik was so concerned about his fellow man. After the incident at the VA Tech school, he authored a program that would have provided self-defense tactics for both students and teachers. He was to provide the training during the summer of 2007. He was not to live that long. He was going to do all this at the tender age of 19. Erik was in the process of working with the campus security and the Dean of Students.

Our son's wake was held on May 31, 2007. We were to have calling hours from 5 until 8 p.m. that warm May night. Our family arrived at the funeral home at about 4p.m. for some private time with our family and Erik. At 4:30 the funeral director suggested that we should start seeing people early as people were already in line to greet us and pay their respects. We were to ultimately receive people from 4:30p.m. until 11:00p.m. The average wait, we were later told, was 2 1/2 hours in line. A tribute to our son that was overwhelming. As we were walking to our car at 11:00 that night, the funeral director said we were not done yet because people were still in the parking lot waiting to see us. They could not wait the 2 1/2 hours in line.

Erik was buried June 1, 2007. The crowd was overwhelming. It was standing room only in our church. A final tribute.

I tell you all these things today to give you a sense of the pain and what we have had to endure during this terrible ordeal. Also what a great child was lost.

During the late summer and early fall of 2007, we attended preliminary hearing, plea hearings and many other meetings with our local DA concerning the criminal case. Through this entire time, the person that killed our son was free on bail while our son was in a grave. Again everything was in her favor.

While talking to the prosecutor and DA, we were told the different scenario that could take place at her sentencing. The judge could only give her the sentence that the law would allow. This hurt as much as anything, knowing full well that she drank too much and yet got into her vehicle and ran down our son. Yet by running away and leaving our son to die, she was given more opportunities to have a lesser sentence given to her.

On February 19, 2008, she pleaded guilty to hitting and killing our son. She was sentenced based upon a vehicular homicide charge and another charge based upon the fact that she also hit another person. We were told by the other person who was hit that it was our son's actions that saved his life. Erik's final act was to help save another man's life. As I said before, Erik was always concerned about his fellow man.

Since she was given this sentence, she has tried twice to have it reduced. In September of 2008, she tried to get into a boot camp program. It would have reduced her sentence upon completion of the boot camp. It was denied! Now again in March of 2009, she is trying to get a pre-release and an educational/work release program. The inmate would also have an opportunity to go to a Community Corrections Center. In both cases the inmate would be allowed to work and be in the community. Our son will never be in our community again. I firmly believe that these inmates are being rewarded for bad behavior. They ran and therefore received a lesser sentence because of a loophole in a law that has no teeth.

As the days and weeks go by, we know our lives and the lives of Erik's sister and brothers will never be the same. We will never celebrate another holiday the same way. There will always be an empty seat at any special meal we have. He will never marry. He will never have children. He will never ever, ever have what his killer will have. She will enjoy all these things and more. I just hope that everyone in this room understands the pain our family is in because of his death.

I have always felt that doing the right thing says a lot about a person. Let me tell everyone a final thing about our son's killer, Sarah Ann Marquis and all these cowards that hit and run; in a recent deposition under oath, when asked what she did after she hit and killed our son, she said she went home. She told no one and went to sleep from 1:30 a.m. until 9:30 a.m. She went to sleep. Now let me repeat a previous comment I had made, "DOING THE RIGHT THING SAYS A LOT ABOUT A PERSON."

I recognize that there were other casual factor's in Erik's death. For example, the police offered no meaningful assistance and negligently left the scene, and the towing company handled the matter improperly as well. But, Sarah Marquis had a role in this tragedy.

I hope that everyone has now felt the pain and anger. If you didn't then this was all for naught. Also take a minute and just think if it was your child who was hit and left to die, maybe you would understand.

In closing, again I say, thank you for allowing me this time to talk. I may not know much about politics or how laws are put into effect, but I am an expert at knowing pain and grief.

As elected officials I'm sure all of you at one time or another made promises while running for elections in your districts. I am asking you today to make a promise to all the families like ours and throughout this commonwealth who have lost loved ones at the hands of hit and run drivers to pass the strongest law possible and punish these cowards for their devastating actions.

I ask one final question ladies and gentlemen, WHAT IF IT WAS YOUR CHILD?