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## **Editorial: Tragedy can lead to action**

It's a travesty that Tracey Kleinpell's death essentially goes unpunished.

Theresa L. Shirley, 46, of Bokeelia killed her when the truck Shirley was driving drifted out of the lane on the Sanibel Causeway.

Shirley struck Kleinpell as she was cycling with her husband on May 7, 2011.

It took more than a year for the State Attorney's Office to determine that Shirley shouldn't face criminal charges. Instead, she'll be cited by the Florida Highway Patrol for failing to stay in a single lane.

That outcome and that delay are outrageous and cruel, and it has caused tremendous heartache for Kleinpell's family and led friends and activists to wonder whether that further endangers pedestrians and cyclists who do follow the rules of the road.

However, the law wasn't on Kleinpell's side.

And that's a terrible reality to take.

Shirley wasn't drunk, according to the evidence. It's clear she didn't intend to kill Kleinpell, but Shirley said she fell asleep at the wheel and official accounts say she appeared groggy. It might have been the prescription drugs found in her system, which she was taking to relieve pain and relax her muscles.

And that's an indication that she should never have been behind the wheel in that condition.

Too many distractions — fatigue, texting, cellphones, keeping your eyes off the road — are causing accidents and hurting and killing people, like Kleinpell.

The federal government has aggressively pushed a campaign to end distracted driving, and sheriffs in Lee and Collier counties are urging citizens to keep focused on the road.

However, efforts have not been so favorable at the state level.

Laws to ban texting while driving have died in the Legislature over the years.

New laws may not be the answer and often have unintended consequences, but too many people are using poor judgment as they get behind the wheel.

A new law won't bring Tracey Kleinpell back, but wouldn't it be fitting to have a Tracey Kleinpell Act to help avert another tragedy like the one that killed her.

We urge our legislators to consider that.

For now, citizens can all honor her memory today by making the decision that when they get behind the wheel they are not going to be distracted from driving.

Then do it again tomorrow, and the next day, and the next day, and on and on.

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