

# ***Bruce on Bikers' Rights***

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November 2009

## **A MOTORCYCLE RIGHT-OF-WAY VIOLATION WIDOW AND SURVIVOR ADDRESSES THE KILLER OF HER HUSBAND**

*An open letter from Amy Pickholtz to Brenda Melancon*



Brenda Garon Melancon, Former Mayor  
44337 Melancon Street, P.O. Box 7  
Sorrento, LA 70778 . 225-675-8\*7\*

I hope on this day, 14 October 2009, that you will spend some time reading my letter, and that the message I am conveying will make a difference, because on this day I will spend some time at the cemetery mourning my husband Jim, and spend some time honoring him by reflecting on all the reasons that I fell in love with him.

*"It's not the life that you live, it's the courage that you bring to it."--Yogi Bhajan*

This is the quote I adopted in 2004 when I started to teach yoga. I really never understood why I adopted this particular quote as my own credo, and even put it on my yoga business cards. Now, I truly understand why.

It's been 2 years since your grossly negligent behavior as the driver of the car who violated our right-of-way, and as the Mayor, who although with prior knowledge did nothing about the existing problems at the intersection. We know the result of your negligence. The death of my husband Jim, the permanent disabling injuries to me, and the devastation to our entire family. I will remind you of your immediate response after the crash when asked if you had been in touch with the Pickholtz family, was "No. I don't wanna know. This is all so devastating to me. The accident was just horrible."

Horrible, yes, but this was not an accident, Ms. Melancon. This was an incident, caused by you, but not solely about you.

You reiterated how devastating all this was to you when you took it upon yourself to call The Advocate newspaper in Baton Rouge to use them as your own personal platform in response to the Sorrento Town Council meeting reporter including in her article my showing up at your public town hall meeting on Tuesday June 16, 2009. The headline on Friday June 19 read, "*Mayor: Crash 'devastated' her*":

<http://tinyurl.com/yk6e98a>

You literally slid out of the back door of your own town hall meeting (without having opened up the floor to any further business), when faced by me and the other 16 motorcycle riders, family and friends who sat or stood quietly without disrupting any of the business of your town council meeting. The Advocate reporter was irresponsible to even write an article for you and furthermore to intertwine my previous quotes into your dictated agenda.

My message to you of "It can never be over" written on a poster board was in response to you saying "It was a terrible accident, and I'm very sorry. I'm glad that it's over..." after the Grand Jury hearing concluded they would not indict you on Criminal Negligent Homicide, Criminal Negligent Injury and Failure to Yield from a Private Driveway. The Grand Jury's failure to indict does not mean you were

found innocent. It means that the law in Louisiana does not support Justice. You should have been found guilty by proximate cause for killing my husband Jim, and for seriously injuring me, and you should have been charged with the ROW Violations ACT 195.

How can you think this will ever be over?

You need to know that I still need to go weekly to grief therapy, still need physical therapy, have to rely on pain medication daily, still live with PTSD, survivor's guilt, chronic pain, disabling injuries and depression. I am still paying exorbitant medical bills, and health insurance premiums as a result of you crashing into us. I have had continued tests, treatments, surgeries and therapies. I am scheduled for my fifth surgery. I must maintain myself physically in order to function at a reasonable level to care for children and maintain my household. The simplest tasks have become physically challenging and my everyday functioning is completely at the mercy of my pain levels throughout the day.

I am still unable to provide an income for my household. You took away took away my financial stability, and my physical ability to do the work I used to do. Yes, the insurance companies paid. It is a pittance after all the medical and legal expenses, and with the ongoing medical expenses and no income, how long do you think it will last?

And what are your financial ramifications?

You had the audacity to question if I think you felt nothing, for learning a "person was killed", as you put it, while propped up on your platform in the Advocate newspaper. This is not about what I think you feel, Ms. Melancon. This is about how you have taken no responsibility, morally or ethically as a human being, or any action to make any positive impact as a political figure. A person was killed, Ms. Melancon. His name was Jim Pickholtz and he was a son, a father, a husband, a friend and the absolute, unequivocal love of my life, with whom I was supposed to grow old.

Since you took it unto yourself to refer to your letter of May 22, 2008, in the newspaper, I am taking it unto myself to refer to your letter, also, in which you expressed "sympathy and condolences for the loss of my husband." I need to remind you that I did not "lose" my husband and your wording was entirely insensitive to the fact that you killed him. Your timing couldn't have been any worse, either. It was very damaging for me to have received your letter on Saturday of Memorial Day weekend, and even more damaging to read what I consider an empty jumble of contrived clichés and self justification defending your previously perfect driving record.

Nowhere in your letter or to the media did you ever ask, "Is there something I can do to help?", or ask how I am, or how the children are. Nowhere did you reach out a hand or reach beyond your own self, or into your political position as a public official to DO anything to help me, my family or the community.

Why?

Courage. Well... it takes courage to do so. I think you've buried your head in the sand as a coward.

I am writing proposed legislation and will be on the floor with two Bills next June, even though I have never been politically minded before. I am talking with the new administration in Sorrento in order to make the necessary changes to the entrances and exits of the property at the Ascension Civic Center. I have volunteered as the Director of the Baton Rouge Chapter of MAC [Motorcycle Awareness Campaign], and have applied for MAC to be present at the largest festivals in the area that are non-motorcycle events so that our message and mission goes out to the motoring public. I am speaking on behalf of MAC and independently on television shows, radio shows and at events held by Motorcyclists' Rights Organizations that invite me. I am actively involved in my community and do whatever I can to help by guiding and talking with other crash victims, and comforting other widows

of motorcycle riders killed by motorists like you. I am trying to make a difference, so that no one else has to go through what I am living.

All of this takes courage.

In two years I have come from being totally incapacitated, months spent in a wheelchair, and having to re-learn the simplest of physical functions that we all take for granted--like walking, from begging God to take me to Jim, to waking up daily in grief and depression and loneliness, in anger and pain, to enduring the emotional and physical rollercoaster of loss--of Jim, of health, of my blended family, of my entire life as it was, what I describe as "blissfully happy."

It takes courage to stand up for my rights and advocate for motorcycle awareness. It took courage to sit before you in your meeting. It takes courage to write you this letter, which I can only represent as my truth. It takes courage to accept that I am a victim, but that I will not be victimized. It takes courage each day to live without Jim, yet honor Jim all the ways that I choose.

So I ask, who are you speaking with about being a driver who killed a motorcyclist? How are you educating motorists to look for motorcycles? How are you spreading the message to other motorists, so that they don't kill a motorcyclist, too?

You had over a year in office to correct the problems that exist at that intersection, and you have the rest of your life now as a civilian to do something, and yet to this date, you still have done nothing. I maintain that no matter what the Attorney General says about the crash site, the tree line, the guardrails, or the stop sign placement at that intersection didn't kill Jim: You did. You were behind the wheel of the car, and you violated our right-of-way. You are the proximate cause of this incident. You also knew about the obstructions and yet, you didn't take the care to insure that the right-of-way was clear.

The law in Louisiana is not yet in place, but it will be after next session, that would have convicted you, which is Ordinary Negligent Homicide. I maintain there is no justice, there is just law. If there was justice, you'd be off the road, without a license to drive. You'd be at the very least doing community service and advocacy work for motorcycle awareness, and you would have been found guilty on all counts of negligent homicide, negligent injury and failure to yield, and you would have been charged under the current ROW Violations Act 195 and convicted of that, too. Louisiana should be ashamed as a State to not have the proper law in place to convict those responsible for negligent homicide. And you should be ashamed, Brenda Melancon, that you're doing nothing to make amends for killing my husband Jim, permanently injuring me, and devastating an entire family, not for months, but for the rest of our lives.

Perhaps you shouldn't have listened to your lawyers, and been in touch with us personally from the beginning of this tragic incident. Perhaps you should have considered the timing of your letter, the affect of the content and your comments to the media with greater stringency. Perhaps, you should look at the forgiveness that you hope I will be able to offer you with some more reflection and merit.

I invite you muster up the courage to take your head out of the sand and do something.

In memory of my husband Jim I remain,

Amy Pickholtz . brmac@eatel.net  
FTY-ROWV Widow/Survivor/Bikers' Rights Activist  
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#### FOOTNOTE FROM BRUCE ARNOLD

It's a shame that Transportation Secretary **Ray LaHood** apparently never reads the many FTY-ROWV messages like this that are regularly sent to him. Perhaps if he did, motorcyclists would not have been slighted at the USDOT's **Distracted Driving Summit** a few weeks ago:

<http://tinyurl.com/yjerwmb>

Perhaps if he did, he'd acknowledge that every year right-of-way violations by distracted, inattentive and negligent cagers contribute to the loss and suffering of over 100,000 families like Amy's who are impacted by motorcycle accident injuries and fatalities. Perhaps if he did, he'd address more of the distracted driving problem than teens texting. And perhaps, the (preordained?) outcomes of his staged summit would've included more than plugging the new website of **Cooper Munroe** and **Emily McKhann**, two "moms" (who just happen to be long-time political activists) that Lahood claims he "first met ... at our Distracted Driving Summit where they were blogging about the conference to their community."

<http://tinyurl.com/yhl48qn>

I cannot find any reference to either of LaHood's designated distracted driving divas ever having any involvement with the cause prior to the Summit. So I can only wonder how they happened to be in attendance, and what good fortune it was for all involved that "fate" brought them together with the Secretary. And isn't it just amazing that these two "concerned mothers", traffic safety neophytes such as they were, managed to bring "their" new distracted driving website online less than 24 hours after the Summit concluded:

<http://www.momsmg.com/>

Oh well... Most of you still believe that **Pearl Harbor** was a surprise attack ... that **JFK** was killed by a lone gunman ... and that on **9/11** a small band of Muslims with bad flying records and box cutters outwitted the world's most sophisticated and powerful air defense systems to hijack four airliners, using two to topple three WTC towers, flying one low enough to punch a hole in the first floor of the Pentagon without damaging the lawn, and crashing one into a field in Pennsylvania without leaving any significant debris. So I doubt Le DOT will have any trouble pulling LaHood over your eyes. Besides, very soon we'll all have bigger fish to fry:

<http://tinyurl.com/OilPeakalypseNow>