



City of Cambridge Police Department

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Robert C. Haas
Police Commissioner

Robert W. Healy
City Manager

February 25, 2009

Robert W. Healy
City Manager

Re: Council Order # 5, dated January 12, 2009

Dear Sir:

As requested, I am responding to City Council Order # 5, dated January 12, 2009 requesting an analysis of the circumstances of the pedestrian fatality that took place on November 22, 2008 in the Mt. Auburn Street Shaw's parking lot.

Below are some of the facts surrounding the accident and the actions taken by the Cambridge Police Department, in collaboration with the Middlesex District Attorney's Office and the Massachusetts State Police. This is still an active investigation. However, we have identified some contributing factors which led to the death of Mr. Edward Balfe of Arlington. The State Police reconstruction report has been submitted to the District Attorney's Office for further review and action if deemed appropriate.

On November 22, 2008, at approximately 2:45 p.m., a motor vehicle accident occurred in the Mt Auburn Shaw's parking lot located at 699 Mt. Auburn Street resulting in the death of Edward Balfe. There are no witnesses to the accident. The weather conditions at the time of the accident were clear and cold with a bright solar glare and the road surface was dry and free of any obstructions.

The preliminary State Police reconstruction report revealed that Edward Balfe had parked his vehicle in the first handicapped parking spot closest to the Shaw's side entrance, closest to Mt. Auburn Street. Mr. Balfe exited his vehicle, walked around the rear of the vehicle and proceeded to cross the access road into the marked crosswalk leading to the side entrance of Shaw's Market. At this time, the operator of a motor vehicle was taking a left turn from the stop line for westbound parking lot traffic to proceed southbound towards the parking lot exit to Mt. Auburn Street.

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125 SIXTH STREET, CAMBRIDGE, MASSACHUSETTS 02142

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OFFICE OF THE CITY MANAGER

The operator of the vehicle stated to the officers that she did not see Edward Balfe due to the sun glare. There was no indication at the scene of any operator impairment or distraction while operating the vehicle.

Once the Middlesex District Attorney's Office closes the investigation, I may be able to provide you with additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert C. Haas".

Robert C. Haas
Police Commissioner

RCH/bk