



HUMBOLDT COUNTY DISTRICT ATTORNEY'S OFFICE
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IMMEDIATE RELEASE

Date: April 30, 2012

Re: No Charges to be Filed in Death of Kenneth Newell

Contact: Assistant District Attorney Kelly Neel

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On April 26, 2012, the Humboldt County District Attorney's Office announced that it will not be filing criminal charges against a minor involved in the traffic accident that resulted in the death of Mr. Kenneth Newell.

According to Assistant District Attorney Kelly Neel, the California Highway Patrol (CHP) investigated the December 27, 2011 accident that occurred on Myrtle Avenue and submitted the case to the District Attorney's Office for review. After receiving the report, the People requested additional information from CHP and conducted several additional witness interviews.

The investigation revealed that the minor was driving a friend's automobile on December 27, 2011 when the windshield began to fog, partially obstructing his view. As the driver reached to turn on the defroster he hit what he believed to be a pothole but was, in fact, a traffic cone. Within seconds of entering the construction zone he struck Mr. Newell. The cones had been placed in the area less than five minutes prior to the collision. The minor, who lived in the proximity, had driven through the same area earlier that morning and the cones had not yet been put in place. The driver was not impaired or using his cell phone at the time of the collision.

"We wish to extend our deepest sympathies to Mr. Newell's family and friends," said Neel. "But after careful review, we have determined that the conduct of the minor did not rise to the level of criminality. Instead, it was a tragic accident and our thoughts go out to everyone involved."