

**Testimony**  
of  
**Pamela Neill**  
**Theresa Wadsworth**  
**Leonard Neill**  
and  
**William Menarcheck, Sr.**  
before the  
**House Judiciary Committee**  
on  
**House Bill 2669, P.N. 3661**  
**“Bills’ Law”**



RE: Bills' Law

Presented by: Pamela Neill

I present myself this morning before this body to urge your support in the passage of House Bill 2669--Bills' Law, as we have fondly referred to it. Bill Menarcheck, my brother, lost his life in the crash of USAir Flight 427 in its approach to the Greater Pittsburgh International Airport on September 8, 1994. Bill died side by side with 131 other passengers and flight crew members in that fatal crash. Bill was a young man with an incredible zest for living. Bill was dedicated to the future and had just begun to taste the fruits of a successful career at Sensus Technologies in Uniontown. He was the Director of Operations. The father of two children, the most exciting part of his life was yet before him. My brother had an infectious smile and love and respect for all people. Bill's death was indeed tragic. I am not here today merely to paint Bill as an ideal person, my purpose is to protect the immediate members of my family--my mother, my father, my brother, and my sister. Also, I am concerned about the possibility that this intentional, horrendous ordeal suffered by my family might be avoided in similar circumstances in the future.

May I please clarify the issue. As I indicated earlier, Bill chose to live with our parents since December 28, 1991. He had taken the necessary steps leading to the divorce of his wife. ironically, his divorce would have been finalized the day we were informed that his remains were identified. Although separated for three years, according to Pennsylvania laws, Bill was still legally married when he died. My family therefore had no legal rights to any information regarding the circumstances of his death, the assurance that he was indeed dead, the absolute assurance that his remains which could be identified, and whatever personal effects (credit cards, wrist watch, etc.) placed Bill at the sight of the crash. Bill's estranged wife prevented his

family from knowing any of the circumstances surrounding his death and specifically the assurance that Bill did indeed die in the crash of Flight 427. May I take a few minutes here to relate similar circumstances which occurred following Bills death-- circumstances which have also made us the victims of Flight 427. May I please observe that Bill's estranged wife

--instructed USAir to communicate with her only;

--instructed USAir to avoid total contact with Bill's immediate family;

--instructed USAir not to notify Bill's family about any memorial services;

--prevented Bill's family from obtaining an original copy of a videotape of the memorial service held at St. Therese's, Uniontown;

--instructed USAir not to inform Bill's immediate family about the process used to identify his remains;

--informed USAir that Bill was residing with his wife at the time of the crash although he was indeed residing with his parents since 1991; she had the Death Certificate altered to misrepresent this fact;

--instructed the funeral director not to inform Bill's family of funeral arrangements, and other information regarding memorial masses, etc.;

--remained totally indifferent to Bill's immediate family with reference to funeral arrangements, the burial site, etc.;

--habitually removes flowers from Bill's grave site unless she personally gives approval.

These "legal rights" of a wife go beyond the rational, the humane, the compassionate. Perhaps a more appropriate term might be "legal psychological terrorism." But we are not here today to judge why Bill's legal wife acted as she did. We are here today to seek your support in the passage of House Bill 2669 so that the immediate families struck with similar catastrophes do not become victims themselves at the hands of those whose motives would indeed mystify the understanding of the most brilliant and respected psychiatrists. Please prevent the circumstances recounted from ever happening again! Your support in the passage of House Bill 2669 can indeed prevent all families in the future from suffering a similar fate. May I be more specific? May I please indulge your patience? Certainly what my family has been forced to endure the past two years might be legal. But is it right? Certainly, those who really loved Bill had the right to be fully informed of the circumstances of his death; the right to be informed of the details of his identification; the right to participate in the funeral ceremonies. No one--especially an estranged wife--should have the legal authority to deny these rights to the victim's immediate family. Should any person wield the power to deny the mother of the victim permission to hold even for a minute her dead son's wallet--a wallet in which she often placed an extra few bucks so that her son "might have a good meal" on his many business trips. What Bill's estranged wife has been able to do with perhaps some type of vengeful legality certainly has no place where right morality must always reign. Although we can do nothing to bring back the victims of plane crashes, we can do much to alleviate the continued pain and suffering of the living victims as I have tried to relate them.

After twenty six months Bill's grave has no headstone, no "tombstone". The only difference is that he no longer lies alone. On October 8<sup>th</sup>, 1996, my mother became the 133<sup>rd</sup> victim of the crash of Flight 427. Mom died not knowing with absolute certainty that her son did indeed die in that fatal crash. Never did she receive any tangible evidence maybe a credit card, or part of a wallet or belt, perhaps even a lock of his hair which she might use to identify her dead son. For more than two years, she waited patiently and eagerly in anticipation of her son's return home. And she continued to wait for Bill's return until the day she herself died. And why shouldn't she? Mothers have a right given by God to be able to verify the death of their children. And no one--I emphasize NO ONE--should be able to deny them that right! Mom died not really knowing what happened to her son. She never learned how his body was identified; she never received any assurance that he was even on Flight 427. She continued to await his return home from his business trips. She could wait no longer for her son. She united with him in death--she lies in the grave behind him. Although we buried Mom a day or so after her death on October 8, in reality she too died with Bill in the crash of Flight #427. Her last words were: "You know what you have to do." Today, before this body, I am doing what I have to do. I am here to urge your support in the passage of House Bill 2669-Bills' Law. What has already happened to Bill's immediate family should never happen again to another family.

Throughout my testimony, you may think that I have made a typographical error over and over again. I have referred to House Bill 2669 in the plural possessive, Bills' law. This was intentional. In the midst of this horror and madness, there has been an unknown hero... another Bill. This Bill, Bill's father, our father, hid his grief over the loss of his son and remains strong for his family. He did not realize that we saw him tremble each time a plane passed overhead, or we pretended not to notice him

hiding out behind the garage crying for the son he had lost. Instead, he became the caretaker, the nurturer of his grieving wife and children. The past two years his life has been one long sad day. He prayed for the wife whose tears never seemed to end. He prayed for the closure she needed to come to terms with the loss of their son. He prayed for the strength to continue on when it would have been easier to give up. Now he must deal with two losses at once. The loss of his oldest son who had lived with him and the loss of his wife of 48 years on October 24<sup>th</sup>. Doesn't he deserve some respect and dignity? Isn't he entitled to some closure in this horrendous affair?

My dad challenges himself everyday. He tries to find his place for he is lost. My brother Bill when going to his car every morning never followed the path of a sidewalk but would cut directly through the grass diagonally to his car. My dad often wondered why he cut through the grass but never asked Bill. I asked Bill. He told me that he walked through the grass in the mornings to clean his shoes. After Bill's death you could often find my mother sitting on the back porch steps visualizing walking through the grass. Upon my mother's death, my dad challenged himself to walk the path that Bill took each morning. This may sound like nothing to you but this took incredible courage to stand up and follow in his son's footsteps. If this broken, beaten man can attempt to face the unknown future ... Can't you please help him and give a positive meaning to this tragic loss. Can't you please help other's who are certain to follow in our footsteps. It has taken all of our courage to get this close. It has taken all of our courage to come before you today. We have truly done everything we could to bring this message to you. The completion of our journey is now in your hands. Can't you please see that Bills' Law reaches its proper destination... safe passage. A very smart young lady wrote, " No one ever dies unless they are

forgotten." Bill and my mother will never be forgotten. We will remember ... We will always remember.

Bill made us believe in angels and being here today with all of you makes us believe in miracles. Thank you again from the bottom of our hearts. May God bless all of you and yours. We know that you will do the right thing.