



**ERIN MARIE O'CONNOR**

**BBO # 684283**

**Public Reprimand No. 2021-13**

**Order (Public Reprimand) entered by the Massachusetts Board of Bar Overseers of the Supreme Judicial Court on September 3, 2021.**

*The respondent stipulated to a public reprimand after she was convicted of the misdemeanor crime of motor vehicle homicide by negligent operation, in violation of G.L. c. 90, § 24G(b), for which she received a two-and-a-half-year sentence to the house of corrections, suspended for three years conditioned on counselling and community service.*

**SUMMARY<sup>1</sup>**

On December 16, 2019, the respondent pled guilty in the Eastern Hampshire District Court to motor vehicle homicide by negligent operation, a misdemeanor. G.L. c. 90, § 24G(b). The respondent's conduct involved her failure to stop at a crosswalk, which was illuminated by flashing yellow crossing lights, and fatally striking an elderly pedestrian. The respondent was distracted by an application on her cell phone, likely her GPS, and a witness reported that she never activated the car's brakes before impact. She was not exceeding the speed limit, was not impaired by drugs or alcohol, and was not texting or talking on the phone at the time of the accident. She remained on the scene and fully cooperated with the police investigation that followed. At the sentencing, the prosecutor and the victim's family agreed that imprisonment was not necessary, acknowledging the respondent's acceptance of responsibility and willingness to engage in community service.

The respondent was sentenced to two and one-half years in the house of correction, suspended for three years, with supervised probation until December 12, 2022. Probation was conditioned on counseling and 200 hours of community service, 100 of which dedicated to speaking about the dangers of distracted driving.

The respondent's misconduct violated Mass. R. Prof. C. 8.4(b) (conduct constituting crime and reflecting adversely on fitness to practice law) and Mass. R. Prof. C. 8.4(h) (other conduct reflecting adversely on fitness to practice). In connection with the disciplinary proceeding, the parties stipulated that, in mitigation, the respondent's criminal conduct was unrelated to the practice of law. The stipulation was accompanied by supporting letters attesting to the respondent's good character and commitment to service in her public and private lives as well as a letter from members of the victim's family that was supportive of the respondent and the proposed disposition.

This matter came before the Board at its meeting on July 12, 2021, on the stipulation of the parties to the facts and charges, and a proposed disposition of a public reprimand. The Board voted to accept the parties' stipulation. The public reprimand issued on September 3, 2021.

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<sup>1</sup> Compiled by the Massachusetts Board of Bar Overseers' Office of General Counsel based on the record of proceedings before the board.