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2★ West Central Edition NEWSSTAND 50¢

Compounce Sued In Man's Death

By LORETTA WALDMAN
COURANT STAFF WRITER

A lawsuit has been filed on behalf of Wilfredo Martinez, a maintenance worker killed during a roller coaster test run in June 2001 at Lake Compounce Theme Park.

The suit, filed Friday in state Superior Court in Waterbury, seeks damages in excess of \$15,000. It accuses managers at the amusement park on the Bristol-Southington line of failing to comply with industry and federal safety guidelines — a breach the attorney representing Martinez's estate called "shameful" in light of two previous deaths at Lake Compounce in each of the two preceding years.

"When you have a situation where you have a death in your park, then an

other death, you would hope somebody would conduct a generalized inquiry into all safety procedures and make sure employees are well trained," attorney Michael D'Amico of Watertown said Monday. "The thing that is most difficult to understand is why it was there were still safety violations going on" even after the first two accidents, he said.

A 16-year-old ride attendant, Matthew Henne, was crushed beneath a spinning ride at the park in 1999, and a 6-year-old Hartford boy, Deven Alexander, drowned in July 2000 after tumbling from an inner tube into a lake at the bottom of a water slide.

Managers at Lake Compounce tightened safety procedures in the wake of each of the previous fatal accidents. But those changes, D'Amico contends, did

not extend to other areas of park operation, and if they had, Martinez's death could have been prevented. Martinez, 23, was cutting weeds with a noisy, gas-powered trimmer beneath a section of roller-coaster track before the park opened on June 13, 2001. During a test run, one of the Boulder Dash cars struck Martinez, killing him instantly.

The suit says a lock that would have stopped mechanic John Fitch from operating the Boulder Dash roller coaster with Martinez beneath the tracks was not in use, a violation of federal Occupational Safety and Health Administration regulations. OSHA rules were again violated when Bernard Jaworski, a maintenance supervisor, ordered Martinez and two other workers to

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trim weeds beneath the tracks, the suit says.

Nor, the suit contends, did park managers train mechanics not to conduct tests with workers under the tracks or to communicate with each other by two-way radio before running a test, both of which run counter to prevailing industry standards spelled out in guidelines published by the International Association of Amusement Parks and Attractions.

Joel Fain, a Hartford attorney representing Lake Compounce, declined to comment on specific allegations because he said he had not seen the suit. He called Martinez's death a tragic accident, "but there is no blame to be laid at the feet of

Lake Compounce," he said, "based on all the investigations conducted internally and by outside authorities."

Park officials reached Monday said the lawsuit had no merit.

"It is our intention to vigorously defend our position," said Richard Bisi, a park spokesman.

An investigation by Southington police concluded that Martinez's death was an accident that could have been avoided if employees had followed the park's safety procedures. In his deposition, however, Fitch, the mechanic at the controls of the Boulder Dash, said no protocol existed to check for the presence of groundskeepers along the mountainside coaster's 4,600 feet of track.

The police report also cited gaps in training. A review of documents and

handbooks found no mention of the high-risk areas known as "red zones" where the groundskeepers had been ordered to trim grass.

Within 24 hours of the accident, Lake Compounce officials expanded the use of lock-out devices to include groundskeepers. They also appointed a full-time director of safety and training, Jim Lenois, last July.

The park paid a \$14,000 fine to OSHA in connection with Martinez's death, a penalty lower than it might have been because of what the agency called management's "commitment to go above and beyond the agency's standards." OSHA imposed a separate \$7,000 fine against the park in Matthew Henne's death.