

Fall River man that killed 10-year old New Bedford girl in Westport through negligent driving, sentenced to prison

"A 33-year-old Fall River man whose negligent driving in Westport resulted in the death of a 10-year-old New Bedford girl was sentenced to serve jail time recently in Fall River District Court, District Attorney Thomas M. Quinn III announced.

Robert Silvia pled guilty to a charge of Motor Vehicle Homicide-by Negligent Operation on October 30, just as a trial was about to begin in Fall River District Court. He was sentenced by Judge Franco Gobourne to two-and-a-half years in the Bristol County House of Corrections, with 18 months to serve. The balance of the sentence (one year) was suspended for two years, meaning if he is charged with a new crime during that time, he would be liable to serve out the remaining one year of the jail sentence. The defendant also had his driver's license revoked for 15 years.

The case was prosecuted by Assistant District Attorney Catherine Sauter.

On September 13, 2020 at approximately 2:15am the victim, Anilda De Barros Ribeiro, was the back seat passenger in her father's white Subaru which was stopped in the left lane of travel on route 6 in Westport. The Subaru had been in a minor fender bender with a Toyota Tundra. Both vehicles had parked in the left lane with hazard lights flashing while the drivers inspected the damage. After inspection, the parties returned to their vehicles, at which time the Subaru was struck by the defendant's Jeep Grand Cherokee, killing the young girl.

Due to the impact the Subaru was pushed into the Toyota Tundra parked directly in front of it. As a result of this collision, Ms. Ribeiro was thrown forward into the dashboard, where she suffered blunt force and acceleration and deceleration head and neck injuries.

On scene, the defendant made several statements which were captured by a Westport Police cruiser camera. He stated that he did not see the other vehicles vehicle and that he lost control of the car because of a hand injury. In a later interview with a Massachusetts State Police trooper assigned to the district attorney's office, the defendant admitted to reaching for a cigarette and lighter at the time he struck the Subaru. The trooper's follow up investigation also located video surveillance videos of the defendant and obtained warrants for the defendant's phone to show that he lied about his locations prior to the crash and about his ability to operate a car within the proper range due to a bogus hand injury.

There is no evidence the defendant intentionally caused the crash or was under the influence of any substance, but state police accident reconstruction reconstruction experts found the defendant would have been able to see and stop or avoid striking the Subaru for at least 300 feet prior to impact. There was no evidence of braking, swerving, or any manipulation of the vehicle prior to impact. The defendant was traveling at 53 miles per hour in a 50 zone when he struck the parked vehicles. There was an additional lane of travel that was available to him, but the defendant made no attempt to change lanes. This was a case of negligence, that the defendant failed to show due care while driving and that the lack of attention to the roadway caused the death of the victim.

The defendant notified the court he wanted to plead guilty right before the jurors were brought out for the trial to begin.

"This was a terrible tragedy that occurred because of the defendant's negligence. I hope that the victim's family can have some consolation and closure from the defendant's guilty plea, admitting that he caused the young girl's death. The jail sentence imposed by the court was appropriate," District Attorney Quinn said."