

SEPTA hires firm to inspect escalators

The company's work will cost \$20,000. The move follows a \$51 million jury award for a maimed boy.

The Philadelphia Inquirer

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DECEMBER 22, 1999

For just \$20,000, SEPTA might have saved itself millions and an ugly public scolding.

Yesterday, SEPTA hired a Long Island elevator consulting company to thoroughly inspect all 38 of the system's escalators. The inspection by three specialists of Landmark Elevator Consultants should take three days and will cost SEPTA \$20,000, spokesman Richard Maloney said. No outside investigation into SEPTA's escalator system was conducted after the 1996 accident at the Cecil B. Moore station in which 4-year-old Shareif Hall's right foot was sheared off while his mother watched helplessly. The North Philadelphia boy, now 7, wears a prosthesis.

A jury last week awarded the boy \$50 million. His mother, Deneen, was awarded \$1 million, plus \$65 for the cost of the sneakers Shareif wore that day.

On Monday, Common Pleas Court Judge Frederica A. Massiah-Jackson slapped SEPTA with a \$1 million contempt of court fine for refusing to turn over key documents relating to the case before the civil trial. Massiah-Jackson also chided SEPTA for hiding and altering documents, and for planting a shoelace at the scene in an attempt to make it look as if the accident were the boy's fault.

"SEPTA hindered justice and impeded the judicial process," the judge ruled. "The most devastating evidence which remained hidden by SEPTA was a May 1994 memo which stated the Cecil B. Moore station escalator, and others, were dangerous," she said. Yet for more than two years, SEPTA inexplicably took "no action" and "engaged in no maintenance" on any of its escalators.

Meanwhile, late yesterday afternoon Community Legal Services, a nonprofit advocacy group, filed a petition in Common Pleas Court seeking to direct the \$1 million contempt fine to a special fund to reduce the cost of school transportation for low-income children.

Currently, upward of 30,000 middle school and high school students must pay 90 cents each way to take SEPTA to school. About 80 percent of those students are from low-income families.

"We think the million dollars would serve the public interest better by helping children who have difficulty getting to school or who don't get to school because of those fares," said Jonathon Stein, general counsel for the group, which is representing the Philadelphia Student Union and Philadelphia Citizens for Children and Youth in filing the motion.

Yesterday, the attorney for the Halls, Thomas R. Kline, said SEPTA's latest decision on escalator inspections was too little, too late.

"It concerns me terribly that SEPTA is now going to attempt to use a Band-aid where major surgery clearly is needed. To suggest that they're going to hire someone to come in for three days to tell them what has been obvious for years is disconcerting, to say the least. You can't substitute an outside consultant giving a clean bill of health for daily, weekly, monthly and annual inspections of escalators."

Maloney had conceded that had SEPTA launched such an inspection three years ago, the verdicts against the transit agency might not have been as high, but added, "That's 20/20 hindsight."

Immediately after Hall's accident, SEPTA did shut down its escalators. Maloney said he did not know how long the escalators were turned off, or who made the decision to reopen them without further inspection. So far, no SEPTA staffers have been fired or have resigned over the debacle. Maloney said that by week's end, a team of two retired judges and a high-profile lawyer will begin conducting an outside investigation of how SEPTA handled the case.

"No major management personnel decisions are going to be made until that panel makes its recommendations," he said.

During the next three days, Landmark's team of inspectors will be given wide authority to "thoroughly examine" SEPTA's escalators, from those at subway stations to SEPTA's Market Street headquarters to the Norristown Transportation Center, Maloney said.

Still, each inspection is expected to take no more than two hours. The inspectors will be given information about each escalator, its age, model, date of installation and maintenance history. SEPTA has promised to provide Landmark with any and all documents the company requests.

"Given the importance of this to SEPTA and to our customers, they will have any records we have," Maloney said.

The goal, he said, is to put SEPTA's escalators under a microscope.; "To my knowledge, I don't think we've ever done it on this scale and in this period of time," he said. "The essence of it is to look at the escalators today and tell us what they think. Are they safe to operate? If not, what should we do? If they say shut them down, we'll shut them down."