

## **Amtrak engineer who caused deadly 2015 derailment which left eight dead turns himself in on charges of involuntary manslaughter and causing a catastrophe**

By Hannah Parry and Mary Kekatos

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- Amtrak engineer responsible for deadly May 2015 crash has turned himself in
- Brandon Bostian, 34, faces eight counts of involuntary manslaughter, one of causing catastrophe and multiple reckless endangerment
- Bostian walked to his local police station, where was cuffed by investigators from the Pennsylvania Attorney General's office, in front of a crowd of press
- The engineer was cleared of criminal wrongdoing last week but a judge filed new charges following a private criminal complaint from a crash victim's family
- While operating the train, Bostian accelerated to 106mph on a 50mph curve
- Eight were killed and more than 200 of the 238 passengers were injured
- Bostian has claimed he was left disoriented or unconscious when something struck his train
- Federal investigators believe he was distracted over reports nearby train was struck and lost track of where he was

The Amtrak engineer who caused the deadly 2015 Amtrak train derailment in Philadelphia has turned himself in on charges of involuntary manslaughter.

Brandon Bostian was cleared of criminal wrongdoing last week over the crash, despite reports he was going 106mph when he took a 50mph curve, causing the train to derail. Eight passengers were killed in the crash and more than 200 were injured.

But a judge filed new charges against him following a private criminal complaint from a crash victim's family.

Today, the 34-year-old was seen walking to a Philadelphia police station to turn himself in, on eight counts of involuntary manslaughter, one count of causing or risking a catastrophe and numerous counts of reckless endangerment.

Bostian, wearing a maroon polo shirt and jeans, was cuffed by investigators from the Pennsylvania Attorney General's office, in front of a crowd of press waiting at the corner of 21st and Hamilton streets, and escorted into the department.

Just minutes after leaving Philadelphia on May 12, 2015, on a Washington-to-New York run, the train accelerated to 106 mph on a 50 mph curve, derailing in a crash that killed eight people and injured about 200.

The National Transportation Safety Board found that Bostian essentially forgot where he was when he sped up.

Bostian, who has been on unpaid administrative leave from Amtrak, did not respond to reporters' questions as he entered the police station.

Philadelphia prosecutors had decided not to charge him, but a judge acting on a private criminal complaint from a crash victim's family ordered misdemeanor charges filed.

The case was referred to the state attorney general, who added a felony count of causing a catastrophe on top of eight misdemeanor counts of involuntary manslaughter and other charges.

The citizen complaint against Bostian was brought by attorneys for the family of Rachel Jacobs, a 39-year-old chief executive of a Philadelphia-based technology startup who was killed returning home to her husband and 2-year-old son in New York.

Just days before a two-year statute of limitations was to expire, Philadelphia prosecutors announced they had concluded there was insufficient evidence to prove that Bostian acted with intent or 'conscious disregard' for the passengers' safety.

But victim lawyers said that should be an issue for a jury to decide.

**Now the new charges have been filed, attorney Thomas Kline, who had sought the private complaint on the Jacobs family's behalf, said it wouldn't have happened 'had a courageous family, the Jacobs family, not stood up against the decision of a local prosecutor not to press charges'.**

**That was clearly wrong, as evidenced by the attorney general not only reversing course but adding charges,' he said.**

The criminal case is sure to bring new scrutiny to the National Transportation Safety Board (NTSB) finding that Bostian had lost 'situational awareness' on the curve in North Philadelphia.

The speed limit climbs from 50mph to 110mph about a mile and a half after the curve.

Amtrak has taken responsibility for the crash and agreed to pay \$265 million to settle claims filed by victims and their families.

The NTSB found no evidence that Bostian was impaired or using a cellphone. The agency also called Amtrak's long failure to implement automatic speed control throughout the busy Northeast Corridor a contributing factor.

Bostian has a personal injury suit pending against Amtrak, saying he was left disoriented or unconscious when something struck his train before it derailed.

He had heard through radio traffic that a nearby commuter train had been struck by a rock. However, the NTSB concluded that nothing struck his locomotive.

Federal investigators believe he was distracted listening to radio traffic that a nearby commuter train had been struck by a rock and lost track of where he was.

'One thing he has never recollected is how or why he accelerated before the curve,' said attorney Robert Mongeluzzi, who with Kline represents about three dozen victims.

Other lawyers have called last year's NTSB report on the crash a 'whitewash' and a 'quantum leap.'