

## ***Amtrak Engineer indicted Once Again in Pennsylvania***

In February, a Philadelphia judge decided to uphold charges once again against Brandon Bostian, the Amtrak engineer of Train #188, which crashed nearly three years ago May 12th in Frankford, PA. Common Pleas Court Judge Kathryn Lewis reversed a municipal court's decision from Fall of 2017, thereby reinstating 246 counts of reckless endangerment, eight counts of involuntary manslaughter and one count of risking a catastrophe against the 34-year-old engineer.

A year ago, the Philadelphia District Attorney had originally declined to press charges, stating, "We cannot conclude that the evidence rises to the high level necessary to charge the

engineer or anyone else with a criminal offense." Nevertheless, the Pennsylvania DA served an indictment against the engineer at the 11th hour on May 12th, just hours before the statute of limitations expired, two years to the day of the accident (see *The Highball*, Summer and Fall issues, 2017).

But on 9/12/17, Judge Thomas Gheret dismissed all counts against Bostian for lack of evidence, in a ruling that would not stand. The PA Attorney General filed an appeal soon after, which paved the way for Judge Lewis' decision which stated that Gheret had erred. She ruled instead there is enough evidence, even if it is circumstantial, to proceed to trial.