

## A Major Shake-Up at SEPTA

*The transit agency's chief counsel resigned under pressure; several others were fired or disciplined*

**The Philadelphia Inquirer**

By Jere Downs  
Inquirer Staff Writer  
JANUARY 14, 2000

SEPTA announced a major reconstruction of the regional transit agency yesterday - including a shake-up in the legal department, which had been faulted for its handling of a lawsuit brought on behalf of a 4-year-old boy whose foot was sheared off by a subway escalator.

The suit costs the agency millions of dollars and a severe court sanction.

Bowing to pressure within the agency, SEPTA's longtime chief counsel, G. Roger Bowers, 70, resigned yesterday afternoon.

Several other employees, including managers and those in escalator maintenance were disciplined or dismissed, said agency spokesman Richard Maloney. He declined to cite the number or identities of the employees.

"Those who have been terminated are gone," Maloney said as he announced the restructuring at 5 p.m. yesterday.

It was unclear how the changes will affect the daily running of the transit system, which serves 500,000 daily in Philadelphia and its four suburban counties.

"People running new divisions are still being notified of their responsibilities," Maloney said, adding that general manager John K. Leary was reserving comment until a news conference scheduled for Tuesday.

Bowers, a SEPTA employee since the early 1970s and a former board member, said late yesterday from his Bensalem home:

"Just like you get credit when things go well, you accrue the bad credit when things go bad. That's the old captain-of-the-ship doctrine."

In January, SEPTA's board commissioned an internal investigation after a jury in December awarded \$7.4 million to Shareif Hall, who was 4 when a poorly maintained escalator ripped off his foot in 1996.

Criticizing SEPTA for withholding legal documents and tampering with evidence - including planting a shoelace at the scene of the accident at Cecil B. Moore station to indicate the boy tripped - Common Pleas Court Judge Frederica Massiah-Jackson fined the agency an additional \$1 million, an amount she later reduced to \$100,000.

Leary's sweeping changes are the first major shake-up at SEPTA since his arrival in mid-1997.

The changes Leary previewed in a four-page statement "are a reaffirmation that he is in charge." SEPTA board member Rick Wooten said, adding that board members had unanimously endorsed the restructuring in an executive session closed to public on Thursday afternoon.

The investigative report's authors were D. Donald Jamieson, former president judge of Philadelphia Common Pleas Court; Carl E. Singley, former dean of the Temple University School of Law; and Edward N. Cahn, former chief judge of the U.S. Eastern District Court.

They found "a culture of complacency" at SEPTA and said poor communication within the agency was responsible for the misconduct in the Hall case.

"Those folks (on the panel)," Wooten said, "correctly said there was no conspiracy at SEPTA to hid this stuff, but it was symptomatic of an organization that lacked internal communication. I think this will help it."

Still to come are concrete details on how SEPTA will be managed under six new divisions outlined in the statement.

Most of those now at the executive level have been hired or promoted under Leary's tenure. James B. Jordan, a former deputy city solicitor, was brought on in January to review legal staff procedures. It was Jordan's hiring that convinced Judge Massiah-Jackson that SEPTA was serious about change in the wake of the Hall case. He will now stay, Maloney said, as director of SEPTA's legal staff.

Of the six new divisions, only one, called "Transit Operations," covers all aspects of running seven regional rail lines, 84 transit lines in the city, and 41 bus and light rail-routes in the suburbs.

That worried a leader of the Delaware Valley Association of Railroad Passengers, SEPTA's largest rider-advocacy group.

"There is no question these changes are decisive enough to set a new tone," said Matthew Mitchell, director of the passenger's association. "There is a question whether this is the right direction.

"There is a question of whether attention (that is) being paid to non-operating problems, to problems of public relations, to problems of legal department and to problems with internal management (is) going to detract attention to maintaining service we have now, and improving it."