

Family of worker killed in Delaware County Amtrak crash files suit

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The family of an Amtrak employee killed when a train hit a backhoe he was operating in Delaware County filed suit against the national rail company Thursday, blaming negligence for his death.

Joe Neal Carter Jr., 61, of Wilmington, died April 3, along with another Amtrak worker, Peter John Adamovich, 59, of Lincoln University, Pa., while both worked on tracks in Chester City. Carter, lawyers Thomas Kline and Robert Mongeluzzi said at a news conference, was a victim of "colossal miscommunication." The father of two and railway man of more than 40 years was cleaning ballast from tracks when the crash happened. He was not alerted that a train was approaching, and Amtrak protocols should have prevented a train from running on tracks where workers were present.

"We want the system to be safe, and we want the system to be secure for workers and passengers," Kline said.

Amtrak representatives declined to comment Thursday.

Both lawyers also represent numerous clients who were injured in the Philadelphia derailment of Amtrak Train 188 in May 2015.

"Ten deaths in 10 1/2 months on Amtrak's rails in Philadelphia alone," Mongeluzzi said. "How many more will it take before Amtrak wakes up?"

The suit filed in Philadelphia's Court of Common Pleas by Carter's daughter, Montia Carter, claims Amtrak failed to take appropriate safety measures to protect Carter. Among its failures, according to the suit, it didn't divert trains away from tracks where workers were present, didn't notify the train's engineer that there were people on the track, didn't notify the workers a train was approaching at 106 mph, and didn't have track worker protections in place that might have prevented the crash.

Montia Carter described her father as a "larger-than-life" family man who was known for his cooking at Honeycomb Union AME Church in Media.

"When he cooked," she said in a statement, "there were never leftovers."

Information obtained after the crash revealed that information about workers being on the tracks wasn't shared properly with dispatch during a shift change that morning. As a result, a protective hold on trains traveling those tracks was lifted. In addition, workers weren't using a basic safety device on the tracks that could have alerted the train to their presence.

The family of the other man killed, Adamovich, has retained Bala Cynwyd lawyer Bob Myers but has yet to take legal action.

"They're still going through a terrible grieving process," Myers said of Adamovich's family.