

12-year-old's death still unexplained

Killed looking out window of SEPTA subway train

BY Jose Antonio Vargas
Of the Daily News Staff
JULY 17, 2001



THEY FOUND the 12-year-old boy on the subway tracks, 20 feet south of Race and Vine, his body so mangled he was barely identifiable.

Kyle Harris was thrown from the train last Wednesday, after he apparently made his way into the vacant driver's booth, stuck his head out the window, and was struck by two poles along the tracks, authorities said.

And now, six days after the accident, his family says SEPTA still hasn't been able to explain to them how and why their son died.

"I don't understand what's going on," said the boy's father, Aaron DeShields.
"I can't express how I feel. It's just unbearable."

DeShields, who works for the city's Sanitation Department, has hired prominent attorney Tom Kline to get information from the agency, which has yet to release a report to the family.

"In light of this tragedy, you would expect SEPTA to release the details that they have in their possession. But SEPTA has offered the family no explanation as to how the accident happened," said Kline, who is investigating whether SEPTA bears any responsibility for the accident.

SEPTA spokesman Richard Maloney countered that the agency could not release information because the case was being handled by Philadelphia police, which has jurisdiction because it involved a fatality.

SEPTA, however, is conducting its own probe, but it has yet to gather all the facts.

"This is a horribly, tragic mystery. We are scratching our heads and trying to figure out what occurred that night," said Maloney.

Kyle left Wednesday afternoon to go rollerskating with three friends. Hours later, the four hopped the northbound Broad Street line en route to their homes in North Philadelphia.

When Kyle didn't come home, Dolores DeShields, Kyle's grandmother, filed a missing-persons report early Thursday morning, as the rest of the family searched and called his friends.

Eventually, Kyle's mother, Evette Harris, spoke with his son's three companions, one of whom recalled seeing blood on the window of the train.

At the time, the three friends exited the train, not knowing what had happened to Kyle.
But his mother's instinct told her something was awfully wrong.

She headed to the nearby subway station and talked to a SEPTA employee, who mentioned that a body had been found on the tracks Wednesday night.

The body was discovered by a SEPTA motorman at 9:50 p.m. Wednesday. He was pronounced dead at 10:10 p.m., authorities said. Because of the condition of the body and the fact that it carried no identification, it was taken to the morgue.

The family, after learning a body had been found, had the grim task of identifying him.

It was unclear from the police report how Kyle had gotten into the driver's booth, which was empty at the time and is normally locked. The driver of the train was operating the vehicle from the other side, authorities said.

The police report said that after entering the booth, Kyle apparently leaned outside the left window and his head hit a pole. His limp body, dangling out the subway window, then struck another pole, which knocked him out of the train and onto the tracks, the police report said.

Despite the police report, Kyle's family has many unanswered questions. "Kids play inside the subway all the time," Kyle's mother said.

"But Kyle should have not been able to get inside that booth in the first place. You gotta wonder: was the booth really locked?"

Maloney said the doors to the driver's booths - also known as motorman cabs - lock automatically. The door "closes by itself in a locked position," he said, and when the booth's door was inspected after the accident, it was found locked.

Maloney said that no witnesses to the accident have come forward. There was no one at the station who reported seeing anything unusual, he said.

"The whole situation is messed up," said Emmanuel Reed, 15, a neighbor who was good friends with Kyle. "I'm really going to miss him."

Residents of the four blocks around Kyle's North Philadelphia home have created a memorial to honor him that includes a banner they have signed, teddy bears and candles.

"He was a sweet, sweet kid," said Stacey Wilkersos, of North Philadelphia, whose three children often played with Kyle.

"He was a fun kid to be around with," she said. Meanwhile, the family is making funeral arrangements.

"I lost my son, and after this incident, I don't want to hear any other reports about any kid losing his or her life riding SEPTA," said his mother. *

Staff writers Dana DiFilippo and Will Bunch contributed to this story.