

Survivors, kin of those killed in Delaware County pursuit and quadruple fatal crash sue Media state police

Story by Alex Rose, Daily Times, Primos, Pa. • 1h • [7 min read](#)

PHILADELPHIA — The parents of two people killed in a fiery crash in Upper Chichester after a high-speed police pursuit in April have filed a civil rights lawsuit in federal court alleging Pennsylvania State Police from the Troop K station in Media created the dangerous situation that led to the deaths.

"Our police are supposed to keep people safe, not chase them into harm's way," said the plaintiffs' attorney, David Inscho, in a release. "There was no justification to engage in this reckless high-speed pursuit that cost five young lives. The troopers involved in this chase had multiple opportunities to avoid this tragedy, yet they chose to continue the chase. We look forward to holding them accountable for the violation of our clients' civil rights."

State Police Director of Communications Lt. Adam Reed said the lawsuit was being reviewed, but PSP had no comment.

The suit was filed Tuesday in the U.S. District Court for the Eastern District of Pennsylvania and by Inscho, Tom Kline and Wyatt Larkin. They are representing the mothers of 21-year-old Kalyn S. Billups and 17-year-old Tyjana Motley, who was pregnant. Both were killed in the crash, as was Motley's unborn child.

The attorneys also represent crash survivors Kemone Manning, 18, and a minor identified only as "K.P."

Named as defendants are troopers Jason Eckman and Daniel Sgambato, along with up to 20 as-yet unknown "John Doe" state police officers. Reed said both of the named troopers remain employed and active with PSP.

The deadly crash took place on the afternoon of April 24, after a red Ford Taurus driven by Isaiah Miller, 20, struck a concrete embankment on Conchester Highway at Chichester Avenue.

Miller, front-seat passenger Ikeam Castlebury-Rogers, 20, and Billups were all pronounced dead at the scene.

Conchester Highway was closed for hours after multi-fatal wreck on April 24. (PETE BANNAN -DAILY TIMES)

How it unfolded

According to the suit:

The Taurus pulled into the Shoppes at Brinton Lake, a shopping center at 949 Baltimore Pike, at about 1:20 p.m. that day. The occupants got out of the car to look for some items that had been misplaced inside the vehicle, but never entered any stores at the shopping center.

While they were looking around the car, the plaintiffs noticed a gray sedan circling in the area. They eventually piled back into the Taurus and headed north on North Brinton Lake Road.

The gray sedan was an unmarked Pennsylvania State Police vehicle driven by Sgambato. He followed the Taurus for about a half-mile before initiating a traffic stop at North Brinton Lake Road and Mill Road at 1:25 p.m.

Eckman arrived about a minute later and stopped behind Sgambato's vehicle. Ten seconds later, Miller fled the stop on Mill Road and the troopers gave chase.

Miller sped down Mill Road toward Thornton Road and then onto Baltimore Pike, passing other vehicles along the way.

At 1:29 p.m., Miller turned left across three lanes of oncoming traffic at Route 322, Conchester Highway, forcing cars to stop in the intersection to avoid a collision.

Miller then drove onto a grassy median, where Sgambato collided with the Taurus' rear left bumper. Miller accelerated through the island, narrowly missing a pedestrian who had to jump out of the way. Sgambato also had to swerve to avoid the pedestrian.

Shortly afterward, a person in the rear passenger-side of the Taurus opened the door in an apparent escape attempt, but Miller accelerated again, making the exit unsafe and the passenger closed the door.

"Throughout the chase, plaintiffs and plaintiffs' decedents pleaded with Miller to stop the car," the complaint says. "However, the troopers continued to pursue the red Ford Taurus and Miller continued to drive away from them. After the attempt by the back-seat passenger to open the door, troopers Sgambato and Eckman were aware that passengers in the red Ford Taurus did not want the chase to continue."

Eckman took over as lead vehicle in the chase after the escape attempt, as it continued eastbound on Route 322. Miller and the troopers passed numerous vehicles and traveled through several intersections along this four-lane strip of road at estimated speeds ranging from 70 to 110 miles per hour.

Miller, Sgambato and Eckman wove through and around passenger vehicles headed in the same direction during the pursuit, forcing at least 10 to pull over as the troopers drove on the right shoulder or crossed the center dividing line.

At approximately 1:31 p.m., five minutes into the chase, Eckman accelerated to a position where he could attempt a precision immobilization technique, or PIT, maneuver, which involves striking the rear of the fleeing vehicle at an angle to make it turn and stop. There were several other passenger vehicles in the immediate vicinity.

Miller accelerated away from Eckman and, for the following 34 seconds, Eckman and Sgambato pursued Miller at increasingly high speeds.

"At approximately 1:32:00 p.m., Miller encountered a line of three vehicles headed east on Route 322," the complaint reads. "Miller attempted to swerve around the rear two vehicles in the line, entering the right-side shoulder. As he was swerving back into the

eastbound lane, Miller lost control of the vehicle, clipped the front of the second vehicle, and crashed head-on into a concrete barrier on the westbound shoulder at 1:32:02 p.m."

The impact lifted the Taurus into the air before it came crashing back down on its wheels, then caught fire. Manning climbed out of the shattered windshield, burning her back.

The aftermath

Arriving troopers used fire extinguishers and a firetruck soon arrived to assist in these efforts. Two ambulances arrived at 1:44 p.m. Miller, Castlebury-Rogers and Billups were pronounced dead at the scene.

Motley, who was six months pregnant, was transported to Crozer Chester Medical Center with a suspected ruptured uterus. An emergency C-section was performed, but the baby boy fetus was pronounced dead. Motley died later that same night.

The minor K.P. suffered a traumatic brain injury and numerous fractures, including several vertebrae, and Manning suffered disfiguring burns and other injuries.

A release from PSP the same day, which has since been removed from the state police website, indicated troopers were "conducting stationary patrol of the Brinton Lake Shopping Center" and claimed that one of the passengers was "believed to be involved in a previous retail theft at the shopping center."

Several news sources also reported from anonymous sources that the plaintiffs or the decedents had been shoplifting at a Lululemon store that day.

PSP call logs also recorded Eckman was responding to an "attempted retail theft" and a dispatcher stated during the chase that troopers were in pursuit of a "red Taurus, tinted windows, for attempted ... for a theft on Lululemon."

"At no ... point in time did plaintiffs or plaintiffs' decedents shoplift from Lululemon or any other store at The Shoppes at Brinton Lake," the complaint states. "None of the surviving passengers were arrested or charged with any crime."

The PSP press release also indicated the Taurus was "observed to have a tinted front windshield, expired inspection stickers, and a Delaware temporary paper registration obscured by a tinted license cover."

In an NBC 10 interview on May 2, Reed stated that the occupants of the red Ford Taurus "were acting suspiciously" and that "the reason for the stop was going to be the ... equipment violations" listed in the release.

The chase lasted 6½ minutes across approximately 7 miles of roadway. At approximately the halfway point, another trooper had indicated that he was ready to deploy a spike strip on Route 322 that could have disabled the Taurus. This trooper was stationed within sight of the crash location.

While PSP has established policies governing pursuits in its field regulations, the relevant portions of those regulations are not public.

Reed did indicate in the May 2 interview that those regulations allow troopers to pursue a fleeing suspect vehicle, but that they must weigh their duty to apprehend against the risk of public safety.

'Low danger'

The complaint notes that PSP Troopers from the same station engaged in a similar pursuit from the same shopping center Feb. 13 for suspected shoplifting, which likewise ended in a crash.

In this case, none of the occupants of the Taurus were suspected or accused of committing any violent crime, or crimes of any kind, or were in possession of a weapon or suspected of having a weapon.

The defendants further knew the Taurus contained multiple passengers in excess of its safe carrying capacity and seatbelt accommodations, one of which was visibly pregnant.

"Despite the low danger to the public of allowing the driver of the red Ford Taurus to remain at large with alleged equipment violations and the extremely high danger of engaging in a high-speed pursuit of a vehicle with multiple unbelted minor passengers in a busy residential and commercial area in the middle of the day, the defendants engaged in the dangerous and ultimately fatal pursuit," the complaint states. "Despite the lack of any factors presenting a risk to public safety if they terminated the pursuit, defendants then continued the high-speed chase through traffic on busy thoroughfares, narrowly avoiding several crashes, before the deadly crash brought the chase to an end."

The harms complained of include untimely death, pain and suffering, loss of future earning potential, disfigurement, emotional distress and mental anguish, and other serious injuries.

The complaint alleges a single claim for violations of the 14th Amendment's guarantee to life and liberty in the form of bodily integrity, for which the plaintiffs are seeking unspecified damages in excess of any arbitration limit for the district, as well as punitive damages and costs of bringing suit.

(c)2024 Daily Times, Primos, Pa. Distributed by Tribune Content Agency, LLC.