

Salvation Army official rejects responsibility for deaths, injuries

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The ranking Salvation Army officer linking its New York state headquarters to its Philadelphia operations told a Common Pleas Court jury Friday that the charity bore no responsibility for those killed and injured in the 2013 demolition collapse that crushed its Center City thrift store.

In often-heated exchanges with plaintiffs' lawyers in the trial of lawsuits filed after the collapse, Maj. Charles Deitrick rejected allegations that in the weeks before the June 5, 2013, disaster, he and other charity officials ignored collapse warnings from the owner of the building being razed next door.

Deitrick, general secretary of the Salvation Army eastern district, also defended his decision not to tell employees in the store at 22nd and Market Streets about warnings of an "imminent collapse."

The reason, Deitrick testified, was that he did not believe the warnings from Thomas Simmonds, property manager for Richard Basciano, the New York real estate speculator who owned the vacant four-story Hoagie City building adjacent to the thrift store.

Deitrick described Simmonds as "pushy, arrogant, and insulting," adding, "Some people are pushy trying to get us to do something they want."

Deitrick's testimony consumed all of Friday's trial session. The trial begins its sixth week Monday, when Basciano, 91, is expected to return to the witness stand after his emotional breakdown curtailed testimony Thursday.

In intense questioning, plaintiffs' lawyers **Andrew J. Stern**, Robert J. Mongeluzzi, and Steven G. Wigrizer accused Deitrick of putting his appraisal of the credibility of Simmonds' warnings over the lives of workers and customers of the thrift store.

"Considering the men and women who worked in that store, you'd have to be 100 percent sure that these warnings weren't true?" asked Mongeluzzi.

Deitrick didn't answer, saying he thought he had to "validate" Simmonds' warnings before believing there was a danger.

"You had to be 100 percent sure, right?" repeated Mongeluzzi.

"No, I don't think you had to be 100 percent right," said Deitrick.

"Well, you were zero percent right," said Mongeluzzi.

"That's not true," protested Deitrick.

Deitrick also said that the store's managers and employees could have called him in New York if they saw demolition occurring and were afraid.

"They would have the opportunity to communicate with me, they would have the opportunity to close the store, they would have the opportunity to walk out the door," he said.

Deitrick added that the ranking officer in Philadelphia, Maj. John Cranford, never reported complaints from store workers or reports of demolition.

Both the store's manager and assistant manager have testified that they didn't know they had authority to close. Another Salvation Army employee in Philadelphia testified about a rigid chain of command. He said he would have been fired had he directly called headquarters.

Deitrick said that he did not believe workers were demolishing the Hoagie City building in May 2013 based on what he called a commitment Simmonds made in a May 10, 2013, conference call.

The conference call involved Simmonds' request for access to the roof of the one-story thrift store to knock down the wall of the taller Hoagie City building. Deitrick said the parties agreed there would be no demolition until their lawyers agreed on a plan.

Mongeluzzi, however, projected on a courtroom screen a copy of a May 10, 2013, memo summarizing the call that does not mention a commitment to halt demolition.

"It doesn't say it, but it was part of the conversation," Deitrick insisted. "It was understood as part of the conversation."

Despite his criticism of and lack of trust in Simmonds, Deitrick said he did not order anyone in Philadelphia to monitor the site to ensure demolition was not occurring.

In fact, demolition never stopped. Contemporaneous videos and photos shown at trial documented demolition ongoing until the morning of June 5, 2013, when an excavator was picking at the remains of Hoagie City and an unsupported three- to four-story wall toppled and destroyed the thrift store.

Six people were killed and 13 injured, one of whom died 23 days later.