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on or about MAY 12, 2015

in PHILADELPHIA

County

[51]

(County Code)

							PC	OLIC	E CRIMINAL COMPLAINT
Docket Nu	mber:	Date Fi 05/12/2		/LiveSca	n Number				omplaint/Incident Number
Defendant	Name	First:	'		Middle: WILLIA	ΔМ		Last:	t: STIAN
there is mo (Set forth a b more, is not s age of the vio	ore than one rief summary of sufficient. In a settim at the time	the accus offense, e of the facts su summary cas of the offens	ed are desc ach offense fficient to advis e, you must cite	Should because the defendent the special three special terms of the spec	low with ea be numbere endant of the r ific section(s) wn. In additior	ch Act ed chro nature of and sub n, social	nologically the offense(section(s) of security num	oly or s /. s) charge the state	statute violated, if appropriate. When ged. A citation to the statute(s) violated, without tute(s) or ordinance(s) allegedly violated. The id financial information (e.g. PINs) should not
Inchoate Offense	☐ Attempt 18 901 A			☐ Solid 18 90					Conspiracy 18 903
□ 1	3302		(A)	of the	18		1	F-2	
PennDC	T Data	Accident	Subsection		PA Statute	(Title)	Counts Safety Z	Grad one	de NCIC Offense Code UCR/NIBRS Code ☐ Work Zone
(if appl Statute De		Number clude the n	ame of statu	ute or ord	dinance): C	AUSING			
substance or May 12, 2015 Frankford Jur the train, was	Acts of the accused associated with this Offense: A person who causes a catastrophe by explosion, fire, or other harmful or destructive force or substance or by any other means of causing potentially widespread injury or damage commits a felony of the second degree if he does so recklessly. On May 12, 2015, Brandon Bostian, the engineer of Amtrak Train No. 188, was traveling a route he navigated many times. When approaching a curve at the Frankford Junction, instead of decelerating the speed, Mr. Bostian accelerated the speed to more than twice the legal limit. Mr. Bostian, as the operator of the train, was not able to navigate the curve at such a high rate of speed. The derailment caused the death of eight passengers and placed the other passengers and crew members of the train, and surrounding public, at risk of death or serious bodily injury.								
Inchoate	☐ Attomat				nitation.			1 1	Cononimon
Offense	18 901 A			☐ Solid 18 90					Conspiracy 18 903
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(if appl Statute De		Number clude the n	ame of statu	ute or ord	dinance): IN	NVOLUN ⁻	TARY MANSL	AUGHTE	ER
reckless or gr WIT: On Ma curve at the I operator of the	Acts of the accused associated with this Offense: Involuntary manslaughter is when, as a direct result of the doing of an unlawful act in a reckless or grossly negligent manner, or the doing of a lawful act in a reckless or grossly negligent manner, he causes the death of another person. TO WIT: On May 12, 2015, Brandon Bostian, the engineer of Amtrak Train No. 188, was traveling a route he navigated many times. When approaching a curve at the Frankford Junction, instead of decelerating the speed, Mr. Bostian accelerated the speed to more than twice the legal limit. Mr. Bostian, as the operator of the train, was not able to navigate the curve at such a high rate of speed. This caused the train to derail. This derailment caused the deaths of eight passengers.								
Inchoate	☐ Attempt			☐ Solid	nitation			1 1	☐ Conspiracy
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which places Train No. 188 caused the de	or may place a 3, recklessly fail erailment of An	nother personed to deceler not all to deceler	n in danger of o ate the train wl	death or se hich was tr railment ca	erious bodily in aveling more aused the dea	njury. To than twi	O WIT: On Note the legal s	1ay 12, 2 speed lin	nd degree if he recklessly engages in conduct 2015, Brandon Bostian, the engineer of Amtrak mit, and failed to navigate a curve. This act laced the other passengers and crew members

AOPC 412A – Rev. 07/10 Page __ of __



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 05/12/2017	OTN/LiveScan Number		Complaint/Incident Number
Defendant Name	First:	Middle:	Las	st:
	BRANDON	WILLIAM	BO	OSTIAN

- 2. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- 3. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities.
- 4. This complaint consists of the preceding page(s) numbered ___ through ___.

•	The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth
(of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.
	Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before th

(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

MAY 12, 2017 (Date)	(Signature of Affiant)
I certify that the	complaint has been properly completed and verified.
e completed before a warrant can be issued	l.
- (L A. (L (L.)	
(Issuing Authority)	SEAL
	(Date) I certify that the

AOPC 412A – Rev. 07/10 Page __ of __



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/LiveScan Num	ber	Complaint/Incident Number
	/ /			
Defendant Name	First:	Middle:	Last:	
Defendant Name:	BRANDON		BOS	TIAN

AFFIDAVIT of PROBABLE CAUSE

Your Affiant, Agent James R. Elo, is a Supervisory Special Agent employed by the Pennsylvania Office of Attorney General, Bureau of Criminal Investigation, and is empowered by law to conduct investigations and make arrests relating to public corruption, white-collar crimes, identity theft, fraud, ethics violations, and other violations of Pennsylvania Law, and cases referred by District Attorneys in Pennsylvania. Some of your Affiant's responsibilities include, but are not limited to, supervising BCI Special Agents in their investigations, which includes reviewing case files, investigative reports, overseeing the execution of search and seizure warrants, and the arrests of offenders. Your Affiant has been so employed since December 2012 and is currently assigned to the Eastern Regional Office in Norristown, Pennsylvania.

Before being promoted, your Affiant was a Narcotics Agent employed by OAG's Bureau of Narcotics Investigation and Drug Control and was empowered by law to conduct investigations and make arrests for the violations of the Controlled Substance, Drug, Device and Cosmetic Act and related offenses. Your Affiant was so employed from February 2007 to December 2012.

Prior to being employed by OAG, your Affiant worked uniform patrol for the Tamaqua Borough Police Department, Schuylkill County, and Kutztown Borough Police Department, Berks County. Your Affiant was further employed as an investigator by the Schuylkill County District Attorney's Office, assigned to the Narcotics Enforcement Unit, between February 2003 and June 2006. Your Affiant has participated in the investigation of all types of criminal activity, including thefts, assaults, sexual assaults, money laundering, and violations of the Controlled Substance, Drug, Device, and Cosmetic Act, 35 Pa. C.S. §§ 780-101 et seq. During the course of your Affiant's law enforcement career, your Affiant also has assisted in the preparation and service of numerous search and seizure warrants for various crimes enumerated in the Pennsylvania Crimes Code, including thefts, sexual assaults, money laundering, and violations of the Controlled Substance, Drug, Device, and Cosmetic Act. Your Affiant has made felony arrests within numerous counties throughout the Commonwealth, including Berks, Bucks, Carbon, Delaware, Lehigh, Monroe, Montgomery, Northampton,

I,, BEING DULY SWORN ACCORDING TO T THE FOREGOING AFFIDAVIT ARE TRUE AND CO AND BELIEF.		ND SAY THAT THE FACTS SET FORTH IN TOF MY KNOWLEDGE, INFORMATION
		(Signature of Affiant)
Sworn to me and subscribed before me this	day of	
Date		, Magisterial District Judge
My commission expires first Monday of January,		
		SEAL



Docket Number:	Date Filed:	OTN/LiveScan Number		Complaint/Incident Number
	/ /			
Defendant Name:	First:	Middle:	Last:	

AFFIDAVIT of PROBABLE CAUSE CONTINUATION

Philadelphia, Pike, and Schuylkill Counties. Further, your Affiant has interviewed, or has been involved in, hundreds of interviews relating to various crimes enumerated in the Pennsylvania Crimes Code. Lastly, your Affiant has testified many times in the Court of Common Pleas as a fact witness regarding various crimes and as an expert witness regarding the trafficking of controlled substances.

Your Affiant has received training taught by OAG in advanced and complex investigation techniques, covert surveillance techniques, and the use of informants, money laundering, and narcotics identification and drug field testing. Your Affiant also has received training from the Pennsylvania State Police (PSP) in narcotics identification and drug field testing at the Northeast Counter drug training center. Your Affiant has successfully completed the Pennsylvania Class "A" wiretap certification (#A-3546) and Pennsylvania Class "B" wiretap certification (B-288), as outlined in Chapter 57 of the Pennsylvania Crimes Code, and has participated in numerous investigations involving the interception of conversations of individuals distributing controlled substances. In addition to the aforementioned training, your Affiant has conducted numerous consensual electronic interceptions and worked as a monitor and plant manager on multiple non-consensual wiretaps. Moreover, your Affiant was the lead investigator on numerous nonconsensual wiretaps. In total, your Affiant monitored over a thousand narcotics-related intercepted communications. Your Affiant has also obtained training in Crime Scene Investigation and Reconstruction, which includes the obtaining and preservation of evidence.

Based upon your Affiant's law enforcement experience and training, your Affiant is familiar with the manner in which various crimes are committed in the Commonwealth relating to public corruption, white collar crimes, identity theft, fraud, ethics violations, assaults, narcotics trafficking and crimes related to the aformentioned. Based upon the foregoing training and experience, your Affiant has special expertise regarding the practices of, and techniques used by these offenders.

On May 12, 2015, a train carrying 238 passengers and 8 crew members derailed while traveling on tracks within the City and County of Philadelphia, Pennsylvania. As a result, eight passengers died, many others were injured, and all were placed at risk of death or serious bodily injury. At the time of the derailment, the Defendant, Brandon Bostian, was the engineer in control of the movement of the train. The train was traveling at a rate of speed in excess of that permitted under federal law.

More specifically, at approximately 9:10 p.m. on the above date, the train, identified as Amtrak Train No. 188, departed the 30th Street Station located within Philadelphia. The train's route began in Washington, D.C., and the ultimate destination was New York City, N.Y. Bostian was an experienced engineer who was aware of the route and the fact that there were speed limits throughout the route. Bostian caused the train to travel at a speed of 80 miles per hour, the speed limit, between the North Philadelphia Station and the Frankford

(Signature of Affiant)



Docket Number:	Date Filed: / /	OTN/LiveScan Number		Complaint/Incident Number
Defendant Name:	First:	Middle:	Last:	

AFFIDAVIT of PROBABLE CAUSE CONTINUATION

Junction. The train then approached a curve at the Frankford Junction, at which point the speed limit was reduced to 50 miles per hour. Instead of decelerating the train, Bostian accelerated the train's movement to a speed of 106 miles per hour. As a direct result of the violation of the lawful speed limit, at approximately 9:20 p.m., the train was unable to navigate the curve, "jumped" the tracks, and derailed.

The derailing of the train caused the deaths of eight passengers: Laura Finamore; James Gaines; Abid Gilani; Robert Gildersleeve; Derrick Griffith; Rachel Jacobs; Giuseppe Piras; and Justin Zemser. Additionally, the derailing of the train risked death or serious bodily injury to the other passengers on the train, and there were passengers who suffered serious bodily injury. A list of the names of the passengers on the train at the time of the derailment is appended hereto as Exhibit A.

The information recited herein was provided by Detective Kenneth Rossiter, who investigated the case and learned this information through witness interviews and documents obtained by search warrants. Also, information was provided to Detective Rossiter by Cassandra Johnson, Mechanical Engineer for the National Transportation Safety Board. Ms. Johnson recovered information from the events data recorder from the train after the accident. That factually verified data showed that the train was traveling at a speed of 106 miles per hour while traveling in the 50-mph zone and decelerated briefly to 103 miles per hour as the emergency brake was engaged, and then recording stopped as a result of the derailment.

	(Signatur	e of Affiant)	

Exhibit A

Jacob AbelToussain AbessoloMario AguilarAleape SeetharamGeorge AlexiadesLaura AlpertAndrew AnLeah AppleMaura ArduDaniel ArmynKanika AroraLeon BachmanJessica BaenClaire BalcerzakJoseph Baniszewski

Amita Bansal Mar# Barcelloshoff Paul Bartelt Christopher Baugh Ryan Baum Trevor Beddoe

Marcia Bell Lucie Belmans Emanuel # Ben David

Maya Bendavid Blair Berman Rebecca Bibb

Michael Black Samuel Blalark Dina M# Blikshteyn

Caleb Bonham Robert Botschka Richard Brake Andrew Brenner Diannal Burgess Martin Burke Melissa Burtt Cagla Buyukkoc Stephen # Carvelli Fe Lirio Casidsid Mark Leo# Casidsid Mazen Mr Chaanine Abdelhami# Charifi Minu Chandan Cynthia Cheng Kam Man And# Cheng Man Mr Cheung Adam Choy Jess# Christopolis Carol Cissel Ruth Clark

Raymond Clarysse Craig Clearwater Daniel Colacicco Sandra Comer Maria Covarrubias Arhur Cole Anne Dale Mark Dale Janna Dambrisi Charlot# Danielsen Seyward Dardy Elizabeth Davidz Anita Davis Fransje De Vlugt Hans De Vlugt Walter Devereaux Nicole Dicicco Martin Doerler Janie Dumbleton Douglas Dolitsky Joyce Dubensky Madison Duputel Lakeisha Edwards Anne Eichmeyer Joshua Ellars **David Evans** Sean Farrell Jason Feldman Zach Feldman Laura Finamore Peter Fomich Eugen Floyd Alan Fogg **Brielle Forrest** Luis Fuentes Jeffrey Furbish

James Gaines **Brody Garland** Karen Gasper Osvaldo Gerald Abid Gilani Rober# Gildersleeve Ximena Gimeno Miguel Giovanni Christopher Ginn Devis Gjuzi Andreas Goigitzer Gary Goldstein Susan M# Goldstein Mario Gomez Julian # Gonsalves Catherin# Greenman Joshua Gotbaum W Vallen Graham Derrick Griffith James Guilliams Ray Grenald Suchitra Gururai Stephend Hall Alec Harris Lisa Harvin **David Hayes** Owen Healy

Stephen K# Heffler Jordan Heiliczer Joan Helfman

Maxwell Helfman Elena Helgiu Kaletha Henry Richard Henry Alexandre Hercot William Herlihy Robert Hewett Thomas Hill Rachel Hirsch James MI# Holquist David Hlinka Karen Hopwood Tony Hopwood Julie Horowitz Sherrilyn Ifill Sakina Jaffrey Margaret Imperato Theresa Imperato Joyce John Dennis Johnson **Emily Johnston Kearline Jones** Francine Jones Jillian Jorgensen Donald Kellaher Eimear Kelleher Dennis Judge John Kenny Jane Kessler Duke Kim Jae Yeon Kim Samia Kirchner Doyle Knight Leonard Knobbs Susanm Koches Kristen Kohler Jeffrey Kutler Nichola# Labarbera Chervl Labarre Pamela Land Brett Langstaff Jose Larrain Diahanna Lee Nathali# Le Louarn Regina Lee Jessica Leifer Robyn Lessans Aaron Levin Barbara Levin Hui Li Anita Marie Lewis Lanzi Li Wanching Liu Geoffrey Lock Tyler Logigian Eric Londin Herbert Long Mirian Lopes Camila Lopes Fernando Lopes Richard Loverd Declan Macfarland Dorthe Madsen Alexandr# Maertens Linnea Magsuci Samip Mallick Maria# Mathenykatz Jacob Matkov Kathryn Matthew Phillip Mcafee Any Mccann Vincent McKeever Helia Mella Amy Miller Layla Alej# Medina Victoria Mirrer Jerome M. Mombelli Afsana Momen Dawn Montgomery Lynn Montgomery Molly Montgomery Nadine Muellner Patrick Murphy William Murphy Manish Kum# Narang Elissa Nemerofsky Ben Newman Fook Chak Ng Duy Nguyen Jeffrey Nix Tiffany Nixon Enung Njoman Julie Novak Peter Olmsted Raja Visha# Oberoi Kelsey Oesmann **Emily Ong** Han Name Ong James Ong Lay Beng Ong Lay Hong Ong Lay Hua Ong Lay Kiam Ong Tina Ong Jibabi Oshoro

2

Adriana Passamano

Linda Sham# Pierre

Bettylynn Pellett

Mhit Phadnis

Valerie Pracilio

Leigh K Pack

Leroy Pickles

Giuseppe Piras

Julia Petta

Joshua # Pearlstein

Geoffrey N Pack

Paul Passamano

Megan Piccirillo

Samantha Pincus

Sureshcha# Pernaje

Oksook Primus Michael Puskar Catherine Raber Lynn Radice Sarah Rae Feli# Redondo Iban Mair# Redondo Iban Janelle Richards Reshard Riggins Nicholas Ritrivi Geralyn SM# Ritter Lindsay Mr Rosen Bruce Rosenblatt Nathan# Rosenblatt Ariella Rotenberg Robert Rudolphi Gabriella Rudy Mark Russell Augustin# Santiago Michael Savino Matthew Ryan Amy Schechner David Schlossman Jonathan Schwartz Toria Scotto Dorota Seidler Jason Scott Steffen Seidler Minita Shah Raian Shah Kathleend Shannon Polina Shevchuk Lyudmila Shevchuk Aileen Sibener Brian Sibener Gladys Sigue Satvinder Singh **Ede Sinkovics** Lydia Sizer **Imogen Smith** Alexander Snape Elise Snyder Thomas Stadnik Glenn Sorge Winston # Soboyejo Benja# Stoltenberg George Stone Holly Stone **Donald Sturdevant** Albert Sutton Erin Swanpotras Linda Szabados Eliza Tanzil **Emilah Tanzil** Jinfero Tanzil Nadia Tareen Sophia Tareen Aristeidi# Telonis Elena Terkanian Laura Tepper Michael Terkanian Sehr Thadhani Patrick Thompson Jessica Toran Catherine# Trapani Carmelin# Trimboli Mark Tulk Ellyn Turner Helia Uribe Norna Velez Lucie Verellen Kathryn Varnum Maria Verellen John Vertuno Chrissa# Vigilance Ben Dr Vinson Jan Von Der Goltz Lee Waldron

Tara Wallace Michael Walsh Mark Ward Daniel Wetrin Sandra Whitehouse Lynette Watts Gibb Witham Lisa Whittaker Jeremy Wladis Tiffany Wong Hans Wydler Sylvia Yanez Mordy Yankovich Chin Guan Yeo John Yingling Min Yu Justin Zemser Chung Sun Yiu Qing Zhao Adam Ziegfeld Louisa Ziglar