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Lawsuits follow traffic death of two teens

BY MIKE SANTA RITA

The parents of two teenagers who were killed in a collision with a tractor-trailer at the scene of non-working traffic light in Jessup last January each are seeking \$5 million in damages from 11 parties, including Maryland State Police, a state trooper and a former Howard

County police officer.

"The tragedy results from the death of the child and the horror that goes with it, and one of the purposes of the lawsuit is to attempt some social engineering to prevent this type of problem," said attorney Paul Palmer, who represents William and Linda Howard, the parents of Theresa E. Howard,

18, of Sykesville who was killed in the collision.

Howard and Scott Caplan, 19, of Columbia were killed at about 10:45 p.m. Jan. 6, when a tractor-trailer exiting southbound I-95 struck the Volvo in which the two teens were traveling on westbound Route 175, according to Howard police.

The traffic light at the intersection had been out for 90 minutes and was unmanned by state or county police at the time of the accident.

Although a state police trooper and a Howard police officer visited the intersection during the time the light was out, both forces failed

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Parents of teens who died at traffic light file lawsuits

Damages, from page 1

to properly man the intersection or provide sufficient indication for oncoming traffic that the light was not functioning, according to lawsuits Howard's and Caplan's parents filed in Howard County Circuit Court on Nov. 13.

Drivers, police named in suit

Both suits name as defendants Patrick Eckley, a then-Howard County police officer the suits allege visited the scene of the nonworking light; Cpl. Raymond A. Hale, a state trooper the suits allege visited the scene of the light, the State of Maryland and state police.

It also names Gary Lee Dicks, the driver of the truck that police said struck the Volvo; five transportation companies who sub-contracted work to Dicks; and Meghan St. Martin, the driver of the Volvo.

Attorneys for the Howard and Caplan families say the families continue to grieve.

"The Caplans are devastated," said Douglas Furlong who represents Scott Caplan's parents, Roger and Nancy Caplan. "These were completely preventable deaths,, which makes it even more difficult to comprehend how it could have happened."

Other lawsuit filed

All of the defendants named in the suits, except for Eckley and St. Martin, either declined to comment on it or did not return telephone calls seeking comment.

Eckley could not be reached for comment.

St. Martin's attorney, E. Dale Adkins, blamed Howard County and Maryland state police for the accident.

"This thing is a tragedy, and it's a tragedy that the authorities knowing about that stoplight

didn't do more about it," Adkins said. "The county and the state bear responsibility. It's sad."

St. Martin also has filed suit against Dicks; the trucking company that employed him; the State of Maryland; Howard County; and Eckley, Adkins said, adding that she is seeking a total of \$300,000 in damages.

Driver facing verdict

Meanwhile Dicks, 24, of Stephens City, Va., stood trial Nov. 29 in Howard County District Court on charges of failing to yield to

oncoming traffic on a highway and negligent driving in connection with the Jan. 6 incident.

Judge Pamela Brown is scheduled to deliver her verdict Feb. 1.

Timothy Mitchell, Dicks' lawyer in the criminal case, called his client innocent.

"There's an underlying bigger reason why this happened: the lights went out," Mitchell said Dec. 5.

In response to the accident, then-Howard Police Chief Wayne Livesay ordered his officers never to leave the scene of a nonworking

traffic light without marking the intersection for motorists.

State police spokesman Sgt. Thornie Rouse said last January that state police were investigating the crash and its officers' actions on the night of the accident and would communicate its findings to the public

On Dec. 5, a spokesman for state police referred calls on the investigation to Capt. Norman Dofflemeyer, who did not return telephone calls seeking comment.

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Police chief's appointment now official

BY NATE SANDSTROM

Howard County Executive Kenneth Ulman removed the "acting" from Police Chief William McMahon's title this week.

