

Charges are dropped against one suspect in Chesco slaying

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Ruling that state police investigators had no evidence showing that a 22-year-old Kennett Square man directly conspired or participated in the slaying of a mushroom worker, a Chester County judge has dismissed murder charges against him. Judge Lawrence E. Wood also threw out a statement that Keith Edward Crampton gave police about his involvement in the slaying, finding that the police had waited too long to read Crampton his Miranda rights.

"The weight of the world is off his shoulders," said Crampton's lawyer A. Charles Peruto Jr. In hearings in August, Peruto argued that with the exception of Crampton's own statement, the prosecution had no proof that Crampton had entered into any kind of conspiracy to kill 21-year-old Nicholas Santoya. And Crampton's statement, Peruto added, was improperly obtained.

Assistant District Attorney Richard E. Lombardi countered that Crampton had admitted he was present in Santoya's mobile home in Toughkenamon on Jan. 2 when two men, demanding that Santoya pay a \$200 debt, beat him to death with a baseball bat and took \$400 from his pocket. In his order, dated Sept. 20, Wood said state law requires that anyone charged with conspiring to murder must have prior knowledge of the crime and that the prosecution must show an "agreement" between the conspirators. Mere presence at the scene of the crime is not enough to establish a conspiracy, the judge wrote.

"There is no showing of criminal intent by the Defendant to commit murder or robbery," wrote Wood, "...and the evidence does not indicate that he was an active participant in those crimes." The District Attorney's office will not appeal the dismissal of charges, Lombardi said yesterday. He added that he was weighing whether to appeal the dismissal of Crampton's statement to police describing the slaying. On April 3 and 5, Crampton told Troopers Guy Lenior and Leonardo Becarra that a man known as El Guero, which is Spanish slang for "the light-skinned one," and another man identified as John Glass took Crampton to Santoya's mobile home, according to court papers.

When El Guero and Glass demanded that Santoya pay his debt, Santoya resisted and both men struck him in the head with the baseball bat, Crampton told the police. Later, they dumped the body in nearby woods it was discovered March 26th. Peruto argued that by the end of the interrogation April 4, Crampton had become the "focus of the investigation" and, as such, he should have been provided with his Miranda rights.

At one point during the questioning on April 4—which took place behind closed doors in the fire marshal's small basement office in the Avondale police barracks—a trooper escorted Crampton to the bathroom. "his being escorted to the bathroom is key because he believes he is in custody," Peruto said. "This kid was scared to death."

Lombardi argued that the troopers repeatedly told Crampton he was not under arrest and was free to go during the interrogations. Crampton was arrested the evening of April 5 after he had submitted to a lie detector test and provided a detailed account of the slaying. While police have flexibility in questioning someone even if that person is the focus of an investigation, Judge Wood found that person is placed in a situation “in which he reasonably believes his freedom” is hampered, Miranda rights should be given.

Wood said that the lengthy questioning, the location and size of the interview room, and the police escort to the bathroom all amounted to de facto custody. And that Crampton’s statements describing the details of the killing were inadmissible.