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## Harrisburg dam claimed another victim in the 1980s, bringing death toll to 30

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BEST OFFER



Dangerous Dock Street Dam in Harrisburg



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By [Christine Vendel](#) | [cvendel@pennlive.com](mailto:cvendel@pennlive.com)

William C. Miller, his brother and a friend went fishing at the Dock Street Dam in 1982 but only two of them survived the recreational outing.

The three had walked down the west shore bank and climbed on top of the dam in Harrisburg, where they cast their lines into the oxygen-rich and fish-infested waters below.

About a half-inch of water cascaded over their shoes as they stood on the four-foot concrete dam.

It was Labor Day weekend and the water levels were low. But the power of the river remained deceptively high, as they would soon tragically discover.

Miller entered the water on the upstream side of the dam to cool off, but soon got tangled in a dislodged tree that was pushed against the dam. When he tried to free his foot from a branch, he got sucked under.

"He got dragged under water and I couldn't get ahold of him," his brother John J. Miller said. "I remember, he couldn't get out of that tree."

Authorities later told reporters that William Miller had gotten wedged into a crack in the dam under the tree. They found his body the night of the accident, but could not remove it until the next day because it was so firmly wedged in place.

The death of Miller, 23, was not counted in [PennLive's analysis published last month of deaths at the dangerous low-head dam.](#)

Miller's mother notified PennLive after seeing the article, which documented 29 deaths at the dam dating back to 1935 through agency records and newspaper archives. No one had previously tracked the overall number of deaths.

With Miller's case included, the confirmed death toll rises to 30.

John J. Miller said he had never fished off the dam before that fateful night and he doesn't remember seeing any warning signs.

"I knew about the power below the dam, but didn't realize how powerful it was above the dam until I saw that tree going under," Miller said.

Concerns about safety and warning signs at the dam resurfaced this year after a mother and daughter drowned there. Cody Binkley was taking his family fishing and camping after dark on May 7 when he ran directly into the dam, capsizing his boat and killing his family, including his dog. [He told authorities he did not know the dam existed.](#)



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After the deaths, state officials inspected the site and noted the city was out of compliance with the Dam Act of 1998, which requires signs on both shores near the dam. Previous signs had been washed away by flooding or ice.

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The city ordered four new signs that arrived Wednesday. They will be installed the week of July 23 after the proper clearances are obtained.

Those signs likely wouldn't have helped Binkley as he was approaching the dam from the water after putting in his boat at Middletown.

But the act also requires dams like the one in Harrisburg to install buoys both upstream and downstream from the dam, yet there are no buoys downstream. There never have been.

The city had a verbal "waiver" for the downstream buoys because of difficulties keeping buoys in place.

Instead, the city voluntarily posted reflective signs on the top of each bridge pier on the downstream side in 1999. But those 19-year-old signs now fade into the gray stone background.

City officials have reiterated their contention that buoys are not feasible downstream. They submitted an application to the Fish and Boat Commission after the latest fatalities saying they can't find anyone to put in the buoys downstream. City officials said the state didn't put out buoys downstream either when they were in charge of markings at the dam.

"The fact remains we can't put them out if no one will do so," Harrisburg Mayor Eric Papenfuse said.



These are the new signs that will be posted on the shores.

The current contractor told city officials the water levels are too low to safely maneuver a boat across the one-mile-wide river to place the weighted buoys. City officials pay the Keystone Aquatic Club \$3,640 annually to place buoys upstream during the summer boating season.

Fish and Boat Lt. Col. Thomas Burrell said the agency is still considering the city's request. But in recent years, the agency typically hasn't agreed to waivers if other options were possible, including relocating the buoys or different methods of anchoring the buoys.

"I suspect this is going to take a while," Burrell said. "I just want to be convinced that issuing the waiver is the proper thing to do. Is it for convenience and sacrificing public safety or is it truly the only option available?"

Historical documents from the city show the state previously was responsible for placing the buoys and signs, but the Dam Act shifted that responsibility to dam owners.

"It shoves the costs of marking the dam from the state to the city," Mayor Stephen Reed typed on a 1999 memo. "Yet the state and federal governments remain exclusive in their regulation of what the city can or cannot do at, on and near the river."

The memo also referred to putting out "the lighted buoys," which apparently were used at one time so they could be more easily spotted at night. The buoys now simply have reflective tape on them except for two near the east shore, which remain lighted.

A cable also once ran across the entire width of the river on the upstream side of the dam in the 1960s to help prevent boaters from going over the dam, but it was later removed.

Reed mentioned in one memo obtained by PennLive how he influenced the outcome of the Dam Act by convincing lawmakers to remove a section that would have criminalized acts of non-compliance by dam owners. The city of Harrisburg owns the Dock Street Dam.

"The Senate agreed to such an amendment and inserted the same prior to the legislation becoming law," Reed wrote.

He also noted that the new law makes it a summary violation for persons to ignore the warning devices and enter the restricted areas near the dam, which was new.

The brother of another dam victim from the 1980s also reached out to PennLive after the death-toll analysis was published to provide previously unknown details about a 1986 drowning.

The death on June 18, 1986 was counted in the death toll, because it was noted in a memo from the Fish and Boat Commission, but the victim's name and circumstances of the death were not known.

Richard Kershaw, 90, said his brother William J. Kershaw went fishing alone in 1986 to fish below the dam, something he regularly did.

But the 67-year-old didn't return from this outing. His empty boat was found against the dam. His body was recovered downstream two days later.

Kershaw believes his brother may have gotten his fishing line stuck on something and when he pulled on the line to free it, he pulled his boat too close to the boil line.

The circulating waters created by the dam then likely yanked his boat against the dam, where it capsized.

The Kershaw brothers were both strong swimmers. While William eventually abandoned the sport, and joined the Navy, Robert Kershaw said he continued swimming, eventually winning a gold medal in the 1948 Olympics in London.

But many strong swimmers have died in the violent churning waters beneath the dam in its 100-year history.

That's why low-head dams are known as "drowning machines" for their effectiveness in keeping victims disoriented and unable to escape.

A Florida expert on drownings predicted there would be more deaths in Harrisburg if modifications weren't made to the dam or its markings. John Fletemeyer also offered to visit Harrisburg for the cost of his travel alone to provide an analysis of the dam's safety and possible solutions.

But city officials, who already are trying to find ways to cut \$12 million from their annual budget because of their looming exit from the state's Act 47 program, say they don't have any money for the expert's travel costs, much less any mitigating changes to the dam.

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Rule changes, however, could be forced on the city if the Dam Act is amended, and some Fish and Boat officials expressed a desire at a PFBC meeting this week to see that happen, according to [the Public Opinion newspaper](#).

The newspaper reported that Rep. Keith Gillespie, R-York County, said he wanted to hold a hearing about the Dock Street Dam. He chairs the game and fisheries committee.

"If we had an intersection or place or thing that caused that amount of death, we'd do something, yet the dam keeps swallowing them up," Gillespie said, according to the newspaper.

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