

Wrongful Death Lawsuit Over STAC High-Speed Chase Moves Forward

On behalf of Johnston, Moore & Thompson

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Kelly Spurlock, the widow of NASA engineer Darren Spurlock who was killed when he crossed the path of a high-speed police chase in 2008, is moving forward with her [wrongful death](#) lawsuit against the fleeing driver, the City of Huntsville, and three officers who participated in the chase.

The driver, Valorie Kiel Cox, pled guilty last year to second-degree murder in Spurlock's death and has been sentenced to 30 years in prison. Although Ms. Cox faced criminal penalties for causing Spurlock's death, criminal defendants can also be named in civil lawsuits for wrongful death, as can anyone whose negligence or wrongdoing causes a fatality.

On May 30, 2008, members of the Madison-Morgan County Strategic Counterdrug Team, or STAC, saw Cox hit another car and keep going, which could be a felony. They pursued her at a high speed down Memorial Parkway toward Redstone Arsenal. Cox managed to breach the gate at the arsenal before continuing on.

By the time Cox reached the intersection of Rideout Road and Martin Road, Cox was traveling at approximately 90 miles per hour. She ran a red light and crashed into Spurlock's car. He died at the scene.

The Police May Have Been Negligent by Choosing to Pursue a High-Speed Chase at Midday in a Busy Area

Ms. Spurlock's lawsuit claims that STAC contributed to Darren Spurlock's death by choosing to initiate a high-speed chase at midday in an area where it would put other motorists at risk. The City of Huntsville shares responsibility because it failed to train the officers properly about the dangers of high-speed chases and adequately supervise them.

Attorneys representing the officers and the City deny any wrongdoing. Huntsville PD performed an internal investigation into the crash and determined that the officers followed department policy. The police assert that they were duty-bound to pursue Cox after they saw her commit a felony.

Assuming the chase complied with department policy and that the officers believed they had a duty to pursue Cox regardless of the risk to other drivers, the question of whether such a policy is reasonable would still be at issue.

Under Alabama law, municipalities are liable for no more than \$100,000 in any one incident. Ms. Spurlock's lawsuit may take up questions about whether the individual police officers are

liable separately from the city when the alleged negligence occurred in the line of duty. If so, it is unclear whether officers' individual liability would be capped.

Related Resources:

- "[City, cops sued in fatal crash](#)" (The Huntsville Times, June 13, 2010)
- "NASA engineer's widow sues over fatal police chase" (The Huntsville Times, May 29, 2010)