

METRO

THURSDAY, APRIL 19, 2007

Parents to Get \$1.2 Million in Fatal Police Chase

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The District has agreed to pay \$1.2 million to the parents of two children who were killed in 2004 by a motorist fleeing police in Northeast, lawyers for the city and the family said.

The crash at 12th Street and Florida Avenue NE took the lives of Octavia Suydan, 8, and her brother, Christopher Suydan Jr., 7. It focused renewed attention on police pursuit protocols, which have long been the subject of controversy in the District and other urban areas.

Police investigators determined that officers initiated a pursuit just before the crash, but said they broke it off before the fleeing driver, Eric Palmer, plowed into the two children, who were with their father, walking to a store to buy chips and soda. The accident took place about noon Sept. 11, 2004.

The family contended that the city was at fault and sued the District in Superior Court, accusing police of "gross negligence."



Christopher Suydan is shown in 2000 with his children Octavia and Christopher Jr., who were killed in 2004 by a car fleeing District police.

The District, while agreeing to the payout, did not admit wrongdoing, Deputy D.C. Attorney General George C. Valentine said.

In addition to the payment to the family, the city agreed to order the officers involved to attend a two-day driving instruction program at a federal law enforcement center in Maryland.

The chain of events began with a police drug sting in the 600 block of Orleans Place NE. An undercover officer had just bought drugs from a man standing next to Palmer's car, and when officers in marked and unmarked cars moved in to arrest the drug dealer, Palmer panicked. He had been in court three days earlier, accused of violating probation on a drug charge.

Gunning the engine of his Honda Accord, he bolted from the scene, striking a patrol car and nearly running over an officer, according to police. An officer in a patrol car pulled behind Palmer's car and turned on the sirens and emergency lights in an effort to stop the driver. But Palmer refused, and a commander ordered the officer to halt the pursuit, police said.

In general, D.C. police are not allowed to chase suspects unless they believe a violent felony has been committed or that the public is in serious danger. The policy was developed after other deadly crashes.

Nationally, authorities acknowledge that strict limits on high-speed chases can embolden criminals who know the police are constrained by pursuit policies. But supporters of the policies say the possibility that a criminal may escape must be weighed against the deadly risk to bystanders in densely populated areas.

In a letter to the city, the family's lead attorney, Kim Brooks-Rodney, of the law firm Cohen & Cohen, said the depositions taken as part of the lawsuit make it clear that the officers had no basis to begin chasing Palmer and that even worse, one officer persisted in pursuing the car even after having been ordered to stop. Brooks-Rodney also noted that the incident took place in a heavily populated residential neighborhood on a busy Saturday.

Police have said the episode lasted about 30 seconds and covered 10 residential blocks. Both sides agree that Palmer, then 19, was hurtling through the streets -- just as the Suydan family was preparing to cross Florida Avenue. The walk signal was flashing.

Halfway across the street, Suydan let his children run ahead, and just then Palmer's Honda came flying through the intersection. Octavia and Christopher were thrown 140 feet, the family's lawyers said.

"They were holding hands just before the collision and died in the direct sight of their father," Brooks-Rodney wrote the city.

Palmer, who was taken into custody after his car crashed into another car, pleaded guilty in 2005 to two counts of second-degree murder for the children's deaths and was sentenced to 16 years in prison.

In her letter to the District, dated Dec. 20, Brooks-Rodney demanded \$5 million to settle the case. Lawyers for the city and the family negotiated the payment of \$1.2 million.

The children's parents, Christopher Suydan Sr. and Towhanna Boston, issued a statement through their attorneys yesterday.

"While we continue to be devastated by the loss of our children, we are hopeful that the retraining of the police officers involved in the chase will make the District a safer place so no other parents will need to endure what we have," the statement said.