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Electrocuted woman's family awarded \$1.75M

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By DAVE SERENO Repository staff writer

CANTON — American Electric Power officials are considering whether to appeal a \$1.75 million jury award to the family of a woman electrocuted and burned by a fallen power line.

Jim Blake, one of the company's attorneys, said Monday that no decision has been made if the verdict reached Friday in Stark County Common Pleas Court will be contested.

Rita M. Todd's husband and four adult children were awarded \$1.75 million in damages for her death.

Todd, 72, was electrocuted July 15, 2000, by a power line that had snapped and draped across the driveway of her Zanesville home. She apparently heard a loud noise and got out of bed around 3:30 a.m. to investigate.

Although her death was almost instantaneous, Todd fell on top of the live electrical line. Her body burned for more than 20 minutes as firefighters and her husband, Robert, looked on helplessly.

"He sees it and there's nothing he can do about it," said Patrick J. Hart of Scanlon & Gearinger, the Akron-based attorney who represented Todd's family.

Ohio Power is a subsidiary of the Columbus-based American Electric Power. Its power lines, which were 27 feet in the air, ran through an oak tree in the front of Todd's residence.

Her family's civil lawsuit accused Ohio Power of negligence for not fixing the sparking line when it sent a repairman to the home around 11 p.m. at Todd's request.

The repairman determined the sparking and falling ashes were being caused by small branches and leaves coming in contact with the wires after a storm, a common problem that could be addressed later by tree trimmers. He then left.

The tree limbs caught fire and the line fell.

Jurors in Judge John Haas' courtroom heard five days of testimony.

Among the witnesses was a neighbor who said he saw a bright, blinding flash and heard Todd scream.

AEP's attorneys argued a fuse in the line was defective and did not properly "de-energize" after breaking, something the company could not have foreseen.

While unfortunate, "we believe our people responded appropriately to the situation," said Pat Hemlepp, AEP spokesman.

The company could appeal the decision to the 5th District Court of Appeals.