

Suspect in death of officers faults her passenger

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Woman grabbed steering wheel, says Tallent lawsuit

Lawyers for Fallon Tallent, the woman charged with the July deaths of two Wilson County police officers after a high-speed chase on Interstate 40, gave a glimpse yesterday into her defense.

In a lawsuit filed in Knox County yesterday, Tallent's lawyers said Dorothy Cash, the passenger in the car Tallent was driving, grabbed the wheel of the speeding car and caused the fatal wreck.

Tallent's lawyers filed the \$11 million lawsuit against Cash in Knox County Circuit Court. The lawsuit seeks damages for negligence and infliction of emotional distress.

Mt. Juliet Police Officer Jerry Mundy and Wilson County Sheriff's Deputy John Musice were killed when the car driven by Tallent swerved to avoid spike strips that had been laid across the highway.

"There's no question" Tallent's claim against Cash "will apply both to criminal and to the civil case. It will be presented to the juries in Wilson County and Knox County," her attorney David Boyd said.

Former Davidson County prosecutor David Raybin said the civil lawsuit is probably designed to allow Tallent's defense access to information Cash has provided officials. The rules of discovery are broader in civil proceedings than they are in criminal cases.

Raybin said Tallent's lawyers would be able to compel Cash or police officers to give information in a civil deposition they could refuse to give in the criminal case. He said that if the rules for discovery were equal in both arenas, the defense would not have to resort to such tactics.

Raybin also said it was possible the defense was seeking money from Cash's automobile insurer.

Mt. Juliet Police Chief Kenneth Martin said yesterday he had not been informed of the lawsuit and referred questions to District Attorney General Tommy Thompson.

"That doesn't surprise me," Thompson said of Tallent's claim. "Nothing they would do would surprise me."

Musice's stepson, James Avery, said he didn't think Tallent's lawyers' new tack would affect the case.

"I think it's just a ploy by the defense. We can't do anything about it. We'll have to wait it out. They're going to try anything they can. I don't think it will help them."

According to the lawsuit, Tallent rented a car to go see her probation officer in Nashville on July 9. She asked Cash to accompany her.

Before beginning the trip, Cash obtained a crack pipe and crack to smoke on the drive.

The two encountered some Knoxville police officers near a public housing development in Knoxville and Cash shouted for Tallent to flee, saying if they were stopped Cash would tell police the drugs belonged to Tallent. On the drive, Cash smoked crack "numerous times," the suit says. She offered some to Tallent, who declined.

"That was the last thing that Fallon needed because she had a drug problem," Boyd said.

Cash became increasingly upset that Tallent wouldn't smoke the crack until "by intimidation and threats" against Tallent, Cash was able to force Tallent to partake.

In Wilson County, the two encountered police vehicles with emergency lights activated. Cash ordered Tallent to flee, repeatedly threatening her, the suit claims.

Under threats from Cash, Tallent "continued to evade police officers at a high rate of speed," the suit says.

Near Exit 226, police attempted to stop the speeding car by laying a spike strip across the highway.

"Upon seeing the spike strip system, (Cash) intentionally grabbed the steering wheel of the vehicle and a struggle ensued. (Cash's) actions placed the vehicle on a collision course with the officers and a police squad car," the suit says.

"Like an idiot, Fallon didn't stop, but Dorothy Cash grabbed the wheel. Fallon wants to know why she's taking the blame and why doesn't Dorothy say what really happened," Boyd said.

Cash later gave statements to investigators "alleviating her of any responsibility in the collision. (Cash) intentionally, maliciously, and recklessly lied to officers in exchange for a deal so that she would not be charged with a crime for her extensive involvement in the deaths of the officers," the suit says.

Wilson County Sheriff Terry Ashe said he had not seen lawsuit yesterday but said, "It's a little late to be posturing. This is a smoke screen and probably one of a long series of smoke screens I think we'll see."

Ashe said he couldn't go into detail but said Cash had given statements after the accident that incriminated Tallent.

Tallent is awaiting trial on murder charges in the Tennessee Prison for Women, unable to post \$4 million bond. Her lawyers have requested a jury hear the suit.