

Suit filed in boy's electrocution

Alabama Power didn't maintain power lines, child's family says

By MICHELLE Q. GUFFEY
News staff writer

The family of the Mountain Brook boy killed by a dangling electric line sued Alabama Power on Wednesday, saying the company did not maintain its lines.

Zack Downard, 6, was killed instantly when he bumped into

the line while playing in a creek near his home on Spring Valley Court. His friend, Ward Webb, was severely burned and has remained in Children's Hospital since the Aug. 16 accident. The power line, which carried 7,200 volts, was two or three inches off the ground with a dead tree atop it.

Mountain Brook police have ruled Zack's death and Ward's injuries accidental, Capt. Johnny Stanley said Wednesday.

Zack's parents, Tim and Crystal Downard, filed the suit to

prevent future deaths and injuries, said their attorney, David Marsh. The suit seeks unspecified punitive damages and a jury trial.

The Downards claim that Alabama Power knew people lived near the power lines and should have anticipated that they might touch the lines. The company had a duty to keep the ground clear of lines and should have insulated them, according to the lawsuit.

Alabama Power spokeswoman Sandi George would not comment on the lawsuit.

Wednesday, saying the company's own investigation was continuing. The company cleaned the area of heavy underbrush the day of the accident.

Ward, whose family filed a similar lawsuit against Alabama Power the day after the accident, was in guarded condition Wednesday evening in the burn unit and making improvement, said hospital spokeswoman Diane Black.

News staff writer Val Walton contributed to this report.