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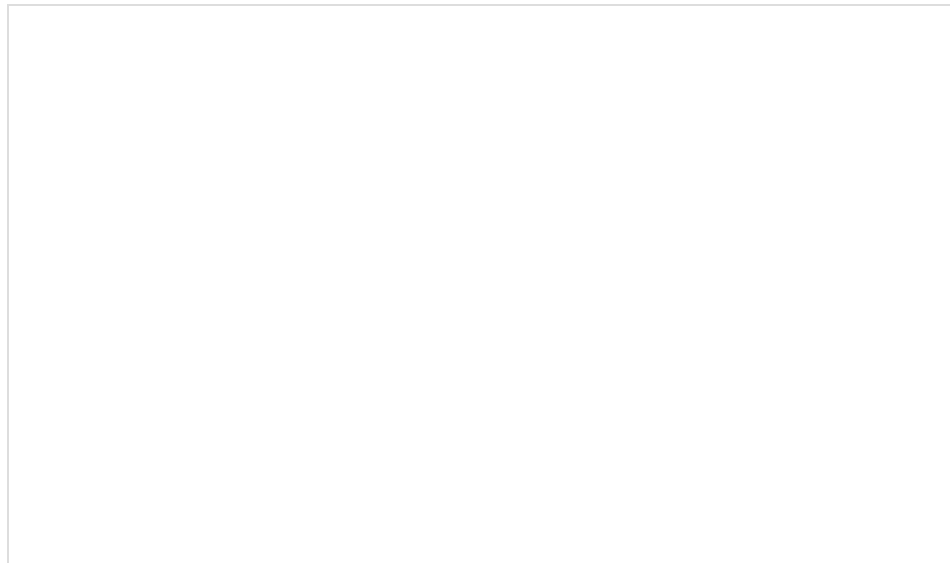
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Victim's family to judge: Release video of deadly texting crash

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Posted: Jun 01, 2012 5:42 PM CDT
Updated: Jun 01, 2012 6:46 PM CDT
By Michael Clark - email



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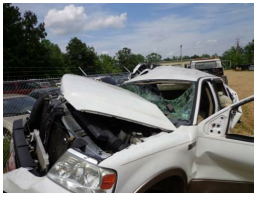
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North Mississippi - (WMC-TV) - A video that shows a truck driver on his cell phone seconds before a deadly crash is the subject of a lawsuit in north Mississippi.

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The crash killed both drivers and now one victim's family wants the video released to show how quickly texting and driving can turn deadly.

Marcus Hardin was driving his semi-truck near Tupelo in April 2011 when authorities say he failed to see Dwight White's vehicle stopped in traffic.

Documents from the lawsuit state that surveillance video from inside Hardin's truck shows him on his phone.

The White family wants to use that video to beef up laws against texting and driving, but



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lawyers for Hardin's family argue releasing the video would show the graphic last seconds of Marcus's life.

"It was horrible, it was horrible," recalls White's daughter Misty West.

West said her father was stopped in early morning traffic due to another accident up ahead.

"I went over in my mind, Ok what could have happened to this young man that he didn't see all these cars backed up and that he ran into stopped traffic," West said.

A company called Drive Cam involves a camera that takes synchronized video of both the road ahead and the driver.

Our video shows examples of what the images look like.

The White family's lawyer, Billy Quin, says it is the exact same recording system that shows Marcus Hardin on his cell phone.

Quin is one of a handful of people who have been allowed to see the surveillance video. He described the images to Action News 5.

"What is clearly depicted is the driver of the truck engaged in texting and driving with a phone that can be no further than six to eight inches from his face. What is equally clear is a sea of red tail lights stretching down highway 78 which would have been obviously visible to him had he been paying attention," Quin said.

West wants to use the video and her father's mangled truck as a tool to help educate the public and perhaps change the laws about texting and driving in Mississippi.

"People learn by what they see, not always by what they're told," West said.

Lawyers for Hardin's family argue that what people will also see in the video is Marcus Hardin's death.

In the motion for a protective order on the video, legal teams argue that the video's release would disrespect Hardin's life and his remaining loved ones.

Quin understands both sides, but believes the video's release is in the interest of public safety.

"The balance should weigh in favor of the public having access to and the ability to see the most vivid example of the dangers of texting and driving," Quin said.

West maintains that she wants to use her father's death as a way to tell others about the dangers of texting and driving.

"My goal is to save lives," West said.

The Marshall County Circuit Court Clerk said that the motion was filed in Marshall County but will be heard in Union County on June 19th.

Stay with Action News 5 for the results of that hearing.

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Victim's family to judge: Release video of deadly texting crash

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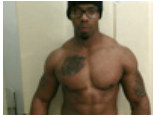
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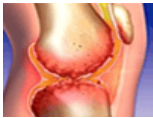
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