

# Crash Chronicles

March 20, 2005

Volume 1 Issue 1

## Welcome to our Newsletter!

This newsletter will be a bi-monthly publication of Impact Reconstruction Consultants, L.L.C. and is provided free of charge to individuals and those organizations that may see fit to review its contents. It is an informational production that will explore various aspects of Crash Investigation and Reconstruction. The topics addressed will cover areas of concern to those wanting to better understand the field and its many facets.

We hope to make this endeavor as informative as possible but will limit the areas examined to general discussions. As you know each crash has its own set of characteristics. Please consider that none of the articles is a "set-in-stone" commentary and all cases have variables that must be addressed prior to any opinion being offered.

We welcome suggestions on the types of topics that you may want to hear about, so feel free to contact us at our website:

[www.impactreconstruction.com](http://www.impactreconstruction.com)

or at our main telephone number 609-261-0823.

If you wish to receive this as an E-mail please send us a short note with your E-mail address and we will forward future newsletters to that location. If you don't wish to receive it let us know that too. Prior issues of the newsletter will be on our website in the near future.

Impact Reconstruction Consultants, L.L.C. hope you enjoy our efforts.

Jeff Grey  
Managing Member



**Impact  
Reconstruction  
Consultants, L.L.C.**

45 Reckland Terrace  
Lumberton, New Jersey 08048-3036

Contact us at: [www.impactreconstruction.com](http://www.impactreconstruction.com)  
or Telephone (609) 261-0823 FAX (609) 267-5710

## **Are You a Crash, Accident, Or Collision Reconstructionist?**

Many times there is some small confusion as to the proper terminology used when referring to those of us that do Reconstruction. Aside from the more colorful names to which we are sometimes referred, it was a generally accepted term to call us Accident Reconstructionists.

However, semantics being what they are, the definition of what an "accident" really is came into question in a courtroom somewhere down South.

According to the National Safety Council, National Highway Traffic Safety Administration (NHTSA) and the training agencies institutions for Crash Investigation and Reconstruction, an accident is an "unintended event that causes injury (including fatal injuries) or property damage".

That definition collided head-on with accepted practice and found that if an event was a true "accident", no one was responsible. That does not sit well in a world where someone has to be "at fault".

So, not wanting to see a case fall apart like that again, NHTSA and the others decided to call all events, that used to be under the umbrella of the term *accident*, collisions or crashes.

Those two terms take a far more critical view of an event and suggest that someone is responsible. It is up to those of us in the field to use the available evidence to find out the how and why of it all.

Suffice it to say we are in a time of transitional recognition of the terms so feel free to use them interchangeably.

## **The Police Role in Crash Investigations**

According to N.J.S.A. 39:4-130 it is mandated that police officers take crash reports on all crashes that result in property damage of \$500 or greater in value, and personal injury and/or death.

It is safe to say the role of the police officer is only as good as the training they have received. Some good police department chiefs and administrators provide all the available training they can to their officers. Others feel that crash investigations are only done for "the insurance companies and the attorneys" and could care less if their officers are trained in anything more than report writing.

As instructors we have enabled many officers to become adept at gathering, analyzing and storing evidence. From our own personal experience we have seen the results of a properly trained officer doing an exceptional job.

The critical at-scene crash investigations police handle are tempered by the resources available to their trained traffic crash investigator.

Some departments have all the "bells and whistles", digital cameras, laser mapping gear, evidence kits, etc. and others don't have one measuring tape or wheel.

Knowing what type of department has handled your client's case will

(continued ->)

## **Quick Fact**

The sooner a Crash Reconstructionist is called to analyze a crash event, the better the chances of success in the courtroom.

### **Role of Police (con't.)**

greatly enhance your chances of obtaining case information in a timely manner.

It should be noted here that the instances where deficient investigations have occurred are very rare. The majority of police officers are very diligent as to what needs to be done and with luck, supervision that allows them to accomplish that mission.

That being said, there are times when a traffic crash investigation is deficient.

Some early warning signs of a deficient traffic collision investigation can include but are not limited to: lack of a scaled diagram of the scene or sufficient measurements from which one can be rendered when there are known serious bodily injuries (including fatal injuries), little or no photographs taken of the scene by police, the vehicles have been released within hours of the

investigation, a visit to the site of the collision presents many pieces from the involved vehicles that are still on location, clothing from involved pedestrians has been returned to the family without analysis, or there is little or no contact from the police to family members about the case progress.

If any of the above signs are present, it is imperative to speak to the investigating police officer (or his supervisor) to get an updated status on his or her investigation.

If there appears to be insufficient progress, retain an ACTAR Accredited Crash Reconstruction expert as soon as possible.

In conclusion, know the limitations of your present case. There may still be evidence at the site of the crash just waiting to be identified and analyzed. The sooner the better.

### **Our New Program Has Begun**

**Impact Reconstruction Consultants, L.L.C. has begun a new program to allow you access to our expertise. This is a free program.**

**We will make ourselves available at your firm for two hours a month to consult on any open cases your members may have needing review. If you provide the space for us, preferably with a table, we will provide some direction and suggestion to whomever needs the assistance. No reports will be provided on these consults.**

**Please give us a month's notice to schedule the consultation times. Schedule a date and time by calling our office or sending us a request via e-mail.**

### **Q & A**

#### **What is ACTAR and who participates in it?**

A.C.T.A.R. stands for the Accreditation Commission for Traffic Accident Reconstruction. The original concept was proposed by NHTSA in the early 1990's to insure that those testifying as experts in Accident Reconstruction were sufficiently knowledgeable in their field of expertise. Engineers and police included.

Accreditation is obtained after successfully applying for the accreditation, satisfying a peer review to show you are qualified to test for the accreditation and then passing the day long theory and practical exam administered by the ACTAR Governing Board of Directors. For more information go to [www.ACTAR.org](http://www.ACTAR.org).