



STAGED ACCIDENTS

What to Do When Something About That Accident Claim That Just Landed On Your Desk Doesn't Add Up...



By Bill Brem, AS, ACTAR

How can you tell if an auto accident is staged? Sometimes claim adjusters are presented with claim losses that just simply do not look right. When that happens, an accident reconstructionist can help determine whether any damages claimed could have actually occurred as reported or whether they were fraudulently staged.

ARCCA's accident reconstructionists were recently asked to review a claim where the owner of a 2012 BMW 750i sedan reported to police that as he was traveling east along Access Road behind some loading docks, an unknown driver, traveling west on Access Road, swerved to miss a pothole in the roadway and collided with the driver's side of his BMW 750i sedan. Immediately

after the collision, the BMW driver (the insured) stated that the other vehicle took off. He further stated that it was a white Acura and that he was able to get a partial plate of "H2", but that, due to minimal lighting in the area, he was not able to provide a description of the other driver other than that he was a male. The BMW 750i sedan was towed from the scene at the owner's request and taken to a body shop. There were no known witnesses listed in the police report.

The statement obtained from the BMW driver was brief, as he did not claim any injuries. We reviewed the claim, as well as the photographs and other materials. However, the photographs did not seem to match the description of the incident. Below are the photos of the BMW.



Figure 1: Front and left (driver) side view of the BMW 750i sedan.



Figure 2: Reported damages to the front left (driver side) bumper cover on the BMW 750i sedan. Note: Scrape markings are all horizontal and straight, running parallel with each other.



Figure 3: Front left (driver side) headlamp lens cover. Note: Scrape markings are not horizontal and straight, not running parallel with each other like those in Figure 3 above.



Figure 4: Close-up view of the reported damage to the lower left rear suspension control arm.

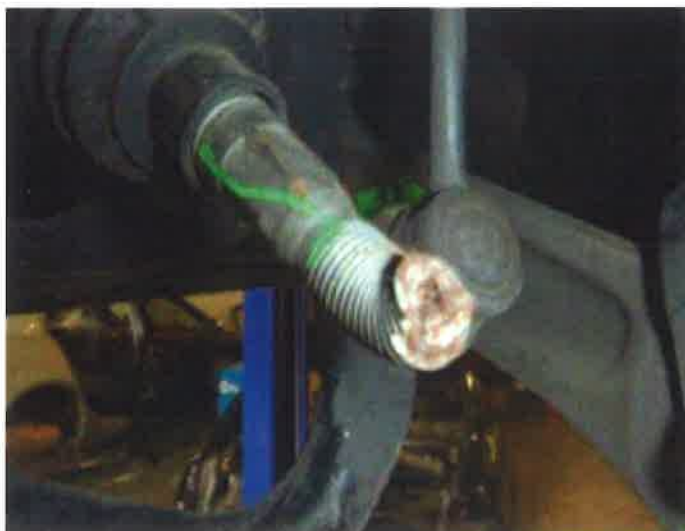


Figure 5: Close-up view of the reported damage to the front steering inner tie rod.



Figure 6: Photograph taken of the damages to the left (driver side) rear quarter panel.



Figure 7: Front left (driver) side wheel cover.



Figure 8: Close-up of the front left wheel cover. *Note:* There are no circumferential markings along the wheel cover to indicate the wheel was rotating at the time of impact.



Figure 9: Photograph taken looking east on Access Road. *Note:* Area is depicted as being in an Industrial / Warehouse District.



Figure 10: Photograph taken looking west on Access Road. *Note:* The reported direction of travel for the phantom hit and run vehicle. * Overall width of roadway, is approximately 26 ft. in width. There is no curbing or concrete culverts in the area.

Purported Damages and Disproving the Claimant's Statement

The damages to the 2012 BMW 750i sedan were reported to have occurred as a sideswipe to the front left (driver side) bumper, which damaged the impact bar, grille, headlamp assembly, fender and front door panels. Severe damages to the undercarriage and front left steering assembly were also reported, including the front left wheel, front suspension steering knuckle, control arm assembly and tie rod, as well as damages to the left (driver side) rear door, quarter panel, rear suspension knuckle, lower control

arm, cross member, rear drive axle differential, wheel rim, rear bumper cover and exhaust system.

An inspection of the vehicle showed there were two separate impact areas - the front left and the rear left - which is inconsistent with the police report diagram, the laws of physics and vehicle dynamics. The damages to the front left bumper cover were all horizontal and straight, running parallel with each other, making them consistent with a sideswipe impact. However, the scratches located on the front left headlamp lens cover were not horizontal - they were straight and running parallel with each other. This would indicate that the damages were not related to each other and more than likely occurred during separate incidents.

After analyzing all of the evidence and interpreting it using the basic laws of physics, we were able to present a solid case that the BMW 750i sedan had already been damaged prior to the claimed incident and that it was a staged accident. Most likely the BMW was hauled to the incident site where it was then positioned to look as though it had been struck by the "unknown white Acura".

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Finally, there was severe damage to the undercarriage and main support components. This type of damage is not only inconsistent with a sideswipe, but also did not match the terrain of the accident site. In order to have severe damages to an undercarriage, a vehicle would have to be driven in an abusive manner over an uneven, irregular surface. In this case, it was not consistent with the terrain as shown in the photos of the site above.

Also, a broken lower left rear suspension control arm and/or a broken front steering inner tie rod would render the BMW 750i sedan undrivable. The photographs, which were taken three days after the incident, show oxidation on the broken tie rod end, and the lack of any "circumferential markings", which are the marks left around the spokes of a wheel in a circular pattern when the wheel is rotating upon impact, further confirms that this vehicle was stopped when the damage occurred.



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