

## **Settlement in Two-Vehicle Crash Involving Police Cruiser and Limited Evidence**

When a taxi was struck on the left rear side by a police cruiser that admittedly ran a red light, one rear passenger was thrown from the car and both rear seat passengers were injured. The police claimed they had entered the intersection cautiously. The usual evidence for a crash reconstruction was not available. However, Robson Forensic still reconstructed the speeds of the vehicles and provided a basis to establish liability.

When the police cruiser ran the red light, it struck the taxi, causing it to spin violently. One rear passenger was thrown out of the back windshield. The other hit the rear door hard. There were no measurements of the roadway evidence, such as skid and gouge marks or the final locations of the cars or ejected passenger. Additionally, there were no crash scene photos, no photos of the damaged police cruiser, and the cruiser was not available for inspection. The absence of this evidence led to a spoliation motion, resolved with sanctions against the City.

The limited evidence available consisted of photos of the damaged taxi and testimony as to the final locations of the two vehicles. Using the available evidence, and with the aid of computerized reconstruction which enabled multiple analyses, we determined where impact occurred and the impact speeds of the two vehicles. Using the speeds of the two vehicles we then determined that the police vehicle, acknowledged to have been entering the intersection against a red light, could not have seen enough of the cross street to have entered the intersection safely at the speed with which it struck the taxi.

This case, with J. Paul Edelstein of New York, settled at trial.

To email the experts involved with this case: [Lance E. Robson](#) with [Motor Vehicle Accidents](#)