



Air bags kill

Testing indicates that air bags may be superfluous in preventing death or injury

BY LARRY BOOTH

It has been my belief for years that air bags kill and maim and that all they do is sell cars. Finally, a serious statistical study has been released which totally confirms that belief and debunks the statistics which have been promoted by the National Highway Transportation Safety Administration (NHTSA)

Bags, bags and more bags

Air bags have been around for more than 20 years. They have been mandatory in the United States on all cars since the 1998 model year. Car manufacturers, which fought their use initially, as they always fought every safety innovation including seat belts, eventually determined that bags sell cars. So we now see advertising for bags and more bags. They install bags not just in the dashboard, but on the sides and even the roof. You can see ads proclaiming the fact that a certain car has eight or 10 air bags to protect you and your kids. You can get in-house memos to dealers in discovery which blatantly talk about the strategy of selling cars by emphasizing air bags.

Litigation

Our office has handled products cases involving air bags, including one celebrated case where an air bag in the

front seat killed a young child. The automobile manufacturer agreed to pay a confidential settlement. The defense attorney had remarked that they are not happy when one of their "safety" devices kills a customer, especially a small child.

It is well known that air bags cause injury and death at low speeds. NHTSA claims that 238 people were killed between 1990 and 2002 due to air bags. These are in low-speed accidents where the deaths could not have been caused by anything else. But in higher speed accidents, NHTSA statistics are a huge weapon for the defense. NHTSA claims that as of 2004, air bags have saved 10,000 lives.

University of Georgia Study

A new statistical study by the University of Georgia completely debunks NHTSA claims and flatly asserts that "the evidence shows that airbags do more harm than good."

The study concludes that it is not reasonable to exclude air bags as the cause of the deaths simply because the accidents were high speed. It seems likely that they also cause deaths at high speed, but these deaths are simply attributed to the accident.

Part of the problem has been the deceptive ads run by manufacturers which either show actual air bag deployment in slow motion or created deployment at slow speeds. This is the fluffy pillow lie.

Air bags deploy at 200 miles per hour. The reason they deploy so fast is so the cushioning effect will be fully inflated before the body part hits it. They can kill and maim not only children and small women, but anyone. They come out like a rocket in real time. For years, NHTSA has compelled stickers in cars warning against having children ride in the front. Nonetheless, they have allowed the same children to ride in the back right next to side curtain bags. What is worse, being hammered by a small rocket to the head or hitting the head on the window or inside of the car? The truth is, no one knows.

Roof bags are even crazier. They supposedly supply an extra cushion if your head hits the roof. This should never happen to a belted passenger unless the roof crushes. But guess what, in a rollover accident the roof almost always crushes. The required tests for roof strength are a joke because they are done with the windows up which provide a tremendous advantage to roof strength. But in the real world in a rollover, the windows always disintegrate. When the roof comes down on the passenger, it makes absolutely no difference whether there is an additional cushion in place.

As the Georgia study confirms, seat belts are the real answer. Seat-belt usage reduces the odds of death by 67 percent. Many modern cars have a device called a



MARCH 2012

pretensioner. It tightens up the belt just before the crash. It is activated based on the same technology which deploys air bags when there is a sudden reduction in speed. When a seat belt with a pretensioner essentially nails you to the seat, you stay there. The air bag becomes redundant (and dangerous).

The Georgia study was published in a magazine called "Chance" at Volume 18(2) pp. 3-16. There are two data bases used in these analyses. One is the FARS (Fatality Analysis and Reporting System), which is a compilation of information about all highway accidents involving a death and the other is the CDS

(Crashworthiness Data System), which is a data base containing random samples of all accidents. The statistical error made by NHTSA is to not separate out low speed accidents, high speed accidents and unbelted victims. It is well known that many people fail to use their seat belts because the car is equipped with air bags. The reality is that air bags are significantly more dangerous when the person is not belted. The analogy used in the study is radiation helps save lives for people who have cancer. But if you give radiation to everyone whether they have cancer or not, the radiation itself will cause cancer in otherwise healthy individuals.



Booth

Larry Booth is the author, along with his son Roger Booth, of the 600-page Personal Injury Handbook ([www.James Publishing.com](http://www.JamesPublishing.com)) and has tried hundreds of jury trials. His firm, Booth & Koskoff, has achieved over 70 jury verdicts and settlements in excess of seven figures. In 1974 he was selected to the Inner Circle of Advocates, whose membership is limited to the top 100 Trial Lawyers in the United States. He graduated from the University of Southern California Law School as the top student and Editor in Chief of the Law Review.