

California Association of Accident Reconstruction Specialists

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New Members



Contact Information

General Info:	ca2rs@ca2rs.com
CA ² RS Chairperson:	Kent Boots chairperson@ca2rs.com
Membership:	Kevin Cassidy membership@ca2rs.com (408) 277-4654
Treasurer:	Karen Haverkamp (951) 353-7980 treasurer@ca2rs.com
ACTAR Rep:	Rudy Degger actar@ca2rs.com (916) 782-4654
Newsletter Editor:	Jennifer Colunga editor@ca2rs.com

Dan Acfalle.....	Vallejo PD
Antonio Benavides	
Lawrence Perry Birch, Jr.	
Stanley Blaszak.....	Orange County SD
Sergio Borbon.....	Gardena PD
W. Sean Britt.....	Ventura County SD
Steven Cooper	
John Crews.....	Santa Ana PD
Tim Crise	Los Angeles County PD
Brent Deupree	
Robert Dewey	Fresno PD
Matthew Egan	
Justin Farrington	Vallejo PD
Ryan Fix	MEA Forensic
Robert Forrester	
David Givens	Stockton PD
Weston Hadley.....	Santa Ana PD
Lawrence Hainley	Buena Park PD
Beatrice Hughes	Ventura County SD
Michael Hutton	
Keith Ivany	Bell Gardens PD
Scott MacDonald	Rimkus Corp.
George Marcus.....	Vallejo PD
Michael McBain.....	Cypress PD
William Moon	
Dan Moreno	Santa Ana PD
Kazuwa Nagao	Gardena PD
James Nakayama.....	Concord PD
Brad Olsen	Orange County SD
Matthew Petros	MEA Forensic
Salvador Quezada	Campbell PD
Thomas Reyes.....	Buena Park PD
Paul Saedler	
Randy Schmidt.....	Azusa PD
Jennifer Snell	Los Angeles PD
Timothy Stark	Torrance PD
Greg Stelzner	Vacaville PD
Christopher Thompson.....	Orange County SD
Russell Townsley.....	Los Angeles County SD
Teddy Vaughan.....	Vector Scientific
Charles Wages	Clovis PD
Greg Walker.....	Stockton PD
David Walton.....	Riverside County SD
Anthony Washmera.....	Concord PD
John Weaver	Clovis PD
David Wetzell	Campbell PD

Membership Benefits Worth Noting



CA²RS Membership:
\$40/yr + one-time \$10 Registration fee

Discounts for CA²RS members:

AR Journal: \$36/yr (\$6 per issue)
Savings: \$13 off the new rate of \$49/yr

AI Quarterly: \$23/yr (\$5.75 per issue)
Savings: \$6 off the new rate of \$29/yr

Collision Magazine: \$119/yr
Savings: \$20 off the regular rate of \$139/yr



Schedule of Accreditation Examinations

For a full/current schedule, see WWW.ACTAR.ORG

DATE: Cancelled until September
LOCATION: Augusta, Maine
SPONSOR: NAPARS
CUTOFF DATE:
COMMENTS:

DATE: Sunday July 15, 2007
LOCATION: Phoenix, Arizona
SPONSOR: SATAI
CUTOFF DATE: **June 15, 2007**
COMMENTS: Held before SATAI Annual Conference

DATE: Sunday July 22, 2007
LOCATION: Charleston, South Carolina
SPONSOR: IAARS/NAPARS
CUTOFF DATE: **June 22, 2007**
COMMENTS: Held before SCARS Annual Conference

DATE: Sunday August 19, 2007
LOCATION: Aylmer, Ontario, CANADA
SPONSOR: CATAIR
CUTOFF DATE: **July 19, 2007**
COMMENTS: Held before CATAIR Annual Conference

DATE: Tuesday September 11, 2007
LOCATION: Golden, Colorado
SPONSOR: CSP
CUTOFF DATE: **August 11, 2007**
COMMENTS:

DATE: Thursday September 13, 2007
LOCATION: Houston, Texas
SPONSOR: TAARS
CUTOFF DATE: **August 13, 2007**
COMMENTS: Held before TAARS Annual Conference

DATE: Saturday September 22, 2007
LOCATION: Bloomington, Illinois
SPONSOR: IATAI
CUTOFF DATE: **August 22, 2007**
COMMENTS: Held at IATAI Annual Conference

DATE: Monday October 8, 2007
LOCATION: Seattle, Washington
SPONSOR: WATAI
CUTOFF DATE: **September 8, 2007**
COMMENTS: Held before WATAI Fall Conference

DATE: Tuesday October 23, 2007
LOCATION: Binghamton, New York
SPONSOR: NYSTARS
CUTOFF DATE: **September 23, 2007**
COMMENTS: Held before NAPARS/NATARI/NYSTARS/NJAARS/MdATAI Joint Conference

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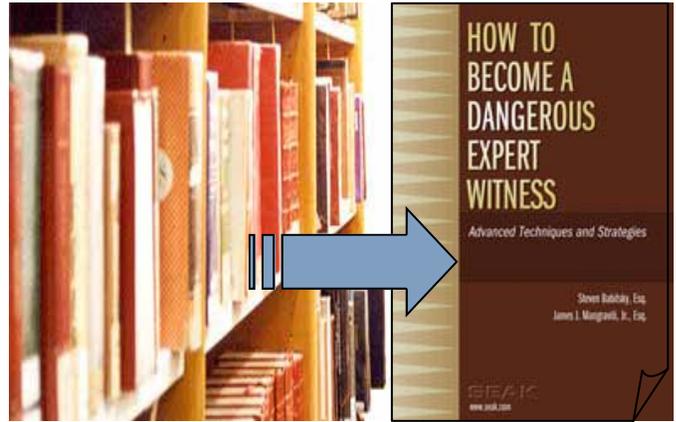
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From The Bookshelf

Another Book Review from the desk of
Joseph E. Badger, Bloomington, Indiana



How to Become a Dangerous Expert Witness

By Steven Babitsky, Esq., James J. Mangraviti, Jr., Esq.
©2005 Seak, Inc.

How to Become a Dangerous Expert Witness teaches experienced experts how to become dangerous experts. The mere disclosing of a dangerous expert to the opposing side can frequently increase the settlement value of a case.

Accordingly, dangerous experts are selective on the types of cases they accept and are able to command premium fees. Opposing lawyers are concerned about the dangerous expert's expertise, command of the facts and his ability to communicate, teach and persuade the jury.

Dangerous experts understand how to defeat opposing counsel's tactics and are even capable of turning the tables on opposing counsel.

First, let me tell you what I don't like about the book. The title. I don't have a problem with the material IN the book; it's the pesky title: How to Become a Dangerous Expert Witness.

Dangerous. What's that mean? With apologies to Ms. Browning, let me count the ways.

Alarming, fatal, risky, unhealthy, severe, rash, hazardous, unsafe, precarious, insecure, harmful, temerarious. That's enough. However, I don't think that's what the authors want to convey. I can guess their meaning but after reading the book, I prefer How to Become a Formidable Expert Witness. Well, no, that might still suggest something dreadful or terrifying. Perhaps "well-prepared" or "experienced" or an "efficient witness."

The authors, Steven Babitsky and James Mangraviti, Jr. give their definition this way: "A dangerous expert witness is an expert witness who puts fear into opposing counsel." I guess that leaves me out. I have yet to see an attorney quake upon seeing me enter the room.

Don't ask me why, but this is the second SEAK-published book that I started reading from the back. Perhaps it was because the book arrived here a few days before I was to be deposed and perhaps it was because one of the later chapters "Truthfully and Artfully Answering Trick Questions" caught my eye.

If you have been deposed several times, you have surely had an attorney foist a trick question on you. "Yes or no, have you stopped beating your wife?" is a good one.

The authors cite dozens of actual trick questions. Some examples include:

- "You have stated your opinion. Is it possible that you are just plain wrong?"
- "You enjoy the adversarial questions and answers in cross-examination, don't you?"
- "Are there experts in the United States who are more qualified in this area than you are?"
- "Do you know why counsel hired an expert witness who lives 1,500 miles from here to testify?"
- "Do you consider yourself smarter than most of the people on the jury?"

In each of these – and dozens more – the authors offer three or four likely answers and they explain what's good, bad, or ugly about each one. It's a neat exercise. When you read each question, answer however you would, then look at the authors' comments. You may be surprised. In addition, you'll be educated and enlightened.

Chapter 2 is interesting. "To become a dangerous (there's that word again) expert, experts need to avoid giving opposing counsel any unnecessary ammunition." That's how the authors being their chapter on "Bulletproofing Yourself."

That same chapter has a section called "Fee and Billing Arrangements, Documents and Agreements" and it gives you a half-dozen mistakes to avoid. Those are followed by several Q&A sessions that analyze and discuss why those mistakes could come back to haunt you.

Section 9, "E-mail address" points out how your e-mail address might not sound too professional. "Examples of unprofessional e-mail addresses are 'doctorweewee@msn.com' for an expert urologist, 'ohmyback@msn.com' for an expert chiropractor, or 'shrink@aol.com' for a psychologist."

In the accident reconstruction field, it may not be too wise to use 'Crashman@aol.com,' 'AccidentGenius@att.net,' 'WeWinYourCase@prodigy.com,' or 'SmashNcrash@netcom.com.' There isn't anything wrong with them, but they tend to seem unprofessional.

Page 56 has this line: "Dangerous experts form and present bulletproof opinions. To do this, the authors recommend the following." Then this lists 30 suggestions including "Document and photograph the investigation to help

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"From The Bookshelf" Continued...

prove its thoroughness," "Never testify outside of one's true area of expertise," and "Check and recheck relevant calculations."

Another recommendation is "Be well-trained and well-versed in any computer program used." I mention this one specifically because more than once I have encountered police officers who have given calculations or diagrams in their reports, yet they do not know anything about the software they used. One officer told me, "I don't know; it's whatever program the department has in the computer."

In examining an expert's training and background, Babitsky and Mangraviti cite this deposition exchange:

Q Have you received any training in the use of the Rec-Tec Plus program?

A No.

Q Did you successfully complete the 40 specialized training videos on the Rec-Tec Web site?

A No.

Q Prior to me asking the last question, were you even aware that there were 40 specialized training videos on the Rec-Tec Web site?

A No.



The authors add: "Dangerous experts are prepared to support their competency in the use of a computer program through experience, training, and the like."

Experts can sometimes be capital-B Boring and drone on and on. Jurors who get bored can nod off in a heartbeat. Visual aids can help, even when all it takes is for the expert to hop off the witness stand and draw something on a blackboard. Babitsky and Mangraviti note: "When oral testimony is combined with illustrative evidence, such as graphics, pictures or blow-ups of documents, jurors can retain up to 80% of the evidence being offered" (Emphasis theirs).

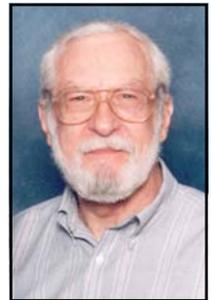
It appears that attorneys-to-be are taught in Circumvention of Law 101: "If you can't attack the evidence, attack the witness." The authors share with you tactics opposing lawyers use in depositions to rattle experts, make you look bad, make the deponent physically uncomfortable, cause the witness to lose his cool, and to intimidate the expert.

Because of that, you will want to read Chapter 5: "Defeating Opposing Counsel's Deposition Tactics." Not only do the authors give you dozens of examples, they also offer a number of both good and bad responses.

In Chapter 6: "Hitting a Home Run During Direct Examination," you will read a list of 15 "hedge" words and expressions (e.g., apparently, I guess, as far as I can tell) to avoid during your testimony. On pages 179-180 there are 40 tactics to help you defeat opposing counsel's cross-examination tactics. Chapter 8 explains in detail 60 or so offensive tactics experts can use against opposing counsel. All in all, if you ever expect to testify as an expert witness, you might as well know what lawyers will throw at you so you can at least defend yourself. This book is a place to start.

You may read several excerpts by going to <http://www.seak.com/webstore/dangerousexcerpts.htm>. The book How to Become a Dangerous Expert Witness is available online through www.SEAK.com, the Web site of SEAK, Inc., 316 Gifford St., 2nd Floor, Falmouth, MA 02540.

(About the reviewer: Joseph E. Badger is an internationally known accident reconstructionist who has had over 100 articles published in such periodicals as Law and Order magazine, Accident Reconstruction Journal, Accident Investigation Quarterly, and others. Having retired after 20 years with the Indiana State Police, Mr. Badger resides in Bloomington, Indiana.)



Weekend in Paradise

PROJECTILE MOTION TRAINING APRIL 13-16, 2007 PRESENTED BY RUDY DEGGER

Mr. Rudy Degger, as usual, kept his class spellbound as he began his lecture with the background and history regarding the theory of gravity and its effect on projectiles in motion.

Mr. Degger continued with a brief review of "Center of Mass" and its application relative to

the flight distance of objects and also the application within the projectile motion formulas. Additionally, the class was reminded of the general locations of the center of mass of pedestrians, motorcycle riders and passenger vehicles.

After the warm up and review, the class was immediately reminded as to the proper method of applying the index finger to the calculator buttons.

The attendees were given the opportunity to

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The Board BEAT

Our newly elected board of directors has been busy and very productive. We met March 3rd and discussed several exciting things in our future. Some of those items are now part of our past and some are yet to come.

Our 4th annual training cruise was a success as in years past. We had a good turnout for the training and our largest number of people on the cruise yet; see Paul Arnold's article for more details. I'm very excited to announce that we have already begun making plans for the 2008 cruise. We have decided to try something a little different since next year's cruise will be our 5th. Next year we will be sailing on the Carnival Elation for a 4 day cruise. We will be departing San Diego on Thursday, April 24th, and returning on the 28th. This cruise will go to Cabo San Lucas and have two fun days at sea.

Since this year's cruise was in April, we did both 2nd quarter training sessions in May. We had Mick Capman fly out for two back-to-back days of training. Mick is very well respected in the Forensic Mapping community. In fact, some of you might not know that Mick is the "father" of Forensic Mapping. Mick and Chuck Lane first coined the term while driving to IPTM Special Problems in 1992. It was coined in the spirit of describing the combined application and use of an electronic total station, a data collector, a prism, an all encompassing mapping software, and relevant forensic law enforcement-based training on current skills/techniques. See Paul Arnold's article for more details on the training.

We have decided on the dates and location for this year's fall conference, "CA²RS Toolbox; A Reconstruction Grab Bag." This conference will be a multi-topic conference with some of the

potential topics being: auto-ped/bikes, applied physics, commercial vehicles, crush, low speed/collision fraud, and motorcycles. This year we are going to be back at the Anaheim Sheraton. The conference will be October 18th-20th. The ACTAR Prep class will be on Tuesday, October 16th, with the ACTAR exam on Wednesday, October 17th. More details will become available on the CA²RS website.

We are excited that we have finalized our agreement with Collision Magazine and the Accident Reconstruction Journal/Accident Investigation Quarterly for discounted subscriptions. Look for information in the mail with your membership renewal.

The normal subscription rate for Collision Magazine is \$139. Our potential discount is based upon the number of CA²RS members that subscribe. Based upon a recent poll of our membership, we anticipate that we will have at least 51 people subscribe and our discount would be \$20 per person for an annual cost of \$119 per person.

The price for the Accident Reconstruction Journal will be \$36.00 a year; a \$13 savings off of the new rate of \$49. The Accident Investigation Quarterly will be \$23 a year; a \$6 savings off of the new rate of \$29.

As always, if there is ever anything that I or any of the other board members can do to improve your organization, please don't hesitate to let us know.

That's all for now,

Kent



Kent E. Boots
Chair

Joel Salinas
Vice-Chair

Paul Arnold
Director

Karen
Haverkamp
Director, Treas.

Chris
Kauderer
Director

Paul Wade
Director

Dave Willat
Director

Rudy Degger
ACTAR
Liaison

Kevin Cassidy
Membership
Chair

Training Calendar



Training Dates	Location	Topic	RSVP
7/25/07	Northern California Santa Rosa Junior College Public Safety Training Center 5743 Skylane Blvd., Windsor, CA 95492	TBA	Dave Willat dwillat@aol.com (707) 537-1036
8/22/07	Southern California Orance County Sheriff's Dept. Katella Training Facility & Range 1900 W. Katella, Orange, CA 92867	TBA	Paul Wade pwade@ocsd.org (949) 425-1861
10/16/07	Sheraton Anaheim Hotel	ACTAR Prep Class More information will become available	Registration will become available online.
10/17/07	Sheraton Anaheim Hotel	ACTAR Exam More information will become available	Visit www.actar.org to register online
10/18-10/20/07	Sheraton Anaheim Hotel 900 South Disneyland Drive Anaheim, CA 92802	CAARS Toolbox: A Reconstruction Grab Bag	Registration will become available online.

All training is from 0800—1700 hours unless otherwise specified. See www.CA2RS.com for updates!



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practice with the calculator the methodology of calculating speeds, roadway grades, take-off velocities of vehicles, projectile motion with both level and angle launches, calculating minimum speeds, calculating minimum velocity using calculated angles, calculating exact velocity when launch angle is not known but apogee height information is available.

Mr. Degger “slowly” and methodically then proceeded into a review of motorcycle rider launch methodology. Mr. Degger began this part of his lecture with the review of the history and theory of Searle’s methodology as discussed in his SAE papers. Discussion continued with the three crush linear equations:

1. Eubanks – Combined car crush and wheelbase reduction.

2. Limpert – Wheelbase reduction & car crush.
3. CA²RS – Combined car crush and wheelbase reduction.

Mr. Degger put on a great lecture and presentation accompanied with well formulated hand-outs which can be easily placed into a field notebook for quick and easy ready reference. All of the information was also placed onto a CD so that the formula sheets can easily be re-created if need be.

Handouts included:

1. Laminated formula sheets including the trigonometric functions, momentum formulae, projectile motion, miscellaneous velocity equations, and the basic motion equations.
2. A CD with the above equations sheets in pdf format.
3. Hard copy of the Mr. Degger’s power point presentation.

We had 47 people in attendance and 17 members attended the training. CA2RS guests were treated to early boarding, group assigned dinner and a wonderful hosted (yep, that’s right free drinks and food!!!) private party on Sunday evening. Our fifth year in April of 2008 should be even better!

Paul Arnold

Quarterly Training Review

A FRESH APPROACH TO FORENSIC MAPPING SOUTHERN CALIFORNIA 2ND QUARTER TRAINING REVIEW

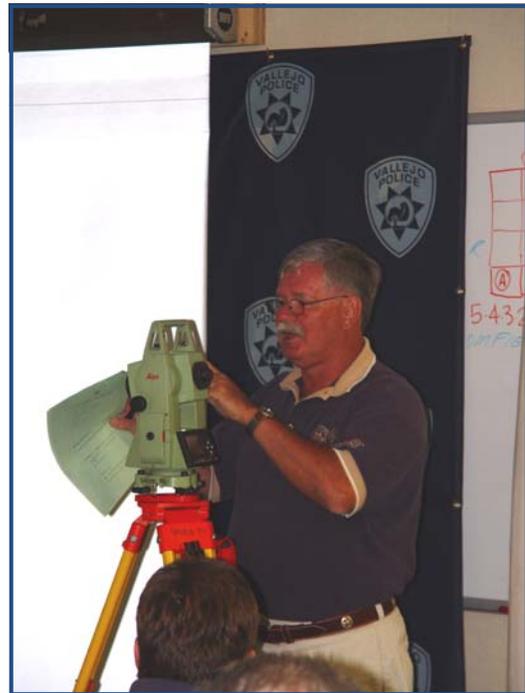
Our 2nd Quarter training was presented by Mick Capman on May 23, 2007 in Riverside.

Mick Capman touched on the origins, background and concept of the Forensic Mapping System as it relates to collision investigation and law enforcement.

Mr. Capman also reviewed the definition and basic elements of the Total Station, e.g., the Theodolite and Electronic Distance Measuring Instrument (EDMI), basic set-up, preparation, methodology and protocol of good scene management and processing. Additionally, a brief history of the software development from DOS, to Windows-based applications.

All-in-all it was a good review of the operational specifics as to how the Total Station works, and the basic math involved relative to the Cartesian coordinate system.

Mr. Capman's presentation was supplemented with a great handout that can be easily reviewed for courtroom testimony and would afford anyone a good background to help them prepare themselves for those questions which may arise in a courtroom atmosphere.



It was a successful and fruitful day as we had 28 attendees, 7 of which are ACTAR accredited. Three new members joined and three past members rejoined, for a total of six.

In northern California, we had 34 attendees, of which 6 were new members and 8 were ACTAR accredited.

Paul Arnold

Briefed Meeting Minutes

CA²RS Board of Directors
Briefed Meeting Minutes
March 3, 2007
Sacramento, CA

CALL TO ORDER

Present:

Voting Members: Kent E. Boots, Joel Salinas, Karen Haverkamp, Chris Kauderer, Paul Arnold "P.J."

Absent:

Voting Members: Paul Wade, Dave Willat
Non-Voting Members: Rudy Degger, Kevin Cassidy, Jennifer Colunga

OLD BUSINESS

Motion to have the January 13, 2007 board member meeting minutes approved with the following exceptions:

Add balance of \$3,806.60 to the bottom of the 2nd page. Correct speaker fees for 1st quarter training to \$1,200.00 (corrected from \$1,600).

Motion carried unanimously.

2007 Training Cruise Karen: 47 people are registered for the cruise (17 for training), motion made for Karen's cabin to be provided.

Motion carried unanimously, 4-0 Karen abstained.

Policy & Procedure Manual: By the next board meeting, drafts of the manual should be completed and submissions in outline form go to Paul and P.J.

Chris is in charge of Volunteers and Non-Voting Board members.

Kevin is in charge of Membership section.

Karen is in charge of the Treasury section.

Rudy is in charge of the ACTAR section.

Joel is in charge of Training section.

Dave is in charge of Volunteer Compensation Submissions should be in Times New Roman font, 14-pt for the headings and 12-pt for the body.

NEW BUSINESS

Motion to have Kent purchase Publisher 2007 estimated at \$170+tax and sent to Jennifer for newsletter purposes. CA²RS will own and store the software once Jennifer loads it onto

her computer. Motion carries unanimous, 5-0.

We have negotiated a reciprocal training agreement wherein WATAI members can attend CA²RS quarterly trainings for free, and attend CA²RS conferences at the member rate. CA²RS members can attend WATAI trainings including their 2 conferences free of charge.

Second quarter training will be by Mick Capman, Forensic Mapping Revisited, during the week of May 21 (5/22 and 5/23 or 5/23 and 5/24).

Chris is in charge of setting up the northern California second Quarterly Training, and PJ is in charge of southern California and Karen will assist PJ with the facilities.

Joel will contact Mick Capman for C.V., outlines, etc. for the quarterly training.

Motion to offer the membership discounted subscriptions to Accident Reconstruction Journal, Accident Reconstruction Quarterly, and Collision Magazine. Motion carries unanimously 5-0.

TREASURER REPORT: 2006- income \$57,420.25, expenses \$53,621.77, leaving a balance of \$3,798.

CONFERENCE: Karen has contacted the Sheraton in Anaheim, adjacent to Disneyland to negotiate for 2007 conference. Proposed dates are Conference October 2007. ACTAR Prep Class will be offered on the Tuesday before the conference. ACTAR Test will be offered the Wednesday before the conference. Conference will be held Thursday, Friday and ½ day Saturday. Conference responsibilities are as follows: Karen- facilities, brochures, and co-registration, PJ- co-registration, Joel- vendor liaison, Kent and Chris- speakers and schedules.

Conference Title will be "CA²RS Toolbox: A Reconstruction Grab Bag"

Quarterly Training:

3rd Quarter Training topic is Vehicle Damage Documentation & crush measurement protocol.

Motion to adjourn the meeting at 2:53 p.m. Carried unanimously 5-0.

Jennifer Colunga is the current editor for the CA²RS Newsletter. She was an integral part of the CA²RS Organization from 1998 through 2004 while working for Rudy Degger & Associates, Inc. For questions, comments and/or newsletter contributions, please contact Jennifer at editor@ca2rs.com.

