

Pressure on GM over death count tied to recall

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Pressure is mounting on General Motors to revise upward its estimate of the number of deaths tied to an ignition switch defect that led to the recall of 2.6 million vehicles. The company to this point has said it has linked just 13 fatalities to the recall. It now says 47 crashes are tied to the defect, up from an earlier estimate of 32.

On Tuesday the head of the National Highway Traffic Safety Administration (NHTSA) said the final death toll would likely be higher than the number provided by GM, but left it to the automaker to provide additional facts and details. Earlier this month NHTSA wrapped up its own investigation of the ignition recall, hitting GM with a slap on the wrist \$35 million fine.

Neither GM nor NHTSA has publically identified the 13 deaths that the automaker says are linked to the recall. In some cases survivors and relatives of the deceased have not been notified. Nor has GM shared its interpretation of data from black boxes recovered at crash scenes. In at least half the accidents, surviving family members received payments from GM. However, the ignition defect was not identified as a contributing factor in any of the cases.

Transport Canada, meanwhile, said it is involving two fatal crashes involving recalled GM vehicles for a possible link to the ignition defect. In both cases airbags failed to deploy. In one case the ignition switch moved out of the “run” position after the car left the road.

The confirmed death toll linked to the GM ignition switch is the largest related to a safety defect since the recall last year when Chrysler recalled older model Jeep Grand Cherokees and Jeep Libertys for a faulty gas tank. Fifty deaths were tied to that recall.

The ignition on several low-cost GM models built between 2003 and 2011 can easily slip out of the “run”

position to “accessory” or “off,” killing the engine and disabling power brakes, power steering and airbags. The company knew about the problem since 2001, but did not order a recall or issue a public warning to owners of the defective vehicles.

Sudden engine shutoff can lead to driver confusion, while loss of power steering and brakes can make the vehicle difficult to control. In the event of a collision, the disabling of airbags leaves occupants unprotected.

General Motors’ count of fatalities only includes frontal crashes where airbags did not deploy and black box data showed the engine had cut off. It doesn’t include crashes caused by sudden loss of vehicle control. However, even considering fatalities where the failure of airbags was the main issue, the company’s count is absurdly low.

An independent study commissioned by the consumer group Center for Auto Safety (CAS) found 303 deaths in crashes involving the Chevrolet Cobalt and Saturn Ion, two of the recalled vehicles, in which airbags did not deploy. CAS Executive Director Clarence Ditlow said he expects that GM will eventually acknowledge 50 deaths. In remarks quoted by the *Wall Street Journal*, Ditlow said the actual number would likely be closer to 100. “My estimate is based on my reading of NHTSA’s own reports which show similar accidents where airbags haven’t deployed,” he said, “It just makes sense the number would be higher.”

At this point CAS has identified 20 deaths that it says are likely tied to the ignition defect.

One attorney, Bob Hilliard from Corpus Christi, Texas, says he is representing the families of 63 people killed due to the faulty ignition, as well as 668 people injured, 94 seriously.

An independent investigation by the *New York Times* determined the location and identity of 12 of the

victims acknowledged by GM as related to the defect. One case reviewed by the *Times* gives a glimpse of the horrible toll taken by GM's disregard of safety and subsequent cover-up. In 2004 Candice Anderson of Ben Wheeler, Texas lost control of her Saturn Ion on a country road and drove into a tree. She was injured and her boyfriend, Gene Erickson, was killed.

Police blamed Anderson, who had a slight trace of the anti-anxiety medication Xanax in her blood, for the crash. A grand jury indicted Anderson and her parents had to cash in their 401(k) retirement savings to pay for her legal defense. Eventually she pled guilty to a lesser charge of criminally negligent homicide and received five years' probation.

Then, last week, Rhonda Erickson, Gene's mother, received an email from NHTSA confirming that the crash that killed her son was tied to the GM ignition defect. The email only came after Erickson contacted the agency at the request of the *Times*.

She explained that at the time of the crash she felt the accident was tied to drug use. "I was angry—at him, and at Candice a little bit," she told the *Times*. "Then you find out it wasn't them being so careless. The car malfunctioned and they didn't have a choice." She added, "I would love to see Candice be able have some peace from this."

One of the deaths not included by GM in its count is that of Brooke Melton, a Georgia nurse who died in a 2010 crash involving her 2005 Cobalt. She lost control of her car and veered into oncoming traffic, eventually landing in a creek. Melton had taken her car into the dealer for ignition switch problems and had just gotten it back the day before the fatal crash. An examination of the black box showed the ignition had shut off at the time of the accident.

The Melton family reached an out of court settlement with GM over the death of their daughter. Their lawsuit played an important role in the initial exposure of GM's cover-up of the ignition defect. They have since asked the court to re-open the case, claiming a GM engineer lied under oath during a deposition.



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