

Official death toll from GM ignition defect reaches 100

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According to the latest official count, 100 people are confirmed dead as a result of an ignition defect in some now-recalled General Motors models that can lead to the loss of engine power, disabling power brakes, power steering and airbags.

This figure only reflects the number of death claims approved by the victim compensation fund set up by GM in the wake of the devastating exposure of its more than decade-long cover-up of the deadly defect. To date the claim resolution facility has received 474 death claims. Of these 289 have been ruled “ineligible” and 37 are still under review. Some of the claims were for accidents that took place after February 2014, when GM began the recall.

The official death toll likely vastly understates the real number of victims. In the first place, the victim compensation fund only applies to the 2.6 million vehicles covered by GM’s initial recall. Millions more vehicles with defective ignitions were subsequently recalled, but they are not eligible for the claim resolution facility. Further, the requirements for the victim compensation fund were restrictive, applying only to front-end collisions where airbags failed to deploy.

In fact, the fatal crash in Georgia that led to the lawsuit that exposed the cover-up, where 29-year-old Brooke Melton lost her life, would not have qualified for the victim compensation fund since it was a side impact collision.

For months GM steadfastly asserted that it could tie only 13 deaths to the ignition defect. It has offered no credible explanation for the discrepancy between its earlier estimates and the current count.

Clarence Ditlow, executive director of the Center for Auto Safety, told the WSWs, “One hundred is definitely an understatement for the simple fact that

some people cannot prove claims. I would estimate it at least twice that high.

“After all, the Saturn Ion came out in 2002 and the fund wasn’t set up until 2014. Most police reports aren’t kept more than five or at the most seven years.”

Ditlow said that the number of officially recognized deaths made the GM ignition recall one of the deadliest vehicle defect cases in history. “The average recall has no deaths associated with it. Anything over 10 will automatically put you in the top 25. It ranks up there with the worst airplane crashes.”

“The one thing that is so egregious is that GM almost got away with it. When we started looking at fatal accident reports and death claims we realized that we were dealing with hundreds of victims. No one really knows how many defects have been covered up with confidentiality agreements over the decades.”

The defect can cause the ignition to be easily jarred out of the run position, killing power to the engine and disabling systems such as power steering and airbags. The sudden loss of engine power can lead to loss of control of the vehicle under conditions where drivers and passengers are not protected by airbags.

In a published statement the Hagens Berman Sobol Shapiro law firm said that the GM victim compensation fund excluded 10 million vehicles containing the ignition defect.

The victim compensation fund is “a PR stunt to appease Congress and stave off more public outcry,” charged Steve Berman, managing director of the firm. “We believe this death toll count understates the truth about the deaths caused by GM’s defective switches.”

In addition to the death claims, the claim resolution facility has approved 12 compensation payments for Category 1 injuries involving “quadriplegia, double amputation, permanent brain damage of pervasive

burns.” Another 172 claims were approved for less serious injuries involving hospitalization. Altogether the fund has received 4,342 compensation claims, of which 1,799 have been deemed ineligible and 626 are still under review. Another 1,733 were submitted with no documentation or insufficient documentation. The cutoff for submission of claims applications was January 31.

According to Camille Biros, the deputy manager of the compensation program, a large number of the eligible death claims involve younger victims, in their teens and early twenties. This reflects the fact that the defective vehicles were low-end, low-cost models marketed to younger drivers.

To date payouts from the victim compensation fund have cost the company \$150 million, a few days revenue for the giant firm, which made \$900 million in the first quarter of 2015 alone. The minimum settlement for a death claim is just \$1 million, a paltry sum considering the gross and callous negligence exhibited by GM management.

GM engineers were aware as early as 2001 of problems with the ignition switch of the Saturn Ion, but GM went ahead with production even though the switch did not meet its own specifications. The company subsequently received large numbers of customer complaints, but rejected a fix proposed by engineers in 2005—at the cost of about \$1 per part—as overly expensive.

Later, GM quietly installed a redesigned ignition switch, but did not change the part number, a violation of engineering protocol. This made the defect harder to trace and strongly suggests a deliberate cover-up.

As part of the 2009 bankruptcy and restructuring of GM, the Obama administration inserted a clause freeing the reorganized company from product liability lawsuits prior to July 2009. This was under conditions where GM and government regulators were already aware of deaths related to the ignition defect.

Last month, a federal bankruptcy court upheld the legality of the bankruptcy shield, effectively denying accident victims redress for death and suffering caused by GM’s criminal behavior.

Many of the deadly vehicles are still on the road. GM reports that more than a quarter of the vehicles subject to recall have, as of this date, not been repaired.

The GM ignition scandal not only exposes corporate

criminality, but also the complicity of the Obama administration. Indeed, the cover-up included the period where the federal government was the majority stockholder in GM.

At all stages, US safety regulators acted to shield GM from liability under conditions where they were aware of fatal crashes where airbags failed to deploy and the ignition switch was in the “off” or “accessory” position. Even after the exposure of the cover-up, GM faced no serious consequences, merely paying a \$35 million fine.



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