

Crash Survivor: 'Air Bag Didn't Help Me'

By Robert Arnold

HOUSTON -- When Brianne Haltom woke from a medically induced coma, she saw her husband's face and had a thousand questions buzzing in her head.

"I was like, 'Did we have a party?' He was like, 'No, you were in a wreck,' and it all came down on me," said Haltom. "I don't even remember being in a wreck. I don't remember being in a hospital."

Last November, an undiagnosed medical problem called arteriovenous malformation, or AVM, caused Haltom to have a seizure and veer off a Liberty County road into a tree. Her head slammed into the steering wheel when her air bag did not go off. Haltom suffered a brain injury and facial fractures.

"I can feel this side is bigger because I had surgery done. It was broke, the rest was fractured," said Haltom while referring to the right side of her head. Haltom also suffered an eye injury.

"This side is mostly dead. I can't see out of the side of my eye," said Haltom. Shortly after the accident, Haltom's family suspected something was wrong. Despite having a severe front-end collision, the driver's side air bag on Haltom's pick up did not deploy, but the passenger side air bag did go off and likely spared Haltom's mother from serious injury.

When one air bag deploys, but the other does not, it's referred to as a split deployment. Years of crash tests show us the clear benefits of air bags. The National Highway Traffic Safety Administration, which sets standards for the automotive industry and investigates defects, reports that 22,500 lives have been saved by air bags since 1998.

NHTSA also reports that in 2006, air bags deployed in 1.1 million crashes nationwide. Yet, two years ago, Local 2 Investigates uncovered several head-on crashes involving all different makes and models of cars and trucks where attorneys and victims argued air bags should have gone off, but did not.

"Every day, I have to wake up thinking about how I'm not the same, you know?" said Elmer Parada during an interview with Local 2 in February 2008.

Parada suffered head injuries during a front-end collision in which the driver's side air bag did not deploy, but the passenger side air bag did go off.

"It's not happening enough to where it gets the attention that you see that really sparks the interest of the Congress or the media," said attorney Rob Ammons, who represents both Haltom and Parada.

Ammons argues the federal government is not doing enough to investigate "split deployment" cases. Rather, Ammons said he believes the government relies on what he calls the "body count" method.

"Once the death count reaches a certain level, it gets Congress' attention and there's a big effort and a hoopla one might say," said Ammons.

After Local 2's story aired two years ago, the [Insurance Institute for Highway Safety](#) published the findings of a study in a March 2009 status report.

The institute looked at a sample of fatal front-end crash cases logged in nationwide accident databases and determined from the sample "an estimated 50 to 100 deaths per year involving potential [air bag failures](#). It's 1 to 2 percent of all deaths of front-seat occupants in frontal crashes."

While considered an extremely low number, the institute's senior epidemiologist, Elisa Braver, was quoted in the report stating, "Still, it's hundreds of deaths during the years of our study, and we need to see if they could have been avoided."

Ammons worries cases are getting overlooked. The institute's study only involved fatal front-end crashes, not front-end crashes involving those who suffered injuries but survived. Ammons said every time he handles one of these cases, he submits all the information to NHTSA.

"God love them, you give them the information and either they're overloaded or they don't respond for one reason or another," said Ammons.

For victims like Haltom, she wonders if no one finds out exactly what happened in her case, then it can happen again.

"They should, you know, like they should get in big trouble, but I don't know, be miracle if they do," said Haltom, whose case was settled out of court with the automaker under a confidential agreement.

Ammons informed Local 2 on Tuesday morning that he received a call from NHTSA asking for more information about Haltom's case.

When Local 2 spoke with NHTSA officials, they offered no comment on the institute's study.

NHTSA officials also pointed out it has only received 49 complaints of split deployment, or what the government refers to as "asynchronous deployment" since 1997.

NHTSA officials could not say whether an investigation determined an exact cause in any of those cases. NHTSA officials said they don't believe the number of reported potential air bag problems shows a pervasive problem.

Rob Ammons is Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization, in addition to being Board Certified in Civil Law by the National Board of Trial Advocacy. Rob Ammons' law practice, [The Ammons Law Firm](#), is located in Houston, Texas. The Ammons Law Firm practice is exclusively personal injury law, handling such cases as: tire defects, oil rig explosions, truck accidents, plant explosions, refinery accidents, wrongful death, post-collision fires, seat belt defects, airbag defects, SUV rollovers and workplace negligence.