

Gorski Consulting Website

Archived News - 2014 - November

November 29, 2014

Editorial By Sun Media Reporter Follows the Opinion of Gorski Consulting Regarding Inappropriate Protection of Police Actions



Police involved in emergency responses have to make crucial decisions regarding passing through intersections without causing the death of innocent persons. Travelling at extreme speed through an intersection is never a wise choice.

In a recent editorial, Eric Duhaime, of Sun Media expressed similar concerns to ours regarding the actions of a Quebec Provincial prosecutor who decided not to pursue charges against a Quebec police officer whose speeding caused the death of 5-year-old Nicolas Belance in a collision on February 13, 2014. As his comments are so clear-headed we quote his article in its entirety:

Justice Served in Quebec Crash Case?

Are there two systems of justice depending on whether you wear a police uniform or not?

The question is newsworthy and has nothing to do with the riots of Ferguson, Mo.

On the morning of Feb. 13, like every morning, Mike Belance safely buckled his two children in the back seat of his car and started to drive them to school.

When the father turned left on a green light on Davis Blvd., a residential area on Montreal's South Shore, he couldn't imagine that a police officer in an unmarked Surete du Quebec car was coming towards him at 122 km/h where the speed limit is 50 km/h.

The inevitable collision severely injured the two children, one of whom, Nicolas, was extracted with the jaws of life by firefighters.

Four days later, the five-year-old boy died in hospital.

Last week, the parents were told that after an internal investigation no charges would be laid against the cop who stole their son's life.

La Presse reported the cop was answering a call from the anti-corruption squad to follow a former Liberal party director.

He turned off his lights and sirens to avoid detection.

While defending the police officer's actions in the wake of growing popular protest, the director of Criminal and Penal Prosecutions tried to blame the father for making the left turn and not expecting a car coming at such a speed in the opposite direction, by referring to Belance's own statement to police in which he acknowledged that he should have waited for the flashing green rather than taking his chance turning.

Mike Belance was in mourning, he certainly didn't need to have fingers pointed at him.

Confronted by the public outrage, in a very exceptional move, Quebec Justice Minister Stephanie Vallee ordered a new investigation by a second independent prosecutor, a retired judge.

As a police officer wrote me anonymously, if ever one of us civilians had the same kind of accident with our own car we would have lost 14 demerit points, received a \$4,215 fine, had our vehicle seized, our driver's license revoked and faced criminal charges on top of that.

In this case, the police officer got NOTHING.

We don't even know his name.

The perception of a double standard can't be worse.

TVA also came out with devastating statistics showing that over the last few years Crown Prosecutors only laid charges in 1% of the cases when investigating the misconduct of a police officer.

I am not a police basher. Our men and women in uniform do an essential and dangerous job.

It doesn't, however, mean they all are saints and always right.

When one of them commits a reprehensible act, it needs to be sanctioned.

I am not even questioning the honesty of the prosecutors examining such files.

Still, the whole process does not give the public the appearance of justice and transparency.

When we see such injustice wearing the uniform of justice, it's the duty of the media and the population to be vocal."

In addition to the sanctioning mentioned by Mr. Duhaime, our view is that there also has to be a change in the training of police when responding to emergency situations.

Many police do not realize the consequences of their speed and place the blame on the drivers whom they strike. Yet they seem to recognize the deadly consequences of speed when they are interviewed to give a statement on an independent, deadly collision they are investigating. This is an issue of police culture that has to change.

November 27, 2014

Dangerous Lack of Maintenance to Damaged Guardrail in Kilworth, Ontario



The unrepaired damage to guardrail on the west side of the Kilworth bridge, on the west outskirts of London, Ontario, has caused the end of a guardrail to stick out of its end terminal and awaiting to harpoon a potential impacting vehicle.

Throughout North America there has been substantial publicity regarding the potential defects in the Trinity Highway Products ET-Plus guardrail terminal. So much so that one would think that road maintenance personnel would be very concerned about those installations and would make every effort to make sure that none of them would

harpoon an impacting vehicle. Certainly a U.S. federal court jury found Trinity liable regarding these terminals.

It was with great surprise therefore, when we passed by such a Trinity ET-Plus terminal on the Kilworth bridge, west of London, Ontario, and it contained an obviously defective arrangement. At highway speed we immediately recognized that the end of the guardrail that was supposed to be covered by the terminal was in fact exposed and ready to harpoon any potential impacting vehicle. Once we parked and examined the situation more closely it was apparent that the guardrail has sustained an impact as shown in the photos below.



View of impact damage on the “w” rail of the guardrail which caused the rail to be pulled out the terminal, exposing its end to approaching traffic.



View of rail of the guardrail that has been pulled out of the Trinity end terminal as a result of an impact to its downstream end. As the rail was deformed toward the ditch its end was rotated out toward the road and toward approaching traffic.



View, looking east along Glendon Drive (Middlesex County Road 14) on approach to the Kilworth Bridge. The damaged guardrail is located on the south (right) side, on the downgrade approach to the bridge.



View, looking west, showing the extent of displacement of the rail by the impact and the Trinity end terminal in the background where the end of the rail has been pulled out and exposed to traffic.



Close-up view showing how the end of the rail has been pulled out of the terminal.



Close-up view showing how the rail has been pulled out of the end terminal and is exposed to potentially harpoon an impacting vehicle.

The reality is that there has been no publicity in the local news media in South-Western Ontario about the alleged defective design of the Trinity end terminal and the public is even less aware of the dangers that they are exposed to when impact damage is left unrepaired. Even if the design of the Trinity terminal did not expose vehicles to being harpooned, the present condition of the damaged guardrail would certainly make harpooning an obvious threat. As we have no control over the actions of the local road jurisdictions or the news media, we can only make these observations and hope that no catastrophe is generated.

November 26, 2014

Safe Curve Speed Determination From an Accelerometer, Ball-Bank Indicator and Other Gauges

In our continuing examination of the issues surrounding safe speed determinations at curves, we have prepared an article discussing our work comparing the results of a ball bank indicator to the data of an iPhone-based accelerometer and other gauges. We encourage readers to explore this work on our Articles webpage of this site.

November 24, 2014

Likely Guardrail Failure in Death on Don Valley Parkway Completely Ignored by Police and Media

Not surprisingly, police and mainstream news media have failed to inform the public, or admit to the fact, that the death of a Lexus driver on the Don Valley Parkway in Toronto this morning, Monday, November 24, 2014, was unusual and should not have occurred if all systems had performed as they should. Interviews with investigating police clearly ignored the fact that the Lexus should not have driven through the guardrail as it did since the guardrail is there specifically to re-direct the vehicle and bring it to a controlled stop. Photos at the scene showed a long length of deformed beam from the guardrail which was twisted and provided a large hole through which the vehicle passed. Clearly, this is not how a barrier should perform.

Additionally, even with the suspect performance of the barrier, photos of the vehicle clearly showed no evidence of a collision severity that should have led to a fatality. A

2007 Lexus would be equipped with substantial safety devices that should protect the driver from very substantial collision severities, far greater than the collision severity demonstrated in the frontal crush of the vehicle. The photos and video suggested that both frontal A-pillars were not displaced and there was no evidence of any structural intrusion on the right side and front portion of the vehicle. Conveniently, the news media failed to provide photos or video of the driver's door area of the vehicle and therefore the circumstances of the death cannot be fully evaluated from the evidence that was provided. This would be the most crucial evidence, however, that just demonstrates how the public is played with, through a lack of information and a lot of misinformation.

November 21, 2014

No Charges in Killing of 5-Year-Old Nicolas Thorne-Belance Demonstrates Bazaar Logic of Canadian Justice

On February 13, 2014, Mike Belance was reportedly attempting to make a left turn on a city street in Longueuil, Quebec when a car travelling 122 km/h struck his vehicle and killed his young son, Nicolas. The posted speed limit was 50 km/h. Today, November 21, 2014, the crown prosecutor in the case explained that no charges would be laid against the speeding driver.

While travelling at 72 km/h above the speed limit it is easy for anyone to recognize that the speeding driver gave no opportunity for Mike Belance to prevent this collision as he would be unable to detect the speed of the vehicle in time to abort his turn. In any circumstance, in any country, these facts should have led to criminal charges against the speeding driver. But not in Canada.

Why? Because the speeding driver was in an unmarked police cruiser.

Oh, Canada.

November 20, 2014

Poor Road Conditions Persist in Region of London, Ontario



Intermittent and heavy snow squalls throughout the area of London, Ontario on Thursday, November 20, 2014 made it difficult even for professional drivers such as this tanker truck southbound on Clarke Road.

It is the second challenging day of major snowfall and gusting winds that is creating difficulties for commuting in the area of London, Ontario. Some of the treacherous winter that dumped huge quantities of snow in Buffalo and upper New York State has turned toward South-Western Ontario on November 19th and 20th. Snow accumulations in South-Western Ontario are nowhere near the quantities in the nearby states however visibility was as bad as it could get, at times.



Pedestrians huddled against the biting winds in north-east London on the morning of November 20, 2014.



Intermittent snow squalls meant that, once in a while, when looking up into the sky, the clouds would part and the sun would shine. Meanwhile a short distance away the visibility would be brutal.

The above photo was taken looking west along Dundas Street east in London and shows how variable the weather conditions were. Bright sunshine one minute and a complete whiteout the next.



It was difficult at times to see traffic signals such as these while travelling northbound on Clarke Road, approaching Fanshawe Park Road.

No major traffic incident were reported up to noon on November 20th, however, that situation is likely to change.

November 19, 2014

First Significant Snowfall of the Season in South-Western Ontario



Oh Canada! Not as drastic as the 180 centimetres of snow reported in upper New York state, areas in the vicinity of London, Ontario received their first significant snowfall of the season.



Many cyclists expected to be out on the road for another couple of weeks however that expectation was suddenly changed as witnessed by this cyclist travelling northbound on Egerton Road at its intersection with Trafalgar Street in London, Ontario.



This view looking southbound along Richmond Street in downtown London provides an indication of the wintry conditions that swept into the City in the afternoon of November 19th, 2014.



Here, a family is attempting to cross Dundas Street, southbound at the intersection with Wellington Road in downtown London. The snowfall was accompanied by strong winds that made visibility of pedestrians and other traffic difficult.



View of slow-moving traffic, westbound on Queens Avenue, west of Talbot Street in downtown London, Ontario. Exiting downtown took much more time than normal due to the poor weather conditions.



Now and then one could distinguish a brave Canadian flag flying above the traffic such as this one on Queens Avenue just west of Talbot Street.



Equally brave were the hardy Canadian cyclists who were determined to become European and take seriously to cycling regardless of the Canadian climate.

November 18, 2014

Road Authorities Faced With Difficult Decisions Regarding Replacement of Damaged Guardrail End Terminals



Replacement of this damaged guardrail end terminal would have been a simple decision only a few months ago, but now it is causing major concern across North America.

A very difficult problem is facing all jurisdictions across North America as they have to decide how they will replace damaged guardrail end terminals in light of the recent U.S. court decision that the predominant system used almost exclusively throughout North America may be defective and dangerous. Huge implications are now riding on the U.S. Highway Administration's request of Trinity Highway Products, the manufacturers of the alleged dangerous ET-Plus guardrail end terminal, that Trinity re-certify the ET-Plus to make sure that it complies with the protocols (NCHRP 350 or MASH) set up to test the safety of roadside barrier systems. If the ET-Plus fails those tests it is likely that a

vast number of these installations, estimated to be about 500,000 in the U.S., may be required to be replaced.

A collision with an older style end terminal on Clarke Road in London, Ontario has prompted Gorski Consulting to prepare a new article that discusses the difficult decisions that must be made regarding how the damaged system will be replaced. We encourage readers to visit the Articles page of this Gorski Consulting website to review the discussion.

November 16, 2014

Further Testing by Gorski Consulting to Evaluate Posting of a Speed Advisory Sign at Beaverbrook Ave and Proudfoot Lane in London, Ontario



View from video cameras showing various gauges and instruments used to compare a ball bank indicator to the reading of an accelerometer during evaluations of a Speed Advisory Tab Sign on the curve of Beaverbrook Ave and Proudfoot Lane in London, Ontario.

A previous article (“Speed Advisory Sign – A Source of Potential Municipal Liability”, Nov 11-14) posted to the Gorski Consulting website demonstrated that a Speed Advisory tab sign posted on the eastbound approach on Beaverbrook to the 90 degree curve at Proudfoot Lane was likely improperly posted. Our testing on October 31, 2014 revealed that the 30 km/h Advisory Speed was too high for vehicles to safely negotiate the curve. This conclusion was based on data obtained from an accelerometer and not from a ball bank indicator which has historically been used to make Speed Advisory assessments. For this reason we returned to the site on November 7, 2014 and performed additional testing which included both, the ball bank indicator and accelerometer. The results of our additional testing confirm the conclusions of the initial tests. This additional testing also provided an opportunity to study the differences in functioning and display of the ball bank indicator and readings from an accelerometer. An article detailing the procedures and results of the testing has been posted to the Articles page of this website and we encourage readers to examine this work.

November 11, 2014

Gorski Consulting Provides Input Into Resident’s Roadway Complaint to City of London

We continue to monitor roadway situations in Southern Ontario that could be a threat to public safety. We heard of a complaint lodged with the City of London by a resident, Mr. William Ore, who expressed his concern over the safety of the very sharp curve at the intersection of Beaverbrook Ave and Proudfoot lane in London.



Is this Turn sign and Speed Advisory tab in compliance with standard procedures for road signage? Gorski Consulting has found out and our testing is revealing.

Recognizing that there was a potential safety-related problem we conducted testing at the site, after which we submitted a report to the City's Civic Works committee.

Although our comments were too late to reach the Committee meeting of November 3, 2014, we were informed that all City councillors received our correspondence. It has been reported that the City's staff will evaluate the concern and submit an interim report to the City Council. In the meantime we have prepared an article, uploaded the Articles page of this website, that describes the safety concern as well as the testing that we performed to evaluate it. We encourage readers to check out our testing and findings.

Gorski Consulting
London, Ontario, Canada

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