



Staged Accident Pocket Investigation Guide for Law Enforcement

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Staged Accident Pocket Investigation Guide for Law Enforcement

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THE NATIONAL INSURANCE CRIME BUREAU

The National Insurance Crime Bureau (NICB) is a not-for-profit organization dedicated exclusively to fighting insurance fraud and vehicle theft crimes. The NICB often participates in joint investigations with public agencies and provides investigative solutions and expertise, in addition to the following resources:

- Confidential access to insurance files
- Expertise in analyzing insurance documents
- Expert witnesses in criminal cases
- Access to insurance claim histories

The NICB maintains a staff of approximately 180 special agents throughout the United States. Law enforcement investigators should feel free to contact the NICB to discuss any ongoing investigations or to request assistance.

NICB DISCLAIMER

The information presented in this publication is intended to assist law enforcement agents in conducting investigations of staged accidents. It was prepared as a broad outline of suggestions that may be useful during staged accident investigations.

This guide is not intended to be an all-inclusive set of guidelines or procedures, and it should only be utilized as a basic guide for conducting staged accident investigations. It is recommended that investigators have a thorough knowledge of internal agency policies and procedures; local, state, and federal laws; statutes; regulations and codes before beginning the investigation. The methodology described in this guide may not adhere to individual agency policies and procedures and/or may deviate from individual jurisdiction laws and regulations. The procedures presented in the publication are intended to be general guidelines. As such, it is suggested that investigators always check their agency's policies, procedures and local laws, as appropriate.

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STAGED ACCIDENT RINGS

Staged accidents are an activity nearly always committed by organized groups (a ring). These rings vary in size and scope. They are usually highly organized and often controlled by one individual. There may be several persons in “management” type positions within the organized group, each having different responsibilities within the group. These groups are usually associated with law offices and/or medical clinics, doctors, auto body shops and tow truck drivers. The purpose is to make money from the insurance companies through a high volume of “soft tissue” injury claims that were a result of the staged accident. Most of the injury claims are either fictitious or, if an injury occurred, they are exaggerated.

There are organized groups that will stage accidents with the intent to make their money by only filing claims for the vehicle damage that supposedly occurred as a result of the accident. These groups will not file any type of bodily injury claim. They will file a claim for the damage on both vehicles involved in the accident. Oftentimes, the damages to the vehicles were pre-existing or intentionally caused by the organized group.

Both types of groups will use various schemes to perpetrate a staged accident. In many of the schemes, the “striking” vehicle only has the driver as an occupant. The “struck” vehicle usually has multiple occupants.

TYPES OF STAGED ACCIDENTS

STAGED ACCIDENT (ORCHESTRATED)

A staged or orchestrated accident usually involves all parties, both drivers, occupants and witnesses (if any are reported). In a staged or orchestrated accident, no accident actually occurs. Vehicles with prior damage will be taken to a location and positioned in such a way that it appears that an accident occurred. In addition, the group may intentionally damage a vehicle(s) by striking a wall, tree or another vehicle intentionally, and then claim the damage occurred as a result of the accident.

PAPER ACCIDENT

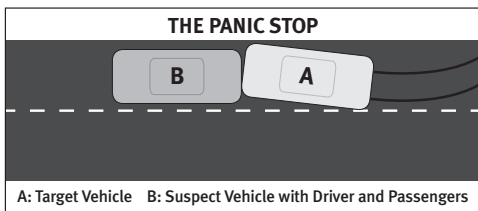
A paper accident is an accident that did not happen. The “accident” only exists on a police report and/or an insurance claim. Paper accidents often are reported as “private property” accidents, with no police involvement, or in “hit and run” accidents. With an increasing number of law enforcement agencies in the United States transitioning to “walk-in” or “telephone” reporting methods for accidents with no injuries or minor injuries, the paper accident is a popular method for the organized groups. They report the accident to the police to obtain supporting documentation for their insurance claim.

CAUSED ACCIDENT

A “caused accident” is one in which a collision (“the accident”) actually occurs, but is intentionally caused by the organized group. In a caused accident (such as a rear end collision), the

driver of the vehicle that is caused to strike the vehicle in front of them is usually an innocent victim. The vehicle (or vehicles) of the organized group intentionally cause the collision. There are several schemes utilized by organized groups to “cause accidents”:

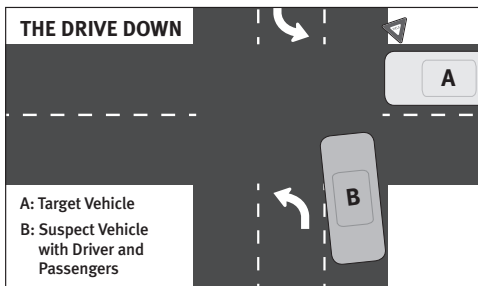
- **Panic Stop:** In this scheme, vehicle A is the innocent victim being targeted. Vehicle A will most likely be a newer model vehicle that is more likely to have full insurance coverage. Driver of vehicle B will position themselves in front of vehicle A and wait until the driver of vehicle A is momentarily distracted (looking in the rear view mirror, etc.). Then, the driver of vehicle B will slam on the brakes causing vehicle A to strike the rear of their vehicle. A variation of the panic stop is where all the parties involved in the accident are part of the staged accident group. The driver of vehicle A would provide a statement



stating: “As I was driving along, I dropped my cell phone on the floor. When I reached down to pick it up, I took my eyes off the road and struck the vehicle (vehicle B) that was

stopped at the light, stop sign or waiting to make a turn.”

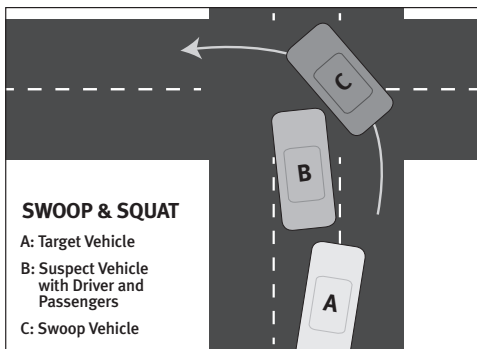
- **Drive Down:** In this scheme, driver A will yield at the intersection for traffic as mandated by the yield sign. Driver B, even though they have the “right of way,” will wave driver A through the intersection. When driver A begins to proceed through the intersection, driver B will pull forward and cause driver A to strike them. Later when asked, driver B will provide an excuse for waving their hand (e.g. they were waving away a fly), not waving to driver A to proceed.



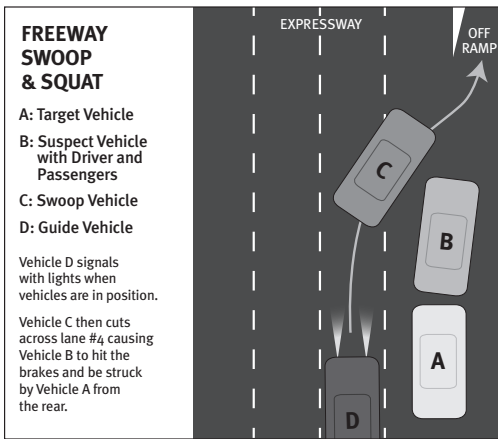
A variation to the Drive Down occurs in busy parking lots. Driver A, the innocent victim, will be attempting to back out of a parking space. Driver B will wave driver A to proceed. Once driver A continues backing out, driver B will pull forward causing driver A to strike them. In most major metropolitan areas, law enforcement will not

respond to a private property accident, which allows the organized group to avoid contact with law enforcement.

- **Swoop & Squat:** In this scenario, the driver of vehicle B (part of the group) positions the vehicle in front of vehicle A (the innocent victim). Driver of vehicle C (part of the group) will position their vehicle alongside vehicle A, forcing vehicle A to stay behind vehicle B. At the right time, usually as all vehicles approach an intersection, the driver of vehicle C will speed up, and turn in front of vehicle B, the driver of vehicle B slams on their brakes, causing vehicle A to strike vehicle B in the rear. The driver of vehicle B will state that vehicle C “forced them” to brake suddenly and that the driver of vehicle A was following too closely and wasn’t able to stop.



- **Freeway Swoop & Squat:** The Freeway Swoop & Squat is the most dangerous of all the caused accident schemes. It is usually performed on highways or multiple lane roads with higher rates of speed. In this scheme, the organized group will add another vehicle (vehicle D). The sole purpose of vehicle D is to “box in” the innocent driver (vehicle A) and prevent them from changing lane positions. When all vehicles are in position, the driver of vehicle D will signal the driver of vehicle C (often by flashing their headlights) who will turn in front of vehicle B causing the driver of vehicle B to slam on their brakes. As vehicle A is “boxed



in” their lane, they are forced to run into vehicle B. This scheme is often utilized when approaching off ramps.

INDICATORS OF STAGED/CAUSED ACCIDENTS

Most accidents are legitimate, but some are fraudulent. Therefore, it is appropriate for the officer to review all the facts for possible fraud. Determining the “fraud probability” of any accident is facilitated when the officer is familiar with various fraud indicators.

These indicators should help isolate those accidents which merit closer scrutiny. No one indicator by itself is necessarily suspicious. Even the presence of several indicators, while suggestive of possible fraud, does not mean that fraud has been committed. Indicators of possible fraud are “red flags” only, not actual evidence.

Special note: The following indicators have been compiled from the NICB Indicators of Staged/Caused Accidents and the NICB Indicators of Organized Fraud Activity and are not all inclusive. They are applicable during the initial investigation of a motor vehicle accident. Additional indicators may exist during the claim process.

REGARDING APPLICANT OR CLAIMANT OR INSURED (OWNER OR DRIVER OR PASSENGER[S])

- Applicant (owner or driver or passenger) refuses or cannot produce current identification and/or driver's license, or has a temporary, recently issued, or out-of-date driver's license/state identification card.
- Does not provide a telephone number or states they do not have a home telephone or cellular phone.
- During statements, individuals appear to have "selective memories" on some facts, and cannot remember simple issues that would be common to remember.
- Individual is vague on the actual facts of the loss (accident) or has discrepancies in the facts of the loss (accident).
- Individual's place of contact is a hotel, tavern or other place that is neither his/her place of employment nor place of residence.
- Insured and claimant (drivers of both vehicles) are from the same family.
- One or more claimants or insureds list a post office box (mail drop) or hotel as address.
- One or more parties in collision may be employed in professional law office, clinic, billing service organization, check cashing agency.

REGARDING AUTOMOBILE ACCIDENT SCHEMES

- Accident occurs shortly after one or more of the vehicles was rented, purchased or registered.
- Driver is at fault and is not injured, but all other passengers are.
- Individuals do not know name, addresses, phone numbers and/or relationship between passengers or each other.
- Multiple passengers are in either vehicle.

REGARDING CLAIM

- All occupants provide the same facts regarding the accident, in many cases using the same exact wording — they may have been coached.
- Claimant (struck vehicle) denies or has excuses for waving insured (striking vehicle) to proceed.
- Description of the loss (collision) is inconsistent with the claimed injuries (e.g. injured person claims the vehicle was moving at an excessive rate of speed, yet only soft tissue (minor) injuries claimed).
- Drivers of both cars live out-of-state or the area.
- Individual cannot identify other vehicle in “hit and run” injury loss (accident).
- Individuals cannot remember why or where they were

going, where they were coming from and why other passengers' stories are different.

- Injuries are inconsistent with the collision (e.g. extensive injuries with very low speed impact).
- Parties involved in the accident know each other, work together, live together, are neighbors or in the same geographical area, or are from the same country or ethnic background.
- Similarities of insured and claimant (both drivers) vehicles (e.g. old cars, old damages, high mileage, purchased/registered out-of-state or area, recent insurance coverage, both cars are older model luxury cars, etc.).
- Witness' version of loss (accident) does not coincide with facts of loss (accident) as presented.
- Witness/participant appears familiar with one or more parties to the loss (accident) and may refer to them by first name.

REGARDING DAMAGE

- Damage to vehicles is inconsistent with the accident facts.
- Damages to "struck" vehicle far more substantial than those to "striking" vehicle.
- Signs of pre-existing damage to claimant vehicle.
- Vehicle appears to have been intentionally damaged.

REGARDING DIAGNOSIS (CLAIMED INJURY)

- Claimants/insureds (owner/driver/passenger(s)) have the same or similar soft tissue injury.

REGARDING INCIDENT

- Accident occurs late at night in a secluded area.
- Description of accident suggests possible “set-up scenario.”
- Insured (striking vehicle) advises that claimant (struck vehicle) waved them on to proceed and then struck them.
- Insured (striking vehicle) describes swoop & squat scenario.
- Insured (striking vehicle) indicates that the claimant’s (struck vehicle) brake lights never came on.
- Insured (striking vehicle) indicates that the driver of claimant’s (struck vehicle) vehicle and the driver of mystery vehicle appear to have been talking on the phone just prior to the collision.
- Insured (striking vehicle) indicates two occupants in claimant’s (struck vehicle’s) vehicle and one was looking back at insured (striking vehicle) just prior to the collision.
- Private property collision, no accident report taken.
- Sudden or unwarranted stop or lane change for

no apparent reason could be indication of a “caused accident.”

- Unknown mystery vehicle cuts off claimant’s (struck vehicle’s) vehicle causing the accident.
- Vehicle has numerous passengers claiming the same type of injuries.
- Vehicle was struck by a rental vehicle soon after the rental occurred.
- Witness or driver is overeager and is too willing to be involved and/or accept blame for an accident.

REGARDING POLICY/COVERAGE

- Losses occur just before/after coverage takes effect, just before it ceases, just after it has been increased, or after a cancellation notice has been sent (often the proof of insurance card shows the policy is new).

REGARDING RENTAL CLAIMS PROCESS

- Driver is a passenger in the vehicle and has authorized additional driver driving at the time of the accident.
- Primary driver is not in the vehicle and there is an authorized additional driver who is driving at the time of the accident.
- Rental vehicle is driven very few miles.

REGARDING VEHICLE

- All vehicles in a reported accident are taken to the same body shop or shops that may be owned by the same person(s).
- Claimant's (struck vehicle) vehicle is not insured.
- Claimant's (struck vehicle) vehicle is older model and insured's (striking vehicle's) vehicle is a high value, newer model.
- Discrepancies with true ownership of the vehicle.
- Insured's (striking vehicle) vehicle is owned by a large commercial business (e.g. UPS, trucking firm, etc.).
- License plate does not match vehicle and/or is not registered to individual.
- Vehicle has recent state registration.
- Vehicle is a rental.
- Vehicle purchased/rented out-of-state or area.
- Vehicle registered to someone other than insured or claimant.
- Vehicle was very recently purchased.

Special note: The above indicators have been compiled from the NICB Indicators of Staged/Caused Accidents and the NICB Indicators of Organized Fraud Activity and are not all

inclusive. They are applicable during the initial investigation of a motor vehicle accident. Additional indicators may exist during the claim process.

STAGED/CAUSED ACCIDENT QUESTIONNAIRE

PERSONAL INFORMATION

The following questions should be asked of drivers, occupants and witnesses (if applicable). Verify the information with picture ID if possible. It is recommended that photographs of all parties involved in the accident, as well as all vehicles involved, be taken at the scene.

- Full name (any AKAs or nicknames). Have you ever gone by any other names?
- Current address (how long), (previous addresses).
- Telephone number (home, business, pager, cell phone). (Obtain a signed consent for telephone records, especially cell phones and social media. These records may be important to the investigation to establish owner's/insured's location prior, during or after the accident, and also identify possible witnesses that may have been contacted prior, during or after the accident. If written consent is not given, you may have to consider obtaining a subpoena for the records.) This information is useful if follow-up investigation is done by the officer or traffic

division.

- Date of birth.
- Social Security Number.
- Occupation/employer (how long).

OWNER/DRIVER

The Accident

- Provide the accident's:
 - Date
 - Day of the week
 - Time of occurrence
- How far away were you from the other vehicle when you first noticed it?
- What do you believe caused the accident?
- Were you under the influence of drugs or alcohol at the time of the accident?
- Were there any witnesses to the accident? If yes, do you know their names, addresses and phone numbers?
- What speed were you traveling?
- What lane were you traveling in?

- What direction were you traveling at the time of the accident?
- Were there any obstructions to your vision of the road, such as construction, sun glare, large vehicles, etc.?
- What lane was the other vehicle traveling in?
- What direction were they traveling at the time of the accident?
- Do you believe there were any obstructions to their vision of the road, such as construction, sun glare, large vehicles, etc.?
- Did you apply the brakes prior to impact? If no, why weren't the brakes applied?
- Did the brakes hold prior to impact?
- Did you do anything to try to avoid the accident? If yes, what action did you take?
- What was your vehicle's position after the impact? (if vehicles were moved prior to your arrival)
- What was the position of the other vehicle after the impact? (if vehicles were moved prior to your arrival)
- Were you wearing a seatbelt?
- What speed do you believe the other vehicle was traveling:

- When you first saw it?
- Prior to impact?
- Do you know if the other driver applied their brakes?
- Are you the vehicle's registered owner? If no, provide the owner's name, address and telephone number.
- Were you driving the vehicle at the time of the accident? If no:
 - Who was?
 - Why were they driving instead of you?
 - Does this person frequently drive the vehicle?
 - What is the person's relationship to you?
- Are you injured? If yes, describe your injury:
 - Describe your injuries.
 - Are you currently being treated for injuries you had prior to the accident? If yes:
 - What type of injury are you being treated for?
 - What is the name of your treating doctor?
 - What is the name of the clinic where you are receiving treatment?
- Did you experience any pain at the time of impact?

- What happened to your body at the time of impact?
- Which way did your body move?
- Were you aware there was going to be an impact?
- Did you take any action to brace for impact?
If yes, what did you do?
- Did any part of your body come in contact with anything in the vehicle? If yes, what came in contact with the interior?
- Did anything in the vehicle hit you?
- How soon after the accident did your symptoms appear?
- How many occupants were in your vehicle?
 - What are their names, ages, addresses and phone numbers?
- What is your relationship to these individuals?
- Where were they sitting in the vehicle at the time of the accident?
- Were they wearing a seatbelt?
- Were they injured in the accident? If yes:
 - Can you describe their injuries?
 - Do you know if any of the occupants in your vehicle were being treated for injuries they had prior to the accident?
If yes, what type of injury were they being treated for?

- Were there any occupants (other than the driver) in the other vehicle? If yes, how many?
- Do you know if the driver and/or occupants of the other vehicle were injured? If yes:
 - Do you know what type of injury they received?
- Do you know the driver and/or occupants of the other vehicle? If so, how do you know them?
- Did you speak to the driver/occupants of the other vehicle after the accident?
 - Who did you speak to?
 - What did you discuss?
- Did you discuss the details of this accident with anyone (prior to law enforcement arrival at scene)?
If yes, with whom?
 - What details of the accident were discussed?
 - Did this person promise you money or other types of award for being involved in this accident?
 - What is this person's name, address and telephone number?
 - How long have you known this person?
 - What is their relationship to you?

Regarding Events Prior to the Accident

- Where were you coming from?
- What time did you leave?
- What was the purpose of your trip?
- Where were you going?
- Did all the occupants enter the vehicle from the same location or did you pick them up separately?
 - If same location, where and what time did they enter the vehicle?
 - If separately, what were the approximate times you picked up the occupants? Where?
 - Were all the occupants going to the same destination?
 - If not, how many stops did you make and what were the approximate times?
 - Which occupant got out at which stop?
- Did your vehicle have any prior damage before the accident? If yes, where?
- Do you know if the other vehicle had any damage prior to this accident? If yes, where?

VEHICLE OCCUPANTS

The Accident

- How far away were you from the other vehicle when you first noticed it?
- What do you believe caused the accident?
- Were there any witnesses to the accident? If yes, do you know their names, addresses and phone numbers?
- What speed were you traveling?
- What lane were you traveling in?
- What direction were you traveling at the time of the accident?
- What lane was the other vehicle traveling in?
- What direction were they traveling at the time of the accident?
- Did the driver of your vehicle apply the brakes?
- Did the driver of the other vehicle apply the brakes?
- What was the position of your vehicle after the accident? (if vehicles were moved prior to your arrival)
- What was the position of the other vehicle after the accident? (if vehicles were moved prior to your arrival)
- How many occupants were in your vehicle?

- What are their names, ages, addresses and phone numbers?
- What is your relationship to these individuals?
- Where were you sitting in the vehicle at the time of the accident?
- Were you wearing a seatbelt?
- Where were the other occupants sitting in the vehicle at the time of the accident?
- Were they wearing a seatbelt?
- Were you injured in the accident? If yes:
 - Describe your injuries.
 - Are you currently being treated for injuries you had prior to the accident? If yes:
 - What is the name of your treating doctor?
 - What is the name of the clinic where you are receiving treatment?
- Did you experience any pain at the time of impact?
- What happened to your body at the time of impact?
- Which way did your body move?
- Were you aware there was going to be an impact?
- Did you take any action to brace for impact?

If yes, what did you do?

- Did any part of your body come in contact with anything in the vehicle? If yes, what came in contact with the interior?
- Did anything in the vehicle hit you?
- How soon after the accident did your symptoms appear?
- Did you speak to the driver/occupants of the other vehicle after the accident?
 - Who did you speak to?
 - What did you discuss?
- Did you discuss the details of this accident with anyone (prior to law enforcement arrival at scene)?
If yes, with whom?

- What details of the accident were discussed?
- Did this person promise you money or other types of award for being involved in this accident?
- What is this person's name, address and telephone number?
- How long have you known this person?
- What is their relationship to you?

Regarding Events Prior to the Accident

- Where were you coming from?

- What time did you leave?
- What was the purpose of your trip?
- Where were you going?
- Did all the occupants enter the vehicle from the same location or did you pick them up separately?
 - If same location, where and what time did they enter the vehicle?
 - If separately, what were the approximate times you picked up the occupants? Where?
 - Were all the occupants going to the same destination?
 - If not, how many stops did you make and what were the approximate times?
 - Which occupant got out at which stop?

WITNESS

- Where were you when you witnessed the accident?
- How far away were you from the accident location?
- What direction was each vehicle traveling at the time of the accident?
- Did any vehicle violate traffic controls? If yes:
 - Which driver violated the traffic control?

- What traffic control was violated?
- Describe how the accident occurred:
 - How fast were the vehicles traveling just before the accident?
 - What do you think caused the accident?
 - Did you see if the drivers tried to do anything to avoid the accident? If yes, what action did you see them take?
 - What were the positions of the vehicles after impact? (if vehicles were moved prior to your arrival)
 - Did the vehicles strike anything else after the initial impact? If yes:
 - Which vehicle(s) had the second impact?
 - What did the vehicle(s) strike?
 - How many occupants were in each vehicle?
 - Do you remember where these occupants were sitting?
 - Do you know if they were wearing seatbelts? If yes:
 - Who was and wasn't wearing a seatbelt?
 - Did you notice if any of the occupants were injured in the accident? If yes:
 - Describe who and the injuries you observed.

- Did you have a conversation with anyone involved in the accident? If yes:
 - What did you discuss?
- Do you know anyone involved in the accident?
 - If yes:
 - What is your relationship with this person/people?
- Were there any obstructions to your vision of the accident scene, such as construction, sun glare, large vehicles, etc.
- Did you notice anything that could have obstructed the vision of any drivers involved in the accident?
- Do you wear glasses or contacts?
 - If yes, were you wearing them when you witnessed the accident?
 - If no, how good is your vision without them?
- Did you drink alcohol or use any drugs prior to witnessing the accident?
 - If yes, how long before the accident did you consume the alcohol or drugs?
- Why were you at the location at the time of the accident?
- Is there anything else you would like to add regarding the

accident?

- Do you have any additional knowledge pertaining to the accident or anyone who may be involved with it?

Ask for clarification regarding questions that have incomplete, inconsistent or contradictory answers. Some questions may seem redundant but will be useful in further investigation of a possible staged accident claim.

If the situation warrants, consider taking immediate steps (gain permissions, etc.) to obtain and preserve available electronic evidence from cell phones, vehicle “black boxes,” vehicle GPS systems (OnStar, Tom-Tom, etc.), social media and electronic toll transponders, etc.

If you suspect a staged accident, notify your traffic follow-up investigators and the National Insurance Crime Bureau.

ADDITIONAL NICB RESOURCES

- NICB Staged/Caused Accident Indicators
- NICB Organized Fraud Activity Indicators
- Your local NICB agent



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