



WALDREP COMPANY CHECKLIST

Accident Phone Evidence Checklist

AUDIENCE	Plaintiff and defense attorneys, insurance investigators, and accident reconstructionists working a motor vehicle accident, commercial trucking, or personal injury case where a driver's phone use is at issue.
PURPOSE	A checklist to preserve, request, and analyze mobile device evidence to determine whether a driver was distracted at the time of a collision.

■ Section 1 — Preserve immediately (the clock starts at the crash)

- Send a preservation letter to the opposing driver and their carrier identifying the specific phone(s) by make, model, and number if known.
- Preserve the carrier's call detail records (CDRs) — most carriers purge or summarize after 12–18 months.
- Preserve the driver's cloud accounts: iCloud, Google, the device manufacturer's cloud backup.
- If the driver was on the job, preserve the employer's MDM logs, telematics (Samsara, Geotab, Lytx), and dashcam footage.
- Photograph the phone in its post-crash state before it is moved, charged, or unlocked.

■ Section 2 — What to request in discovery

- Forensic image of the phone (not screenshots, not a manual review).
- Cloud backup files (iCloud backup, Google Takeout) covering the 24 hours before and after the collision.
- Carrier records: voice CDRs, SMS/MMS detail, and cellular data session logs for the relevant window.
- Application data for every app installed: maps, music streaming, messaging, social media, dating apps, games.
- CarPlay or Android Auto pairing history and Bluetooth connection logs.
- Driving-detection or safety-app data (the iPhone "Focus while driving" mode, Life360, Apple/Google location history).

■ Section 3 — What the forensic analysis should answer

- Was the screen on at the moment of impact?
- Was a specific app in the foreground? Which one, and what was it doing (typing, scrolling, video playing)?
- Was the phone unlocked? When was it last unlocked relative to the collision?
- Was a call active? Hands-free or handheld?
- Was the phone sending or receiving text messages, app notifications, or data?
- What did the phone's accelerometer and gyroscope record at the moment of impact?
- What did the phone's GPS log for speed, heading, and location?

■ Section 4 — Common evidentiary pitfalls

- Carrier records show *attempted* connections, not what the user actually did — phone artifacts are required to prove use.
- iMessage and WhatsApp do not appear in carrier records; only the phone or cloud backup shows them.
- An unlock without app activity may still be relevant — it proves the driver looked at the phone.
- Time-zone drift between phone, carrier, and dashcam can shift events by hours if not normalized.
- An iPhone "Driving Focus" mode that was enabled but bypassed is highly probative.

■ Section 5 — Authentication for trial

- Hash-verified forensic image, with chain of custody documented from collection forward.
- Tool reports identifying software, version, and extraction method (Cellebrite, Magnet AXIOM, GrayKey).



- Source artifacts available for opposing expert review — never rely solely on conclusory summaries.
- A timeline exhibit synchronizing phone artifacts with EDR (black box), dashcam, and 911 call audio.

About The Waldrep Company. Eric Waldrep is a court-qualified mobile device forensics expert with extensive experience in distracted-driving cases — extraction, timeline reconstruction, and trial testimony. Cellebrite and Magnet MCFE certified.

Working a case? Schedule a free consultation at thewaldrepcompany.com/contact or call (251) 216-1164.