



Coalition of Family Members and Labor Urge LA District Attorney to Prosecute UCLA Lab Death

Prosecuting UCLA Lab Worker's Death Would Send a Clear Message that Universities Must Provide Workplace Safety Protections

UNIVERSITY
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January 25, 2012 (LOS ANGELES, CA) – Family members of Sheri Sangji, a recently hired 23-year-old lab technician who died in January 2009 as a result of a December 2008 lab fire at the University of California Los Angeles (UCLA), along with the labor union that represented the young woman and an organization of family members who have lost others to workplace fatalities, are urging the Los Angeles County District Attorney to prosecute the case to the fullest extent of the law.

Sheri's sister, Naveen Sangji, said her family is thankful that the District Attorney filed charges. She noted that UCLA had a record of serious workplace incidents well before the tragedy that took her sister's life.

"The hazardous laboratory conditions at UCLA caused serious injuries to two students *prior* to this incident, but the administration took no corrective steps," Sangji said. "Furthermore, the professor in charge was told his laboratory was unsafe, but decided to ignore the warnings – and UCLA let him do so. Their unlawful decisions resulted in the death of an innocent 23-year-old girl – a daughter, a sister, closest of friends. We look to the District Attorney, Mr. Cooley, to continue to pursue justice and to prevent such a profound and devastating loss for other families by fully prosecuting UCLA and Patrick Harran."

"He could have been charged with felony manslaughter," said Frances Schreiber, an attorney who previously directed Cal/OSHA's Bureau of Investigations, adding that the evidence in support of the felony Labor Code charges is solid. "Harran's utter indifference to the health and safety of his laboratory personnel, his heedless approach to basic precautionary standards and accident preparedness, and his inadequate laboratory management illustrate that he both acted and failed to act without due caution and circumspection and with reckless disregard for the lives of his employees."

Schreiber said there is ample evidence of UCLA's and Harran's guilt and that both should be punished. Harran's activities after the event evidenced his desire to protect himself from the consequences of his actions: Harran tampered with evidence to minimize his culpability and tried to hide what he had done both before and after being instructed not to disturb the scene.

Joan Lichterman, a spokesperson for the University Professional and Technical Employees – Communications Workers of America Local 9119, said universities are obliged to protect their workers.

"For years," she said, "UCLA has neglected its legal responsibility to provide a safe place to work and put both its workers and students at risk. Like other employers, universities must be held accountable for the safety of their staff as well as students. We applaud the District Attorney for filing these charges. Criminal prosecution will be the single most effective deterrent to unsafe laboratory conditions in the future at UCLA and at other universities."

Tammy Miser, the founder and executive director of United Support and Memorial for Workplace Fatalities (USMWF), said. "Since Sheri died, there have been many more serious lab injury cases, as well. Sadly, when these cases are investigated, we learn how easily they could have been prevented. We urge the Los Angeles District Attorney to send a clear message that lab workers are not an expendable commodity. They are people, with friends and families who love them, and they deserve to come home safe and sound after a day in the lab. They should not have to give their lives in exchange for earning a living."

To read the California Bureau of Investigation report on the Sangji case, go to:
<http://www.defendingscience.org/upload/Calif-BOI-report-Sheri-Sangji.pdf>

For the felony complaint, see:
http://cen.acs.org/content/dam/cen/static/pdfs/Article_Assets/90/09001-notw1-uclacharges.pdf

Full statement from the Sangji family urging Los Angeles District Attorney Steve Cooley to prosecute the defendants to the fullest extent of the law: *UCLA and Patrick Harran should be fully prosecuted for causing Sheri's death. Focused only on furthering his career, Harran, as Sheri's boss, ordered her to transfer a highly dangerous chemical using a method contraindicated by the manufacturer of that chemical; did not give her appropriate training, supervision, or proper equipment for that work; did not provide her, or those around her, with any safety training. No one present in the laboratory that day was equipped to deal with emergency situations. When the fire started, nobody thought to put Sheri under a water shower. After the incident Patrick Harran engaged in a cover-up, removing chemicals from the laboratory and possibly destroying critical evidence. No one can erase the agony and suffering Sheri endured, but by allowing a jury to debate the facts of the case, you can bring about accountability and justice, and thereby save other innocent lives.*

Full statement from Tammy Miser, Founder & Executive Director, United Support and Memorial for Workplace Fatalities: *When your loved one dies on the job, you pray that someone will be held accountable. We applauded the Los Angeles District Attorney's decision last month to prosecute those responsible for the work-related death of Sheri Sangji, 23. We are eager for the DA to stand firm and force the University and the chemistry professor to be accountable in a court of law. It must not end now with some backdoor deal. There are far too many unplanned explosions and fires in academic laboratories that result in injuries to staff and students. Just this month, a University of Florida graduate student and a firefighter were burned in a chemistry lab, the site of two other recent incidents. There have been many more serious lab injury cases, including at Texas Tech (2010), University of Missouri (2010), and University of Maryland (2011), as well as other worker deaths on academic campuses, such as Michele Dufault, 22, at Yale (2011) and Declan Sullivan, 20, at Notre Dame (2010). Sadly, when these cases are investigated – just like incidents on construction sites or coal mines – we learn how easily they could have been prevented. Sheri Sangji's death was 100 percent preventable had basic safety precautions been implemented in the UCLA lab. That makes her family's suffering all the worse, and it is why UCLA should be held criminally responsible.*

Full statement from the University Professional and Technical Employees – Communications Workers of America Local 9119: *As the union that represented Sheri Sangji and represents over 12,000 researchers, other professionals, and technical employees throughout the UC system, UPTC-CWA 9119 applauds District Attorney Steve Cooley for charging UCLA and Patrick Harran with three felony counts for safety violations that led to her death. We urge him to prosecute this case vigorously. A trial will provide justice to the Sangjis. UCLA neglected its legal responsibility to provide a safe place to work, and this caused Sangji's death. UCLA knew it had problems in its labs as evidenced by two serious incidents that injured graduate students in the same department. It failed to heed these incidents, one of which occurred a year before and the other a week before the fatal fire that took Sangji's life. It is not a defense for UC to blame the victim for her own death. Even if Sangji were a seasoned chemist, which she was not, it is the employer's responsibility to follow Cal/OSHA regulations designed to protect workers. The criminal charges are based on violations of three sections of the California Labor Code. Like other employers, universities must be held accountable for the safety of their staff. Criminal prosecution will be the single most effective deterrent to unsafe laboratory conditions in the future at UCLA and can lead to changes in university laboratories throughout the country.*

Full statement from Frances Schreiber, an attorney who previously directed Cal/OSHA's Bureau of Investigations: *He could have been charged with manslaughter; the evidence in support of the felony Labor Code charges is solid. Harran's utter indifference to the health and safety of his laboratory personnel, his heedless approach to basic precautionary standards and accident preparedness, and his inadequate laboratory management illustrate that he both acted and failed to act without due caution and circumspection and with reckless disregard for the lives of his employees. There is ample evidence of UCLA's and Harran's guilt and both should be punished. Harran's activities after the event evidenced his desire to protect himself from the consequences of his actions: Harran tampered with evidence to minimize his culpability and tried to hide what he had done both before and after being instructed not to disturb the scene. After the LA Fire Department left the scene the evening of the incident, yellow tape and signs were posted to forbid entry to the investigation site. Yet, later that evening, Harran was discovered with two assistants inside the crime scene "cleaning up." Harran obviously knew it was improper to alter the crime scene and ultimately admitted doing so because it looked bad. Referring to several 20-liter drums that he also removed, Harran said, "I cleaned up ... and got rid of things that could have been dangerous ... I just wanted to get all those drums out ... it just looked bad."*