

PEOPLE V. HARRAN
(When an accident is deemed a crime)

Kevin S. Reed
Vice President and General Counsel

Sheharbano Sangji

Suffered devastating burns in a laboratory fire
at UCLA in late December 2008
Died of her injuries 18 days later



**Patrick Harran, Ph.D.
Cram Chair in Organic
Chemistry, UCLA**

Charged, along with the University of California, with multiple felonies arising out of the accident

Just released from further obligations under a "deferred prosecution agreement" under which he was required to perform hundreds of hours of community service



SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

01 THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA, A PUBLIC
CORPORATION,
UNIVERSITY OF CALIFORNIA, LOS
ANGELES, and

02 PATRICK HARRAN (7-13-69)
Defendants.

CASE NO. BA392069

AMENDED
FELONY COMPLAINT

CONFORMED COPY
OF ORIGINAL FILED
Los Angeles Superior Court

FEB 28 2012

John A. Clarke, Executive Officer/Clerk
BY *[Signature]*
A. Harris, Deputy

The undersigned is informed and believes that:

COUNT 1

On or about December 29, 2008, in the County of Los Angeles, the crime of WILLFUL VIOLATION OF AN OCCUPATIONAL SAFETY & HEALTH STANDARD CAUSING THE DEATH OF AN EMPLOYEE, in violation of LABOR CODE SECTION 6425(a), a Felony, was committed by THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, A PUBLIC CORPORATION, UNIVERSITY OF CALIFORNIA, LOS ANGELES, and PATRICK HARRAN, who were the employers and an employee having direction, management, control, or custody of Sheharbano Sangji, who was an employee at University of California, Los Angeles. It is alleged that THE DEFENDANTS willfully violated the CALIFORNIA CODE OF REGULATIONS, TITLE 8, SECTION 5191(f)(4), a California occupational safety regulation.

ISSUES RELEVANT TO THE PROSECUTION

- Inadequate records of issuing PPE
- Lax practices of wearing PPE
- Inadequate records of training Sangji in the dangerous transfer
- Inadequate training of laboratory staff in emergency response
- Failure to remedy safety deficiencies noted in prior inspections
- Perception that the PI was pushing lab staff to get results
- Prior safety issues on campus in chemistry and other labs
- Limited personnel on hand due to campus closure

MECHANISM OF THE ACCIDENT

- Transfer of volatile compound a pyrophoric
- Did not clamp bottle
- Used needle that was too short – required tipping the bottle and restricting syringe manipulation to one hand
- Syringe too small for quantity for transfer
- No use of lab coat
- Sangji was wearing sweatshirt made of synthetic material





KEY OUTCOMES

Both UC and Harran entered into deferred prosecution agreements

Continued monitoring by OSHA of laboratory safety issues

Zero tolerance for safety violations

Hundreds of hours of community service (designed to be demeaning)

Millions of dollars in expenses

KEY TAKEAWAYS

Academic science far behind industry in lab safety issues

Industrial model ill-equipped for academic setting

EH&S “enforcement” model an inadequate tool for ensuring safety

Safe practices require a cultural shift

A safety culture holds us accountable to each other

To be effective, “enforcement” needs to come from academic leadership

Sangji case shows there can be enormous consequences to ignoring simple steps to prevent accident and injury

QUESTIONS?