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
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?