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[Che-staff-list] Safety Update #18 - UCLA felony trial update

From : Gabriela Nagy <nagyg@purdue.edu>
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Subject : [Che-staff-list] Safety Update #18 - UCLA felony trial update
To : chme@ecn.purdue.edu, chmegrad@ecn.purdue.edu

Mon, Apr 29, 2013 04:11 PM

 1 attachment

Dear ChE Faculty, Staff, Research Associates and Graduate Students,

Please find attached an article that provides an update to the trial regarding the fatal safety incident at UCLA back in December 2008 (please see Safety Update #7 and Safety Update #9 at <https://engineering.purdue.edu/ChE/AboutUs/Safety.html>).

The article was published in "Los Angeles Times" on April 26, 2013; please follow the link below to access the original article.

<http://articles.latimes.com/print/2013/apr/26/local/la-me-ucla-prof-20130427>

I would like to take this opportunity and remind everyone that all people working in a research lab in our School is required to have safety training tailored to the specific work performed in that lab. This should be in addition to the Safety Awareness Training that each employee undertakes at the start of their appointment with our School.

If needed, specialized safety training is offered by REM (Radiological and Environmental Management) at Purdue. The Principal Investigator is responsible for ensuring that everyone working in his/her lab has appropriate chemical safety training. All employees must follow the safety rules at all times and wear the PPE identified as necessary for the activities performed in the lab. It is recommended that the additional safety training is recorded and the records kept on file with the Faculty responsible for that lab.

Thank you to Adam Krajicek from REM for sharing this article.

Gabriela

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UCLA_fatality incident trial update - Apr 2013.pdf
76 KB

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UCLA professor to stand trial in death of assistant in lab fire

Professor Patrick Harran is ordered to stand trial on felony charges stemming from a fire that killed staff research assistant Sheharbano Sangji more than four years ago.

April 26, 2013 | By Kim Christensen, Los Angeles Times

UCLA chemistry professor Patrick Harran was ordered Friday to stand trial on felony charges stemming from a laboratory fire that killed staff research assistant Sheharbano "Sheri" Sangji more than four years ago.

Concluding a preliminary hearing that began late last year, Los Angeles County Superior Court Judge Lisa Lench denied a defense motion to dismiss the case, believed to be the first such prosecution involving a U.S. academic lab accident.

Harran, 43, is charged with willfully violating state occupational health and safety standards. If convicted, he faces up to 4 1/2 years in prison.

"We fully expect to vindicate professor Harran," defense attorney Thomas O'Brien said after the hearing. "This was an accident, a tragic accident. We have always maintained that, as the University of California has, and we expect him to be vindicated."

Sangji, 23, was not wearing a protective lab coat Dec. 29, 2008, when a plastic syringe she was using to transfer t-butyl lithium from one sealed container to another came apart, spewing a chemical compound that ignites when exposed to air. She suffered extensive burns and died 18 days later.

Harran is accused of failing to remedy unsafe work conditions in a timely manner, to require appropriate work clothing and to provide proper chemical safety training. He is to be arraigned May 9.

Identical charges against the University of California were dropped last July when the UC Board of Regents agreed to follow comprehensive safety measures and endow a \$500,000 scholarship in Sangji's name.

In a statement Friday, UCLA Chancellor Gene Block offered the university's "unwavering" support for Harran. UCLA also is paying his legal bills.

Harran and UCLA have insisted that Sangji was an experienced chemist who was trained in the experiment and chose not to wear a protective lab coat. Harran's lawyers sought to bolster those contentions at the preliminary hearing and in a written motion to dismiss felony charges or reduce them to misdemeanors.

Among other things, they argued that Sangji, who'd graduated five months earlier from Pomona College in Claremont with a bachelor's degree in chemistry, was adequately trained by a senior researcher in Harran's lab.

Prosecutors said there was no evidence that anyone trained Sangji in the handling of the chemicals that set her synthetic sweater ablaze.

"The bottom line with regard to the lack of training provided by defendant Harran is that, if victim Sangji had been properly trained ... victim Sangji would be alive today," they wrote in court papers.

Harran's lawyers also contended that the university — not Harran — was Sangji's employer, that UCLA never spelled out his obligations under the state labor code, and that he did not willfully violate any laws.

In court papers, they said Harran is "devoted to promoting and protecting society" through his research involving cancer, obesity and other areas. They also said that he already had been punished since charges were filed in December 2011.

"His reputation has been significantly damaged," they wrote. "He faces the threat of loss of funding for his research and difficulties in recruiting and retaining graduate students and staff."

Prosecutors said that holding Harran to answer to felony charges will deter safety lapses at other labs. They said Harran had displayed a "roll the dice" attitude toward lab safety — and that Sangji paid for it.

"Sheri Sangji died, and she died a horrible death," Deputy Dist. Atty. Craig Hum said in court. "This was an extremely tragic and horrible way to die, and the defendant needs to be punished for that."

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