February 22, 2010

Mr. Darin Perkins
ADOSH
800 West Washington Street
Phoenix, Arizona 85007

In re: FORMAL COMPLAINT

Dear Mr. Perkins:

The purpose of this letter is to file a formal complaint regarding the egregious actions taken by the Arizona Department of Corrections (ADOC) and the Arizona Department of Juvenile Corrections (ADJC), the State Fire Marshall and State Risk Management with respect to fire safety issues. For over the past 20 years, they have allowed "fire watches" in detention facilities which is a clear violation of OSHA and Fire Code requirements. By allowing "fire watches," instead of the complying with required fire safety regulations, these agencies/individuals have placed all ADOC and ADJC employees in serious jeopardy of harm should a fire break out. The gravity and likelihood of this potential workplace hazard/tragedy has been overlooked/ignored for – in some cases – two decades in some facilities. Imminent danger to employees is apparent if a fire broke out and exposes all employees to physical harm in the workplace. This is in direct violation of the OSHA Act.

For your convenience, I have attached an article from The Arizona Republic, published January 10, 2010, which lists the problems in detail, and a sidebar article which lists the specific problems at each individual institution. I expect a reply within sixty (60) days of the date of this letter with your planned course of action to correct the direct violations at each of the facilities listed in the attachments.

Should you respond to this letter by stating that "fire watches" will continue to suffice, the follow-up for me will be to file a formal letter to the Governor, to legislative leaders, to federal officials at OSHA, and to the United States Attorney General. This serious fire safety issue must

be resolved according to regulations, and lack of money will not suffice as an excuse.

Sincerely,

Donna Leone Hamm
Director

Attachments
cc: Distribution List