



FOR IMMEDIATE RELEASE  
October 30, 2017

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## **New Workplace Health and Safety Crimes Database Offers Picture of State-Level Violations and Prosecutions**

The Center for Progressive Reform (CPR) released a first-of-its-kind database today, cataloging state criminal prosecutions against companies and individuals whose actions caused a worker's death or serious injury. The [Crimes Against Workers](#) database contains information on 75 incidents in 16 states that have led to criminal charges and provides additional related materials.

"Every state has laws on the books that allow for criminal prosecution of employers who cause a worker's death or serious injury," said Katie Tracy, CPR Policy Analyst and database project lead. "But it's common for district attorneys to leave anything that happens in the workplace up to OSHA, even if prosecution is clearly warranted, and even though OSHA's penalties are severely limited. It's time for prosecutors to take workplace cases more seriously. Our database highlights instances in which states have pursued such cases over the past several decades to seek justice for workers and their families and to hold employers responsible for their actions. Until now, such information has been scattered across the Internet and not terribly useful to advocates and researchers."

The CPR database is a one-stop shop for prosecutors, advocates, the media, and others. It includes data on past and current cases, as well as a range of other materials, such as case files, court decisions, media clips, and advocacy resources. The database also contains information about advocacy campaigns in pursuit of criminal charges, some of which have resulted in an indictment and some of which have not.

Among the cases included in the database is the New York District Attorney's prosecution of two companies and two executives for causing the death of Carlos Moncayo at a construction site in the Meatpacking District of New York in 2015. Moncayo was buried alive when an unsecured trench he was working in collapsed, even though state law clearly requires trenches to be secured. The district attorney indicted general contractor Harco Construction; Harco's site supervisor, Alfonso Prestia; subcontractor Sky Materials Corp; and Sky's foreman, William Cueva, and all four defendants either pleaded guilty or were convicted. The two companies were sentenced to pay the maximum fine of \$10,000 for each of their felony offenses, Cueva was sentenced to one to three years in prison, and Prestia must complete community service as part of his plea deal.

"This is a unique tool for the public, prosecutors, and others working to prevent tragic workplace

injuries and deaths," said Matthew Shultz, CPR's executive director. "Thousands of workers will die on the job this year, and a vast majority of those deaths are avoidable. The threat of criminal charges sends a strong message to scofflaw employers – your own fate is on the line when you put your workers at risk."

The Crimes Against Workers database is available on CPR's website at [http://progressivereform.org/State\\_OSH\\_Prosecutions.cfm](http://progressivereform.org/State_OSH_Prosecutions.cfm). In addition to its search and research capabilities, the database offers users the opportunity to submit additional, relevant information for consideration.

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*The Center for Progressive Reform is a nonprofit research and educational organization with a network of Member Scholars working to protect health, safety, and the environment through analysis and commentary. Read [CPRBlog](#), follow us on [Twitter](#), and like us on [Facebook](#).*