HAMLET -- It started in 1980, the first of 11 years of neglect from the people paid to protect. A government gone AWOL.

It ended this year, the morning after Labor Day, with 25 corpses. The $5-an-hour workers had choked to death on toxic smoke at Imperial Food Products' chicken plant in Hamlet.

Their deaths, as only tragedy can, exposed a tattered, torn safety net -- a system of weak laws, bare-bones staffing and bureaucratic bumbling. Three months after they died needlessly behind locked doors, it is evident that Imperial's employees entrusted their safety to the wrong people.

They trusted their government.

Loretta Goodwin was one of the first dazed workers to get out of the burning plant through a door near a garbage bin after it was unlocked, too late, from the outside. She and her boyfriend, Jerry Davis, harbor hard feelings toward the government that was supposed to protect her.

"It's just like in a prison," Davis said. "It's bad, man. Our government let this happen."

Loretta Goodwin put it simply: "It's a rough world we're livin' in."

Could have, should have

Davis and Goodwin are right. The shabby safety practices at Imperial should have been detected by any of a half-dozen agencies with authority over the plant:

Local firefighters could have checked the plant for fire hazards. But they didn't.

The county building inspector, after two major fires, could have required sprinklers and different locks on the doors. He didn't.

The General Assembly could have provided more safety inspectors. It didn't, leaving the state far short of federal guidelines.

The state Department of Labor could have better juggled its 43 inspectors to get to more plants such as Imperial. It didn't, often performing fewer inspections than recommended at hazardous industries and moving sluggishly to fill vacant jobs for inspectors.

Federal food inspectors could have been trained to spot safety hazards. They weren't, and they allowed locked doors to stay that way.

Federal safety inspectors who knew of Imperial's poor safety record in Pennsylvania could have called North Carolina with a warning. They didn't, and they left North Carolina without a clue that Imperial Food Products potentially presented a danger.

In a storage area of his Hamlet hardware store, Vernon McDonald inhaled the information, along with a cigarette. The chairman of the Richmond County Board of Commissioners offered a partial excuse for the local neglect.

"There weren't nothing to stop us," he said. "You know, you could put in an ordinance. But we were assuming, damn it, everybody thought that's what state labor and OSHA was doing."

Since the fire, fingers of blame have extended in all directions.

Local officials say workplace safety is a state responsibility. State Labor Commissioner John C. Brooks, an elected Democrat, and Republican Gov. James G. Martin have blamed the legislature for not providing enough inspectors. Legislators, in turn, blame Brooks for not filling many of the jobs they have funded.

The federal government blames the state, and it has taken over part of North Carolina's workplace safety and health program.

"Everyone is saying 'Not on my watch' to protect thine posterior."

Real People

All the bureaucrats, all the politicians, should meet Jerry Davis and Loretta Goodwin.

Davis didn't work at Imperial, and he wasn't in the building during the fire. Goodwin was.

Loretta Goodwin, a plump woman with red-tinted hair, comes from a family of 16 children. She left school in the 10th grade. She needed money, and the teachers paid her little attention, anyway.

"If your mother wasn't rich, you got overlooked in school," she said. "It made me lose interest."

At 43, Goodwin has five children and five grandchildren. She worked as a nurse's aide for 13 years before going to work on the lines at Imperial. She left her former job because of the stress.

"I got so attached to the people I was dealing with," she recalled. "When they died, it took a toll on me."

Goodwin got out of the Imperial fire, her stomach horribly swollen from inhaling smoke. She suffers from nightmares, and she has been seeing a psychologist.

Sometimes she talks to people who aren't there.

All this has been difficult for Davis as well. He listened as Goodwin talked, his eyes red, a beer in his hand. He became enraged when the topics of the fire and government came together.

"The government let them down," he said. "The government should never have allowed this. That plant's been running for 11 years. It ain't never been inspected."

His voice was steadily rising. Suddenly, Jerry Davis was shouting.

"Do you think I can put a hot dog stand up out there and they wouldn't be investigating me? Something done went wrong, and now it's too late. Those people done died."

Yes, but why?

How can it be that in 11 years of operating in a building that grew to 37,000 square feet, a building only a stone's throw from Hamlet's Main Street, Imperial Food Products never had a visit from a safety or fire inspector? How could this company operate out of the sight of government for more than a decade?

The answer lies not in one agency, not with one official. There is plenty of blame to go around.

No money, no time

Sept. 3 dawned clear and unseasonably mild. Loretta Goodwin, after having taken Labor Day off, was in Imperial's trim room that Tuesday morning, pulling prime strips of chicken -- called tenders -- from the center of breasts. She was working alongside Lillian Wall, her best friend, who was telling Goodwin that she was tired of handling chilled chicken and planned to get a new job at a hosiery mill.

"Her hands were so cold," Goodwin said.

As the two talked and worked, a group of women came toward them from the processing room, where the chicken was cooked. They were bunched together so tightly that they couldn't move quickly. Goodwin heard someone say, "We can get out over here."

That voice sent the group toward a door at the garbage bin, which was only a few feet away. The directions were right, but the idea was wrong. They were headed toward a locked door.

Goodwin, Wall and their fellow workers had never been through a fire drill at the plant.

That same morning, the Hamlet Fire Department's glistening new $216,000 firetruck was scheduled to make a training run. At 8:24 a.m., those plans changed. Brad Roe, the plant's operations manager and son of Imperial owner Emmett Roe, burst through the doors at the fire station. He shouted something about a fire at Imperial Food Products, then hopped in his car and sped back to the plant.

Hamlet firefighters had been in the Imperial building twice before, both times to fight fires in the early 1980s. Never to inspect for fire hazards.
Neither fire was minor. The first, in 1980, caused damage the fire department estimated at $200,000.

In 1983, damage from the second fire was estimated at $75,000. Afterward, Hamlet Fire Chief David Fuller suggested to the county building inspector that Imperial put an extinguishing system on the plant's chicken cooker, where the fire had originated.

It was installed, but the fire department never returned to see if it worked.

"It wasn't our job," Fuller said.

By now, David Fuller has tired of the questions. No, the eight-man Hamlet Fire Department doesn't conduct fire inspections, which could detect hazards and the lack of evacuation plans and fire drills. Yes, sometimes firefighters get their first look inside a building when it's burning.

The department's time, he said, is consumed by real fire runs, emergency medical calls and fire education programs, offered primarily in local schools.

"Children are probably better educated on how to get out of a building than are adults," offered Hamlet Mayor Abbie Covington.

Hamlet, population 6,196, is a small town with a tiny tax base. Ron Niland, the former city manager, said most towns its size can expect at least 20 percent of tax revenues to come from business and industry. In Hamlet, with its small downtown, lack of industry and large residential areas, the figure is "3 or 4 percent," he said.

The result is a $4 million budget, of which 8 percent -- or $324,800 -- goes for fire protection. That's a fairly large fire budget for a city the size of Hamlet, but the city since 1979 has left its building inspections to the county -- and has never discussed hiring a fire inspector.

"This is not an issue for city government," argued Niland, who left Hamlet in August for the city manager's job in Mount Airy. "It should not be put on city government. Most towns the size of Hamlet don't have a full-time fire department. Who's going to provide the fire inspectors?"

No help

Loretta Goodwin followed her frantic co-workers into the shed next to the garbage bin, but there was no way out. The door was locked from the outside. The large bin was inserted into another opening. A tractor-trailer that had delivered a load of chicken that morning was backed into the loading dock.

Goodwin was one of about 40 people who ran to the shed. She was trapped by a lock that a fire inspector doubtless would have found and removed. But Hamlet had no fire inspector. Neither did Richmond County. And neither did the state of North Carolina.

Until 1989, the legislature had been silent on local fire safety. Cities and counties could adopt one of several national fire codes, write ordinances of their own and conduct inspections. Or they could do nothing.

Some, particularly larger cities such as Greensboro and Raleigh, adopted codes and developed fire inspection programs. Raleigh now uses a permit system to reach all high-hazard employers once a year.

"We've found locked doors, and I've seen the locks swinging," unlocked just ahead of the inspector, said Raleigh Fire Marshal Earl F. Fowler.

But with smaller budgets and no state requirements, many local governments, including Hamlet and Richmond County, did nothing.

"You probably had them all over the state, for the simple reason that there was no mandated fire code," said Richard Strickland, Rocky Mount's fire marshal, who serves as president of the N.C. Fire Marshals Association.

Fire officials across the state, along with the state Department of Insurance, recognized the shortcomings of such a helter-skelter system. In 1989, they persuaded the legislature to authorize a statewide fire code, thought to be the first of its kind.

Starting July 1 this year, all local governments were to have hired or designated a fire inspector. But there was a catch: It was up to the local government to decide when -- or whether -- the inspector had to do anything. And a violation of the fire code would net only a $50 fine.

Niland, the former Hamlet city manager, remembers receiving notice from the state Department of Insurance that the town needed to hire an inspector.

"I do remember that the fire chief got a letter," Niland said. "He said, 'I don't have the people to do it.' I said, 'I know you don't have the people to do it.' It was sort of put aside."
In Rockingham, the county seat, the topic wasn't addressed until June 27, when Richmond County declared it would hire a fire inspector -- just in time to comply with the new state regulation.

The county commissioners still haven't set a schedule for required inspections. They are waiting to see what the state will force them to do.

A look inside

Jack Thompson found out the hard way that Imperial Food Products was setting up shop in Hamlet. The building caught on fire.

It was Nov. 1, 1980, about a month after Emmett Roe bought the old Buttercup Ice Cream plant. A spark from a welder working on building renovations smoldered until, late in the evening, it ignited some sawdust.

The welder was there to cut out ice cream equipment and to start preparing the building for its new owners. But the company had no building permit.

Thompson, 62, has been Richmond County's building inspector since 1978. He wears his white hair cropped close and has a tattoo on his forearm.

"Most of the time you need to get a permit before you start the work," Thompson said. "But they were taking things out. I wouldn't worry too much about that."

The state Department of Insurance does worry about such things. It recently issued a report citing Imperial for more than a dozen violations of building codes and state laws, including several instances in which the company didn't apply for proper permits.

After the 1980 fire, Imperial applied for a building permit, declaring that the repairs -- mostly to the roof -- would cost $125,000. The State Building Code says that if an existing building suffers damage of more than 50 percent of its "physical value," it must be made to conform to the requirements for new buildings.

But the code leaves it up to the local inspection department to determine what that physical value is.

"It doesn't say he has got to go to the tax office," Vernon McDonald, the county commissioner, noted ruefully.

The 1981 county tax listings show the Imperial building was valued for taxes at $89,740, but he did not force the company to bring the building up to code.

The code would have required sprinklers and other safety improvements -- including doors that can't be locked to keep people on the inside from getting out.

Recently, Thompson was asked to explain his decision. He immediately walked over to a desk in his spartan office and drew an imaginary line down the middle.

"If one half is scuffed up, and the other half isn't, that's 50 percent," he said. "The only significant damage was to the roof. If it's going to cost $125,000 to put the roof up there, the walls and the floor are worth more than $125,000."

In 1983, the building caught fire again, with damage estimated by the fire department at $75,000. Again, the company applied for a $125,000 building permit.

Again, Thompson did not force the company to make safety improvements.

When Richmond County decided to employ a fire inspector, Thompson didn't want the job. The county gave it to him anyway.

Every 75 years

The Imperial workers who had scrambled to the door near the garbage bin were choking on smoke by the time someone opened it from the outside. Loretta Goodwin stumbled out. Brad Roe grabbed her by the arm and told her to lie down on the grass in front of the shed.

Her friend, Lillian Wall, was dead. They had left the trim table side by side. Both ran to the same place. One was dead, the other alive.

"Lillian was a diabetic," Goodwin explained. "I feel like she went into a diabetic shock. Plus, while they were screaming, I remained silent."

Goodwin and Wall were supposed to be protected by the state's workplace safety and health program. But at the time of the fire, its staffing would have gotten an inspector to each North Carolina employer about every 75 years.

Imperial had only been open for 11.
North Carolina's program, run by the state Department of Labor under the oversight of the federal government, is staffed so poorly and issues fines so sporadically that it has never served as a threat significant enough to force employers to think about safety.

Consider these numbers: At the time of the Hamlet fire, the state employed 29 workplace safety inspectors. Only 16 of them were fully trained to conduct inspections at an estimated 166,000 workplaces.

At the time, North Carolina employed 39 people at its highway welcome centers.

It was paying 203 wildlife agents to enforce hunting laws.

The state zoo had 158 people on the payroll.

And at the State Fair in October, two shifts of Highway Patrol troopers -- 78 in all -- directed traffic each day.

As bad as that seems, this may be worse: The Labor Department's force of inspectors has actually shrunk in the past 10 years, while the number of workplaces has mushroomed.

In 1980, the state had 38 safety inspectors, who were responsible for 111,000 workplaces.

W. Bruce Ethridge knows the numbers. He's a state representative from Beaufort, a Democrat who chairs the subcommittee that deals with the Labor Department's budget. He said the legislature simply was interested in other things, and the federal government wasn't pressing the issue.

"Every time we tried to provide funds for additional inspectors, it seems like it was an impossible task to get done," Ethridge said. "It seemed like we were getting by without it, and the feds were continuing to let us get by running the program."

The federal government contends that the state needs 50 health inspectors and 64 safety inspectors, but that benchmark carries a bit of hypocrisy: Federal officials have never lived up to their promise to match the state's financial commitment 50-50, and they admit they wouldn't have 114 inspectors in the state if they were running the program.

The U.S. Department of Labor has been watching North Carolina's workplace safety program since it started in 1973, finding faults but never issuing major discipline.

Evaluators consistently have cited a chronic slowness in the state's response to complaints. And they repeatedly have noted that the state spends far too little time inspecting dangerous industries.

In 1983, for example, North Carolina inspectors made it to only about 4 percent of the high-hazard industries in the state, compared to a federal rate of nearly 45 percent. In 1989, the state inspected only about 6 percent of its dangerous industries.

Still, the federal government did nothing. In fact, it continued to give North Carolina passing grades.

After the fire, under pressure from Congress, U.S. Labor Secretary Lynn Martin decided to send 14 inspectors to North Carolina -- but kept them separate from the state program because of differences with Brooks, the state labor commissioner.

Brooks possesses a prickly personality, and it has cost him with the legislature as well as with federal bureaucrats.

His difficult disposition and his failure to fill the positions already granted have hurt his chances of getting more inspectors. In some years, his department's vacancy rate has hovered around 20 percent, a number he attributes in part to federal failure to match state money for inspector positions.

Legislators say the vacancy rate has been difficult to overcome in budget deliberations.

"It is the most effective argument in the budget process: 'You haven't used what you've got,'" said state Rep. Harry E. Payne Jr. of Carolina Beach, a Democrat who plans to run against Brooks next year. "It's a crushing argument."

Meanwhile, the number of inspections Brooks' department conducts has been dropping steadily.

In 1980, for example, OSHA inspectors visited 5,572 workplaces in the state. In the budget year that ended in September, the number had dwindled to 1,193.
Assistant Labor Commissioner Charles Jeffress said part of the reason for the dramatic drop is that inspections are becoming more complex and are taking more time. But the Labor Department carried 14 vacancies in the OSHA program last year, and Jeffress recently acknowledged that "some of them were vacant because we didn't recruit hard enough to fill them."

With so few inspections being done, picking the right places to go is important. But state workplace safety inspectors have little time for elective inspections in high-hazard industries. Most of their time is consumed investigating on-the-job deaths and accidents, along with complaints filed by workers.

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Still, the Labor Department does compile statistics on the most dangerous industries, and tries to target a few for inspection each year. The lists of companies to be inspected are generated by computer, and one example shows that the results can be haphazard: While the state never inspected Imperial, inspectors made three trips in four years to an ice cream distributorship operating out of the Imperial building.

More specific information about individual plants could be available, but the department hasn't pushed for it and doesn't seem to want it.

The department, for example, sends out a questionnaire each year to 15,000 businesses. The ones that comply -- and most of them do -- send in their logs of on-the-job injuries. But under a confidentiality agreement, the statistical arm of the Labor Department keeps the data on individual plants from its safety inspectors.

"Our targeting is industry by industry, not firm by firm," Jeffress said.

Similar information piles up daily at the state Industrial Commission, which handles workers compensation claims. The commission has the information to determine which plants are really dangerous, but under state law, it shares the information with no one.

James J. Booker, chairman of the Industrial Commission, said he's not inclined to provide on-the-job injury information to the Labor Department or anyone else. He said it would take too much time.

"Our computer system will not kick that out," Booker said. "We have not the people to keep up with that type of stuff."

Even with all the odds against it, the Labor Department did know something about Imperial. According to a memo written by Davis Layne, regional federal OSHA administrator, state OSHA received an anonymous telephone call in 1987 from someone complaining about dirty bathrooms and the presence of lice and maggots at the plant.

As it does with most anonymous complaints, the department wrote the company a letter outlining the accusations and received a "satisfactory response."

A tragic touch of irony: This year, Imperial Food Products' number came up.

According to Layne's memo, it was on a list of businesses to be scheduled for an inspection sometime in 1991.

Ought to be a law

That was too late for Loretta Goodwin. She has nightmares every night. She panics when she's in a locked area. She forgets things, misses appointments.

Once, she thought she saw Lillian Wall at the kitchen table. She started a conversation with her dead friend.

"It just took a lot from me," she said of the past months. "It took a whole lot from me."

But will the state ever give anything back? Will this tragedy lead to real reform?

At the big, maze-like building that is home to the North Carolina General Assembly, the issues come up year after year: How can the state better protect its workers? Doesn't the workers compensation law need rewriting? And can it be done without putting an undue strain on business?

Usually, the last question overshadows the others.

Daniel T. Blue Jr. has been through the wars. The House speaker, who has fought for improvements in the state's workers compensation law, recalled that this year's fight over education funding had just ended when lawmakers turned their attention to providing money for more workplace inspectors.

The legislators' attention span proved short.

"The will was not there on the part of some folks," Blue said. "Any time you're dealing in safety regulations, quite often you don't see the returns. It's hard to see who wasn't injured or who wasn't killed."
But after Hamlet, it'll be far easier to see who was. At every turn, legislators are likely to be reminded of the 25 faces, the 25 bodies, the 25 lives.

That doesn't mean, however, that worker safety issues will travel an easy road in the North Carolina General Assembly. They never have. Many legislators, particularly those with business backgrounds, believe it's up to employers to provide safe working conditions -- and that it's next to impossible for government to fill the gaps.

"You can't blame the state for every damn thing," said state Sen. William D. Goldston Jr., an Eden Democrat. "How can we be responsible for all these places? Why don't we put 10 [inspectors] in a county that's 1,000 in the state? Can we afford that? The taxes would have to go too high."

Goldston paused to reflect, then offered an idea: "What you've got to do is put the fear of God in those you do pick up."

But the state has not done that. The legislature still forbids the Labor Department to fine local or state government workplaces, and its fines for private industry have lagged behind those of other states.

One study, conducted by the National Safe Workplace Institute, ranked North Carolina in a tie for 47th in the size of fines assessed for serious safety violations.

This year, the legislature did approve new OSHA penalties that track a federal law, giving state inspectors the ability to levy bigger fines. But those types of victories have been rare for workers.

Now, after Hamlet, legislators -- and other state agencies -- have another chance to do something to protect workers. Immediately after the fire, the governor announced that he would provide $1.4 million to hire 27 new safety inspectors, increasing the number to 64 -- the federal benchmark for safety.

Martin also said he would free $1.6 million to allow the Department of Insurance to hire 40 fire inspectors to help local governments with fire inspections.

Still, three months after the fire, little else seems to have changed.

The federal inspectors in the state have scheduled 55 inspections based on complaints, but many other complaints get answered by mail. A committee formed in the legislature to study reforms has met only once. The only charges filed so far are against a Washington lawyer for trying to solicit clients.

Local leaders are looking for leadership from Raleigh.

"We need to get the legislation in place," said McDonald, the Richmond County commissioner, "to make sure nothing, damn it, ever happens like this again."

Federal oversights

Edward F. Donnelly approached the Imperial Food Products plant in Moosic, Pa., on Feb. 4, 1987. He wasn't there long.

The federal OSHA safety officer got a chance to examine the company's injury rates, found them to be high, and told Emmett J. Roe, the company's owner, he planned to conduct a comprehensive inspection.

Roe told him to get a search warrant.

Donnelly did, and returned Feb. 20. He found an array of serious violations and a belligerent owner who cursed a lot and accused him of nitpicking. On his notes of the inspection, he scribbled: "Two other plants, located in Hamlet, N.C., and Denver, Colorado."

Yet nobody from federal OSHA ever bothered to inform anybody in North Carolina that they might want to take a look at the chicken plant owned by Emmett Roe.

"We have not done that that I'm aware of," said Andrew Hedesh, area director of OSHA in Pennsylvania. "Basically, we're doing inspections of a particular facility. Each plant is taken separately."

In fact, federal OSHA has no policy to ensure that such information is passed on.

"That does happen on occasion," said OSHA spokesman Douglas Fuller. "There is nothing that would guarantee that."

Such policy angers state officials.

"If you're a bad driver in Pennsylvania, and come down here and apply for a license, the points follow you," said Payne, the state
"You ought to pay the price for being a bad risk and be rewarded for being a good risk."

Jeffress, the assistant labor commissioner, said a call from OSHA in Pennsylvania would likely have generated an inspection at Imperial.

"We accept referrals from other agencies," he said. "If they call us and say, 'We've seen this guy in action and you ought to take a look,' we could accept that as a referral."

So, for a variety of reasons, the state workplace safety program never entered Imperial's doors until after 25 people died. But one agency had someone in the plant every day of operation: the U.S. Department of Agriculture.

Its inspectors were there to inspect food, not safety conditions. But they had known about the locked doors.

Grady Hussey, a substitute USDA inspector, cited Imperial managers June 19 for leaving two doors open in the area of the trash bin, allowing flies to enter the building. He recommended the doors be closed.

An Imperial manager responded in writing that he planned to lock the door that led outside from the trash bin. Hussey approved.

It was that door that Loretta Goodwin and Lillian Wall ran for on the morning of Sept. 3.

Another USDA inspector knew of the locked door. Kenneth Booker, the regular day-shift inspector, had returned from time away to find the door near the trash bin locked, and said he told Neal Hair, the plant manager, that the door was a safety hazard.

"He responded that everyone (supervisors) had a key and it could be unlocked quickly," Booker testified last month at a congressional hearing. He did nothing else.

And Booker never did anything about a locked door leading outside from the employees' break room, which a worker managed to kick open the morning of the fire. Booker testified he had known about it for five years.

Under congressional pressure since the tragedy, the USDA grudgingly is changing its ways. The agency will have OSHA train its inspectors on safety hazards, is considering forcing employers to prove that their plants meet fire codes, and will have its inspectors conduct their own fire drills at plants where no safety and evacuation plans are in effect.

But congressional critics such as Rep. Charles G. Rose III, a North Carolina Democrat, say that USDA already had directives in place that required supervisors to stress safety to inspectors.

"Top brass in your agency chose not to enforce your workplace safety regulations," Rose said in lecturing a USDA administrator during the recent hearing. "Mr. Booker did not fail the agency. The agency failed Mr. Booker."

Jerry Davis, Loretta Goodwin's boyfriend, says government, all of government, failed in Hamlet. He doesn't think Goodwin will ever be the same.

"I don't like the way my woman's going to have to live the rest of her life -- with these nightmares, this trembling," he said.

When she goes to bed at night, Jerry said, Loretta sometimes talks in her sleep: "Y'all get out of here! Y'all get out of here!"

"I say, 'There ain't no one in here,'" he said. Even after he wakes her, "She still be scared. She say, 'We goin' to die.'"

Goodwin is exhausted from it all.

"I've been to hell and back," she said.

Loretta Goodwin's awful journey started with a fall through government's safety net.