

Exposing Deliberate Indifference: The Struggle for Social and Environmental Justice in America's Prisons, Jails, and Concentration Camps



THE PRISON
ENVIRONMENTAL
JUSTICE
PROJECT

Exposing Deliberate Indifference: The Struggle for Social and Environmental Justice in America's Prisons, Jails, and Concentration Camps

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Dr. David N. Pellow is the Dehlsen Chair and Professor of Environmental Studies and Director of the Global Environmental Justice Project at the University of California, Santa Barbara where he teaches courses on social change movements, environmental justice, human-animal conflicts, sustainability, and social inequality. He has published a number of works on environmental justice issues in communities of color in the U.S. and globally.

His books include: *What is Critical Environmental Justice?* (2017, Polity Press); *Keywords for Environmental Studies* (editor, with Joni Adamson and William Gleason, New York University Press, 2016); *Total Liberation: The Power and Promise of Animal Rights and the Radical Earth Movement* (University of Minnesota Press, 2014); *The Slums of Aspen: Immigrants vs. the Environment in America's Eden* (with Lisa Sun-Hee Park, New York University Press, 2011); *The Treadmill of Production: Injustice and Unsustainability in the Global Economy* (with Kenneth Gould and Allan Schnaiberg, Paradigm Press, 2008); *Resisting Global Toxics: Transnational Movements for Environmental Justice* (MIT Press, 2007); *The Silicon Valley of Dreams: Environmental Injustice, Immigrant Workers, and the High-Tech Global Economy* (with Lisa Sun-Hee Park, New York University Press, 2002); *Garbage Wars: The Struggle for Environmental Justice in Chicago* (MIT Press, 2002); *Urban Recycling and the Search for Sustainable Community Development* (with Adam Weinberg and Allan Schnaiberg, Princeton University Press, 2000); *Power, Justice, and the Environment: A Critical Appraisal of the Environmental Justice Movement* (editor, with Robert J. Brulle, MIT Press, 2005); and *Challenging the Chip: Labor Rights and Environmental Justice in the Global Electronics Industry* (co-editor, with Ted Smith, David Sonnenfeld, and Leslie Byster, Temple University Press, 2006).

He has consulted for and served on the Boards of Directors of several community-based, national, and international organizations that are dedicated to improving the living and working environments for people of color, immigrants, indigenous peoples, and working class communities, including the Global Action Research Center, the Center for Urban Transformation, the Santa Clara Center for Occupational Safety and Health, Global Response, Greenpeace USA, International Rivers, and the Campaign to Fight Toxic Prisons.

He earned his B.A. in Sociology and Religious Studies at the University of Tennessee, Knoxville in 1992. He earned his M.A. and Ph.D. in Sociology from Northwestern University in 1998.

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Michaela Anastasia Austin

Michaela Anastasia Austin is a third-year UCSB student working towards her Environmental Studies/ Sociology double major. She is employed at Whole Foods Market, as a Whole Body Team member working with nutritional supplements and natural body care products. Michaela enjoys cooperative-style living as a member of the Santa Barbara Student Housing Co-ops. She resides in Biko, the People of Color house, which is an intentional space actively seeking to spread awareness about racial equality, social justice, and anti-oppression.

Michelle Le

Michelle Le is a second-year and intends on majoring in Environmental Studies at UCSB. She has become interested in learning more about environmental justice and how to live more consciously. At the moment, she is researching the effects of Japanese American and Native American concentration camps on the environment. She looks forward to learning more about past and current environmental issues and most importantly, how we, as a community, can take an active part in making the world a more understanding and sustainable place for everyone.

Shannon McAlpine

Shannon McAlpine is a third-year Environmental Studies major at UC Santa Barbara. She has been working on the Prison Environmental Justice Project since August of 2017. Shannon is interested in the environmental and social injustices certain groups of people encounter. She is especially interested in issues concerning the health problems that arise from these injustices. She believes it is important for the public to become aware of these issues and hopes she can help spread awareness. Shannon hopes to pursue a career in public health as an epidemiologist.

Akari Roudebush

Akari Roudebush recently finished her undergraduate degree at UCSB in Environmental Studies. Her passion lies in environmental justice concerning powerful, government-protected institutions such as prisons and titan corporations. She now resides in Connecticut, where she hopes to continue research on prison ecology in the light of Governor Dannel Malloy's progressive prison reforms.

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Yue (Rachel) Shen

Yue Shen recently graduated from UCSB with a B.A. in Environmental Studies. She started working on the Prison Environmental Justice Project in 2015 as a student research assistant and is now the Project Coordinator. Her research interest lies in studying how environmental injustice often mingles with social justice issues and disproportionately affect disadvantaged groups.

Unique Vance

Unique Vance is a 5th-year UCSB student majoring in Environmental Studies. Born and raised in Compton, CA, Unique's work has been focused on environmental justice, animal rights, and food security for over 7 years. With a passion for activism and organizing, she has remained actively involved in social justice organizations that focus on having an intersectional approach to fighting oppression.

EDITOR'S INTRODUCTION: THE PRISON ENVIRONMENTAL JUSTICE PROJECT

David N. Pellow

The United States of America has the largest prison system of any nation on earth, the largest number of prisoners of any country, and one of the highest percentages of imprisoned persons of any nation (Walmsley 2015).¹ Since 1970, the U.S. has seen a 700% increase in people imprisoned (Travis, Western, and Redburn 2014), a result of the growth in city police departments, a “get tough on crime” and “war on drugs” punitive approach to criminal justice, and a concerted effort to control and minimize the power of social movements and other forms of resistance from within communities of color (Alexander 2012). The United States holds fully 25% of the world’s prison population but has only 5% of the world’s people. As of this writing, there are more than 2.3 million people incarcerated in prisons, jails, immigrant prisons and other correctional facilities in the United States; if all of those prisoners were housed in one location, it would constitute the fourth largest city in the nation.²

What does all of this have to do with environmental injustice? Environmental injustice is a term scholars and activists use to describe the fact that environmental threats in general, and climate disruptions in particular, affect communities, nations, and regions of the globe differently and unevenly, with low income and global south communities, people of color communities, and indigenous communities being hit the hardest (Bullard and Wright 2012; Ciplet, Roberts, and Khan 2015). Until fairly recently, few scholars, activists, or government officials have linked prisons to environmental and environmental justice concerns, but this is changing. In 2015, we launched UCSB’s Prison Environmental Justice Project (an initiative of

¹ Walmsley 2015. I follow the Human Rights Defense Center’s definition of “prisoner,” which refers to people held in jails, prisons, immigrant prisons, civil commitment facilities, and other spaces where human beings are placed against their will as punishment or while awaiting court-related proceedings such as trials, sentencing, or deportation (see Wright 2015).

² “Top 100 Biggest Cities.” <http://www.city-data.com/top1.html>.

the Global Environmental Justice Project) to investigate the myriad links between prisons, jails, immigrant prisons, and environmental justice concerns in the U.S. and globally, currently and historically. The PEJP works closely with advocacy groups like the Campaign to Fight Toxic Prisons and the Prison Ecology Project, and with faculty and students at numerous universities. Together, we have been hard at work uncovering and highlighting scores of cases where ecosystems, nearby communities, and prisoners themselves have been placed at great risk due to prison proposals, construction, and routine operations. Our hope is to illuminate this largely overlooked problem in order to heighten awareness of the depth and breadth of environmental injustice, to underscore the profound social and ecological oppressions and harms associated with incarceration, and to suggest transformative solutions. I am honored to work with a fantastic team of young researchers on this project. They have authored reports on just a sampling of the research they have done for this initiative and I am confident that you will find their reporting informative, engaging, and inspiring.

Sources Cited

Alexander, Michelle. 2012. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. The New Press.

Bullard, Robert D. and Beverly Wright. 2012. *The Wrong Complexion for Protection: How the Government Response to Disaster Endangers African American Communities*. New York: New York University Press.

Ciplet, David, J. Timmons Roberts, and Mizan R. Khan. 2015. *Power in a Warming World: The New Global Politics of Climate Change and the Remaking of Environmental Inequality*. Cambridge, MA: The MIT Press.

Travis, Jeremy, Bruce Western, and Steve Redburn, Eds. 2014. *The Growth of Incarceration in the United States: Exploring Causes and Consequences*. Washington, DC: The National Academies Press.

Walmsley, Roy. 2015. World Prison Population List. Institute for Criminal Policy Research. 11th Edition.

Wright, Paul. 2015. "Comment on the Inclusion of Prisoner Populations in EPA's Draft Framework for EJ 2020 Action Agenda." Letter addressed to Charles Lee, Deputy Associate Assistant Administrator for Environmental Justice, USEPA Office on Environmental Justice. Human Rights Defense Center. July 14.

CASE STUDIES

Some Recent History on Prison Environmental Justice Struggles

David N. Pellow

Since much of the media reporting on the links between prisons and environmental justice struggles is exclusively focused on contemporary cases, I thought I would take this opportunity to provide a bit more background on the beginnings of the movement to connect these concerns. Of course, other reports in this issue speak to histories that go back even further (e.g., concentration camps for Native Americans and Japanese Americans), so please be sure to read those as well.

Mothers of East Los Angeles/Madres del Este de Los Angeles and Critical Resistance

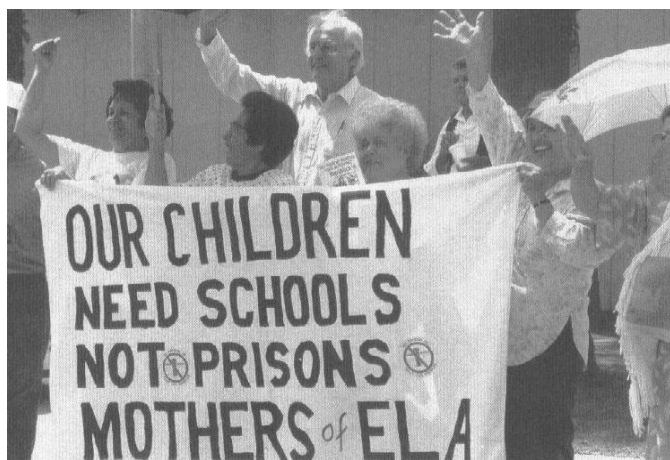


photo source:

<https://chicanohistorydotorg.files.wordpress.com/2012/01/schools-not-prisons.jpg>

Juana Gutiérrez is the daughter of a Mexican farmer and immigrated to the U.S. at age 15. She remembers being instructed by her parents to stay out of trouble, but like many

young persons she rebelled, and soon became a community organizer. In 1985, when California Governor George Deukmejian proposed to construct yet another prison in the predominantly Latino community of East L.A., Gutiérrez, Aurora Castillo, and other Mexicana/Chicana grassroots activists started a social and environmental justice group called Mothers of East Los Angeles/Madres del Este de Los Angeles (MELA) with help from Monsignor John Moretta, a local Catholic Parish Priest with Resurrection Church. MELA activists were outraged at the Governor's plan and they built support for their efforts to oppose the prison through enlisting church members and anyone else who would listen. They leafleted and marched for months, protesting the decision to invest public funds to incarcerate people of color instead of job creation, health care, and education. Eventually they won and the proposal was stopped.

Emboldened by this important victory, MELA took on additional threats to the community, including an above ground oil pipeline that would have passed through areas with public schools, a hazardous waste storage facility, and a \$20 million toxic waste incinerator that would have burned 125,000 pounds of hazardous substances each day (after six years of protests and lawsuits, MELA stopped the incinerator) (Shrader-Frechette 2007). MELA went on to launch water conservation programs and a lead poisoning education

campaign, building on earlier successes and linking multiple public health, environmental, and social issues and defining them as EJ concerns (Gutiérrez 1994; Figueroa 2001). And it all started with a prison.

Critical Resistance is a social movement whose goal is to abolish the prison industrial complex (PIC) and support grassroots efforts to promote food, shelter, and freedom as more appropriate pathways to community safety and health. Founded in 1997, CR has worked to oppose the construction of numerous prisons around the U.S. In June 2000, CR filed an environmental lawsuit (*Critical Resistance et al. v. the California Department of Corrections*) to challenge the state's proposal to build a prison in Delano, California in Kern County. That facility was called Delano II because it would be located in a town where a prison had already been built (North Kern State Prison, a medium security facility, built in 1993). The lawsuit was part of a campaign that fused anti-prison and environmental justice organizing and aims, taking the novel approach of highlighting the combined environmental and social impacts of the proposed prison. The litigation challenged the state of California's environmental impact statement (EIS), claiming that it was defective

in that it failed to pay sufficient attention to the effects of the prison on farmland (with a particular focus on the anticipated stress that a prison could place on the region's aquifer and water system that the state's agricultural sector relied upon), traffic patterns and anticipated increased congestion and air pollution, school overcrowding, and threats to critical habitat for endangered species like the Tipton kangaroo rat and the San Joaquin Valley kit fox. Moreover, the plaintiffs argued that the California Department of Corrections should translate the EIS and hold public meetings in Spanish, given the fact that the population residing in the Delano area was overwhelmingly Chicano/Mexicano.¹ What was perhaps most fascinating and revealing about this campaign was the diversity and range of participants in the coalition, which included Critical Resistance, the California Prison Moratorium Project, the NAACP, the Rainforest Action Network, the National Lawyers Guild, and a group called Friends of the Kangaroo Rat.

A key moment during the campaign against Delano II was when two anti-prison groups—Critical Resistance and the California Prison Moratorium Project collaborated with leading environmental justice groups (including MELA)

¹ This effort mirrors an argument that was pivotal in the environmental justice movement's victory in the earlier case of *El Pueblo Para el Aire y Agua Limpio v. County of Kings* (1991) in which the largely Latino and Spanish-speaking town of Kettleman City was the site of a proposed Waste Management Inc. incinerator and waste disposal facility and the project was halted when the court ruled under the California Environmental Quality Act (CEQA) that the defendants had not provided Spanish translations of public hearing documents thus making it impossible for the local community to have adequate knowledge of and inclusion and participation in the proceedings (Cole and Foster 2000).

to organize a conference called “Joining Forces: Environmental Justice and the Fight against Prison Expansion.” In June 2001, a Bakersfield, California Superior Court agreed with the activists and ruled in their favor that the EIS was inadequate. Unfortunately, this victory was followed by a loss on appeal, two years later, and the prison project proceeded. The prison cost more than \$700 million to build and was completed in 2004 (Martin 2004). While advocates lost that particular battle, they learned invaluable lessons such as maintaining a broad tactical and strategic approach that does not rely entirely on a legal or state-based effort, so that movement building was just as important—if not more so—as demanding justice from the courts (Braz and Gilmore 2006). And, as the Campaign to Fight Toxic Prisons coordinator Panagioti Tsolkas told me, activists won the war in the sense that “Delano II was the last state prison built in California—this was an important victory.”²

Prison Labor and Electronic Waste Recycling

E-waste is the most rapidly growing waste stream in the world, and experts project continued growth into the foreseeable future (Baldé et al 2015). The United States is one of the chief sources of e-waste, since U.S. consumers purchase more computers than the citizenry of any other nation and electronics industries have been shipping these hazardous materials to nations of the global South for

years. Responding to this problem, in the 1990s and 2000s, activist groups like the Silicon Valley Toxics Coalition, the GrassRoots Recycling Network, and others came together under the Computer TakeBack Campaign banner and ran several initiatives aimed at putting a stop to the export of electronic waste in the global South as well as making sure that it was recycled by governments and companies in a safe and responsible manner. Dell Computer Corporation was a target of this effort and responded by recycling e-waste using prison labor.



photo credit: Computer TakeBack Campaign

Dell made the decision to partner with UNICOR—a publicly subsidized prison industrial operator that runs a chain of plants in the federal penitentiary system—as its primary recycling partner. Activists countered by linking two issues—workplace/prison toxics and global/international environmental racism of e-waste exports. Grassroots leaders visited a prison in California where Dell contracted for this kind of work. Sheila Davis, then Director

²Comment by Panagioti Tsolkas as facilitator of “Prisons and the Environment” panel at the “Fight Toxic Prisons” convergence, June 11, 2016. Washington, D.C.

of SVTC's Clean Computer Campaign in San Jose, California, stated, "We were appalled to witness the working conditions inside the federal prison at Atwater, California, where inmates were using hammers to smash computer monitors" (Computer TakeBack Campaign. 2003).³

One inmate/e-waste worker at the prison in Atwater reported,

"Even when I wear the paper mask, I blow out black mucus from my nose everyday. The black particles in my nose and throat look as if I am a heavy smoker. Cuts and abrasions happen all the time. Of these the open wounds are exposed to the dirt and dust and many do not heal as quickly as normal wounds." (ibid)

Prison inmates reported that those who sought to improve conditions in the e-waste recycling facility faced discipline and the threat of job loss. Inmates worked for \$.20-\$1.26 per hour at the Atwater prison, toiling outside the protection of state and local environmental and labor regulations that private sector employers must obey. The laborers are not classified as employees and are not protected against retaliatory acts by their employer (UNICOR) under the Fair Labor Standards Act. Inmates are not allowed to unionize or serve on the prison health and safety committees. And UNICOR acknowledged that e-waste processed in its facilities is likely exported overseas to other

nations.

In June 2003, the CTBC released "A Tale of Two Systems"—a report that contrasted Dell's prison-based recycling operations with Hewlett Packard's free market partnership with the firm MicroMetallics. Barely a week after the CTBC released this report announcing its concerns about the use of prison labor, the Dell Corporation announced that it would no longer rely on prisons to supply recycling workers for its program (San Diego Union Tribune 2003). In 2004, the CTBC achieved a key victory by persuading Dell to join Hewlett-Packard in endorsing a Statement of Principles in support of Producer Responsibility.

In less time than it takes to introduce a bill to a City Council, the CTBC forced what was at the time the largest computer company in the world to cease the use of prison labor; forced the company to choose another contractor altogether; persuaded that contractor to adopt the CTBC's pledge of stewardship and principles of environmental justice; and persuaded Dell to endorse a pledge of producer responsibility.

This was remarkable. Dell was just one particularly high value target. Ultimately, this movement succeeded in passing legislation and securing agreements with many U.S. states, the University of California system, the European Union, and other companies who pledged to

3 Sheila Davis was later appointed Executive Director of SVTC.

reject prison recycling and prohibit e-waste exports.

Conclusion

The work of activists at MELA, Critical Resistance, and the Computer TakeBack Campaign highlighted key intersections between prisons and environmental justice concerns. And while these advocates on the outside should be celebrated for their work, we should remember that prisoners themselves have long been engaged in environmental justice leadership. Bryant Arroyo is a Puerto Rican prisoner who served time at SCI Mahanoy in Pennsylvania, and

organized 900 prisoners to write letters to the Township supervisors protesting the planned construction of an \$800 million coal gasification plant. The project was defeated, earning Arroyo the title of “jail house environmentalist.” Arroyo’s case reveals to us that prisoners are not helpless victims and are often the most outspoken and active advocates working to challenge their conditions of confinement and to redefine the parameters and possibilities of environmental justice.

If Arroyo can do that from within the bowels of a prison, then surely those of us on the outside can do our part as well.

Sources Cited

Baldé, C.P., Wang, F., Kuehr, R., Huisman, J. 2015. The global e-waste monitor – 2014. United Nations University, IAS – SCYCLE, Bonn, Germany.

Braz, Rose and Craig Gilmore. 2006. “Joining Forces: Prisons and Environmental Justice in Recent California Organizing.” *Radical History Review*. Issue 96. Fall, pp. 95-111.

Cole, Luke and Sheila Foster. 2000. *From the Ground Up: Environmental Racism and the Rise of the Environmental Justice Movement*. New York University Press.

Computer TakeBack Campaign. 2003. “New Report Documents Dell’s Use of High-tech Chain Gang.” June. http://www.computertakeback.com/the_solutions/hp_and_dell.cfm.

Figueroa, Robert Melchior. 2001. “Other Faces: Latinos and Environmental Justice.” Pp. 167-183 in Laura Westra and Bill E. Lawson (Eds.). *Faces of Environmental Racism: Confronting Issues of Global Justice*. Rowman & Littlefield.

Gutiérrez, Gabriel. 1994. “Mothers of East Los Angeles Strike Back.” Pp. 220-233 in Robert Bullard (Ed). *Unequal Protection: Environmental Justice and Communities of Color*. San Francisco: Sierra Club Books.

Martin, Marc. 2004. "Critics say new state prison defies logic." SF Gate. January 5. <<http://www.sfgate.com/news/article/Critics-say-new-state-prison-defies-logic-They-2816998.php>>.

San Diego Union Tribune. 2003. "Dell Cancels Contract for Inmate Labor." July 5
Shrader-Frechette, Kristin. 2007. Taking Action, Saving Lives: Our Duty to Protect Environmental and Public Health. Oxford University Press.

Shrader-Frechette, Kristin. 2007. Taking Action, Saving Lives: Our Duty to Protect Environmental and Public Health. Oxford University Press.

Conditions Inside Japanese American Concentration Camps

Shannon McAlpine



Conditions at Japanese American Concentration Camps. <http://www.history.com/speeches/conditions-at-japanese-internment-camps?m=55cce9921285b&s=undefined&f=undefined&free=false>

Imagine being forced from your home and becoming a prisoner in your own country based solely on your ethnicity. This became the reality for 110,000 Japanese people residing in the United States. After Japan bombed Pearl Harbor in World War II, President Franklin D. Roosevelt signed Executive Order 9066 on February 19, 1942. The order directed the U.S. Army to remove people of Japanese ancestry from the West Coast and to place them into

concentration camps (Nakayama and Jense, 2011). The incarceration of Japanese Americans was fueled largely by war hysteria from the public and by the U.S. Army. They argued its necessity due to the fact that it would be impossible to distinguish between the loyal and disloyal Japanese American (Fiset, 1999). While in these concentration camps, Japanese Americans suffered many health problems due to environmental conditions,

poor living conditions, and poor planning.

The ten permanent concentration camps were located throughout the United States in arid valleys, southwestern deserts, high plains, and swamps. Before the War Department built the structures, they would strip the land of the native vegetation, which led to dust control problems that affected the prisoners (Jensen, 1999). One prisoner from the Topaz camp described how in the beginning of her incarceration, she would wake up covered with sand that blew into her unfinished barrack window (Levin, et al., 2006). The majority of the camps had severe dust storms that caused prisoners to suffer respiratory problems including asthma and valley fever (Nakayama and Jensen, 2011). Prisoners that had never been affected by asthma before were now suffering severely. There was an increase in asthma incidents throughout the different camps and many prisoners were transferred to other camps, as a result of the rise in asthma attacks and related systems (Jensen, 1999). The quality of construction materials and techniques to build the barracks was a major contributor to the health threats because the wind would carry dust through the cracks in the barracks' walls, which would then be inhaled by the prisoners (Jensen, 1999). The Gila River camp had the most dangerous problem with the dust because Valley Fever—a fungal lung infection—was endemic to this region. One prisoner contracted a chronic form of Valley Fever from this particular camp and has continued to deal with its effects to this day (Jensen, 1999).

Extreme weather conditions also negatively impacted prisoners' health.

The southern camps suffered from intense heat, while the northern camps suffered from the bitter cold. In camps that experienced intense heat, children died from fevers and dehydration (Nakayama and Jensen, 2011). The camps possessed no cooling systems, which greatly contributed to some of these deaths. One prisoner's son had a high fever of 104°, which was worsened by the extreme heat and resulted in losing his hearing permanently in one ear (Jensen, 1999). Infant mortality (dying within the first year of life) was the third largest cause of death throughout the camps (Jensen, 1999). The camps at Gila River and Poston, Arizona were located in the hottest regions and had the highest number of stillborn deaths (Jensen, 1999). Many babies died from dehydration due to the extreme heat inside these hospitals (Jensen, 1999). However, prisoners at some northern camps struggled to survive winters that reached 30° below zero degrees Fahrenheit (Jensen, 1999). Many prisoners were not equipped with adequate clothing for this type of weather because before arriving at camp, they had no idea where they would be taken. Since the barracks were hastily constructed, there was no insulation and the prisoners' only source of heat came from a pot-bellied stove.

Living conditions inside the camps also contributed to the health problems prisoners faced. Before arriving at the permanent concentration camps, many prisoners were placed in temporary camps. These temporary camps were usually located on fairgrounds and racetracks. The prisoners were typically housed in horse stables that still had hay, horse hair, and manure whitewashed to the wall (Fiset, 1999). Both the temporary and permanent

camps encountered very crowded living conditions that had the potential for causing epidemics. Especially during the first few weeks of incarceration, there were small epidemics throughout the camps caused by improper food handling and a lack of adequate dish-washing and refrigeration equipment (Fiset, 1999). On May 20, 1942, around 300 prisoners became very ill at the Fresno, California camp after consuming macaroni salad that spoiled from the heat. They suffered diarrhea, fatigue, and vomiting (Nakayama and Jensen, 2011). Prisoners at the Puyallup, Washington camp also experienced a severe outbreak of diarrhea after eating spoiled Vienna sausages (Jensen, 1999). Besides spoiled food, poor water quality also caused prisoners to suffer from diarrhea (Jensen, 1999). Stemming from the lack of infrastructure and supplies during an era of wartime scarcities, the U.S. Army utilized pipes that were formerly used for oil wells and gas line supplies for the camps' water supplies (Jensen, 1999). These pipes caused the water to reek of hydrocarbons and have a rusty, oily residue (Nakayama and Jensen, 2011). This water posed a hazard to the prisoners' health and forced them to find other safe sources of drinking water.

Lastly, the poor planning of the camps contributed to the health problems within them. The Army officials miscalculated how long it would take to build the permanent camps, which caused prisoners to remain in the unsanitary, cramped temporary camps for longer than originally planned (Fiset, 1999). This delay probably contributed to the small epidemics and illnesses the prisoners faced within the temporary camps. Another problem was that the War Department

constructed the camps to resemble an army field base meant for young male recruits (Jensen, 1999). This was problematic because this design didn't account for elders, women, and children who would also be living in these camps. A number of prisoners were pregnant women- a group the Army had little experience caring for, which predictably, led to a lack of proper medical equipment needed for delivering babies. Some of the camps' doctors would use scrap wood and at one camp, even a laundry door as a delivery table (Nakayama and Jensen, 2011). Also, the U.S. Public Service was unprepared to handle thousands of people of differing ages with vastly different medical conditions. The planners had underestimated the needs of the prisoners, which resulted in a lack of equipment and supplies throughout the camps (Fiset, 1999). The lack of supplies made it difficult for the camp doctors to treat the other prisoners and forced them to perform unsanitary practices. When the 300 prisoners became ill from the spoiled macaroni salad at the Fresno camp, a doctor treating some of the sick ran out of intravenous sets and had to remove the needle from one patient and place it directly into the arm of another (Fiset, 1999). Surgeons would also use prisoners' sewing kits when they ran out of suture material (Nakayama and Jensen, 2011).

Japanese American prisoners were forced to face health problems associated with dangerous environmental settings, low-quality living conditions, and poor planning. Dust storms and extreme weather contributed to health problems such as asthma, valley fever, and death from dehydration. The living conditions prisoners were forced to endure were poor and threatened to cause epidemics

throughout the camps. The inadequate planning on the part of Army authorities also contributed to prisoners' health problems because if they had sufficiently prepared to handle the different populations and had mobilized the proper supplies, they could have prevented certain health problems from occurring and persisting. The poor conditions and rhetoric that were brought upon Japanese

Americans during this time seems to strongly resemble the conditions and rhetoric prisoners in our jails face today. Many prisoners face crowded living quarters, unsanitary conditions, and negligence from prison authorities. Prisoners are commonly viewed as a dangerous, irrelevant group that is typically left out of important conversations.

Following the guidance of leading scholars, we no longer use the term "internment camp" and instead use "concentration camp" because the latter is a more accurate description of the conditions of confinement that Japanese Americans faced during this period (Kikumura-Yano, Hirabayashi, and Hirabayashi 2005). Concentration camps are places where people are imprisoned not because of any crimes they may have committed, but because of who they are. Those who may be concerned that this term may reflect an insensitivity to the conditions faced by millions of Jews and others during the Nazi-led Holocaust should know that we define the latter as death camps.

Sources Cited

Alexa D., Michael C., Zach W., Howard Levin. "Interview of Janet Daijogo." www.tellingstories.org/internment/jdaijogo/index.html. Accessed September 5, 2017.

Fiset, Louis. "Public Health in World War II Assembly Centers for Japanese Americans." *Bulletin of the History of Medicine*. 1999; Volume 3, Number 4:565-584.

Jensen, Gwendolyn. "System Failure: Health-Care Deficiencies in the World War II Japanese American Detention Centers." *Bulletin of the History of Medicine*. 1999; Volume 73, Number 4:602-628.

Kikumura-Yano, Akemi, Lane Ryo Hirabayashi, and James A. Hirabayashi, Eds. 2005. *Common Ground: The Japanese American National Museum and the Culture of Collaborations*. Boulder, CO: The University Press of Colorado.

Nakayama, Don, and Gwenn Jensen. "Professionalism Behind Barbed Wire: Health Care in World War II Japanese-American Concentration Camps." *J Natl Med Assoc.* 2011; 103:358-363.

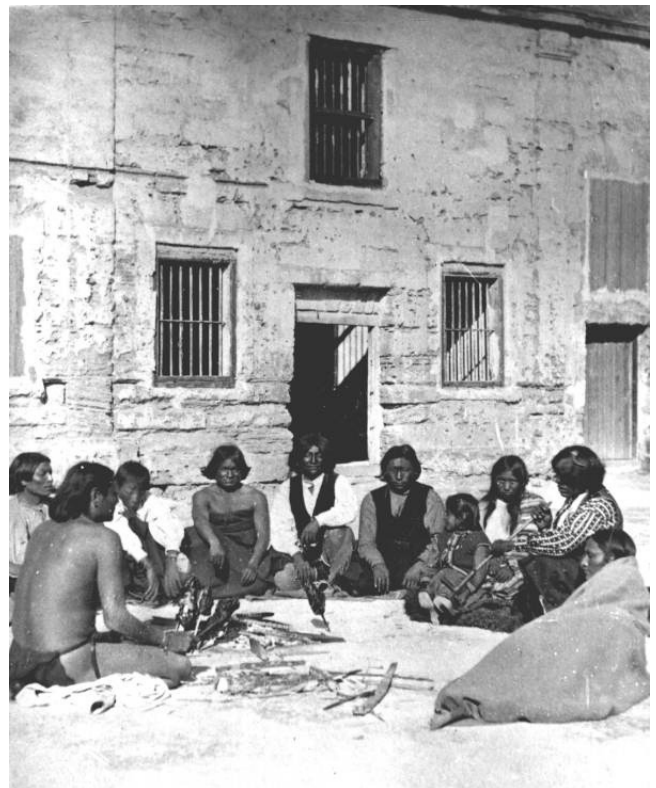
War, Empire, and Incarceration Across Two Eras: Native American and Japanese American Concentration Camps

Michelle Le

Throughout history, minorities have long been taken advantage of and discriminated against. Specifically in the cases of Native Americans and Japanese Americans, the United States government has continually sought to diminish their influence through the use of intimidation and force. One way that these people have suffered at the hands of the government is through unlawful imprisonment, cruel punishment, and seizure of their property. These instances of violence also reveal new ways of linking government-based harms to environmental risk for vulnerable populations.

The forceful removal of Native Americans began in the 19th century when the U.S. government created a policy, the Indian Removal Act, to relocate the Cherokee nation from Georgia to Oklahoma, or what was known as Indian Territory. As part of this act, the Cherokee Nation was ordered to move west to these lands, and those who refused to comply were violently herded by the military to do so. This event became known as the Trail of Tears due to the capture of their lands and the staggering numbers of people who died along the way. Evidently, the history of Native American incarceration, especially in concentration camps, has long been overlooked and understudied. When researched further, several accounts of inhumane living conditions, cruel punishment, insufficient food and medical supplies, and abuse of the environment have been discovered at various incarceration locations.

Following the Red River wars involving the US government and the Comanche, Kiowa, Southern Cheyenne, and Arapaho Native American tribes, the U.S. army moved 72 prisoners of war to Fort Marion in Florida. In an effort to assimilate the prisoners, Captain Pratt issued them European-style uniforms and encouraged them to draw inside ledger books that would be sold to the public. In addition to drawing about their own culture, incarcerated Native Americans often drew about their experiences traveling to new locations and the assimilation they endured inside the camps. At time, they were also expected to perform for important guests (Ojibwa, 2012).



Comanche Indians confined at Fort Marion - Saint Augustine, Florida State Archives of Florida, Florida Memory.
www.floridamemory.com/items/show/27884

Another prominent military fortification was Fort Snelling in Minnesota where the Dakota people stayed in the wake of the 1862 war with the U.S. army. Along with many other concentration camps, Fort Snelling lacked adequate food and medical supplies, resulting in mass starvation and illness. Official army records state that 102 Dakota died, though in reality, approximately 300 had died. (LaBatte, 2016). Due to inadequate food resources, Indian hunting groups ventured off campgrounds to search for food for their families. After being captured, President Lincoln approved the order to hang 38 of these men due to their “war crimes”. This event prompted the governor of Minnesota, Alexander Ramsey, to transport the remaining Dakota people to the Crow Creek Reservation in South Dakota. At this new reservation, they continued to endure brutal conditions in the form of rotten and insufficient food rations.

Another example of the camp conditions took place during the winter of 1863 in which cattle were ordered to be slaughtered and preserved until spring of the following year. When the meat was finally retrieved for consumption, it was infested with worms because it had been preserved in sawdust instead of salt. Moreover, the natural environment of the reservation became increasingly more difficult to live on. Reports from the Dakota people reveal that growing food on the terrain was challenging and, as one person noted, “nothing can be raised any season” in the environment they were forced to live in because the land that the Dakota depended on for generations became overcrowded with European American settlers whose farming techniques significantly diminished the habitats of plants and animals.

In 1864, U.S. soldiers forced the Navajo to walk from their homes in Arizona to the concentration camp known as Fort Sumner in Bosque Redondo in New Mexico. The land they came to was completely stripped of its resources. Unable to obtain shelter, the Navajo resorted to digging holes in the ground and covering themselves with mats they fashioned out of grass. When the superintendent examined the land, the water was described to be “black and brackish” and the soil “poor and cold” (Adler 2012). Ultimately, the surviving Navajo were allowed to return back to their home land.

In another case of mass incarceration that occurred during the 20th century, Japanese Americans were also discriminated against and subjected to unsuitable living conditions. During WWII, the US government wrongfully incarcerated and relocated Japanese Americans regardless of their citizenship and loyalty. They were separated into ten separate camps. These camp locations often crossed paths with Native American reservations due to the lands’ undesirable natural environment and isolation. At the Topaz concentration camp in Utah, despite the dry and windy environment, the barracks offered little protection against the weather. In most of the concentration camps, barracks were covered with tar paper, which proved to be a poor defense against the dust and sand that continued to blow into their living quarters. This largely contributed to an increase of asthma and other respiratory problems among Japanese Americans (Jensen 1997). Also similar to the Native American concentration camps, the Japanese American prisoners experienced a lack of adequate housing, food,

and medical supplies. In the particular case of Tule Lake camp in California, the services and resources offered at this location were much lower quality than the others. One account from a petitioner read that the “salted herring...is really fertilizer...not fit for human consumption at all” (Tuminski and Jarusco 2012). Moreover, the hospital was so severely understaffed and under-resourced that residents had to provide their own supplies for the medical staff to use. Water sources also became a problem among some concentration camps due to contamination. In one instance at the Heart Mountain concentration camp in Wyoming, it was reported that water was being transported through recycled oil pipes that added hydrocarbons and oil to water used for consumption. At the Jerome and Rohwer concentration camp, water and milk supplies became contaminated with *E. coli* (Jensen 2008).

Despite the harsh and desolate environment, prisoners overcame adversity by transforming

the natural environment into a more beautiful living space. For example, in order to cool the unbearably hot temperatures that they were subjected to in many camps, they cultivated large gardens and built ponds. Prisoners also dug irrigation canals, managed livestock, and grew several acres of fruits and vegetables (National Park Service 2015). Their contributions to the land in and around these concentration camps left a lasting impact on the local environment that can still be seen today.

Native Americans and Japanese Americans, as well as other minorities, have, at times in U.S. history, been targeted as a source of blame for the country’s problems. The government has sought them out as a scapegoat and has used the natural environment to diminish their population, influence, and voice in society. The harsh conditions that both groups were subjected to during their incarceration demonstrates the ability of the government to dehumanize those who are less powerful.

Sources Cited

- Adler, Jay. 2012. “The Navajo Concentration Camp at Bosque Redondo.” February 4. <http://sadreearth.com/the-navajo-concentration-camp-at-bosque-redondo/#.WcnbqopryS4> Accessed on May 4, 2017.
- Jensen, Gwendolyn. 1997. The experience of injustice: Health consequences of the Japanese American internment. PhD Thesis. University of Colorado.
- Jensen, Gwendolyn. 2008. Dysentery, Dust, and Determination: Health Care in the World War II Japanese American Detention Camps. *Discover Nikkei*. June 21. <http://www.discovernikkei.org/en/journal/2008/6/21/enduring-communities/>. Accessed on July 8, 2017.
- LaBatte, John. 2016. Genocide and Concentration Camps: The Dakota War of 1862. <https://dakotawar1862.wordpress.com/2016/01/14/genocide>. Accessed September 10, 2017.

National Park Service. 2015. Japanese Americans at Manzanar. February 28.
<https://www.nps.gov/manz/learn/historyculture/japanese-americans-at-manzanar.htm>.
Accessed May 15, 2017.

Ojibwa. 2012. The Fort Marion Prisoners. Native American Netroots. February 24.
<http://nativeamericannetroots.net/diary/1269>. Accessed May 8, 2017.

Tuminski, William and Savannah Jarusco. 2012. "Report on Segregation to Tule Lake." Studying Poston: A Digital Exhibition on the Health Care of the WWII Poston Incarceration Camp.
<http://poston.web.unc.edu/tag/tule-lake/> Accessed on August 1, 2017.

A History of the Lorton Prison Complex

Michaela Anastasia Austin

The Lorton Prison Complex, located in Fairfax County, VA, has a rich history, from its origin as an experimental reformatory in 1910, to the torture of women suffragists in 1917 to serving as a NIKE missile site (designed as protection against a Soviet nuclear attack) in the 1950s. There is an underlying theme of environmental degradation throughout the 100 years of Lorton's history, which has exposed inmates, prison officials, and neighboring communities to various health hazards. First, Lorton is located near the Fairfax County Landfill as well as a private landfill, both of which release methane gas and hazardous volatile organic compounds (VOCs). The USEPA released the report, "Health Effects of Residence Near Hazardous Waste Landfill Sites" in 2000, documenting the increase in risks of adverse health effects near individual landfill sites. The Bureau of Environmental and Occupational Epidemiology, Division of Occupational Health and Environmental Epidemiology, and New York State Department of Health produced a joint investigation of cancer incidence and residence near landfills. Their analyses showed statistically significant elevated risks for female bladder cancer and female leukemia among women residing near landfills

(Lewis-Michl, et al, 1998). Additionally, the Covanta Incinerator is located in this area and emits nitrogen oxides (the air pollutant that aggravates asthma) hydrofluoric acid, lead and sulfur dioxides, and is the largest source of mercury pollution within 20 miles of Washington, D.C (Ewall, et al, 2015). Lorton also has a facility built on a former NIKE missile site, which used a highly volatile liquid fuel comprised of jet fuel and nitric acid, and had to be handled with full protective gear ("Historic Context of the Nike Missile Site"), and was cited by the USEPA for violating the federal Clean Water Act (Podems, 1999).

Non governmental organizations such as the Energy Justice Network and Blueprints and Ethics have highlighted the extreme racial segregation of Washington, D.C. and the marginalized communities disproportionately endangered by environmental health hazards —what is commonly referred to as environmental racism. For example, the fact that several hazardous waste sites neighbor Lorton's incarcerated population and predominantly Black communities is an undeniable case of environmental racism because these populations have limited power to simply move away from these threats.

DC's trash is burned in the giant Lorton, VA incinerator

The incinerator and a giant landfill tower over a very diverse neighborhood

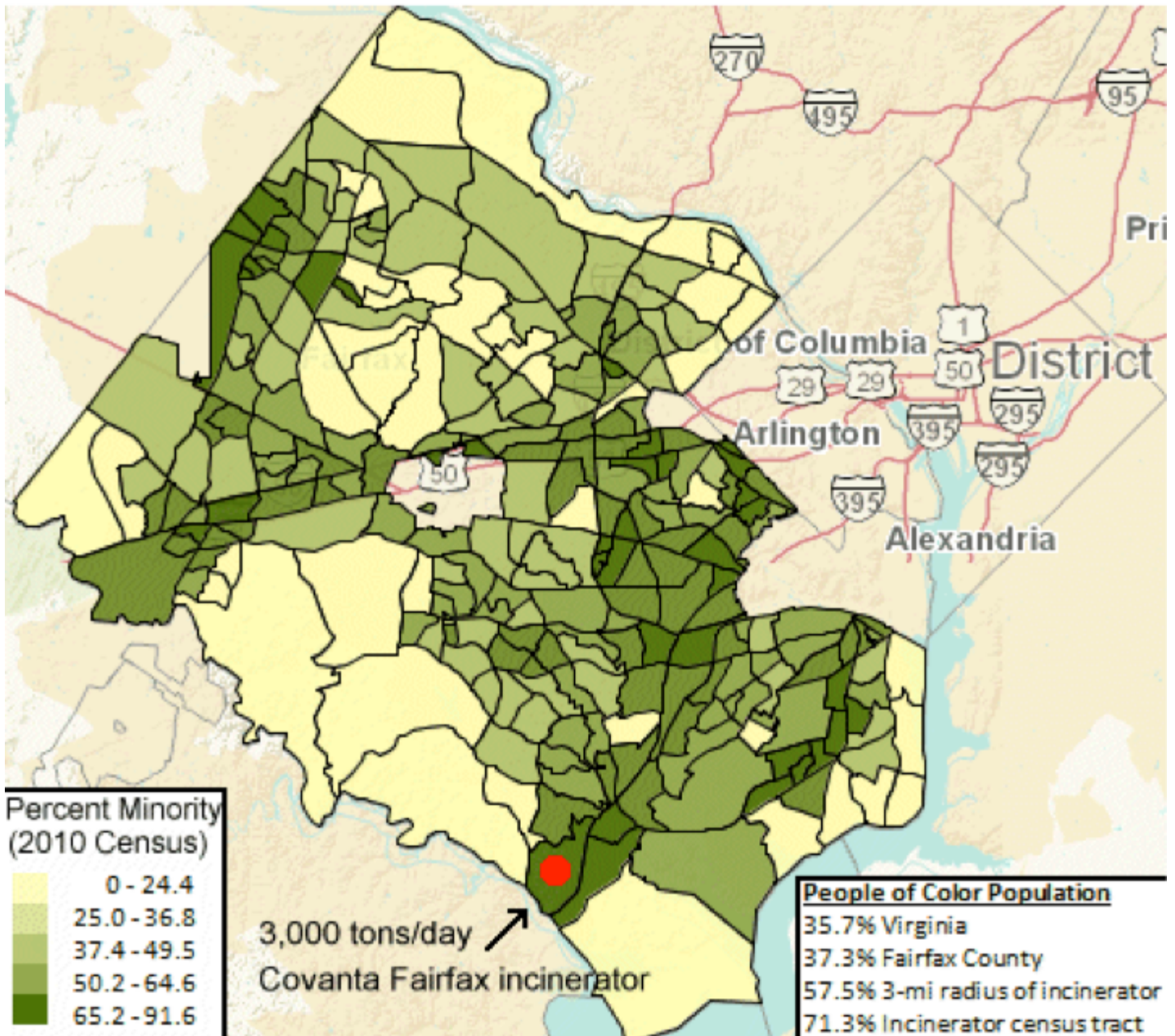


Photo from Energy Justice Network's "DC's Waste and Environmental Racism"

Lorton Prison Complex Timeline

This timeline outlines a history of environmental degradation at the Lorton Prison Complex, where inmates, prison officials, and local communities have endured human rights abuses from toxic wartime hazardous wastes and methane gas leaks to torture and religious persecution.

- | | |
|--------------|--|
| Spring 1909 | President T. Roosevelt approves plan to establish DC Workhouse and Reformatory |
| June 1, 1910 | First inmates arrive at Occoquan wharf from DC Workhouse Farm Fields. The Workhouse was a Progressive Era experiment to test the use of hard manual labor as an effective rehabilitation method for inmates serving short sentences for nonviolent crimes. Part of the inmates' rehabilitation process was to work on an industrial farm. |
| 1912 | Women's Workhouse Annex established across the road from Men's Workhouse. Inmates at the Women's Workhouse were charged with prostitution, disorderly conduct, or drunkenness. |
| 1916 | The prison opens as a minimum security facility. Farming continued to be an aspect of the prisoners' "rehabilitation", and they ran the dairy, poultry ranch, slaughterhouse, harvested produce and ploughed the fields. |
| Nov 14, 1917 | 33 suffragists, known as the Silent Sentinels, were arrested and taken to Lorton Reformatory for picketing for women's rights outside the White House in Washington D.C. The night of their arrest became known as the "Night of Terror" due to the torture inflicted upon them under warden W.H. Whitaker's command. Protest leader, Lucy Burns was left with her arms handcuffed to a bar above her head overnight, and then stripped and left in a freezing cell the next day. Alice Paul, another leader, was forced to eat raw eggs through a tube forced down her throat after attempting a hunger strike. |

- 1924-25 Permanent brick buildings erected at Workhouse and Reformatory
- 1936 Maximum security facility (Penitentiary) opened
- 1946 DC Department of Corrections created to supervise DC jail and Lorton Complex
- 1953 NIKE missile site built, with U.S. Army Reservists on site, as part of the first nationwide U.S. air defense system. They were designed as protection against a Soviet nuclear attack and to symbolize the power of the U.S. military. The missile used a highly volatile liquid fuel comprised of jet fuel and nitric acid, and had to be handled with full protective gear.
- 1960 Youth Center opens as a response the post-World War II anti-juvenile delinquency law, Federal Youth Corrections Act of 1950. The act was passed in an attempt to give federal judges guidance in the sentencing of juvenile offenders, presenting a number of alternatives to consider when sentencing youth offenders under twenty-two years of age at the time of conviction.
- 1960 Donald Clemmer, the Director of the Department of Corrections, District of Columbia, decides to prohibit a group of Muslim inmates from meeting to hold religious services at the facility. He supported his decision because of his belief that Muslims teach racial hatred, which, in his view, would create disorder within the prison population.
- 1963 First major riot occurs at the facility
- 1964 Nuclear-Attack Response/Civil Defense HQ opens in basement of Youth Center
- 1966 Men's and Women's Workhouses closed. Reopens as an alcohol treatment center

- 1974 Missile base closes
- Dec 25, 1974 About 80 inmates in the maximum security prison took 10 guards hostage and attempted mass escape, known as the Christmas Rebellion. It ended after 20 hours when prison officials agreed to negotiate with inmates over prison conditions, which included better visiting hours, improved medical and educational services, restoration of a furlough program recently canceled by Attorney General William B. Saxbe.
- 1984 Methane leak at the nearby Fairfax County Landfill critically injured two inmates. One inmate, Anthony Johnson, suffered burns over 90 percent of his body in an explosion and died soon after. Another inmate, Arthur Moody, suffered burns over 40 percent of his body when he lit a cigarette a few days later.
- 1985 New minimum security facility established at former missile site
- 1985 Arthur Moody, an inmate burned in the methane explosion previous year was released by President Reagan's executive order for 'medical and humanitarian reasons'.
- July 1986 Major riots and fire at Workhouse and Reformatory. Lorton Reformatory inmates set fire to 14 buildings at the overcrowded complex, causing major damage. The fires raged out of control for 3.5 hours, engulfing and destroying 4 red-brick dormitories.
- 1990 Covanta Fairfax Incinerator opens next to the Youth Center, capable of burning 3,000 tons of trash per day.
- July 1998 USEPA cites the District of Columbia for violating the Clean Water Act's oil spill prevention regulations at the site, along with federal regulations on hazardous waste storage and underground storage tanks.

Sources Cited

Banks v. Havener, 234 F. Supp. 27 (E.D. Va. 1964).” Justia US Law, U.S. District Court for Eastern District of Virginia, 2 Oct. 1964, law.justia.com/cases/federal/district-courts/FSupp/234/27/1671253.

D.C. Department of Corrections Facility at Lorton Prison Complex Time Line.” Workhouse Prison Museum at Lorton, Workhouse Prison Museum, workhousemuseums.org/history/d-c-department-of-corrections-facility-at-lorton-prison-complex-time-line.

Ewall, Mike. “DC's Waste and Environmental Racism.” Energy Justice, Energy Justice Network, 26 Feb. 2014, www.energyjustice.net/content/dcs-waste-and-environmental-racism.

Ewall, Mike, et al. “Proposed 5-11 Year Waste Incineration Contract with Covanta Fairfax.” Energy Justice Network, 6 July 2015, www.energyjustice.net/files/dc/20GroupLetterOpposingIncineration.pdf.

Fullwood v. Clemmer” Ravel Law, United States District Court District of Columbia, 2 July 1962, www.ravellaw.com/opinions/abcfdcc4f3506cbcd2241216fb708a83.

Goran, David. “The Lorton Reformatory – A Historic Prison with Maximum Insecurity Built by Its Prisoners.” The Vintage News, The Vintage News, 16 June 2016, www.thevintagenews.com/2016/06/16/saved-titanic-first-titanic-movie-released-29-days-ship-sank/.

Historic Structures Determination of Eligibility Report, and Irma Clifton of the Lorton Heritage Society. “Historic Context of the Nike Missile Site.” Fairfax County Virginia, Fairfax County Government, Virginia, www.fairfaxcounty.gov/dpz/laurelhill/history/nike.pdf.

Jennings, Lisa. “Burned Inmate Freed by Reagan Order.” United Press International, United Press International, 11 June 1985, www.upi.com/Archives/1985/06/11/Burned-inmate-freed-by-Reagan-order/8582487310400/.

Kelly, Cynthia A. “Sentencing Under the Federal Youth Corrections Act: When May a Youth Be Treated as an Adult?” Law ECommons, Loyola University Chicago Law Journal, 1982, lawecommons.luc.edu/cgi/viewcontent.cgi?article=2015&context=luclj.

Lewis-Michl, Elizabeth L, et al. Investigation of Cancer Incidence and Residence Near 38 Landfills with Soil Gas Migration Conditions: New York State, 1980-1989. Bureau of Environmental and Occupational Epidemiology Division of Occupational Health and Environmental Epidemiology, 1998, pp. 1-94, Investigation of Cancer Incidence and Residence Near 38 Landfills with Soil Gas Migration Conditions: New York State, 1980- 1989.

Lorton Inmates End Their Revolt.” The New York Times, 27 Dec. 1974, [nytimes.com/1974/12/27/archives/lorton-inmates-end-their-revolt-release-7-hostages-unhurt-get.html](https://www.nytimes.com/1974/12/27/archives/lorton-inmates-end-their-revolt-release-7-hostages-unhurt-get.html).

Podems, Ruth. “District Pays \$20K for Lacking Oil Spill Safeguards at Lorton Prison.” United States Environmental Protection Agency, 4 Oct. 1999, yosemite.epa.gov/r3/press.nsf/7f3f954af9cce39b882563fd0063a09c/7c01adeb6d81594b85256804006bf190?OpenDocument.

Strock, Anna. “This Abandoned Prison In Virginia Has Dark Secrets That'll Make Your Skin Crawl.” OnlyInYourState, 17 Nov. 2015, www.onlyinyourstate.com/virginia/abandoned-lorton-reformatory-va.

Vrijheid, Martine. Health Effects of Residence Near Hazardous Waste Landfill Sites: A Review of Epidemiologic Literature. vol. 8, Environmental Health Perspectives, 2000, pp. 1-12, Health Effects of Residence Near Hazardous Waste Landfill Sites: A Review of Epidemiologic Literature.

Women in Prison: Multiple Health and Environmental Risks

Michaela Anastasia Austin

The impact of prison on women, especially women of color, is proven to be damaging to women's reproductive and mental health. The sexualized, violent environment of prisons fosters the neglect of women's bodies. This brief report outlines the following prevalent issues in prisons: sexual and physical abuse, trauma, negligent medical care, and a case of water contamination.

The Make-up of Prisons

The make-up of prison populations in the U.S. today highlights a striking overrepresentation of low-income women of color. This overrepresentation is clearly linked to President Ronald Reagan's "war on drugs" policies, considering that 60% of incarcerated women are serving sentences due to drug offenses, indicated in the Federal Bureau of Prisons' 2015 year end report (Carson & Anderson 2016). The Department of Justice's Bureau of Justice Statistics (BOJS) reported that the number of women entering US state and federal prisons increased by 386 percent between 1980 and 1994 (Thomas, et al. 1996). This trend continued into the next couple decades, "Between 1999 and year end 2013, the female inmate population increased by 48%, from approximately 68,100 to 100,940" (Minton, et al. 2015). Black women were especially affected by this trend, making up 52% of the prison population and only 12.2%

Dungeons of Despair

Everyday ends the same in prison. Cold walls of hostility, with a key turning in a door, locking us in for the night/day. Then we're counted like objects. And a little later on in the night the lights are cut down low and we're sent to bed like children.

As the nights creep slowly by, the tension grows greater. Tension increased by the edging keepers of us (the kept). Apprehension heavily hangs in the air, we dread the minutes or hours of solitude before the peace of sleep. This is the hardest time of the day. Especially when the walls seem to be closing in on us. During the day, there is work, intrigues, millions of little things to keep us moving, busy, stirring and our minds always occupied. But at night, there's nothing but the silence and our thoughts.

Our cries are still left unheard. They are only heard by deaf ears with no response. We are the captives of society's dungeons. Our problems are your problems; no matter how much independence our fellow continents get, for Amerikkka is the tomb of oppression. Psychological humiliation and physical mutilation is an every day occurrence in our lives. Your problems will never be fully solved until and unless we are also recognized and treated as human beings.

Our problems are your problems. It is not a Negro problem, White problem, nor an American problem. This a world problem. Raise your banners high and fight or have you forgotten how to? The struggle is a continuous one with no stopping, only Freedom/Liberation is certain.

We all exist to resist the power of oppression.

Power to the Oppressed!
Comrade AMINAH ALIYAH
s/n Bessie Boulter
March 15, 1976



Photo from "Breaking de Chains of Legalized U.S. Slavery" by the North Carolina Women's Prison Book Project

of the total U.S. female population. (Isaac, et al. 2001) highlighting the important intersections of race and gender. The prison industrial complex relies on brown and black bodies to secure jobs for correctional officers and for the financial benefits of cheap labor. The harms associated with incarceration go well beyond individuals' having years of their life taken from them; there are several environmental hazards within prison walls that pose a major risk to inmates' mental and physical health.

Sexual and Physical Abuse

The violent, sexualized environment of prison tolerates, even encourages, sexual misconduct and evokes re-traumatization for many women in prison. Human Rights Watch compiled an extensive report on sexual abuse of women in U.S. State Prisons titled, “All Too Familiar,” which revealed the endemic nature of this phenomenon. There is an extremely high percentage of women who have suffered sexual abuse prior to their incarceration. For example, “BOJ ... statistics indicate that anywhere from 40 to 88 percent of incarcerated women have been victims of domestic violence and sexual or physical abuse prior to incarceration, either as children or adults” (Thomas, et al. 1996). Many women suffer re-traumatization while incarcerated because sexual abuse is so rampant behind prison walls, and the opportunities for women to report abuses are constrained because doing so is often discouraged. Survivors are very limited in their ability to prosecute their abusers due to legislation protecting prison officials, combined with the lack of information provided regarding inmates’ rights. For example, the Prison Litigation Reform Act (PLRA), signed by President Clinton in 1996, invalidates any settlement “that does not include an explicit finding or statement that the conditions challenged in the lawsuit violate a federal statute or the constitution” (Thomas, et al. 1996).

Another way that legislation limits the power of sexual abuse survivors in prisons is through ambiguity. For example, the California Department of Corrections and Rehabilitation’s operations manual does not

explicitly define or prohibit sexual misconduct, or specify resulting disciplinary measures. Furthermore, the operations manual states that “employees should be suspended, or placed on administrative leave, ‘in most cases [where they are] subject to dismissal because they have shown unacceptable familiarity with inmates’” (Thomas, et al 1996). The term “unacceptable familiarity” is not defined and leaves much room for interpretation and abuse.

Sexual misconduct is a continual problem because inmates are unaware of their rights as incarcerated individuals, what proper conduct by prison staff actually is, and what the processes for filing grievances and complaints entail. Additionally, prison officials are not properly trained on the experiences survivors of sexual and physical abuse endure while in prison. In general, security techniques and training materials are often modeled on the experiences of male prisoners, which denies the unique experiences of incarcerated women.

All in all, the Human Rights Watch report found, “No state we visited adequately ensures that female prisoners can speedily and effectively complain of such abuse with confidence that it will be impartially investigated and remedied and without fear that they will face retaliation or even punishment” (Thomas, et al 1996). The prison system, an innately patriarchal structure, relies on violent, punitive measures to manage inmates. Manipulative authority keeps sexual abuse survivors in fear from speaking out, unsure of their autonomy as incarcerated persons.

Negligent Medical Care

The mental health of women in prison is a unique concern due to the high percentage of inmates with histories of sexual and physical abuse. These issues are highlighted in “Breaking the Silence: Civil and Human Rights Violations Resulting from Medical Neglect and Abuse of Women of Color in Los Angeles County Jails”, a report documenting women of color with mental health conditions’ vulnerability to medical neglect and abuse in LA county jails and California prisons. Dignity and Power NOW and Californians United for a Responsible Budget (CURB), the organizations that authored the report, emphasize how often misdiagnoses occur in prisons. For example, the second section notes that one inmate “...reported that during her incarceration personnel diagnosed her with an anxiety disorder, a mood disorder, depression, bipolar disorder, and borderline Schizophrenia. Post-incarceration she has been properly diagnosed with only having an anxiety disorder and as being borderline bipolar” (Caceres-Monray, et al. 2005). Healthcare in prisons often defaults to medicating inmates with prescription pills regardless of the ailment or illness. Catherine, an inmate at Century Regional Detention Facility in Los Angeles, had symptoms of allergies and eczema. She never received proper medication or ointment, and reported that, instead, the Los Angeles County Sheriff’s Department (LASD)’s “health care providers gave me pain relievers and sleeping pills. I cannot explain the connection between eczema and sleeping pills” (Caceres-Monray, et al. 2005). Two of the psychiatric social workers interviewed for the “Breaking the

Silence” report expressed their concerns about the overmedication and prevalence of generic prescriptions handed out to incarcerated women regardless of their unique needs. The contributors to the “Breaking Silence” report view this negligence as an intentional method of coercion: “These reports suggest over-medicalization of women of color, and perhaps the use of inflated mental illness diagnoses as a basis for prescribing medicines that serve no medical purpose, but instead punitively discipline women of color” (Caceres-Monray, et al. 2005). Another issue specific to women in prisons is the need for the distribution of adequate menstrual products. This issue is illustrated in the manner by which one prison determined whether or not a woman needed additional sanitary napkins: “As explained by Bayview’s former Medical Director: ‘We need to have evidence that a woman needs more. We need her to bring in a bag of used sanitary napkins to show that she actually has used them and needs more’” (Caceres-Monray, et al. 2005). This ludicrous and unsanitary guideline underlines the total disconnect between awareness of women’s bodies and health needs with the healthcare provided in prisons.

Water Contamination

Water contamination is a prevalent instance of environmental injustice across marginalized communities in U.S. jails and prisons. Inmates in Texas prisons face a particularly grave danger--the combination of contaminated water and extreme heat. The William Hobby Unit is a women’s prison in Marlin, Texas, a city that has battled numerous water contamination incidents, including mechanical malfunctions at the city’s water treatment

plant (Escobar, 2015) chemical spills (Elizondo, 2012) and elevated levels of Atrazine (Swine, 2004). Advocacy groups like Broken Chains-Texas Prisoners Network Support have quoted Hobby Unit inmate Helen Caples, to provide firsthand information on the prison's processes: "For the last several years, Marlin's water has been contaminated. At one point, the water was severely rationed until repairs could be made (none have as yet). In 2003, because our drinking water was determined to be contaminated, offenders of Hobby Unit were restricted to using three six-ounce cups of water per day for all purposes. Toilet flushes were non-existent for lack of water." (Price, 2013). Another prisoner advocacy website, "Patrick C.R.U.S.A.D.E - Contaminated Water-USA Prisons", states, "The EPA report of August 5, 2004, based on the data extracted July 17, 2004. shows that the water being used for showering, cooking, and drinking, is contaminated and has been tested positive with the contaminant Atrazine" (Swine, 2004). Atrazine is one of the most widely used herbicides in the United States, and is routinely applied to a variety of crops for weed control. There are multiple studies correlating menstrual cycle irregularity and the disruption of reproductive health and hormone secretion to the herbicide. For example, the National Center for Biotechnology Information provides an article analyzing epidemiologic evidence between pregnancy risks and Atrazine: "In humans, exposure to atrazine has been associated with intrauterine growth retardation, small-for-gestational-age (SGA) births, spontaneous abortion and reduced semen quality" (Goodman, et al. 2014). Thus the female prison population at the William

Hobby Unit has been potentially exposed to an herbicide known to produce reproductive disorders, as well as water restrictions and other public health threats.

Similarly, inmates at the Wallace Pack Unit in Texas endure the double burden of contaminated water and extreme heat. While the Federal Safe Drinking Water Act has established the maximum arsenic concentration in drinking water at 10 parts per billion, the Environmental Integrity Project has reported the longterm average arsenic level at the Wallace Pack Unit in Grimes County to be 25.0 ppb. (Bernhardt, et.al 2016). This is also concerning because the Occupational Safety and Health Administration (OSHA) recommends drinking 4 cups of water per hour in extreme temperatures to reduce the risk of heat-related illnesses (Using the Heat Index: A Guide for Employers). Furthermore, inmates in the Hobby Unit and Wallace Pack Unit are left with the choice of immediate heat-related illnesses or to endure chronic illnesses such as infertility, lung or bladder cancers, or neurological problems.

Conclusion

The overmedication of women in prisons, the prevalence of misdiagnosis, widespread sexual misconduct, and presence of contaminated water are all failures of the U.S. prison system, and this has particularly harsh and unique impacts on women inmates. Individuals lose a great deal of autonomy and control over their own bodies once incarcerated, and it is up to the prison system to provide them their basic human rights. Activists and organizations have and continue to compile reports and research highlighting evidence of human

abuse and environmental injustices in prisons, giving a voice to the invisible population behind prison walls. This research highlights a core focus of feminist environmental justice

scholarship: that the human body (like bodies of water and land) is also a site of environmental justice struggles.

Sources Cited

Atrazine - Background and Updates." EPA, Environmental Protection Agency, 28 June 2017, www.epa.gov/ingredients-used-pesticide-products/atrazine-background-and-updates.

Bernhardt, Courtney, et al. "Don't Drink the Water: Water in 65 Texas Communities Contains Toxic Levels of Arsenic, but State Fails to Advise Citizens to Use Alternative Water Supplies." The Environmental Integrity Project, 14 Mar. 2016, pp. 1–21.

Caceres-Monray, Alejandro, et al. Breaking the Silence: Civil and Human Rights Violations Resulting from Medical Neglect and Abuse of Women of Color in Los Angeles County Jails. Dignity and Power NOW and Californians United for a Responsible Budget (CURB), 2005.

Carson, E. Ann, and Elizabeth Anderson. "Prisoners in 2015." Bureau of Justice Statistics, Dec. 2016, www.bjs.gov/content/pub/pdf/p15.pdf.

Covington, Stephanie S. Women in Prison: Approaches in the Treatment of Our Most Invisible Population. Institute for Relational Development Center for Gender and Justice, 1998, pp. 1–11.

Elizondo, John. "Contaminated Water Forces City of Marlin to Use Reserved Water." News Channel 25 - KXXV-TV News Channel 25 - Central Texas News and Weather for Waco, Temple, Killeen, 7 Nov. 2012, www.kxxv.com/story/20032130/contaminated-water-forces-city-of-marlin-to-use-reserved-water.

Escobar, Estephany. "Crews Repair Leak in Marlin." News Channel 25 - KXXV-TV News Channel 25 - Central Texas News and Weather for Waco, Temple, Killeen, 27 Nov. 2015, www.kxxv.com/story/30618379/marlin-should-get-water-back-saturday.

Isaac, Alicia R., et al. "Violence Against African American Women in Prisons and Jails." *Journal of Human Behavior in the Social Environment*, vol. 4, no. 2-3, 2001, pp. 1-27., www.prearesourcecenter.org/sites/default/files/library/violenceagainstafricanamericanwomen.pdf.

Thomas, Dorothy Q, et al. "All Too Familiar: Sexual Abuse of Women in U.S. State Prisons". Human Rights Watch, 1996, pp. 1-255, *All Too Familiar: Sexual Abuse of Women in U.S. State Prisons*.

Goodman, Michael et al. "Atrazine and Pregnancy Outcomes: A Systematic Review of Epidemiologic Evidence." *Birth Defects Research. Part B, Developmental and Reproductive Toxicology* 101.3 (2014): 215-236. PMC. Web. 14 Sept. 2017.

Minton, Todd D., et al. *Census of Jails: Populations Changes, 1999-2013*. 2015, pp. 1- 22, *Census of Jails: Populations Changes, 1999-2013*.

Price, Robert. "Inmates Complain About Prison Water Problems." "TX PRISON ISSUES/CONTAMINATED WATER, 1 Aug. 2013, brokenchains.us/tdcj/prison-issues/contaminatedwater.html.

Swine, Sherry. "Contaminated Water-USA Prisons." P.A.T.R.I.C.K Crusade, Aug. 2004, www.patrickcrusade.org/CONTAMINATED_WATER.html.

"Using the Heat Index: A Guide for Employers." United States Department of Labor, Occupational Safety and Health Administration, pp. 1-42.

Young, Tal. "Eighth Amendment Rights of Prisoners: Adequate Medical Care and Protection from the Violence of Fellow Inmates." *Notre Dame Law Review*, vol. 49, no. 2, 1 Dec. 1973, pp. 1-17.

The Dusty Threat: The Proposed Mira Loma Women's Detention Center¹

Yue Shen

In 2013, the LA County Board of Supervisors authorized the renovation of the vacant Mira Loma Detention Center into a proposed women's prison. Mira Loma Detention Center was used to hold immigration detainees until its closure in 2012 (LA Times, 2012). The Mira Loma Project was designed to alleviate the overcrowded Century Regional Detention Facility (CRDF) (Hanbali, 2016). The proposed Mira Loma prison is located in Lancaster, CA, about 45 miles east of Los Angeles (LA Daily News, 2007) and more than 80 miles away from CRDF (Soper, 2016).

CRDF is interchangeably referred to as the Lynwood Jail, named after its location in Lynwood, CA. It was transformed into an all-female jail in 2006 and the facility is currently housing all LA county female inmates (Shouse California Law Group).

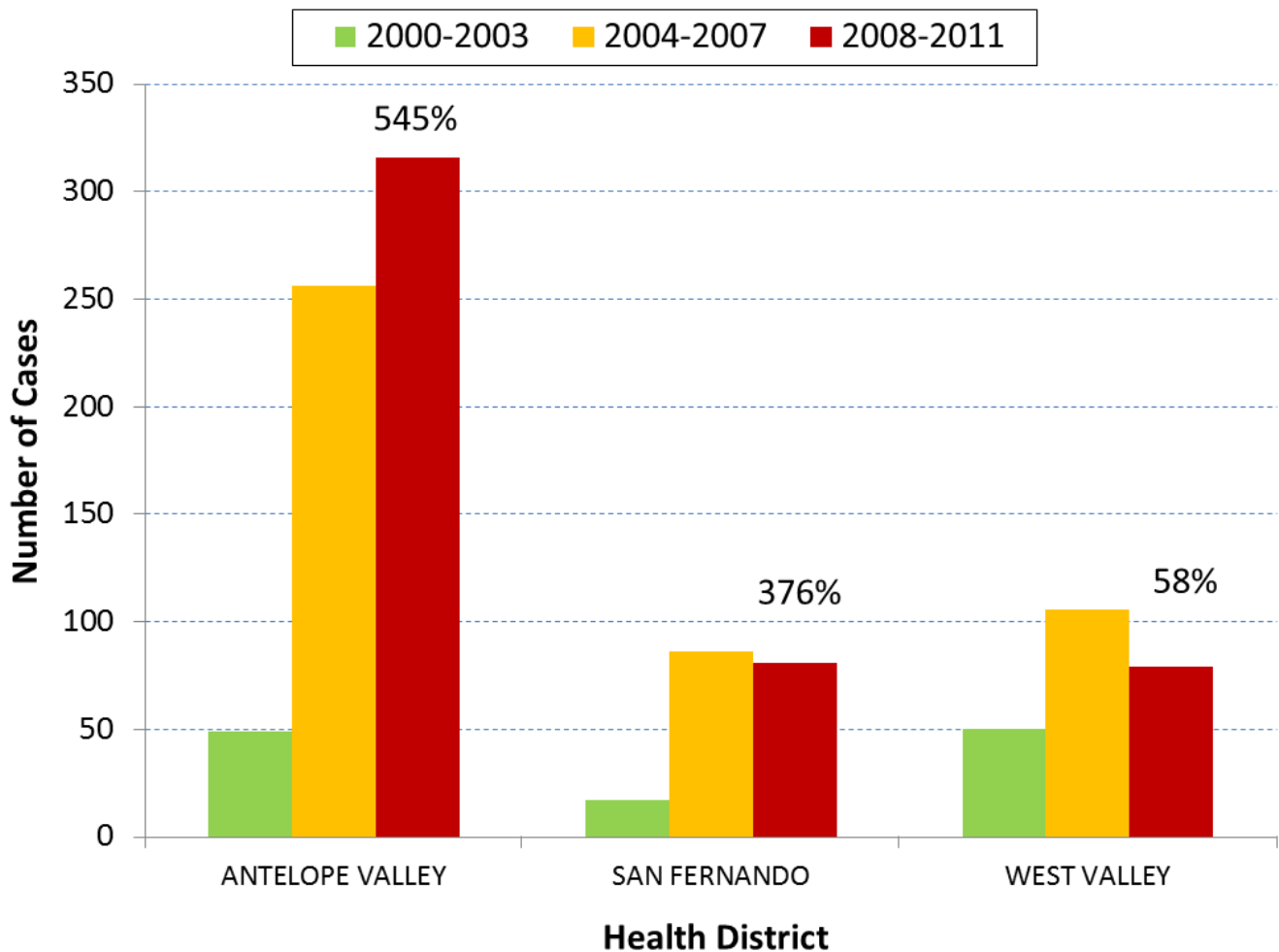
The proposed project area has been identified by the LA County Department of Public Health (LADPH) as an endemic site of Valley Fever (LADPH, 2015). Valley Fever is an infection that expresses itself in symptoms similar to a cold, flu, and/or rash, and it can be fatal in people with compromised immune systems (CDC, 2017). People can contract Valley Fever by inhaling dust that contains spores from the *coccidioides immitis* fungus and therefore planning a prison in the endemic area is to expose thousands of inmates to the threat of Valley Fever. Despite the high frequency of Valley Fever in the area, the State Public Works Board officially

granted the establishment of the project to the county in 2015 (LA County, 2015). The estimated cost of the project is more than \$120 million, of which \$100 million is funded by the state through AB900, and the rest by LA County (Buchen, Lizzie, et al., 2016).

In 2015, a draft Environmental Impact Report (EIR) prepared for the Mira Loma project revealed the underlying environmental issues in addition to Valley Fever, including the potential shortage of water supply, water contamination, and hazardous substances in the proposed project site area. A report published by Californians United for a Responsible Budget (CURB) revealed that the project site is also historically contaminated with dangerous substances (see below). There were 295 comment letters addressing to the draft EIR noting that the report overlooked prominent issues and was insufficient at providing alternatives for mitigation (LA County, 2015).

The Mira Loma prison is located in Lancaster--a city in the Antelope Valley area of California, which is one of the most endemic areas of Valley Fever in the US (Buchen, Lizzie, et al., 2016) (see figure below). The expansion and renovation of the Mira Loma prison will unavoidably disturb the soil in the area and release more spores into the air (LADPH, 2015). Impacts caused by the project will further deteriorate the situation of Valley Fever in Lancaster.

Coccidioidomycosis 4-year incidence comparisons by endemic health districts of Los Angeles County, California, 2000–2011, in "The Changing Epidemiology of Coccidioidomycosis in Los Angeles."



Guevara, Ramon E., et al. "The Changing Epidemiology of Coccidioidomycosis in Los Angeles (LA) County, California, 1973–2011." PLOS ONE, Public Library of Science, 27 Aug. 2015, journals.plos.org/plosone/article?id=10.1371/journal.pone.0136753.

The proposed jail project will not be the only contributing factor in the rising rate of Valley Fever in Lancaster. Sunny and dry weather in Lancaster make it an ideal hub for the rocketing solar energy infrastructure industry and there are around thirty solar facilities under construction (Goodyear, 2014). This construction will also release hazardous dust into the air. Therefore, the cumulative impacts of ongoing and projected construction will expose inmates, personnel, visitors, and local residents to a much higher risk factor of contracting Valley Fever. It is ironic, of course, that a “green” technological development like solar power would contribute to environmental health threats in the community.

The proposed jail is detrimental to the health condition of inmates as well as an environmental injustice to the local community. According to the CDC, African Americans, pregnant women, and infants are part of the most susceptible group to Valley Fever (CDC, 2017). Pregnant women who are imprisoned at Mira Loma face much higher risk and so do their newborn babies. Moreover, the number of African Americans in Lancaster has grown to 20% of the population. They were attracted by the affordable housing in the community and have become one of the groups who are most vulnerable to the threat of Valley Fever in the area (Goodyear, 2014).

Testimonies from people who contracted Valley Fever while being imprisoned in Lancaster State Prison—which is in the same area as the Mira Loma prison—further confirmed Valley Fever as a critical problem for both people inside and outside of the

prison. They believe being incarcerated in the Lancaster State Prison was the primary reason for their exposure to Valley Fever and that it subsequently led to severely negative impacts on their wellbeing. They also pointed out that because Valley Fever often presents with symptoms that are similar to the flu and due to insufficient medical care available in the prison, the disease can be often overlooked or misdiagnosed (Critical Resistance, 2016).

Multiple contamination sources have been discovered through the 1980s to the present day. The proposed site was used as a military base in the 1940s and it was listed by the U.S.EPA as a “hazardous waste generator” in the 1980s (Soper, 2016). In 1999, the site was found to be contaminated by a high concentration of diesel in the soil. Although six underground diesel storage tanks were replaced after this discovery, another inspection, which was conducted in 2013, showed several shortcomings in the replaced diesel storage. In 2014, a soil test discovered that the level of total petroleum hydrocarbons (TPH) in the Mira Loma prison area was above the residential limit per government regulations (Buchen, Lizzie, et al., 2016).

Two other main concerns in the area are water supply and water contamination. Lancaster is a desert, and California has been experiencing severe drought in the past several years. There are already two other existing correctional facilities in the same area and significant water use in these prisons caused by the high concentration of imprisoned people was already oppressive to the local water resources. Adding another 1600-bed prison puts even more pressure on local water

supplies (Buchen, Lizzie, et al., 2016).

Water contamination is prevalent among prisons and Mira Loma is not an exception. The sewage system was built in the 1940s and had several renovations throughout the 1990s. The only planned renovation is to replace the connecting parts between the sewage system in the prison and the external system (Buchen, Lizzie, et al., 2016). The Mira Loma project did not prepare an effective plan for wastewater treatment. Not only would the process of replacing connecting parts potentially cause leakage, but also the aged sewage system is not sufficient for the proposed large number of incoming inmates (LA No More Jails Coalition, et al., 2016). Wastewater contamination will directly deteriorate the local water quality, which will impose destructive effects on human well-being and biological resources (Conway, 2016).

More than ten grassroots organizations co-authored a 14-page comment letter addressing insufficient mitigations provided by the draft EIR. The draft EIR did not take the

long-term nor cumulative impact of Valley Fever on inmates, personnel, visitors, and local residents into consideration. In terms of the water supply issue, the draft EIR relies on only water extraction to compensate the projected intensive increase of water consumption regardless of the heavy burden on the local residents and potential ground-sinking related to water extraction. Additionally, the draft EIR also did not provide an effective alternative in terms of water contamination of the sewage system and failed to provide access to clean water caused by the expansion of the prison (LA No More Jails Coalition, et al., 2016).

Although the LA County Board of Supervisors declared that the proposed jail is going to be “gender responsive,”² the evidence suggests quite clearly that the project is consistently ignoring detrimental impacts imposed on the inmates (particularly women), local residents, and the environment. The case of the proposed Mira Loma Women’s prison is a reflection on entangled issues of gender, environment, and social injustice presented in many prisons across the U.S.

1 Many community leaders are suggesting that we no longer use the term "detention center" to refer to these facilities since that language minimizes the true conditions of confinement and immobility facing inmates within these institutions. Instead, we refer to them as prisons and immigrant prisons to reflect the fact that people are being held against their will by the state and under conditions of violent captivity. But in this report, if a facility's official name contains the word "detention" we refer to it as such initially.

2 As a result of the extraordinary increase in women prisoners in the U.S., many prisons have claimed they are offering "gender responsive" programming and care that is geared toward the specific needs of female inmates.

Sources Cited

Buchen, Lizzie, et al. We Are Not Disposable: The Toxic Impacts of Prisons and Jails. Curbprisonspending.org, 2016, We Are Not Disposable: The Toxic Impacts of Prisons and Jails, curbprisonspending.org/wp-content/uploads/2016/10/CURB-WeAreNotDisposableReport.pdf.

“CDC Features.” Centers for Disease Control and Prevention, Centers for Disease Control and Prevention, 11 Aug. 2017, www.cdc.gov/features/valleyfever/index.html.

“Century Regional Detention Facility (CRDF) The Lynwood Jail for Women in Los Angeles.” INFO for the Century Regional Detention Center (Lynwood Jail), www.shouselaw.com/century-jail.html.

Conway, Eddie. “California Prisoners Regularly Exposed to Contaminated Water.” The Real News Network, 11 Oct. 2016, http://therealnews.com/t2/index.php?option=com_content&task=view&id=31&Itemid=74&jumival=17417. Accessed 8 Sept. 2017.

County of Los Angeles. “Mira Loma Women's Detention Center.” 2015, file.lacounty.gov/SDSInter/bos/supdocs/108640.pdf.

Critical Resistance. “Testimonies from People Imprisoned at Lancaster State Prison.” <http://criticalresistance.org/wp-content/uploads/2016/09/VFtestimonies.pdf>

Goodyear, Dana. “Death Dust .” The New Yorker, 20 Jan. 2014, www.newyorker.com/magazine/2014/01/20/death-dust.

Guevara, Ramon E., et al. “The Changing Epidemiology of Coccidioidomycosis in Los Angeles (LA) County, California, 1973–2011.” PLOS ONE, Public Library of Science, 27 Aug. 2015, journals.plos.org/plosone/article?id=10.1371%2Fjournal.pone.0136753.

Hanbali, Enaya, and Joseph Maizlish. “Antelope Valley Doesn't Need to Lock Up the Whole Family.” LA Progressive, LA Progressive, 12 July 2016, www.laprogressive.com/building-new-jails/.

LA No More Jails Coalition , et al. “DIER Public Commet Letter.” Received by County of Los Angeles Chief Executive Office Capital Projects/Debt Management Division, Lanomorejails, 12 Jan. 2016, <https://lanomorejails.files.wordpress.com/2016/01/deir-public-comment-letter.pdf>

Los Angeles County Department of Public Health (LADPH). "Valley Fever- Frequently Asked Questions (FAQ)." <http://publichealth.lacounty.gov/hea/library/topics/valleyfever/CDCP-ACDC-0037-01.pdf>

Associated, Press. "Feds Add 400 Beds to Lancaster Immigrant Detention Center." Daily News, Daily News, 27 Dec. 2007, www.dailynews.com/2007/12/27/feds-add-400-beds-to-lancaster-immigrant-detention-center/.

Soper, Shannon. "7 Critical Reasons to #StopToxicPrison ." Dignity and Power Now, Dignityandpowernow.org, 10 Oct. 2016, <http://dignityandpowernow.org/2016/10/24/7-critical-reasons-stoptoxicjail/>

Targeted Chemical Abuse of Prisoners

Akari Roudebush



Capt. Shawn Welch sprays inmate Paul Schlosser in face with pepper spray at Maine Correctional Center. Image taken from video obtained by the Portland Press Herald/Maine Sunday Telegram

Pepper spray and tear gas are the two most prominent chemical weapons used in prisons (Human Rights Watch 2015). While the Chemical Weapons Convention (CWC) does not allow their use in international warfare situations, they are still widely considered as acceptable for domestic policing as 'riot control agents' (Prison Books Collective, 2014). Because these weapons are categorized as non-lethal, they are frequently abused without notice or consequence.

Chemical weapons are typically used in response to minor infractions despite their original purpose as a last-resort tool to limit or end violent situations (YaliniDream, 2016).

Pepper spray, also known as 'OC Spray,' was originally used by mail carriers in the 1980s to repel attacking dogs, which are impacted less than humans thanks to their fur and underdeveloped tear ducts (YaliniDream, 2016). OC spray is a chemical aerosol

containing Oleoresin Capsicum. This contains capsaicin, which is the compound that makes chili peppers 'hot' or 'fiery' by creating a burning sensation when coming into contact with mucous membranes (Stone, 2016). Commercial grade pepper spray is significantly more (sometimes up to ten times more) potent than any natural pepper (Sloan, 2011). It can also contain other hazardous chemicals that are used to create a more effective aerosol. These other chemicals can make treatment more difficult and "inhalation of high doses of some of these chemicals can produce adverse cardiac, respiratory and neurologic effects, including arrhythmias and sudden death," according to a 2004 paper released by Duke University and the University of North Carolina (Stone, 2016). OC spray is even more dangerous for individuals with previous respiratory conditions such as asthma, because capsaicins inflame and restrict airways. In the mid-1990s, the Justice Department linked OC spray to 70 deaths (Sloan, 2011). The use of OC spray is constantly abused by guards within the prison system. One such example of its overuse took place at a troubled youth prison in Wisconsin, where a 2017 report found 103 reported pepper spray incidents involving just 51 youths. One of these children was sprayed on twelve separate occasions, while another was sprayed nine times in one disciplinary act (Star Tribune, 2017). US District Judge James Peterson commented on this flagrant abuse of pepper spray, stating "I do see that it is really overused and I'm not completely convinced that the institution has a constitutionally proper perspective on the use of it (Marley, 2017)."

Tear gas, frequently referred to as 'CS gas,' is

not really a gas at all. It is composed of 'orthochlorobenzalmalononitrile,' a white powder that requires other agents in order to be dispersed into the air in a way that emulates a gas (Torrey, 2002). There are multiple types of tear gases differentiated by the different aerosol agents used to disperse the orthochlorobenzalmalononitrile (YaliniDream, 2016). It is sometimes confused with pepper spray because of its peppery scent and the burning sensation it causes as a skin irritant (Torrey, 2002). The health consequences of both tear gas and pepper spray vary according to what aerosolizing agents or solvents are used in them. Silica gel, for instance, is sometimes used in CS gas manufacturing to create a more powerful and water resistant gas (Prison Books Collective, 2014). Tear gas was originally developed by British military scientists for use in World War I as a spate of nerve agents that activate pain sensors, but was eventually deemed unacceptable for use in warfare. Despite this ban, it is still widely used by local law enforcement and distributed by companies sporting misleading names such as 'Nonlethal Technologies' and 'AmTech Less Lethal (YaliniDream, 2016).' The British government's Chemical and Biological Defense Institute found that methyl isobutyl ketone (MIBK), a chemical used as an industrial solvent to give CS powder gaseous form, is poisonous and a dangerous inhalant. The report of these findings was commissioned by the Home Office, but allegedly hushed up afterward (Torrey, 2002). Tear gases also contain multiple harmful cyanide function groups that can be activated when heated (YaliniDream, 2016). In 1969, the British Society for Social Responsibility in Science released a report investigating the impacts of a CS gas attack on its victims. Several required

medical treatment for eye burning, three fell completely unconscious, and an exposed infant developed acute bronchial disorder (Torrey, 2002). On July 23rd, 1970, a man named Frank Roche released CS gas into the House of Commons' chamber in order to give MPs (Members of Parliament) a firsthand experience. Pandemonium ensued, and two MPs had to be taken to the hospital (Torrey, 2002). In spite of this, tear gas is still regularly used in response to civil disobedience as well as within the prison system. Usage, originally intended to promote safety for guards and law enforcement agents, frequently slips into abuse due to its ease and general lack of consequence.

There is a pattern of questionable behavior when it comes to the popularization and distribution of tear gas and pepper spray. The same companies that are providing domestic prisons and police departments with chemical weapons are also profiting from global sales to governments known for using these weapons to repress protesting civilians (YaliniDream, 2016). The use of tear gas and pepper spray have remained legal thanks to minimal official research published about their health effects, most of which have been funded or influenced by the weapons manufacturers themselves (Prison Books Collective, 2014). Pepper spray was initially popularized when a widely circulated study by FBI special agent Thomas Ward proposed it as a 'riot control agent' (RCA). The study was later found to be fraudulent, and in 1996 Ward pled guilty to a felony for accepting a \$57,500 kickback from the Cap-Stun pepper spray company manufacturers. Cap-Stun, which was the brand recommended by Ward,

was owned by Ward's wife. The fraudulent study is still frequently cited today to justify the use of pepper spray (YaliniDream, 2016). This is not the only case of a questionable study being used to rationalize chemical abuse – in 2011, a study by the University of Chile showed that the exposure to CS spray could cause miscarriages. The Chilean government announced that they would cease all use of tear gas until they investigated the claims. Miraculously, the Chilean government was able to put together a report in just three days claiming tear gas was safe to use. The evidence cited was given by 'Combined Systems International,' a US supplier of tear gas for Chilean law enforcement. The rapid report was published just in time for the Chilean government to use CS gas against the controversial HidroAysén project protests (Prison Books Collective, 2014). Another example of CS-based corruption within the United States is the case of Elderick Brass. Brass was a Texas Department of Criminal Justice officer who leaked footage of inmates at the Lychner State Jail being excessively gassed by another corrections officer in May of 2015. Instead of preventing future chemical abuse, Brass was indicted by a grand jury for misuse of official information (Ciaramella, 2017).

Pepper spray and tear gas are routinely abused by law enforcement agents and prison guards with minimal consequence. This is in part due to minimal unbiased research done concerning their health effects (Cohen 1997; Smith and Stopford 1999) and a pattern of corruption following attempts to rectify this. But it is also in part due to the dehumanization of inmates and ease with which these chemical weapons

can be administered. This invisible abuse is dangerous for victims whose safety currently relies largely on the self-restraint of officers. Reports claiming the non-dangers of these chemical weapons typically refer to victims who have received an appropriate dosage – but what about those who receive several

times the recommended amount? Inmates are forced to stay within a confined, inescapable environment that could at any moment become highly toxic. As it stands, inmates are at the mercy of correctional officers who are able to hide behind a shield of false studies and class prejudices.

Sources Cited

Ciaramella, C.J. “Texas Prison Guard Leaks Video of Improper Tear Gassing. Guess Who Gets Prosecuted.” Reason.com, 14 Jan. 2017, reason.com/blog/2017/01/14/texas-prison-guard-leaks-video-of-improp.

Cohen, Michael, “The Human Health Effects of Pepper Spray: A Review of the Literature and Commentary,” *Journal of Correctional Health Care*, vol. 4, issue 1, spring 1997, p. 73.

“Guards at Troubled Wisconsin Youth Prison Pepper Sprayed 51 Inmates in First Half of 2017.” *Star Tribune*, 1 Sept. 2017, www.startribune.com/youth-guards-pepper-sprayed-51-inmates-in-first-half-of-2017/442487003/.

“Health Effects of Tear Gas and Pepper Spray.” Prison Books Collective, 24 Jan. 2014, prisonbooks.info/2014/01/24/health-effects-of-tear-gas-and-pepper-spray/.

Human Rights Watch. 2015. *Callous and Cruel: Use of Force against Inmates with Mental Disabilities in U.S. Jails and Prisons*. New York. May.

Marley, Patrick. “Federal Judge Signals He'll Order Major Changes at Lincoln Hills Because of Treatment of Teen Inmates.” *Milwaukee Journal Sentinel*, 22 June 2017, www.jsonline.com/story/news/politics/2017/06/22/court-hearing-lincoln-hills-give-glimpse-into-problems-teen-prison/414189001/.

Smith, Gregory and Woodhall Stopford, “Health Hazards of pepper spray,” *North Carolina Medical Journal*, vol. 60, no. 5, September/October 1999, p. 268-274.

Sloan, Jacob. "Pepper Spray Is Harmful, Torturously Painful, And Can Be Deadly." Disinformation, 29 Nov. 2011, disinfo.com/2011/11/pepper-spray-is-harmful-torturously-painful-and-can-be-deadly/.

Stone, Judy. "Lethal In Disguise: The Health Hazards Of Pepper Spray." Forbes, 14 Apr. 2016, www.forbes.com/sites/judystone/2016/03/16/lethal-in-disguise-the-health-hazards-of-pepper-spray/#41ef4bd92979.

Torrey. "Cs Gas." Prison Talk, 30 Apr. 2002, www.prisontalk.com/forums/showthread.php?t=1137.

YaliniDream. "Facing Tear Gas: Chemical Weapons Abuse in US Prisons." Truthout, 18 Mar. 2016, www.truth-out.org/news/item/35280-facing-tear-gas-chemical-weapons-abuse-in-us-prisons?tmpl=component&print=1.

Fighting Fires with Prison Labor

Akari Roudebush



Yosemite National Park – Inmate Firefighters Combat Rim Fire, Follow Highway 120. Jae C. Hong.

A lesser known aspect of prison labor is inmate firefighters. Qualifying prisoners can be part of a team that supplements professional firefighters to combat wildfires. California has one of the largest programs in the United States. It is known as the ‘Conservation Camp Program’ and was part of a push by the California Department of Corrections and Rehabilitation (CDCR) to have inmates contribute to work projects statewide. During World War II when reserves of professional firefighters were fighting the war, inmates augmented the depleted workforce. The number of Conservation Camps in California typically fluctuates between 43 and 46, and about 4,000 inmate

firefighters who stay with a camp between six months and five years (Imani, 2008; Rocha, 2017). Roughly 250 of those inmates are female (Gonzales, 2016). These inmate firefighters comprise thirty to forty percent of the firefighting workforce at any given time (Lurie, 2015). In order to qualify for the Conservation Camp Program, an inmate must have a demonstrated record of good behavior and a criminal record that is not considered a significant threat to public safety – ‘27 points’ or fewer (the point system correlates with their behavior and severity of the crime) – and have between eighteen months and five years remaining on their sentence (Tristanemilio, et al., 2007). There is some variation across the

camps, but the overall principles are the same. Shorter sentences are preferred so inmates are less tempted to try escaping while at the camps (Tristanemilio, et al., 2007). Applicants must also meet certain physical fitness requirements and can only be charged with non-violent offenses – arsonists and sexual offenders are not permitted to join (Imani, 2008). It is speculated that fire camps are mandatory for inmates until a certain quota is filled, at which point they become voluntary. But as they are highly sought after positions, the camp populations have not dipped low enough to enforce a mandatory enrollment, so there is little evidence either way (Tristanemilio, et al., 2007).

Inmate firefighters are considerably underpaid for this dangerous job when compared to professionals, but they still earn significantly more than most other prison jobs allow. Wages fluctuate between one and two dollars per day, and increase to two dollars per hour when inmates are actively fighting fires (Gonzales, 2016). Work in the fire camps also results in reduced sentences for those who are eligible (CBS Los Angeles, 2013). While any eligible state inmate can take a day off their sentence for each day of ‘good behavior,’ inmate firefighters get two days removed from their sentence for each day they spend in fire camp (Gonzales, 2016). Inmates who stay in the fire camps seem largely to enjoy it despite the low pay and risky conditions. Praised aspects include an increased sense of purpose or self-worth, better food, more freedom, reduced sentences, and greater respect (Sestito, 2016). Fire camp participants have noted less racial tension, less prison politics, and overall reduced violence

thanks to a sense of unity and lack of overcrowding. Some consider it safer than prison, even with the risky nature of their jobs (Hager, 2016).

The position is indeed risky. Inmate firefighters work for incredibly long periods of time, with 24-hour work shifts interspersed with 24-hour breaks. It is not uncommon for inmates to spend 18 hours at a time performing manual labor (Gonzales, 2016). One interviewed inmate firefighter speculated that his job was less dangerous than some because his crew captains must stay with the crew and would not want to risk hurting themselves (Reddit, 2016). However, most fire camp participants seem to agree that the work is dangerous. Teams will work alongside flames a hundred feet high, risking heat exposure and damage from falling debris (Lurie, 2015). Official statements frequently reference how few fatalities there are in fire camps (particularly after reports of an accident are widely circulated) but tend to segregate by specific camps or states in order to decrease the reported number and rarely ever mention the number of non-fatal injuries incurred. One inmate firefighter recalls that it was not uncommon to see chainsaw injuries, burns, heat-related illnesses, and damage from steep cliff falls. Despite that, inmates are continually placed in the thick of dangerous situations because to defy orders is to be sent back to prison (Hanger, 2016). Some firefighters who are injured avoid asking for as much medical treatment as they need for fear of losing their spot in the camp (sidewalker, et al., 2017). Wildlife is also a risk factor, as wildfires must be fought in areas rife with dangerous animals including rattlesnakes and wild dogs (Reddit, 2016).

Even with the perks of increased freedom and respect, fire camps still fall prey to some of the pitfalls of prison environment and mentality. Prisoners are branded by their orange uniform (professional firefighters wear yellow) (Imani, 2008). While professional firefighters tend to be respectful, crew captains are not always so (Reddit, 2016). One fire camp death that was not widely reported allegedly happened when a Fenner Canyon Conservation Camp inmate did not get the water he requested from his captain and perished from excessive dehydration. Word of this tragedy was only made public after fellow inmates told their loved ones, but were then threatened with being taken off the team if they continued to discuss it (Prisontalk.com, 2012). This instance of neglect paired with an attempted cover-up is in line with typical prison abuse. Prisoners are also compelled not to lose heavy equipment (otherwise they must pay to replace it using their meager wages), which encourages them not to drop their packs even when doing so might help them outrun a fire and ultimately save their life (Joyce, 2013). Officials risk inmate safety for the sake of saving money, which reflects how valuable they consider inmate lives.

This focus on money extends beyond just risking inmate lives on the fire line. Due to their low wages and significant percent of the workforce, inmates save the state roughly \$80 million dollars each year with their intensive labor. This is so appealing to the public and state officials that when the Supreme Court ruled that California must adjust its justice system to reduce prison overcrowding, the Deputy Attorney General pushed to not release too many inmates so as not to

decrease fire camp populations (Hager, 2016). Proposition 47 became an initiative to reduce penalties for non-violent crimes, which is the exact pool that fire camps draw from for their labor (Barragan, 2014). This resistance from officials reflects a fear that policymakers might fail to pursue prison reform in favor of a readily available and exploitable workforce. Kamala Harris, who was Attorney General at the time, argued against an early prison-release program that might threaten to reduce the inmate firefighter population (Lurie, 2015). (She has since regretted her statement and expressed concerns over prisoner rights.)

While positions in the fire camp are highly sought after, their accompanying risk highlights how damaging and dangerous the prison environment must be in order for the camps to be seen as such a better alternative. Firefighting inmates are still privy to exploitation of life and labor, and their low social value in the eyes of their officers places them in even greater danger. The push to keep fire camps supplied with bodies reflects the stolen labor that the United States was built on, and continues to perpetuate. Fire camps may be preferable to prisons, but they are still part of a system that aims to profit off of incarceration under the guise of rehabilitation.

Sources Cited

Barragan, James. "Prop. 47 Leaves Future of California Inmate Fire Crews Uncertain." Los Angeles Times, 12 Nov. 2014, www.latimes.com/local/california/la-me-san-bernardino-inmate-firecrew-20141112-story.html.

PrisonTalk.com, et al. "Reason Fenner Camp Inmate Died." Prison Talk, 21 Aug. 2012, www.prisontalk.com/forums/showthread.php?t=617136.

"Female Inmates Helping To Fight Wildfires." CBS Los Angeles, 31 May 2013, losangeles.cbslocal.com/2013/05/31/female-inmates-helping-to-fight-wildfires/.

Reddit, 2016. "IamA Former Inmate Firefighter for the State of California AMA! • r/IAmA." Reddit, 2016, www.reddit.com/r/IAmA/comments/3h8nrr/iama_former_inmate_firefighter_for_the_state_of/.

Gonzales, Hector. "Inmates in the Line of Fire." Simi Valley Acorn, 15 July 2016, www.simivalleyacorn.com/news/2016-07-15/Community/Inmates_in_the_line_of_fire.html.

Hager, Eli. "Prisoners Who Fight Wildfires in California: An Insider's Look." The Marshall Project, 16 Nov. 2016, www.themarshallproject.org/2015/08/19/prisoners-who-fight-wildfires-in-california-an-insider-s-look#.x6DgeH5qQ.

Imani. "Conservation Camp Program." Prison Talk, 20 Sept. 2008, www.prisontalk.com/forums/showthread.php?t=362610.

Joyce, Jaime. "The Tragic Tale of Another Deadly Arizona Wildfire." The Week, 3 July 2013, theweek.com/articles/462521/tragic-tale-another-deadly-arizona-wildfire.

Lurie, Julia. "30 Percent of California's Forest Firefighters Are Prisoners." Mother Jones, 14 August 2015, www.motherjones.com/environment/2015/08/40-percent-californias-fires-are-fought-prison-inmates/.

Rocha, Veronica. "Inmate Firefighter Dies Battling Northern California Blaze." Los Angeles Times, 26 May 2017, www.latimes.com/local/lanow/la-me-ln-firefighter-inmate-killed-large-tree-20170525-story.html.

Sestito, Maria. "Heroes in Training: Inmate Firefighters Train for Fire Season." Napa Valley Register, 13 May 2016, napavalleyregister.com/news/local/heroes-in-training-inmate-firefighters-train-for-fire-season/article_fad97384-e4c6-5598-9665-1a693dbfe493.html.

Sidewalker, et al. "Inmate Firefighter Death." Prison Talk, 26 May 2017,
www.prisontalk.com/forums/showthread.php?t=701830.

Tristanemilio, et al. "Fire Fighting Camp??? Anybody Heard about It?" Prison Talk, 28 Apr. 2007,
www.prisontalk.com/forums/archive/index.php/t-265772.html.

Prisoners and the Threat of Hurricanes

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Inmates are particularly susceptible to the risks that come with natural disasters because they are unable to evacuate of their own accord. Hurricanes, in particular, have the capacity to greatly impact prisons through flooding and loss of power. Currently, the disaster most notable for harming and neglecting inmates is Hurricane Katrina. The Orleans Parish Prison (OPP) was particularly horrifying as thousands of inmates – including men, women, and children – were left behind during the evacuation and trapped in their cells (ACLU, 2006). The OPP was encouraged to maintain a high inmate population density because it earned \$25 per day for each prisoner held. This led to the OPP's population hovering around 6,800 and being composed largely of prisoners who had not been convicted of serious crimes (Welch, 2015). Hurricane Katrina swept away paper documents about inmates, suddenly making it impossible for them to be easily identified. These 'lost' individuals, who were often relocated after evacuations, became trapped in the system and could not be released until courts (which were also in disarray from the storm) could catch up to them. This extra time became known as 'Katrina Time' (Chemerinsky, 2016).

While Hurricane Katrina is widely considered the most damaging hurricane in terms of inmate treatment, it is entirely possible that this is only because enough time has passed for the truth to emerge despite intensive attempts to stifle it. The recent Hurricane

Irma maintained Category 4 or 5 status while making various landfalls (Hurricane Katrina only being a Category 3 when it made landfall in Louisiana) and it has already been confirmed that some prisons were not evacuated despite being advised to do so by government officials. This, combined with Florida's history of inmate abuse as the nation's third-largest prison system (known for its separation from the general public and lack of transparency) (Reutter, 2016), raises the question of if any unflattering truths will need to be uncovered.

Evacuations were actually attempted in the days before Hurricane Irma, with Florida Department of Corrections Secretary Julie Jones strongly pushing for inmate relocation (Mayfield, 2017). While most state prisons succeeded in relocating inmates before the landfall of Hurricanes Harvey and Irma, the Federal Bureau of Prisons chose not to evacuate federal prisons. Inmates held there were instead forced to endure flooding, power outages, and exposure to raw sewage (Jones, 2017). Media coverage for prison impacts of Hurricane Irma at the time were focused on a prison break on the British Virgin Islands made possible by the storm's damage. The general focus of the news was on the fear expressed by island residents, the looting that followed the prison break, and the successful operation by police and British Royal Marines to capture the escapees (Express.co.uk, 2017). Little has surfaced yet about any inmate neglect or hazardous environments.

Texas experienced another damaging storm in 2009 in the form of Hurricane Ike. Galveston County in Texas chose not to evacuate, subsequently forcing 1,000 or so detainees in the county jail to suffer through the hurricane. Inmates were forced to stay in incredibly unsanitary conditions with limited access to water, food, and medication (Kozłowska, 2017). Despite this previous experience, inmates in the path of Hurricane Harvey were still not wholly evacuated and thus forced to undergo similar conditions.

Cover-ups of inhumane conditions for prisoners run hand in hand with hurricanes. Claims by those in charge of decision-making during the disasters are propagated by the media while inmates struggle to get words out about their situation. This, combined with a distrust of inmate claims by the general populace, makes it difficult to hold officials who allow neglectful or abusive practices accountable. The Hurricane Katrina disaster is now known for incredibly blatant cover-ups and general apathy towards what was happening to the trapped inmates. Barely anything was mentioned during the ordeal, and official reports detailed unsubstantiated claims about inmates rioting, seizing control of OPP, and taking a deputy and his family hostage. Officials relied on racial stereotypes to help carry their story. These were not the only Katrina falsehoods – Sheriff Marlin Gusman and other officials insist that the storm and evacuation culminated in zero fatalities and garnered no mistreatment of prisoners, despite these claims being disputed by prisoners, guards, and Gusman’s own deputies (Heldman, 2011). In the days immediately following Hurricane

Harvey, mainstream media made positive claims about the prison evacuations during that disaster, reporting them as running smoothly and creating no overcrowding problems (Rosenblatt, 2017). This does not align with what trapped prisoners have told loved ones about unsanitary conditions and lack of resources. Journalists and outside observers were not allowed within the prison to view the conditions in person, which does not inspire confidence (Jones, 2017).

There are some improvements within the prison system, such as digitized information that makes it harder for inmates to become erased from the system and ‘lost.’ The OPP in particular faced scrutiny after Hurricane Katrina. A Federal consent decree against OPP was enacted in 2013, calling for improvements in every aspect of the facility but with a specific focus on how inmates are treated. While conditions seem to have improved, some OPP employees believe it has less to do with legislation and compassion, and more to do with the integration of video cameras and other technology into the facility. Having correctional officers be digitally monitored with recorded evidence increases the risk of punishment for abusive behaviors (Welch, 2015.)

Claims of improvements are often made in the wake of natural disasters – provided that the truth manages to leak out and reach a wide enough audience. Unfortunately, these claims are rarely adhered to. As mentioned previously, Texas failed to implement and follow proper hurricane evacuation protocol or find solutions to aid trapped inmates despite dealing with Hurricane Ike a decade before

Even officials who are given several days' notice of impending storms – such as Hurricanes Harvey and Irma – elect to keep inmates in place. It is hard to believe that this neglect is not in part due to apathy or a viewing of inmates as inferior.

There is an endemic perception of prisoners as 'less than human,' which makes it increasingly difficult to secure inmate rights. National Prison Project staff attorney Eric Balaban sums it up as, "Because society views prisoners as second-class citizens, their stories have largely gone unnoticed and therefore untold (ACLU, 2006)." The decision to keep prisoners stationary in the path of a vicious storm is indicative of neglect, but the malice is more strongly highlighted by OPP's decision to

accept prisoners (including juveniles) from other centers to house during the storm (ACLU, 2006). This decision forced even more people to suffer through a natural disaster they could not escape from. To willingly trap more inmates with an oncoming storm contrasts greatly with how much effort was put into rescuing animals in zoos and shelters located in the storm's path. Hundreds of horses were moved, dolphins were airlifted, and zoos were cleared. SeaWorld had a more effective emergency plan than the federal prisons. This lack of compassion for inmates is tied to deeply ingrained racial biases and socially conditioned classism, which perpetuates a sense of superiority and encourages more and more abuse from the system.



Photo of prisoners waiting on I-10 for further evacuation when Hurricane Katrina hit Louisiana, taken August 31, 2005
thesocietypages.org

Sources Cited

“ACLU Report Details Horrors Suffered by Orleans Parish Prisoners in Wake of Hurricane Katrina.” American Civil Liberties Union, 10 Aug. 2006, www.aclu.org/news/aclu-report-details-horrors-suffered-orleans-parish-prisoners-wake-hurricane-katrina.

Chemerinsky, Alex. “The Missing Inmates: How Louisiana Lost Six Thousand Prisoners During Hurricane Katrina.” KREWE, Tulane-Sci High Magazine, 2 Dec. 2016, krewetulane.com/the-missing-inmates-how-louisiana-lost-six-thousand-prisoners-during-hurricane-katrina/.

Heldman, Caroline. “The Fate of Prisoners during Hurricane Katrina.” The Society Pages, Sociological Images, 27 Aug. 2011, thesocietypages.org/socimages/2011/08/27/imprisoned-disaster-political-will-and-hurricane-katrina/.

Jones, Van. “The One Group We Abandoned during the Hurricanes.” CNN, Cable News Network, 13 Sept. 2017, www.cnn.com/2017/09/12/opinions/prisoners-pet-irma-opinion-jones-jackson/.

Kozłowska, Hanna. “What Happens to Prison Inmates When Natural Disaster Strikes?” Quartz, 30 Aug. 2017, qz.com/1066036/hurricane-harvey-in-texas-what-happens-to-prison-inmates-when-natural-disaster-strikes/.

Mayfield, Mandy. “Florida Clears out Prisons in Preparation for Hurricane Irma.” Washington Examiner, 7 Sept. 2017, www.washingtonexaminer.com/florida-clears-out-prisons-in-preparation-for-hurricane-irma/article/2633781.

“More than 100 Prisoners Captured after Escaping British Virgin Islands Jail.” Express.co.uk, 15 Sept. 2017, www.express.co.uk/news/world/854643/Hurricane-Irma-British-Virgin-Islands-jail-Tortola-prisoners-captured.

Reutter, David. “Florida’s Department of Corrections: A Culture of Corruption, Abuse, and Deaths.” Prison Legal News, 2 Feb. 2016, www.prisonlegalnews.org/news/2016/feb/2/floridas-department-corrections-culture-corruption-abuse-and-deaths/.

Rosenblatt, Kalhan. “Harvey Prompts 5 Texas Prisons to Evacuate Nearly 6,000 Inmates.” NBCUniversal News Group, 29 Aug. 2017, www.nbcnews.com/storyline/hurricane-harvey/harvey-prompts-5-texas-prisons-evacuate-nearly-6-000-inmates-n797086.

Welch, Michael Patrick. "Hurricane Katrina Was a Nightmare for Inmates in New Orleans." Vice, 28 Aug. 2015, www.vice.com/en_us/article/5gjdxn/hurricane-katrina-was-a-nightmare-for-inmates-in-new-orleans-829.

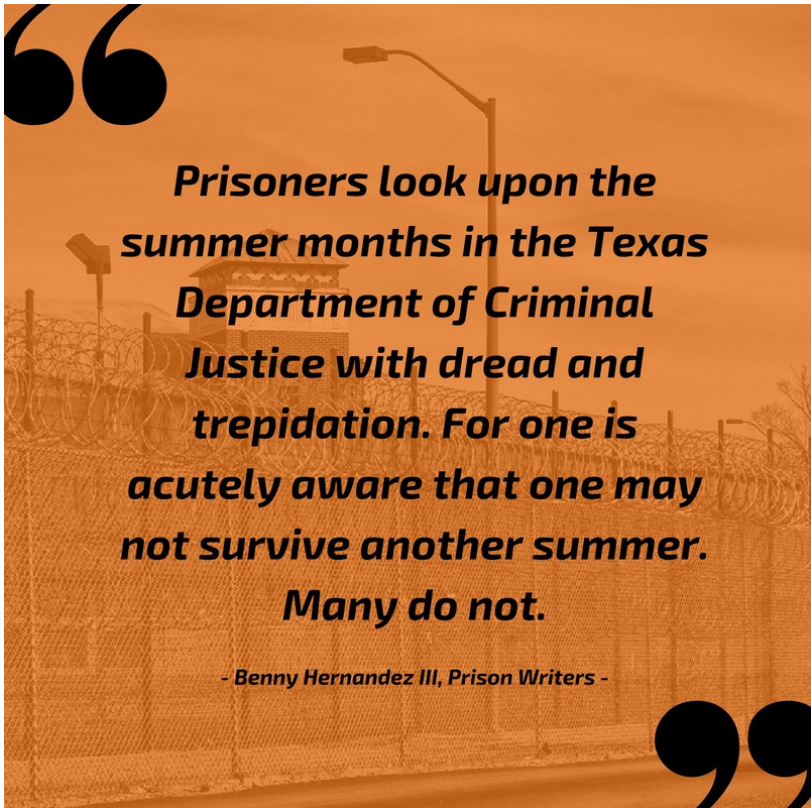
Texas Prisons and Human Rights in the Wake of Climate Change

Unique Vance

Environmental injustice and human right abuses are far from new phenomena in the Texas prison system, but these issues will most likely grow worse with the advent of climate change. Some particularly troubling aspects of Texas prisons are the matters of potable water access and refuge from hazardous weather conditions. The question of how these prisons are going to adequately adapt to climate change and subsequent extreme weather events when they are currently so ill equipped to ensure basic human rights is a great cause of concern. Under these circumstances there is much room for advocacy in addressing these injustices, while most government officials have been willfully ignoring what is happening in prisons, activists and prisoners themselves have been fighting to attend to them.

Before attempting to comprehend how climate change will affect the fate of prisoners, a critical analysis must address the reality of prisons as they currently operate, and the abuses inmates suffer under standard conditions. Looking to the current status quo and those in decades past points to prison abuse as being an ignored epidemic affecting one of the country's most vulnerable populations. For example, in the state of Texas, 21 prisoners have died of heat-related illnesses since 1990 with ten of those deaths taking place in 2011 alone. These numbers do not count deaths in which heat was a

contributing factor; they only include cases where heat was the main cause. Countless others have become ill from drinking contaminated water that, compounded with the heat, raises serious risks of mortality. Water pollution shows arsenic levels that are as high as 2 to 4 times the U.S. Environmental Protection Agency's allowed limits. Chronically high levels of coliform, heavy metals, and nitrates have also been found in prison water systems. Extreme temperatures combined with toxic water are a recipe for disaster. Many inmates may face further health issues down the road. These deaths and health impacts are not the result of tragic isolated incidents, but rather an inherent policy of neglect and abuse that could easily be prevented if the state cared about the lives of prisoners.



Prisoners look upon the summer months in the Texas Department of Criminal Justice with dread and trepidation. For one is acutely aware that one may not survive another summer. Many do not.

- Benny Hernandez III, Prison Writers -

Inmates won a legal victory in 2014 when, in response to a prisoner-led lawsuit, a federal judge ruled that the Texas prison system must provide safe drinking water that does not violate “contemporary standards of decency.” The inmates argued that these conditions violated the 8th Amendment to the U.S. Constitution in its guaranteed protection against cruel and unusual punishment. The federal judge declared that the Texas Department of Criminal Justice has been “deliberately indifferent” to these issues. What makes matters worse is that Texas prison officials have known since 2006 that arsenic levels were unsafe but decided to ignore the problem. This is a normal way for prisons to operate, ignoring inmates’ pleas and known hazards unless they are forced to mitigate them through legal channels. One inmate described a Texas prison in the following way: “It routinely feels as if one’s sitting in a convection oven being slowly cooked alive. There is no respite from the agony that the heat in Texas prisons” (Hernandez, 2016).

What happens when people in these abysmal conditions must also face “natural” disasters? We witnessed a glimpse of that during recent events with Hurricane Harvey, a historic storm that caused major flooding across the Gulf region in the summer of 2017. Many prisons were left unevacuated as floods disabled city water supplies in places like Beaumont, Texas. Prisoners have spoken out about water up to their knees and backed up toilets. Prisoners are unable to flee and must rely on officials initiating an evacuation. Texas also has the largest prison population in the country, bringing up additional concerns of

disaster readiness. During this incident, we saw that access to safe drinking water and medication was severely limited. Prisoners also reported that they had to urinate and defecate in plastic bags to reserve the toilet water so they could drink it. Even though the prisoners knew the water to be contaminated, the dehydration many were facing was so severe that they still opted to drink it. Inmates have reported that two people have already died from drinking toxic water (Feltz, 2017). This came only six weeks after the judge’s ruling that Texas prisons must improve their conditions. Prison officials denied this reality and painted a very different narrative that claims no flooding in the prisons, no deaths, and adequate medical care. But this would not be the first account of prisons flooding in Texas after a storm. The Ramsey, Terrell and Stringfellow units have experienced this before (Feltz, 2017), so it begs the question as to just how prepared prison officials are for extreme weather events that are only going to worsen with climate change? From what we have seen, the evidence suggests they are not prepared at all.

Our current political situation and the years to come make the issue of environmental justice, climate change and prisons even more severe with Donald Trump taking the helm as president of the United States. With Scott Pruitt as the head of the USEPA, the plan to completely defund the agency has begun in earnest. If prisoners were facing such dire conditions under liberal presidents such as Obama, how will they fare under Trump? We have already seen a reemergence of the “tough on crime rhetoric” being used by the Attorney General of the United States,

Jeff Sessions, and people are bracing for another resurgence of mass incarceration policies in the biggest prison system in the world. The EPA reports that climate change will bring about a dire situation for Texas, with increasingly intense rainstorms and more severe levels of flooding. “In the coming decades, storms are likely to become more severe, deserts may expand, and summers are likely to become increasingly hot and dry” (EPA, 2016).

When we talk about climate change and the environment we cannot ignore how the most vulnerable populations are impacted. Similar to the principles of environmental justice, climate justice seeks to rectify the disproportionate burden facing marginalized communities due to the climate crisis. Climate justice takes into account the deep-rooted connections between climate disruption and social inequity. Climate change is not just an issue of carbon emissions or a difference in weather; it is an issue of exploitation and prejudice. And with race and class playing such a huge part in who ends up in prison, we must connect the dots between the oppression and exploitation inherent in the prison system and climate change.

If prisons are so inadequately dealing with current issues of health and safety associated with mass overcrowding, the next several years do not look good. With a myriad of other human rights concerns, there is no shortage of work to be done on toxic prisons and ensuring inmate safety. Prisoners have taken direct action to combat these injustices, the main form usually being through filing lawsuits, but they have also pursued other tactics such

as hunger and labor strikes. These actions are not without risk, as prison officials often retaliate against high profile activist inmates in order to silence them and to quell any other dissent. Many prisoners find outside activist support through family members, impacted communities, and legal services. A growing number of people are calling for complete prison abolition, believing the prison system cannot be reformed to meet human rights as it was created for the purpose of subjugating marginalized people. Others call for radical transformation of the current prison system to one that seeks to rehabilitate prisoners back into society and an end to mass incarceration for non-violent crimes. While this reform or abolition is taking place, activists must also focus their attention on the coming effects of climate change on prisoners. Some environmental organizations have already begun to tackle the intersection of environmental protection and the prison industrial complex. More work and acts of solidarity are needed on this front as prison ecology is an issue of environmental justice. The prison system cannot even provide adequate care in the absence of outside forces. Toxic water and overheating have taken lives during routine operations and prisons are rife with physical, mental, and sexual abuse under “normal” conditions. With the coming years expected to bring more severe flooding and extreme heat events, there is no way the current prison system is equipped or designed to foster human rights and environmental justice. It does not appear that prison officials have a plan for how to mass evacuate inmates or how to provide them with sanitary conditions if they are forced to shelter in place during an emergency. So whether one calls for

prison abolition or reform, it cannot be rightly argued that prisons in their current state are fit to house people if we truly believe in the innate rights of all humans to justice and equality.

Sources Cited

Anon. (2016 June 23). Judge rules Texas prison must provide inmates with safe-drinking water. <http://www.foxnews.com/us/2016/06/23/judge-rules-texas-prison-must-provide-inmates-with-safe-drinking-water.html>

EPA. (2016 August). What Climate Change Means for Texas. <https://www.epa.gov/sites/production/files/2016-09/documents/climate-change-tx.pdf>

Feltz, Renee. 2017. "Texas Prisoners Are Facing Horrid Conditions After Hurricane Harvey & Retaliation for Reporting Them." Democracy Now. September 8. https://www.democracynow.org/2017/9/8/texas_prisoners_are_facing_horrid_conditions

Flynn, M. (2017 February 15). As Overheated Prisoners Die, Texas Jailers to Stand Trial Over Sweltering Conditions. <http://www.houstonpress.com/news/as-overheated-prisoners-die-texas-jailers-to-stand-trial-over-sweltering-conditions-9202520>

Hernandez, B. (2016 September 1). The Deadly Heat in Texas Prisons is Killing Us. <http://prisonwriters.com/heat-in-texas-prisons/>

Washington, K. (2017 April 25). Toxic Water + Deadly Heat = Prisoner Deaths! inside Texas Prisons.