



Human Rights Defense Center

DEDICATED TO PROTECTING HUMAN RIGHTS

July 14, 2015

SENT VIA EMAIL ONLY

Charles Lee
Deputy Associate Assistant Administrator for Environmental Justice
USEPA, Office of Environmental Justice (2201-A)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Comment on the inclusion of prisoner populations in EPA's Draft Framework for EJ 2020 Action Agenda

Dear Mr. Lee:

The Human Rights Defense Center's (HRDC) Prison Ecology Project and the undersigned organizations submit the following comment on the Environmental Protection Agency's EJ 2020 Action Agenda Framework.

While it is encouraging to see the EPA attempting to increase the effectiveness of Executive Order 12898 and Title VI of the Civil Rights Act in protecting communities that have been overburdened by industrial pollution, we also find that there is a significant piece missing to the dialogue thus far: recognition of the vast number of prisoners and their families as an extremely and uniquely overburdened population.¹

The need for EJ 2020 comes from the unfortunate reality that many of the environmental permit approvals that have taken place in recent decades, and continue today, fall into a category of poverty discrimination policies which almost exclusively impact poor communities, with a disproportionate impact on poor communities of color. Few industrial sectors exemplify this more clearly than the prison industry.²

¹ HRDC uses the term "prisoner" to refer to people held in prisons, jails, detention facilities, civil commitment centers and other facilities that hold people against their will as punishment or while awaiting court-related proceedings, i.e. trial, sentencing, deportation, etc.

² On July 9, 2015, Prison Policy Initiative released a new report on prisoner income: "Using an underutilized data set from the Bureau of Justice Statistics, this report provides hard numbers on the low incomes of incarcerated men and women from before they were locked up.... The American prison system is bursting at the seams with people who have been shut out of the economy and who had neither a quality education nor access to good jobs. We found that, in 2014 dollars, incarcerated people had a median annual income of \$19,185 prior to their incarceration, which is 41% less than non-incarcerated people of similar ages." Source: <http://www.prisonpolicy.org/reports/income.html>

A recent report from the Prison Policy Initiative shows that, according to the U.S. Census, blacks are incarcerated at a rate five times that of whites, and Hispanics/Latinos are nearly twice as likely to be incarcerated as whites. It goes further to illustrate that white people are underrepresented in every one of the 50 states' prison populations, whereas Hispanic/Latino, black and Native Americans are consistently overrepresented in every state.³

There are over 2.3 million people incarcerated in prisons, jails, immigration detention centers 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 with a population greater than that of Houston, Texas.⁴

If we can recognize the problem with forcing people to live in close proximity to toxic and hazardous environmental conditions, then why are we ignoring prisoners who are forced to live in detention facilities impacted by such conditions?

We realize that the federal government's responsibilities are divided up among multiple agencies, with the EPA dealing primarily in issues related to ambient pollution. As such, some of the issues addressed below may be outside the EPA's immediate jurisdiction, but we understand the EPA to be leading the Interagency Working Group on Environmental Justice and feel that you will be able to best discern which agencies are best positioned to address the unique circumstances of prisoner populations.⁵

While we cannot speak to the knowledge of all federal agencies, we do know that both the EPA and the Department of Justice (DOJ) are well informed about the environmental impact of mass incarceration on poor communities in general and poor communities of color in particular, and that this impact affects both those imprisoned in detention facilities and those who are employed in or live near them.⁶

The intention of this comment is to provide background on how prisoners are excluded from environmental justice protections, both in the permitting of prisons themselves and the permitting of other industrial facilities operating in proximity to prisons. We have also provided a dozen examples of how and where this has manifested in various regions throughout the country.

³ "Breaking Down Mass Incarceration in the 2010 Census: State-by-State Incarceration Rates by Race/Ethnicity" by Leah Sakala, May 28, 2014. Source: <http://www.prisonpolicy.org/reports/rates.html>

⁴ Source: <http://www.city-data.com/top1.html>

⁵ For example, EPA has a Memorandum of Understanding with OSHA: https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_id=238&p_table=mou

This presumably takes the Department of Labor's "Environmental Justice Strategy" into consideration: <http://www.dol.gov/asp/ej/>. We found no language addressing environmental safety for the prisoner workforce.

⁶ While prisons themselves are sources of outdoor pollution, e.g. particulates from outdated prison boilers, discharges of untreated or inadequately treated sewage, etc., which affect surrounding communities that also often fit the criteria of EJ communities, that matter is not what we are addressing in this particular comment.

Background on the EPA and Prisons

Since 1999, the Office of Enforcement, Compliance, and Environmental Justice (OECEJ) within EPA Region III office has conducted what they call a “prison initiative.” Although this initiative has not been very active in conducting inspections since about 2011, over the course of a decade, EPA Region III conducted multiple investigations of conditions in prisons which resulted in a broad spectrum of enforcement actions.⁷ This initiative is well-documented through articles and press releases published online and in printed publications such as the *National Environmental Enforcement Journal*.⁸

Over the past six months HRDC’s Prison Ecology Project has been conducting extensive research, public records requests, interviews and reviews of Environmental Impact Statements and Environmental Assessments to understand how environmental justice criteria has been applied to prisoner populations, given the overwhelming evidence that prisoners are disproportionately people of color and *almost entirely* low-income, regardless of race. We are disappointed to report that we have seen no information pointing to any intention of the EPA to recognize the population of people in prison, despite the fact that they constitute the most vulnerable and overburdened demographic of citizens in the country.

In an interview conducted by the Prison Ecology Project on February 5, 2015, EPA Region III representative Donna Heron explained explicitly that environmental justice guidelines have not been applied to prisoners because the EPA uses census data which does not take prisoners into account.

We find this reason to be insufficient. We believe that data exists or could be gathered to allow the EPA to effectively and accurately determine environmental impacts on incarcerated populations. If the EPA’s chosen data happens not to include these populations, the EPA should seek to supplement the data for these missing populations by conducting research on what other data sources should be included to provide the most accurate picture of the populations who will be subject to any environmental impacts.⁹

We also found that prison-related permitting has often attempted to claim a Finding of No Significant Impact (FONSI) in permitting, or worse, has alleged “categorical exclusions” that keep these plans off the radar of public input.¹⁰ We feel that when plans are being made that

⁷ Until very recently, the activity of Region III’s prison initiative was documented online, but it was removed for an unknown reason. Some of the information previously posted online can now only be found on the Prison Ecology Project’s website: <http://PrisonEcology.org>

⁸ In particular, an article written by EPA inspector Garth Conner titled “An Investigation and Analysis of the Environmental Problems at Prisons” was published in the May 2003 edition of the *NEE Journal*, addressing the overpopulation of prisons and the industrial facilities operated within them. The article highlighted six separate investigations which all resulted in a broad spectrum of enforcement activity at state, federal and local correctional facilities.

⁹ HRDC is requesting further dialogue with EPA staff on this matter, as the methods used by the EPA to gather population data, and the consistency of those methods, are currently unclear.

¹⁰ The following is a 2014 announcement of a FONSI on a 2,000-bed immigrant detention facility, before there was even a site selected. According to the notice, “A geographical restriction associated with the RFP required the facility to be located in one of the following states: Ohio, Michigan, Pennsylvania, Delaware, New Jersey, or New York. See: <http://www.gpo.gov/fdsys/pkg/FR-2014-09-26/html/2014-22616.htm>

involve the incarceration of hundreds or thousands of low-income people, for which there are alternatives to incarcerating in the first place, this must be viewed as a *significant environmental justice impact*.

The DOJ, BOP and Environmental Justice

“During the twenty years since Executive Order 12898 was issued, there have been significant accomplishments by community leaders, Federal, state, local and tribal governments, and others to advance this important work. Yet there is more work to be done. Low-income, minority, and tribal Americans are still disproportionately burdened with pollution, resulting in disproportionate health problems, greater obstacles to economic growth, and a lower quality of life. The Department will continue to play a vital role in making environmental justice a reality for all Americans. We welcome [] input on the Department’s environmental justice activities, strategy, and guidance as we move forward.”

— Stuart F. Delery, Acting Associate Attorney General, from the DOJ’s 2014 Implementation Progress Report on Environmental Justice¹¹

The DOJ’s updated guiding document on Environmental Justice Strategy contains much lip-service to viewing EJ as a priority. In section III.C.4, “Specific Component Obligations,” the Federal Bureau of Prisons (BOP) is “working to ensure that its activities are consistent with the President’s mandate [Executive Order 12898]. For example, the Bureau will include consideration of environmental justice in its environmental impact statements [EIS] under the National Environmental Policy Act [NEPA].”¹²

During the period that EPA conducted its prison initiative in Region III, reports also surfaced about rampant pollution and environmental health problems stemming from industrial facilities in federal prisons nationwide. According to a 2010 report, the Justice Department’s Office of the Inspector General pinpointed “numerous violations of health, safety and environmental laws, regulations and (Bureau of Prisons) policies” at certain prison industry programs.¹³

However, according to our research, the BOP has *never* taken its prisoner population into consideration under NEPA’s EJ guidance. This remained true as of the agency’s most recent example of a NEPA-required EIS, which was published for public comment earlier this year for a facility in Letcher County, Kentucky. HRDC prepared a comment which, among other issues, addressed insufficient efforts to address EJ-related concerns.¹⁴ The following is an excerpt from HRDC’s comment submitted to the BOP:

¹¹ Source: <http://www.justice.gov/sites/default/files/ej/pages/attachments/2015/02/11/2014-implementation-progress-report.pdf>

¹² Source: http://www.justice.gov/sites/default/files/ej/pages/attachments/2014/12/19/doj_ej_strategy.pdf

¹³ Source: <http://www.mcclatchydc.com/2010/11/09/103445/whistleblower-exposed-violations.html>

¹⁴ The full HRDC comment on BOP’s Letcher County proposal can be found here: <https://www.prisonlegalnews.org/news/publications/hrdc-comment-letcher-county-prison-siting-coal-mine-site-march-2015/>

Under the Environmental Justice guidelines of NEPA, and according to the EIS, the people most probable to be in BOP custody if this facility was built are very likely to meet the criteria for recognition as Environmental Justice communities. Inside the prison, the racial demographics and income of prisoners can be reasonably projected to populate the facility based on the demographics of other BOP facilities in the country.... The BOP reports 41% percent of its population to be of non-white “minority” status,¹⁵ whereas this racial demographic only makes up approximately 25% of the entire US population.¹⁶ The EIS also says nothing of prisoners’ status as an almost entirely low-income population.

The EIS goes on to allege that, essentially, the only EJ impact to the local community (which is a low-income rural region of Appalachia) will be the positive economic benefits associated with the prison. The most obvious oversight here is that the region is known to have extreme water contamination problems due to decades of heavy coal mining operations. In fact, both proposed sites for the anticipated BOP facility are located on abandoned mines.¹⁷

In a review of a 2010 Environmental Assessment (EA) for a state prison being turned over to the BOP for use as a supermax prison in Thomson, Illinois, HRDC found a very similar approach to EJ matters with respect to permitting.¹⁸ This facility, which will be used for extreme isolation units (solitary confinement) when opened, included no mention in its permits of the anticipated demographics which would populate the prison. It also overlooked the need to review operating such a facility in a flood zone, less than half-a-mile from the Mississippi River, and what unique challenges this could pose to an extremely vulnerable population likely to fit the criteria of an EJ demographic.

Our position is that the DOJ, as a participating agency in the implementation of EJ strategy, should require prisoner populations to be explicitly included in the EJ 2020 process.

Below are some additional examples which illustrate the need for recognizing prisoners in environmental justice policy and implementation strategy:

- *New Orleans, Louisiana jail post-Katrina* – This facility became an example of how ill-prepared county-run prisons are to handle emergency situations, sparking a report by the ACLU on the terrible reality that unfolded for prisoners after the storm in 2005. “The prisoners inside the Orleans Parish Prison suffered some of the worst horrors of Hurricane Katrina,” said Eric Balaban, a staff attorney for the ACLU’s

¹⁵ Current BOP statistics do not include specific numbers for Latino or Hispanic prisoners, though they do report 19% of BOP prisoners are citizens of Latin American countries. (A 2010 report stated that 33% are “Hispanic from any race.”) Source: http://www.bop.gov/about/statistics/statistics_inmate_race.jsp

¹⁶ U.S. Census Bureau, “The White Population 2010.” Source: <http://www.census.gov/prod/cen2010/briefs/c2010br-05.pdf>

¹⁷ Complete EIS can be viewed here: <https://www.prisonlegalnews.org/news/publications/draft-eis-bop-prison-letcher-county-ky-2015/>

¹⁸ Complete Environmental Assessment can be viewed here: <https://www.prisonlegalnews.org/news/publications/environmental-audit-bops-thomson-correctional-center-2010/>

National Prison Project. “Because society views prisoners as second-class citizens, their stories have largely gone unnoticed and therefore untold.”¹⁹

- *Escambia County, Florida jail flood* – In May 2014, another flood-related disaster at a county-run jail on the Gulf Coast illustrated that very little had been done since the lessons of Katrina to address the dangers of incarcerating people in increasingly flood-prone areas. At the Escambia County jail in north Florida, severe rain led to flooding in the basement of the facility that in turn resulted in a gas leak and explosion that killed two prisoners and injured many others.²⁰
- *Chemical spill in Charleston, West Virginia* – Another risk to prisoners, who are often located in industrial wastelands where the likelihood of pollution disasters can contaminate the water supply, was demonstrated at the South Central Regional Jail in Charleston after a major coal-processing-related chemical spill occurred in January 2014 when a storage tank ruptured. Prisoners were affected by the water contamination to a greater extent than many other local residents, as they were exposed to the contaminated water for longer periods without proper notice.²¹
- *Sing Sing Correctional Facility and the Indian Point nuclear plant in New York* – A 2012 legal proceeding filed by environmental groups in the Hudson Valley of New York during an administrative hearing of the Nuclear Regulatory Commission exposed a completely insufficient emergency evacuation plan for prisoners held at Sing Sing Correctional Facility, again illustrating why this population fits the criteria of an EJ demographic.²²
- *Rikers Island jail, New York City* – The Rikers Island jail complex has become notorious for its location on a toxic waste landfill site where lawsuits have been filed against the facility by employees who have become ill due to the conditions there.²³ As a result of this landfill, there have been frequent methane gas explosions on the site. In addition, the lack of an evacuation plan during Hurricane Sandy illustrated the increased potential for disaster at this facility.
- *Coal ash dump in LaBelle, Pennsylvania* – Surveys and reports from prisoners at the State Correctional Institute-Fayette have indicated ongoing problems related to sickness among prisoners who are exposed to airborne coal dust. The prison houses over 2,000 prisoners, was built on top of a former coal mine and sits adjacent to a 506-acre coal ash dump owned and operated by Matt Canestrone Contracting (MCC). The dump receives ash waste from coal-fired power plants throughout the region.

¹⁹ Source: <https://www.aclu.org/news/aclu-report-details-horrors-suffered-orleans-parish-prisoners-wake-hurricane-katrina>

²⁰ Source: <http://www.cnn.com/2014/05/01/justice/florida-jail-gas-explosion/index.html>

²¹ Source: <http://storiesfromsouthcentralwv.com/resources/wv-chemical-spill-background/>

²² Sources: (1) <http://pbadupws.nrc.gov/docs/ML1218/ML12180A648.pdf>; (2) <http://www.clearwater.org/ea/indian-point-campaign/>; (3) <http://publicjustice.net/content/nuclear-regulatory-commission-nuclear-plant-operator-near-nyc-failed-consider-impact-sever-0>

²³ Source: <http://www.nydailynews.com/new-york/correction-officers-suit-rikers-island-prison-built-toxic-landfill-causing-cancer-article-1.149319>

Before it became a fly ash dump, it was one of the world's largest coal preparation plants, which left over 40 million tons of coal waste. MCC recently renewed its permit to dump 416,000 tons of coal ash per year at the site. Coal ash contains mercury, lead, arsenic, hexavalent chromium, cadmium and thallium. "In short, coal ash toxins have the potential to injure all of the major organ systems, damage physical health and development, and even contribute to mortality," according to a report by Physicians for Social Responsibility.²⁴

- *Thirteen Colorado prisons in contaminated area* – Cañon City is the location of nine state and four federal prisons and penitentiaries. It's also known for longstanding water quality problems related to the mining and processing of uranium. Liquid waste laced with radioactive material and heavy metals was discharged into 11 unlined ponds from 1958-1978. Those were replaced in 1982 with two lined impoundments, and after well tests in Cañon City showed contamination, the uranium mill site was put on a national list for Superfund cleanups. Samples collected from four wells north of the mill in October 2011, analyzed at outside labs, indicated trichloroethene concentrations of 1,800 parts per billion, 1,200 ppb, 490 ppb and 386 ppb. The EPA standard is 5 ppb. The wells were up to 360 times the federal health limit. "Vapors can seep up through the soil and get into homes. Then you have not only a drinking issue but an inhalation risk," EPA spokeswoman Sonya Pennock said. But the cleanup isn't expected until 2027.²⁵
- *Valley Fever at Avenal and Pleasant Valley State Prisons, California* – Lawsuits and news reports have repeatedly noted that people imprisoned in areas prone to valley fever (resulting from drought, over-development and increased temperatures) are at elevated risk of contracting that disease due to constant exposure and abysmal healthcare options available in prisons.²⁶ Valley fever has claimed the lives of more than 50 prisoners and sickened thousands of others. A federal court ordered the removal of thousands of prisoners from the Avenal State Prison and Pleasant Valley State Prison due to concerns about valley fever. "Medical studies have shown that Filipinos, [B]lacks, Hispanics and people suffering from diabetes and HIV are more susceptible to valley fever, meaning that prisoners in the Central Valley – where 16 of California's 33 adult prisons are located – are especially vulnerable. For example, blacks comprise just 6.6% of California's general population but make up 29% of the state's prison population."²⁷
- *Arsenic in Texas and California water supplies* – This is a reoccurring story, where prisons such as Kern Valley State Prison in Delano, California and the Wallace Pack

²⁴ Sources: (1) <https://www.prisonlegalnews.org/news/2015/apr/9/report-highlights-health-concerns-related-coal-ash-dump-pennsylvania-prison/>; (2) <https://www.prisonlegalnews.org/news/2015/apr/9/report-highlights-health-concerns-related-coal-ash-dump-pennsylvania-prison/%20>; (2) <http://atavist.ibtimes.com/poison-prisonj653t>

²⁵ Sources: (1) http://www.denverpost.com/ci_17811381; (2) <http://www.wise-uranium.org/umopcc.html>

²⁶ Source: <http://www.motherjones.com/environment/2013/08/valley-fever-explained>

²⁷ Source: <https://www.prisonlegalnews.org/news/2015/jun/3/california-tests-state-prisoners-valley-fever-amid-lawsuits-deaths/>

- Unit near Navasota, Texas are built in areas with contaminated water supplies and prisoners are forced to endure health impacts due to these environmental conditions.²⁸
- *Prisons built on military Superfund site in California* – The Victorville Federal Correctional Complex was built on the site of one of the Weapons Storage Areas (WSA) for the former George Air Force Base in California, Superfund ID: CA2570024453. The DOD and Air Force did a federal-to-federal transfer of Parcel K to the BOP, a site which contains the former South WSA. The Victorville Federal Correctional Complex (FCC) consists of three facilities: FCI Victorville Medium I, Medium II and United States Penitentiary-Victorville.²⁹ A federal-to-federal transfer was also done with Castle Air Force Base’s WSA where the United States Penitentiary (USP) in Atwater was built “on a part of the base near where munitions were kept and where investigators from the Air Force Safety Center suspect nuclear weapons were maintained and stored.”³⁰
 - *Toxic and hazardous site for immigrant detention in Tacoma, Washington* – The Northwest Detention Center, a privately-operated prison designed to house 1,575 immigrants, is adjacent to a Superfund site known as Project Area #3 of the Tacoma Tar Pits (EPA ID# WAD980726368).³¹ The location is also in a designated volcanic hazard zone.³²
 - *Water contamination in prisons nationwide* – A report published by *Prison Legal News* in 2007 highlighted seventeen states, including Alabama, Georgia, Indiana, Massachusetts, Maryland, Ohio and Washington, where water contamination in prisons and their surrounding communities had been reported to cause problems including illness (such as Legionnaire’s Disease) and various environmental violations.³³ The report concluded that protections under the Clean Water Act may be difficult for prisoners, as such problems are often complex, requiring water testing and expert witnesses to prove a claim, neither of which are likely to be available to the average pro se prisoner litigant. According to author John Dannenberg, “As the environmental movement in the United States grows, it may be time to make the connection to environmental degradation caused by mass imprisonment.”

²⁸ Source on arsenic: <http://water.epa.gov/lawsregs/rulesregs/sdwa/arsenic/index.cfm>; in Texas: <http://gritsforbreakfast.blogspot.com/2014/09/well-water-contaminated-with-arsenic-at.html>; in California: <http://www.watertechonline.com/articles/arsenic-above-mcl-found-in-prison-water>

²⁹ EPA Superfund Record of Decision: <http://www.epa.gov/superfund/sites/rods/fulltext/r0994115.pdf><http://www.epa.gov/superfund/sites/rods/fulltext/r0994115.pdf>

³⁰ Source: <http://www.georgeafb.info/victorville-federal-correctional-complex/><http://www.georgeafb.info/victorville-federal-correctional-complex/>

³¹ Source: http://yosemite.epa.gov/r10/nplpad.nsf/0/06e1c0cda0d11fc285256594007559fd!OpenDocument&ExpandSection=-3#_Section1

³² Source: <http://www.documentcloud.org/documents/408880-snewsroom-p12081313010.html#document/p1/a67587>

³³ Source: <https://www.prisonlegalnews.org/news/2007/nov/15/prison-drinking-water-and-wastewater-pollution-threaten-environmental-safety-nationwide/>

Alternatives to Incarceration

While most of these issues present environmental justice concerns in a traditional sense of the concept, there is another component which is an overarching matter for many if not all of the examples listed above—the existence of alternatives to incarceration.³⁴ The review of alternatives is an integral piece of permitting through NEPA. When considering the value or need for a prison, there should be a review of the ways in which a reduction in prisoner populations would reduce or eliminate the need for expanding or constructing prisons, and thus reduce or eliminate the resulting environmental justice concerns.

Impacts on Children

In addition, we feel that consideration of environmental justice impacts on prisoners should extend to the families of prisoners as well, in particular those with children. Statistics show that one in 28 children have a parent in prison—2.7 million children are growing up in households in which one or more parents are incarcerated. Two-thirds of these parents are incarcerated for nonviolent offenses, primarily drug offenses. One in nine black children has an incarcerated parent, compared to one in 28 Hispanic/Latino children and one in 57 white children.³⁵ Even Sesame Street has taken note of the plight of children with parents in prison.³⁶

The absence of a parent due to incarceration has a significant impact on the communities where these children live. This factor should be considered among a review of the cumulative impacts that affect environmental justice communities.³⁷ And while a parent's absence may be temporary, negative health impacts resulting from incarceration can continue far beyond a prisoner's release date, causing additional financial and emotional hardships for families with children.

Next Steps

For the above-stated reasons, HRDC and the undersigned organizations ask the EPA to use the EJ 2020 Action Agenda Framework to ensure that the millions of prisoners in this country receive the protections that are intended under Executive Order 12898 and Title VI of the Civil Rights Act.

³⁴ Extensive examples of alternatives to incarceration can be found in the following websites: Office of National Drug Control Policy, <https://www.whitehouse.gov/ondcp/alternatives-to-incarceration>; American Psychological Association, <http://www.apa.org/monitor/julaug03/alternatives.aspx>; Families Against Mandatory Minimums (FAMM), <http://famm.org/wp-content/uploads/2013/08/FS-Alternatives-in-a-Nutshell-7.8.pdf>; article from *The Guardian*, <http://www.theguardian.com/commentisfree/2013/jul/04/alternatives-incarceration-prison-numbers>

³⁵ Source: http://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs_assets/2010/CollateralCosts1pdf.pdf

³⁶ Source: <http://www.sesamestreet.org/parents/topicsandactivities/toolkits/incarceration#>

³⁷ EPA's involvement in the Partnership for Sustainable Communities provides context for the EJ cumulative impacts that we are referring to here. "Creating healthy, sustainable, and equitable communities is a priority of the federal government. Environmental Justice plays a key role in an integrated effort that concurrently addresses housing, environment, transportation and health issues." Source: <http://www.epa.gov/oecaerth/environmentaljustice/sustainability/index.html#teamej>

HRDC would like to participate further in the EPA's EJ 2020 Action Agenda Framework, to ensure that prisoners are taken into consideration with respect to environmental justice and impacts on minority and low-income populations. Please contact me to discuss how we may do so. For example, one of our staff can be available for a meeting in-person or via conference call, and we can invite participation from other stakeholders and advocates in the prisoners' rights and criminal justice reform community who are interested in this issue.

Thank you for reviewing our concerns; I look forward to further communication on this subject. If you have questions or require additional information, please do not hesitate to contact me.

Sincerely,



Paul Wright.
Executive Director, HRDC

cc: All EPA Points of Contact for EJ 2020
Stuart Delery, Acting Associate Attorney General, DOJ
Thomas A. Webber, Chief, Capacity Planning and Construction Branch, BOP
Issac Gaston, Site Selection Specialist, BOP

This comment is endorsed by the following 93 organizations:

Abolitionist Law Center (PA)
Amistad Law Project (PA) *
Architects / Designers / Planners for Social Responsibility (ADPSR)
Bill of Rights Defense Committee – Tacoma (WA)
California Coalition for Women Prisoners
California Families Against Solitary Confinement
California Partnership
California Prison Moratorium Project
Campaign for Youth Justice (DC)
Cascadia Forest Defenders (OR)
Center for Gender & Refugee Studies (CA)

The Center for Sustainable Economy
Center for Women's Health and Human Rights (MA)
Climate Justice Alliance
Coalition for Prisoners' Rights (NM)
Columbia Legal Services (WA)
Communities United for Restorative Youth Justice (CURYJ)
Critical Resistance Los Angeles (CA)
Cross Timbers Earth First! (OK)
CURB (Californians United for a Responsible Budget)
Detention Watch Network
Dignity & Power Now (CA)
Drug Policy Alliance
Earth First! Humboldt (CA)
Earth First! Prison Support Project
Ella Baker Center for Human Rights
Enlace Int'l
Environmental Justice Advocates - Lewis & Clark Law School (OR)
Everglades Earth First! (FL)
Fen Valley Earth First! (MI)
Florida Institutional Legal Services (Project of Florida Legal Services, Inc.)
Florida Justice Institute, Inc
Georgia Detention Watch
Glacier's Edge Earth First! (IN)
Global Justice Ecology Project
Got Green? (WA)
Grassroots Leadership (TX)
Hudson River Sloop Clearwater, Inc. (NY)

Hudson Valley Earth First! (NY)

International CURE

Jesuit Social Research Institute

Justice for Families

Justice Now

Justice Strategies

Legal Services for Prisoners with Children

Longleaf Earth First! (FL)

Middle Ground Prison Reform

National Lawyers Guild

National Lawyers Guild - Lewis & Clark Chapter (OR)

National Lawyers Guild - Mass Incarceration Committee

National Police Accountability Project

National Religious Campaign Against Torture

New York City Jails Action Coalition

New York Environmental Law and Justice Project

November Coalition

Ohio Student Association

Palm Beach County Environmental Coalition (FL)

People's Law Office (IL)

Power U Center for Social Change (FL)

Prison Books Collective (Chapel Hill, NC)

Prison Law Office (CA)

Prison Policy Initiative

Prison Watch Network

Prisoners' Legal Services (MA) *

The Promise of Justice Initiative (LA)

Queer Detainee Empowerment Project

Radical Action for Mountains' and People's Survival (RAMPS)
RAICES (Refugee and Immigrant Center for Education and Legal Services)
The Real Cost of Prisons Project
Rising Tide North America
San Francisco Bay View National Black Newspaper
Sentencing and Justice Reform Advocacy (CA)
The Sentencing Project
Sin Barras
Solitary Watch
Southern Center for Human Rights
Southern Poverty Law Center (SPLC)
Stories from South Central (WV)
Support Vegans in the Prison System
Sylvia Rivera Law Project (NYC)
Tar Sands Blockade (TX)
Texas Civil Rights Project
Texas Jail Project
TWAC (Trans and Women Action Camp) Cascadia
UC Davis Immigration Law Clinic
Urban Justice Center (NYC)
Urbana-Champaign Independent Media Center
Vermonters for Criminal Justice Reform
Virginia Organizing
Washington Lawyers' Committee for Civil Rights and Urban Affairs (DC)
Women's Council of the CA Chapter of the National Association of Social Workers
Working Narratives (NC)
350 Vermont

** Organizations that were inadvertently left off this list in our original comment.*