

CAPITALISM IN PRACTICE:
FREE MARKET INFLUENCE ON
ENVIRONMENTAL INJUSTICE IN
AMERICA'S PRISONS

ANNUAL REPORT 2019



PREPARED BY

David Pellow
Jasmine Vazin
Ketia Johnson
Michaela A. Austin

UCSB'S PRISON ENVIRONMENTAL JUSTICE PROJECT, AN INITIATIVE OF UCSB'S GLOBAL ENVIRONMENTAL JUSTICE PROJECT

INTRODUCTION PAGE 03

THE STATE OF INCARCERATION

Environmental injustice occurs when marginalized groups face disproportionate environmental impacts from a range of threats. Prisons are increasingly being uncovered to be areas of extreme environmental injustice through exposing incarcerated populations to environmental threats like toxic water and air, and for polluting the environments where they are located. The United States currently incarcerates more people than any other country in the world, and these issues of environmental injustice are impacting thousands of people throughout the carceral system. This report details multiple cases in which capitalistic ideals have shaped the way the carceral system functions, and how this monetary influence has furthered the harms of environmental impacts. We explore the history of the prison system, privatization of prisons, natural disaster response in this system, and the weaponization of food. At the Global Environmental Justice Project at UCSB, we work to illuminate these largely overlooked problems 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. With this work, we hope to increase awareness of the harms of housing prisoners for profit.



TABLE OF CONTENTS

I. Author Biographies (p. 5)

II. Chapter 1 (p. 7)

Prisons are Environmentally Unjust Structures Rooted in Settler Colonialism and Racial Capitalism

III. Chapter 2 (p. 19)

Private Prisons: The Commodification of Human Rights Abuses and Environmental Injustice in the Carceral System

IV. Chapter 3 (p. 31)

Disasters and Incarceration: A Need for Environmental Justice

V. Chapter 4 (p. 38)

Prison Food: From Nourishment to a Weapon of Control and Resistance

AUTHOR BIOGRAPHIES

David N. Pellow

Dr. David N. Pellow is the Department Chair, Professor, and Dehlsen Chair of the Environmental Studies Program 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? (Polity Press, 2017); Keywords for Environmental Studies (co-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 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, and International Rivers. 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.

Jasmine Vazin

Jasmine Vazin, is a graduate of the Master's program at the Bren School of Environmental Science and Management, graduated from the University of Tennessee, Knoxville with a Bachelor of Science in Ecology and Evolutionary Biology in 2014. Jasmine won a Eureka award and is published in Aquatic Ecology for her first research venture, which involved enzyme kinetics in freshwater systems. She later received grants through the University to study parental care heritability in African cichlids and endemic salamander speciation in Tennessee. After graduation, she worked at Green Source Organics as a regulatory manager in charge of locating and certifying organic and fairly traded food products for wholesale worldwide. She petitioned to have excess food stores donated to foodbanks around Los Angeles, and helped launched a retail line to offer healthy food options to consumers at an accessible price. While attending Bren, Jasmine rediscovered her passion for law and policy and has worked as a Project Manager for the Global Environmental Justice Project. She has specialized in conservation planning while at Bren, and hopes to be able to help build more sustainable and equitable communities in her future career.

Ketia Johnson

Ketia Johnson is a second-year student in Canisius College's Anthrozoology Master's Program. She received her bachelor's degree in environmental studies with a minor in philosophy from the University of California, Santa Barbara in 2018. During her time at UCSB, she wrote for the *Daily Nexus*, a student-run newspaper, and interned for The Humane League, a farmed animal advocacy nonprofit organization. Ketia currently works as a veterinary technician at a cat shelter, and as a research assistant with the Global Environmental Justice Project. Her research focuses on how natural and manmade disasters have affected people incarcerated in prisons and jails throughout the United States. Her interests include animal ethics, racial justice, and climate justice.

Michaela A. Austin

Michaela graduated from UCSB with a B.A. in Environmental Studies and Sociology in June 2019, completing a senior thesis titled "All is Unfair in Toxic Distribution: Environmental Resegregation in Northern California". Within the larger realm of environmental justice, her interests include gentrification and housing rights, food justice, and the cessation of mass incarceration. Working with the Prison Environmental Justice Project since March 2017, her research has covered the sterilization of incarcerated women, unregulated medical testing in prisons, resistance from behind bars, and largely, the systematic malnourishment of inmates. Michaela is now a grant writer for a non-profit in the Bay Area, advocating for equitable access to housing, education, and employment for marginalized youth.



ort Sill Barracks, Palomar Modular Building:

PRISONS ARE ENVIRONMENTALLY UNJUST STRUCTURES ROOTED IN SETTLER COLONIALISM AND RACIAL CAPITALISM

Prisons are Environmentally Unjust Structures Rooted in Settler Colonialism and Racial Capitalism

David N. Pellow

Introduction

Fort Sill is a U.S. Army facility north of Lawton, Oklahoma. It was built in the late 1800s, during the Indian Wars to neutralize Indigenous resistance to U.S. conquest, and was a concentration camp for members of the Chiricahua Apache nation, including Geronimo. These political prisoners had been exiled from their traditional territories in the American Southwest to U.S. Army installations in Florida and Alabama for many years and were subsequently sent to Fort Sill in 1894. The site also served as a boarding school for Native American children who had been forcibly taken from their families (Hennessy-Fiske 2019), a practice commonly known as cultural genocide (McDonnell and Moses 2005). The U.S. Army's 10th Cavalry Regiment was a group of African American men whose job was to support the Fort's military and physical plant operations. That regiment was part of the larger group known as the "Buffalo Soldiers"—African American military personnel whose primary duty was to support the U.S. government's campaign to quell "hostile" Indigenous persons resisting conquest. Thus the larger purpose of the Buffalo soldiers was to demonstrate African American loyalty and usefulness to the project of white supremacy and American empire. During World War II, approximately 700 Japanese Americans were incarcerated at Fort Sill as part of the government's "internment" of 120,000 persons in concentration camps through the Western U.S., as ordered by President Roosevelt, out of fear that they were more loyal to the Japanese empire than to the U.S. In 2014 there was a public outcry when it was revealed that, under the Obama administration, more than 1800 immigrant children were being housed at Fort Sill (K-FOR TV 2014). The children were soon transferred to other facilities, but had already been subjected to a range of environmental injustices, including exposure to chloramines and trihalomethanes, which can cause anemia, DNA mutations, and cancer. In June of 2019, two-dozen Japanese Americans who were formerly incarcerated at Fort Sill staged a protest when it was learned that the Trump administration planned to transfer 1400 immigrant children to the site (Hennessy-Fiske 2019). In July of 2019, hundreds of people, including Indigenous persons, led a protest against the proposed transfer, with one banner reading "Fort Sill: Caging Families Since 1894, # Close the Camps" (Terry 2019). Today the Fort is a National Historic Landmark, serves as a site for several U.S. military training schools, and houses a number of museums commemorating its role in American history.

The protests at Fort Sill illuminate how prisons and imprisonment are multilayered sites of struggles for environmental justice that are rooted in histories and continued practices of settler colonialism and enslavement. This chapter advances a new framework regarding the driving forces behind environmental injustice/racism and proposes new directions for analysis of and advocacy within movements for environmental justice. The prison system and its close cousins—settler colonialism, racial capitalism, and chattel slavery—are spaces where the state and corporations perpetrate environmental racism and they are also precisely the sites where the targets of such violence initiate and sustain resistance in the form of environmental justice movements.

Thus, this chapter is organized around two primary arguments: 1) Human caging constitutes a form of environmental injustice and has always been a core practice and policy of the United States, therefore this nation's foundations are both anti-democratic and anti-ecological; and 2) environmental justice scholarship and movements of the 21st century will have much greater potential for success if they articulate frameworks and practices that address the ongoing legacies and practices of settler colonialism, human enslavement, and speciesism/dominionism, and it is precisely within the prison system where we see activists engaging these approaches. That means that any scholarly and/or political energy invested in understanding and confronting environmental injustice and racism will be half measures and tragically limited if not focused on (to a significant degree) toward decolonization and radical freedom.

Environmental Justice Studies and the Terrain of Prisons

EJ studies scholars have examined the spatial correlations between race, class, and residential proximity to a broad range of environmental health risks such as hazardous waste sites, high concentrations of air, land and water pollution, extractive industrial activity and the like. This includes proximity to toxic Superfund sites, municipal landfills, waste incinerators, large quantity industrial generators of hazardous waste, greenhouse gas emissions and particulate matter, pesticides, and many other threats. The overarching narrative in much of the literature is that the disproportionate colocation of vulnerable peoples and environmental hazards is the result of biased decision-making by powerful institutions and that with proper social movement and policy interventions, these inequities might be addressed. Surprisingly, the prison and jail systems in the United States have thus far not received much consideration in the literature, which is noteworthy because 1) prisons and jails house highly vulnerable populations comprised of a majority of people of color and low-income persons, including thousands of undocumented persons; while women are the fastest growing

group of incarcerated persons and LGBTQ folk and youth face extreme violence and abuse in these institutions as well (Alexander 2012); and 2) a number of media reports and a small number of scholarly studies have documented a significant range of environmental health hazards associated with prisons and jails in the U.S. (Bernd et al 2018; Perdue 2018). Specifically, many prisons, jails, juvenile detention prisons, and immigrant detention prisons across the U.S. are located on or in close proximity to hazardous waste sites (including Superfund sites), are beset with mold infestations and water and food contamination, are spaces where inmates are forcibly given harmful pharmaceuticals, and are sites where inmates labor under coercive and dangerous conditions (see Braz and Gilmore 2006; GEJP 2017 and 2018; Pellow 2017; Pellow and Vazin 2019; Vazin 2018 and 2019). In other words, how might the past, present, and future of environmental justice scholarship and politics change if we examine them through the lens of the prison system in particular and the challenge of enslavement and incarceration more generally?

Recently, a number of scholars have suggested that a focus on the distributional consequences associated with environmental injustice is important but fails to adequately address the deeper, underlying driving forces behind this phenomenon. Accordingly, two interrelated areas of focus have received much greater attention by these scholars: racial capitalism and settler colonialism (Heynen 2016). Racial capitalism (Robinson 2000) is a concept that begins with the proposition that one cannot separate race and racism from capitalism's origins, evolution, and current dynamics—that racism has fueled capitalism from the beginning and has worked to give it strength, structure, and resilience over the centuries. Thus racism is a structuring logic of capitalism because capitalism requires and thrives off the generation of various categories of social difference (such as race) to enable and maintain the inequalities that constitute its foundation (Melamed 2015; Pulido 2016). Closely related to racial capitalism, settler colonialism is reflected in the historical and ongoing structures of social and ecological domination associated with the European invasion of indigenous lands and territories. A result of these structures is the impoverishment of both Indigenous lands (and water) and peoples, which is a particular form of environmental injustice because it reflects social hierarchies and conquests of ecosystems between nations rather than ethnic groups and represents not just racist policies and practices but violations of treaties and Indigenous sovereignty as well (Gilio-Whitaker 2019; Norgaard 2019). Thus EJ scholars call for centering more radical, transformative theorizing and thinking into our analyses of the causes of and solutions to environmental injustice (Agyeman and Evans 2004; Sze 2018), and racial capitalism and settler colonialism figure prominently in those formulations.

Settler Colonialism and Enslavement as Foundations of the U.S. Prison System

Indigenous Studies scholar Kyle Powys Whyte defines settler colonialism as "...complex social processes in which at least one society seeks to move permanently onto the terrestrial, aquatic, and aerial places lived in by one or more other societies who already derive economic vitality, cultural flourishing, and political selfdetermination from the relationships they have established with the plants, animals, physical entities, and ecosystems of those places" (Whyte 2017). Or, put more simply, it is the occupation or control over land, water, aerial space and people by an external power. And since this is a process and structure that involves control over both people and nonhuman natures, Whyte argues that "settler colonialism is an environmental injustice...[because] the U.S. settlement process aims directly at undermining the ecological conditions required for indigenous peoples to exercise their cultures, economies, and political self-determination" (Whyte 2017: 165). Therefore, settler colonialism is a framework that undergirds all environmental justice struggles in the U.S., whether directly involving indigenous peoples or not, because EJ conflicts always involve land and resources entangled with histories of conquest (Hoover 2017; Voyles 2015). Or as Audra Simpson and Andrea Smith put it, "a logic of settler colonialism [i.e., elimination] structures the world for everyone, not just for native peoples" (Simpson and Smith 2014: 13). As Dina Gilio-Whitaker (2019) reminds us, scholars have documented the innumerable ways in which settler colonialism—which she also contends constitutes genocide—resulted in: the displacement of Indigenous peoples so that they could no longer practice their traditional food gathering that sustained them and their nonhuman relations (Whyte 2015); the deliberate targeting and destruction of Indigenous peoples' food sources; the flooding of Indigenous peoples waterways and lands to create hydroelectric dams for settlers (Dunbar-Ortiz 2014); and the large-scale, centuries long practice of Europeans enslaving Indigenous peoples, further dislocating them from their lands and nonhuman relations (Reséndez 2016).

Settler colonialism is linked to the prison system in the U.S. in a number of ways. During the latter half of the 19th century, the U.S. federal government led campaigns of extermination and conquest against indigenous peoples, particularly those viewed as "hostiles" or "trouble causers" and placed many members of tribes in concentration camps where mass starvation, illness, and death were the norm (Waziyatawin 2011). This included, among many others, the camps at Fort Snelling, Minnesota where hundreds of Dakota nation members were imprisoned; Fort Marion, Florida, where Kiowa, Cheyenne, Arapaho, Comanche, and Caddo indigenous prisoners of war were incarcerated after being shipped from Fort Sill, Oklahoma; and Bosque Redondo, New Mexico where members of the Dine/Navajo nation were imprisoned. The conditions of confinement were not only a component of the war on

Native peoples, they were a clear case of genocide, as they reflected an intent to destroy, in whole or in part, a national group through killing members of that group, causing serious mental or bodily harm, and imposing measures intended to prevent births within the group (in many cases such as the Fort Snelling camp, this included gender segregated living quarters, which contributed to the prevention of reproduction) (see Waziyatawin 2011). Indigenous prisoners resisted their incarceration by revolting, escaping, and gathering food off-site, actions that were punished mercilessly by government forces.

In an exhaustive study of the largest prison system in the world—Los Angeles, California's correctional system—historian Kelly Lytle Hernandez demonstrates that, across nearly two centuries, the practice of human caging in LA has been rooted in "the arc of conquest and, more specifically, settler colonialism in the city" (Hernandez 2017: 7). Hernandez found that the Spanish missions like Mission San Gabriel, were imprisoning Native peoples in the 18th century, and that as early as the 1830s onward, Mexican and Anglo Los Angeles officials were jailing Native Americans (Tongva nation members) en masse, with sweeps on a regular basis that resulted in the incarceration of a large percentage of indigenous community members on "drunkenness" and "vagrancy" charges that predated and set the stage for convict leasing that we saw in the U.S. South used against "freed" African Americans. These imprisonment practices were the first time that Tongva people had experienced jailing since it was not a part of their cultural practices. Natives were sold like slaves to private companies and other institutions to work on chain gangs doing all manner of labor. "On the chain gang, Natives swept and cleaned the streets of the new U.S. town [Los Angeles]. They kept the town's muddy roads clear of debris, namely, the horse manure, sewage, and dead animals that littered the town during the 1850s and 1860s" (Hernandez 2017: 37). This history has, in many ways, all the hallmarks of environmental injustice—Native peoples were marginalized and subjected to conquest and genocide, and as part of that process, they were imprisoned and enslaved, compelled to do forced labor that involved dirty, unsafe, and undesirable work, literally removing feces and deceased beings from streets. That is an example of environmental injustice because these vulnerable people were targeted because of their heritage and were forced to perform undesirable and risky work to benefit the dominant population. That early history has shaped Indigenous peoples' relationship to the criminal legal system since that time. Today, in the U.S., Native Americans and African Americans "share the highest rates of incarceration in the United States. They also share the highest rates of killings by police officers" (Hernandez 2017: 2; see also Frosch 2015; Males 2014; Vicens 2015). Thus, we can trace the roots of prisons and imprisonment in many parts of the U.S. to settler colonialism, a system in which Indigenous people, their labor, and

lands are controlled for the benefit of an occupying force. That is an argument and historical claim that will appear as novel to many scholars.

A more familiar, well-documented site of racial oppression—and one that intersects with settler colonialism—is the relationship between the U.S. prison system and histories of African American enslavement. I noted above that recent scholarship has uncovered a much longer history of European-led enslavement of Indigenous peoples, which was central to settler colonialism in the United States (Gilio-Whitaker 2019; Reséndez 2016), which means that we can no longer relegate enslavement exclusively to the African American experience. Even so, that system was far more extensive and, via the 13th amendment, continues to this today. While the U.S. prison system in many places was characterized by mainly white inmate populations early on, what we find is that after the formal period of African American enslavement, prisons expanded their reach into the Black community as a means and method of controlling this population that many whites feared would otherwise seek to gain social, cultural, economic and political power and proximity to the majority. The 13th Amendment to the U.S. Constitution, convict leasing, Jim Crow laws, and racial segregation across society allowed for the constant surveillance and siphoning of Black persons from their communities into the prison system to provide coerced labor for the state and corporations, to maintain and intensify the color line between Black and White, and to facilitate the continuation of enslavement after the Emancipation Proclamation (Alexander 2012; Blackmon 2012; James 2005).

The system of human enslavement in the United States was and is an example of environmental injustice because it reflects the ways in which vulnerable and marginalized populations were and continue to be forced into violent captivity that results in long term social and public health-related harms to those individuals and communities and that requires the simultaneous subjugation of nonhuman natures, such as land, water, and other species for the construction and maintenance of that system (Smith 2007: 18-19; Stewart 1996: 90). As Miles Lennon argues, the formal era of chattel slavery in the U.S. was a system of non-human degradation because whites, the state, and the market viewed Native and African Americans as subhuman. Slavery was also an ecologically impactful institution because it was a massive "energy generation regime providing colonial societies with a mechanized infrastructure that enabled them to efficiently produce commodities and consolidate wealth" (Lennon 2017: 24). In other words, the first major source of energy that powered settler colonialism in the U.S. was enslaved labor, and that system of slavery, combined with the conquest of Indigenous lands, provided the financial foundation of the Industrial Revolution and the subsequent transition to a fossil fuel economy that resulted in

global anthropogenic climate change (ibid; see also Klein 2015). This bold claim is supported by the fact that the slave economy was far and above the most profitable and largest sector of the economy in the United States and throughout the Americas for centuries. Historian Greg Grandin (2014) writes that "Slavery was the flywheel on which America's market revolution turned—not just in the United States, but in all of the Americas." Adam Hochshild's Bury the Chains quotes slave traders in the British empire's Caribbean sugar plantations during the 18th century who described slavery as "the hinge on which all the trade of this globe moves" (Hochshild 2006: 13-14) and as "the foundation of our commerce...and first cause of our national industry and riches" (Hochshild 2006: 54-55). As historian Eric Foner put it, at the start of the Civil War, enslaved human beings as property "were worth more than all the banks, factories, and railroads in the country put together" (Hayes 2014). Thus, slavery was the engine of the settler colonial economy, which enabled massive soil depletion, deforestation, human displacement and other catastrophic socioecological harms (DuBois 1977: 15). Today in the 21st century, across the globe, we find that many of the most devastated ecosystems are the same places where human enslavement is rampant: depleted marine ecosystems (industrial fishing), gold and coltan mines, and ancient forests where industrial agriculture is depleting soils and felling trees. In other words, human enslavement is still very much alive and well and it is killing people and critical habitats across the planet (Bales 2016).

These histories of racial capitalism, settler colonialism, and enslavement laid the foundation for today's prison system in the U.S., all of which are clear examples of environmental injustice. Therefore, I argue that environmental justice scholarship and movements must address these roots and their contemporary dynamics in order to be effective at theorizing and confronting environmental racism, the prison system, or both. In other words, I am arguing not just that prisons are spaces that are in close proximity to—or that are rife with—environmental health threats, but that the act of imprisonment itself, incarceration as a policy and practice, and penal institutions as both built environments and spaces of confinement, are environmental injustices because they are constructed on foundational practices and environmental racism in the U.S. that have been devised for the purposes of controlling and harming vulnerable peoples, nonhuman populations, land, and ecosystems (and because imprisonment violates the law of ecology that contends that there are no boundaries and borders, everything is connected). Therefore, prisons and imprisonment are environmental injustices because they are spaces characterized by socioecological threats in the present day and because they are rooted in settler colonialism and enslavement, both of which are forms of environmental injustice that are foundational to the U.S. Why does all of this matter? Because if incarceration is a practice that is

widespread and that is central to the founding and development of the United States, then environmental injustice is part of that nation's core. That means that environmental injustice/racism are not likely to be addressed effectively through the use of existing policy frameworks and the powers of the state. Environmental justice scholarship and movements must therefore mobilize around ideas and visions of change that exceed U.S. state structures and that contribute to decolonization and abolition.

Building on the insights and actions of numerous incarcerated persons and their allies, and scholars from the fields of EJ studies, critical geography, and ethnic studies, I argue that the evidence is compelling that prisoners face brutal environmental injustices every day, that prisoners are some of the most effective leaders in the environmental justice movement (both historically and today), and that prisoner-led struggles for environmental justice are a particularly effective and transformative path toward achieving prison abolition in particular and environmental justice more broadly throughout society. It is also the case that former prisoners and allies of the incarcerated play key roles in supporting practices and visions of abolition and critical environmental justice. The evidence presented in this Prison Environmental Justice Project Annual Report strongly supports these claims.

References

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

Agyeman, Julian and Bob Evans. 2004. "Just sustainability: The emerging discourse of environmental justice in Britain?" *The Geographical Journal* 170(2): 155–164.

Bales, Kevin. 2016. Blood and Earth: Modern Slavery, Ecocide, and the Secret to Saving the World. New York: Random House.

Bernd, Candace, Zoe Loftus-Ferren, and Maureen Nandini Mitra. 2018. "America's Toxic Prisons: The Environmental Injustices of Mass Incarceration." Prison Legal News 29 (4): 1–11. https://www.prisonlegalnews.org/media/issues/04PLN18.final-web_XEUe0jB.pdf.

Blackmon, Douglas. 2012. Slavery by Another Name: The Re-Enslavement of African Americans from the Civil War to World War II. New York: Random House.

Braz, Rose, and Craig Gilmore. 2006. "Joining Forces: Prisons and Environmental Justice in Recent California Organizing." *Radical History Review* (96): 95–111.

DuBois, W.E.B. 1977 [1935]. Black Reconstruction: An Essay Toward the History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880. New York: Atheneum.

Dunbar-Ortiz, Roxanne. 2014. An Indigenous Peoples History of the United States. Boston, MA: Beacon Press.

Frosch, Dan. 2015. "Federal Panel Reviewing Native American Sentencing." Wall Street Journal, April 21.

Gilio-Whitaker, Dina. 2019. As Long as Grass Grows: The Indigenous Fight for Environmental Justice from Colonization to Standing Rock. Boston: Beacon Press.

Grandin, Greg. 2014. "The Bleached Bones of the Dead: What the Modern World Owes Slavery (It's More Than Back Wages)." *TomDispatch*. February 23.

Hayes, Chris. 2014. "The New Abolitionism." The Nation. April 22.

Hennessy-Fiske, Molly. 2019. "Japanese internment camp survivors protest Ft. Sill migrant detention center." Los Angeles Times. June 22.

Hernandez, Kelly Lytle. 2017. City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771-1965. University of North Carolina Press.

Heynen, Nik. 2016. Urban political ecology II: The abolitionist century. *Progress in Human Geography* 40: 839-845.

Hochshild, Adam. 2006. Bury the Chains: Prophets and Rebels in the Fight to Free an Empire's Slaves. NewYork: Houghton Mifflin.

Hoover, Elizabeth. 2017. The River is In Us: Fighting Toxics in a Mohawk Community. Minneapolis, MN: University of Minnesota.

James, Joy (ed.). 2005. The New Abolitionists: (Neo)slave Narratives and Contemporary Writings. Albany: SUNY Press.

K-FOR TV. 2014. "All immigrant children transferred from Fort Sill facility." August 8.

Klein, Naomi. 2015. This Changes Everything: Capitalism versus the Climate. New York: Simon & Schuster.

Lennon, Miles. 2017. "Decolonizing energy: Black Lives Matter and technoscientific expertise amid solar transitions." *Energy Research & Social Science* 30: 18-27.

McDonnell, Michael A. and Dirk A. Moses. 2005. "Raphael Lemkin as Historian of Genocide in the Americas." *Journal of Genocide Research* 7(4): 501-29.

Males, Mike. 2014. Who are the Police Killing? San Francisco, CA: Center on Juvenile and Criminal Justice. http://www.cjcj.org/news/8113, accessed August 4, 2019.

Melamed, Jodi. 2015. "Racial capitalism." Critical Ethnic Studies 1: 76-85.

Norgaard, Kari. 2019. Salmon and Acorns Feed Our People: Colonialism, Nature, and Social Action. New Brunswick, NJ: Rutgers University Press.

Perdue, Robert Todd. 2018. "Linking environmental and criminal injustice: The mining to prison pipeline in Central Appalachia. *Environmental Justice* 11(5): 177-182.

Pulido, Laura. 2016. "Geographies of race and ethnicity II: Environmental racism, racial capitalism and state-sanctioned violence." *Progress in Human Geography* 41(4): 524-33.

Reséndez, Andrés. 2016. The Other Slavery: The Uncovered Story of Indian Enslavement in America. Houghton Mifflin Harcourt.

Robinson, Cedric J. 2000. *Black Marxism: The making of the Black radical tradition.* 2nd Ed: University of North Carolina Press.

Simpson, Audra and Andrea Smith. 2014. *Theorizing Native Studies*. Durham, NC: Duke University Press.

Smith, Kimberly. 2007. African American Environmental Thought. University Press of Kansas.

Stewart, Mart. 1996. What Nature Suffers to Groe. Athens, GA: University of Georgia Press.

Sze, Julie. (Ed.) 2018. Sustainability: Approaches to Environmental Justice and Social Power. New York University Press. New York.

Terry, Bryan. 2019. "Hundreds protest migrant camp at Fort Sill: Photo Gallery." *The Oklahoman.* July 20. https://oklahoman.com/gallery/6040487/fort-sill-protest, accessed August 4, 2019.

Vazin, Jasmine. 2019. Toxic Detention: The Trend of Contamination in the American Immigration Detention System. Global Environmental Justice Project. January.

Vicens, A.J. 2015. "Native Americans get shot by police at an astonishing rate: So why aren't you hearing about it?" *Mother Jones*. July 15

Voyles, Traci. 2015. Wastelanding: Legacies of Uranium Mining in Navajo Country. Minneapolis, MN: University of Minnesota Press.

Waziyatawin. 2011. What Does Justice Look Like? The Struggle for Liberation in Dakota Homeland. St. Paul, MN: Living Justice Press.

Whyte, Kyle Powys. 2015. "Indigenous food systems, environmental justice, and settler industrial states." Pp. 143-66 in M. Rawlinson and C. Ward (Eds.) *Global Food, Global Justice: Essays on Eating under Globalization*. Newcastle upon Tyne, UK: Cambridge Scholars.

Whyte, Kyle Powys. 2017. The Dakota Access Pipeline, environmental injustice, and U.S. colonialism. *Red Ink, 19*(1), 154–169.

Private Prisons:
The Commodification of
Human Rights Abuses and
Environmental Injustice in
the Carceral System

BY JASMINE VAZIN



Private Prisons: The Commodification of Human Rights Abuses and Environmental Injustice in the Carceral System

Jasmine Vazin

The United States imprisons more people than any other country in the world, with 2.3 million citizens and immigrants incarcerated in 2019 (Prison Policy Initiative 2019). This accounts for 25% of the entire global prison population (GEJP 2018). The vast number of individuals currently incarcerated in the U.S. is a five hundred percent increase since 1980. These trends are rooted in a shift in the political economy of a now postindustrialized nation, an increase in arrests for non-violent crimes, and the privatization of the prison industry (Prison Policy Initiative 2019). Prisons in the United States have long been known to mete out human rights abuses on incarcerated individuals and immigrants by excluding prisoners from the nation's constitutional protections, and the extreme difficulty in proving cruel and unusual punishment under the 8th amendment has led to a perpetuation of these violations (GEJP 2017, GEJP 2018). Increasingly and in recent years, prisons have also been exposed as sites of severe environmental injustice due to being built on toxic land, releasing pollution into local ecosystems, and creating inhumane conditions for inmates who reside in these spaces (GEJP 2018). Over the last four decades, the privatization of prisons across America has commodified human suffering and abuse for economic gain by the hands of a corrupt political establishment that values financial gain over any semblance of true rehabilitation. Furthermore, this system has monetized the pollution of our environment, as many private prison facilities compound environmental injustice and degradation by choosing to build on cheap, polluted lands that could benefit from remediation instead of further decimation (GEJP 2018). This article offers a detailed account of the rise of private prisons, the monetary connections these corporations have to the U.S. government, and the environmental hazards they perpetuated in the ecosystems and communities where they operate.

Background

The private prison agenda has aggressively infiltrated and influenced U.S. criminal justice and immigration policies since the 1980s with one primary aim: profit. From 1990-2009, private prisons grew in the United States by 1600% (ACLU 2011). From 2000-2012 the two largest private prison corporations--The GEO Group and CoreCivic--spent more than \$32 million on federal lobbying and campaign contributions (ACLU 2014). The political influence of this industry has been evidenced in recent years with the immigration policies seen under the Trump regime. In 2016,

Attorney General Sally Yates released a memo stating that the DOJ would not renew any federal contracts with private prison corporations in the future, causing CoreCivic and The GEO Group stocks to plummet (Johnson 2016, FFI 2018). The day after this memo was released, a GEO Group subsidiary known as GEO Corrections Holdings gave \$100,000 to the superPAC Rebuilding America Now, which supported the Trump campaign (CLC v. DOJ 2017, Case 1:17-cv-01170). Later, The GEO Group gave \$150,000 more to Rebuilding America Now, and donated \$250,000 directly to the Trump inauguration (Opensecrets 2019). By the definition of lobbying, this was to ensure their needs would be met when he entered office. This paid off in 2018, when in January of his first term, Trump reversed the Attorney General's memo, and released a new memo promising an increase in detained immigrant beds from 45,700 up to 80,000, all of which would be contracted to The GEO Group, and other private companies- effectively ensuring this industry's survival (E.O. 13768, 2017). These companies use campaign contributions and lobbying to push for the growth of private prisons, despite the industry track record of excessively inhumane, mismanaged, and environmentally harmful practices that are orders of magnitude above publicly owned prison institutions (Time, 2013). This article highlights these harms by presenting a case study of the largest private prison company in the country, The GEO Group.

The GEO Group

The GEO Group is one of the largest private prison companies in the world, and it generates revenue through four business segments – a U.S. corrections segment; international services segment; GEO Care segment; and the facility, construction, and design segment. Through these various industries, The GEO Group reported total revenues of \$564.9 million in the first guarter of 2017 (GEO Group 2017). This revenue was generated right after the Trump regime's memo that promised contracts to GEO for immigrant detention. To estimate the value of that political backing- GEO's revenue numbers in 2015 indicated that 45% of the company's revenues came from federal prison contracts- which as of 2017 were reworked into federal immigration contracts, if we assume 45% (or more) of the company's revenues were still from the federal government, then that is over 140 million dollars in revenue from jailing migrants and asylum seekers in the first three months of 2017 alone. As of last year, one in three of the over 45,000 immigrants currently detained in the US were being held in a GEO facility (MotherJones 2018). This entire corporation now relies on the perpetual jailing of migrants, and The GEO Group has successfully used monetary lobbying to keep its interests politically secure. Since 2016, the company has spent over \$1.5 million in political lobbying alone each year (Opensecrets 2019).

The relationship between The GEO Group, ICE, and the federal government was made even more clear when, in 2017, California passed AB-103- a public safety omnibus bill that blocked counties from entering into new federal contracts to detain immigrants, and from expanding existing contracts. Through a FOIA request filed by Democracy Forward, emails were released showing The GEO Group and top ICE officials worked closely together in a suit against the state of California to protect GEO interests (Democracy Forward 2018). The emails revealed that as AB-103 was about to be signed, the executive vice president at GEO emailed ICE's detention chief Tae Johnson a GEO legal memo analyzing the bill (MotherJones 2018). Within a few days, this memo had been sent to ICE's top lawyer Tracy Short, acting director Thomas Hartman, and the Department of Homeland Security's office of the general council. Tracy Short then sent this memo to both DHS staff and the Department of Justice, urging support in combating the California bill to prevent any adverse impacts to ICE operations in the state (MotherJones 2018). The Department of Justice filed a complaint against the state of California in March of 2018 on the grounds of interference with federal immigration processes, and called for the injunction of the bill (New York Times 2018). While all parties involved deny any collusion or illegal behavior, The GEO Group's interests are clearly being well protected by ICE and the federal government. The correspondence between The GEO Group and ICE is a disgrace to our system of governance- and reveals a stark pattern of corporate gain over ethics and human rights in the American political system.

This vigorous defense and protection by the federal government of The GEO Group's profits is at the direct expense of both civil and immigrant detainees. Time and time again, in facilities throughout the country, this company has been the center of human rights abuses and environmental injustice with no consequence or accountability. The following sections highlight a handful of these issues pertaining to medical care, living conditions, and toxic locations to argue for the imperative dissolution of this industry.

Medical Neglect

There have been multiple incidents of medical neglect leading to death in GEO facilities. In private industries, cost-cutting is a common practice aimed at increasing profits, and in private prisons, adequate medical staffing and care seem to be the most common target of measures designed to reduce expenses (GEJP 2018). Back in 2014, the ALCU wrote an expose' on The GEO Group's Reeves County Detention center in Texas. At the time, this facility had a capacity for 3,700 detainees, and The GEO Group boasted that it was "the largest detention/correctional facility under private management in the world". At the time this report was published in 2014, this

location had one physician's assistant and one doctor on staff for over 3,000 detainees, and the finding of the report states: "necessary and life-saving medical treatments are frequently denied" at Reeves. Multiple deaths were documented due to denial of necessary medications, botched emergency response, and inadequate chronic disease management (ACLU 2014). There is no argument that can be made that an attempt to provide humane and prompt medical care was in evidence in such a severely understaffed institution, but rather points to a practice of seeking profit over human wellbeing, and is a clear indicator that private corporations should never be in charge of the incarceration of people. To detail a specific incident, in 2017 the ACLU filed a FOIA request against The GEO Group, specifically for the wrongful death of immigrants in the company's care. The ACLU investigated the death of 46-year-old Evalin-Ali Mandza, who died of cardiac arrest at GEO's Aurora, Oregon facility. The investigation revealed that staff at The GEO Group-run facility did not know how to properly use an EKG machine and stalled in calling an ambulance, directly leading to Mr. Mandza's death (ACLU 2017). No personnel in charge of any level of emergency medical care should be unfamiliar with lifesaving equipment and medications needed in a crisis, and if that is the situation, emergency services should be notified immediately. There is no excuse for such a blatant lack of concern for human life. Medical incompetence is well documented in GEO facilities (GEJP 2018), and has led to preventable deaths of detainees and civil inmates (HRW 2018, ACLU 2014).

Unsanitary Conditions

Another scandal this company has been involved in concerns the care of minors in the Coke County Juvenile Justice Center in Texas. In 2007, the Texas Youth Commission (TYC) fired seven employees who were in charge of monitoring conditions at the GEO-owned Coke County facility, after deplorable conditions finally came to light (Dallas Morning News 2007). After years of neglect, it was reported that all seven of the employees in charge of monitoring Coke County were previously hired by The GEO Group and had a vested interest in prioritizing the company's interests over monitoring the facility to protect the minors living there (Dallas Morning News 2007). When a non-biased inspection was finally conducted, it was found that the location was understaffed, poorly managed, and filthy (Texas Youth Commission 2007). The youth at this facility were not provided any clean clothing or bedding for weeks on end, water leaks throughout the building lead to mold and rotting, and general housekeeping was severely neglected (Texas Youth Commission 2007). The inspection also found that paint and chemicals were being disposed of in the laundry room sinks, which can pollute municipal and local water supplies. The TYC moved all the juveniles

to other facilities and terminated the state agency's contract with GEO group following this incident. During the same year, The GEO Group was sued for conditions at it's Dickens County Corrections Center (DCCC), also in Texas. After the Idaho Department of Corrections sent over 125 inmates to offset the severe overcrowding in the Idaho corrections system, an inmate named Scot Payne took his own life and cited the insufferable conditions at the facility in his suicide note. This occurred even after Idaho officials inspected the prison and found that "...(DCCC) is the worst prison we've ever seen". Nothing was done to change the conditions at the facility, which was plaqued with constant flooding, mold, and no access to clean linens or clothing for any of the inmates (Prison Legal News 2007). Scot Payne's family sued the state of Idaho and The GEO Group- Idaho officials were found to have neglected their responsibility to ensure the humane treatment of inmates, and GEO group lost their contract for the facility as well (Payne v GEO Grp 2007, Case 1:07-cv-00968-LY). The World Health Organization states that unsanitary and extreme living conditions have been linked to respiratory and cardiovascular diseases from indoor air pollution; illness and deaths from temperature extremes; and the spread of communicable diseases (WHO 2010). The unsanitary and dangerous conditions within The GEO Group's detention centers are a violation of the Eighth Amendment rights against cruel and unusual punishment that any person detained on American soil is guaranteed (Human Rights Clinic 2014; Ball v. LeBlanc 2015).

Toxic Prisons

The GEO Group has repeatedly lobbied for and won building rights on lands that pose a direct risk to any persons who are forced to live in these areas-simply because they are cheap. Polluted areas are usually undesirable for businesses or residential areas, but it is increasingly the case that prisons--both public and private--choose to build on these locations, intentionally housing people in dangerous areas. The societal indifference to prisoners and immigrants allows for their mistreatment on a variety of levels- but environmental exposures can impact the health of people well after they have left these facilities and pose a direct threat to their lives. Due to the racial disparities seen in both civil and immigrant prisons in the United States, this systematic exposure to environmental toxicants is a clear instance of environmental injustice. The Karnes County Residential Center and the Northwest Detention Center are two GEO facilities that are subject to a multitude of environmental risks in their respective locations. The areas in which these facilities are located are known to have contaminated air, water, and soils, and the Northwest Detention Center is even in a high risk hazard area in the event of natural disasters. The GEO Group has been charged with forcing detainees to work against their will, serving inedible food, and

not providing adequate medical care at both of these locations as well (GEJP 2018, GEJP 2019). These are two of the largest detention centers currently operating in the United States, and they exemplify the severity of environmental injustices being forced on human beings by corporations like The GEO Group (ICE 2017, GEJP 2018).

Karnes County Residential Center, TX

The GEO Group runs an ICE family detention center in rural Karnes County Texas, which produces more oil than any other county in the United States (Earthworks 2018). This is one of the largest family detention centers currently used by ICE, yet this location is plagued with contaminated air and water. The reason for this contamination is the large fracking and oil extraction projects in the area- the county is home to over 2,300 active wells, and the detention center itself is within 100 feet of multiple pumps and fracking flares (RRC 2018). Earthworks released a report in 2017 detailing the results of their own testing around extraction facilities in the area, and found an excess of benzene, hydrogen sulfide, cyclohexane, naphthalene, n-hexane, and xylenes in the air (Earthworks 2017). Another study in Science of the Total Environment found groundwater in the region to have elevated levels of volatile organic compounds (VOCs) and abnormal chloride to bromide ratios, which are an indicator of contamination by other substances (Hildenbrand et al. 2016). In 2016, the Environmental Integrity Project found areas in Karnes County that exceed the USEPA safety level of 10 ppb of arsenic as well (EIP 2016). This area is likely exposed to a variety of other contaminants, as it is known that the chemicals that are released into the environment by these two resource extraction processes include: heavy metals (arsenic and manganese), particulate matter (PM), benzene, toluene, ethylbenzene, xylenes (BTEX), polycyclic aromatic hydrocarbons (PAHs) and endocrine disrupting chemicals (EDCs) (Webb et. al. 2018). These chemicals are known to cause respiratory illness, neurological problems, developmental damage, cancer, and death (CDC 2018, ATSDR 2014, O'Callaghan-Gordo et al. 2016). Citizens of the township surrounding the facility have reported wheezing, dizziness, headaches, nosebleeds and heart palpitations (Earthworks 2017)- it is highly likely that the children and pregnant women held inside the Karnes prison are suffering from greater effects than those on the outside given their vulnerable immunity and close proximity to these emissions. Research published in Reviews on Environmental Health found that oil and fracking pollutants have increased the incidence of negative effects on vulnerable populations: "There is ample evidence that these environmental toxicants can cause neurodevelopmental problems. Given the profound sensitivity of the developing brain and central nervous system, it is reasonable to conclude that young children who

experience frequent exposure to these pollutants are at particularly high risk for chronic neurological diseases" (Webb et al. 2018).

Additionally, any babies born at this facility are at great risk for developmental and generational effects. A study in the *Journal of Reproductive Toxicology* found that prenatal exposure to environmental pollutants can mutate the fetal epigenome- with potential impacts ranging from developmental disorders, childhood disease, and transgenerational effects (Perera and Herbstman 2010). This means that not only are babies being harmed by being on this site, but also any children these detainees give birth to could also suffer health effects from their exposure in the womb. Given the increased incidence of health effects from exposure on vulnerable populations, it can be inferred that the any pregnant women, children, or babies held at this site are at high risk for long term chronic health impairment. This exposure could cause harm to generations of families in the future- the entirety of which will be a direct result of contemporary U.S. immigration policy and this company.

Northwest Detention Center, WA

The Northwest Detention Center is operated by The GEO Group and is directly adjacent to a Superfund site (ID: WAD980726368) in the Tacoma Tideflats area of Tacoma, Washington--where a coal gasification plant leeched toxic sludge into the soil for more than thirty years. The facility opened in 2004, and currently holds over 1,400 immigrant detainees, making it one of the largest detention centers in the nation (ICE 2017). The USEPA superfund contaminant list shows this area to be polluted with 27 different compounds, including: antimony, arsenic, benzene, beryllium, cadmium, chromium VI, copper, lead, manganese, mercury, nickel, PCBs, PAHs, selenium, silver, tetrachloroethylene, thallium, and zinc. These toxicants are found in soil, sediment, surface water, groundwater, and air supplies on site (EPA 2018). These chemicals and compounds can be ingested through water supplies, breathing contaminated air, and exposure on the skin. Health impacts can range from skin irritation, respiratory infections, developmental effects, cancers, organ failure, and death (ATSDR 2018).

During a public comment period in 2017 for a proposed pause on further industrial projects at the site, citizens living around the Tideflats reported headaches, sore throats, and the inability to breathe the outdoor air without respiratory distress because of living close to the area (City of Tacoma 2017). Citizens are not living on the premises like immigrant detainees are forced to, so it is highly likely that detainees are suffering from health effects from these pollutants to a higher degree. Yet, health effects are just one of the environmental dangers facing those held at this facility. The very building is constructed upon a low-lying floodplain on top of loose soils that are

prone to liquifying during earthquakes (Johnson et al. 2004). Scientists also estimate that the Tideflats are the exact location that volcanic mudslides will flow if nearby Mt. Rainier combusts, and this area would be completely wiped out by seawater if a tsunami ever hits the Puget Sound (USGS 2016). For these very reasons, the Tideflats are only zoned for industrial projects. Nonetheless, as a result of political lobbying, an immigrant detention center was approved in this hazard zone in 2004. If any of these disasters were to hit Tacoma, The GEO Group would have less than eight minutes to evacuate almost 1,500 detainees, and their safety plans and protocols have never been released to the public. The site the Northwest Detention Center is built on should never be used to imprison human beings, as it is at extreme risk in the face of any disasters and is a highly polluted area.

Conclusions

The GEO Group is only one of many private prison corporations that operate in the United States. This entity and those like it are contributing to a degradation of our criminal justice system, immigration policies, and the health of thousands of people for the sake of profit. This article has presented a case study to illustrate the problems that arise when private companies seek to take over sectors that require a modicum of human decency. The capitalist ambitions that propel these corporations lack the basic values required for making compassionate choices- and instead will literally trade the lives of people for a higher profit margin. The gross displays of abuse that result from privately run prisons have led to four states to ban these facilities, as of September 2019: Illinois, New York, Louisiana, and now California have all realized the tremendous harm these companies inflict and, accordingly, they enacted their sovereignty to put a stop to this market within their borders (The Guardian 2019). This trend will hopefully continue, and we urge those reading this report to contact your local representatives to communicate they are committing maleficence if they continue to support these companies going forward.

References

ACLU. 2014. Warehoused and Forgotten: Immigrants trapped in our Shadow Private Prison System. American Civil Liberties Union.

https://www.aclu.org/sites/default/files/assets/060614-aclu-car-reportonline.pdf.

ACLU. 2011. Banking on Bondage: Private Prisons and Mass Incarceration. American Civil Liberties Union. https://www.aclu.org/banking-bondage-private-prisons-and-mass-incarceration.

Agency for Toxic Substances & Disease Registry (ATSDR). (2018). Toxicological Profiles. Available at: https://www.atsdr.cdc.gov/toxprofiledocs/index.html.

Ball et al. v. LeBlanc et al., Appeals from the United States District Court for the Middle District of Louisiana (No. 14-30067). In the United States Court of Appeals for The Fifth Circuit, Date filed: 8 July, 2015. http://www.ca5.uscourts.gov/opinions/pub/14/14-30067-CV0.pdf

BondGraham, Darwin. 2019. California Bans Private Prisons – Including Ice Detention Centers. *The Guardian*, September 12, 2019. https://www.theguardian.com/us-news/2019/sep/12/california-private-prison-ban-immigration-ice.

CDC. (2018) Facts About Benzene. Available at: https://emergency.cdc.gov/agent/benzene/basics/facts.asp

City of Tacoma Planning & Development Services Department. (2017). Tideflats Written Public Comments (through 9-14-17). Available at:

 $\frac{http://cms.cityoftacoma.org/Planning/Tideflats/InterimRegulations/Tideflats\%20Written\%20Comments\%20(thru\%209-14-17).pdf}{}$

CLC v. Department of Justice: U.S. District Court for the District of Columbia - Complaint for Injunctive Relief. 2017. Campaign Legal Center. Accessed September 19, 2019.

https://campaignlegal.org/document/clc-v-department-justice-us-district-court-district-columbia-complaint-injunctive-relief.

Code Red | The Fatal Consequences of Dangerously Substandard Medical Care in Immigration Detention. (2018, June 20). Human Rights Watch. Retrieved July 23, 2018, from https://www.hrw.org/report/2018/06/20/code-red/fatal-consequences-dangerously-substandardmedical-care-immigration

Democracy Forward Foundation v. Department of Justice. 2017. https://democracyforward.org/wp-content/uploads/2018/02/DFFF-v.-DOJ-Private-Prisons.pdf.

Dallas Morning News. 2007. Fired TYC Monitors Had Worked for Facility's Operator: Group Fired for Failing to Report Conditions at W. Texas Facility Was Employed Earlier by GEO Group. https://callcenterinfo.tmcnet.com/news/2007/10/12/3009957.htm.

Department of Homeland Security. (2017). U.S. Immigration and Customs Enforcement Budget Overview: Fiscal Year 2018. Available at:

https://www.dhs.gov/sites/default/files/publications/CFO/17 0524 U.S. Immigration and Customs Enforcement.pdf

Earthjustice. (2018). Migrant Detention Centers in Texas Probed For Toxic Waste Threats. Available at: https://earthjustice.org/news/press/2018/texas-migrant-detention-centers-probed-for-toxic-pollution.

Earthworks. 2017. Hazards in The Air: Relating reported illnesses to air pollutants detected near oil and gas operations in and around Karnes County, Texas. Available at: https://earthworks.org/publications/hazards in the air/

Earthworks. (2018). Country Living: Dirty Air, Oil and Gas Pollution in Rural America. Available at: https://earthworks.org/cms/assets/uploads/2018/07/country-living-dirty-air.pdf

Environmental integrity Project (EIP). (2016). Don't Drink the Water. Available at: https://environmentalintegrity.org/wp-content/uploads/Arsenic-Report.pdf

EPA. (2018). Commencement Bay, Near Shore/Tide Flats Tacoma, Wa. Superfund Site Profile. Available at: https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.contams&id=1000981.

"Executive Order: Enhancing Public Safety in the Interior of the United States," Executive Order of the President, January 25, 2017, https://www.white-house.gov/presidential-actions/executive-orderenhancing-public-safety-interi-or-united-states/

Hildenbrand, Z. L. et al. (2017). A reconnaissance analysis of groundwater quality in the Eagle Ford shale region reveals two distinct bromide/chloride populations. Science of The Total Environment 575, 672–680. Available at: https://www.sciencedirect.com/science/article/pii/S0048969716319891

Johnson, C. (2016, August). Justice Department Will Phase Out Its Use Of Private Prisons. NPR. Retrieved July 24, 2018, from https://www.npr.org/sections/thetwo-way/2016/08/18/490498158/justicedepartment-will-phase-out-its-use-of-private-prisons

Johnson, S. Y., Blakely, R. J., Stephenson, W. J., Dadisman, S. V. & Fisher, M. A. (2004). Tsunami Hazard Map of Tacoma, Washington: Model Results for Seattle Fault and Tacoma Fault Earthquake Tsunamis. Washington Division of Geology and Earth Resources. Available at: http://doi.wiley.com/10.1029/2003TC001507

O'Callaghan-Gordo, C., Orta-Martinez. M. & Kogevinas, M. (2016). Health effects of non-occupational exposure to oil extraction. Environmental Health. 15:56. Available at: https://ehjournal.biomedcentral.com/articles/10.1186/s12940-016-0140-1

Pauly, Madison. 2018. When the Biggest Prison Company Complained about a California Sanctuary Law, ICE Listened. *Mother Jones*. https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/.

Perera, F. & Herbstman, J. (2011). Prenatal environmental exposures, epigenetics, and disease. Reproductive Toxicology 31, 363–373. Available at: http://www.sciencedirect.com/science/article/pii/S0890623811000025

Prison Legal News. 2007. Texas GEO Prison Squalor Drives Idaho Prisoner to Suicide. https://www.prisonlegalnews.org/news/2007/dec/15/texas-geo-prison-squalor-drives-idaho-prisoner-to-suicide/.

Railroad Commission of Texas. (2018). Oil Well Counts By County As of February 2018. Available at: https://www.rrc.state.tx.us/media/43947/oil wells by cnty 20180203.pdf

Sawyer, W., Wagner, P., Mass Incarceration: The Whole Pie 2019. Prison Policy Initiative. https://www.prisonpolicy.org/reports/pie2019.html.

The Global Environmental Justice Project. (2018). Environmental Injustice Behind Bars: Toxic Imprisonment in America. Available at: https://gejp.es.ucsb.edu/sites/secure.lsit.ucsb.edu.envs.d7_gejp-2/files/sitefiles/publication/PEJP%20Annual%20Report%202018.pdf

Global Environmental Justice Project. 2019. Special Report- Toxic Detention: The Trend of Contamination in the American Immigration System. Retrieved from https://gejp.es.ucsb.edu/sites/default/files/sitefiles/publication/GEJP%20Special%20Report%202019 0. pdf

The New York Times. 2018. Justice Dept.'s Suit Against California. https://www.nytimes.com/interactive/2018/03/06/us/politics/document-justice-lawsuit-california.html.

Time. 2016. This Is the Real Reason Private Prisons Should Be Outlawed. https://time.com/4461791/private-prisons-department-of-justice/.

Texas Youth Commission. 2007. Coke Country Juvenile Justice Center Audit. https://www.prisonlegalnews.org/media/publications/tyc_audit_report_of_geo_coke_co_juvenile center 2007.pdf

Washington v. GEO Grp. Inc, CASE NO. 3:17-Cv-05806-RJB https://casetext.com/case/washington-v-geo-grp-inc-3.

USGS. (2016). Mt. Rainier Lahar Hazard Map. Available at: https://www.usgs.gov/media/images/mtrainier-lahar-hazard-map.

WHO | Housing and Health. (n.d.). World Health Organization. Retrieved August 1, 2018, from http://www.who.int/hia/housing/en/

Webb, E. et al. (2018). Neurodevelopmental and neurological effects of chemicals associated with unconventional oil and natural gas operations and their potential effects on infants and children. Rev Environ Health 33, 3–29. Available at: https://www.ncbi.nlm.nih.gov/pubmed/29068792

CHAPTER 3

DISASTERS AND INCARCERATION: A NEED FOR ENVIRONMENTAL JUSTICE

BY KETIA JOHNSON

Disasters and Incarceration: A Need for Environmental Justice

Ketia Johnson

Introduction

Natural disasters force communities to endure horrifying experiences of uncertainty and loss. These experiences reach new heights when those enduring them are locked in cells with their only option being to trust those put in charge of their care. With the knowledge that the climate is changing due to human emissions of greenhouse gases, it is essential that we take responsibility for how our actions are affecting those most vulnerable. Individuals, communities, and countries that have contributed the least to climate change are facing the worst of its effects (UNHR n.d.). Factors such as race, ethnicity, class, gender, sexuality, and geographic location contribute to how climate change affects people. Osborne (2015) notes how the intersectionality of these factors affects vulnerability to the effects of climate change. This chapter will focus on how one of the most vulnerable populations in the United States--incarcerated persons in jails and prisons who are often persons of color--have been affected by natural disasters.

Hurricanes: Evacuations and Human Rights Violations

Hurricanes have caused a great amount of pain and anguish across the globe. Concerns about mandatory evacuations cause families to agonize over where to go and how to safely transport themselves out of danger. People incarcerated in jails and prisons are unable to evacuate themselves or properly care for themselves during times of disaster. Inmates and their families are left solely with the hope that corrections officers will make decisions based on inmate safety. Unfortunately, there have been many cases where inmates have been left on their own to make it through some of the deadliest disasters in United States history. When evacuations have not been ordered in jail and prison facilities, we routinely see inmates go without adequate food, clean drinking water, functioning showers and toilets, or working air ventilation.

One of the most well-known cases of abuse and neglect was seen during Hurricane Katrina, where hundreds of imprisoned inmates in Louisiana's Orleans Parish Prison were abandoned by the sheriff's department (HRW 2005). Over 600 inmates who were being held in one of the buildings, Templeman III, were left in their flooded jail cells for four days without food or water, lights, or adequate air ventilation, before being evacuated (HRW 2005). They were essentially left to die, and it is likely that many inmates did with the final count of evacuated inmates showing 517 inmates

unaccounted for. When Human Rights Watch (2005) interviewed an Orleans Parish Prison corrections officer with decades of service, he stated, "It was complete chaos. Ain't no tellin' what happened to those people".

Unfortunately, this has not been the only case of corrections officials failing to evacuate inmates, even after their facilities' locations were in mandatory evacuation zones. Inmates filed a lawsuit against Virginia sheriffs after they failed to evacuate nearly 2,500 inmates during Hurricane Florence (Courthouse News 2018). New York's evacuations during Hurricane Irene in 2011 revealed that the evacuation protocol for Rikers Island was left blank (Rinaldi 2012). While the New York Department of Corrections later published a statement that the city was prepared to handle possible emergency situations at Rikers Island, they have not released a specific evacuation plan for public viewing (Rinaldi 2012). This becomes a community-wide issue as families of incarcerated persons have faced struggles contacting each other during disasters. Not having the prior knowledge of an evacuation plan in cases of emergency adds tremendously to the stress that families and communities face.

Lack of access to healthy food and clean water has been a consistent problem. Before Hurricane Rita hit in 2005, inmates at the United States Penitentiary in Beaumont, Texas were given plastic bags to fill with tap water, but this proved to be insufficient. The small bottles of water that were given to inmates were not enough to stave off dehydration, which had become nearly impossible due to the lack of air ventilation and high humidity (Vogel 2008). The adequate daily amount of drinking water for males aged nineteen to over seventy years old is 3.7 liters per day, while the recommended amount for women in the same age range totals 2.7 liters per day (The National Academies 2004). This recommended amount rises when factoring in issues of poor air circulation and rising temperatures at these facilities. Further, basic hygiene care is threatened by water cut-offs, such as using restroom and shower facilities, and washing clothing and linens. Inmates in Lee Correctional Institution in South Carolina tried to prepare for Hurricane Florence by storing water in containers (Herrera 2018). However, the stored bottled water was confiscated by prison guards due to the containers being considered contraband (Herrera 2018). Thus in case after case, we find that prison authorities perpetrate significant human rights violations against incarcerated persons during extreme weather events and other "natural" disasters.

Geographically Vulnerable Locations

A major concerns the vulnerable locations where jails and prisons are built. The majority of Puerto Rico's 29 territorial and federal prisons are located along the coast and near high-risk flood areas (Martinez, Flagg 2017). New York's Rikers Island faces

difficulties due to its location near the mouth of the Long Island Sound and its only access being the sole Rikers Island Bridge (Rinaldi 2012). Furthermore, because Rikers Island was built on a landfill, there is a much higher susceptibility to erosion and flooding (Rinaldi 2012). This begs the question as to why prisons are built in such vulnerable locations, and whether this is done purposefully. Alex Fiedmann, Associate Director of the Human Rights Defense Center and managing editor of *Prison Legal News*, voiced his opinion during the 2016 Fight Toxic Prisons conference by stating, "You don't accidentally build a prison on a landfill, in a flood zone or in volcano warning zones. Prisoners are considered trash, and we dispose of trash by putting it out of sight" (Washington 2016).

Oil Spills and Prison Labor

Disasters, such as hurricanes, can cause further serious destruction when they meet fragile infrastructure. An ExxonMobil facility in Beaumont, Texas released 1,300 pounds of sulfur dioxide due to damages that were caused by Hurricane Harvey (Akpan 2017). A second ExxonMobil refinery was damaged by the hurricane as well, causing a total of 12,000 pounds of hazardous vapors to be accidentally released between the two locations. Another company, Pasadena Terminal, is a facility that serves as a waypoint for oil pipelines and is located near the Houston Ship Channel (Akpan 2017). They reported the release of 394,000 pounds of hazardous chemical vapors due to damage suffered from Hurricane Harvey, which is an amount that is not within the limits of the terminal's permits. Louisiana also saw large volumes of oil spills in several locations due to the damage of tanks by Hurricane Harvey (Godoy 2007). The fact that these facilities are in close proximity to carceral institutions packed with human beings unable to flee causes serious concern.

With prison labor becoming a focal point in recent news, it is no surprise that inmates have been used as unpaid workers during disaster preparation and clean-up (Whitehouse 2017; Johnson 2018; Camarillo 2019). Inmates provide cheap labor, create tax breaks for companies, and are seen as a population that is easily controllable. Workers' rights and occupational safety protocols are much more lax when the workers are incarcerated, especially incarcerated people of color, which is the vast majority of those in prison.

Following the explosion of BP's Deepwater Horizon wellhead in April 2010, inmates in Louisiana were seen working tirelessly on the clean up of one of the biggest oil spills in history (Young 2010). Louisiana has one of the highest incarceration rates in the United States, with 66% of the incarcerated population being African Americans (Prison Policy Initiative). The NAACP released a statement following a visit to the oil spill cleanup

area where they noted how "workers of color tend to be assigned the most physically difficult, lowest paying jobs, with the most significant exposure to toxins, while white workers tend to be in supervisory, less strenuous positions" (The Grio 2010). Not only were inmates forced to work in these conditions, according to the NAACP, cleanup workers were not being provided with protective clothing or masks, which resulted in hospitalizations (The Grio 2010).

In the aftermath of Hurricane Irma in 2005, inmate work squads were tasked with picking up tree limbs and other hurricane debris, while not receiving pay for their work (Lipscomb 2017). During preparation for Hurricane Florence in 2018, inmates at MacDougall Correctional Institution and Wateree Correctional Institution in South Carolina were required to prepare over 35,000 sandbags in case of flooding (Herrera 2018). Following the massive destruction caused by Hurricane Sandy in 2012, inmates washed 6,600 pounds of laundry for people in emergency shelters (Kilgannon 2012). Inmates are consistently used as a primary source of labor, even in conditions where their safety is put in danger.

Concluding thoughts

Whether natural or man-made, disasters cause immense damage and pain, especially to those that are left to fight on the front lines. While communities are able to assemble and use their collective strength and resources to protect themselves, those who are incarcerated have continuously been left out of the conversation and placed in harm's way. They are routinely sealed behind bars in the most vulnerable of locations and are surrounded by unsanitary conditions, all while not being provided adequate food or water. Inmates seem to only be valued by their usefulness, seen in their often-unpaid labor before, during, and after disasters hit. Environmental and climate justice movements would do well to pay closer attention to the conditions facing prisoners during extreme weather events.

References

Akpan, N. (2017). Hurricane Harvey damages petrochemical refineries, releasing thousands of pounds of airborne pollutants. *Public Broadcasting Service*. Retrieved from https://www.pbs.org/newshour/science/exxonmobil-texas-refineries-damaged-hurricane-harvey-release-thousands-pounds-pollutants-air

Camarillo, V. (2019). 'The penal system today is slavery': Lawmakers finally start to talk about unpaid labor in Texas prisons. *Texas Observer*. Retrieved from https://www.texasobserver.org/penal-system-slavery-unpaid-labor-texas/

Courthouse News. (2018). Nexus Derechos Humanos Attorneys, INC. v. City of Norfolk Sheriff Joe Baron, City of Chesapeake Sheriff Jim O'Sullivan, and City of Portsmouth Sheriff Michael A. Moore. *United States District Court for the Eastern District of Virginia Norfolk Division*. Retrieved from https://www.courthousenews.com/wp-content/uploads/2018/09/prisoners.pdf

Godoy, L. A. (2007). Performance of storage tanks in oil facilities following Hurricane Katrina and Rita. *Journal of Performance of Constructed Facilities*, 21(6), 441-4449. doi:10.1061/(ASCE)0887-3828(2007)21:6(441)

Herrera, J. (2018). As Hurricane Florence approaches, one South Carolina inmate says 'Prisoners are extremely nervous' about their safety. *Pacific Standard*. Retrieved from https://psmag.com/news/as-hurricane-florence-approaches-south-carolina-inmate-says-prisoners-are-nervous

Human Rights Watch (HRW). (2005). *New Orleans: Prisoners abandoned to floodwaters*. Retrieved from https://www.hrw.org/news/2005/09/21/new-orleans-prisoners-abandoned-floodwaters

Johnson, K. R. (2018). Prison labor is modern slavery. I've been sent to solitary for speaking out. *The Guardian*. Retrieved from https://www.theguardian.com/commentisfree/2018/aug/23/prisoner-speakout-american-slave-labor-strike

Kilgannon, C. (2012). Jailed and jailers pitched in help after storm. *New York Times*. Retrieved from https://www.nytimes.com/2012/11/22/nyregion/clothes-and-other-storm-aid-from-rikers-jail.html

Lipscomb, J. (2017). Unpaid Florida prisoners being used to clean up after Hurricane Irma. *Miami New Times*. Retrieved from

http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.917.7992&rep=rep1&type=pdf

Martinez, Y., Flagg, A. (2017). Puerto Rico puts its prisons near flood zones. *The Marshall Project*. Retrieved from https://www.themarshallproject.org/2017/09/21/puerto-rico-puts-its-prisons-in-flood-zones

Osborne, N. (2015). Intersectionality and kyriarchy: A framework for approaching power and social justice in planning and climate change adaption. *Planning Theory, 14*(2), 130-151. DOI: 10.1177/1473095213516443

Prison Policy Initiative. (n.d). *Louisiana profile*. Retrieved from https://www.prisonpolicy.org/profiles/LA.html

Rinaldi, A. (2012). Why was Rikers Island left out of the evacuation plan for Hurricane Sandy. *NYU Local*. Retrieved from https://nyulocal.com/why-was-rikers-island-left-out-of-the-evacuation-plan-for-hurricane-sandy-146a9e162c4b

The Grio. (2010). *NAACP: What we want to see from BP*. Retrieved from https://thegrio.com/2010/07/09/naacp-what-we-want-to-see-with-bp/

The National Academies. (2004). Dietary Reference Intakes for Water, Potassium, Sodium, Chloride, and Sulfate. Retrieved from

http://www.nationalacademies.org/hmd/~/media/Files/Activity%20Files/Nutrition/DRITables/9 Electrolytes Water%20Summary.pdf

United Nations Human Rights (UNHR). (N.d.). Key messages on human rights and climate change. Retrieved from https://www.ohchr.org/Documents/Issues/ClimateChange/KeyMessages on HR CC.pdf

Vogel, C. (2008). A prison cover-up during Hurricane Rita. *Houston Press*. Retrieved from https://www.houstonpress.com/news/a-prison-cover-up-during-hurricane-rita-6575872

Washington, J. (2016). When prisons are toxic to both humanity and the environment. *In These Times*. Retrieved from http://inthesetimes.com/article/19264/coal-and-unusual-punishment

Whitehouse, M. R. (2017). Modern prison labor: A reemergence of convict leasing under the guise of rehabilitation and private enterprises. *Loyola Journal of Public Interest, 18*(1), 89+. Retrieved from https://heinonline.org/HOL/LandingPage?handle=hein.journals/loyjpubil18&div=8&id=&page="https://heinonline.org/HOL/LandingPage">https://heinonline.org/HOL/LandingPage?handle=hein.journals/loyjpubil18&div=8&id=&page="https://heinonline.org/HOL/LandingPage">https://heinonline.org/HOL/LandingPage?handle=hein.journals/loyjpubil18&div=8&id=&page="https://heinonline.org/HOL/LandingPage">https://heinonline.org/HOL/LandingPage?handle=hein.journals/loyjpubil18&div=8&id=&page="https://heinonline.org/HOL/LandingPage">https://heinonline.org/HOL/LandingPage=heinonline.org/HOL/LandingPage=heinonline.org/HOL/LandingPage=heinonline.org/HOL/LandingPage=heinon

Young, A. L. (2010). BP hires prison labor to clean up spill while coastal residents struggle. *The Nation*. Retrieved from https://www.thenation.com/article/bp-hires-prison-labor-clean-spill-while-coastal-residents-struggle/

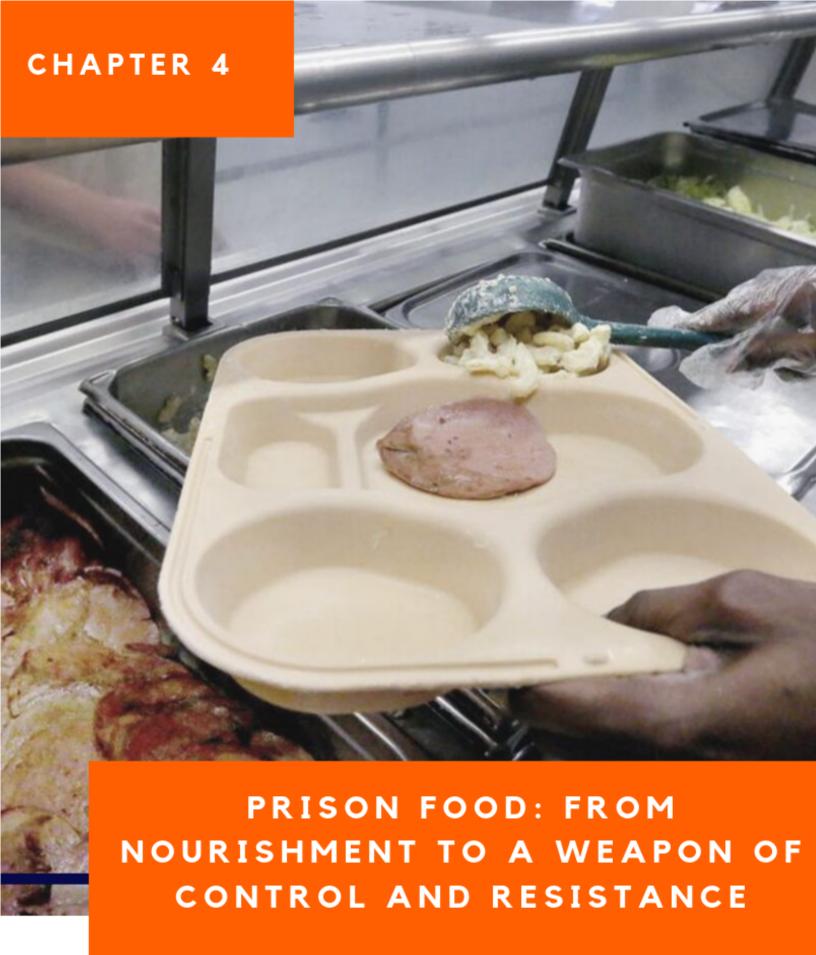


PHOTO BY: BRAD NETTELS AT POST AND COURIES

BY MICHAELA A. AUSTIN

Prison Food: From Nourishment to a Weapon of Control and Resistance

Michaela A. Austin

Environmental justice activists and scholars have generally acknowledged food as a fundamental human right, and the denial of this right as a civil rights violation (Global Environmental Justice Project, 2018). As first defined by Dr. Robert Bullard, environmental injustice is a term used to describe widespread environmental threats that affect communities of color and low-income populations differently and disproportionately. Many incarcerated persons are especially vulnerable to this inequity due to their intersecting identities as criminalized, low-income, people of color. Food injustice in prisons and jails is an environmental justice concern because the very same populations facing disproportionate environmental and climate threats are also experiencing inequitable access to and participation in the consumption of healthy, nutritious, affordable, culturally appropriate, and ecologically sustainable foods. As a result, inmates' risk of undernourishment and poor health is heightened due to 1) their sole reliance on the food that correctional facilities offer, and 2) the increasing budget constraints placed on prisons by state authorities. The outcomes of this power dynamic have been well-documented through reports of unappetizing, unsanitary and unhealthy food being served within the prison system. These reports describe prison food through two primary lenses 1) as a tool of coercion, control, and punishment and 2) as a tool of resistance. Together, the narratives reveal the ways in which the prison industrial complex has transformed food from nourishment to a weapon, systematically degrading the health of predominantly low-income, people of color.

The understanding of prison food as a tool of coercion, control, and punishment is rooted in the frequent reporting of institutional meals as spoiled, contaminated, cold, served in meager portions, and overall of poor quality (Zoukis, 2015; Durisin, 2012; Pyke, 2014). As the agents with decision-making power, prison officials are entrusted with the duty of providing inmates with nourishing, adequate food, and this trust is broken when substandard food is served. "Faced with smaller portions, reduction in calories, fewer hot meals, no lunch, greater amounts of processed food, more soy and less meat... prisoners likely will view cost-cutting as mistreatment —a kind of

retribution and hence, punishment through food" (Jones, 2017). Prison officials ultimately mandate the poor-quality food being served to inmates, and whether with intention or indifference, endanger inmates' health as a result. Incarcerated persons endure disproportionate levels of health burdens, including incidents of foodborne illnesses more than six times the rate of nonincarcerated persons (Marlow, Luna-Gierke, Griffin & Vieira, 2017). Additionally, 44 percent of jail and prison inmates have experienced chronic illnesses such as hypertension, cardiac disease, diabetes, kidney problems, cancer, and hepatitis, (Maruschak, Berzofsky, Unangst, 2016; Binswanger, Krueger, Steiner, 2009), illnesses that by and large have been shown to be manageable through healthy diets (HHS & USDA, 2015). Health professionals, journalists, scholars, NGOs, and internal investigators have extensively documented the complex inadequacies of prison food, yet prison officials continually overlook their responsibility to provide inmates with nutritionally adequate food.

Mirroring this weaponization of food, inmates have participated in hunger strikes to resist the abusive food practices inflicted on their bodies by the prison system. In "Eating Behind Bars: On Punishment, Resistance, and Applied Folkloristics," Jones summarizes this unparalleled form of resistance: "to regain control over their bodies, they engage in violence against themselves by going hungry..." (Jones, 2017). Unable to trust prison officials to provide them with adequate sustenance, inmates are forced to take extreme measures in an effort to garner the attention of the free world, and advocate for improved conditions. For example, in Del Norte County, California, inmates at Pelican Bay State Prison participated in a mass hunger strike in 2011, demanding that officials "cease the practice of denying adequate food, and provide wholesome nutritious meals including special diet meals, and allow inmates to purchase additional vitamin supplements." In 2018, inmates at Walla Walla State Prison (in Washington State) partook in a 5-day hunger strike protesting the highly processed, poor quality and low nutritional content of their food. While these acts of resistance often do catch the fleeting attention of mass media and the general public, conditions often remain stagnant due to the powerful partnerships that value profit over people's health. Further, the weaponization of food is perpetuated by the power dynamics among correctional officers, private companies, and inmates. These three key players each have complex relationships to food in this system, rooted in the following primary differences: 1) Prison officials manage overcrowded populations and must respond to increasing pressure to reduce costs, 2) Private companies have a

tremendous stake in the perpetuation of mass incarceration due to the significant profitability of the system, and 3) inmates are forced to endure the consequences of pairing corrections with profit due to their restricted agency. The need for prisons to reduce costs, and private companies' skill for cost containment has solidified the partners' mutually beneficial relationship. In order to optimize their financial objectives, the provision of food is guided by a system that prioritizes monetary gain over nutritional value. As Alex Friedmann, Associate Director of the Human Rights Defense Center and managing editor of *Prison Legal News* summarizes, "[Privatization] doesn't work because the goal is not to provide adequate food, nutrition, or the constitutional minimum of nutrition. The goal is to make money. There are only so many ways to generate profit. One way is to provide less food or less quality food." The consequence of privatizing food services is that food is positioned in direct opposition of nutrition and health, and has become merely a budget line targeted for reduction. For example, in 2008, the Michigan Office of the Auditor General instructed the Michigan Department of Corrections (MDOC) to consider additional ways of reducing prisoner meal costs, including hiring a private food service contractor, a decision that resulted in a scandal wherein the Aramark Corporation was documented serving inmates grossly unhealthy, inadequate, and contaminated food--a prime example of the inherent violence of privatizing food services (McTavish, 2008).

In order to sustain the cost-cutting strategies pervasive within food services, prison officials routinely rationalize the practice of feeding inmates poor quality food. In response to a hunger strike at Maricopa County jails in Arizona, Sheriff Paul Penzone stated, "Meeting the needs of this county as it relates to public safety and detention is 1-A for me. Then, there's a long list of many other things that are important and then down here at the very bottom are whether or not the detainees are happy with the taste of the food they receive" (Carbajal, 2017). In response to inmate complaints within South Carolina Department of Corrections facilities, DOC Director Bryan Stirling said, "We are constrained by the budget, so we try to do as much as we can with as little as we can" (Raskin, 2016). Keshia Guyll, with Benton County Sheriffs, stated, "It's food... would I want to eat it? Probably not. But, you know, it's a jail, they are here for a reason" (Zoukis, 2016). By projecting the blame of inadequate food onto inmates themselves, budget constraints, or other priorities, prison officials dismiss their responsibility for maintaining inmates' health and safety.

The root of prison food injustices is in the commodification of food, the act of attaching monetary gain to food that effectively supersedes its function as nourishment and health. This root issue is often overlooked by surface level discussions that target particularly neglectful companies, sensational instances of substandard food, or the ongoing private prisons versus public prison debate. While successes such as the passage of AB32 (the California bill prohibiting the Department of Corrections from entering into or renewing contracts with private, for-profit prisons signal significant progress and should be celebrated), we cannot ignore how deeply entrenched corporations are within the prison system. Prisons officials are still tasked with the cost containment of overcrowded populations, private companies continue to have a tremendous stake in the perpetuation of mass incarceration, and inmates' voices are still stifled by the interests of corporations and the prison industry. With regard to food services specifically, the key corporate stakeholders are: ALI Group, Aramark, Compass Group, the Elior Group, Keefe Group, Trinity Services, Union Supply, and Sodexo. This small group of corporations exercise extraordinary control over the food, care packages, commissaries, kitchen equipment and vending machines in many prisons throughout the United States (Corrections Accountability Project, 2018). As activists, scholars, and members of the general public, it is our responsibility to continue following the trail of money and power that perpetuates mass incarceration. The rampant food injustices within prisons reveal the widespread consequences of commodifying and weaponizing a fundamental human right. In order to disrupt the unchecked partnership between corporations and prisons that characterizes the prison industrial complex, we must reaffirm the right all human beings have to clean water, nourishing food, and equal opportunity to health and longevity.

References

Binswanger, A. Krueger, P. M. Steiner, J. F. (2009). Prevalence of chronic medical conditions among jail and prison inmates in the USA compared with the general population. *Journal of Epidemiology and Community Health*, 63(11) pp. 912-919 https://www.jstor.org/stable/20721088

Carbajal, L. (2017). Penzone says Maricopa County jail meals are sufficient, offers a taste to media. AZCentral. Retrieved from

https://www.azcentral.com/story/news/local/phoenix/2017/11/01/penzone-says-maricopa-county-jail-meals-sufficient-offers-taste-media/822402001/

Corrections Accountability Project. (2018) The Prison Industrial Complex: Mapping Private Sector Players. Worth Rises. retrieved from https://static1.squarespace.com/static/58e127cb1b10e31ed45b20f4/t/5ade0281f950b7ab293c86a6/15 24499083424/The+Prison+Industrial+Complex+-+Mapping+Private+Sector+Players+%28April+2018%29.pdf

Durisin, M. (2012). April inspection documented 21 health code violations at Kent County Jail. MLive. Retrieved from https://www.mlive.com/news/grand-rapids/index.ssf/2012/07/april_inspection_documents_21.html.

Global Environmental Justice Project (2018). Environmental Injustice Behind Bars: Toxic Imprisonment in America. Annual Report. Retrieved from https://gejp.es.ucsb.edu/sites/secure.lsit.ucsb.edu.envs.d7_gejp-2/files/sitefiles/publication/GEJP%20Annual%20Report%202018.pdf

Jones, M. (2017). Eating Behind Bars: On Punishment, Resistance, and Applied Folkloristics.

Journal of American Folklore 130(515)72-1-8. Retrieved from https://www.jstor.org/stable/10.5406/jamerfolk.130.515.0072?seq=1#page_scan_tab_con tents

Mariel A. Marlow, Ruth E. Luna-Gierke, Patricia M. Griffin, and Antonio R. Vieira, 2017: Foodborne Disease Outbreaks in Correctional Institutions—United States, 1998–2014 American Journal of Public Health, 107, 1150-1156, Retrieved from https://doi.org/10.2105/AJPH.2017.303816

Maruschak, L. M., Berzofsky, M., Unangst, J. (2015). Medical Problems of State and Federal Prisoners and Jail Inmates, 2011–12. U.S. Department of Justice. Retrieved from https://www.bjs.gov/content/pub/pdf/mpsfpji1112.pdf

Pyke, A. (2014). Private Contractor For Michigan Prisons Repeatedly Failed To Give Inmates Enough Food. Think Progress. Retrieved from https://thinkprogress.org/private-contractor-for-michigan-prisons-repeatedly-failed-to-give-inmates-enough-food-24ea5d7b19fb/

Raskin, H. (2016). Feeding the prison system: Some inmates buy way around 'institutional cooking'. The Post and Courier. Retrieved from https://www.postandcourier.com/food/feeding-the-prison-system-some-inmates-buy-way-around-institutional/article_34755b6a-ab43-11e6-9077-5b2ef518ef63.html

U.S. Department of Health and Human Services (HHS) and U.S. Department of Agriculture (USDA). (2015). 2015-2020 Dietary Guidelines for Americans. 8th Edition. Retrieved from https://health.gov/dietaryguidelines/2015/guidelines/.

Zoukis, C. (2015). Aramark's Correctional Food Services: Meals, Maggots and Misconduct. Prison Legal News. Retrieved from https://www.prisonlegalnews.org/news/2015/dec/2/aramarks-correctional-food-services-meals-maggots-and-misconduct/

Zoukis, C. (2016). Arkansas Jail Finally Begins Serving Hot Meals. Prison Legal News. https://www.prisonlegalnews.org/news/2016/aug/10/arkansas-jail-finally-begins-serving-hot-meals