The Prison Industrial Complex: A Microcosm of Environmental Justice As A Human Rights Issue

Isabella Brusco
Scripps College

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THE PRISON INDUSTRIAL COMPLEX: A MICROCOSM OF ENVIRONMENTAL JUSTICE AS A HUMAN RIGHTS ISSUE

ISABELLA BRUSCO

SUBMITTED TO SCRIPPS COLLEGE IN PARTIAL FULFILLMENT OF THE DEGREE OF BACHELOR OF ARTS IN ENVIRONMENTAL ANALYSIS

PROFESSOR KIMBERLY DRAKE
PROFESSOR SUSAN PHILLIPS

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Abstract

Many scholars have established a connection between Environmental Justice (EJ) and the Prison Industrial Complex (PIC), EJ and human rights, and the PIC and human rights. The aim of this thesis is to encourage a conversation that connects these three concepts: EJ, the PIC, and human rights. This will be accomplished by scrutinizing a legal case called Rutherford v. Luna, in which American Civil Liberties Union (ACLU) lawyers contend that individuals incarcerated in the inmate reception center of Los Angeles County are enduring inhumane conditions. I employ this case as an example of the PIC, illustrating that the PIC represents EJ as a human rights concern. Furthermore, this thesis seeks to extend the discussion on prison reform vs prison abolition. To achieve this goal, I will demonstrate how the Rutherford v. Luna case proposes reformist solutions, and I will present insights from interviews with experienced prison abolitionists, including two formerly incarcerated individuals, who will share their knowledge and experience as abolitionists.
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Glossary of Key Words and Concepts

Please find below terminology that will be used throughout this paper.

**Prison Industrial Complex (PIC):** This term refers to the interplay between private companies, government, and the prison system, which is fueled by policies and practices that result in the increased incarceration of individuals. It encompasses a range of institutions and actors, including but not limited to prisons, prison labor, mental institutions, hospitals, law enforcement agencies, and the justice system as a whole. Critics of the prison industrial complex argue that it prioritizes profits over rehabilitation, perpetuates racial and social inequalities, and contributes to the overcriminalization and mass incarceration of certain populations, particularly communities of color and low-income individuals.

**Environmental Justice (EJ):** the fair treatment and meaningful involvement of all people, regardless of their race, ethnicity, income, or any other social factor, in the development, implementation, and enforcement of environmental policies and regulations, and the promotion of equal access to environmental benefits while preventing the unequal distribution of environmental harms.

**PIC Abolition:** the movement and philosophy that seeks to dismantle the interplay between private companies, government, and the prison system that results in the increased incarceration of individuals, and to replace it with alternative systems of justice and rehabilitation. This movement seeks to eliminate prisons, prison labor, and other practices that prioritize profits over rehabilitation, perpetuate social inequalities, and contribute to the overcriminalization and mass incarceration of certain populations, particularly communities of color and low-income individuals. Instead, the abolitionist approach emphasizes the development of community-led initiatives, social services, and alternative forms of justice, including restorative justice, to address the root causes of crime and create safer and more just communities.
Carceral Settings: Carceral settings refer to physical locations where individuals are held in custody or confinement as punishment for a crime. This includes, but is not limited to, correctional facilities, such as prisons, jails, and detention centers. These settings are typically designed to restrict the movements and freedoms of the incarcerated individuals, often with the use of physical barriers such as walls, fences, or bars.

Shadow Prisons: refers to detention facilities or prisons that are operated outside of the formal prison system, often without proper oversight or accountability. In some cases, shadow prisons may be run by private companies, government agencies, or non-state actors, and may be used to detain individuals who have not been formally charged or convicted of a crime. Shadow prisons may also be used to house individuals who have been subjected to extraordinary rendition or other forms of extrajudicial detention, and may be located in secret or undisclosed locations. The use of shadow prisons is often criticized for its lack of transparency, due process, and accountability, and for its potential to violate human rights and contribute to the perpetuation of systemic injustices.
Declarations from Incarcerated Persons

“We are treated like animals. When I need to go to the bathroom and we are out of paper, we ask for paper, but they won’t bring it for hours. I did a 37 year prison sentence. This is worse. It’s filthy. People shouldn’t live like this.”
- Lester Evans, Incarcerated in Inmate Reception Center, Los Angeles County

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“I am housed in 162 pod in TTCF. It is filthy here. There is feces on the walls. I try to keep my cell clean but they do not give me gloves. The toilet was caked up with shit when I got to my cell and I ha[d] to use a bread wrapper and pair of boxers to clean it up. There was also food and maybe shit on the light fixture. There are also bugs and gnats all over. I wake up in a cold sweat and bugs on my face.”
- Reggie Candler, Incarcerated in Twin Towers Correctional Facility, Los Angeles County

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“After 4 days, I was transferred to my current cell in TTCF 171 B2. This cell is very dirty, toilet leaks, smells, it is moldy. I feel my skin drying out from [the] smell. I have not been given a shower or had access to a shower for about a week.”
- Jaime Alfaro, Incarcerated in Twin Towers Correctional Facility, Los Angeles County

2 Ibid.
3 Ibid.
Chapter One: Introduction

Environmental injustices within the prison industrial complex (PIC) highlight how the denial of a healthy and sustainable environment disproportionately affects marginalized communities, emphasizing the urgent need to address this issue as a human rights concern. This thesis centers carceral settings, rather than policing, surveillance, sentencing, or other facets of the PIC, as a way of exemplifying one conduit through which the PIC and environmental justice (EJ) are indivisibly intertwined. Additionally, this paper maintains a geographic emphasis on the United States, with a particular focus on California and Los Angeles. Bearing this in mind, this thesis represents a single chapter in a much-needed, longer look at how the PIC shows EJ as a human rights issue.

Background

The introductory part of this section provides a comprehensive account of the emergence and evolution of the EJ Movement and the PIC in the United States. Subsequently, it delves into the historical progression of incarceration facilities, particularly prisons and jails, across the United States, and more specifically, in California. Data regarding the current demographics of the United States and California prison and jail populations is included. Finally, to provide specific context for my thesis, some current statistics on jails in Los Angeles County is presented, as Chapter 2 will focus on a case study involving the Los Angeles County jail system.

Environmental Justice

Many EJ scholars and advocates refer to the Warren County, North Carolina protests as the origin of the EJ movement. In 1982, a predominately African American community was designated to host a polychlorinated biphenyl (PCB) landfill. In response, the National Association for the Advancement of Colored People (NAACP) and others staged a massive
protest. As a result of this collective action, national attention was gained, subsequent EJ groups formed, and studies were launched. Although the Warren County protest ultimately failed to prevent the placement of the disposal site, it successfully birthed the EJ movement.4

In 1987, *Toxic Waste and Race in the United States*, a study conducted by the United Church of Christ (UCC) Commission for Racial Justice, was the first national study to correlate toxic waste sites and demographic characteristics. This study concluded that race was the leading factor in determining the siting of toxic waste facilities across the United States.5 Another crucial literary piece for the emergence of EJ was *Dumping in Dixie: Race, Class and Environmental Quality* by Robert Bullard. This book portrayed the intersection of social justice and environmental movements.6 Robert Bullard framed EJ as the remedy for environmental racism when he defined EJ as, “the principle that all people and communities are entitled to equal protection of environmental and public health laws and regulations.”7 Benjamin Chavis, the executive director of UCC, defined environmental racism as:

[R]acial discrimination in environmental policy making, the enforcement of regulations and laws, the deliberate targeting of communities of color for toxic waste facilities, the official sanctioning of the life-threatening presence of poisons and pollutants in our communities, and the history of excluding people of color from leadership of the ecology movements.8

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5 Ibid.
8 Ibid.
In 1991, First National People of Color Environmental Leadership Summit was born, expanding the EJ movement beyond toxic waste to include issues of “public health, worker safety, land use, transportation, housing, resource allocation, and community empowerment.” In 1999, during an interview, Bullard recognized how pervasive EJ needs to be when he said:

The environment is everything: where we live, work, play, go to school, as well as the physical and natural world. And so we can’t separate the physical environment from the cultural environment. We have to talk about making sure that justice is integrated throughout all of the stuff that we do.

Since that time, environmental justice has grown into an enormous field of concern about disproportionate impact, which is exacerbated by climate change.

**Prison Industrial Complex**

Upon observing that the California penal system was competing with agribusiness and land development to be a major economic and political force during the 1990’s, social historian Mike Davis used the term ‘Prison Industrial Complex’ in his 1995 essay “Hell Factories in the Field.” Dr. Angela Davis is another scholar who used the term ‘Prison Industrial Complex’ early on. In her 1998 article, “Masked Racism: Reflections on the Prison Industrial Complex,” Davis compares the structure of business-government linkages in military production to public punishment. With this comparison, she explained that the penal system can be labeled as the PIC. A few months later, Eric Schlosser expanded the PIC definition to also be ‘a state of mind’

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formed around a capitalist economy interlocked with the penal system.\textsuperscript{13} Later in 2012, in an interview, Dr. Ruth Gilmore also noted the parallels between the structure of the military and the criminal punishment system when she relayed the following:

The MIC (Military Industrial Complex) and PIC are very similar - you can go point by point and show the ways that they line up with each other. There’s also an actual material connection between what General Electric, for example, does with developing its products for warfare, and what it does with developing technologies for surveillance and control.\textsuperscript{14}

In 1998, Dr. Davis and Dr. Gilmore formed Critical Resistance (CR), an organization led by activists who challenge the existence of the PIC. CR defines the PIC as “a term we use to describe the overlapping interests of government and industry that use surveillance, policing, and imprisonment as solutions to economic, social and political problems.”\textsuperscript{15} Figure 1 is a helpful graphic designed by CR displaying what the PIC is and does.


Figure 1: Graphic of the Prison Industrial Complex

This concentric circle shows the many layers of the PIC and demonstrates the positive feedback loop that the PIC generates. For example, the PIC aims to respond to the problem of homelessness, yet this is also listed as a result the PIC produces. This graphic displays that this is true of everything the PIC seeks to address. This visual also shows some examples of who and what the PIC benefits (politicians, government, private prison companies, etc.) and targets (BIPOC, poor and marginalized communities, etc.) as well as what tools and forces help it persist.

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(capitalism, racism, prisons, surveillance, etc.). What is shown is in no way an exhaustive list, but merely an illustration to expose the magnitude and invasiveness of the prison industrial complex.

**Historical Evolution of Prisons and Jails Across the U.S. and California**

Although the United States makes up about 4%\(^\text{17}\) of the total world population, around 25% of the world’s prison population is in the United States.\(^\text{18}\) The population of prisons and jails in the United States has reached two million individuals, reflecting a five-fold increase over the past four decades.\(^\text{19}\) It is important to understand how these statistics became a reality. As the population grew rapidly in the 1980s, U.S. policymakers latched onto the “war on drugs” and "tough on crime"\(^\text{20}\) approaches to imprisonment as their attempted solution to deter criminal activities and ensure safer communities. However, the policy of mass imprisonment that was pursued during the Reagan era failed to make a significant impact on the recorded crime rates. Instead, it resulted in a vicious cycle where the expansion of prison populations only contributed to the proliferation of additional prisons needed to contain the growing rates of incarcerated individuals, with no tangible effect on community safety. The growth of the U.S. prison system resulted in a parallel rise in corporate participation in various aspects, such as prison construction, provision of goods and services, and utilization of inmate labor.\(^\text{21}\) Due to the


\(^{20}\) In her book “Are Prisons Obsolete?,” Angela Davis describes “tough on crime” approaches to imprisonment to include mandatory incarceration and lengthier prison terms.

massive influx of capital into the prison industry, similar to the rise of the military industrial complex, the term "prison industrial complex" came to fruition.22

In terms of the current number of carceral settings in the United States, this nation has thousands of “criminal justice systems” operating at the federal, state, local, and tribal levels. Collectively, these systems house nearly two million individuals across a wide range of facilities, including 1,566 state prisons,23 102 federal prisons,24 2,850 local jails,25 1,510 juvenile correctional facilities,26 and 186 immigration detention centers. Additionally, there are military prisons, civil commitment centers, state psychiatric hospitals, and prisons in U.S. territories that also hold individuals.27

Regarding California’s prison expansion history, San Quentin State Prison was the first state prison established, inaugurated in 1852, followed by Folsom State Prison in 1880. For over five decades, from 1880 to 1933, there was no construction of new prisons until the opening of Tehachapi, a facility for women. In total, nine prisons were constructed in California from 1852 to 1955 and three additional camps and centers were established between 1962-65. However, during the following 15 years, no new correctional facilities were established.28

That stagnation wouldn’t last. Due to the massive prison construction project that commenced in the 1980’s during the Reagan presidency, nine more prisons were opened. It took over a century to construct the first nine prisons until this number was doubled in less than a decade. 12 new prisons were opened during the 1990s, which included two additional facilities for women – including the opening of Valley State Prison for Women in 1995, which provided nearly 2,000 beds for the state's overcrowded prison system. By 2002, the prison population had surged to over 3,500 and the other two women's prisons were similarly overcrowded.

Women now make up almost one out of every four jail admissions, up from fewer than one in 10 in 1983. Since 1970, the number of women in U.S. jails has increased 14-fold—from fewer than 8,000 to nearly 110,000 in 2013—and today, women in jail now account for approximately half of all women behind bars in the country. Overall, since 1980, there has been a 210% increase in the number of women incarcerated in jails, and a 433% increase in the number of women imprisoned.

The racial composition of the prison population in California is notable. Although Black people make up only 6% of the state's population, they represent 20% of those incarcerated in jail. African American men are imprisoned at a rate of 4,236 per 100,000 people, which is 10 times higher than the imprisonment rate for white men at 422 per 100,000. The imprisonment rate for Latino men is 1,016 per 100,000, and for men of other races, it is 314. African American women are also disproportionately represented in California prisons. Although they make up only 5.7% of the state's adult female residents, 25.9% of the state's 5,849 female prisoners are African American. The imprisonment rate for African American women is 171 per 100,000, over

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30 Ibid.
five times higher than the rate for white women at 30 per 100,000. The imprisonment rates for Latino women and women of other races are 38 and 14 per 100,000, respectively.\(^{31}\)

Shifting focus to statistics pertaining to Los Angeles, the Los Angeles County jail system is the largest out of the 3,096 county jail jurisdictions within the United States. Due to the county's large population, its jail system incarcerates more individuals than any of the 37 U.S. states.\(^{32}\) In 2019, the Bureau of Justice Statistics reported that Los Angeles County jails held approximately 2% of all county jail inmates in the United States.\(^{33}\) The average daily inmate population within Los Angeles County's jail system was 14,577 in 2021. This number has decreased from over 17,000 prior to 2020, as a result of efforts to reduce the incarcerated population during the COVID-19 pandemic in 2020. In the last quarter of 2021, the racial makeup of Los Angeles County's jail population was 54% Hispanic, 29% African American, and 13% White, with Asians and American Indians making up less than 1% each. Notably, African Americans were disproportionately represented in the jail population, as they make up only about 8% of the county's overall population. This overrepresentation of African Americans in the jail population is not unique to Los Angeles County and can be observed in jails across the United States.\(^{34}\)

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34 “Los Angeles County Jail System By the Numbers.” Los Angeles Almanac, 2021. https://www.laalmanac.com/crime/cr25b.php#:~:text=In%202021%2C%20Los%20Angeles%20County,Of%20these%2C%20were%20female.
Literature Review

This literature review presents the discourse surrounding prison reform versus prison abolition followed by an examination of the existing literature connecting the PIC, particularly carceral settings, to environmental justice. The views of leading figures in PIC abolition and EJ, such as Angela Davis, Ruth Wilson Gilmore, David Pellow, and Robert Bullard are consolidated. Furthermore, arguments from authors who support or oppose these prominent scholars are incorporated to analyze the scope of analysis and engagement on these topics. Moreover, the presented literature explores the intersection of human rights and the PIC, as well as the intersection of EJ and human rights. To integrate scholarly discourse and academic research on responses to the PIC, along with the intersection of EJ with both the PIC and human rights and human rights with the PIC, this literature review includes various sources, including published articles in reports, journals, and sections of larger books.

Prison Reform Versus Prison Abolition

Before delving into the controversial question among scholars of whether to reform or abolish prisons, we must address the lack of consensus among scholars who endorse prison abolition regarding the specific definition of this concept. For instance, Rick Suave categorizes scholars' perspectives on prison abolition into the following two groups. One perspective acknowledges the potential necessity of prisons, but argues that our society incarcerates an excessive amount of individuals. Suave claims that another viewpoint suggests that we should eliminate all prisons and seek out alternative methods of addressing those who have been criminalized. Most scholars who support abolitionist principles would argue that the second perspective is the only viable approach. Suave's belief that prisons are a necessary evil is not consistent with the principles of most abolitionist scholars. Angela Davis, widely regarded as a
leading abolitionist, clarifies that abolitionists are actively exploring new avenues of justice that do not rely on prisons as a cornerstone. Consequently, she and other abolitionist scholars would contend that despite Suave's beliefs, his stance aligns more closely with reformist principles.

Regardless of whether Suave is a reformist or abolitionist, he is one of many who suggests that those who agree with the second perspective, who he labels “total abolitionists,” have unrealistic expectations. While many individuals may consider that developing alternatives better than the PIC is impractical and unattainable, major abolitionist scholars, including but not limited to Davis and Ruth Wilson Gilmore strongly oppose this mindset. Davis points out that prisons were themselves an innovation meant to improve upon an earlier system—that being corporal punishment. In the aftermath of the Enlightenment, European reformers moved away from corporal punishment toward individual sentences with a predetermined duration of imprisonment. Thus, this 19th century penitentiary system adopted by the United States and England became the reform for corporal punishment. Paradoxically, the carceral system was originally perceived as a more compassionate method of punishment. However, since the spike in imprisonment rates during the 1980s, there has been a resurgence of calls for reform due to the failure of prisons to effectively rehabilitate individuals and their blatant infringement on human rights. However, since these reforms have proven ineffective, instead of attempting to repair the existing carceral system, abolitionist scholars such as Gilmore have directed their attention towards policy efforts to decrease its scale and impact. Gilmore aims to achieve this by preventing the construction of new prisons and gradually closing down

37 Corporal punishment is the act of causing physical suffering to an individual's body as a penalty for committing a crime or violating a rule, such as being burned alive or death by hanging.
correctional facilities one at a time through arduous community organizing and advocacy, while pushing for state funding to benefit rather than penalize marginalized populations.38

Another reason scholars propose to debunk the conception that it is not feasible or achievable to abolish prisons, is by referencing the abolition of slavery. Davis brings up slavery, lynching, and segregation as examples from history that involved attempts to dismantle racist institutions. She does this because they are highly relevant to our conversation about prisons and the abolition of prisons. Davis explains that slavery, lynching, and segregation developed such a resolute ideological quality that most people could not imagine their decline and downfall. Akin to prison, these were undoubtedly convincing demonstrations of social institutions that were once believed to be as enduring as the sun. Thus, if we were able to abolish these social institutions, then we are more than capable of abolishing the PIC.39

While some intellectuals advocate for prison reform as the most effective solution to address the current inadequacies of the criminal justice system, others argue in favor of abolition as the better approach. Moreover, although some scholars share Suave's perspective that ‘total abolition’ is not a practical solution, numerous reputable academics including but not limited to Mariame Kaba, Davis, and Gilmore provide explanations for the feasibility of prison abolition.

*The Intersection Between Environmental Justice and Carceral Settings*

As of the early 2000s, scholarship correlating environmental hazards with the use of prison lands was non-existent.40 In 2019, Pellow reframed environmental injustice as

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criminalisation. In his journal article, “Struggles for Environmental Justice in US Prisons and Jails,” through the consideration of different struggles both within and outside of the carceral system, he invites readers to rethink EJ as abolition ecology and critical environmental justice. He also explores the implications of thinking of environmental injustice as state-sanctioned violence against colored communities.41

A report called “Environmental Justice, Health, and Carceral Facilities” consisting of data gathered from an array of scholars and advocates42 highlighted various EJ issues facing carceral institutions, such as inadequate access to clean water and sanitation, lack of nutritious food, energy insecurity, and the environmental impacts of climate change, including extreme heat and cold events, unhealthy housing conditions, proximity of facilities to toxic sites, and exposure to harmful chemicals during labor.43

The construction and maintenance of prisons, production of goods and materials used inside prisons, and cheap prison labor are all ways in which mass incarceration has increased fossil fuel emissions. The official journal of the Southern Sociological Society, Social Currents, published a report called “Locked into Emissions: How Mass Incarceration Contributes to Climate Change” which used fixed-effects panel regression models with robust standard errors in order to predict industrial emissions from 1997 to 2016. This study illustrated a positive correlation between the number of prisoners and fossil fuel emissions, demonstrating that as the

number of incarcerated folks increased throughout the years, so did the emissions of fossil fuels.\textsuperscript{44}

David Pellow, Harrison Ashby, and Jasmine Vazin conducted a study in 2020 focusing on juvenile detention centers in the western United States and determining their proximity to hazardous waste (Superfund) sites. Through the use of Aeronautical Reconnaissance Coverage Geographic Information System (ArcGIS), 49 out of 167 juvenile centers were found within five miles of a hazardous waste fund and four within one mile of a Superfund site. Although this proximity is proportional to the general population, because juveniles are unable to choose where they are imprisoned, this is an environmental injustice. Within juvenile detention centers, a disproportionate amount of youth of color, LGBTQ+, and disabled youth are suffering exposure to health risks associated with proximity to toxic waste sites.\textsuperscript{45} Building prisons near or on toxic waste sites, and overcrowdedness are just a few environmental hazards prisons pose.

Over the past 10 years, a small group of environmental scholars have started examining the correlation between environmental and climatic hazards and correctional facilities in the United States.\textsuperscript{46} Studies have discovered that correctional facilities such as prisons, jails, juvenile detention centers, and immigrant detention centers frequently experience issues with water contamination, exposure to hazardous waste, and food insecurity.\textsuperscript{47} Moreover, this research has started to uncover patterns indicating that climate change effects, such as extreme heat and cold,


\textsuperscript{46} Gribble, Emily, and David Pellow. “Climate Change and Incarcerated Populations: Confronting Environmental and Climate Injustices Behind Bars.” The Fordham Law Archive of Scholarship and History. Fordham University, 2022. https://ir.lawnet.fordham.edu/ulj/vol49/iss2/2/.

flooding, and wildfire exposure, disproportionately affect prisoners and other incarcerated individuals, thus showing how the interlinkage between environmental injustices and carceral settings. Additionally, mass incarceration in the United States is significantly linked to greenhouse gas emissions.\textsuperscript{48} One of the most prominent instances of how climate change worsens environmental hazards for prisoners in the United States is Texas’ infamous Hurricane Harvey in 2017. Incarcerated individuals at the Federal Correctional Institution in Beaumont were put on lockdown and not evacuated, despite the heavy rainstorm.\textsuperscript{49} The storm resulted in 35 inches of rainfall and widespread flooding, leading to a hazardous mixture of pollutants from neighboring petrochemical plants. This included a significant sulfur dioxide leak—13,000 pounds to be exact—from an Exxon refinery.\textsuperscript{50} As the temperature approached 100 degrees, correctional facility personnel turned off the water system due to visible contamination. This led to dehydration for a large number of prisoners.\textsuperscript{51}

Another example is presented by Emily Gribble and David Pellow who interviewed a Fayette State Correctional Institution (SCI) prisoner, Richard Moseley. This incarcerated individual had been imprisoned in SCI Fayette, a prison built upon a Coal Refuse Deposit Area bordering a coal ash dump, for several years and reported that upon his arrival at the prison, he was in excellent health, physically fit, and did not smoke. Due to the toxic chemicals contained


in coal ash, within one week of his arrival, he suffered significant health issues, including nosebleeds, breathing difficulties, and severe sickness, as well as other respiratory problems. He thought he might die.\textsuperscript{52} As a result, Gribble, Pellow, and Waters observed the convergence of both the micro and macro aspects of climate change, given that Mr. Moseley's physical health was adversely impacted by the same factor that is the primary cause of climate change on a global scale – CO$_2$.\textsuperscript{53} Regarding the consequences of human-caused climate change on incarcerated communities, these examples are only a few of many instances that demonstrate how incarcerated populations are disproportionately affected by the dangers associated with climate change-related incidents in the United States. These include flooding influenced by climate change and the consequences of fossil fuel production on incarcerated individuals, as well as the emergence of temperature extremes that can jeopardize health and even life in correctional facilities.

Laurie Levenson raises concern about the criminal justice system’s exclusion from the discourse on tackling climate change. Levenson highlights the notion that climate change not only amplifies environmental hazards faced by incarcerated individuals, but also raises the quantity of incarcerated individuals as its exacerbation induces eco-migration which increases the probability of immigration offenses. Additionally climate change elicits higher rates of fraud, national security breaches, and criminal activities committed during severe weather events. Moreover, crimes originating from disinformation campaigns or neglectful disregard for the consequences of climate change may also emerge.\textsuperscript{54} Thus, scholars attentive to the fact that

\textsuperscript{52} Gribble, Emily, and David Pellow. “Climate Change and Incarcerated Populations: Confronting Environmental and Climate Injustices Behind Bars.” The Fordham Law Archive of Scholarship and History. Fordham University, 2022. https://ir.lawnet.fordham.edu/ulj/vol49/iss2/2/.

\textsuperscript{53} Ibid.

climate change will continue to raise the level of incarceration and will continue to pose increased environmental risks within prisons, urge for the abolition of the PIC in order to achieve environmental justice.

Some environmentalists with a reformist approach suggest an alternative viewpoint that considers the intersection of EJ and carceral environments. According to them, correctional facilities can offer environmental advantages to inmates. One example is Norwegian prisons prioritize spending time outdoors with nature. They have many trees and native plants in the outdoor spaces provided for inmates. Unfortunately, this is not a feasible option for prisoners in the United States since the soil in areas near most correctional facilities, contaminated with hazardous waste, does not support the growth of trees and other native plants. Hannah Graham and Rob White have coined the term ‘greening justice.’ They define this as “encompass[ing] a variety of initiatives and actions within criminal justice which advance a more sustainable relationship between humans and the environment.” They argue that with ‘green’ initiatives, there can be a ‘greening’ of prisons, policing, courts, and other aspects of the PIC. Sustainability in Prisons Project (SPP) in the United States provides principal examples of the ‘greening’ of prisons. Some projects SPP participants implemented in the Cedar Creek Corrections Centre of Washington State include, but are not limited to, a garden and greenhouse situated inside the correctional facility, offering fresh and natural produce as well as an in-house apiary that yields both honey for consumption and beeswax for the production of natural hand lotion.

Some intellectuals assert that these ‘greening justice’ initiatives described offer proof that criminal

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justice institutions can play a leading role in promoting eco-friendly practices and environmental conservation in several ways.\(^5^8\) Prominent academics argue that although it may appear attractive initially, prisons inherently pose environmental injustices. Merely implementing a few sustainable initiatives to make them "greener" does not eliminate their fundamental environmental injustice. Yvonne Jewkes and Moran Dominique expose prisons’ implementation of ‘green’ initiatives as merely symbolic rather than environmentally sustainable.\(^5^9\) Jewkes and Moran contend that it's possible that the penal system, rather than the environment, is being ‘sustained’ through these ‘green’ initiatives. Thus, these sustainable measures can be seen as a way to reform the Prison Industrial Complex.

**The Intersection Between Human Rights and Carceral Settings**

Many scholars have discussed carceral settings as a human rights concern. Angela Davis is a prominent activist, scholar, and author who has written extensively on the prison-industrial complex and its impact on human rights. Davis argues that the prison system perpetuates social inequality and is a tool of social control used to manage populations that have been marginalized by society.\(^6^0\) In her book "The New Jim Crow," Michelle Alexander argues that the US criminal justice system is a form of racialized social control that perpetuates racial inequality and violates basic human rights.\(^6^1\)

Moreover, Beth Richie and Rachel Herzing are scholars and activists who have written about the carceral settings as a human rights concern for many years. Richie has written


extensively on the intersection of gender, race, and incarceration. She argues that the prison system perpetuates gender-based violence and is a violation of women's human rights.62 Herzing argues that the prison system is a form of state violence that violates the human rights of those who are incarcerated.63

Furthermore, Joshua Price's book "Prison and Social Death" argues that carceral settings are a violation of human rights. He contends that the prison system creates a social death for incarcerated individuals by depriving them of their civil and social rights, including the right to vote, the right to education, and the right to work. Price also explores the impact of the prison system on families and communities, arguing that incarceration destabilizes social networks and perpetuates cycles of poverty and inequality. He further asserts that the use of incarceration as a tool of social control disproportionately affects marginalized communities, particularly communities of color. Overall, Price's book presents a critical perspective on the prison system, highlighting the ways in which it perpetuates social injustice and undermines fundamental human rights.64

Additionally, Lorna Rhodes argues in her book "Total Confinement: Madness and Reason in the Maximum Security Prison" that carceral settings are inherently inhumane due to the nature of imprisonment itself. She contends that the deprivation of liberty and the loss of control over one's own life is a fundamental aspect of incarceration, which can lead to a range of negative psychological effects such as depression, anxiety, and even psychosis. Rhodes also highlights the impact of long-term solitary confinement, which she describes as a form of torture that can cause

severe psychological harm. Overall, Rhodes argues that the dehumanizing conditions of carceral settings can have a devastating impact on the mental health and well-being of prisoners, making it difficult for them to reintegrate into society once they are released.65

Overall, these scholars and many others have pointed to the ways in which the prison system perpetuates social inequality, violates human rights, and undermines the dignity of those who are incarcerated.

The Intersection Between Environmental Justice and Human Rights

The link between EJ and human rights is well established in the literature. Environmental issues such as pollution, deforestation, and climate change can have a profound impact on individuals and communities’ enjoyment of fundamental human rights, including the right to health, the right to an adequate standard of living, and the right to life itself.66 Conversely, the protection and promotion of human rights are essential for ensuring environmental sustainability and addressing environmental challenges.67

Several studies have explored the intersection between human rights and environmental justice, highlighting the ways in which environmental degradation disproportionately affects vulnerable communities, including indigenous peoples and low-income populations. A study by Schlosberg and Carruthers found that marginalized communities in the United States, such as communities of color, experience significantly higher levels of environmental pollution and toxicity compared to affluent, predominantly white communities. This environmental inequality

is a violation of the fundamental human rights of these communities, including the right to health and the right to a healthy environment.68

Another study by Martinez-Alier emphasizes the importance of recognizing the role of indigenous peoples in protecting the environment and promoting sustainable development. Indigenous peoples have unique knowledge and practices that have been developed over generations and are critical for preserving biodiversity and maintaining ecosystem services. The violation of indigenous people’s rights, including their right to self-determination and their right to land and resources, can result in environmental degradation and loss of biodiversity.69

In addition to these studies, international human rights organizations have emphasized the link between environmental protection and human rights. The Office of the United Nations High Commissioner of Human Rights (OHCHR) recognizes that environmental degradation and pollution can have significant impacts on the realization of human rights, and that the protection and promotion of human rights are essential for ensuring environmental sustainability.70 Similarly, UNESCO has emphasized the importance of addressing environmental issues as a human rights issue and recognizes that the protection of human rights is essential for promoting environmental sustainability.71

In conclusion, the intersection of human rights and environmental justice is a critical area of research and advocacy. The literature highlights the ways in which environmental degradation disproportionately affects vulnerable communities and emphasizes the importance of recognizing


the role of indigenous peoples in protecting the environment. International human rights organizations recognize that the protection and promotion of human rights are essential for ensuring environmental sustainability.

**Methodology and Roadmap**

As demonstrated in the examination of existing literature, numerous reputable scholars have established a connection between EJ and the PIC, human rights and the PIC, and EJ and human rights. This thesis endeavors to facilitate a discussion between these three concepts: EJ, the PIC, and human rights. To achieve this, Chapter 2 explores a qualitative approach which involves analyzing a court case, known as Rutherford v. Luna in which the plaintiffs argue that incarcerated individuals endure inhumane conditions within the Los Angeles inmate reception center (IRC). This analysis demonstrates how the PIC, even in a small-scale setting such as a county IRC, represents the intersection between EJ and human rights. The analysis of this court case required synthesizing 1,000 legal documents and closely examining over two dozen personal testimony declarations provided by incarcerated individuals who had first-hand experience with the conditions in the IRC. Furthermore, photographs are incorporated to accompany the personal testimonies in order to provide a visual depiction of the conditions within the IRC. The aim of this qualitative analysis is to provide a concrete example of how EJ and human rights are intertwined within the context of the PIC. Moreover, this thesis seeks to expand on the discourse between prison reform and prison abolition by utilizing reformist solutions identified in the court case to showcase a reformist approach, while also incorporating interviews with prison abolitionists to present an abolitionist perspective.

Chapter 3 presents an analysis of these interviews. Conducting these interviews entailed engaging in hour-long discussions with three seasoned prison abolitionists. These interviews
were recorded to transcribe quotes and provide a detailed transcript of each conversation. Two of the interviewees were previously incarcerated individuals who later became distinguished scholars and prison abolitionists, and this background provided firsthand knowledge by allowing them to share their stories as survivors of the PIC. The third interviewee was another distinguished academic and self-proclaimed prison abolitionist who has been involved in activist work for several decades. Conducting these interviews provided firsthand knowledge and expertise that enriched and informed this paper.

Open-ended questions guided the conversation without influencing certain responses allowing interviewees to provide genuine and detailed answers. The primary inquiries posed during the interviews were centered around the meaning of abolition and what it means to be an abolitionist. Specifically, the interviewees were asked for their personal definitions of abolition and what it looks like in practice. These questions aimed to gain a deeper understanding of the philosophy and strategies of prison abolitionists and provide insights into the practical steps that can be taken to achieve abolition. Analyzing these interviews provides a more comprehensive perspective on the various strategies to address the systemic issues within the PIC, which can assist in informing advocacy efforts aimed at advancing justice and equity for those impacted by the system. In Chapter 4, this thesis concludes by presenting a path forward, which includes the key visions of prison abolitionists and practical steps that can be taken to achieve abolition. Additionally, information on current abolitionist organizations is provided to further equip readers with resources and opportunities to become involved in abolitionist efforts. By outlining a clear path forward, this chapter offers readers a tangible way to engage with the ideas presented throughout the thesis and take meaningful action towards dismantling the PIC and creating a more just and equitable society.
Chapter Two: Rutherford V. Luna Court Case

Background

On September 8, 2022, attorneys from the American Civil Liberties Union (ACLU), a nonprofit organization that defends and protects the individual rights and liberties guaranteed by the U.S. Constitution and laws, documented deplorable conditions at the IRC, the booking facility of the Los Angeles County Jail system. Some recurrent themes among the horrific conditions incarcerated people faced includes:

- Individuals with severe mental illnesses being restrained to chairs for extended periods, forcing them to sleep while sitting up
- Several individuals packed together in close quarters, sleeping head-to-foot on a concrete floor
- Individuals forced to excrete in waste bins and urinate on the floor or in empty food containers in communal areas.
- Scarcity of food and drinking water
- Floors littered with trash, overflowing sinks and toilets, limited access to showers and clean clothing
- Individuals with serious mental illnesses or chronic medical conditions not receiving their medications, and care not provided to those experiencing dangerous detoxification from drugs and alcohol

As a consequence of the severe overcrowding in the LA county jail system, individuals are detained in these conditions for periods that exceed the permissible 24 hours, sometimes lasting for several days. In response, on September 8, 2022, the ACLU National Prison Project and the ACLU of Southern California submitted an emergency motion to a federal judge, urging
the County to enforce a maximum 24-hour custody at the IRC and enhance conditions to comply with the minimum legal requirements.72

Consequently, on September 19, 2022, U.S. District Judge Dean Pregerson ordered Los Angeles County to rectify the overcrowding and abysmal conditions at its jail booking facility. Judge Pregerson rules that the county cannot detain individuals in the IRC for more than 24 hours and cannot fasten anyone to a seat in the IRC Clinic's "front bench" for more than four hours. In addition, he rules that the county must ensure cleanliness in the IRC, provide working toilets, potable water, adequate sustenance, and satisfactory medical and psychological attention, including medication for chronic medical and psychiatric ailments.73

Unfortunately, the situation for individuals in the Los Angeles Jail System’s IRC has not shown any signs of improvement since September 19, 2022. Los Angeles County breached the court mandates and sustains dreadful conditions in its correctional facilities.

On February 28, 2023, ACLU filed a request for contempt. The filing contains multiple first-hand testimonies that demonstrate Los Angeles County failed to adhere to any of the court directives issued on September 19. It also includes documents that show implementing established initiatives that redirect individuals with mental illness away from correctional facilities and towards community-based treatment could significantly alleviate the problem of overcrowding at the IRC and that despite their effectiveness, the county has largely neglected to allocate funds towards these programs. This is used to show the county’s violation of its Care First, Jails Last. The hearing for the request for contempt is scheduled for April 19, 2023.

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73 Ibid.
Connection Between Human Rights Issues and Environmental Justice

While the egregious conditions within the Los Angeles County Jail system are clearly human rights violations, it is equally crucial to recognize that they also constitute EJ concerns. By framing these issues as both EJ and human rights violations, the argument for the abolition of the PIC is reinforced. Environmentalists must acknowledge the human rights concerns within carceral settings, while those fighting for human rights must also recognize the environmental injustices inherent in these settings. In order to achieve PIC abolition, it is imperative that everyone understands the interdisciplinary nature of this issue and works towards addressing it from every angle. This chapter aims to demonstrate the interdisciplinary nature of the PIC by examining its manifestation in carceral settings. Analyzing these conditions within the IRC from an environmental justice standpoint reveals that they relate to both human rights and environmental justice.

A report called “Environmental Justice, Health, and Carceral Facilities” identified and classified distinct types of EJ issues within carceral institutions. The following categories were deemed EJ issues for carceral facilities by an array of scholars and advocates:74 “the lack of clean water and sanitation, healthy food, energy insecurity, environmental results of climate change such as extreme heat and cold, climate crisis events, unhealthy housing, siting of facilities near toxic sites, and exposure to chemicals while doing labor.”75 These classifications assisted in the identifying of particular instances of environmental injustices within the Los Angeles County

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IRC: inadequate access to sanitation, energy insecurity, and food injustice. Each section will include quotes from court case declarations by incarcerated individuals, serving as evidence of these environmental injustices. The quotes presented are not intended to be an all-inclusive list, but rather offer a few particular instances of evidence for each environmental injustice.

**Inadequate Access to Sanitation**

Lack of sanitation within carceral facilities refers to the inadequate and unsanitary conditions that exist within prisons, jails, and other detention centers. These conditions can include overcrowding, limited access to basic hygiene materials, insufficient cleaning supplies and equipment, and inadequate waste management practices. I analyzed declarations associated with this case in which people who are incarcerated describe the impact of insufficient sanitation. These accounts illustrate a limited availability of showers, clean clothes, toilet paper, soap, toothbrushes, and other basic hygiene materials as well as issues of overcrowding, plumbing and sewage issues, and litter indicating a lack of access to proper sanitation.

Jaime Garcia Alfaro’s declaration said: “I feel my skin drying out from smell. I have not been given a shower or had access to a shower for about a week.” Numerous statements that followed Alfaro’s declaration conveyed a similar sentiment regarding inadequate access to showers, with one individual reporting a period of two weeks without bathing. Even when showers were available, individuals shared that they were often unusable or lacked basic hygiene materials like soap. Several individuals also reported that the lack of access to toothbrushes, toothpaste, clean clothes, toilet paper and other basic hygiene materials further contributed to the unsanitary conditions. Lester Evans expressed his frustration with the absence of toilet paper.

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when he exclaimed: “We are treated like animals. When I need to go to the bathroom and we are out of paper, we ask for paper, but they won’t bring it for hours. I did a 37-year prison sentence. This is worse. It’s filthy. People shouldn’t live like this.” Similarly, Reggie Candler highlighted issues with the plumbing and sewage system and absence of cleaning supplies when he stated: “I am housed in 162 pod in TTCF. It is filthy here. There is feces on the walls. I try to keep my cell clean but they do not give me gloves. The toilet was caked up with shit when I got to my cell and I ha[d] to use a bread wrapper and pair of boxers to clean it up. There was also food and maybe shit on the light fixture. There are also bugs and gnats all over. I wake up in a cold sweat and bugs on my face.”

Figure 2: Photograph 15 - Cell 111 Toilet, covered by t-shirt, surrounded by trash

This toilet is covered by a t-shirt likely due to it being unable to flush, rendering it unusable. As a result, it is likely filled with urine and feces. The absence of trash cans contributed to the buildup of litter in this area. Another instance of litter is pictured below.

![Image of toilet with a t-shirt on it]

Figure 3: Photograph 4 - Close up of trash next to one of the people sleeping on the floor of the IRC Clinic.78

Individuals in the IRC are forced to sleep amongst litter due to the lack of appropriate waste bins. Also, in regards to the overcrowded conditions in the IRC Lester Evans described: “At one point the cell had about 18 people in it. People were packed in and sleeping on the benches, under the benches, and laying next to each other on the ground.” Below are visual depictions which showcase the overpopulated conditions within the IRC.

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Overcrowding resulted in several people confined in a cramped space, lying in a row with their heads and feet in close proximity on a concrete floor. Even with this there was insufficient floor space leading to individuals with severe mental illnesses being restrained to chairs or benches for extended periods, forcing them to sleep while sitting up. Overcrowding in carceral facilities can have a significant impact on the level of sanitation and hygiene within these institutions, increasing the risk of disease, illness, and infection among incarcerated persons. Darryl Beck exhibits this concern when he said: “I share this cell with many people and am scared of getting athletes foot or gangrene or staph infection.”

**Food Injustice**

John Mayes expressed a sentiment about the lack of food in terms of both quality and quantity when he said: “The food at IRC was bad – all we had was peanut butter and jelly sandwiches. We received lunch around 3:20 pm after we had been shouting we were hungry.” Low quality food and insufficient food can have a detrimental effect on individuals. When

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incarcerated individuals are not provided with a nutritious and balanced diet, they may suffer from various health problems, such as malnutrition, vitamin deficiencies, and gastrointestinal issues. This can weaken their immune system, making them more vulnerable to illnesses and infections. Moreover, Shauntee Rodger exclaimed: “This morning I was given food at 4:00 am. They did not feed me again until 12:40 pm.” Similarly, Juan Tapia explained: “Sometimes, not enough food is delivered to my dorm so not everyone gets a meal.” Inadequate food intake can lead to hunger, fatigue, and irritability, affecting one’s mental and emotional well-being. This can also result in poor concentration and cognitive impairment, which can hinder their ability to participate in rehabilitation and educational programs, leading to poor outcomes after release.

Furthermore, three days after his arrival Bobby Fernandez declared: “While at IRC, I only received a meal on Saturday evening. It was only a burrito. There was no juice or liquids provided. I did not have access to drinking water.” Poor quality food, such as highly processed and low-nutrient foods, can contribute to chronic health conditions such as obesity, diabetes, and heart disease, which can negatively impact an incarcerated person’s health even after their release from prison. In summary, a lack of access to high-quantity nutritious food can have significant health and social consequences for incarcerated individuals.

These declarations shared above merely display a few out of the numerous complaints being made regarding insufficient amount of food attributed to skipped meals, long gaps between meals, and inadequate food portions. It appears that meals consist mainly of peanut butter and

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jelly sandwiches and burritos, with individuals being forced to subsist on this limited variety for up to three months. There is a clear lack of sufficient nutrition within the IRC.

**Energy Insecurity**

A persistent absence of sufficient heating and cooling, as well as inadequate ventilation, can have enduring health consequences and increase the risk of premature mortality. Poor ventilation results in the growth of mold, which can cause respiratory and cardiovascular illnesses. Furthermore, insufficient ventilation, in combination with crowded living conditions and inadequate care, facilitated the rapid spread of the COVID-19 virus in carceral facilities.  

The following are reports of the extreme temperature conditions inside the IRC and the lack of blankets or mattresses provided to alleviate the discomfort, leading individuals to resort to using plastic bags or huddling under chairs and benches in an attempt to keep warm.

Christian Gonzalez described the severity of the temperature within the IRC when he exclaimed: “It was freezing cold in the IRC. I am pretty sure there was a freeze warning on Wednesday 2/15/23, but still not given a blanket. I could see blankets available but we were not given them because I was told that it is just processing, not housing. Channel 5 reported the freeze warning.” Despite the classification of these stays as "just processing," the conditions are still unsuitable. Furthermore, these processing stays have been extended in some cases, with some individuals remaining in the IRC for up to three months.

Marvin Irvin shared in his declaration: “Once I got into the clinic area it was cold and crowded. I suffer from arthritis so it was hard to try and sleep scrunched up on chairs and

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benches. I was not offered and **did not get a mattress or a blanket**. I have **not gotten any sleep** since I’ve been here.” Below is a picture of an individual curled up in an attempt to stay warm.

![Person sleeping curled up on the floor](image)

**Figure 5: Photograph 7 - Person sleeping curled up on the floor under an interview booth**

Elder Escobar similarly described difficulty getting warm in his declaration when he said: “I have slept on the chairs. I was told not to sleep on the floor even though there are a couple of people on the floor **covering themselves with plastic bags for warmth**… I asked for **blankets** but I was told I couldn’t have one because **there are not enough**.”

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84 “Rutherford v. Luna,” American Civil Liberties Union, April 5, 2023, https://www.aclu.org/cases/rutherford-v-luna.
Figure 6: Photograph 16 - View from the inside back of the “cage” area at the rear of the IRC Clinic with trash and people sleeping on the floor.\textsuperscript{85}

The image above depicts the sleeping conditions for incarcerated individuals in the IRC, which are characterized by a lack of blankets, pillows, mattresses, or any other items that could offer warmth. It is evident from the photo that individuals are expected to sleep on cold metal benches or directly on the hard, cold concrete floor.

Inadequate access to sanitation, lack of nutritious food, overcrowding, and energy insecurity within the IRC are environmental injustices because they disproportionally affect marginalized communities who are already disadvantaged by structural inequalities. These conditions can lead to poor health outcomes, such as the spread of diseases, malnutrition, and mental health problems. Moreover, these conditions are often the result of systemic failures in the justice system, which disproportionally impacts communities of color and low-income

\textsuperscript{85} “Rutherford v. Luna,” American Civil Liberties Union, April 5, 2023, https://www.aclu.org/cases/rutherford-v-luna.
communities. As such, these injustices represent a violation of the basic human right to health and safety, and perpetuate existing social and economic disparities.

Adding to previous literature declaring that environmental justice is inherently a human rights concern, lack of sanitation, energy insecurity and food injustice all violate the basic human rights of incarcerated individuals, who are entitled to a safe and healthy living and nourishing environment. These conditions within the IRC exhibit cruel and inhuman treatment, which is prohibited under international human rights law.\textsuperscript{86} With this said, these inhabitable conditions within the Los Angeles County IRC show how the PIC represents environmental justice as a human rights concern.

**Reformist Approach**

These Los Angeles County Jail conditions are not new, the LA County Jail system has been under court supervision since 1978 due to its conditions. Although the efforts of this court case are significant, they represent a reform-oriented strategy for addressing the challenges that arise in carceral settings, or on a broader scale, the prison industrial complex. This is shown through the February 27th court order which mandated certain rules and regulations for the treatment of incarcerated individuals in the IRC. According to the order, individuals cannot be held in the IRC for more than 24 hours, they can only be chained to benches for a maximum of four hours, each cell must adhere to its specific holding capacity, prescribed medication must be administered, and cleanliness must be improved. Although these orders carry significance for the present, they embody a reformist approach, as complying with them would seemingly eliminate any issues with the conditions of the IRC and allow it to persist and function. In the upcoming chapter, abolitionists will talk about the issues of a reformist approach as a means of addressing issues with the prison industrial complex, with a particular focus on carceral settings. They will

also provide abolitionist perspectives which I will share to expand on the discourse between prison reform and prison abolition.
Chapter Three: An Abolitionist Framework

During my interviews with experienced abolitionists, I learned that the PIC thrives on fear and reformist approaches. I also learned that as an abolitionist, it is crucial to eliminate the "us versus them" mentality, develop a counterculture, and remain open minded about what it means to be an abolitionist. All of my interviewees have been given pseudonyms in order to protect them from being identifiable.

Reformist Approaches: Band-Aids and Inadvertent Loopholes

One major problem that prisons face is overcrowding. While reformist approaches attempt to address this issue, they often only offer temporary solutions or create new problems that allow the criminal justice system to persist and continue. In some cases, these approaches can be likened to "Band-Aids" applied to the problem, while in others, they may create literal loopholes that fail to address the root of the problem. When discussing the issue of prisons, reformists have sought to address the issue of prisons being viewed as punitive rather than healing institutions by proposing the reduction of prisons and the redirection of funds towards rehabilitation and mental health facilities. One of my interviewees, who I will refer to by the pseudonym name Thomas, was previously convicted as a sex offender and is a survivor of the prison-industrial complex who has since become a prominent abolitionist. He highlights a loophole in the system that has been inadvertently created by reformists' proposals, which he refers to as shadow prisons. Thomas reveals: “They hold these people in explicitly punitive settings. They're not holding them for treatment. They don't release them…You've now built this wonderful $60 million facility that is expanding for $110 million. This gave them 206 beds, which works out to $440,000 per bed. The problem is that these are indefinite detention laws. So, they put people there, and it's not like a regular prison where people get out. You know, in
regular prisons, 98% or so people are released. These guys don't get out. So, then they just run out of space, and then they're going back to the legislature to beg for more space.” Thomas exposes how these carceral settings, including so-called "mental health" facilities, are actually designed as another form of punishment. He explains that these facilities make it appear as though the state is providing treatment and healing, when in reality, they are just another way to punish individuals. According to Thomas, these shadow prisons are akin to prisons or even worse, as he shares stories of individuals who have committed crimes to return to prison because it was a better alternative to these facilities. Thomas himself has experienced the injustice of being labeled with an incurable mental illness after serving his time in prison, which would have resulted in being confined to a mental health rehabilitation center indefinitely. The irony of these facilities being labeled as rehabilitative, despite the fact that patients are considered incurable and unable to leave, is not lost on him. Although Thomas was fortunate enough to escape this fate, many others are not as lucky. Shadow prisons are problematic because they use euphemistic language such as "residents" instead of "prisoners" and emphasize protection from self-harm instead of "solitary confinement”. However, despite these softer labels, they function in the same way as prisons. As a result, those confined to these facilities are often unseen and become victims of the prison industrial complex. Thomas likens the treatment facilities to a game of "chutes and ladders," where patients must complete the treatment program to be released, but the caveat is that the treatment programs change every few years, requiring patients to start from scratch repeatedly and making it impossible to ever complete the program. Essentially, the system is designed in a way that prevents anyone from ever finishing.

My second interviewee, who I will call Samantha, is an abolitionist with a long-standing commitment to activism. She also addresses the problem of overcrowding in prisons and
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highlights the loophole of private prisons. She describes how, in an attempt to show compliance with overcrowding regulations, the Alabama Department of Corrections transferred 300 women from Tutwiler Prison to a private prison in Louisiana, far away from their families and support networks. These women were held in the private facility for several years, during which time they had limited access to visitation and faced less oversight and transparency compared to public prisons. Samantha expands on the shortcomings of reformist approaches, noting how they only offer temporary fixes. For instance, she cites a legal team that filed a lawsuit against the Tallulah facility due to its abhorrent conditions, with one inmate having suffered 114 broken bones within three months without any radiologist or medical treatment available. However, the subsequent settlement only resulted in the prison building a radiology department, which was to be run by the prison itself. Samantha also highlights the issue of extreme heat in carceral settings and how a reformist solution offered was to extend access to ice machines from six to eight hours per day when temperatures reach 104-105 degrees Fahrenheit. Granted these extra two hours are important, but the point is that this solution represents a huge problem. She likens such approaches to merely creating a "better box" or a "softer cage."

The Role of Fear

My third interviewee, who I will call Mary, is a renowned author and experienced abolitionist who is also a survivor of the prison-industrial complex, having been convicted of selling and using drugs. Mary and Thomas have different perspectives on the factors that uphold the Prison Industrial Complex. Thomas claims: “Personally, I do not really think that this is about fear. There is mixed opinion on this. But, I do not really think that this is about them being scared of anybody. I think this is primarily about bias and hatred and control” whereas Mary believes that fear is the primary driving force that enables the PIC to persist. In my opinion, both
abolitionists have valid points. Thomas accurately observes that some individuals benefit from the PIC, and that it was created to control marginalized populations and perpetuate white supremacy. On the other hand, Mary's emphasis on fear is also important, as it reflects the general public's belief that the PIC protects them from dangerous criminals.

Mary poses a challenge to those who raise doubts about the feasibility of prison abolition by citing the fact that their questions often revolve around a tiny fraction of the incarcerated population, such as serial killers. She asserts that using the small percentage of extreme cases as a reason to oppose systemic changes reflects the deep-seated fear that permeates our society.

Samantha expands on Mary’s argument that fear is what sustains the PIC, describing her own work as a constant uphill battle. She explains that the work of abolition involves continually debunking various myths. Samantha highlights some of these myths, including the belief that police exist to ensure our safety, that black and brown communities are inherently violent, and that without government regulation, society would descend into chaos. Additionally, there is the widespread belief that crime is spiraling out of control. Samantha notes that these myths are so deeply ingrained that they can even be found within individuals who support the abolitionist ideology.

**What it Means to be an Abolitionist**

Samantha agrees that an abolitionist is someone who can imagine a world without punitive policing, jails, and prisons and who prioritizes community safety over punishment, revenge, shame, and incarceration. However, Samantha broadens this definition to encompass an individual who fosters a counter-culture that encompasses a new understanding of our relationship with living things. Samantha states that human-centered thinking is deeply rooted in patriarchy and colonialism. She contends that the vision of abolition is incomplete without
orienting ourselves to connect with the land, water, and other elements of nature. She encourages us to consider how aspects of the PIC such as carceral settings and police infrastructure contribute to the destruction of nature. Samantha argues that the objective of abolition of the prison-industrial complex is to achieve environmental justice, not just from a human rights perspective, but by considering the rights of nature as well.

Mary also centered a fresh perspective on what it means to be an abolitionist. As an abolitionist she believes: “We are all one… [she is] one with the person who was murdered, one with the murderer and one with the people who mourn the person who is murdered.” By not creating a distinction between herself and the situation, she is able to avoid seeing the circumstance as an "us versus them" scenario. Mary explains that this approach helps to avoid the distraction of fixating on assigning blame and determining punishment. Instead, it allows her to concentrate on significant considerations such as identifying the root causes of the problem and devising ways to prevent similar occurrences in the future. By adopting this perspective, it would be much easier to avoid the punitive approach of the prison industrial complex, as we would understand that it fails to address the underlying causes of the problem and instead perpetuates the same negative outcomes it seeks to solve. Mary recognizes that while she cannot prevent crimes from being committed against others, she does possess the ability to generate a new way of thinking that could serve as the foundation for a system that enables more individuals to thrive.

Mary illustrates the power of this mindset through a personal anecdote where it helped save two lives. A woman once approached her, seeking advice on forgiveness. Mary responded that forgiving someone who has wronged you is not for their benefit, but for your own well-being. It enables you to move on and continue living. On her next visit, the woman
expressed her gratitude to Mary and disclosed that she had chosen not to take revenge on the boy who had killed her son. As a result, not only was the boy's life spared, but the woman was also able to avoid being incarcerated for the remainder of her life.
Chapter Four: Conclusion

The Way Forward

According to Mary, it is not necessary to have a definite idea of what abolition entails in order to demonstrate that it is attainable. She cites Angela Davis' belief that someone had to envision a world without slavery, and even though many were skeptical at first, eventually it became a reality.

Mary and Samantha emphasized the importance of changing our mindset as abolitionists, a lot of what they said involved replacing society’s fear with hope. Mary cited Australia as a prime example of the power of hope, recounting a personal experience from two decades ago when she asked an Australian tour bus driver about the country's low levels of crime and gun violence compared to the United States. The driver attributed this to the prevalence of hope in Australian society, where even if someone cannot afford college, they can still receive education or vocational training for free, and access healthcare without fear of going bankrupt. This abundance of opportunities creates a sense of hope, which reduces the need for people to take from others in order to survive. Mary highlights the negative impacts of capitalism and the culture of individualism it promotes. She contends that a new ideology, different from the ones that already exist, is necessary because the current way of living is unsustainable. Additionally, Mary asserts that hope must be coupled with valuing all human lives equally. In fact, she lives by Ruth Gilmore's wise words, "where life is precious, life is precious." She emphasizes the immense amount of untapped potential that is locked up within the prison system. She believes that by separating individuals from one another, we are ultimately causing harm to ourselves. In her view, there is an abundance of knowledge and wisdom that can be gleaned from all people, regardless of their background or circumstances.
Abolitionist Steps

Samantha presents some concrete steps we can take immediately to work towards abolition. While envisioning a better world is vital, there are also a lot of concrete steps needed to be taken now. Samantha suggests that we promote the closure of current correctional facilities and prohibit the construction of new ones. Furthermore, she emphasizes the importance of establishing alternative first responder teams. By doing so, we can avoid relying solely on the police and calling 911 in crisis situations. Instead, we should have other contact numbers available with teams, specialized in handling various predicaments, equipped to ensure the safety of all parties involved, without resorting to punitive measures as the only solution.

Critical Resistance (CR)\textsuperscript{87} developed a checklist to distinguish between a reformist approach and an abolitionist step. A reformist approach can be identified if any of the checklist items is answered with a "no." Conversely, if all checklist items are answered with a "yes," then it can be considered an abolitionist step. I have put this checklist below as a helpful guide.

1. Does this decrease the quantity of individuals who are incarcerated, monitored, or subject to various forms of governmental authority?
2. Does this lead to a reduction in the influence of correctional institutions, penitentiaries, and monitoring systems on our day-to-day existence?
3. Does this establish resources and structures that are consistent, proactive, and available without the need for interaction with police or prison guards?
4. Does this better enable us to prevent or respond to harm and establish processes for holding individuals accountable within the community?

\textsuperscript{87} Refer to page 11 for the description of the Critical Resistance organization.
Please find a compiled list of abolitionist steps below I created by combining Samantha’s ideas with those of CR.

1. Close Down Existing Carceral Facilities and Prevent New Carceral Facilities from Being Built
2. Reduce the Number of People in Carceral Facilities
3. Alternate First Responders/Reduce Policing
4. Defund the PIC
5. Create Community-Run Services

As previously discussed, numerous studies have explored the interconnectedness of EJ and human rights, as well as the relationship between the PIC and both EJ and human rights separately. There is a lack of research on the interconnectedness of these three concepts in dialogue with one another. My case study provides an example of how a carceral setting can exacerbate EJ issues, and highlights the importance of examining this through a human rights lens. By combining the lenses of EJ and human rights, the argument for PIC abolition is strengthened, and it becomes clear that the reformist approaches are insufficient.

Having established the necessity of PIC abolition and delving into what this process entails and how we can begin working towards it today, it is important to be comfortable with the unknowns regarding what a new design looks like and that while it can be overwhelming and discouraging, we must remember that change takes time and there are tangible actions we can take right now to move towards abolition.

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