

# Strengthening Environmental Justice Through Criminal Enforcement: June 21st U.S. Environmental Protection Agency Memorandum



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07/02/2021

The United States Environmental Protection Agency (“EPA”) issued a June 21st memorandum titled: *Strengthening Environmental Justice Through Criminal Enforcement (“Memorandum”)*

Acting Assistant Administrator for Enforcement and Compliance Assurance Lawrence E. Starfield transmitted the Memorandum to the agency’s Senior Managers and Special Agents, Office of Criminal Enforcement, Forensics and Training and Regional Criminal Enforcement Councils.

The *Memorandum* outlines what it believes are steps to advance environmental justice goals via the criminal enforcement work performed by EPA’s Office of Enforcement and Compliance Assurance’s Office of Criminal Enforcement, Forensics and Training and the Regional Criminal Enforcement Councils (noting the technical assistance provided by EPA colleagues).

The *Memorandum* is stated to complement an April 30th memorandum titled:

*Strengthening Enforcement in Communities with Environmental Justice Concerns* (which outlined steps the agency viewed as necessary to advance environmental justice goals through civil regulatory enforcement)

Further, it is noted an additional memorandum will be issued on environmental justice considerations in the agency’s clean-up enforcement program.

The June 21st *Memorandum* states that EPA’s criminal enforcement program can further environmental justice by:

- Strengthened detection of environmental crimes in overburdened communities
- Maintaining regular and open communications regarding increased facility inspections in overburdened communities
- Using effective civil-criminal coordination in case streaming
- Enhance environmental justice screening through the use of crime victim data and other relevant information to ensure identification of individuals harmed by potential criminal violations
- Reviewing the impact of pollution on vulnerable communities regularly to inform ongoing investigative resource investments
- Improving outreach to crime victims

- Conduct additional training for EPA and U.S. Department of Justice staff on the use of the agency's EJSCREEN mapping tool
- Looking at creative ways to conduct direct outreach to potential crime victims in overburdened communities using social media
- Enhancing the remedies sought in environmental crime cases
- Prevent subsequent pollution crimes in communities by ensuring punishment for environmental crimes achieves the goal of deterrence
- Seeking conditions of probation or supervised release whenever necessary to ensure compliance and provide communities with sufficient information to be assured that illegal pollution is not recurring
- Seek restitution and/or community service to redress harm from the offense
- Develop guidance for agency attorneys and prosecutors to ensure restitution, community service payments, and other court-ordered projects supported overburdened communities are considered
- Create a compendium of documents that attorneys can use as models when advocating for restitution/community service

A copy of the *Memorandum* can be downloaded [here](#).