

# Commentary

## Public Health Management, Climate Change, and Incarceration: What Is the Connection?

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Climate change, rising temperatures, and changing weather patterns were first brought to the nation's attention in the early 1980s. Worldwide, climate change is responsible for an increase in heat-related disorders, respiratory diseases, vector-borne diseases, water-borne diseases, and food insecurity. Climate change is also responsible for soaring temperatures and the increasing intensity of natural disasters, such as hurricanes, floods, and drought.

Climate change poses a great threat for the men, women, and young people who are incarcerated in prisons and jails. Currently, there are more than 2.4 million people imprisoned in the United States.<sup>1</sup> These individuals are completely dependent on correctional management to ensure their health and safety needs, but, unfortunately, these needs are not usually met. Incarcerated populations suffer from poorer health and have more limited access to health care services than the general population.<sup>2</sup> Significant health burdens affecting the incarcerated include heart disease, HIV infection, cancer, and suicide.<sup>3</sup> Substance use problems, mental illness, and chronic health ailments (eg, asthma, hypertension, diabetes) are also common.<sup>2,3</sup> Aging inmates, the fastest growing segment of the incarcerated population,<sup>4</sup> present special health concerns. This population requires more medical attention and is more susceptible to heat stroke than younger inmates.<sup>4-6</sup>

### ● Cruel and Unusual Punishment

The protocols currently in place in most penal systems in the United States fail to protect inmates from the negative effects of climate change, amounting to cruel and unusual punishment. First, forced inmate subjection to temperatures of "above 110 degrees for a heat index of 149 degrees" violates the constitutional rights

of inmates guaranteeing them protection against cruel and unusual punishment.<sup>7</sup> Furthermore, the tenets of the Eighth Amendment demand that inmates must be treated with dignity and respect. The Eighth Amendment of the US Constitution protects the incarcerated from "deliberate indifference."<sup>8</sup> Although many may recall the Eighth Amendment only for its prohibition of cruel and unusual punishment, the Supreme Court of the United States has concluded that *Estelle v Gamble* (1976) also embodies broad concepts of dignity, civilized standards, humanity, and decency.<sup>8</sup> Elevated temperatures and natural disasters, both caused by climate change, are the primary issues affecting the health and well-being of inmates, and states are not dealing with these issues in a manner respecting the rights of inmates, as discussed later.

### Natural disasters

Climate change increases the intensity of natural disasters, which creates a crisis situation for the health and well-being of inmates in the event of a natural disaster. The question, "What will happen to those incarcerated during a natural disaster?" remains, at present, unanswered.

In the event of a natural disaster, the local, state, and federal governments are obligated to ensure inmates are kept from harm<sup>8</sup>; however, this is not always the case. For example, in the wake of Hurricane Katrina, local authorities scrambled to evacuate the city, but the New Orleans Parish Prison left inmates in their cells

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Dr. Pamela Valera was supported by the National Cancer Institute (K01CA154861).

The authors declare no conflicts of interest.

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DOI: 10.1097/PHH.0000000000000273

where the water reached chest-level.<sup>9</sup> The sheriff did not call for help until after the storm subsided, and correctional officers interviewed after the hurricane said they did not have an evacuation plan. Inmates who were unable to leave the facility were not given any kind of assistance by the few guards who remained. They were not evacuated for 4 days, equaling 96 hours without food, water, or proper ventilation.

The Human Rights Watch reported 517 inmates unaccounted for after the storm.<sup>10</sup> The sheriff, when questioned about the abuse and neglect claims of inmates, called the incarcerated individuals “crack heads, cowards and criminals,” and said, “They’re in jail, man. They lie.”<sup>11</sup>

### Rising temperatures

Climate change also produces higher temperatures, which can cause critical health problems for inmates. Rising temperatures create strings of hotter days, bearing unhealthy temperatures, which increase the risk of heat-related deaths, stroke, and other health complications. Although some states, such as Texas, have set protocols to deal with the rising heat caused by climate change, inmates have still died.<sup>7</sup> Since 2007, at least 14 inmates have suffered heat-related deaths in Texas. In 2014, in New York, a former Marine suffering from mental illness was placed in a special housing unit in a New York City jail. He was later found dead in his cell because it had overheated to at least 100°F.

## ● Public Health Management, Climate Change, and Incarceration

The connection between public health management, climate change, and incarceration is an important issue for three reasons: (1) public health management is a branch of public health that provides varying degrees of health care and mental health services in the form of correctional health to incarcerated populations; (2) this branch of public health focuses on surveillance, education, policy, and coordination<sup>12</sup>; and (3) public health management is known to deploy preventive strategies and resiliency initiatives against climate change.

Climate change undoubtedly affects the health of incarcerated populations in a negative way. Therefore, the involvement of stakeholders such as correction officials, urban planners, public safety officers, and hospitals, as well as public health management at the local, state, and even federal levels, is critical. These stakeholders can effectively implement preventive initiatives during extreme weather and natural disasters (eg, floods, earthquakes, hurricanes).

Climate change introduces questions about what is ethical treatment of those incarcerated during natu-

ral disasters and days of increased temperatures. To best involve stakeholders in solving these problems, more research must be conducted about the health burdens, caused by climate change, suffered by incarcerated populations.

## ● Conclusion

Incarcerated populations require special consideration with respect to planning for evacuations safely during natural disasters and increase temperatures. Thus, developing appropriate contingency plans and preparedness to manage the potential impacts of climate change is necessary. Plans may include cross-system collaboration with the federal, state, and local governments, along with local entities—public safety, public health management, and corrections. They will ensure that inmates will be safely and properly evacuated from their cells and transferred in extreme climate conditions.

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