

Environmental/Workers Safety Violations: U.S. Department of Justice Announces Expansion of Endangerment Initiative

Arkansas Environmental, Energy, and Water Law Blog

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The United States Department of Justice ("DOJ") Deputy Attorney General Sally Quillian Yates issued a December 17th Memorandum addressing prosecution of workers safety violations.

A news release associated with the Memorandum notes in part:

... under the new plan, the Justice Department's Environment and Natural Resources Division and the U.S. Attorneys' Offices will work with the Department of Labor's Occupational Safety and Health Administration (OSHA), Mine Safety and Health Administration (MSHA) and Wage and Hour Division (WHD) to investigate and prosecute worker endangerment violations.

The Departments of Justice and Labor are stated to have conducted meetings in the past year to "explore a joint effort to increase the frequency and effectiveness of criminal prosecutions of worker endangerment violations." These meetings are stated to have resulted in decisions to consolidate the authorities to pursue worker safety statutes/violations within DOJ's Environment and Natural Resource Division's Environmental Crimes Section.

Deputy Attorney General Yates's December 17th Memorandum requests that federal prosecutors (i.e., the 93 U.S. attorneys across the country) work with the DOJ Environmental Crimes Section in pursuing worker endangered violations. The Memorandum encourages prosecutors to consider using Title 18 in environmental offenses to enhance penalties and increase deterrence. The Memorandum states that Title 18 environmental offenses "often incur in conjunction with worker safety crimes."

DOJ is also stated to have been strengthening its efforts to pursue civil cases that involve worker safety violations under the Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act and the Toxic Substance Control Act.

[Click here to download a copy of the news release and Memorandum.](#)



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