



Good afternoon, my name is Eli Baumwell. I am the Policy Director for the American Civil Liberties Union of West Virginia. I am here to speak in opposition to the repeal of the Clean Power Plan.

In 2006, an intellectually disabled black man, Ronald Madison, was walking over the Danziger Bridge with his brother – they were returning to the dentist office where they were sleeping because their home was flooded by Hurricane Katrina. Plain-clothed police in an unmarked car pulled up to the end of the bridge, and with weapons including AR-15's fired indiscriminately at the people on the Bridge. Ronald was found to have been shot 7 times, all in the back. His brother was also killed, and four other civilians were injured. Contrary to police reports, there was no evidence that anyone was breaking any law, nor were any firearms found.

Since the mid-90's repeated droughts have hit the sub-Saharan region. The result has been economic and political turmoil, not least of which in the Darfur region of southern Sudan. The conflict led to millions of refugees leaving their homes. Such was the case of Awad, a Sudanese refugee temporarily living in an overcrowded camp in Egypt. She describes regular harassment by Sudanese agents who are given tacit permission to operate by the Egyptian government. Awad, had been vetted and approved to move to America as a refugee, before she was barred under the discriminatory ban put in place earlier this year.

As category V hurricane, Irma approached Florida this past summer, Polk County Sherriff Grady Judd posted an announcement that they would be checking ID's of people seeking refuge in shelters. And that anyone with an outstanding warrant, including for non-violent offences would instead be taken to jail. How long they would have to stay before courts would hear their case was not specified.

Here in our very own West Virginia, many of us are familiar with the Buffalo Creek Flood which killed over a hundred and left thousands more injured and homeless. The coal industry's hold over the legal and political system significantly impacted the suits which followed. The results were paltry: \$13,000 per person – about \$64,000 in today's money – not nearly enough to rebuild a life that was swept away by negligence.

There are several common threads that tie these stories together. The most important to me is that they all represent significant curtailing of basic civil liberties. The second it that they all took place in disasters tied to climate change. And these are not aberrations. It is very well documented that civil rights and civil liberties violations spike during times of disaster. And it is typically the most vulnerable, the most marginalized who bear the brunt of these violations; whether it's communities of color, ethnic or religious minorities, the disabled, or poor communities. To those of us who are dedicated to protecting civil rights and civil liberties, disasters present a significant threat.

And the science on climate change is clear. We will see more natural disasters if significant steps are not made to limit carbon emissions. In fact, we are already seeing this. Once-a-lifetime storms are occurring with increasingly regularity and shifting weather patterns are creating havoc worldwide. And as I have described, we've seen the impact on civil liberties.

The repeal of the Clean Power Plan represents a significant step backwards in combating climate change. And those of us who care about the principles of equality and justice cannot stand idly by. We must oppose this action as it will invariably lead to more infringements of civil liberties. The ACLU of WV opposes the repeal of the Clean Power Plan and we urge all others to stand in opposition as well.