

Water Pollution as a Crime Against the Environment Essay

Introduction

Crimes against public order are significant and impactful because they imply negative consequences for numerous people. In general, a community is a group of people who live in a particular area and abide by some rules to prove that no one creates problems or inconveniences for others.

However, some people violate these regulations and commit crimes against public order. Crimes against the environment are a suitable example of this category because various people and organizations tend to violate environmental laws for different reasons.

In particular, water pollution is a widespread crime against the environment, even though it is a severe felony that can result in harm to many people and vast territories. The given memorandum is going to mention what regulations govern this crime, how it is possible to prove this violation, an applicable case, and why criminal justice professionals should know this information.

Discussion

In Louisiana, the situation with water supply is challenging because its waterways suffer from high pollution levels. That is why state legislation addresses the issue and governs crimes that contribute to the problem. In particular, *RS 30:2076* indicates that people are prohibited from discharging “any waste or any other substance of any kind that will tend to cause water pollution in violation of any rule, order, or regulation” (Louisiana State Legislature, n.d.a, para. 2). In addition to that, no person is allowed to discharge brine from salt domes into internal waters or pollute underground waters with hazardous waste (Louisiana State Legislature, n.d.a).

This waste refers to any substance that can lead to higher mortality, irreversible or incapacitating illness, or severe hazard to living organisms, including people (Louisiana State Legislature, n.d). Thus, when a person witnesses that another individual pollutes water, the person should notify the offender of this fact (Louisiana State Legislature, n.d.b). If the offender fails to take any action to stop misbehaving, the person may undertake civil action for appropriate relief (Louisiana State Legislature, n.d.b). This is how the Louisiana legislation governs water pollution crimes.

There are specific elements that are required to prove a violation. It is possible to state that a person has negligently committed the crime under analysis. Such a statement is found when a person introduces into a public sewer system any pollutants or hazardous substances but fails to have a determined intention to cause harm (Louisiana State Legislature, n.d.c). Such offenders are subject to a fine, a maximum of one year imprisonment, or both (Louisiana State Legislature, n.d.c).

Knowing violations occur when a person commits the same actions and understands and anticipates the harmful consequences. In this case, a punishment includes a \$5,000-\$50,000 fine per day of violation, a maximum of three years imprisonment, including or excluding hard labor, or both (Louisiana State Legislature, n.d.c).

Furthermore, a person can be charged with knowing endangerment if they understand that they are going to commit an action that will contaminate water and cause negative consequences for nature and other people (Louisiana State Legislature, n.d.c). This information demonstrates that proving the violation focuses on the actual or implying harm and the offenders' intention or lack thereof.

It is reasonable to consider a legal case to understand how the issue of water pollution can be represented in lawsuits. *County of Maui, Hawaii v. Hawaii Wildlife Fund et al.* (2020) is a suitable case to cope with the task. According to the Clean Water Act, it is prohibited to add any pollutants to navigable sources (*County of Maui, Hawaii v. Hawaii Wildlife Fund et al.*, 2020).

Previously, this legislation only referred to point sources of pollution, including pipes that move contaminated water in streams, lakes, or bays. That is why Maui County in Hawaii pumped treated water into the ground through wells. However, the Supreme Court issued a 6-3 decision that a permit was required to perform a direct discharge of polluted agents into groundwater (*County of Maui, Hawaii v. Hawaii Wildlife Fund et al.*, 2020). The basis for this ruling was that the activities of Maui County finally resulted in the fact that contaminated water reached lakes, rivers, and oceans. This decision was an important victory for hydrologists who advocated for water protection.

All the presented information demonstrates that the issue of water pollution is significant and finds its reflection in legislation. In addition to federal legislation, states can have specific regulations, and Louisiana utilizes this opportunity. A criminal justice professional should understand the legal parameters that govern the selected crime to understand which actions are legal and which ones are illegal.

The selected case reveals that it is possible to interpret water pollution legislation in different ways, which denotes that specific attention should be drawn to this phenomenon. Criminal justice professionals should be aware of subtle details that make a difference when courts make their decisions. In other words, this information can provide these individuals with an opportunity to analyze an issue thoroughly and predict how the jury will analyze the case if it is brought before the court.

Victimless Crimes

In criminal law, there is a concept of victimless crimes. This term is used to indicate wrongdoing that does not imply any third-party victims or casualties. Examples of such crimes include prostitution, gambling, drug use, pornography, and other misbehaviors. Even though a generally accepted approach is to classify these wrongdoings in this manner, it is still debatable whether these activities are truly victimless. I am sure that the term is inadequate, which denotes that every crime has a victim, even if implicitly, and a few examples prove this statement.

Firstly, it is reasonable to look at drug use to demonstrate that it is not victimless. This crime implies that a person possesses and consumes illicit substances that affect their mental and physical performance. Even though the fact of using drugs is not harmful to anyone except for this individual, a person under the influence fails to control their behavior to a full extent. This condition makes this individual more likely to commit wrongdoings or harm others. Furthermore, if drugs are used in public, this fact can be classified as propaganda for illicit substances. This information denotes that different victims can be associated with this crime.

Conclusion

In conclusion, gambling is another seemingly victimless crime, but this misbehavior can be negative for various people. When a person engages in this activity, they can suffer financial losses and incur huge debts. These outcomes are adverse for the gambler's family and other relatives because all these people are typically forced to solve the problem. This information demonstrates that if people cannot cope with their passion, gambling can hurt them and other individuals. That is why specific efforts should be made to ensure that gambling is not easily accessible to everyone.

References

[County of Maui, Hawaii v. Hawaii Wildlife Fund et al.](#), 140 S.Ct. 1462 (2020). Web.

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