



**For Immediate Release**

**June 12, 2007**

## **WLF PETITIONS EPA TO REVISE ITS CRIMINAL ENFORCEMENT POLICY**

Today, the Washington Legal Foundation (WLF) petitioned the Environmental Protection Agency (EPA) to revise its criminal enforcement policy and practices to ensure that more reasonable non-criminal remedies -- including administrative and civil remedies -- are utilized as Congress intended to address alleged violations of the myriad of complex environmental laws and regulations.

In its 13-page filing with the agency, WLF called upon EPA Administrator Steve Johnson and Peter Murtha, EPA's Director of Criminal Enforcement, to discontinue abusive and unjust criminal investigations and prosecutions against honest businesses, managers, and employees who face stiff fines and substantial prison terms for even minor regulatory infractions.

WLF recounted examples of abusive EPA criminal enforcement cases over recent years, including cases where armed EPA Special Agents raided small businesses in a manner that one federal judge aptly described as a "virtual SWAT Team," for trivial infractions where there was no environmental harm. One such WLF-supported case involved felony charges being levied against Riverdale Mills Corp. and its owner, James M. Knott, Sr., in Northbridge, Massachusetts. All charges were dropped on the eve of trial after it was discovered that EPA agents altered crucial pH level readings to make it appear that the plant's rinsewater was too acidic.

In Louisiana, another EPA SWAT Team stormed a small chemical facility, with threats levied against Hubert Vidrine, who was the plant manager, and company employees. Mr. Vidrine was indicted for storing certain chemicals without a permit. After four years of costly proceedings, all charges were dropped against Mr. Vidrine shortly before trial when his defense attorneys discovered that EPA's chief witness had a history of cocaine addiction and hallucinations, and could not produce the allegedly "hazardous substance" that was the basis for the charges. A malicious prosecution suit against the EPA is expected to be filed soon by Mr. Vidrine with WLF's assistance.

\* \* \*

For further information, contact Paul Kamenar, WLF's Senior Executive Counsel, at 202-588-0302. A copy of WLF's petition to the EPA, which was filed as part of WLF's CRIMINALIZATION OF FREE ENTERPRISE-BUSINESS CIVIL LIBERTIES PROGRAM, is available on WLF's website at [www.wlf.org](http://www.wlf.org).