

Lawsuit could put U.S. government's role in climate change on trial

A lawsuit filed on behalf of 21 kids alleges the U.S. government knowingly failed to protect them from climate change. If the plaintiffs win, it could mean massive changes for the use of fossil fuels. 60 Minutes reports, Sunday at 7 p.m. ET/PT

2019

Mar 02

FACEBOOK

UCLA Professor of Environmental Law Ann Carlson thought it would be dismissed. But the lawsuit filed on

behalf of a group of kids alleging the U.S. government knowingly failed to protect them from climate change isn't going away. The Trump administration alone has lost five appeals to stop it, two in front of the U.S. Supreme Court. If won, says Carlson, the impact on America would be "massive." Steve Kroft reports on this unusual yet significant suit on the next edition on 60 Minutes, Sunday, March 3 at 7 p.m., ET/PT on CBS.

Juliana v. United States alleges the constitutional rights of the 21 plaintiffs are being denied by the government for continuing to promote fossil fuels, despite knowing of their link to climate change and its impact. It is named for the lead plaintiff Kelsey Juliana, a 22-year-old University of Oregon student. Julia Olson, an Oregon lawyer and the executive director of the non-profit legal center, "Our Children's Trust," filed the suit four years ago. She has compiled 50 years and 36,000 pages of evidence, some going back to the Lyndon Johnson Administration.

The case has forced the government to make many admissions about the relationship between human activity and climate change, leaving much of the suit's evidence uncontested. It's one of the reasons courts have not dismissed it. Another reason, says Carlson, is its plaintiffs. "You have a number of kids who are very compelling plaintiffs who are experiencing the harms of climate change now and will experience the harms of

climate change much more dramatically as they get older."

Olson selected the plaintiffs from 10 states. The youngest is 11-year-old Levi Draheim, who lives on a mile-wide barrier island in Florida. Walking along the beach near his home, the sixth-grader says he has a stake in climate change. "I fear that I won't have a home here in the future... That the island will be underwater because of climate change."

Olson likes where she stands. "They admit that the government has known for over 50 years that burning fossil fuels would cause climate change...don't dispute... that climate change is a national security threat and a threat to our economy...to people's lives and safety," she says. "We have them with their own words. It's really the clearest, most compelling evidence I've ever had in any case I've litigated in over 20 years," Olson tells Kroft.

In what could be a landmark decision someday, a federal judge in Eugene, Oregon, ruled against the government's motion to dismiss, writing, "Exercising my reasoned judgment, I have no doubt that the right to a climate system capable of sustaining human life is fundamental to a free and ordered society." Says Carlson, "That's a big stretch for a court," pointing out the Constitution does not provide for protecting the environment. Still, she says, allowing the government to be asked to protect its

citizens from climate change, is not that radical.

But Carlson warns: "If the plaintiffs won, it'd be massive, particularly if they won what they're asking for, which is get the federal government out of the business of in any way subsidizing fossil fuels and get them into the business of dramatically curtailing greenhouse gases in order to protect the children who are the plaintiffs in order to create a safe climate. That would be enormous."

© 2019 CBS Interactive Inc. All Rights Reserved.