

BACKGROUND: CLIMATE DAMAGE AND DECEPTION LAWSUITS

Since July 2017, more than two dozen states and local governments across the country have filed lawsuits, all but one in state courts, against some of the largest oil, gas, and coal companies in the world.

Here's why so many communities are standing up for their taxpayers and taking action to hold fossil fuel companies accountable for what they've done.

The Fossil Fuel Industry's Legacy of Deception and Denial.

Fossil fuel companies have known the truth for more than 50 years: their oil, gas, and coal products create greenhouse gas pollution that warms the oceans and atmosphere and cause sea levels to rise. They've known for decades that the consequences could be "[catastrophic](#)" and were aware that "[once the effects \[of climate change\] are measurable, they might not be reversible](#)". They were so certain that some even took steps to protect their own assets from rising seas and more extreme storms, and they designed infrastructure to better adapt to a warming Arctic.

Nonetheless, these companies and their trade association surrogates engaged for decades in a coordinated, multi-front effort to conceal and contradict their knowledge, discredit the growing body of publicly available science, and persistently create doubt in the minds of customers, consumers, legislators, journalists, teachers, and the public about the reality and consequences of climate change.¹

In 2017, [a peer-reviewed study](#) from Harvard researchers Naomi Oreskes and Geoffrey Supran confirmed that "Exxon Mobil misled the public about the state of climate science and its implications." Their research revealed "a systematic, quantifiable discrepancy between what Exxon Mobil's scientists and executives discussed about climate change in private and in academic circles, and what it presented to the general public."

For example, Exxon Science Adviser [James Black told the company's Management Committee](#) in 1978:

"[T]here is general scientific agreement that the most likely manner in which mankind is influencing the global climate is through carbon dioxide release from the burning of fossil fuels" and "[M]an has a time window of five to ten years before the need for hard decisions regarding changes in energy strategy might become critical."

By the time that 10-year window was closing in 1988, Republicans in Congress were leading the charge for aggressive regulation of greenhouse gas pollutants, and GOP presidential candidate George H.W. Bush was promising to tackle the greenhouse effect with the "White House Effect."

But instead of making the "hard decisions" – doing something to avoid or minimize the threats to others – fossil fuel companies launched multi-million-dollar disinformation campaigns to prevent regulation. They denied the truth and deceived the public and policymakers, while continuing to market their products aggressively and increasing production and profits.

¹ A detailed timeline showing what the fossil fuel industry knew about the role of its greenhouse gas pollution in sea level rise and climate change, when they knew it, and what they did – and didn't – do about it, can be found [here](#).

The Damage is Real. The Science is Clear.

Communities across America are already suffering from a wide range of economic damages tied to rising temperatures and seas, and they are often hitting communities of color and low-income neighborhoods first and worst. Scientists say it is only going to get worse.

Sunny day flooding of streets and neighborhoods is commonplace in many coastal cities and towns. Wildfires are increasing in both frequency and severity across the West. Droughts and extreme weather events are affecting farmers, ranchers, residents, and businesses nearly everywhere. Heat waves are creating public health risks in urban, suburban, and rural areas alike.

For decades, the science has been clear that rising seas, extreme precipitation, and increased wildfires and droughts are a direct consequence of greenhouse gas pollution, primarily carbon dioxide and methane, from burning oil, gas, and coal. In fact, the latest scientific advances make it possible to trace the effects of that pollution on rising temperatures and sea levels directly to specific companies and their facilities. The fossil fuels produced by the defendants in these lawsuits are responsible for a substantial percentage of all industrial carbon dioxide emissions between 1965 and 2015.

Communities Are Fighting Back.

The 26 states and local governments with pending climate damage and deception lawsuits are:

Connecticut	Annapolis, MD	Honolulu, HI	San Francisco, CA
Delaware	Anne Arundel Cty, MD	Imperial Beach, CA	San Mateo County, CA
Dist. of Columbia	Baltimore, MD	Marin County, CA	San Miguel County, CO
Massachusetts	Boulder, CO	Maui, HI	Santa Cruz, CA
Minnesota	Boulder County, CO	New York City, NY	Santa Cruz County, CA
Rhode Island	Charleston, SC	Oakland, CA	
Vermont	Hoboken, NJ	Richmond, CA	

Many cities, counties, and states around the country have studied the effects of rising seas and other climate change-related impacts in their communities. Others have investigated fossil fuel industry advertising around climate change aimed at consumers in their jurisdictions. In both scenarios, families and businesses are suffering the consequences of the industry's actions. They deal with both the physical impacts of climate change and higher taxes or diminished services as state and local governments plan for and implement measures to protect their communities.

In 2012, Exxon CEO Rex Tillerson said people will just “adapt” to climate change. The plaintiffs in these lawsuits are asking why taxpaying families and businesses should have to pay for all that adaptation? And why consumers should be victimized by the industry's misleading advertising and failure to warn?

The fossil fuel industry has known for decades that their products were dangerous and would cause the exact kinds of consequences afflicting residents, workers, and businesses around the US today. The fossil fuel industry took steps to protect their own assets from those consequences. The fossil fuel industry aggressively marketed its products, increased production, and maximized profits without warning anyone about the potential “catastrophe.” And the fossil fuel industry spent untold millions on disinformation campaigns and greenwashing that continue to this day.

That's why these cities, counties, and states are standing up to the fossil fuel industry by protecting their consumers and/or seeking to shift the costs of surviving climate change back where they belong: on the fossil fuel companies who, through their deception, are responsible for the damage that is occurring now and will continue for decades.

All of the pending cases were filed in state court and alleged only violations of state law, including negligence, failure to warn, and/or consumer fraud. More on their [current status is here](#).