



IV. LEAVING ORLEANS PARISH PRISON

*“We were rescued, not evacuated”*¹

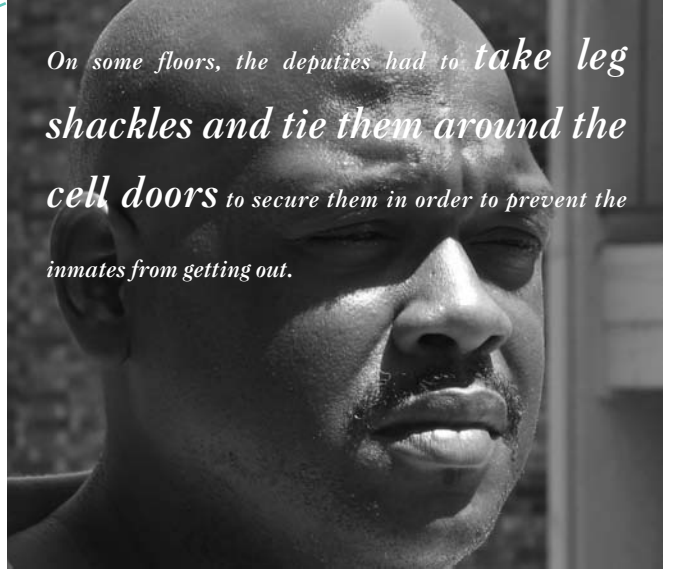
A. Breakdowns in the Chain of Command

Having received reports about extensive flooding in New Orleans, DOC officials became increasingly concerned about Sheriff Gusman’s decision to not evacuate OPP.² By Monday night, many of the buildings in OPP were filling with water and had lost power. According to Sheriff Gusman, it was at this point that he called DOC and requested assistance in evacuating the prison.³ Some deputies tell a different story. According to them, the evacuation began in earnest only after officers in charge of the OPP buildings “went over the head of Criminal Sheriff Marlin Gusman and called Attorney General Charles Foti for state reinforcements.”⁴ According to one deputy, “[o]ne of the captains called Foti and said, ‘We’re losing the battle.’ . . . They (DOC) showed up with all the things we didn’t have: shotguns with beanbag rounds, tasers, rubber bullets, riot gear, bulletproof shields.”⁵ The DOC’s technical assistance report indicates only that the department received a call at approximately 11:55 pm on Monday night from the Orleans Parish Criminal Sheriff’s Office requesting DOC assistance in evacuating OPP; the report does not indicate that Sheriff Gusman placed the call, or directed that it be placed.⁶

In Templeman III, the Watch Commanders were disorganized and unable to give clear directions to their deputies. At one point on Sunday evening, a deputy recalls receiving “[a] lot of conflicting orders from the Watch Commanders. The orders from our Watch Commander were to leave the inmates where they were, and another Watch Commander said to move the inmates to a higher floor.”⁷

Deputy Foster reports similar confusion in the House of Detention. “As the storm approached, [things became] chaotic. No one gave any orders. Everyone said, ‘I *think* we need to do this, I *think* we need to do that.’ Deputies were running the jail. . . .”⁸ One deputy states: “When we got there, they hadn’t told us anything. They kept telling us they were waiting to see what the sheriff was going to say. No procedures, no safety precautions. No evacuation plan. The sheriff shouldn’t be a head of nothing. Anytime a man can’t even handle his employees. . . . I been there three years and I been through a whole lot.”⁹

On some floors, the deputies had to take leg shackles and tie them around the cell doors to secure them in order to prevent the inmates from getting out.



I became a deputy at OPP in 2002, and I was assigned to HOD. I showed up to work the Sunday before the storm at noon, six hours ahead of schedule. I'd been told to be prepared to stay for at least three days, so I'd brought enough food and medicine for my diabetes to last me that amount of time. My fiancé and family all evacuated before the storm hit. I didn't go with them because I'd been told at Academy class that if you don't report to work, you can be arrested for negligence of duty. My fiancé didn't want to me go to work, but I told her that I took on this job knowing the responsibilities I needed to do. She went to the Superdome, and my mother, niece, nephew, and daughter went to Jackson, Mississippi first, and then to Dallas.

Between noon and 6:00pm when my shift started, I helped people around the building getting supplies and stuff. At 6:00, I went to roll call and reported to the 8th floor. Two deputies, including myself, were on call for the 8th floor that night. That floor was solitary confinement, federal inmates, and protective custody. The inmates knew there was a storm brewing, but they didn't show any emotions that they were scared at the time. The shift went fine until the storm hit—about 5:30am. The transformers blew up, and we completely lost power. I was doing my rounds, and once the power went off, the electronic doors to the cells stopped working. Once that happened, I knew we had to go in and patrol more frequently to make sure the inmates were safe and secure. On some floors, the deputies had to take leg shackles and tie them around the cell doors to secure them in order to prevent

the inmates from getting out.

Sometime that first night after we lost power, my foot got injured. I don't know if something fell on my foot or what. My foot was swollen out, and by the time I was relieved from my floor, we had no power for the elevators to work so I had to hobble down the stairs. I needed help to make it down. By 7:15 am I told my supervisor that I was injured, but I continued working because I felt that with that amount of inmates and civilians in the building, it was my duty to protect the civilians. I'd heard reports, not sure whether they were confirmed or not, of rioting in other buildings, setting floors on fire. When I heard about that, I thought about the women and small children in the building, and I decided it was my obligation to protect them from the inmates in case one of them tried to riot to get out.

On Day Two, I was placed in a position to keep people from swimming up to the building. I was posted on the Mezzanine area, and right above there was where the civilians were staying. I had a .357 revolver with regular issue loads. No one tried to come up. I got very minimum to eat and drink that whole time. I'd brought my own food with me, and that was my main source of food. People were getting scared, 'cause there was no ventilation in the building. One deputy told people to get down because he was going to shoot the windows out on the Mezzanine where the civilians were to get some ventilation. That scared a lot of the civilians who didn't know what was going on.

When they started moving the inmates out of the building, some

were pepper sprayed and maced and forced out of the building. I didn't have to use force with anyone. Once we got the inmates out, they turned their back on us deputies. The way they treated us after the storm, you couldn't imagine it. We really didn't have any more food. Tom, a former deputy who was staying in the building, needed oxygen and they didn't have any oxygen for him in the building. The refrigeration went down when the power went down, so the insulin I had with me for my diabetes went bad. I was in a lot of pain, but I had to suck it up and give the others comfort.

At one point I called my mother and told her, in case I don't make it out, I want you to have it in the record that we are not being thought of. There is no food, water, or any form of sanitation. Thank God I have these two jars of peanut butter and two loaves of bread to help me survive. How can the Sheriff's office run out of food? Another deputy's husband swam out and came back with watermelons that were floating in the water. Now, I wasn't supposed to let him out, but I'm not gonna stop him from trying to get food in a state of emergency. We had a candy machine filled with chocolate, chips, all forms of energy. And we were told, "You better not break those machines to get to the food." All that food could have been used to feed people! We had children in there with us, but we

had milk go sour sitting in the milk machine. The helicopter came and dropped of food enough for thirty-three people, and we had over one hundred people in the building. If you had a helicopter drop off food, you could have that helicopter take sick people out. You were left to think, "How you gonna do this all on your own?" Thinking about all this now is bringing up a lot of mean emotions, but it's hard. The idea of bring forgotten about, and not even being told "thank you."

On the Friday after the storm, they got me by boat and dropped me off on a bridge. I was left on that bridge for about an hour to fend for myself, and then a helicopter came and took me to the airport. No one from the Sheriff's office was there to help me onto that helicopter. I took myself on an ambulance to Baton Rouge General Hospital for treatment of my foot. I had two surgeries done in Baton Rouge trying to save my toe. They thought they saved it.

I had to be flown from a small plane to Dallas to be with my family. In Dallas, I went to Baylor Hospital and met with a doctor who said my infection was too bad, that gangrene had set in, and we are going to have to take that toe. Two days after I woke up from toe amputation surgery, I received a phone call from Bonita Pitman. "Lewis?" she asked. "Are you planning to return to work?" "Yes," I told her, "when I am well. I just had surgery, I have a

106 fever.” What the hell? Not to send me a get well card? She knew what had happened to me.

Being diabetic, I was going through a real hard time. I went from walking on crutches to using a wheelchair to using a walker. I had to take antibiotics for roughly a month—they had to run tubes up my arm into my heart. When I called in and filed my first report to try to get workman’s comp for the injury, they denied me and told me my injury wasn’t work-related. To this day, I cannot work, and it is undetermined when I can go back to work. I am on my own financially. I am two inches from being put on the street.

These days I deal with post-traumatic stress—I am taking medicine for that—depression—so that I can sleep at night. I have violent tendencies from being faced with a place with no food, no fresh water, and when we did get food, there was only so much. Last time there was a thunderstorm, I ran and got in a closet. I’ve bitten my fiancé in my sleep from having violent dreams. I was fighting in my mind. I’ve had people send me copies of the things Marlin Gusman said he did for the hurricane. Wait a minute man! You didn’t do shit! I didn’t see you walking in that water. I didn’t see you getting people out of that building. Marlin Gusman made it seem like some big successful thing that he done. It wasn’t you. You were just a figurehead with makeup on your face. Come on man, I’m not stupid. You were supposed to be a man among men. You are the leader—you should hold your head up and at least make me feel like you know what you’re doing. I’m sitting here with gangrene setting in past my ankle,

and you couldn’t even send me a get well card. But you managed to send me a form saying how much I owe for my equipment. You can’t even send me a card and say to me, “I’m sorry you lost your toe and if there’s anything I can do, let me know.” I have to deal with depression, fear, snapping at my fiancé, and going from a forty-year-old man to a little baby when it rains. But all I want to hear is, “Thanks. Job well done. You did a good job, bro. I’m glad you were there, glad you helped out.” That’s the biggest thing. A lot of us feel that way. All we wanna hear is for the man to say thank you. That’s it: thank you.

The one thing the jail needs is to be better prepared. They need to have emergency preparedness training every six months or three months. They need to train each building so that each one is a complete self-sustained entity. Train people so that people in each building can handle all situations in each building. Ask: “Is the fuel for the generator where it can’t be contaminated by water or wind?” Train everyone how to use the riot gear. Train deputies to put on air packs in case you have a fire inside the building so they can get people out in a safe manner. They don’t have training like that. I am a merchant marine: I’ve had training. But not here. There is no fire training in the jail system. There is no biohazard training. You’re waiting for the fire department to get here, but the floor is full of smoke. You should have a special unit, whether it’s deputies or inmates or both, trained to use the thermal imager to find people who may be lying on the floor. That might sound far-fetched, or too far in the future, but to me, that kind of training could be done.¹⁰ ■

Even after the storm was over, Orleans Parish and St. Bernard Parish officials continued to bicker over who was responsible for the St. Bernard Parish prisoners who were transferred to OPP prior to the storm. Discussing the three St. Bernard Parish prisoners who managed to escape OPP, Sheriff Gusman wrote: “The St. Bernard Parish Sheriff’s Office maintained responsibility for the security and well-being of these inmates. . . . They provided their own deputies to guard their own inmates.”¹¹ St. Bernard Parish Colonel Richard Baummy disputed Sheriff Gusman’s account, stating: “We sent six deputies there to assist their operation. . . . They were under the command of New Orleans deputies. It’s their jail, of course, so we had to operate under their supervision.”¹² According to one OPP deputy who was on duty in Templeman III throughout the storm, the St. Bernard Parish deputies were “scared to death of their inmates. We were told not to deal with them because if something happened we’d be responsible. We eventually had to feed them because they [the St. Bernard Parish deputies] wouldn’t.”¹³

B. The Evacuation Finally Begins

The OPP evacuation began after state DOC officers from Angola arrived with Warden Burl Cain. The process took over three days, and appears to have been completed at some point on Thursday evening or early Friday. Prisoners report that various corrections personnel rescued them by boat, including DOC guards, OPP deputies, and national guardsmen.

In some buildings, rescuers were unable to free prisoners because their cell doors could not be unlocked. In Templeman III, many of the prisoners in the first-floor B-Side remained locked in lower-level cells while the surrounding tiers were evacuated. One deputy explains: “The inmates that were the easiest to move were moved first. . . . B-Side was primarily last, because one of the Watch Commanders misplaced the key and we had to find an alternate key.”¹⁴ “Before the water got to my waist, we put them all on lockdown and the scary thing about that was the cells wouldn’t open back up,” says another Templeman III deputy.¹⁵ “[S]o we had to go in the water, open your eyes and try to open them manually and only my Chief Bordelon and Major Jones were able to do it. That was a big help that they were on hand—without them, the inmates would have died because they never taught us that.”¹⁶

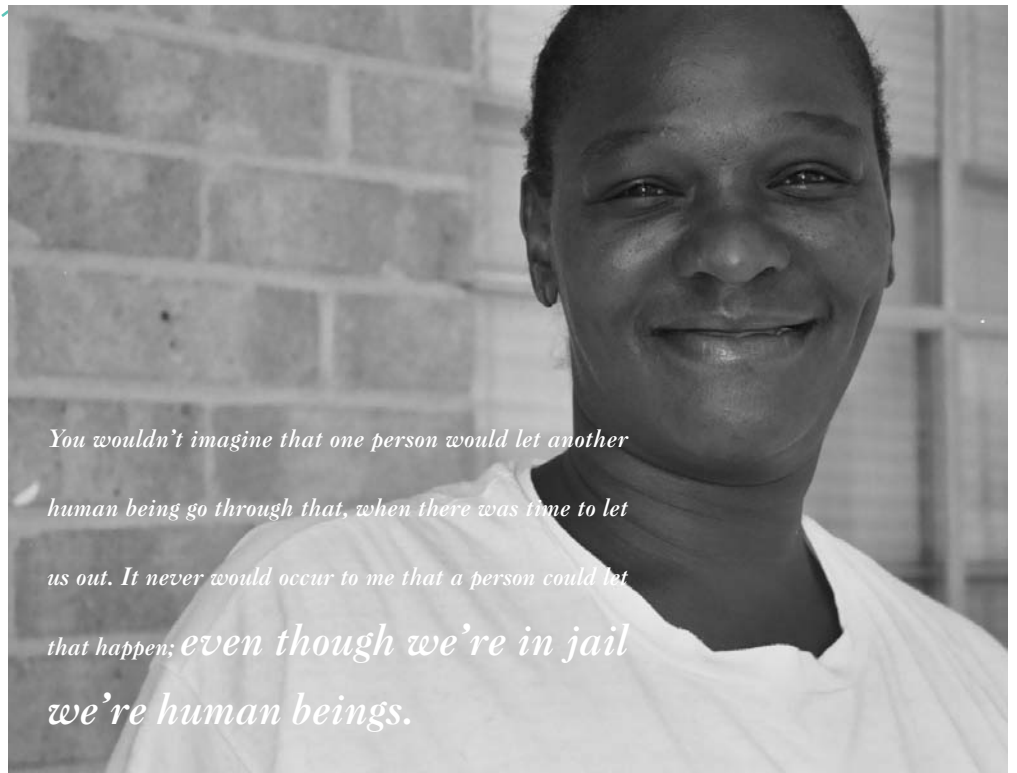
Most prisoners report that they were instructed to leave all of their belongings behind, and were told that they would still be

At the time of the storm, I had been in Orleans Parish Prison for about one year. I was housed in a ground-floor dorm (Unit B) of Templeman IV. The women in our unit stayed in open dorms with triple-stacked bunk beds. At the time of the storm, some women were even sleeping on the floor because there wasn't enough bed space.

We found out the storm was coming by watching TV, but on Sunday the TV cut off. The phones were already off, so after Sunday we had no more contact with what was going on outside. All we knew was what the Yanks were telling us when they came back to the dorm after talking to the deputies. On Sunday they were telling us that we should pack our stuff because deputies were about to move us. But we never was moved. When the deputies locked the Yanks and us in the dorm, we didn't know what was happening, and we didn't see the deputies for a long time.

When the power went out, it was dark—no lights. Water backed up from the commodes and sewer water from the flood came under the doors and filled up our unit to the second bunk. We didn't know what was going on, and it was hard to even know what day it was. In our unit there were elderly women who had trouble getting onto the top of the third bunk to avoid the water, and there was at least one pregnant lady who also had trouble. We tried to help those women as best we could. My friend Iris Hardeman was really sick, and we were worried about her.

We were all trying to stick together, praying, singing. Trying to be strong through it all because we didn't know what was going to happen. We had no food to eat,



You wouldn't imagine that one person would let another human being go through that, when there was time to let us out. It never would occur to me that a person could let that happen; even though we're in jail we're human beings.

except the little bit that people had bought from commissary, but we'd eaten all of that long before they finally moved us.

When it was time to move us, deputies came in at night with flashlights and everyone got up. It was completely dark, and they just told us to get all of the stuff that we could and bring it with us. With no light, we couldn't find anything, so we just carried out our own bodies, and we held people who couldn't hold themselves up.

We walked through the jail on the ground floor from Templeman IV to III; the water was up to my chest and I am 5'2". It probably took half an hour to one hour to get all of us to Templeman III. When we were walking through that water, Sheriff Gusman was there. He was telling us to be careful, to hold on to the wall or the fence as we were walking. That was the only time I ever saw him.

In Templeman III we climbed the stairs to a higher level, and male deputies with flashlights were leading us up the stairs. There wasn't any floodwater in that dorm, but it was dark and we couldn't see anything. The men had already set fires in that dorm, which they did so the guards would get them out of there. But then they moved us in

there instead. There were all kinds of smoke in the air, like they just put a fire out. We were coughing, black stuff was coming out of our noses. It was terrifying. At that point, the deputies were telling us that they were trying to contact people to get us out of there, but they couldn't get any help. We were there for a few hours, until the next morning when the sun came up and we could see around the room. There were blankets in the bathroom that the men had burnt before we got up there, and the room was all dirty and nasty. All the chemical bottles they use for cleaning were thrown around. When we looked out the window we saw how high the water was and we wondered how we would get out of there.

They came up to take us out of the building and took us to Central Lock-Up, which was filled with water. We left Templeman III probably at around 7 or 8am, and we only got out of Central Lock-Up late that night. In Central Lock-Up there were men as well as women. The women were still being pretty supportive of each other, but some men were trying to escape any way they could and there was shooting around us. There were big double doors where the boats were picking people up and we could see outside. We stood up on a truck to get into the boat.

They took us to the Overpass and told us to sit down. We were on one side of the bridge and the men were on the other side. There were dogs and other officers there. The officers used plastic cuffs to cuff each woman to the woman next to her. Then they told us to sit down back-to-back with other women.

There were ice chests full of bottled water on the bridge, and we were asking for the water. We were so thirsty and it was really only then that we started to get wild, really trying to get to the ice chests. They could have given us a piece of ice or something. Some women reached in and that was when they maced us and put the dogs on us. I didn't get to touch any of the ice. Some civilians on the bridge were trying to give us water too, but the officers wouldn't allow them to get close. Some of them threw bottles to us and we just tried to get a few sips.

They took off the plastic cuffs so I could get into a boat to go to the interstate. On the interstate they put the cuffs back on and told us to sit down again. They threw bottles of water to us, but still no food. I was tired and very weak. They had people passing out at that point. I lost sight of my friend Iris at that point and didn't see her again until we got to Angola and they were deciding where to put us.

She died a little while after we got to Angola, but I didn't see her die because they placed me in a different part of the building.

I can't remember how long it was before I found out where my family was—maybe two or three weeks. I was sitting down talking to another woman about how I still didn't know if my family was okay, and she was saying she didn't know where her family was. Then a deputy came and brought me the message that my family was okay and that they were in Mississippi and that I should call them. I will never forget that. It was a relief—so wonderful.

I thank God today that I am alive. With all that we went through I thought they would really leave us for dead. I'm still trying to get myself together. Some people I meet ask me about what happened, because they talked to someone who was there during the storm, and they heard that I was at the jail too. I don't converse about it because I'm trying to forget it.

If I could talk to the Sheriff, it wouldn't be nothing nice. The people from Angola said they came to the jail on Friday and Gusman refused to let them take us. He should have let them take us. You wouldn't imagine that one person would let another human being go through that, when there was time to let us out. It never would occur to me that a person could let that happen; even though we're in jail we're human beings. And then Gusman lied about us having food and water when he knows we didn't. He knows we didn't. There's just no way he can correct this. If I had anything to tell him, it wouldn't be nothing nice.¹⁷ ■

there when they returned to the jail after the storm. Prisoners lost irreplaceable items such as legal paperwork and personal belongings. They also lost medications and medical paperwork that would have helped them obtain treatment at the facilities to which they were later sent. Ronnie Lee Morgan, Jr., a federal prisoner in HOD, explains:

On Thursday, DOC guards came on the tier throwing guns in our face. They told us to leave everything there, because it would be there when we got back. I tried to get my legal paperwork, but a guard pulled his gun on me so I left it there. I lost all of my legal work. I also lost baby pictures of my daughters, and the storm took the pictures that their mom had. My daughters are now 9 and 11 years old, and that whole memory of them as babies is gone now.¹⁸

c. Prisoners Were Held for Hours in Central Lock-Up Before Being Evacuated by Boat

Central Lock-Up is a small building where prisoners are brought to be booked after they are arrested. It served as a staging area for the evacuation from OPP: hundreds of prisoners were moved there from other buildings, where they remained in chest-deep water for as long as twelve or thirteen hours. One reason prisoners waited there so long was because the Sheriff did not have enough boats to transport them. Early reporting indicated that the Sheriff had only five boats to transport the nearly 7000 prisoners who were in the facility when Katrina hit, not to mention all of the deputies, staff members, and civilians who were invited into the facility to ride out the storm.¹⁹ More recent information from the Sheriff's office indicates that only three boats actually were on-hand.²⁰ According to one high-ranking official in the Sheriff's office, when one of the larger boats broke down, prison officials "broke into an adjacent parking garage at police headquarters so they could 'scavenge' car batteries for the boat's electric trolling motor."²¹

When they arrived in Central Lock-Up, prisoners were "bunched together like cattle."²² The water was deep. Some prisoners report it reached their necks. Some were too short or too weak to stand above the water on their own. When Iris Hardeman passed through Central Lock-Up, other women took turns holding her up.²³ Another woman from Templeman IV reports that she carried an elderly woman on her back from her building to Central Lock-Up:

We waded thru 4 1/2 sometimes 5 foot deep water. I carried a 65 year old lady on my back because she was 4 foot 9 inches and could not swim and had a heart condition and the officers told her that if she didn't learn to swim quick they had a body bag with her name on it. . . . [W]e were moved to Central

*Lock Up to wade and stood in water for 9 1/2 hours. Where I stood with the 65 year old lady on my back or in my arms we were not allowed to sit on any desk or tables. After 5 1/2 hours my legs started giving out so some of my friends saw me go under water while trying to keep the old lady up and came and held us up for 4 hours.*²⁴

One prisoner from Templeman I reports that when he arrived in Central Lock-Up: “The water looked as if it had sat in an outside pool for months. It smelled as if someone mixed it with 90% diesel gasoline. I swear, the whole while I was in that water, I feared for my life. Imagine someone 5’0 feet moving through say about 5’3 or 5’4 feet water?”²⁵ Another writes, “[t]he water was literally burning my skin it was so thick with Diesel fuel.”²⁶

By the time they arrived in Central Lock-Up, many of the prisoners had gone days without food, water, or medical attention. Female prisoners from Templeman IV were held alongside male prisoners in Central Lock-Up. One female prisoner reports that when she was in Central Lock-Up, a male inmate grabbed her leg underwater. “I screamed and the deputies started running toward me while the other female inmates said that theirs is a man under water. The deputies started shooting in the water by my legs and the male inmates which was 3 at that time got up and started running and then the deputies start shooting over my head.”²⁷ Another female prisoner from Templeman describes a similar incident in which “[a] few men went under the funky water grabbing on the women inmates.”²⁸

One prisoner from South White Street was incarcerated for failing to meet with his probation officer. He reports that before leaving South White Street, a guard provided the prisoners with plastic bags so that they could leave with their belongings. After walking two blocks through neck-deep water, he reached Central Lock-Up. Once there, he faced “armed guards w/ rifles and machine guns demanding us to remain still at that point, and to drop our belongings (which was everything we own, including all address and phone numbers to all relatives everywhere.) We dropped our bag as instructed and proceeded to the boat. They hit some us with the muzzle of the guns and shove some in the back.”²⁹ Another prisoner states that in Central Lock-Up, “prisoners were being shot with beanbags & rubber bullets & they were only trying to get to safety.”³⁰ “[T]he deputies had shotguns shooting them over our heads at the wall and the ceiling causing sheet rock and debris to fall on our heads and face and eye. I was scared for my life because things were out of control.”³¹

D. Reports of Deaths Inside OPP

Sheriff Gusman has consistently stated that there were no deaths at OPP during the storm and the subsequent evacuation.³² However, several deputies and many prisoners report witnessing deaths at the jail. Speaking to a reporter shortly after the evacuation, Deputy Luis Reyes stated: “There are dead inmates in there still. When the guards were doing their last sweeps there were one or two here and there. We were

not giving them any food or water.”³³ Deputy Deborah Williams recalls being with juveniles during the storm. After making her way from Louisiana to New York to be with her daughter, Deputy Williams recounted: “It was horrible. Two of our kids drowned, and there was nothing we could do to help them. One of them was pregnant. There were bodies floating by, and the soldiers kept telling us to hurry, that it wasn’t safe.”³⁴

After the storm passed, Corey Stevenson was moved from his juvenile tier in Old Parish Prison to an open dorm that housed adults. He recalls that the man sleeping in the bunk above him was diabetic, and he died some time after the power went out in the building. “When it was time to move him, I was shaking him hard—harder than normal—and he wouldn’t get up. I put my arms around his back and pulled him off the bed. His feet hit the floor and I was dragging him. A US Marshall pointed a shotgun at me and said what the hell is in your pocket. It was my mail bag. The US Marshall told me to leave the man by the showers, so I did.”³⁵ Two prisoners housed in the upper tier of Templeman III (D-3) report that an elderly prisoner passed away during the storm.³⁶

Reports of deaths have not been limited to prisoners. During Sheriff Gusman’s reelection campaign, his opponent ran a television ad featuring a maintenance worker at the jail claiming that two female deputies died of smoke inhalation following the storm.³⁷

One year after the storm, no deaths at OPP have been confirmed. It is certainly conceivable that given the chaos at the jail deputies and employees were mistaken about having seen dead bodies there. When asked about this possibility, however, one prisoner responded, “[h]ow could I forget it?”³⁸ Bodies are still being found in parts of New Orleans,³⁹ and FEMA has admitted, “it’s likely that many of the lost will not be found.”⁴⁰ The Orleans Parish coroner’s office reported recently that 49 persons found dead in Katrina’s floodwaters remain unidentified.⁴¹ Some of the prisoners for whom fugitive arrest warrants were issued have not been recaptured, and the only evidence of their “escape” from OPP may well be that they did not show up at DOC facilities in the weeks after the storm. Several groups and individuals have generated lists to identify any prisoners who may have died at OPP during the storm or while in transit to state facilities, but those lists will never be complete, because there does not appear to be an entirely accurate list of all of the individuals who were detained in OPP at the time of the storm.