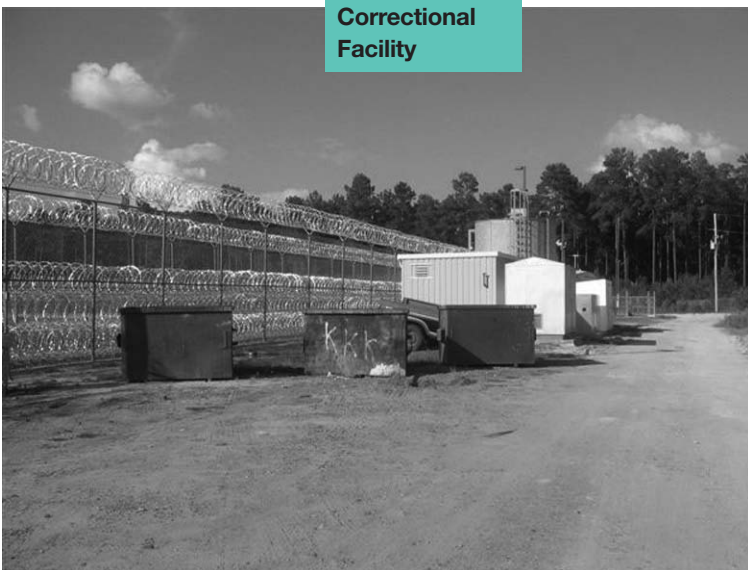


“KKK” spray-painted on a dumpster outside Jena Correctional Facility



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Jena employee painting over “KKK” dumpster following HRW visit to the facility



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VIII. PROBLEMS AT RECEIVING FACILITIES

From Interstate 10, OPP evacuees were bused to prisons and jails throughout Louisiana. Most female prisoners were sent directly to Louisiana State Penitentiary at Angola, while thousands of men were transported to the Elayn Hunt Correctional Center in St. Gabriel, Louisiana. After spending several harrowing days at Hunt, the men were further dispersed to over three-dozen facilities across the state, and some were sent to the Federal Correctional Institute in Coleman, Florida. At many of these receiving facilities, their abuse and mistreatment continued.

State and local officials cannot be excused for the chaos that the OPP evacuees endured during Hurricane Katrina. However, their failure can be understood, in part, as the product of poor planning in the face of the greatest natural disaster in this country’s history. That many of these evacuees endured continuing abuse and neglect at their receiving facilities is a reflection of the larger crisis in the Louisiana criminal justice system. The racism and violence that these prisoners describe should have no place in any prison. However it is still very much a reality in many facilities throughout the state. In the case of these evacuees, state and local officials not only failed to abide by constitutional and human rights standards, but also failed the test of human compassion.

A. Elayn Hunt Correctional Center

The Elayn Hunt Correctional Center is located approximately seventy miles northwest of New Orleans, and was not damaged as a result of the storm. On arrival, the OPP evacuees were given food, water, and a blanket, and were placed on fields inside the prison’s grounds. The fields had very limited shelter, so thousands of men remained in the open, even after it began to rain. Although some of the men were transported out of Hunt shortly after their arrival, thousands spent days in Hunt’s muddy fields.

1. Rampant Assaults of Prisoners Abandoned on the Football Field “*The most unsafe conditions that I’ve been exposed to in prison.*”¹

For the OPP evacuees, conditions at Hunt were nothing short of terrifying. When the first OPP evacuees arrived, they were placed on several small yards. When it began to rain, many of the men were consolidated onto a single field surrounded by a fence. Armed guards watched over the prisoners from towers and from behind the fence. The guards established a gun line along the length of the fence which prisoners were not permitted to cross.

Prisoners were not separated by offense. Pre-trial prisoners arrested on public intoxication charges were held side-by-side with convicted felons. Municipal, state, and federal prisoners were also mixed together on a single field. Prisoners who were previously housed for good reason in protective custody were suddenly placed on the field with no protection at all. Given their sheer numbers, the evacuees found themselves sitting on a powder keg. One man describes his time at Hunt as “the most unsafe conditions that I’ve been exposed to in prison.”²

Violence broke out all over the large yard at Hunt. One man writes that on the yard, “people [were] getting stabbed for they food and the guards just let it happen. Guys were constantly fighting and stabbing each other up all day we could not really sleep because we had to watch ourselves all the time.”³

Instead of intervening to control the prisoners, Hunt guards remained outside the fence. One man reports that after he was stabbed on his left wrist by another prisoner, “I went for help [and] the guards pointed their guns at me & told me to leave or I would be shot at.”⁴ Many prisoners report that they joined groups in order to gain protection. One prisoner “saw one young man . . . get his face ‘cut up’ so bad that the flesh was hanging from his cheek and forehead.”⁵ He states that “[y]ou *had* to be within a group in that environment, because if you went to sleep, someone had to be awake to watch your back, it was just that brutal.”⁶

RONNIE LEE MORGAN, JR.

I'm standing there in the pouring rain, with blood flowing down my face and neck, while the Hunt guards watched me staggering in visibly enormous pain!

During the storm, I was in the House of Detention building, in the 8th Floor CLU (Southside). I am a federal inmate in protective custody, and I was being held in a cell without any cellmates. We were locked down on the Saturday before the storm, and stayed locked down for days without food or water. I had a small jar of peanut butter that I had bought through commissary, but that didn't last long. On Monday morning during the storm, the building was shaking. I was never really sleeping, I just passed out a bit because of the heat. At times, deputies came by to talk to us. Through the window I saw fires in Templeman III, and I also saw a guy being dragged off of the razor wire while guards were firing into a hole in a building. 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.

I was taken under the Broad Street Overpass where I boarded a bus that took us to Hunt Correctional Center. Before we got off the bus, the Warden got on, and we were telling him that we were federal U.S. Marshal prisoners, and that some of us were under protective custody and needed a special tier. He told us not to tell anyone else,

and we told him to look at the bold white letters on our sweatshirts that read "FEDERAL." The Warden said he didn't care, and he sent us out onto a yard that was filled with what looked like several thousand state inmates.

The guy who had been in the cell next to me said he couldn't go on the yard, because he could see his enemies out there. He was also an inmate in protective custody. He walked onto the yard and got stabbed all over his face. Blood was like a waterfall out of his face. He ran to the guards and they shot at him and then stripped off his clothes. He was a really light-skinned black guy, and his face was bleeding so bad he looked like

a peppermint. They ended up slamming him into the back of a truck like meat. I don't know if he lived or what, but he was pretty bad off.

I wasn't on Hunt yard more than 30 minutes, and I was beaten and stabbed one time in the head and one time in the back of the neck, by several gang members. I had to retreat to the guards, who stood on the other side of the fence and laughed, when I asked them for help! I'm standing there in the pouring rain, with blood flowing down my face and neck, while the Hunt guards watched me staggering in visibly enormous pain! On top of all that, I had to stay awake all night, walking around with clothes that were drenched in both water and blood, with no medical attention at all: zero! I still have scars from where I was stabbed.⁷ ■

Many prisoners recount what may be a single incident in which one prisoner was jumped by a group of prisoners and was badly injured. The prisoners' descriptions follow:

I experienced a guy getting "stabbed" in the face and stumped by a "gang" of young men. The victom then ran to the gate crying out for help. As blood protruded down the mid-section of his face. At the point of his presence he was told to go back into the yard. After fearing for his life he refused to follow the guards instruction to return to the yard. As he cried out for help he was shot with a (plastic bullet) in the abdomen then the guards open the gate, maced him, cuffed him, and placed him face-down on the back flat bed of a pick-up truck. And rode off with him.⁸

Me personally was walking into the yard when they had a white inmate trying to walk out the yard with his face and head all bloody, looks to me he had been stabbed several times, while he's trying to come out the yard a officer is yelling at him to get back in the yard, but the man is trying to talk to the officer, so then the officer fires a shot at the man with a shotgun from point blank range.⁹

I seen guys getting stabbed. I don't know anyone personally, but I saw fights break out on numerous occasions. You could hear shots in the air, but no guards came down to do anything about it. I heard guards say stuff like "they are a bunch of animals, let them kill themselves. They are from New Orleans." One white guy was bloody, ran for help past the gun line, and was shot in the leg. I am pretty sure he was white or Latino. I saw that he was shot with something that drew blood—I think it was live ammo. . . . After the white guy was shot he was taken out of there and that was the last I saw of him.¹⁰

These reports appear to be corroborated by the DOC's technical assistance report, which acknowledges that on one occasion "a warning shot was fired and an attack dog used to get an inmate and extract him from the yard after he had been beaten, and another inmate was shot with rubber bullets when he ran towards the perimeter fence."¹¹

Many of the men also witnessed prisoner-on-prisoner rapes in the field at Hunt. One man writes: "Everywhere you looked there were fights, people getting stabbed, people getting raped also. Everybody was mixed together. Murderers, rapists, even a death row inmate were allowed to walk freely among people who were only in jail for traffic tickets or disturbing the peace."¹² One man held on a probation violation writes that conditions at Hunt were chaotic

for the simple reason that they mixed non violent

offenders with violent offenders who were on murder charges, rape, and robbery. Then what made it even worse was while in Orleans Prison if they had a gang fight or a despute between inmates they would separate them. But when we got to Hunt, they put every one on one big yard together. Inmates who had previous run ins with enemys once again had the chance to get revenge or even kell they foe. Yes they had sexual assaults, even brutal and physical assults between inmates. The non violent offenders were either getting beat up on, robbed of valuables, sexual assulted or jumped by violent charged inmates while the superior stood back and did nothing it was to uncontrollable.¹³

A local newspaper contacted Hunt officials for comment on the reports of violence among OPP evacuees. Reporters were not allowed to speak with the officials, and were instead directed to Cathy Fontenot, a spokesperson for the Department of Corrections who was not at Hunt following the storm.¹⁴ Nevertheless, Ms. Fontenot denied all claims of violence by prisoners at Hunt. Instead, she commented that "[t]he word that comes to me when I think back to that day is docile."¹⁵

2. Lack of Food

"They were throwing sandwiches in the crowd like they were in New Orleans, at the Mardi Gras!"¹⁶

Although OPP evacuees were handed a sandwich when they first arrived at Hunt, food was delivered more haphazardly after the men were placed on the yard. Hunt guards threw bags of sandwiches over the fence into the crowd. Some of the men describe Hunt's efforts as dehumanizing. "[W]e were fed like animal's instead of humans. Hunt's started throwing sandwiches over the fence to us."¹⁷ Another writes, "[t]hey feed us on top of a fork lift throwing food to us like we were animals."¹⁸

Hungry prisoners fought one another for food. One man writes: "When we was finally given food they took bags with one or two sandwiches and threw them over a barbed wire fence, and you had to fight for it like dogs. If you didn't eat, you just went hungry."¹⁹ One 53-year-old man held on a parole violation reports: "When we first got there sandwiches was issue the first day. After that, everyone had to fight to get a sandwich, they were very disorganize, handling the situation . . . most of us older guys did without food and water while there because guys was fighting, cutting each other, the deputies was just looking and laughing. They were throwing sandwiches in the crowd like they were in New Orleans, at the Mardi Gras!"²⁰

Speaking months after the storm, Ms. Fontenot admitted that the prisoners at Hunt were supposed to receive meals in the dining hall, but the kitchen was shut down because it could not handle preparing food for the huge number of evacuees.²¹ "We fed those inmates the best that we could," she said. "We could not feed them hot meals like they're used to."²²

3. Lack of Medical Attention

Prisoners at Hunt were not provided with proper medical attention, in part because no medical records or medications from OPP were transferred with them.²³ Many chronically ill prisoners who had already gone days without receiving their medications did not receive them when they arrived at the prison. One man writes that he saw “one old man who was real sick, and they told us to wrap him up in a blanket and set him down by the gate. Where he sat for hours before they finally literally dragged him away.”²⁴ At least one prisoner suffered a stroke while sitting in the yard.²⁵

Other prisoners were denied medical attention for injuries they suffered after being assaulted in the yard. “Thousands of people fighting for food. A lot of people was passing out on the yard fights and stabbing was going all around me and the deputies didn’t come to the yard to stop them or to treat anyone for stabbing.”²⁶

Many of the prisoners developed rashes and skin infections as a result of wading through contaminated floodwaters and being exposed to the sun. OPP’s Medical Director, Dr. Inglese, later commented that the floodwater was so toxic that it stripped all of the skin off his chest. “I even treated deputies with trench foot, something people used to get during World War II. The skin was peeling off of their muscles. That’s how bad it was in that water.”²⁷ One deputy recalls taking a bath in CCC using water from the nearby Kentwood plant, and receiving medication on the Overpass because he had been in the water for so many days.²⁸ By contrast, OPP evacuees received no antibiotics on the Overpass, and none when they arrived at Hunt. Moreover, at Hunt they were not allowed to shower or change out of the clothes they had been wearing since before the storm hit New Orleans. One man writes that he “had all kind of swores on me from being wet so long. I had sun burn all over my body.”²⁹

Paul Kunkel, a special education teacher at an elementary school in Ohio, was arrested days before the storm on public intoxication charges. While in OPP he developed an eye infection that grew worse at Hunt. In a letter to a friend, Mr. Kunkel writes:

*We lived in 90 degree-plus sun with no protection from the elements. One day it poured and the ground was all wet and muddy. We were given one blanket and we were freezing at night. My right eye was still infected and I can no longer see very well because my contacts had to be taken out. Inmates were stealing blankets and convicts were armed with homemade knives. It was like a concentration camp. I [was] very afraid.*³⁰

For some, the experience at Hunt was just as bad, if not worse, than the experience inside OPP. One man writes: “I hope in life this will not happen to me again it was like a nightmare. . . . This is going to stick with me all the days of my life . . . I was just on a probation hold waiting to go to court on a change of address.”³¹ According to another prisoner, “[w]hen it was all over I felt my life had been put on danger for a second time.”³²

B. Bossier Parish Maximum Security Jail

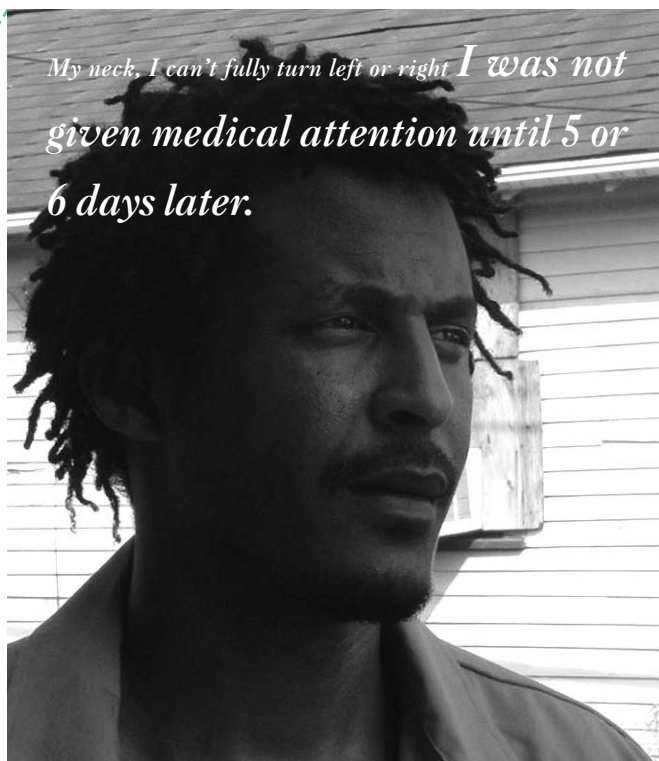
*“I never thought I see anything like this in my life.”*³³

From the yard at Hunt, some of the men were transported to Bossier Parish Maximum Security Jail (“Bossier”). Although the facility was designed to hold maximum-security prisoners, all of the evacuees transferred there were minimum- to medium-security prisoners.³⁴ At the time of the storm, Bossier was still two months away from its projected opening, which meant that control systems had not been tested, supplies had not been stocked, and staff had not been hired.³⁵ In preparation for the 500 OPP evacuees who would be headed to the facility, Bossier officials reportedly procured only 300 mattresses.³⁶ Because only 40% of the staff who were needed to operate the jail had been hired, Bossier cobbled together a staff from around Louisiana.³⁷ According to Ken Weaver, Bossier chief deputy of corrections: “We had some people who had never worked in a facility—probation and parole officers. . . . We put them through a quick course on how things operate.”³⁸

Dozens of OPP evacuees complain that the officers at Bossier regularly beat and maced prisoners without cause. In many cases, the assaults appear to have been racially motivated. Whereas the pre-Katrina population of Orleans Parish was 66.6% African-American, and 89.3% of the prisoners at OPP were African-American, Bossier City is located in northwest Louisiana, by the Texas and Arkansas borders. Census data shows that only 22.7% of the population in Bossier City is African-American.³⁹

One prisoner, who was seventeen years old at the time of the storm, says of Bossier: “We were being maced and having racial remarks told to use by several guards. I was only there for about 2 weeks and I was maced 6 times. They feed us small portions of food, barely enough to live on.”⁴⁰

TIMOTHY ORDON



My neck, I can't fully turn left or right I was not given medical attention until 5 or 6 days later.

When we arrived here we first went to the Bossier Maximum Security Jail, we opened the place up, it was a new jail that was not due to open until Nov. I think. Anyway from the time we was put into cells things took off from there. . . . [W]hat I meant by things took off from there, is that once they got us into them cells they kept us in them cells, didn't let us out to use the phones or shower. You know we had to walk in chest high water "contaminated water," sit on a bridge with no water, etc. etc. . . . well anyway, we were kept in the cell for about 4 or 5 days before they let us out 1 cell at a time to shower and use the phone. We had to do all this in fifteen minutes. Now during them 4 to 5 days, longer for some, but during them

days we were sprayed with pepper spray and beat up.

I was beat badly my right leg (knee) is still given me problems. I have not receive a full range of motion. My neck, I can't fully turn left or right I was not given medical attention until 5 or 6 days later. Once the beating was over, one Bossier officer got in my ear whispering "lil nigger boy, you know where the F--- you at, we don't play that shit out here, you ain't in New Orleans." . . . [T]hen they started hitting on me some more, they dragged me to the hole by my feet, pull my cloths off and put me in a cold ass cell butt naked then about 30 minutes later they put another dude in the cell with me ass naked and beat up pretty bad also.⁴¹ ■

One of the men at Bossier was arrested two weeks before the storm on a parole violation. He writes that at Bossier "we was treated bad, cause we was prisoner of Orleans Parish. We wasn't hostile, but they treated us as we was, beating us, if we didn't do anything to they liken. Treating us as if we wasn't human beings. . . . I don't put this on my worst enemy."⁴²

I was in OPP at the time of the storm because of traffic violations. I think one was for a stop sign, and I also had unpaid tickets. I have never gotten into any serious trouble with the law. Back in the middle of July I went to court and the Judge told me I owed \$700. He said if I didn't have the whole \$700 I would go to jail for 60 days. I said I could pay \$100 now and \$100 per month after that, but they sent me to jail.

They brought me to Orleans Parish Prison, where I was on the Receiving Tier for about three weeks. I think they are only supposed to hold you there for 72 hours. Three weeks without a change of clothes or nothing. On the Receiving Tier there are two man cells, but they had four people per cell. People were sleeping everywhere—on the floors and on the tables. I slept on a mat on the day room floor for the first couple of days until I found myself a bed.

Eventually they moved me to Templeman II (Unit F-2). A few days before the storm our phones cut off. Later the power cut off when we were watching TV and hearing about the evacuation. After the power cut out they brought a whole other tier onto our tier, which made it extra crowded. No food, no light. Once the power cut out you couldn't get water or flush the toilet.

I was in the building for maybe two or three days until deputies came and got us. Where I was, people weren't breaking much stuff, but we were talking about how we were going to die, and about how they'd left us. A couple of times when fights were close to happening, people would break it up. If you looked out the windows all you saw was water. Houses under water, cars under water. We saw inmates in other building hanging sheets out the window that were on fire. We saw others on top of

IVY R. GISCLAIR

My release date was September 9th, which was a few days after I got to Bossier. When that passed, I told one of the guards that my release date had passed and asked if there was anything I could do to get out of here.

other buildings, but I don't know how they got there. One time I saw guards go onto a roof and throw an inmate into the water to a boat where other guards could get him.

We also saw a group of maybe six inmates on a roof and one of them jumped into the water and swam to a boat filled with guards. When he got there they pulled him into the boat and started kicking and punching him. Later, when they evacuated us to Central Lock-Up, we saw that same inmate standing on the outside of the glass when you walk out of Central Lock-Up. He was handcuffed, leaning against the glass, all beat up. His face was swollen, he was bleeding, and his shirt was off. We were asking him questions and that's how we found out he was the guy we had seen jump into the water. We asked the guards why they beat the guy up, and they were telling us that he was trying to escape. You're going to tell me that man was trying to escape when he swam straight to them? That man was trying to save his life.

The same day I got to the Broad Street Overpass, I got on a bus that took me to Hunt. At Hunt they just threw everyone in the yard to sleep in the grass—in the sun and the rain. When we got there they gave us one sandwich. I stayed there a couple of days; I don't know exactly how long. At Hunt, that is when things really started getting bad, with stabbings and rapings and fights on the yard. I witnessed

a bunch of fights, I couldn't even count. I seen people get stabbed. I almost got into fights numerous times because people cliqued up with each other when they got on the yard. If you went by yourself, people messed with you.

The guards couldn't control it at Hunt. They were only around the outside of the perimeter, so they couldn't see what was going on inside all of those inmates. A few times the guards shot straight into the crowd. I heard people talking about people who got hit, but I never seen anybody. I don't know what they were shooting, but people were saying it was beanbags.

After that I was transferred to Plain Dealing, Louisiana—Bossier MAX. That place wasn't even supposed to be open, so they didn't really have a staff. They had regular police officers and stuff acting as guards. My release date was September 9th, which was a few days after I got to Bossier. When that passed, I told one of the guards that my release date had passed and asked if there was anything I could do to get out of here. He blew up on me and started cursing me out. I started cursing him back, and that was when he pepper sprayed me through the food slot in my cell. The pepper spray hit me, but I picked up my blanket and got all the way in the corner, where the pepper spray couldn't hit me anymore. I had never been hit with pepper spray before. I couldn't breathe; I couldn't see.

The guy in the cell with me said he couldn't breathe and wanted to get out of the cell; he was feeling it just from being in the same cell with the pepper spray, and it didn't even hit him.

That guard later came back with a whole crowd of guards, including a big bald-headed white guy who seemed to tell all of the other guards what to do. From outside the cell they told the dude in the cell with me that when they opened the cell, he should come out. I could see that they were pointing a red light from a Taser at me, and when I saw that I knew they were going to come in and beat me up. I got on my knees with my hands on my head to show them I wasn't going to cause any problems. They walked in the cell and the big guy shot me with the Taser. When he stopped shocking me, the other guards all jumped on me and put handcuffs and leg shackles on me. Then they started beating me. Those wires from the Taser were still stuck in me, one in my chest and one in my stomach, so when he told them to get off me he started shocking me again, saying shit like "you like that, you like that!" He did that three times, where he would shock me and then let them beat me up and then start shocking me again.

I blacked out and woke up alone in a cell with no clothes on at all. There was a rack for the bed, but there was no mattress. The only thing in the cell was the rack, a toilet and toilet paper. They were saying things to me like "You New Orleans niggers think you so bad." They also said "you all are animals. I'm gonna put you in the woods with the animals." They called New Orleans "Thug City." I'm American Indian, but my skin's brown, so I guess they thought I was black.

In the isolation room it was freezing cold. You didn't have a mattress or

blanket and it was cold as hell, because you were sleeping on steel. Sometimes I slept on the floor, depending upon what was warmer at the time. They fed you three times a day like everyone else, but no one would talk to me in there. The Bossier inmates or whoever who would bring the food wouldn't answer any questions. When I asked questions the guards would tell me to shut the fuck up and throw my food into the cell so it would fall onto the ground.

I was in that isolation cell for about a week when the guy who shot me with the Taser came and talked to me. He asked me if I had calmed down and if I would act right. I told him I didn't do anything wrong—all I did was ask the guard a question and then he got mad at me and pepper sprayed me. The next day they brought me back to general population and gave me back some clothes.

I was released around September 24, when Hurricane Rita hit. When we first got to Bossier they took our orange OPP jumpsuits and gave us their own clothes. When I was released they took their clothes back and gave me the OPP clothes to go home in. They were releasing me and one other guy, and they drove us to the Lamar Dixon Expo Center in Gonzales, Louisiana. The Center said they couldn't take any more people there, so the guy who was driving us called his boss who said they couldn't bring us back to Bossier.

They left us at a Shell gas station in our OPP jumpsuits, fit to get shot by anyone who thought we had escaped from jail. They put my mom in danger because she had to drive all the way from home through Hurricane Rita to come get me there. I had money in my jail account back at OPP, but I never got any of that and have never heard anything about it.⁴³ ■

Another man, arrested on public drunkenness charges and held on fines and fees, writes that he suffers from cerebral palsy: “[A]t Bossier they are treating us like slaves locking us down letting us out the cells when they feel like letting us out starving us feeding us like little children, the little food we do eat be cold. They beat an inmate for nothing brutally beat him for nothing. I never thought I see anything like this in my life. I be praying to God to let me make it home safe to my family.”⁴⁴

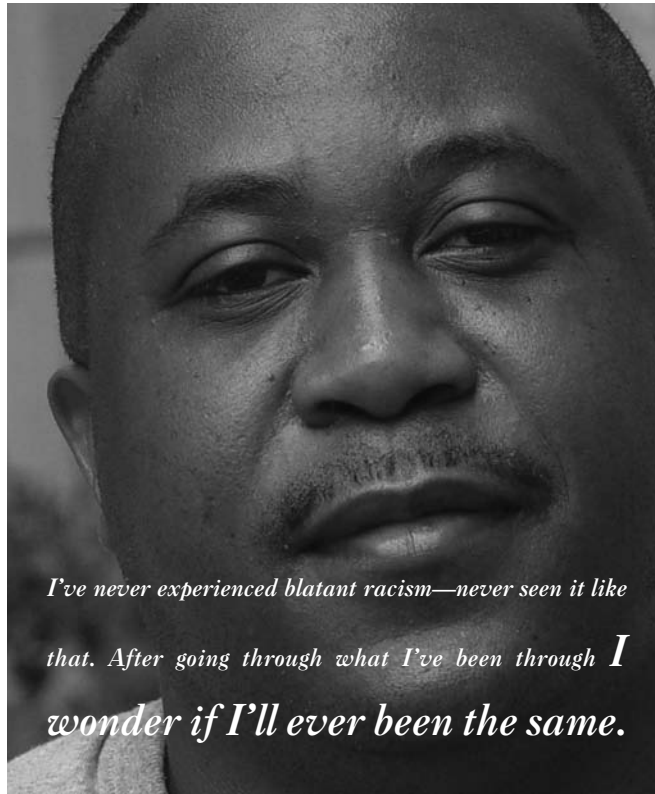
c. Ouachita Parish Correctional Center

Other prisoners were transferred from Hunt to Ouachita Parish Correctional Center (“Ouachita”). Evacuees at Ouachita express shock at the level of racism displayed by the correctional officers. One prisoner calls Ouachita:

racist to the ‘T.’ I mean from the slurs, to the hospitality, to the food service, I mean I don’t feel that these people care of our well-being at all. . . . We get tazed, maced and bean bagged on a regular basis, and I know that these deputies hate us because they tell us everyday. They even slide us our food on the floor, the same way you would feed a dog!”⁴⁵

Another man explains that he was “in total shock” at the treatment he received at Ouachita.⁴⁶ “The racism segregation, lack of personal hygiene and outright hatred that I and my fellow inmates receive on a daily basis is only something a prisoner of war experiences. The threat of violence and mistreatment is always over our heads.”⁴⁷

VINCENT NORMAN



I've never experienced blatant racism—never seen it like that. After going through what I've been through I wonder if I'll ever been the same.

On August 24, 2005, I was stopped by the police and arrested on a warrant for failure to appear in court and a \$100 fine. I was supposed to be released at an August 31 hearing, after serving a total of seven days and paying my fine. On the Friday afternoon before the Hurricane, Orleans Parish Prison stopped releasing people from the jail. I got my last full meal on Saturday morning, and phones were cut off that evening. On Saturday night, deputies put all of us in two-man cells. I was in Templeman III (Unit B-2), and there were a total of eight men in my cell. When I asked a guard when they would come back, the guard maced my cell. They had no regard for anyone, they were just concerned with themselves. If you asked a question, just a basic question, like: “when do I get my meds, when do we get to eat,” they would mace the cells.

By Monday there was at least eight feet of water on the bottom tier, but I was in a cell on the upper tier. Some of the inmates were able to open their cells, but my cell door did not open. I witnessed several inmates with various medical conditions suffer from dehydration—we were forced to live off toilet water, and lie in our own waste and bodily fluids. We were drinking out of toilets because that is all we had. The worst part was not knowing if someone would come find

us, not knowing if you would see your family, not knowing if you'd see your friends—it was just not knowing. When the rescuers arrived I was still locked in my cell and they had to pry the bars open. I walked out in chest deep sewer water, and was led to a boat that took me to the Overpass.

From the Overpass I was taken to Hunt's Correctional, where I spent 48 hours on the rec yard in hell. It was like a P.O.W. camp. They had triple murderers mixed in with guys that had never been in prison before—traffic violations, public drunkenness. I witnessed several stabbings and beatings that were neglected by prison personnel; on one occasion after being attacked by inmates, an inmate ran for help and was shot by guards. We were forced to bathe in a water hose and there were no bathrooms to use. I am ashamed to write this, but I hadn't had proper hygiene since Saturday morning, so you can't imagine the ungodly stench. I would not wish this on my worst

enemy. When it was all over I felt my life had been put in danger for a second time.

After leaving Hunt's we were brought to Ouachita Correctional Center, where the horrendous treatment continued. Ouachita was a reminder of the old South—I was exposed to overt racism, called racial slurs, and subjected to physical and mental anguish. I saw segregation and outright inhumane events. We started out getting some hygiene products, but it went downhill and then there was no hygiene at all; they treated us like second-class citizens. The guards cast judgments on us, treating us like we were all the same. They wouldn't talk to the inmates, and if we asked questions we would be maced or beanbagged. One of the Lieutenants once said: “I could treat you like men or I could treat you like what you are.” When I asked, “and what's that?” he just rolled his eyes at us. Ouachita needs investigation. I've never experienced blatant racism—never

seen it like that. After going through what I've been through I wonder if I'll ever been the same. They used to set the food trays on the floor, and we would have to pick it up from there. I asked why they did that, and they said we were like monkeys, and that's what you do with animals at the zoo.

In early November, my sister started helping me get a court date. I found out on December 2 that I had been released, and I was transferred to Hunt for processing and released on December 5 in New Orleans. They had lost my clothing, so until I reached New Orleans I just had scrubs and sandals—it was very cold. I was in jail for almost four months on a \$100 fine that I didn't even know I had to pay.

People need to know what is happening behind closed doors. It's a whole other world. You got people in for being drunk in public to murderers, but once they close the doors they treat everyone like shit, all the same: guilty until proven innocent. It's not just what happened at OPP; there is inadequate representation also. The public defender meets you at 8am, and goes to trial at 10am. They don't know you as a person. They are tryin' to move you through 'cause they got 300 to 400 other cases that week. There is no representation—if you are indigent, you are screwed.⁴⁸ ■

One man explains:

*I have been beat, tazed, maced, sprayed with pepper, bean bagged, spit on, almost bitten by a dog several times, cursed out, called niggers, monkeys, animals and other racist slurs. I have been deprived of all my priveledges and some of my rights, put in rubber rooms, stripped naked and sprayed down with pepper. They gave us one of everything in clothes and nothing else, they didn't let us communicate with nobody or each other they cut our hair with unsanitized clippers . . . They slide our food to us on the floor through a slot . . . They think all of us in here are killers and they tell us, since we kill people and think we can get away with it then they can treat us any way they want and get away with it. That nobody gives a damn about us and we all are gonna die here and their gonna bury us out back where their parents use to bury our parents. Now you know their talking about slavery and if that's not discrimination I don't know what that is.*⁴⁹

Another prisoner recalls one occasion when three deputies “beat the piss out of him, using their hands and stomping on him. They then took him out of the dorm. He came back maybe two days later.”⁵⁰ That same day, this prisoner reports: “[T]hey did that for maybe 4 or 5 other people. . . . This was not standard prison violence. They said they didn't know what we were all in there for, so they said they would treat us all like we were murderers until they knew. So they treated us like high risk inmates.”⁵¹

D. Jena Correctional Facility

The experience of the Orleans and St. Bernard Parish prisoners in the days and weeks after Hurricane Katrina was hardly unique. In fact, prisoners from neighboring Jefferson Parish also spent days in their facility without food, water, or electricity. Just as DOC was finally called in to evacuate the prisoners trapped in OPP, DOC officers evacuated the Jefferson Parish prisoners beginning on the Tuesday after the storm. They were taken to the Jena Correctional Facility (Jena), where prisoners who had been stranded in Calcasieu Parish Prison in the aftermath of Hurricane Rita joined them. For many of these prisoners, their evacuation to Jena was viewed as the rescue they had been awaiting. In reality, the evacuation to Jena only marked the beginning of a new nightmare.

Jena was formerly a privately-run juvenile correctional facility that was shut down in 2000 following a U.S. Department of Justice investigation that revealed widespread abuses there. Youth at the facility were “being deprived of food, clothing and medical care and were routinely beaten by guards.”⁵² The state reopened Jena within a day or two after Katrina to house evacuated prisoners, and staffed the facility with correctional officers from other state prisons, most of

whom came from Louisiana's David Wade Correctional Center. The state requested additional assistance in staffing the facility, and officers from New York City's Rikers Island Correctional Facility—the country's second-largest jail—came to help.⁵³

The prisoners, who had already suffered the trauma of the storm itself, and the delay in their evacuation, were wracked with worries and uncertainties about what had become of their homes, their families, and their friends. They were loaded onto buses to Jena for a ride that took several hours, their wrists cuffed tightly together with plastic tie-wraps. Keith Dillon, a prisoner from Jefferson Parish Correctional Center, describes the ties being so tight that prisoners' wrists started to bleed.⁵⁴ Scarring was visible on the wrists of over 100 prisoners nearly one month after the transfer, according to one attorney who interviewed the prisoners.⁵⁵ Some prisoners were injured when one of the buses en route to Jena got into a serious accident when the bus driver fell asleep; the cuffed prisoners could not brace themselves when the bus hit an electrical pole.⁵⁶

According to prisoners interviewed by private defense attorneys and by attorneys with HRW and LDF, corrections personnel subjected them to egregious physical and verbal abuse almost immediately after they arrived at Jena. Within the first three days, officers pulled nearly all of the prisoners from their beds in the middle of the night and forced them to remain face down on the floor; some men were held in this position for up to eight hours. If the men moved or raised their heads, the officers would hit and kick them. One man who turned his head after falling asleep was kicked in the face by a guard to wake him up, and then told to put his face back down.⁵⁷

During their stay at Jena, prisoners were slapped, punched, beaten, stripped naked, hit with belts, and kicked by corrections officers. When prisoners broke prison rules such as moving when told to be still, or not moving quickly enough, officers often responded by hitting and kicking the men and threatening to whip them. For example, two prisoners who had been in a fight were handcuffed. One of them was taken to an isolation cell. When he arrived at the isolation cell, the officers dropped him to the ground and punched him. As he was lying on the floor, his mouth and nose bleeding, the prisoner was ordered to clean up his own blood. The other prisoner in the fight was handcuffed, punched in the chest and ribs, and slapped in the face.⁵⁸ Another man was badly beaten by an officer who kicked him in the head and slammed his face against a wall because he did not get out of bed quickly enough one morning. “This is a living nightmare for me,” he later commented. “I know this isn't legal.”⁵⁹

As another measure of control, on multiple occasions detainees were ordered to kneel and press their noses to the wall, and they were kicked in the head if they moved. They were often kept kneeling for hours at a time.

The detainees, most of whom were African-American, were subjected to degrading treatment and racist slurs by the correctional officers, most of whom were white. One guard told a detainee, “I can't stand none of you motherfuckers from New Orleans.”⁶⁰ Another guard grabbed a detainee by the hair (before his head was shaved) and called him a “mop-head motherfucker.”⁶¹ Other terms reportedly used by the

officers included, “niggers,” “boy,” “monkeys,” “bitches” and “pussy-ass motherfuckers.”⁶²

At one point in their stay, several prisoners were told to line-up, place their hands behind their heads and press their groins against the buttocks of the prisoners in front of them. An officer taunted them, saying: “Hard dicks to soft ass! I know y’all are getting hard, because I am.”⁶³

KEITH M. DILLON

I was slammed down to the floor, handcuffed behind my back and a third officer came over and kicked me more than 20 times in my back.

The abuse started immediately making inmates go to their knees for hours while handcuffed. On or about the third day, a DOC Warden and DOC deputies along with LaSalle Parish Sheriff's deputies came in with dogs, riot gear, etc., beating inmates down, forcing us to the floor face down. I was hit in my back because my hands were at my side, not in front of me. I saw a LaSalle deputy slam a guy from Annex D in Jefferson Parish face down into the floor, knock two of his teeth out, then make him lick up his own blood. I could hear them beating people, people yelling, and if you looked up you got beat. After about 6 hours face down freezing, they started shaving our heads. We were told if one person messes up then the whole dorm pays.

They started beating inmates and verbally abusing us. Making us strip down and stand in line "dick to ass" (as one deputy said) with our elbows straight forward, our hands clasped behind our heads. They would make us go to chow that way and come back, standing for up to three hours at a time. They would feed 80 men in 10-15 minutes, from the time we lined up to the time we got back to the dorm. We heard from the trustee that FEMA sent all kinds of food and drinks, etc. for us, but that the deputies were taking it all for themselves.

Lake Charles inmates came they didn't touch them, while everyday some one got beat, put on their knees for hours, slapped around, just abused period. On some days, one New York DOC official would

have his people dress in full riot gear and march around and down the halls just to freak us out. One person said, "we're going to show you boys how we do it in NY." It was like we were practice dummies for these sickos in this sick ordeal. They were all just evil. It was like you could see it in them. I could feel it.

On 9-27-05 I was in the chow line at Jena. The person in front of me got out of line so I moved up; then he came back and got in front of me. I tried to let it go but this is jail and respect is important, plus this situation had got us all kind of nuts. So I told him, "You're not getting back in front of me. Move. You left the line." He said he's not a punk so I gave him the chance to move. He didn't so I grabbed him and moved him into the door. One of the officers saw what happened and yelled something in the hall. I let the guy go, but the officer grabbed me and then another officer came over and punched me in the side of my head. The other person and I were dragged to the back of the hallway. I was slammed down to the floor, handcuffed behind my back and a third officer came over and kicked me more than 20 times in my back. One of the officers said, "they can see" meaning that the rest of the dorm could see, and then said, "bring him back here." So I was picked up and slammed down again. The officer who kicked me asked what happened over and over, and each time I would look at

him and tell him and he would kick me again in the back, and my face would hit the wall. I could hear them beating the other person also. All of a sudden everything stopped. I was picked up by two of the officers and turned to face them, and one of the officers punched me in my right shoulder. When he saw that it hurt, he punched me again in the same spot, all 400 pounds of him. Then I was dragged off past the dorms to lock down.

When I got to lockdown, there were DOC deputies everywhere. The other guy was further in than I was and they were working him over. I was told by a Lieutenant to turn and face the wall on my knees. I was forced down and then hit in my head. The Major arrived and by this time I'm hurting bad. But I know that if I fall down they'll stomp me to death so I hang on. The Major starts asking me, "What are you doing? Ain't you too old for this shit? How old are you? What did I tell y'all? That if any of you fucked up you would get the shit beat out of you?" I would answer him and each time I did he would hit me on both sides of my head, one side, then the other. On about the fifth blow to my left side, my hearing stopped but I didn't go down. I would look him straight in his blue eyes and answer. He hit me about 12 times. I could see his hands were red. One of the Lieutenants said, "You should have given him more," and hit me three more times to the side of my head.

I was stripped naked and put in a cell, last one on the left. The other person was across from me and a guy whose head they fractured was next to me, I think.

I passed out I guess because the door opened and the Lieutenant and a nurse were there. They asked me what happened and asked to see my hands for open cuts from fighting. I showed them and said there was no fight, no punches thrown between me and the other person. She said then how did this happen? I said looking at the Lieutenant, "I can't really say." He smiled. She said that it had to happen somehow. I said again that I couldn't really say. The next day the nurse came around and I told her I couldn't hear out of my left ear and what kind of medical professional was she to condone this abuse? She said she didn't condone it and I said, "but you're letting it happen."

A while later Rachel Jones and other defense attorneys showed up to talk to us about our criminal cases. I told her just like the other inmates did what was going on—all 80 of us in a 40-man dorm did. I showed her and Christine Lehmann my face and the sides of my head and ears, but after they left the abuse continued. On 10-4-05, NAACP LDF and Human Rights Watch showed up. I talked to them, showed them my head and there were still bruises on my head and my ears. Two days later I was called to leave that hellhole. On the way out, the Major said, "Hey Dillon, I want you to have a good fucking life, whether you can hear me or not."⁶⁴ ■

Soon after their arrival, all the men at Jena were forced to have their heads shaved, which is not a standard corrections procedure in Louisiana. Prisoners had no contact with the outside world for the first few weeks they were at the facility. They were unable to use the telephone and only after two weeks were they given writing materials to send letters to their families. In short, they had no way to let their families know where they were or even that they had survived the storm. None of the men were allowed to see their attorneys during their stays in Jena.

In another incident, a prisoner who was with a group of other men asked the warden when they were going to be able to contact their families. The warden responded, “Mother-fucker, do I look like I care?”⁶⁵ The warden ordered an officer to “lock this stupid motherfucker up,” and he was placed in isolation.⁶⁶

Prisoners at Jena were also denied adequate medical care. They were unable to get medications, including antidepressant and antipsychotic medications, which they had been prescribed. It took more than two weeks for a doctor to begin visits to the facility and for two nurses to begin reporting from 9 to 5 each day to administer medication.

Detainees repeatedly requested grievance forms to make complaints about their treatment but never received any forms. In one instance, a guard handed a detainee a sheet of toilet paper in response to his request for a form.⁶⁷

It was not long before reports of abuse at the Jena facility began to leak outside of its walls. Four attorneys from a group of 30 volunteer defense lawyers in Louisiana, coordinated by attorney Phyllis Mann, visited the Jena facility and interviewed each and every detainee. Prisoners gave numerous accounts of the abuse they suffered, which were then submitted in the form of affidavits to the state and other interested attorneys.⁶⁸

In response to these allegations, both HRW and LDF made a follow-up visit to the facility to interview prisoners and officials, and they heard the same accounts of horrific abuse. Almost every prisoner whom HRW and LDF interviewed reported that he had been hit or kicked by the prison staff. The men were frightened and some were even crying during the interviews. One said, “I don’t know what they’ll do to me once y’all leave here.”⁶⁹ The *New York Times* and the *Los Angeles Times* each ran stories detailing the accounts of abuse emerging from the Jena facility.⁷⁰

Prison officials responded by denying the allegations. During their visit to Jena, lawyers from HRW and LDF interviewed Major Brad Rogers, the state corrections official in charge of day-to-day operations at Jena. Major Rogers said that officers had not used excessive force at the facility and that the staff were all “trained professionals.”⁷¹

On October 1, LDF contacted Louisiana state legislators and the Superintendent of State Police, Colonel Henry Whitehorn, about the abuse allegations at Jena. One day later, on October 2, HRW called on Richard Stalder, the Secretary of Louisiana’s DOC, to conduct an investigation into the allegations.⁷² Shortly thereafter, Secretary Stalder ordered that the facility be shut down and prisoners be dispersed to other facilities throughout the state. Despite the rapid closing of the facility and national media coverage of the alleged abuse, the state has not disclosed whether or not it has opened an inquiry.

E. Not All Bad

Although the evacuation of thousands of prisoners from southeastern Louisiana placed a strain on many officials at the state’s receiving facilities, not all of them responded to the challenge with abuse and indifference. For instance, hundreds of women from OPP were transported to Angola, an all-male, maximum-security facility that typically holds over 5,000 prisoners. When the first OPP evacuees arrived at Angola, one staff member recalls that they looked as if they had arrived “directly from hell.”⁷³ Despite the fearful reputation that Angola has earned over the years, many women evacuees praised the treatment they received.⁷⁴ In fact, many of the women noted that they were treated better at Angola than they had been treated at OPP prior to the storm.

One woman writes: “At Angola they took very good care of us. They took all our information, clothed & fed us, gave us many personal supplies. (OPP gives NO personal supplies.)”⁷⁵ Another woman writes that when she arrived at Angola, she “received food, water, clothing, medication Hepatitis shot to make sure we did [not] get exposed to anything. Also they gave us personal needs and last but not least I was given a bed with sheets & blankets. The people at Angola treated us 100% good if it wasn’t for them rescuing us we would have been dead today.”⁷⁶ At Angola, writes another female prisoner: “[T]hey trust us like real women, and really care about how we feel. So we’ve been blessed ever since. Everything we needed, since we came to L.S.P.”⁷⁷

Some of the men also report good treatment at Angola. One disabled prisoner, who spent days in a van on the Overpass, writes that Angola

*treated myself and the other handicap inmate real good. They gave us beds hot meals 3 times a day. Shower every night clean clothes, hair cuts every week if you wanted one, I can’t say anything about Burl Cain and his guards. They was real nice to us. They even went as far as putting us in there new church they built we have a nice big T.V. so we could watch the news’s.*⁷⁸