

Ahmad Nelson
and his
daughter Mimi



VII. SHERIFF GUSMAN'S DENIALS

*"Crackheads, cowards and criminals."*¹

According to the National Institute of Corrections (NIC) Guide, it is important that leaders respond properly to criticism following an emergency. When faced with "controversial issues, media criticism, and inmate complaints," the NIC Guide warns leaders not to "make snap judgments and simply exonerate staff out of hand. The leader must see to it that these matters are investigated promptly, thoroughly, and honestly."²

Sheriff Gusman responded reflexively and defensively to criticisms by deputies, staff members, and prisoners. When faced with the accounts by his deputies who described a complete loss of order inside the jail, Sheriff Gusman dismissed their claims as "lies" and said "the people making them are disgruntled ex-employees and possibly deserters."³ Sheriff Gusman's response to reports by prisoners of their experiences during the storm epitomizes a callous disregard for prisoners' welfare that has long been endemic to OPP. The Sheriff denied the truth of their claims, stating: "They're in jail, man. They lie."⁴ Sheriff Gusman later told one reporter: "I have 75 accounts from inmates given by lawyers with misleading questions. It's kind of hilarious to read them. . . . None of it was true. But when you put it in the paper it becomes more credible and it frustrates the hell out of me. Don't rely on crackheads, cowards and criminals to say what the story is."⁵ The response given by the head of Louisiana's Department of Corrections was hardly better. When asked about the OPP evacuation, Secretary Richard Stalder reportedly quipped, "[s]ome have assured me they will never be late on child support payments again."⁶

Soon after the storm, Sheriff Gusman assured the public that all of the people in OPP had been evacuated safely, and that no prisoners had escaped.⁷ Even while he was making these claims, however, his office issued fugitive arrest warrants for fourteen prisoners believed to have escaped from OPP. Sheriff Gusman's claim was ultimately proven false when several of the prisoners who managed to escape the floodwaters were recaptured. One man escapee was George Schaefer III, a St. Bernard Parish prisoner who was being held on murder charges.⁸ On November 2, Mississippi authorities arrested Mr. Schaefer after he allegedly committed another murder. One St. Bernard Parish prisoner who

was in the gymnasium with Mr. Schaefer during the storm reports, “a convicted murderer had plotted, and went through with his escape.”⁹ That man also reports on several other escape attempts he witnessed: “[T]here was only approx. 3 I know of who actually were successful. 2 were thrown back through the roof, one was beaten & maced while being drug back into the gym, and one had made it as far as the courthouse steps, before being shot with riot bags, and returned to the gym.”¹⁰

Of course, not all of the prisoners who fled the jail were captured in connection with new arrests. For instance, an arrest warrant was issued for David Fernandez, a 20-year-old who was awaiting trial on drug charges. From an undisclosed location, Mr. Fernandez spoke with a reporter for the New Orleans *Times-Picayune* months after the storm. He explained: “It wasn’t like we wanted to escape. The charges I had wasn’t really about nothing. Why would I want to escape? I escaped for my life.”¹¹ Another prisoner who managed to escape the jail was Ahmad Nelson, who was arrested three days before the storm. Despite the fact that the story of Mr. Nelson’s escape from the horrible conditions inside OPP began spreading on the internet as early as September 7, 2005,¹² the Sheriff’s office continued to deny that anyone escaped, and only obtained a fugitive arrest warrant for Mr. Nelson in late October 2005. According to one nonprofit law enforcement watchdog group, the Sheriff’s refusal to acknowledge that prisoners escaped from OPP made it seem as though his office was “more concerned with their own public relations issues than public safety.”¹³

The evacuation was the centerpiece of Sheriff Gusman’s recent re-election campaign. The Sheriff continues to maintain that the evacuation was accomplished “without casualty or serious injury,”¹⁴ and that his deputies stood fast and maintained order during and after the storm.¹⁵ A spokesperson for the DOC similarly commented that she had not heard of any OPP deputies abandoning their posts.¹⁶ Sheriff Gusman also claims that no prisoners were left alone for more than one day,¹⁷ and that “the inmates were fed and supplied with water.”¹⁸ This last, astounding claim appears in an article entitled “What Really Happened At Orleans Parish Prison in the Aftermath of Hurricane Katrina.”¹⁹ The Sheriff’s office spokesperson wrote the article, which quotes Sheriff Gusman, but no one else.

At one point, Sheriff Gusman reportedly said, “jailers served 21,000 meals a day and had enough in storage to feed the entire population during the crisis.”²⁰ Deputy Chief William Short, who was on duty in HOD during the storm, made the wild claim that “in the House of Detention we had three walk-in coolers full of hot dogs, hamburgers and chicken. . . . We emptied a warehouse full of food and dispensed it throughout the jail. We had cases and cases of water.”²¹ After reviewing more than 120 testimonials by prisoners who were in HOD during the storm, and speaking with a half dozen deputies who also were in that building, we found no corroboration for Deputy Chief Short’s account. The most similar accounts came from two deputies in the building. Deputy Ducre reports that on the mezzanine level, Assistant Warden Bonita Pittman had about fifty cases of water and ice in a cooler for herself and her family when the rest of the deputies, their family members, and all of the pris-

oners were already evacuated.²² Another deputy similarly complains about the conduct of Assistant Warden Pittman during and after the storm:

She wasn’t worried about whether or not we ate. . . . She was trying to get a personal boat to get her family out of there. They just treated us like dirt. They had Kentwood jugs. . . . [Y]ou know those big jugs of water. Warden had those things stockpiled when no one else had any. She’d only give them to her family. You got to think about the little kids and babies other people had. If she cared, she would have helped the other people out. But she’s calling people in to be at work and then don’t want to help them. People had little kids and new born. . . . [I]t was just terrible.”²³