



**Written Testimony Submitted By:
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Parish of Orleans – State of Louisiana
Subcommittee on Crime, Terrorism, and Homeland Security
U.S. House of Representatives
Committee on the Judiciary
“The Katrina Impact on Crime and the Criminal Justice System in New Orleans”
Thursday, April 10, 2007**

The impacts of Hurricane Katrina and the flood resulting from the levee failures are far reaching and can only be described as catastrophic. Never before has this Nation experienced a natural disaster of this magnitude, which very nearly destroyed one of the World's most vibrant and culturally diverse cities. The world is very familiar with scenes of the hurricane damage, immense flooding and the lives lost as a result of this tragedy. Now the focus is on the survivors, the citizens of New Orleans who are struggling to put their lives back together and rebuild. Recently, much of this focus has been placed on the escalating levels of crime in the city. Outsiders see a city with half of its former population with a per capita crime rate that is beginning to exceed that of pre-Katrina levels. Violent crime, most notably murder, is on the increase with close to 50 homicides to date in 2007. The crippled criminal justice infrastructure is struggling to deal with this serious issue. Progress in the city has been seriously hindered by the crime problem.

As the Criminal Sheriff, I am primarily responsible for one of the core components of the local criminal justice system, the operation of the Parish jail system. This responsibility includes providing for the care, custody, and control of subjects housed in our jail facilities as well as the processing of all individuals arrested within the City of New Orleans. Additionally, I serve as the Executive Officer for the Orleans Parish Criminal District Court, which includes the execution of all writs, orders, and processes including, warrants and subpoenas as well as providing security for the court system. Ancillary functions of my office include, but are not limited to, law enforcement patrols, the operation of search and rescue, mounted, K-9, motorcycle, and SWAT units, community service programs, work release programs, and inmate rehabilitation programs.

This written testimony will first address how Hurricane Katrina and the flood have affected the operations of the Orleans Parish Criminal Sheriff's Office (OPCSO). I will then describe what work still needs to be completed and what resources are needed to complete this work.

To adequately understand how Katrina has affected our operations, it is helpful to see where we were prior to the storm and compare that to where we stand now. Prior to the storm, the OPCSO, operated 11 jail facilities at near capacity with a combined bed space for approximately 7,200 incarcerated subjects, giving it the dubious distinction of being one of the Nation's ten largest local jail systems. Of these 11 facilities, only four are currently operational. Included in the list of inoperable jail facilities are four of our largest: Old Parish Prison, Community Correctional Center, Templeman Phase I & II Jail, and Templeman Phase III & IV Jail (three out of four of these facilities are owned by the City of New Orleans). The inoperability of these four facilities results in a loss of critical bed space for approximately 4,100 inmates at a time when these resources are needed more than ever with the escalating crime rate. Also, it should be noted that our operating revenue has been significantly decreased since it is based on inmate *per diem* payments. Adding to our burden, prior to March 1, 2007, over 2,000 offenders had to be transferred to other jurisdictions due to this lack of bed space. This was an enormous financial burden because these individuals had to be transferred back and forth to Orleans Parish for court proceedings. On a positive note, FEMA resources have enabled us to construct a temporary modular jail facility that can house up to 800 minimum-security inmates.

Our intake and booking operations have been significantly affected as well. It was projected that the yearly number of arrested subjects processed through our booking facility in 2005 would exceed 100,000 individuals. We were processing between 250 to 400 arrestees in any given 24-hour period in a state-of-the-art booking facility. This facility suffered tremendous damage and is scheduled to be demolished soon. Intake operations have been temporarily transferred to our old booking facility, known as Central Lock-up, located on the ground level in the House of Detention. This facility was designed in the late 1950's and was only supposed to accommodate 80 arrestees per day. Intake requirements quickly outgrew this facility in the mid 1980's. Now we are processing between 180 to 200 arrestees per day in a facility designed to process only 80. It is important to note that in 2006, well over 50,000 arrestees were processed in this temporary facility (this figure also attests to the escalation in crime). With no other options we are doing the best we can to operate in this environment in a safe and professional manner.

Other critical components of our office vital to operating an immense jail system were also affected. Pre-Katrina, our modern kitchen production facility produced over 20,000 meals per day. This facility was seriously damaged by high winds and the flood and remains, to this day inoperable. After we opened our first jail facility following Katrina (the House of Detention), all inmate and staff food had to be outsourced

to catering firms as we had no viable means of food production. This was a financially burdensome choice but no other viable options existed. Thankfully, FEMA stepped in and assisted us with payments. Current food production operations are conducted out of a temporary kitchen facility, which produces more than 7,000 meals per day. This is actually an incredible feat considering the fact that this kitchen was not designed to handle such a heavy workload. It should also be noted that the cost of basic foodstuffs has increased in post-Katrina New Orleans adding to our already stretched finances.

One of our primary responsibilities to those that are in our custody is to provide medical care commensurate to community healthcare standards. Prior to Katrina, the OPCSO operated a complex medical system for our inmates. We employed many doctors (of numerous specialties), nurses, and other healthcare workers, and provided for comprehensive 24-hour care of sick and injured inmates. We operated a psychiatric tier and a psychiatric step-down tier as well as other psychiatric services for inmates with mental illnesses. A medical observation unit housed inmates who were sick or injured and a medical housing unit housed inmates with chronic illnesses such as advanced HIV disease and hepatitis. Both of these units were staffed 24 hours a day by physicians and nurses. This was a significant benefit to us, as we did not have to transport these individuals to the hospital for treatment. They could be treated on-site. Unfortunately both of these facilities were completely destroyed. As a result, we have been forced to scale down on on-site medical operations and have to transport inmates to local hospitals for the treatment of injuries and illness that we used to be able to treat on-site. This is actually problematic for several reasons. As you are well aware, many of the local hospitals were closed following Katrina, including Charity Hospital, which had an on-site prison ward for critically ill inmates (it should be noted that we provided security for our inmates on this ward). Now, inmates requiring hospitalization or complex medical procedures must be transported, at great expense to the OPCSO, to the two closest public hospitals, one in Houma and one in Baton Rouge. In addition to the high transportation costs, additional manpower is required. As a side note, it should also be pointed out that local medical resources available to inmates once released from jail are lacking causing continuity of care issues. The loss of medical personnel is also a significant problem in post-Katrina New Orleans.

Prior to Katrina the Sheriff's Office employed almost 1,200 individuals. Now, current staffing levels are at about 700. It is very difficult to find and then retain qualified employees now for many reasons. The lack of available and affordable housing plays a significant role as well as the lack of schools and medical facilities. Many of our former employees want to return to New Orleans and their jobs at the OPCSO but are hindered by this (many of our former employees have also permanently relocated outside of Southeastern Louisiana). We, with the assistance of FEMA, have only partially addressed this issue by providing more than 80 trailers, on our property as temporary employee housing. Also, job seekers are demanding higher wages to offset employment and environmental conditions. The criminal justice system has been particularly hard-hit by this. The cost of recruiting and retaining qualified law enforcement and medical professionals have increased exponentially. Many former deputies have left the profession to seek employment in other sectors or have taken up employment with other law enforcement agencies that can afford to pay their employees higher salaries. Finding skilled laborers (electricians, welders, locksmiths, etc.) is also very difficult.

Hurricane Katrina has also affected our court security operations. Pre-Katrina the OPCSO was responsible for providing security only at Criminal District Court. Now, we provide security in three additional court locations: Magistrate Court in the House of Detention, Traffic Court in the House of Detention, and at the temporary Municipal Court. This obviously requires additional financial resources and manpower. Another significant problem related to our responsibility within the court system is directly related to the inoperability of the Old Parish Prison. The Old Parish Prison was directly connected to the Criminal District Court, effectively reducing the need to transport as many inmates. Now, all inmates have to be transported in vans from the outlying jails to the court. This is a financial burden as well as a potential risk to public safety.

Inmate rehabilitation programs have also suffered. Before Katrina my department ran three very successful rehabilitation programs: Blue Walters, Francois Alternative, and About Face. Successful completion of these programs effectively reduced the likelihood of an inmate re-offending. Now, financial hindrances and limited infrastructure have closed these programs. This is unfortunate, especially at a time when they could effectively contribute to the reduction of crime in New Orleans.

Though much progress has been made in the 17 months proceeding Hurricane Katrina (with the assistance of many Federal agencies including FEMA, the Department of Justice, and many others), an incredible amount is still needed. In order for the OPCSO to successfully operate in post-Katrina New Orleans and to meet the needs of the criminal justice system, the following critical issues need to be addressed:

- The restoration of our four largest jail facilities: Community Correctional Facility, Old Parish Prison, Templeman Phase I & II Jail, and Templeman Phase III & IV. This would increase our capacity (an additional 4,100 beds) to hold some of New Orleans most violent and repeat offenders. Crime is increasing requiring more bed space. It is important to note that the City of New Orleans owns three out of these four facilities.
- The restoration of our permanent kitchen production facility to adequately provide for the dietary needs of our increasing offender population.
- Increase the availability of affordable housing for our employees.
- Rebuild a modern booking facility that can adequately accommodate the increasing intake volume.
- Increased funding to recruit and retain qualified employees.

- Increased funding to enable the OPCSO to purchase much needed equipment for our employees so they can complete their missions in a safe and effective manner.
- Need to expedite the recovery and remediation process between the City of New Orleans and FEMA so that city-owned facilities under the control of the OPCSO can be refurbished and placed into operation.

In all honesty, more financial resources are required to achieve all of these objectives. Only so much can be done with the limited resources available to us as well as our loss of revenue.

The United States Congress can continue to assist us in achieving these goals by:

- Work towards streamlining the remediation process. Work to cut the "red tape" involved in the process. Change rules and procedures to expedite the flow of much needed funds.
- Authorize another round of Hurricane Infrastructure grant funding.
- Continue and increase local allocation levels on Federal grant funds including LETPP, Byrne/JAG, etc. These funding sources enabled us to purchase much needed law enforcement equipment as well as funding critical overtime for jail security and proactive patrol operations.
- Authorize another round of Community Disaster Loans.
- Forgive prior Community Disaster Loans.
- Waive the 10% match/deductible required by FEMA. This is critical for the OPCSO as we received well over sixty million dollars in damage to our infrastructure and contents. A 10% match would require a payment on our part in the amount of approximately six million dollars.
- Provide assistance to first responders so that they can afford to live and work here, as they are the backbone of the New Orleans criminal justice system.

Despite the major challenges we face, much has been accomplished following the hurricane and attests to our resilience and willingness to revitalize the City of New Orleans. Immediately following Katrina and the flood, we were able to evacuate well over 6,000 inmates (not to mention hundreds of civilians) without any serious injuries or a loss of life. This almost unbelievable feat attests to the outstanding efforts of the deputies and staff of the Sheriff's Office. Less than two months after the flood we were able to open an 800 permanent bed facility, which helped to facilitate public safety in Katrina's wake. Since Katrina, with the hard work of Sheriff's deputies and staff and the assistance of Federal and State agencies, we have been able to refurbish and open four additional jails, including the temporary facility mentioned above, providing a much needed 1,700 beds. Numerous projects are underway to repair other areas of our infrastructure. With the assistance of FEMA, we have been able to construct a temporary Municipal and Traffic Court in one of our buildings. A temporary booking facility has been open for well over a year. In addition, a master mitigation plan is being created with the help of FEMA to provide for the survivability and sustainability of the entire criminal justice system should we be affected by another natural or man-made disaster of Katrina's magnitude.

In closing, my staff and I would like to express our sincere appreciation to the many individuals who have assisted us in the recovery process. First, the devoted employees of the Federal Emergency Management Agency deserve mention including James W. Stark, John Connolly, Jim Hill and the Justice Team, as well as Judge Mark Roy. I would like to express my thanks to the United States Department of Justice, particularly to Attorney General Alberto Gonzales, Jim Letten, and Mr. Domingo Herrera for their continued assistance to the recovery of the criminal justice system in New Orleans. I would also like to thank Louisiana Attorney General Charles Foti and Louisiana Supreme Court Chief Justice Kitty Kimball. I would like to express many thanks to the devoted employees of the Sheriff's Office who have worked tirelessly to rebuild our department. I would also like to express my gratitude to the Louisiana Sheriff's Association. Finally, I would like to thank the members of the U.S. House of Representatives, Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security for joining us in New Orleans to hear our concerns about the escalating level of crime and the state of the criminal justice system.