

## Left to Die in a New Orleans Prison

Written by Amy Goodman, Democracy Now!. ID1984  
Thursday, 13 October 2005 08:54 -

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Thousands of prisoners were abandoned for days when Katrina hit New Orleans; more than 500 are still missing.

Editor's Note: The following is a transcript of an interview between Amy Goodman of Democracy Now, and members of the group Human Rights Watch.

Amy Goodman: It has been nearly one month since Hurricane Katrina ripped through the southern coast of the United States, decimating communities in Mississippi and Louisiana. These past weeks, we have reported on the horrors faced by people in New Orleans, in particular as they struggled to survive. One story we have looked at is the fate of those held in prison as the hurricane hit the city. Weeks later, there are still serious questions about what happened inside facilities like the Orleans Parish Prison.

The group Human Rights Watch has just issued one of the first independent analyses investigating what happened in the jails. The group alleges that in one facility the sheriff's department abandoned hundreds of prisoners. The group also says that there are some 517 prisoners unaccounted for and is calling on the U.S. Department of Justice to conduct an investigation into the Orleans Sheriff's Department.

We're joined now by Corinne Carey. She's a researcher for Human Rights Watch. Welcome to Democracy Now!

Corrine Carey: Thanks. It's great to be here.

Goodman: Well, you've just recently returned from Louisiana. Tell us what you found?

Carey: We went down to investigate claims that we had been hearing that prisoners were abandoned in one of the facilities -- Templeman III is the name of the building -- and that some inmates had seen inmates left in their cells while they were on their way out, when they were finally evacuated Thursday and Friday of the week after the storm.

## Left to Die in a New Orleans Prison

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So the first thing that we did was [ask] for a list of prisoners that were held at Orleans Parish Prison prior to the storm hitting, and then we also obtained a list from the Department of Corrections of all offenders that had been evacuated from New Orleans. We went through that list and came up with 517 people who were still unaccounted for.

We're certainly not saying that those people drowned in the facility, but there are credible reports from inmates of being left in that facility in locked cells. And so we'd like to know from the Orleans Sheriff and from the Department of Corrections what happened to those 517 people.

Goodman: What are some of the stories that you have heard in your questioning?

Carey: It's clear to us from talking to inmates in that facility -- and other lawyers in Louisiana have talked to well over 1,000 prisoners at this point -- that by Monday when the storm hit, guards were no longer in the facility. The inmates were left to fend for themselves during the storm.

The most disturbing thing is that the water began to rise in many of the buildings. Some inmates tell us that the water had come up to their chest level, and they were still in locked cells. Some other inmates helped them get out of those cells and escape the floodwaters to higher levels of the facility. They were also left there without any food or water for up to four days. There was no air circulation, and the toilets had started to back up. So the stench was unbearable for these prisoners.

They started to break windows to let the air in, but also to let people outside know that there were still people in this building that had begun to flood.

Goodman: We're joined also on the telephone by Dan Bright. He's a former resident of New Orleans, detained in the Orleans Parish Prison, building Templeman III, the night before Hurricane Katrina struck, now relocated to Grand Prairie, Texas. Can you tell us what the Templeman III building is, Dan?

## Left to Die in a New Orleans Prison

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Thursday, 13 October 2005 08:54 -

---

Dan Bright: The Templeman III building is a receiving cell. You go there, and they hold you until they put you into a steady housing development. And like she was saying, we were strictly abandoned. They just left us. When we realized what was going on, it was too late.

It was total chaos. The water was up to our chest. You had guys laying in the water trying to climb to the top of their bunks. You had older guys who didn't have any medicine who we were trying to help. And the way we got out was we had to kick the cell door for maybe like an hour or two. And the cell doors, they sits on this hinge. You have to kick it off the hinge. And when you kicked it off the hinge you have to slide out the door.

And Templeman III is...two levels. You had an upper level and bottom level. The guys on the bottom level was totally stuck in this water. Lights was out. So we had to get out on the top level and come down and help those guys. And the police, they had left.

Goodman: Wait a second. You're saying that the police, the guards, were gone?

Bright: The guard was gone.

Goodman: There were only the prisoners?

Bright: There was only -- that's us.

Goodman: And you were locked in.

Bright: Right. Correct.

## Left to Die in a New Orleans Prison

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---

Goodman: And so how did you escape?

Bright: Well, we had to kick -- like I said, we had to kick the cells, maybe [for]hours. You had to squeeze out of the cells. We found pipes, anything that we could find to pry the cells open downstairs to help the guys downstairs. We broke the windows to try to signal for help. No one came to our rescue.

Goodman: So you made your way out of the windows?

Bright: We made our way out of the cells and to...the lower levels where most of the water was at. And we broke that window and climbed out. The dorm was made strictly like a college dorm, just like two cells into one. You have to forgive me -- I'm kind of still groggy, because I'm just getting up. So I'm trying to explain myself the best I can.

Goodman: Thank you. So, some of you made it out. What about people who were locked in cells?

Bright: They couldn't get out. We couldn't help all of them.

Goodman: Could you hear them?

Bright: Yeah, they were trying to get them out. We couldn't help everybody. The water was constantly rising.

Goodman: So when you got out, what did you do?

Bright: When we got out, they had maybe like ten deputies outside the building with boats.

## Left to Die in a New Orleans Prison

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---

Goodman: They had deputies outside the building but none of the deputies inside the building to help you?

Bright: None. It was like, if you get out, you get out. It's not too bad. So when we got out, they took us to a bridge, what's called an overpass bridge, and they just put us on these boats, brought us to this bridge and left us there for maybe like three days without food or water or anything. They just left us there.

Goodman: Could you see the jail from where you were on the overpass?

Bright: Right. Yeah. You stare at guys in the windows trying to get their attention. They wasn't even paying attention. They had guys burning stuff, putting up signs, trying to get any kind of help they could get.

Goodman: They were burning things to get people's attention?

Bright: Right.

Goodman: What were the signs they were putting up that you could see from the overpass?

Bright: Help signs.

Goodman: Saying "Help?"

Bright: Yes. You had guys burning blankets trying to get their attention. The helicopter would pass over. Guys would burn sheets up or blankets or something to try to get their attention also.

## Left to Die in a New Orleans Prison

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Goodman: So you're saying helicopters would fly over. They would see the burning sheets. You were with deputies on the bridge. They could see like you could see?

Bright: Right.

Goodman: So what did they say, when you said there are men still in there?

Bright: They didn't say anything. These -- most of the deputies had, you know, just gone. They didn't even bother to try to help us. And not only that, they had -- these same deputies were stealing property, our personal property. My daughter was trying to telephone me and find out where I was at, and a deputy answered my phone.

Goodman: Your daughter called, and the deputy answered your cell phone?

Bright: Correct.

Goodman: Did you ever get your personal property back?

Bright: No.

Goodman: Did any of the men?

Bright: No, ma'am.

## Left to Die in a New Orleans Prison

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Thursday, 13 October 2005 08:54 -

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Goodman: Did you --

Bright: All of the guys was complaining about what was missing. Phones, their jewelry. You know. Watches. Stuff like that.

Goodman: Dan Bright, we're also joined by Neal Walker. He is a Director of the Louisiana Capital Assistance Center, speaking to us from Houston. He interviewed 48 prisoners last Wednesday. Can you describe the whole facility, Neal? Dan Bright, locked in Templeman III, but describe what is the rest of it, Templeman I and Templeman II.

Neal Walker: Orleans Parish Prison, for your listeners, is really not a prison. It's a jail. It's a temporary detention facility. Other parts of the country you refer to county jails. We call them parish prisons in Louisiana. Orleans Parish Prison is, in fact, one of the country's largest jails, although New Orleans was far from one of the country's largest cities before the storm. At any given time, there would be 7,500 to 8,000 prisoners being held at Orleans Parish Prison.

Now, some of these prisoners were in fact serving misdemeanor sentences, and others were picked up for parole violations, but the vast, vast majority of the prisoners being held at Orleans Parish Prison were pretrial detainees. They had only been charged. They had not been tried and convicted.

Now, the complex itself includes not only the facility known as Orleans Parish Prison, the original old jail facility, but it describes a complex of other detention buildings, as well, including the house of detention, Templeman I, II, and III, and central lockup, which is a one-story facility where prisoners are processed after their arrest. And I heard accounts of that building being completely underwater. The prisoners were looking at it from the windows at Templeman III and could see that central lockup was completely underwater.

Goodman: Completely underwater?

## Left to Die in a New Orleans Prison

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Thursday, 13 October 2005 08:54 -

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Walker: Right.

Goodman: How many men?

Walker: I don't know how many men were in central lockup at that time. Again, that's -- you know, if you get booked where they bring you, the booking officers will bring you to central lockup, where you'll be fingerprinted, and as Dan was saying, your property will be removed and inventoried and then stored. And apparently, according to what Dan was saying, the prisoners don't go to their cells with their property. It's put in lockers, but it sounds like these deputies got into the lockers and got the prisoners' property. But those prisoners are only held at central lockup for, you know, a matter of hours as they're being processed. And then they go off to one of the other detention centers.

Goodman: And so, the story that you have heard Dan Bright tell, that you've just heard the report from Corrine Carey, in your talking with scores of men, how much does that resonate? How many times did you hear that same story?

Walker: You hear a very similar story from everybody who was housed where Dan was held. I mean, there were other prisoners held in different places. You know, they were locked into their cells, not able to get out. I understand in the house of detention that the guys were literally not able to get out their cells at all, and in Templeman, prisoners were able to grab shower rods and break out the windows in an attempt to gain some attention from whoever they could get to see them.

But I -- you know, the stories are very consistent that floodwaters were rising, that the deputies had fled the jail, that there was no food, there was no water. The power went off, I think, sometime early Monday morning when the storm hit, and they went Tuesday, Wednesday and Thursday with no food.

I heard one prisoner who said that water was being distributed in basins, but it looked to be as polluted as the water that was coming out of the faucets. I heard accounts of some prisoners being interviewed with ugly white sores all over their -- the skin that was exposed, and these prisoners had reported drinking the floodwaters, although I didn't see any prisoners with those sorts of infections myself.



## Left to Die in a New Orleans Prison

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Thursday, 13 October 2005 08:54 -

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Goodman: And Neal Walker, we're going to break for stations to identify themselves, and we'll come back to this discussion about where have all of the prisoners gone? Human Rights Watch has calculated over 500 are at this point unaccounted for, just judging from the dockets before and after the hurricane. We'll also be joined by Phyllis Mann, who has been investigating this story and speaking to scores of prisoners, men who were farmed out to different prisons, and women as well, hundreds, who were brought from the jail to Angola, the maximum security prison for men.

[break]

Goodman: We continue the investigation into where have all of the prisoners gone after Hurricane Katrina. We are talking specifically about the Orleans Parish Prison. Our guests are Corrine Carey, researcher for Human Rights Watch. They have just put out a report "Imprisoned and Abandoned." We are also joined by Dan Bright, one of the people who was detained in the Orleans Parish Prison the night before the hurricane struck, now relocated to Texas. Phyllis Mann will join us in a minute, of Alexandria, Louisiana, criminal defense lawyer, also Neal Walker, director of Louisiana Capital Assistance Center. Corinne Carey, from your investigation, when were the authorities called to evacuate the Orleans Parish Prison?

Carey: The Orleans Parish sheriff, Marlin Gusman, didn't call for assistance from the State Department of Corrections until midnight on Monday after the eye of the storm had hit and the prison had already began to flood. Other area parish prisons had called for assistance on Saturday and Sunday to start evacuating their inmates. And all of their inmates have been -- had been evacuated safely at that point.

Goodman: Now, the position of the sheriff, the Orleans sheriff, is a very powerful one in New Orleans.

Carey: In every parish it's one of the most powerful positions to hold, yes.

Goodman: And the attorney general is the former parish sheriff?

## Left to Die in a New Orleans Prison

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Thursday, 13 October 2005 08:54 -

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Carey: Yes. Charles Foti was the Orleans Parish sheriff before he became attorney general.

Goodman: Did he design the evacuation plan?

Carey: We have not been able to find the evacuation plan. We heard reports that the evacuation plan was on a website. A Department of Corrections spokesperson told us that it was on the website, but it has since been removed. So we actually, though we have made inquiries, don't know what the evacuation plan was. In any event, the Orleans Parish sheriff didn't follow any evacuation plan, nor did he fortify the institution to allow people to ride out the storm with food, water and other supplies.

Goodman: So, he called on Monday night, and then what happened?

Carey: Monday at midnight. The Department of Corrections then began to start evacuating prisoners. It seems to us they started on Wednesday and finished on Friday although things are very confusing, and there are a number of different buildings in that complex.

Goodman: We're talking about thousands of prisoners?

Carey: Over 6,000 prisoners. And prisoners from area -- other parish prisons were evacuated to Orleans Parish Prison.

Goodman: To the flooded prison?

Carey: Prior to the flood. Yes. They were evacuated to the prison. And so, you had people -- you had a prison that was already at capacity, and then you had maybe 2,000 more prisoners from area prisons brought in. So, that's why when you hear Dan Bright talking about breaking out of cells, there were prisoners in common areas. They were in recreational areas, they were

## Left to Die in a New Orleans Prison

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Thursday, 13 October 2005 08:54 -

---

in visiting areas. So they were not locked down, and they were able to grab pipes and break them in the absence of guards and help the other inmates break out of their cells and break the windows.

Goodman: So, Dan Bright, when did you make it to the overpass? What night was it? Or what day?

Bright: It was Tuesday morning.

Goodman: Tuesday morning. How long did you stay on the overpass?

Bright: It was Tuesday night. Sunday, I went down.

Goodman: So you broke out on Tuesday?

Bright: Right. After the storm had passed. And when we got out to central lockup area, back to the central lockup area, these were the other guards waiting for us outside with the boats. So they took us from central lockup area to the bridge. It was nighttime. The city was completely dark. We stood on the bridge until maybe like two days, two-and-a-half days.

Goodman: Two-and-a-half days.

Bright: Yeah. No food, no water. We couldn't stand up. They made us sit down. We couldn't even get up and urinate. We had to urinate on ourselves. They didn't even want us standing up.

Goodman: You said you urinated on yourselves because you couldn't stand. Were you chained?

## Left to Die in a New Orleans Prison

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Thursday, 13 October 2005 08:54 -

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Bright: Excuse me?

Goodman: Were you chained?

Bright: No. They didn't have any chains. They didn't have anything. They were just rushing us -- as we broke out and thought we were trying to get to our families or whatever. We weren't trying to escape. We were just trying to get away from that prison. When we got out, they snatch us, put us on airboats and bring us to the bridge.

Goodman: So you stayed there for two days, no food. Water?

Bright: No water. No food. They had water. But they wasn't giving us any.

Goodman: And how many of you were there?

Bright: It was a lot. I would say maybe like -- I couldn't tell. It was over 400. It was a lot of us.

Goodman: And then after those two days, what was it? Thursday or Friday?

Bright: It was Thursday when they moved us. They put us on the buses. And they brought us to this place, another jail called Hunt's Correctional Center.

Goodman: Near Baton Rouge.

## Left to Die in a New Orleans Prison

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Thursday, 13 October 2005 08:54 -

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Bright: Right. And they just put all of us in this one huge gate and made us sit on a field. And they left us there.

Goodman: Sitting on the field?

Bright: Right. You had to sleep on the wet grass. They didn't have anywhere we could urinate or defecate. We had to do that out in the public. You know. They gave us one blanket. We had -- that was it. You had to sleep on the wet grass. You had -- we didn't have hot food. We didn't have cold water. In fact, they come once a day and throw peanut butter sandwiches over the gate. They wouldn't even come in the gate. They would just throw it over the gate.

Goodman: They threw the sandwiches at you.

Bright: Correct. They were throwing them over the gate.

Goodman: And then you would race for them.

Bright: Right, we would fight over sandwiches. You know, it wasn't -- there wasn't any order in this yard. In fact, you had -- the entire prison system was in there. You had guys with life sentences. You know, all kind of guys that wasn't supposed to be around one another. You had federal prisoners in there. They even had this guy Len Davis in there.

Goodman: Who is Len Davis?

Bright: He was convicted -- he was a cop. He was an NOPD police officer, convicted for all the murder of a female. He was on death row.

Goodman: He was a New Orleans Police officer on death row, and he was in there in the field

## Left to Die in a New Orleans Prison

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Thursday, 13 October 2005 08:54 -

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with you?

Bright: Right. He was back down here trying to get some time back, and he got caught up when the storm came. So they drove him in there, too.

Goodman: Neal Walker, what do you know about this?

Walker: Well, the first thing I can tell you is that the New Orleans Police Department is one of the most violent and corrupt police departments in the country, and Dan's absolutely right. There are two police officers on the New Orleans Police force who are actually on death row, and I have heard other accounts that Len Davis, the police officer he is referring to, was in fact on that football field, if that's what it was, where the prisoners were evacuated to upriver at the Hunt's Correctional Facility.

Goodman: I want to bring Phyllis Mann into this conversation, attorney from Alexandria, Louisiana, who has been working non-stop since the hurricane, identifying people who were brought up to the Rapides Parish Prison in your area. These stories that you are hearing, you have been interviewing hundreds of people, men and then women at Angola. Are these similar to what you have heard?

Phyllis Mann: They're completely similar to what I have heard. I have personally interviewed or overseen the interviewing of over 2,400 men and women between September 7 and as late as last night. And these are men and women who were at the various facilities in Orleans and the others, as Corinne referred to, that were brought to Orleans from other affected parishes. These people didn't have a chance to talk to each other.

Like Dan describes, it was complete pandemonium in Orleans. As people got out of the various buildings that comprised the Orleans Parish complex there, you know, some of them spent one day on the bridge, some of them spent three days on the bridge. From there, they were randomly loaded into buses, and there was no rhyme nor reason as to who got on what bus. And they -- most of them went through Hunt Correctional and spent time on that football or soccer field or whatever it was. Some of them were there for two or three days. I saw large numbers of people who were badly, badly sunburned as a result of being out in the elements at Hunt Correctional while they waited.

## Left to Die in a New Orleans Prison

Written by Amy Goodman, Democracy Now!. ID1984  
Thursday, 13 October 2005 08:54 -

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And then these people again randomly got distributed to in excess of 35 facilities throughout the state, and some of them are prisons, some of them are private prisons. Many, many of them are parish jails operated by local sheriffs in each parish. And as I have gone from place to place and talked to different people who had been held, they are all telling remarkably consistent stories. And many of these people have not even seen television at the point that I have talked with them. You know, it would be a week or two weeks after the hurricane, and they still had not been able to watch television to know what had happened there. So, for all of these people to tell such remarkably consistent stories, to me, is a very serious indication of the truth of what they're saying.

Goodman: Dan Bright, what happened after you left Hunt? When were you taken from there somewhere else? Or were you?

Bright: They took me to Rapides Parish. You had to wait in line in this football field to try to get on the bus. So, it took up to maybe like two days to a week. Fortunately, I was able to get on the bus like two-and-a-half days after. I went to Rapides Parish, where I met Miss Mann. And I can tell you it was a whole lot better.

Goodman: Was it around Sunday that you made it there?

Bright: Yes. It was a whole lot better living conditions from where I just came from.

Goodman: And how did you ultimately get out?

Bright: Out of the Rapides Center?

Goodman: How did you get out of jail? How did you end up being free?

## Left to Die in a New Orleans Prison

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Thursday, 13 October 2005 08:54 -

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Bright: Ms. Mann and a bunch of more attorneys, Ben Cohen, filed a habeas corpus for all of your misdemeanor charges, because they were violating our rights. We hadn't seen the judge. You know, most guys had served the sentence that was no more than 30 days, so they had to let us go. The D.A.s were still trying to fight that. That's another issue, though.

Goodman: Phyllis Mann, explain that process. Filing the writ of habeas corpus. And who were these men who were in there?

Mann: Sure. There were 199 people who had been evacuated to the Rapides Parish Detention Center. The warden and the sheriff here in Rapides Parish quickly allowed us to come in and sit down and interview those men and gather their case information. And then that was compiled into a list of the people who had already served whatever time they were supposed to serve. For example, there was one man who was in jail for reading tarot cards without a permit and was supposed to have been released prior to August 29th when the hurricane occurred, but did not get out and was still sitting there. Dan was another of those men. Some of them were in on what we call municipal charges, which are basically city violations. They're not even misdemeanors.

And Ben Cohen and Marcia Widder filed a state habeas corpus action, which is the kind of pleading that you file -- it basically means, you know, to produce the body. You're requiring the person who is holding someone to produce them in court and then prove whether or not they are legally holding them. That action was filed on behalf of quite a large number of men. Nineteen of them were released when the hearing was held. But this is a long, slow process for us to have to do this on behalf of each of the over 8,000 people who are currently being held.

Goodman: Corrine Carey of Human Rights Watch, your final comment?

Carey: Sure. I just wanted to add that we have also spoken with corrections officers who say the same kinds of things. They saw prisoners hanging out of the windows. They saw the signs. And they, too, have concerns. It's hard to describe, but the corrections officers, many of them, feel that that were abandoned at the jail, as well. It's really a failure to evacuate. The corrections officers and the inmates were put in jeopardy. The inmates happened to be locked in their cells.

Goodman: And so, now what happens? How does the accounting take place. For example,



## Left to Die in a New Orleans Prison

Written by Amy Goodman, Democracy Now!. ID1984

Thursday, 13 October 2005 08:54 -

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have the authorities gone into the prison at this point to look into the cells where men perhaps couldn't get out?

Carey: A spokesperson from the Orleans Parish sheriff's office said that the sheriff had gone into the jails to inspect for damage. We don't know. We contacted FEMA to see whether anyone from the federal agencies had been in, and we haven't gotten response from them. The State Department of Corrections has not been in, as far as we last knew, to inspect the facility. What we would like is we would like the Department of Justice to do an investigation of their own. We need to know what happened in that jail, whether there were bodies left and whether there were any casualties.

Goodman: Again, the number of unaccounted-for prisoners?

Carey: There were 517 the last we checked, 130 of them being from Templeman III, the building that we have talked about today.

Goodman: And guards, any missing guards?

Carey: Not as far as we know, but the thing about the guards is that they were left on the overpass bridge. They were not transported to other facilities. They made their way in small groups of their own to shelters, to the stadium, to the Convention Center. They were not -- there's no keeping track of where the guards went from there. They didn't go with the prisoners.

Amy Goodman is the host of the nationally syndicated radio news program, Democracy Now!

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## Left to Die in a New Orleans Prison

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Thursday, 13 October 2005 08:54 -

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