
The Criminalization of New Orleanians in Katrina's Wake

By Sarah Kaufman

Published on: Jun 11, 2006

Sarah Kaufman is a Ph.D. candidate in sociology at New York University and a former criminal defense investigator for the Louisiana Capital Assistance Center in New Orleans. Her current research focuses on the sociology of punishment and the production of morality, health and illness.

On Saturday, September 4, five days after Katrina came ashore, an estimated 25,000 people continued to wait to be rescued in New Orleans. The Superdome was “hell on earth” according to local officials, and 1700 hospital patients and personnel had been without power, food, water, or sanitation for five days. An article in the *Times Picayune* offered hope to its readers:

State officials have set up a temporary booking and detention center in New Orleans to deal with those accused of killing, raping, looting and otherwise terrorizing the tens of thousands of people who were trapped in the aftermath of Hurricane Katrina and awaiting evacuation...It has capacity of 750 people, and is the start of rebuilding and relocating the criminal justice system of New Orleans, officials said. "We are in business," said Louisiana Corrections Secretary Richard Stalder. (Filosa 2005)

In light of the citizens' of New Orleans multiple needs, why was the jail the first institution to be “in business” after the city's destruction? In addition, why was the mass media so attentive to the looting and violence in New Orleans during this first week? In order to answer these questions, we must situate them in the context of America's criminalization of poverty.

New Orleanians in the Media

Social scientists have long claimed that “natural” disasters are not natural in their social consequences. Instead, the distribution of damage exposes previously existing social fissures in any community. In this forum, Stephen Jackson argues that “the scale of a disaster's impact has much less to do with, say, an earthquake's Richter force or a hurricane's category strength than with the political economy of the country or region that it strikes” (Jackson 2005). In this respect, it is not surprising that New Orleans' poorest citizens suffered the most in the aftermath of the hurricane. It is important to explore however, the ways in which the specific social position of this population affected its treatment.

In the days after the hurricane when the city began to flood, tens of thousands of mostly poor black New Orleanians found themselves without food, water, or shelter, and were forced to depend on local and federal authorities to provide their basic needs. When authorities failed to provide these, New Orleanians were admonished for their positions to varying extents. On television, commentators

wondered why these people did not just leave when they were told. On the pages of national newspapers, headlines announced “The Looting Instinct,”¹ “Thugs Rein of Terror,”² and the like. For the first days after the hurricane, news outlets focused on what we now know to be greatly exaggerated individual acts of crime and violence (Dwyer and Drew 2005). This illustrates a feature of the American media more generally. During the 1990’s, nationwide news coverage of homicide more than quadrupled while homicide rates *declined* by 33%. In the entertainment industry, television characters on prime time are murdered approximately eleven times as often as real people in the United States (Becket and Sanson 2004). Reality TV-shows such as “Cops” and “Law and Order,” and the violent film industry similarly inflate the prevalence of violent crime in the United States.

Two examples best illustrate how New Orleanians were criminalized in the media. First, immediately after Katrina hit New Orleans, Yahoo and other central websites began publishing dozens and then hundreds of pictures of people struggling in the devastated city. A Yahoo viewer noticed a relationship between two photographs and posted them together on a separate page. This pair of photos then began circling the internet. The first photo showed a young African-American man carrying a case of soda and a bag through chest-deep water. The caption stated that he had just been “looting a grocery store.” The second picture presented a white couple also carrying food through the waters, and stated that they were spotted “after finding bread and soda from a local grocery store” (Ralli 2005). This juxtaposition was one of the first potent symbols of the different treatment of black and white New Orleanians by the media.

Also during these first days, the New Orleans Police Superintendent Eddie Compass appeared on CNN, which had been running coverage of the hurricane without interruption.³ John Walsh, host of “America’s Most Wanted,” appeared with the Chief to help capture and punish those who broke the law in New Orleans. He pledged that those who raped, looted, and shot at police officers should be pursued, and that he would personally “put them on ‘America’s Most Wanted’ and hunt them down.” In addition to demonizing the criminals who “terrorized” the city as it flooded, Chief Compass then spoke at length about the almost 30% (an estimated 500 out of 1700) of the police force that did not stay in New Orleans as it flooded. He referred to them four times as “the cowards who walked away,” and praised those that stayed to fight the criminals in the streets. In one broadcast, Compass painted the police, the looters, and the shooters as the bad guys, all worthy of our antipathy. Both he and Walsh repeatedly emphasized their disgust with the lack of individual responsibility in these cowards and criminals. Neither mentioned nor explored the conditions that might cause a person to loot a grocery store or shelve their professional responsibilities in favor of personal responsibilities.⁴

By the end of the first week, the emphasis on such individual acts of deviance began to be challenged, however cautiously. Some media began to look into accusations of classism and racism on the part of local and federal officials. One of the most compelling reports came from two white paramedics from San Francisco who were among those trapped in the city after the hurricane.⁵ White, middle age, and middle class, the two recounted in disbelief their experience of trying to escape the city with a group of mostly black New Orleanians. First, they described witnessing the beginning of the looting of New Orleans stores:

Two days after Hurricane Katrina struck New Orleans, the Walgreens store at the corner of Royal and Iberville Streets in the city's historic French Quarter remained locked. The dairy display case was clearly visible through the windows. It was now 48 hours without electricity, running water, plumbing, and the milk, yogurt, and cheeses were beginning to spoil in the 90-degree heat. The owners and managers had locked up the food, water, pampers and prescriptions, and fled the city. Outside Walgreens' windows, residents and tourists grew increasingly thirsty and hungry. The much-promised federal, state and local aid never materialized, and the windows at Walgreens gave way to the looters. There was an alternative. The cops could have broken one small window and distributed the nuts, fruit juices and bottled water in an organized and systematic manner. But they did not. Instead, they spent hours playing cat and mouse, temporarily chasing away the looters.

The two then described their attempts to leave New Orleans as it became increasingly clear that they were running out of food, water, and aid. Because of the damage to many highways and bridges, the only way out of the city was to cross a bridge that connects the mostly black city of New Orleans with the mostly white suburbs of Jefferson Parish, known as the "West Bank." Their recollection is worth quoting at length:

The hotels turned us out and locked their doors, telling us that "officials" had told us to report to the convention center to wait for more buses. As we entered the center of the city, we finally encountered the National Guard. The guard members told us we wouldn't be allowed into the Superdome, as the city's primary shelter had descended into a humanitarian and health hellhole. They further told us that the city's only other shelter—the convention center—was also descending into chaos and squalor, and that the police weren't allowing anyone else in. Quite naturally, we asked, "If we can't go to the only two shelters in the city, what was our alternative?" The guards told us that this was our problem—and no, they didn't have extra water to give to us...The police commander came across the street to address our group. He told us he had a solution: we should walk to the Pontchartrain Expressway and cross the greater New Orleans Bridge to the south side of the Mississippi, where the police had buses lined up to take us out of the city...We organized ourselves, and the 200 of us set off for the bridge with great excitement and hope. As we marched past the convention center, many locals saw our determined and optimistic group, and asked where we were headed. We told them about the great news. Families immediately grabbed their few belongings, and quickly, our numbers doubled and then doubled again. Babies in strollers now joined us, as did people using crutches, elderly clasping walkers and other people in wheelchairs. We marched the two to three miles to the freeway and up the steep incline to the bridge...

As we approached the bridge, armed sheriffs formed a line across the foot of the bridge. Before we were close enough to speak, they began firing their weapons over our heads. This sent the crowd fleeing in various directions. As the crowd scattered and dissipated, a few of us inched forward and managed to engage some of the sheriffs in conversation. We told them of our conversation with the police commander and the commander's assurances. The sheriffs informed us that there were no buses waiting. The commander

had lied to us to get us to move. We questioned why we couldn't cross the bridge anyway, especially as there was little traffic on the six-lane highway. They responded that the West Bank was not going to become New Orleans, and there would be no Superdomes in their city...All day long, we saw other families, individuals and groups make the same trip up the incline in an attempt to cross the bridge, only to be turned away—some chased away with gunfire, others simply told no, others verbally berated and humiliated. Thousands of New Orleaners were prevented and prohibited from self-evacuating the city on foot. (Bradshaw and Slonsky 2005)

When questioned about these incidents later, the Jefferson Parish Sheriff confirmed that his office closed the bridge, explaining that his Parish did not have the resources to care for thousands of needy people.

This scenario illustrates several problems with the treatment of these New Orleanians and the urban poor more generally. First, as the two paramedics discerned, the words spoken by the Jefferson Parish sheriffs were “code words for: if you are poor and Black, you are not crossing the Mississippi River” (Bradshaw and Slonsky 2005). Social linguists call this kind of talk “modern racism,” in which speakers are aware that expressing overtly racist views is unacceptable in public settings, so their racism is manifest in more subtle linguistic forms (McConahay, Harde and Batts 1981). Jefferson Parish is 78% white while New Orleans is 72% non-white, and there is a long history of tension between the two Parishes regarding incidents of both overt and covert racism.

The stand-off at the bridge also points to the long-standing tensions between urban and suburban communities more generally. As urban scholars have long documented, resource-rich suburbs struggle to separate their assets from their poorer counterparts in the inner cities. This tension is evident in debates about property tax and education funding, highway and bridge maintenance, prison construction, health services, and other infrastructural necessities. Underlying these debates is an implicit discussion about human worth. The question of who deserves the public's money is no less than a question of who deserves the public's empathy.

Mass Incarceration and the Production of Criminals

Recent scholarship in the sociology of punishment seeks to understand how a criminal justice system produces and sustains a state or community's culture of punishment. In the United States, our culture of punishment is strong and severe compared to other nations. The United States has the highest per capita population of prisoners in the world. It is, in fact, more of an outlier than part of a distribution of national incarceration rates; we have almost one third of all prisoners in the world, with only one twentieth of the world population. While violent crime has decreased through the last decade, the prison population in the United States increases each year. The United States currently incarcerates over two million people, a full half of whom are African-American (although African-Americans make up only 12.3 percent of the country's population), and approximately 80% of whom could not afford to pay an attorney to defend them.⁶ Over ten percent of the country's African-American men between the ages of 25 and 29 are in prison, compared to only 1.2 percent of white men in the same age group. Besides being disproportionately non-white and poor, the American prison population is also

disproportionately urban and from the Deep South.

The goal of the late twentieth-century American prison is not to improve the conditions of this mostly poor, non-white population. In the earlier half of the twentieth century, the prison was an institution with the goal of rehabilitating criminals, employing psychiatrists, teachers, doctors, and social workers to help individuals who were thought of as part of a broken social system. Today, prison guards and parole officers have replaced these experts. Social scientists have found that this shift from the rehabilitative model to the punitive model was in no way inevitable. Instead, it was enabled by the interactions of a late modern economy, powerful conservative political strategies, and a public open to conservative change.⁷ Reacting to the emphasis on the rights of the poor during the 1960's and the economic recession in the 1970's, the conservative political agendas of the 1970's and '80's, especially as expressed through Nixon's War on Crime and Reagan's War on Drugs, presented positions that made mass support for incarceration possible (Beckett and Sasson 2004). Wacquant (2001) argues that the state had particular motivation to incarcerate African-American people during this time, as the riots of the 1970's proved the state increasingly unable to control the urban ghettos. At the same time, as fear of crime and crime control became increasingly potent political issues, the state shifted the responsibility for policing to the private sector, while displaying its strength through mass incarceration. This new bifurcated "culture of control" fed into the public's fear of crime by demanding that people remain vigilant about their personal safety and support lengthy incarceration policies. At the same time, mass incarceration and the "othering" of criminal types destroyed the solidarity and empathy that is necessary to control crime in any given society (Garland 2001).

In this atmosphere, the social causes of violence have become obscured from the general public. Research into its causes find that there are several co-factors that interact to produce violent individuals. The availability of guns, the prevalence of subordinated and isolated communities in urban ghettos, and a culture of masculinity rooted in violence all partially explain the United States' high rates of gun violence (Beckett and Sasson 2004). In New Orleans, the African-American community lives with all of these characteristics; indeed, the city is notorious for its exceptionally high rate of violent crime. During my time working with accused violent criminals there, I learned first-hand how American social institutions produce criminal behavior. Our clients had all experienced one, and most often, several of the following:

- Growing up without enough food, often competing with multiple siblings.
- Being taught to steal to help with their parents' rent.
- A chronic childhood illness that was not resolved because there was no money for doctors: ear aches, hernias, etc.
- Pitiful schooling, where avoiding violence supplanted learning.
- Juvenile imprisonment, and being forced to defend oneself against guards and other inmates.
- Untreated symptoms of depression, mania, psychosis, and other mental disabilities.

- A lack of employment outside the drug trade.

The catastrophic results of the hurricane could have focused attention on these social causes of violence and mass incarceration, but instead the public was served with images that emphasized individual responsibility and individual failure. While the circumstances of a post-apocalyptic city might have driven any one of us to violence, only some of us would be publicly admonished as part of a band of irresponsible citizens or violent criminals. A full century ago, Clarence Darrow said, “There is no very great danger of a rich man going to jail...no man in his right senses will go into a strange house in the dead of night and prowl around with a dark lantern through unfamiliar rooms and take chances of his life if he has plenty of the good things of the world in his own home” (Darrow 1902). This is a challenge we have yet to take seriously.

Conclusion: Criminalization vs. Caring

While most of the country was confused by the numbers of people who were unable to leave New Orleans, and the ways in which they were forced to survive in Katrina’s aftermath, the public was gazing upon what social scientists and advocates for the poor have known for a long time: black and white citizens *are* treated differently in the urban south; the criminalization of poverty *does* have life and death consequences; and most people do *not* know how many people live under these dangerous circumstances everyday. The aftermath of this hurricane lays bare the fact that urban poverty has consequences that we do not face as a country, and that this kills, slowly or quickly, thousands of people every day.

Social scientists must do more to advocate for alternatives to the mass imprisonment of the United States’ urban poor. We must figure out ways to prevent the conditions that cause violent crime, both as it is produced inside and outside the criminal justice system. As the two paramedics in New Orleans observed during the brief moment of calm in the flood:

[When] basic needs were met, people began to look out for each other, working together and constructing a community. If the relief organizations had saturated the city with food and water in the first two or three days, the desperation, frustration and ugliness would not have set in. (Bradshaw and Slonsky 2005)

Can the same be said for the nation’s most crime-ridden urban centers? Can saturating cities with such basic services such as employment, education, and health care prevent crime? We have yet to conduct this experiment.

Endnotes

¹ *The Boston Globe*, September 4, 2005, Pg. E11

² *The New York Daily News*, September 4, 2005, Pg. 7.

³ “Larry King Live” transcript at <http://transcripts.cnn.com/TRANSCRIPTS/0509/07/lkl.01.html>.

⁴ Later, witnesses described people shooting at police cars in order to get their attention in a plea for help. In addition, none of the police officers who left their positions have yet been reprimanded. The only police officer to suffer official consequences for his or her actions is Chief Compass himself, who resigned as it became clear there were fewer incidents of violence than he had repeatedly described.

⁵ Bradshaw and Slonsky (2005) first published their story in *The Socialist Worker*. From there, it spread through multiple channels.

⁶ *Sourcebook of Criminal Justice Statistics*, 2001; Herivel and Wright (2003).

⁷ Garland (2001) highlights smaller family size and women's entrance into the work place leading to less supervision of young people; mass availability of things to steal, such as cars, TV's, and stereos; and increase in media availability, bringing crime into the living rooms of the middle class.

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