

New Orleans Cop Admits Cover-up of Fatal Shootings After Katrina



By *SABRINA CANFIELD/ Courthouse New Service*

NEW ORLEANS (LA) - A former New Orleans Police Department lieutenant admitted that after New Orleans police officers shot six unarmed people walking across a bridge looking for food after Hurricane Katrina, he realized the shooting had been unjustified and started a cover-up. Michael Lohman, who retired this month, admitted on Wednesday that he wrote false incident reports, allowed a gun to be planted at the scene of the shooting, and made up false witness statements.

Lohman also admitted that he intended for the officers involved in the shooting to come up with a plausible story that would allow him and other supervisors to conclude the shooting was justified. According to his testimony, the officers then provided "false stories" that "evolved" over time.

On the morning of Sept. 4, 2005, police shot six unarmed people as they walked across the Danziger Bridge, which crosses the Industrial Canal from New Orleans East. Two men, one of whom was severely mentally disabled, were killed, and four were seriously injured.

According to court documents unsealed Wednesday, the incident involved at least seven NOPD officers who drove to the Danziger Bridge in a Budget rental truck in response to a call for police assistance.

When the officers got to the eastern side of the bridge, they found a family of five and a friend of the family walking together across the bridge to a supermarket where they intended to get food and supplies. The officers opened fire.

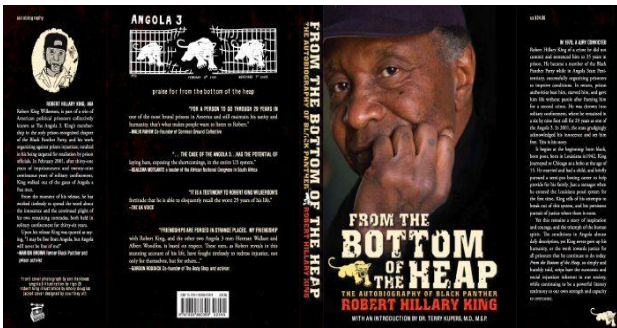
James Brissette, 19, was killed. The five with him were seriously wounded. Susan Bartholomew lost part of her arm and her husband, Leonard Bartholomew III, was shot in the head. Their daughter, Leisha Bartholomew and a nephew, Jose Holmes, suffered multiple gunshot wounds. Leonard Bartholomew IV, a teen-age son, was uninjured.

The officers then crossed to the west side of the bridge, where they found Lance and Ronald Madison, who were crossing the bridge on foot to get to their brother's dentistry office, and opened fire on them. Ronald Madison, a 40-year-old mentally disabled man, was shot to death.



Written and produced by New Orleans native Parnell Herbert. Herbert assembled a cast and crew of theatrical performers in Houston TX. "Angola-3" received rave reviews for its world premiere at Loyola University in New Orleans La. September, 2009. What is most amazing about this play is the fact that it's a true story. Three men were framed for murders they did not commit. In 1972 these men were punished to silence them to end their activism. As members and co founders of Angola's Black Panther Party (first approve in any U.S. prison) they began organizing within the walls of this nation's most brutal prison demanding an end to inmate rape, murders and other atrocious conditions.

Try King's Freelines, a praline type candy he began making in Angola at kingsfreelines@gmail.com.
FROM THE BOTTOM OF THE HEAP
Robert King FREED MEMBER of the "Angola-3"



"Their cases have gained increased interest over the last few years. Since his release Robert King has worked to build international recognition for the Angola-3. He has spoken before the parliaments the Netherlands, France, Portugal, Indonesia, Brazil and Britain about the case and political prisoners in the U.S. King was received as a guest and dignitary by the African National Congress in South Africa and has spoken with Desmond Tutu. Amnesty International has added them to their "Watch list" of "Political prisoners of conscience." Edwin Buggage, Editor-in-Chief Data News Weekly

"The best part about the play was the music soundtrack, which featured songs and excerpts of speeches, which led the play from the late 1960s and early 1970s into the late 1990s. Black artists of various genres were specifically highlighted and a special performance by two Mardi Gras Indians surprised the audience in the second act. The Black Law Student Association president, Tiffany Tate, Loyola Law third year student mentioned that though she knew about the Angola Three, she was surprised to learn that the Black Panthers worked for such positive change and that was the reason the three men were victimized. She said after seeing the play, "I appreciate the fact that the Black Panther group didn't focus on race when trying to better prison conditions and they made that apparent in the play." Garret Cleveland Assistant Life and Times Editor Loyola Maroon

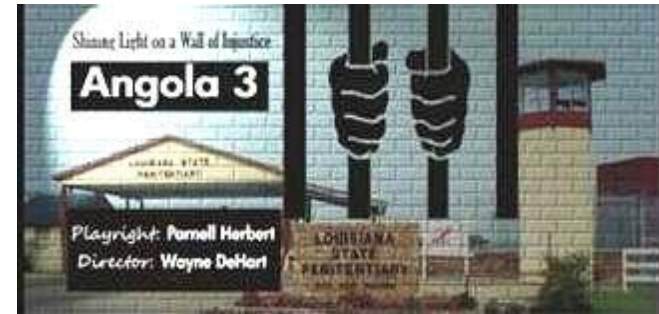
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"FREE THE ANGOLA – 3"



Herman Wallace & Albert Woodfox were framed for the murder of prison guard Brent Miller April 17, 1972. Tried by all white juries, both men still remain in solitary confinement after 37 years. Hugo Pinell confined since 1971 is the only inmate held in solitary longer than Woodfox and Wallace.

A State Judicial Commissioner recommended the overturning of Wallace's guilty verdict. La. Supreme Court overruled that decision. It is now being appealed to a federal court.

A magistrate judge overturned Woodfox's guilty verdict. That decision was upheld by a Federal judge. La. State Attorney General Buddy Caldwell appealed that decision. That case is being considered by the 5th Circuit Court of Appeals since March 3, 2009.

Robert King transferred to Angola weeks after Miller's death was charged with that same murder. King was immediately placed in solitary confinement. Later those charges were dropped but King remained in solitary confinement where he was framed for another murder. After serving 29 years in solitary confinement King's guilty verdict was overturned. King Plead to a lesser charge and was released.

Color of Change collected 25,000-signatures. Head of La. State Legislature's Judiciary Committee, Cedric Richmond delivered that petition to Louisiana Governor Bobby Jindal. To this day, Jindal remains silent on the case.

Ira Glasser, formerly of the ACLU criticized La. Attorney General Buddy Caldwell for embarking upon a public scare campaign reminiscent of the kind of inflammatory hysteria that once was used to provoke lynch mobs.



Hezekiah Brown the primary witness against Woodfox and Wallace always denied receiving special favors from prison authorities in exchange for his testimony. However, prison documents reveal special treatment, including special housing and a carton of cigarettes given to him every week. Testifying at Woodfox's 1998 retrial, former Warden Murray Henderson admitted telling Brown that if he provided testimony helping to "crack the case," he would reward him by lobbying for his pardon. Brown now deceased was pardoned in 1986.

Miller's widow, Leontine Verrett, now questions their guilt. Interviewed in March, 2008, by NBC Nightly News, she called for a new investigation into the case: "What I want is justice. If these two men did not do this, I think they need to be out."

The play "Angola-3" was written and produced to tell their story. Supporters believe that the public has a right to know. This miscarriage of justice is evidence of the backwoods mentality of the Louisiana justice system. We must come together to demand the release of the Angola-3.



"This powerful production was written by neophyte Parnell Herbert and directed by Wayne Dehart. It was indeed a trip through the elements of time changing, people changing and how everything basically stayed the same, for men who played cards and swept floors, men who took their frustrations out on the world through constant push-ups and reading the bible, men who had to make the adjustment to a dejected life, which focused on dehumanizing all human beings, who stroll with life-sentences through prison hallways.

My spirit was lit on fire, in knowing that there ain't nothing in this world stronger than a black man with a purpose to live long enough to tell his story." Dionne Character is Entertainment Editor for the Louisiana Data News Weekly

In his guilty plea Wednesday, Lohman said that when he arrived at the scene shortly after the shootings, he noticed there were no guns on or near the dead and wounded people. When the NOPD officers involved were unable to come up with evidence that would justify the shooting, Lohman said he concluded they had been involved in a "bad shoot" - one that was not legally justified.

Federal prosecutors, in a 13-page statement of the "Factual Basis" of the prosecution, wrote that Lohman spoke with the two officers on the scene, who claimed the people on the bridge had fired at them and the officers had shot in self-defense. But when Lohman asked where the guns were, the officers had no explanation.

Lohman told the officers to decide what happened and let him know. He intended for the officers to come up with a "plausible story" that would allow him and other supervisors to conclude that the shooting was justified, according to the Factual Basis statement.

The statement adds that at the crime scene, Lohman and other officers "purposely neglected to take steps that would have allowed for a true investigation of the incident to occur. Among other things, they failed to conduct or direct evidence-collection at the scene; they failed to diagram the scene or conduct a neighborhood canvas, or ensure that someone else would do so; and they left the scene without any evidence having been picked up, even though there were numerous officers at the scene - and several homicide investigators under Lohman's command - who were available and able to work the scene."

After the shooting an investigator, a sergeant under Lohman's command, told Lohman, "I have a gun and I'm going to put it under the bridge," prosecutors said. Lohman understood that the gun would be planted as evidence that would justify the shooting, and asked the investigator if the gun was "clean," meaning that it couldn't be traced to another crime.

Later, Lohman signed off on a report stating that a gun had been found under the bridge, though he knew the gun had been planted. The statement of factual basis adds that over the course of five or six weeks, the investigator met repeatedly with the shooters and documented the stories they had come up with to justify the shooting.

In October 2005 the investigator handed a draft report to Lohman, which included summaries of statements attributed to the shooters. The shooters' stories didn't make sense to Lohman, "so he suggested changes that would help make the cover story more specific and more plausible," according to the statement of factual basis.



The final version of the report submitted by the investigator contains a false interview in which one of the people on the bridge during the shootings admits that her nephew and some of his friends on the bridge had fired guns before the officers returned the fire. And Lohman and the investigator decided together to add a false witness statement from the first group of people shot at: that they knew the two men on the other end of the bridge and were on their way to all go together to "loot" the supermarket when the incident occurred, according to the factual basis.

After reading several drafts of the investigator's report, Lohman became frustrated that the coverup wasn't logical, and he drafted a 17-page report that he knew was false, prosecutors say. He gave the report to the investigator who had planted the gun at the scene of the crime and told him to submit it as the official evidence report.

Lohman also admitted that in May 2009 he gave false information to an FBI agent investigating the case.

After the guilty plea Wednesday, U.S. Attorney Jim Letten of the Eastern District of Louisiana said that the government intends to "leave no stone unturned to aggressively investigate and bring to justice any officer who tarnishes the badge through criminal conduct." But Letten also expressed "appreciation to the majority of NOPD officers who serve their department and their profession with honor and integrity."

The one-count information to which Lohman pleaded guilty charged him with violating the federal conspiracy statute by agreeing with other officers to write false reports about the shooting; to engage in misleading conduct; and to lie to FBI agents. He faces a maximum sentence of 5 years in prison and a fine of \$250,000.

Sentencing has been scheduled for May 26.

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

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UNITED STATES OF AMERICA

* CRIMINAL DOCKET NO.

v.

* SECTION:

SEALED

MICHAEL LOHMAN

* VIOLATIONS: 18 U.S.C. § 371

10-032

*

SECT. B MAG. 5

* * *

The United States Attorney charges that:

COUNT 1

A. AT ALL TIMES MATERIAL HEREIN:

1. Defendant MICHAEL LOHMAN was a Lieutenant with the New Orleans Police Department (NOPD).

2. On September 4, 2005, in the wake of Hurricane Katrina, defendant LOHMAN and other officers assigned to NOPD's Seventh District reported to work at a temporary station at the Crystal Palace on Chef Menteur Highway.

3. On September 4, 2005, in response to a call for assistance, several NOPD officers, including at least five officers and two sergeants, drove from the Crystal Palace to the Danziger

Bridge in a large Budget rental truck. On the east side of the Danziger Bridge, the officers and sergeants encountered six civilians (five members of the B. Family, and J.B., a friend of the B. Family), who were walking across the bridge to get food and supplies from a supermarket. The officers fired at the group of civilians, killing J.B. and seriously injuring four members of the B. Family. Officers then traveled to the west side of the bridge, where they encountered Lance and Ronald Madison, who did not know the B. Family, had not been traveling with the B. Family, and were crossing the bridge on their way to the dentistry office of one of their other brothers. On the west side of the bridge, an officer shot and killed Ronald Madison, a 40-year-old severely disabled man.

4. Officers then falsely arrested Lance Madison on eight counts of Attempted Murder of a Police Officer. After being held in custody for weeks, Lance Madison was eventually released without any formal charges being lodged.

5. Defendant **LOHMAN** responded to the Danziger Bridge shortly after the shooting occurred. When he arrived at the bridge, **LOHMAN** saw numerous civilians who had been shot by the police and who were either dead or seriously wounded, and he saw that the civilians who had been shot did not have any weapons. Defendant **LOHMAN** concluded that the police shooting had been legally unjustified.

6. While still on the Danziger Bridge on September 4, 2005, defendant **LOHMAN** assigned a sergeant (the Investigator) to investigate the case. Defendant **LOHMAN** also talked to some of the officers and sergeants involved in the shooting and learned that they planned to provide false stories about what had precipitated the shooting. Defendant **LOHMAN** tacitly encouraged them to do so.

B. THE OFFENSE:

From on or about September 4, 2005, through at least May 27, 2009, in New Orleans, in the Eastern District of Louisiana, defendant **MICHAEL LOHMAN** wilfully combined, conspired, and agreed with other known NOPD officers and supervisors to commit the following offenses against the United States:

a. to knowingly falsify and make a false entry in a document with intent to impede, obstruct, and influence the investigation or proper administration of a matter within federal jurisdiction, or in relation to and in contemplation of such a matter, in violation of Title 18, United States Code, Section 1519;

b. to knowingly engage in misleading conduct toward another person with intent to hinder, delay, and prevent the communication of truthful information to a federal law enforcement officer or judge of information relating to the commission and possible commission of a federal offense, in violation of Title 18, United States Code, Section 1512(b)(3); and

c. to knowingly and willfully make materially false statements and representations in a matter within the jurisdiction of the FBI, an agency of the executive branch of the United States, in violation of Title 18, United States Code, Section 1001.

Plan and Purpose of the Conspiracy

It was the plan and purpose of the conspiracy that the defendant and his co-conspirators would provide false and misleading information about the September 4, 2005, shootings on the Danziger Bridge and would cover up other information in order to ensure

that the shootings would appear to be legally justified and that the involved officers would therefore be shielded from prosecution and liability. It was further the plan and purpose of the conspiracy that the officers and sergeants involved in the shooting would provide false and misleading statements about the shooting and would provide false and misleading information when questioned; that the Investigator would write a false and misleading report and would provide false and misleading information when questioned; and that all of the co-conspirators would refrain from conducting a true investigation of the incident. It was also part of the plan and purpose of the conspiracy that defendant **LOHMAN** would assist his co-conspirators, including the Investigator and the sergeants involved in the shooting, in developing and articulating false stories that would make it appear as if the civilians who were shot on the bridge had fired first at officers, and that the officers had been justified in shooting the civilians.

Overt Acts

In furtherance of the conspiracy, and to effect the objects thereof, defendant **LOHMAN** and his co-conspirators committed the following overt acts, among others, in the Eastern District of Louisiana:

The Crime Scene

1. On or about September 4, 2005, defendant **LOHMAN**, after realizing that other officers had shot unarmed civilians, encouraged the involved sergeants to come up with a story justifying the shooting.

2. At the crime scene, defendant **LOHMAN** and the Investigator whom **LOHMAN** assigned to investigate the shooting knowingly failed to take steps that would have allowed

for a true investigation of the incident. Among other things, they failed to conduct or direct evidence-collection at the scene; they failed to diagram the scene or conduct a neighborhood canvass, or ensure that someone else would do so; and they left the scene without any evidence having been picked up, even though there were numerous officers at the scene – and several homicide investigators under their command – who were available and able to work the scene.

The False Stories

3. On or about September 4, 2005, back at the Crystal Palace, the Investigator met with the officers and sergeants who had been involved in the shooting (collectively, the shooters) and discussed the statements they should give about the incident on the bridge.

4. During that discussion, after one of the shooters admitted having fired his weapon many times on the bridge, defendant **LOHMAN** called aside the Investigator and the two sergeants involved in the shooting (Sergeant A and Sergeant B) and suggested to them that they go back to the bridge to get rid of some of the shell casings left behind by the shooters.

Officers' False and Changing Stories

5. From on or about September 4, 2005, through in or about October 2005, the shooters and the Investigator repeatedly discussed and continually modified the stories that the shooters would tell about what happened on the bridge.

6. In or about September and October 2005, defendant **LOHMAN** repeatedly discussed with Sergeant A, Sergeant B, and the Investigator the false statement that Sergeant A would give to justify the shootings on the Danziger Bridge.

7. In or about September and October 2005, Sergeant A, with direction from defendant **LOHMAN** and the Investigator, repeatedly changed his version of events, in order to further the objects of the conspiracy. For example, Sergeant A initially stated that he kicked guns off the Danziger Bridge, into a grassy area to which he had just seen a potential suspect flee, and that he then ran below the bridge to look for the suspect who had fled. However, because Sergeant A had not collected any guns from below the bridge, defendant **LOHMAN** and other co-conspirators determined that this story was not believable, and Sergeant A therefore changed his story to say that he did not run under the bridge after the shooting.

8. In or about September 2005, one of the shooters told defendant **LOHMAN** that he had not fired his gun on the bridge, and that he had chased a juvenile, whom defendant **LOHMAN** knew to be L.B. IV (the son of two of the civilians injured on the bridge), down and under the bridge. That same officer later changed his story and gave a formal, audiotaped interview in which he admitted that he fired his gun two times at a fleeing black male subject, but in which he falsely and misleadingly claimed, among other things, that the black male had turned toward the officer and reached for a shiny object in his waistband as he ran down the bridge.

The Planted Gun

9. Following the shooting at the Danziger Bridge in September 2005, the Investigator told defendant **LOHMAN** that he “[had] a gun,” and that he planned “to put [the gun] under the bridge.”

10. Understanding that the Investigator was going to plant a weapon to be used as evidence to justify the police shooting, defendant **LOHMAN** asked whether the investigator knew that the gun was “clean,” meaning that it could not be traced back to another crime.

11. The investigator assured defendant **LOHMAN** that the gun was “clean,” and defendant **LOHMAN** went along with the plan to plant the gun.

12. Despite knowing that the gun had been planted by the Investigator, defendant **LOHMAN**, in or about October 2005, signed off on a report stating that the Investigator had found the gun under the Danziger Bridge on September 5, 2005.

The False Reports

13. In or about September and October 2005, the Investigator, assisted by Sergeant A, Sergeant B, and defendant **LOHMAN**, drafted different versions of an incident report that included summaries of statements from each of the shooters. In the various versions of the report, the Investigator changed the shooters’ accounts and the narrative based on those accounts.

14. In the false reports, the Investigator falsely claimed, among other things, that S.B. (one of the civilians shot on the bridge) had, on September 8, 2005, admitted to the Investigator and another officer that she had seen her nephew and some of his friends shoot guns on the bridge. S.B. had not, in fact, made any such statement.

15. In the false reports, the Investigator also falsely claimed that L.B. (another one of the civilians shot on the bridge) had, on September 8, 2005, admitted to the Investigator and the other officer that he had seen his nephew shoot a gun on the bridge. L.B. had not, in fact, made any such statement.

16. In the false reports, the Investigator also falsely claimed that Sergeant A had seen Lance Madison shoot a gun and then throw it off the bridge and into the Industrial Canal; that Ronald Madison had had a gun on the bridge and had fired at police before being shot; and that J.B. and J.H. (two of the civilians shot on the bridge) had fired guns at officers, prompting three officers known to the United States to shoot them in self-defense, killing J.B. and severely wounding J.H.

17. On several occasions in or about October 2005, defendant **LOHMAN** reviewed drafts of the false report written by the Investigator and counseled the Investigator on ways to make the false story in the report sound more plausible.

18. Over the course of several weeks in or about October 2005, while the Investigator was working on the various versions of his report, defendant **LOHMAN** talked to Sergeant A, Sergeant B, and some of the other shooters to help them modify their false accounts to be more believable.

19. In or about October 2005, defendant **LOHMAN**, frustrated that the cover-up story in the Investigator's report was not logical, personally drafted a 17-page false report and provided that report to the Investigator to submit as the official incident report. In that report, defendant **LOHMAN** included numerous false facts that would help justify the police shooting.

20. In the 17-page report, defendant **LOHMAN** changed the story about Sergeant A seeing Lance Madison throw a gun into the Canal, and instead wrote that Sergeant B and three other shooters had been chasing the Madisons over the bridge when Lance Madison

threw his gun into the Canal. Defendant **LOHMAN** made this change because he thought the cover-up story would be stronger and more logical if four officers said they saw Madison throw the gun as they chased behind him, rather than one officer saying he saw it from the bottom of the east side of the bridge.

21. In the 17-page report, defendant **LOHMAN** amended the story about Ronald Madison having a gun and shooting at police, by adding that Ronald Madison ran “sharply to his right toward the north side of the bridge,” where “the officers lost sight of him momentarily.” Defendant **LOHMAN** made this change because it offered an excuse for how Ronald Madison could have thrown a gun off the bridge, and therefore offered an excuse for why Ronald Madison did not have a gun on or near him when he was shot to death.

22. In the 17-page report, defendant **LOHMAN** further falsified the story about civilian victims S.B. and L.B. admitting that their nephew had shot on the bridge. At the direction of the Investigator, defendant **LOHMAN** in the 17-page version added that S.B. claimed that Lance and Ronald Madison were also walking with her family on the Danziger Bridge at the time of the shooting, and that, as police drove onto the bridge, three members of her group – including Ronald Madison – fired at the police. Furthermore, defendant **LOHMAN** added to the story the claim that L.B. said that his family and others (including Ronald Madison) were on their way to “loot” a supermarket when the incident occurred.

23. After drafting the 17-page false report, defendant **LOHMAN** directed the Investigator to speak with each of the shooters to make sure that they were “okay with” the 17-page false report, and were willing to give statements consistent with that report.

24. In or about October 2005, the Investigator got approval for the false report from each of the shooters and assured defendant **LOHMAN** that everyone was “okay” with the report.

25. The Investigator then signed and submitted the 17-page false report, which defendant **LOHMAN** also signed, knowing that it was false.

26. Between in or about October 2005 and sometime in 2006, the Investigator switched out the 17-page false report and substituted a 7-page false report. The Investigator removed from the 17-page report the signed cover-page containing the Investigator’s and defendant **LOHMAN**’s signatures, and attached it to the top of the new false report, which defendant **LOHMAN** had never seen.

27. In or about 2006, the Investigator explained to defendant **LOHMAN** that he had switched out the report because he had written another report to match the shooters’ audiotaped statements.

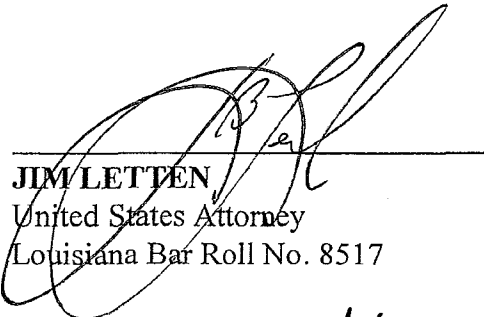
False Statements to the Federal Bureau of Investigation (FBI)

28. On January 22, 2009, the Investigator gave a voluntary statement to the FBI, in which he continued to cover up what had happened on the Danziger Bridge on or about September 4, 2005.


29. Shortly after January 22, 2009, the Investigator told defendant **LOHMAN** that he had talked to the FBI, and he assured defendant **LOHMAN** that everything was “cool.”

30. On or about May 27, 2009, when defendant **LOHMAN** was initially approached

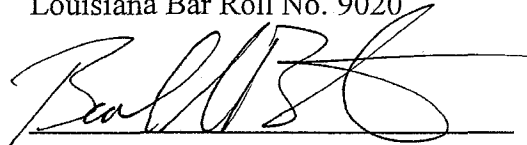
by the FBI to talk about the Danziger Bridge incident, defendant **LOHMAN** gave a voluntary interview in which he concealed that he and his co-conspirators were involved in a cover-up of the Danziger Bridge shooting; All in violation of Title 18, United States Code, Section 371.



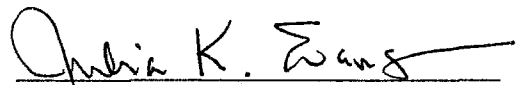
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February 3, 2010