



Abuse of Power Continues In Delaware's Prison System

Gianfranco Carta says guards discharged pepper spray directly into his mouth, and talked of putting a 'noose' on President Barack Obama.

By Lee Williams

Gianfranco Carta suffers intense pain, nightmares and crippling anxiety attacks from the treatment he received Sept. 29 during an overnight stay at the Sussex Correctional Institution.

Carta, 28, was stopped in a Millsboro drug store after a loss-prevention officer accused him of shoplifting – a charge Carta strongly denies – and found a piece of pen in his pocket he said could be used to smoke marijuana.

Though he was not required to produce bond for the misdemeanor charges, a computer check revealed Carta had an outstanding traffic warrant. A state trooper whom he described as a “great guy” took him to the Georgetown facility.

In SCI's intake room, Carta said one of the guards told him he was acting “stupid, just like Obama.”

“He said to me ‘If you were Obama, I'd noose you up right now,’” Carta said. “It was out of the blue. There was no political discussion going on.”

Carta is certain about what he heard.

“Absolutely,” Carta said. “He said it. He used the F-word in every sentence. He said he'd noose me up too, and if I didn't do what he told me, he'd ‘choke-slam’ my ass.”

At some point Carta said he must have walked too close to a prison guard dog, or unknowingly committed some other infraction, which drew the ire of the guards.

Carta, who stands 5-feet, 7-inches and weighs 140-pounds, said a guard who was nearly twice his size began cursing him. Carta backed away, trying to distance himself from the angry guard who was screaming profanity at him, and walking toward carrying a pepper spray canister the size of a small fire extinguisher.

“I said, ‘Sir, I don't know you. I am addressing you as sir and all I am getting is vulg’ – but I never got the word *vulgarity* out,” Carta said. “He stuck the can of pepper spray right into my mouth and sprayed it for about 10 seconds. It was inside my mouth when he sprayed it. I accidentally bit the container. I thought he chipped my tooth.”

At first he thought the guard was squirting water into his mouth, as the liquid was cool. Then the full force of the chemical weapon took hold.

“I dropped right to the ground. They all jumped on me,” he said. “There was a lot of kicking and hitting.”

Before he was assaulted and blinded by the pepper spray, he saw several cameras in the room.

“I’m positive the cameras saw the whole thing; me walking backwards, me getting sprayed, me getting hit, me crying,” he said. “The cameras will prove what I’m saying.”

Carta was taken down a hallway, blinded by the pepper spray. A guard walked him into concrete walls several times – face first – while holding onto his hair and pushing him in the back.

He was thrown into a dimly lit holding cell. There was only a bunk and a thin mattress smeared with feces.

“I felt around the room and found a sink,” he said. “I tried to wash off some of the pepper spray, but I couldn’t get my head under the tap.”

He began to scream.

“I couldn’t breathe,” he said.

Eventually, a guard took him – again by the hair – to a nurse, who attached an oxygen monitor to his finger.

Seconds later, he said he was lifted from the chair and hauled back to his cell.

“The guard said that was my nurse’s visit,” Carta recalled. “I never even got to say anything.”

Carta was released the next day. His father picked him up from the facility.

“I didn’t recognize him,” his father said. “It didn’t even look like him when I picked him up. He was covered with this white powder.”

The chemical spray blistered the skin on Carta’s tongue.

“It was all bubbly and white,” he said.

The assault has affected his balance, and the pepper spray seems lodged in his sinuses and tear ducts. He has trouble sleeping and often wakes up in cold sweats. His doctor is concerned he may have aspirated the spray into his lungs.

“I have never been so scared,” he said. “They’re running that place like Abu Ghraib.”

Dover attorney Steve Hampton, one of the few lawyers willing to take inmate cases, said unless action is taken, lives will be lost.

“They are going to kill someone,” Hampton said. “They’ve been fortunate they haven’t yet, but it’s been pure luck.”

Correction Commissioner Carl Danberg refused to be interviewed for this story.

Standard operating procedure

Inmate abuse by staff at SCI was one of the findings highlighted by the Caesar Rodney Institute in its special report “Rogue Force.”

The series showed how the abuse by a small number of guards has already earned the facility a nefarious reputation, and spawned numerous lawsuits against the state – the costs of which are ultimately borne by Delaware taxpayers.

More inmate lawsuits are a strong possibility. More taxpayer-funded settlements are a certainty.

The series showed the following:

- Guards at SCI say there is no “basic rule” that tells them when force is justified.
- There are no credible use-of-force investigations practiced at the facility. Instead, investigators rely on the reports from the guards involved in the incident. If the guard writes in his report that their use of force was justified, investigators find the force was justified.
- Guards say they are reluctant to turn in abusive colleagues for fear of violating an unwritten code, known as a “blue wall of silence.”
- Guards say they are free to use pepper spray on inmates who are simply yelling, banging on doors or failing to follow verbal instruction, rather than only when faced by a physical threat.
- One guard admitted use-of-force cover-ups do occur.
- Guards say their colleagues will seek revenge on inmates involved in altercations with other staff, usually in the form of pepper spray or beatings.

The series also told the story of Laurel small businessman David Sully, who was brutally beaten in June during a similar overnight stay at SCI.

Sully understands what Carta is going through.

“This should show the public that this is normal behavior for the staff there,” Sully said. “This happens every day. It’s become their standard operating procedure. No one is going to take it seriously until someone is killed by the guards, and then it will be too late.”

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