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The Loved Ones

It's been two years since Hurricane Katrina destroyed New Orleans. In all that time -- nearly two-thousand dead, half the population gone, the city still a festering skeleton of itself -- only two people have been blamed for anything: Sal and Mabel Mangano. This weekend, they were acquitted of 35 counts of negligent homicide.

By: Tom Junod



It was the right decision. Of course it was. Mamaw was killing herself taking care of Papaw. Papaw was killing himself taking care of Mamaw. You were killing yourself taking care of them both. They were going to burn the house down if they kept living in it. They were going to kill themselves or someone else if they kept driving. They couldn't see. They couldn't hear. They couldn't always remember your name. They were speaking gibberish. They were staring out into space. They fell asleep in the middle of conversations. They either weren't taking their pills or they were taking too many. They were found wandering around. They were falling. They were in wheelchairs. They were immobilized. They were sick. They were old. It was -- and these were the words you heard yourself saying, the words you heard everybody saying, everybody except them -- time. It couldn't have been an easy decision, no. That it was a decision, and that you had to make it, was in itself a terrible burden. That you were the one called

upon to do the final arithmetic seemed cosmically unfair. Your life and theirs, in a ledger. Well, not just your life -- your spouse's, your kids'. You had to think of them, too. Did money play a part? Sure it did. But more important was the question of quality of life. Theirs. Yours. You were being *eaten alive* . . . and so in the end you did what you thought best. You made the Decision.

"Mr. Cobb, how are you doing?" I asked James Cobb, a lawyer in New Orleans, Louisiana.

"It depends on what you mean," Mr. Cobb answered. "If you mean how am I doing after losing my house and every fucking thing in it, and after being forced to live in a two-bedroom shithole with my wife and two kids and being told how *lucky* I am to get it, and after being *fucked* -- and I mean absolutely fucked -- by my insurance company and by the United States government (and by the way, just so you know, if anybody from New Orleans, Louisiana, tells you that they're not getting fucked by their insurance company and by the United States government, they're fucking *lying*, all right?) . . . if you mean, how am I doing after all that is factored in: Well, I guess the answer is that I'm doing fine. Now, how can I help you?"

Jim Cobb and I had never spoken before. These were the first words he spoke after my initial greeting. I was calling him because he represented -- and represents -- Sal and Mabel Mangano, the couple who operated St. Rita's nursing home in St. Bernard Parish, just southeast of New Orleans. They had not evacuated their residents when Hurricane Katrina was making its way to Louisiana -- they had not evacuated in the face of what was said to be a mandatory evacuation order -- and when the levees failed and St. Bernard was inundated with ten feet of water, thirty-five helpless people died. No: drowned. No: drowned screaming for someone to save them, at least according to the initial press accounts. No: "drowned like rats," in the words of a prosecutor in the office of Louisiana attorney general Charles Foti, who was charging the Manganos with nearly three dozen counts of negligent homicide. Now they were notorious -- icons of abandonment whose mug shots after their arrest personified more than just the prevailing stereotype of unscrupulous nursing-home owners. An entire American city had been left to die, and sixty-five-year-old Sal and sixty-two-year-old Mabel Mangano had somehow become the public faces of a national disgrace.

I was calling Jim Cobb to talk to him about the decision the Manganos had made but also about something else, something at once more universal and more personal: the Decision. My own parents are elderly. I have not made the Decision, but there is not a day when I don't think about it and dread it, and in this I am not so different from many of my friends and millions of people from my generation. The horror of St. Rita's was a nightmarish realization of my dread, a brutal rejoinder to the hopeful voice that inoculates children from the emotional consequences of institutionalizing their parents: *It's for the best*. This was not for the best, nor could it ever be rationalized as such. This was tragic theater catching up with a social and moral issue that had already caught up with America, and in the aftermath of Katrina, I was haunted by reports that the St. Rita's staff had tied residents to their beds and left them to face the rising waters alone. I was transfixed by Jefferson Parish president Aaron Broussard breaking into tears when he said that the mother of one of his employees had telephoned for help from St. Rita's for five days and had died when no help came. I was even fascinated by the multiple rage-gasms of CNN's Nancy Grace, who brought herself off by urging the government to redeem itself by bringing Sal and Mabel Mangano to justice. And when I later found out that little of what I had seen or heard about St. Rita's was actually, you know, *true*, I began to wonder whether the Manganos, who had made the wrong decision, were paying the psychic price for all the millions who had

either made or were making the Decision and had to be assured that it was right.

I offered some of this to Jim Cobb. He responded helpfully, translating it into the ungoverned language of his poor dying city. "Yeah," he said, "people need to look in the mirror. I've done a lot of nursing-home work. When a nursing home gets sued, it's because a resident died. And then the kids become avenging angels for Mamaw and Papaw. Well, where were you when Mamaw and Papaw were shitting all over themselves and we were cleaning up? You weren't avenging angels *then*. You want to talk about Sal and Mabel? Let's talk about Sal and Mabel. They cared as much as you did. They were wiping Mamaw and Papaw's ass while you were driving to Destin."

Take care of the old people. It's what people are supposed to do in that part of the world. It's what they learn to do when the storms come. And this time, the storm that was coming was supposed to be major, was supposed to be the one that could bring on the deluge that everyone feared. So Steve Gallodoro and his brother and his sister decided to evacuate their father, Tufanio. They decided to put him in a car and get him the hell out of St. Bernard Parish, which is low-lying and vulnerable to storms. It was Cheryl this time: She was the one who decided to take it on, since Steve himself was a fireman in St. Bernard and had to be around in the event of an emergency. "They were headed to Tennessee," Steve Gallodoro says. "Sixteen hours later, they were in Jackson, Mississippi, and my dad could physically go no farther. He could no longer sit up in the car. They were rescued by a man who saw them at a gas station and said, You look like you need help, we have a big house, you can stay. And so they stayed with him. We refer to him as an angel."

That was 2004. That was Hurricane Ivan, and though it was indeed major, it spent most of its force in the Florida Panhandle and brought damage, but not deluge, to Louisiana. It was, however, decisive in its way: It brought the Gallodoros to the Decision. "My father was eighty-two years old," Steve Gallodoro says. "He had a couple of strokes, he was paralyzed on the left side, he was confined to a wheelchair. We were physically unable to care for him anymore. We tried the sitters, the aides, but it was too much." Fortunately there were four nursing homes in St. Bernard Parish, and one, St. Rita's, was just six or seven minutes away from where Tufanio Gallodoro's three children lived. It had been in business for twenty years and was a family operation, run by Sal and Mabel Mangano, whose own home was on the twenty-acre property, next door to the homes of their daughter Tammy and their son, Sal Jr., known as "Little Sal," and his wife, TJ. The Manganos, all of them, were in St. Rita's not just every day but night and day. Sal was known for eating breakfast with the St. Rita's residents and Little Sal for being in the building as late as midnight, fixing what needed to be fixed. One of the things Little Sal would say to families shopping for nursing homes -- and says even now, as a piece of advice -- was this: "Find one that's family run, because if something goes wrong, you know who to point your finger at."

Tufanio Gallodoro became a resident of St. Rita's almost a year before the next storm season. According to Steve Gallodoro, there was still some "emotional upset" in his family about putting Tufanio in a nursing home, but that was eased by the proximity of the place and by its policy of keeping its doors open to family members long after most other nursing homes locked up. "He was visited every day," Steve Gallodoro says. "We would come by and shave him. We would wash his hair. We would give him a haircut. We would feed him." Besides, Tufanio's nickname was TJ, just like Little Sal's wife. He liked TJ, who, during the birthday party the Manganos threw each month for their residents, would dance with the men and sometimes dance on the tables. TJ liked Tufanio, too, and that's the way it was, Little Sal says: "I used to tell families who were leaving a loved one there, 'You're not the only ones who have the right to love them. We have the right to love them, too.'

"Hey, you ugly bitch!" Jim Cobb shouts through the open window of his big green BMW. He's driving down one of the alleylike streets in the business district of New Orleans, on his way to what's left of his home, and he's spotted a former client on the sidewalk, a tall black guy who's wearing a sheer black jersey and a black skullcap, white iPod plugs in his ears. He's got that New Orleans thing about him, the spindly hard glamour, the high cheekbones, the Asiatic cast to his eyes.

"Hey, bitch, I saw you on CNN defending those people," the client says. "You gon' go to *hell* for that shit."

"Fuck you, bitch," Cobb cackles, and closes the window before heading out to where his city is no more.

You know, you always hear what America is going to lose if it loses New Orleans, and it's always in terms of the jazz or the French Quarter or the red beans and rice or whatever. It's never in terms of *this* -- its prickly racial proximities; its ongoing realization of its mulatto history; its men calling one another bitch as a matter of course; its citizenry still drinking, still cursing, still talking without undue deliberation of consequence. It's never in terms of the human artifacts of all those vestigial tendencies, like Jim Cobb. Cobb is fifty-three now. He's lived in New Orleans all his life, and with his trimmed gray beard, his textured face, and his wrinkle-centered, red-rimmed hound-dog eyes, he looks like one of those dissolute Confederate generals of legend who kept a flask on his hip but still managed to lead those boys up the hill. He loves his causes, and now that he's convinced that the cause he *really* represents by representing Sal and Mabel Mangano -- the cause of his beloved New Orleans itself -- is a lost one, well, the man will say *anything*.

"Did you see Bertucci's testimony?" he's saying as he's driving. "Was it good for my case? *Fuuuuuuuck*. It was awesome for my case. It was so good, I'm considering jerking off while reading it." For one of the civil lawsuits against the Manganos, Cobb has just taken the deposition of Dr. Bryan Bertucci, the elected coroner of St. Bernard Parish and the man Cobb regards as the state's star witness in its case against the Manganos. It was Bertucci, you see, who offered St. Rita's two school buses for use in an evacuation, and Bertucci who told the world of the nursing home's disastrous reply: No. "The state is trying to prove that Sal and Mabel were negligent," Cobb says. "That means willful, wanton, reckless disregard. So I ask him, 'Have you ever witnessed them treat their patients in a careless manner?' 'No.' 'In a negligent manner?' 'No.' 'In a reckless manner?' 'No.' I mean, I'm practically reading from the *statute*, man. But wait, it gets better. He says, 'No, as a matter of fact, in my opinion they ran the best nursing home in the parish.' All right? This is *their* freaking witness."

At the same time Cobb's saying all this, however, he's on the cell phone with one of his colleagues, talking about a doctor from his neighborhood whose house burned to the ground the night before. The neighborhood is Lakeview,

and every house in it is striped by a piss-colored high-water stain that runs as high as the top of the front door. They're all still standing, though, except for the doctor's, which is now knee-high and smoldering. Still on his cell, Cobb parks along the curb and then gets out of his car and climbs on the blackened ruin, saying, "This lucky motherfucker -- his house burned down. What? He's upset about it? Well, he's a doctor. He's too stupid to know that it's good. Are you telling him he should be breaking out the fucking champagne? His homeowner's goes into effect! He gets full value for his house! The only thing I get is flood insurance. I have to go back! He's free! Tell him congratulations. No, tell him I want to know the dago he hired to do this. I want to get some of that Italian lightning for *my* house."

And then he goes to his house, which, like all the other houses in Lakeview, is empty and dead. Lakeview is dead. The Ninth Ward of New Orleans is dead, too -- famously dead, savagely and spectacularly dead, *vehemently* dead, as dead as Nagasaki in 1945. But Lakeview is different. It's gangrenously dead. It's a museum of itself, a museum that stretches for miles, with the only visible life-forms either grotesque, as in a grown man riding a Big Wheel alone down an uninhabited street, or predatory, as in the looters still plying their trade, with boxes yet. Or simple, as in mold. There's a lot of mold in Lakeview, indeed a lot of mold in Jim Cobb's house, scavenging black mold with the characteristics of fire, stoked in the foul remnants of flood. Floodwater still fills his pool, still fills his crawfish pots and his turkey fryer, and he's uncharacteristically quiet while he's in his house, until he goes outside and starts walking toward the lake, where the vista opens to the wartime view: the black helicopters hovering static over what passes for a levee, the X's spray-painted hastily on the doors of the houses, the occasional 1 or 2 mixed in with the zeros, noting how many bodies were found inside.

"You know who died in these houses?" Cobb says. "Old people. The storm wasn't a black thing or a white thing; it was an old thing. Sixty-five percent of those who died were over sixty-five. Forty percent were over seventy-five. It was a complete fucking catastrophe for old people. And what does the attorney general do about it? Who are the people he arrests? Two senior citizens, Sal and Mabel Mangano. He arrests *them* for neglect while Michael Brown and Ray Nagin and Kathleen Blanco and Michael Chertoff and George W. Bush get a pass? No fucking way, man. They'll have to kill me first."

They each had favorites, the Manganos did. Oh, sure, they treated everybody well: Mabel used to walk around with fifteen or twenty bucks' worth of change in her pocket, and it was for everybody. If a resident wanted a Coke, Mabel bought him a Coke. She'd cut his hair, too, even if the resident's family didn't give him any money. More than anyone else, the ones she doted on were the ones who never saw their families.

Still, her favorite was Janie. Definitely. Janie was a little slow, and Mabel loved her. Is it all right to say that? Because she did. Before Sal and Mabel bought the Hummer, they had a Lincoln, and as Little Sal says, "On some days I'd drive up to the nursing home and there they'd be, Janie driving my mom's Lincoln up and down the driveway, Mom sitting shotgun." Janie had never driven a car in her life -- no one had ever thought to let her -- and sometimes Mabel would tell her that one day they'd get in the Lincoln and she'd let Janie drive all the way to New York City. Of course, it wasn't going to happen. But it was Janie's dream.

You have to do that when you run a nursing home. You have to keep dreams alive. You have to give the residents something more to look forward to than the relief of death. The Manganos weren't sophisticated people; they weren't particularly educated people; but *that* they knew how to do. It's why they got into the business. Mabel's grandmother, Rita Serpas, was in a nursing home in St. Bernard Parish back in the old days. She was getting forgetful; she'd started going to the highway with dollar bills squeezed between her thumb and forefinger and hitching rides to Canal Street. The nursing home was the kind that gave nursing homes a bad name: three or four beds to a room and the owners free to do as they pleased, since the industry was less regulated back then. Mabel used to visit her grandmother and thought she -- and her family -- could do better. She and Sal had twenty acres of land in St. Bernard, and when a new highway came next to it, Mabel told Sal that she wanted to build a nursing home. He never thought that much about it, never thought much beyond "Let's do it." They'd run some businesses before -- a small trucking business, a feed store -- and Sal was always looking for ways to better himself. Mabel did all the paperwork, without a lawyer, and Sal, a mechanic, oversaw the construction of the sixty-room building. St. Rita's opened on September 23, 1985, with a full staff and one resident, because that was the rule: Before you could open for one resident, you had to be fully staffed. In a week, Sal and Mabel had seven or eight residents, and in a year they had enough to have a parade.

The parade was held the Sunday before Carnival, and it was a big deal, not only for the nursing home but also for the neighborhood. The Manganos wanted to make sure everyone in St. Bernard Parish knew about St. Rita's, so they helped the residents get dressed up in costumes and tuxedos, loaded them with beads, and put them on seven floats, along with family members. The residents who were in wheelchairs went on a flatbed trailer, their chairs tied down by Sal himself, and there was a double amputee they named Carnival queen. After several years, the parade got *too* big, and so the one big event allowed by the Manganos' insurance policy became the feast of St. Joseph. Every March 19, the Manganos fed up to eight hundred people. They baked and gave away a few thousand cookies, made twelve or fifteen casseroles, and stuffed three hundred artichokes. They invited the parish council to eat with them, and the residents -- well, the residents they dressed up as saints.

It was fun. They *had* fun, Sal and Mabel. They wanted people other than their residents to want to be there, and people came. People even came during hurricanes and waited out the storm with them. Not just their family -- their whole *clan*: grandchildren, nephews, staff members who were working, staff members who weren't working, a few of their neighbors, and then just some people who didn't want to be alone for the storm. Hell, in addition to their residents, they'd have more than thirty people staying with them during big storms, and in the words of Little Sal, "Once you stayed with us the first time, you wouldn't even have to call the next year to feel welcome." Evacuate? They had an evacuation plan, sure; they were required by law to have one. But they never evacuated. Twenty years, hurricanes came buzz-sawing in off the Gulf, and Sal and Mabel Mangano stayed put. Why would they move? People came to *them*. They had faith in the levees, faith in their building, but, more than that, faith in themselves. They survived. Their clan survived. Their residents survived. And then, Little Sal says, after the storms would pass, "There was always an abundance. We'd have fried shrimp and softshell crabs and oysters and redfish and everything from

people's refrigerators. People from the neighborhood would bring their food to us before it went bad. We had big barbecue grills going; it was an event."

Who's going to take care of old people? More to the point, what should you expect from the people who *do* take care of old people when their families can't or won't do it anymore? Even more to the point, what should you expect from the people who take money to take care of old people because *you* can't or won't do it anymore? Do you expect them to love your mother or father as much as you do? Do you expect them to love your mother or father *more* than you do? Do you expect their love to be absolute? And do you expect their love to be absolute because you found out that yours wasn't -- because you made the Decision? Or do you expect their love to be absolute because they're getting paid for it, and their obligations are legal and contractual, whereas yours were strictly moral? Or, in Cobb's translation: "What is it we can expect from caregivers who are taking care of your parents for ninety-five bucks a day? That's the Medicaid rate, I believe. Ninety-five bucks a day, and for that a lot of people think nursing homes should be the Ritz-Carlton Naples."

These are the issues Charlie Foti has to hash out as attorney general of the state of Louisiana. Well, not really. He really has to decide how to enforce the law, which means that he has to decide whether, say, the prosecution of Sal and Mabel Mangano for thirty-four counts of negligent homicide is in the state's interest. (The thirty-fifth body was found after the Manganos were arrested.) But Charlie Foti is interested in old people. They mean a lot to him, personally and politically. They're his *constituency*, politically. When he was sheriff of Orleans Parish, he had a big dinner every Thanksgiving for old people who were too poor or too alone to have one for themselves. He didn't forget them, and when he ran for AG in 2003, *they* didn't forget him, helping make him the state's top lawyer. And personally -- personally he just likes them. For many years, he took care of his aged father. His father died in 2004 at the age of ninety-three, but when the phone rang for the first year Foti was in office, it was as likely as not the old man, calling for reasons any son with an old father knows all about. And Foti always took the call, no matter how busy he was. It's not easy watching your parents get old, but from Charlie Foti's point of view, it's not half as difficult as watching them die.

And so, according to his spokeswoman, the attorney general has made "elderly issues his first priority" since he entered office. In fact, he and Fred Duhy, the lawyer in charge of his Medicaid-fraud unit, were just about to launch a major public-relations campaign about what Duhy calls the "plight" of the elderly before Katrina came along and provided all the awareness, and all the plight, they would ever need. "When you have elderly people and infirm people in your care, you have a greater standard of care, because you're talking about people who can't take care of themselves," Duhy says in his office one afternoon before he goes to see his boss. "We deal with cases every day where people in nursing homes threaten to withhold food and water from people who can't reach for it. We just arrested someone who flung food at someone's face." Is Duhy saying that the Manganos ran that kind of nursing home? No, he's not. What he's saying is that the case against them is similarly straightforward. He is saying that they knew -- that they had to know -- the extent of the storm coming their way. He is saying that they had an evacuation plan and did not follow it. He is alleging that Louisiana's governor issued a mandatory evacuation order on the Sunday afternoon before the storm hit in the early hours of Monday morning, and they ignored it. He is saying that the other three nursing homes in St. Bernard Parish all evacuated, and they lost one patient among them. "Here, read this," he says, and opens his copy of the Louisiana criminal code to the page on criminal negligence, which, in the language of the statute, "exists when, although neither specific nor general criminal intent is present, there is such disregard of the interest of others that the offender's conduct amounts to a gross deviation below the standard of care expected to be maintained by a reasonably careful man under like circumstances."

"When this results in a death," Duhy says, "you have negligent homicide. It's not a big mystery."

Then he goes into the conference room, where, taking a seat at the end of a long table, behind unkempt stacks of paper, is Charlie Foti. This is the other thing you have to love about this part of the world: People still have faces, and everybody seems to have the right one. Charlie Foti *looks* like the guy who ran the jail in New Orleans for thirty years. He's wearing a rumpled white shirt and a loosened tie, and he looks damp, man. He doesn't just sit down; he slumps in his chair, so that his eyes are about table level, and then he doesn't *move*. He doesn't blink, doesn't look at anyone asking him questions. What he does is belch, softly and without excuse, and then set about lovingly chewing an unlit cigar into cud. When he starts talking, it's with the intention of talking without interruption. He says, "Do you expect these nursing-home people to have the responsibility to protect their patients? . . . You might not ask for the responsibility, but you got it. . . . You just gotta do what you gotta do. . . . My poor brother evacuated my father when he was ninety-two. . . . St. Bernard Parish evacuated prisoners. . . . We evacuate criminals but not people who can't move? . . . If I make that decision and I die, woe is me. . . . If I make that decision for someone who can't walk . . ."

He is as patient and oblivious -- and as seemingly drowsy -- as a snapping turtle, and he just keeps sinking deeper into his chair until he is asked this: The fact that a lot of the most lurid details reported in the media didn't turn out to be true -- how does that affect your case? That's when his head turns, quickly, and he snaps, "What didn't *happen*? They died in their beds. That will be horrendous enough." And he's right, of course. Sal and Mabel Mangano may not be guilty of the crimes conjured up by the media and the public's imagination. Negligent homicide may be notoriously difficult to prove. Charlie Foti for all we know may have, as Jim Cobb says, "the legal acumen of an unlit charcoal briquette -- and that's being too hard on charcoal briquettes." But on his side of the ledger he has thirty-five helpless people, horribly and inexcusably dead. Cobb has only Sal and Mabel, and they are already guilty of staying alive.

Take care of the old people.

Jimmy Martinez came to St. Rita's to wait out Katrina with his wife, Peggy, who had Alzheimer's. Gene Alonzo came to wait out the storm with his brother Carlos, who was severely disabled from a boating accident. Nine families came before the storm and got their loved ones out of there. For Steve Gallodoro, however, there were no easy choices. He couldn't evacuate Tufanio because the last time anybody tried that, his father almost died. He couldn't stay with Tufanio because he was a fireman and had to work during big storms. So on Saturday he went to talk to the people

who were taking care of his father. He went to St. Rita's, and he says, "The Manganos assured me they'd contracted with bus services, they had staff coming in, they had two facilities to transport the residents to if the call for evacuation was made. They said, We are the professionals, leave him with us, he's better off. My sister had some emotional struggles about leaving him, but I told her the Manganos had a plan in place, let's leave him with them.

"My family left the parish early Sunday morning," he says. "I was at the firehouse. I cleared up things that needed to be done, got in my unit, and went to St. Rita's. I walked up to Sal Mangano and asked what he needed. I said, However many men you need for the evacuation, I'll give them to you. He told me they were not evacuating. They decided they were going to stay. I left and ran into someone from the parish. I informed him of what St. Rita's had told me, and he said, We'll go back to the government center and have the coroner call them. So Dr. Bertucci called and advised them that they should leave and offered buses and manpower. The Manganos refused.

"Then we were in the middle of the storm. The next morning the water started coming up, and I couldn't get back to St. Rita's. I had no contact with the eastern end of the parish, but I heard that it was dry. That was inaccurate. But I thought that if something had happened, I would have gotten some word. So we got into boats on Monday and started rescuing. As soon as we left the complex, we could not travel any great distance without filling the boat with survivors. People were on rooftops, and to get to St. Rita's I would have had to pass people by. I didn't do that, and so I didn't get to St. Rita's until the next morning."

You know what came next. You know what Steve Gallodoro saw when he got into a boat on Tuesday morning and went to St. Rita's. And, given what you know: Does it matter what the Manganos have to say? Does it matter that they say they told everyone who asked -- Steve Gallodoro included -- that they were staying put for the storm? Does it matter that they say no government official called to inform them of a mandatory evacuation order? Does it matter that Dr. Bryan Bertucci, the one government official who did call with an offer of two school buses, has admitted in his deposition that he never pushed the issue: "No, I didn't say, 'You got to leave,' " Bertucci says. "That's not my job. But I was suggesting, obviously, I thought they should leave, or I wouldn't have offered them the buses."

It matters to them, of course. It matters to the Manganos because they have been charged with legal responsibility for the death of Tufanio Gallodoro and nearly three dozen others. To Steve Gallodoro, though, there is nothing they can say that changes anything, because there is nothing they can say that changes these facts: Tufanio Gallodoro couldn't swim. Tufanio Gallodoro was deathly afraid of the water. Tufanio Gallodoro drowned. For his son, the horror of St. Rita's will always be a moral horror, and he will never stop holding the Manganos morally responsible.

"So you met with Charlie Foti," Jim Cobb says. "Did Charlie tell you that the first witness I'm going to call is Charlie Foti?"

Well, yes, he did. His employees did, anyway. Fred Duhy did. It's one of Cobb's more entertaining characteristics -- making you privy to secrets he has told everyone under the sun. Back in the spring, when it became clear that the attorney general was going to move forward with the prosecution of the Manganos -- that he wasn't, in Cobb's words, going to "stand down" -- Cobb went to Baton Rouge for a meeting with Duhy and, for as long as Cobb succeeded in holding his attention, Charlie Foti. "He kept going in and out of the meeting," Cobb says. "You've heard of ADHD? Well, he's ADHDDDDDDDDDDDDDDDDDD." Cobb's intention was to *get* Foti to stand down by citing all the officials who to his mind had more legal responsibility than Sal and Mabel Mangano for the thirty-five deaths at St. Rita's. According to Cobb, the meeting went like this: "Duhy leaned over and said, Is that some sort of veiled threat against the attorney general? I said, I don't think there's anything *veiled* about it." According to Duhy: "He told us point-blank that he intended to call the governor or whoever. I don't think there's anything to it. And I don't appreciate this 'stand down' business. I don't appreciate someone telling me how to do my job. I'm going to do my job the way I see fit, and I'm not going to be bullied."

Cobb has said he doesn't want to go to trial. Normally sparing with biblical references, he has even gone so far as to say, "Father, take this cup." At the same time, he has pursued a course of such single-minded provocation with Charlie Foti that you wonder if his intention is to make it impossible for Foti to let the prosecution go away so that he can put Foti on the stand.

Why Foti? Simple. Because Cobb wants a chance to ask him, *Why the Manganos?*, when on April 1, 2005

("April Fool's Day," Cobb says), Louisiana governor Kathleen Blanco approved an emergency-evacuation plan that gave legal responsibility for the evacuation of nursing homes to Louisiana transportation secretary Johnny Bradberry.

And because in December 2005, Secretary Bradberry told Senate investigators that "we put no plans in place to do any of this."

And because, according to *The New York Times*, the state "even turned down an offer for patient-evacuation assistance from the federal government," in much the same way the Manganos were said to have turned down an offer of assistance from the St. Bernard Parish coroner.

And because St. Rita's wasn't the only nursing home in the area that didn't evacuate for Katrina. Indeed, only twenty-one of fifty-seven nursing homes did.

And because the thirty-five people who died at St. Rita's weren't the only people who died in unevacuated nursing homes and hospitals when the levees failed -- more than two hundred did.

And because the storm itself left St. Rita's unscathed. It was the failure of *the levees* that sent the ten feet of water that swallowed up the one-story structure in less than an hour.

And because even the commander of the Army Corps of Engineers has admitted that blame for the failure of the levees lies with the Corps itself.

And because the same thing that killed thirty-five people at St. Rita's killed *more than fifteen hundred* people in the

New Orleans area. "And guess what?" Cobb says. "It wasn't Sal and Mabel. It was a flood caused by the negligence of the Army Corps of Engineers and the levee boards. And so if Foti is going to charge someone, why not charge the motherfuckers who killed fifteen hundred people? Why charge Sal and Mabel? Why isn't he doing his *job*? Which is what I intend to ask him if he persists in fucking around with me and the Manganos. I don't want to, but I will. We're looking to try the ultimate responsibility for Katrina. Everybody talks about responsibility. The fact is, nobody wants it. That's what this whole prosecution is about. The state doesn't want to be responsible for its part in the whole fucking catastrophe. The attorney general thinks the case is about responsibility, too? Fine, let's go. You take Kathleen Blanco and the Army Corps of Engineers. I'll take Sal and Mabel. Let's get it on."

"**Sal was making** the rice for the red beans when the water came," Mabel says. "The beans was all ready. We figured the power would go out, so we made the beans the day before."

Yes, that's Sal and Mabel Mangano sitting in a conference room in Jim Cobb's office. Last seen as Sal and Mabel *M-a-n-g-a-n-o*, when Nancy Grace asked a guest to spell their surname so that all of America could identify them and hunt them down. Last seen as the most villified man and woman in the country, after Charles Foti announced their arrest to the national media. Sal and Mabel. They've been married forty-six years, after meeting at a dance in New Orleans. Now they live in a FEMA trailer like everyone else. They're sitting next to each other at the long table, occasionally holding hands. Mabel's got the soft voice, the blue blouse, the big hair, the cantilevered eyebrows, the handbag either on the table or in her lap, the tissues squeezed in her free hand. Sal's the blunt instrument. He's a squat man, a mechanic with thick fingers, his hair combed straight back off his forehead. In back of them, hovering around them, pacing, standing, always standing, never sitting down, is Sal Mangano Jr., Little Sal, an amalgam of both his parents, compact and muscled in a short-sleeved shirt, like his father, but with the same polished face as his mother, with the same perpetually amazed and amazing eyebrows, combined with black hair combed straight back from a widow's peak and a black Sharpie's mustache. He's forty-three. He does most of the talking while chewing the *shit* out of a black coffee straw, but when his father, out of nowhere, says, "Take that stick out of your mouth," he does as he's told without saying a word.

And so: Sal was making the rice for the red beans when the water came. It was ten-thirty in the morning on Monday, August 29. Katrina had hit in the wee hours, and the lights had gone out, but the generators had kicked in, and they had power for everything except the air conditioners. They had prepared in their usual way. They had water, they had diapers, they had generators, they had medicine, they had ice, they had the red beans already done. And, at ten-thirty in the morning, they told themselves they had made it; they told themselves they had survived the storm, just as they had for the last twenty years. Their clan was with them -- the workers, the nonworkers, the children, the children's children: thirty-one people in all. And the residents: sixty-two of them. All that was left was to go outside and check the wind damage sustained by the one-story building that was long and low and straight as a piece of pipe.

Then the nursing home started filling up with water. *Woe-tah*: That's how the Manganos pronounce it. There has been some talk of a wall of water coming down the road with a rumble, but the Manganos just remember the water's incessant *rise*. "Even when it's two feet deep, you hope it's going to stop," Mabel says. "But it didn't. It just kept coming in." Or, as Little Sal puts it, "When I jumped outside onto the patio, the water was about two or three feet deep. My house is 150 feet away from the nursing home. My fence is five feet tall. By the time I got to my fence, I was able to swim over it." He was with his wife, TJ, and his son Tanner and Emmett Unbehagen, the husband of one of the nurses. They were trying to get to their boats, which had been parked on the lawn. Little Sal's boat was caught in an oak tree, and they rode the current of water coursing through his living room to get it, spark plugs and keys in Little Sal's mouth. Emmett's boat was chained to a trailer, and by the time they got to it, the chain was pulling it under the water. Tanner took a gun and shot the chain. Then they started the boats and went back to St. Rita's and all its drowning saints.

People were already hanging from the gutters when they got there. Well, Big Sal was on the roof, trying to keep the doors open. But Mabel was hanging from the gutters, holding on to Janie. Or Janie was holding on to her. When the home first began flooding, Mabel hooked Janie with one arm and held a resident floating on a mattress with the other. She was standing on a platform that was filled with flowers the residents grew. Then Janie, panicking as the water rose, began grabbing at Mabel with her legs, and Mabel was pulled under the water. She figured then that if she stayed inside, she was a goner, so she made her way outside with her human cargo. There had been life jackets stored away in a shed, and Tanner had gotten them when the flood first started. Mabel had one on, and so did some of the children. Very few of the workers could swim, and they were holding on to anything they could, anything that would float. The residents, the lucky ones, were on mattresses.

"You know, you hear that we tied people to mattresses," Little Sal says. "Actually, that wouldn't have been such a bad idea, because mattresses in nursing homes are in waterproof liners. They float." Indeed, according to the Manganos, that was the margin of life and death at St. Rita's. The residents who made it onto mattresses rose with the flood. The immobilized residents -- the ones who couldn't get off their chairs or out of their wheelchairs -- were gone, says Little Sal, "before we got the boats in the water."

The building started falling apart from the inside out. Walls were popping out, TJ says, "like dominoes." And yet, Mabel says, there was no screaming. No: "It was so quiet, it was almost eerie." Residents and nurses and staffers were praying in the dark. The only screaming, Little Sal says, was the back-and-forth hollering of the people forming a chain of rescue. Mabel's brother Tony Buffone was in the hallway, pulling residents out of the rooms. Little Sal was taking them from Tony and bringing them to Tanner, who was putting them in the boats. Emmett and TJ were driving the boats, and Tammy's son Johnny was pulling people from the boats to the roof, along with a worker named Wayne King. Big Sal was at the door. The wind, which had been calm when the flood first started, kicked in again, and whitecaps topped the water.

One end of the building became blocked with floating furniture and debris, and when they tried to get in through the patio door, water had sealed it shut. So Tanner found his gun again and shot out the glass. Water by this time had climbed above the doorjambs, and Uncle Tony had to dive into the rooms to find residents and take them back

under the water to get them out. "Uncle Tony was hollering into the rooms," Little Sal says. "And I'd say, 'No, Uncle Tony, that one, he can't holler back. Go in.' We kept going down them hallways till Uncle Tony didn't bring anyone else out." They kept making their way down the hallways until water sealed the building like a tomb.

There was a place for the living, and it was the roof. More than fifty people, half of them elderly and incapacitated, were marooned there, until Little Sal and the rest of them started loading them in the two boats and taking them away. They went first to Tammy's house, which was on the property, about three hundred feet from St. Rita's. Then they went a little more than half a mile to the Beauregard Middle School. It was an old courthouse, three stories high, and Little Sal and Tanner began carrying the residents up the stairs, until they couldn't anymore, until they ran out of strength and started constructing beds out of desks and filing cabinets to keep the residents out of the water on the first floor. Sal Sr. and Emmett found some help and went back to the nursing home, where they cut a hole in the roof and found several people clinging to a floating ice machine, including the head of nursing and a nurse named Thelma Lee. Thelma was diabetic and had almost slipped into the water when her blood sugar dropped. The head of nursing had grabbed her by the hair, had held her by the shoulders, and then when a Tupperware container of bread came floating by, had fed her until Thelma regained enough strength to hang on.

They had been floating for six hours, and the five of them -- three staffers and two residents -- were the last people rescued from the building on Monday. Dark came, and it was black dark. While the Manganos stayed on Tammy's second floor and the residents and staff members stayed at Beauregard, the dead began their extended occupancy of St. Rita's. And in the morning Little Sal got in his boat with Tanner and his nephew and went back to see if there was anybody left *but* the dead. "And my nephew heard someone hollering, 'Little Sal, Little Sal, don't leave me.' It was Miss Janis. She was in her room when the water came. A dresser fell down, the door came open, she fell onto the door, and the dresser floated. The only person she was looking for was me, she didn't care about the moon and the sun, but that's the way it was all the time. She said, 'I knew you wouldn't leave me, Little Sal.' "

And that's it. That's the Manganos' story. Is there anything left to say? Well, yes, there is, and Little Sal is going to say it, because he's heard other accounts of the rescue, and they give credit to everyone except the Mangano family and the other workers at St. Rita's. The story that has been accepted in the press is the story of local people coming upon the nursing home in an impromptu flotilla and saving old people while the Manganos saved themselves.

"They're saying what happened in my *yard*," Little Sal says, bouncing on the balls of his feet behind his parents.

"How can they tell me what happened in my yard? I hear how we left, I hear how all those people came and saved people from that building. Well, it happened too fast for that. Okay, some boys came later on in the day to help us. But nobody saved anybody from that building but us. And if anybody tells you different, they *lying*. I hear about the bad choices we made. I think we made some pretty good choices, once the water came. We saved fifty-eight people with six people in two boats. If ever there's a flood, I'm the man you want next to you, because I'm going to save your life. I don't give a shit whether I like you or not."

"It wasn't until Tuesday that I was able to get clear to go to the nursing home," Steve Gallodoro says. "I was with a friend from the parish council and some other guys. We saw no one around the facility, no movement whatsoever. I thought at the time that they must have at the last minute evacuated, but as we got closer to the front of the building, I saw the Hummer the Manganos owned and knew they hadn't evacuated.

"I swam into the water," Steve Gallodoro says. "I couldn't open the glass door, so I had them bring me to the patio area. I climbed up on the patio; it had three feet of water, one of them glass doors was broken, and as I was walking to the door, I came across a body. I moved the body around to see sort of who it was, and it was an elderly female. I walked into a doorway, and as soon as I stepped in the doorway, there was another body floating. It was another female. I was in the TV room of the lobby in the north wing, and I came across another body about ten feet later, another elderly female. There was four feet of water or so, beds floating, furniture floating. It would have been impossible for me to walk any farther down the hallways. I hollered, 'Fire Department, is anybody here, does anybody need help?' and it just echoed."

The day after the flood, you could still take the roads through St. Bernard Parish, if you had an airboat. You could follow the asphalt, which was visible through the water. There were even stop signs, poking up through the surface at street corners. It was the same world, except that it was entirely underwater. Todd Baker, a biologist from Louisiana's Department of Wildlife & Fisheries, had been pressed into rescue operations, along with a few of his colleagues and a state trooper. The state trooper wanted to check out St. Rita's and knew how to get there. They took the airboat along the roads where the Manganos had held their parades.

"We get to St. Rita's," Baker says, "and I'll never forget it. There's a guy in a flatboat. He says, 'Don't go in there unless you want to see thirty dead bodies.' He says, 'I pulled out everyone I could.' He says, 'I took them over to the school.' Then he says, 'Thank God you showed up.' We were apparently the first search-and-rescue people he'd seen.

"The school was the most depressing stuff I've ever seen. People were hanging out of the windows because of the heat. All ages. When we pulled up to the back side, there was a guy cooking hamburgers, because people were emptying their food. And then we walked through the door and that's when it hit us -- the smell. There were nursing-home patients lying everywhere. In the back they'd stacked filing cabinets or desks, and the people on them were pretty bad; one was a double amputee. Half of them looked like they were dead or about to die.

"What he said about the thirty dead bodies didn't register until we hit the school, and we thought, Oh, God, these are those who *survived*," Todd Baker says. "It's disgusting is what it was."

"People say we left people in that building," Sal Mangano says. "If anyone was still alive, we're taking them. But we had no place for the dead."

And so they helped with the living -- on Tuesday, Emmett in his flatboat and Little Sal and the entire St. Rita's staff helped Baker and the others from Wildlife & Fisheries move the survivors to triage -- and then, when they saw a dump truck making its way through the water, past Tammy's house, the Manganos did what everyone else did: They

got on. They got out. They evacuated St. Bernard Parish. There were eleven of them, and the dump truck took them to the jail, and then they went to a shelter set up at a warehouse, and then they got on a bus and went to Algiers, and then they went to the New Orleans airport, and then they went to another shelter, in Terrell, Texas, and then Sal paid a bus driver \$200 to take them all to a town near Shreveport, where they got a hotel room and went to a Wal-Mart and changed their clothes for the first time since the flood.

The *bodies*, though: The bodies stayed behind in the nursing home. They hadn't been evacuated, and now they couldn't evacuate and nobody would evacuate them. TJ Mangano says that she would never have left if she hadn't been assured by the police that a recovery team was on its way, but no recovery team came. Steve Gallodoro says that he tried to initiate a recovery effort of his own but was told that the parish had no body bags and that even if he did start pulling bodies out of the water, "nobody would accept them." And so the bodies stayed. They stayed as the flood receded and the sun came out and the days got hot and the story of what had happened at St. Rita's started leaking out in the press, and a nation that had decided to put its elderly where they could not be seen now had its conscience inflamed by the grotesque spectacle of their abandonment. They stayed as the state of Louisiana and the federal government came to a stalemate over the recovery of the dead and, in the words of Robert Jensen, CEO of Kenyon International, the company that finally *did* the recovery for the state, "it became a job that everybody waited for someone else to do." They stayed until the federal mortuary team that attempted to do the job couldn't do the job because the job was so terrible. They stayed in the building for eleven days, until at last, on September 9, Kenyon came with its hazmat suits and took the bodies out in a hideous parade witnessed by Fred Duhy and other representatives of the attorney general. And though it was not just government that collapsed during Katrina, but rather the very *idea* of government as an entity that took care of its people and its dead, it isn't government that Duhy is angry at when he says that "by the time that last body came out, I was ready to spit nails."

It is Sal and Mabel.

In 1992, Tom Rodrigue went to visit his mother, Eva, in New Orleans. She lived alone, and he was used to knocking on a locked door. This time, though, he pushed on the door and the door swung open. His mother was gone. He went looking for her in his car and couldn't find her; he came back to the house and the phone rang. It was a nun from Charity Hospital, saying that his mother had been found wandering a vacant lot with a wad of cash. She went to St. Rita's and was there for a very long time: Miss Eva, the Manganos called her, and, as Rodrigue says, "she was kind of the mascot for the place." On the weekend of Katrina, Rodrigue called the nursing home several times, telling whoever picked up the phone what was coming in the Gulf. You see, Rodrigue was an emergency-operations manager for Jefferson Parish. He knew damned well what was coming, but he could never get the Manganos on the phone, and when he called his counterpart in St. Bernard Parish, he was told that the coroner had called St. Rita's and offered buses. "What else can I do?" his counterpart said.

On September 4, the president of Jefferson Parish, Aaron Broussard, went on *Meet the Press* and, with tears in his eyes, told this story about Rodrigue's experience: "The guy who runs this building I'm in, Emergency Management, he's responsible for everything," Aaron Broussard says. "His mother was trapped in St. Bernard nursing home, and every day she called him and said, 'Are you coming, son? Is somebody coming?' And he said, 'Yeah, Mama, somebody's coming to get you. Somebody's coming to get you on Tuesday. Somebody's coming to get you on Wednesday. Somebody's coming to get you on Thursday. Somebody's coming to get you on Friday.' And she drowned Friday night. She drowned Friday night."

This was, of course, untrue, and lavishly so. Miss Eva died on Monday, August 29, in the initial flooding. She never made it to the roof, much less had access to a telephone. Nevertheless, when Broussard went back on *Meet the Press* three weeks later and was asked to explain, this is what he told Tim Russert: "Listen, sir, somebody wants to nitpick a man's tragic loss of a mother because she was abandoned in a nursing home? Are you kidding? What kind of sick mind, what kind of black-hearted people want to nitpick a man's mother's death?"

Certainly, Miss Eva's death was horrible enough. What happened at St. Rita's was horrible enough. But St. Rita's became *something else* in the weeks following Hurricane Katrina. The story alchemized according to the laws of political expedience and media opportunism, and Sal and Mabel Mangano went from caregivers to fuckups to criminals to monsters. On September 8 -- the day before the recovery of the St. Rita's dead -- Charlie Foti announced that Sal and Mabel were wanted for questioning. At this time, they were on a bus on their way to Lafayette, and when they heard they were wanted by the attorney general, they started looking for Jim Cobb, who with his family had been displaced to a hotel in Houston. On September 12, Nancy Grace was on CNN, quivering as she contemplated what they would be charged with: "I'm thinking negligent homicide. Especially if some jury in a parish down in Louisiana gets wind that these two owners row, row, rowed away, leaving all the elderlies to die in their wheelchairs. Oh, yes."

A day later, Cobb met with the Manganos and listened to their story. He called Fred Duhy and told him he would break the cardinal rule of defense attorneys: He would bring his clients in for a meeting with the prosecutor. "I told Duhy, 'I've talked to them, and I think you need to do that, too.' Duhy says, Deal. I go to a meeting with Sal and Mabel. I tell them, 'If you tell them what you told me, they can't arrest you.' She's all upbeat. On the fourteenth I get the call. It's Duhy. 'Jim, bad news. The meeting's off. I have an arrest warrant for your clients.' I ask him, 'What's the charge?' He says, 'Thirty-four counts of negligent homicide.' Thanks, Fred. Thanks for not piling on. Now I have to go back and tell Sal and Mabel. She falls into my arms, sobbing like a baby."

It's been war ever since, with Foti and Duhy attempting to funnel the faults of the state into the vessel of the individual, and Cobb attempting to funnel the faults of the individual into the vessel -- capacious, in this case -- of the state. And when Cobb is told that Foti and Duhy have claimed that the prosecution of the Manganos actually *saved lives*, because when Hurricane Rita hit a few weeks after Katrina, you can bet that every single nursing home in Louisiana and Texas knew to evacuate, here is what he has to say: "Have you ever heard of that nursing home in Bellaire? It's in a high-class neighborhood in Houston. The nursing home evacuated, the bus caught fire, and they fried twenty-three seniors on the interstate. I was in Houston when the Manganos called, so I went to the nursing home. It was *dry*. They shouldn't have evacuated. They made a *terrible mistake*. Is Charlie Foti taking credit for

that? Congratulations, General. We drown ours, you fry yours."

So why didn't they evacuate? That's the big question, isn't it? Fred Duhy says that governor Kathleen Blanco issued a mandatory evacuation order for St. Bernard Parish at 1:30 P.M., Sunday, August 29, 2005. He says that the Manganos ignored it for one reason, and for one reason only: money. "There's the contract with EMS. That's the initial expense. Then there's the cost of transportation itself. That's the second expense. Then when the new facility takes the residents in, the Manganos lose all that Medicaid would've paid. It's a very expensive proposition. . . ."

In fact, there is no record of a mandatory evacuation order being issued for St. Bernard Parish, either by the governor or the parish council. There is certainly no record of anyone calling St. Rita's and telling the Manganos that a mandatory order was in effect. The government's effort to evacuate St. Rita's nursing home amounted to this: Dr. Bertucci. Two school buses. And that's it.

And yet, as Charlie Foti says, "you don't need the government to tell you that a major storm was on the way." If the Manganos had evacuated, they would have saved lives.

So why didn't they? They say -- well, they say a few things. They say that a resident died on Sunday morning, and they couldn't get an ambulance to take the body without Dr. Bertucci's intervention, so how in the world could they have gotten an ambulance service to evacuate their most at-risk patients on Sunday afternoon as Katrina bore down on them? They say they were afraid they would have lost at least five patients if they had put them on school buses. They say they never thought the levees would break. And they say they didn't leave because they had never left, that they stayed because they had always stayed. . . .

But maybe none of these explanations are sufficient, psychologically. Maybe the only psychological explanation that makes any sense is the unexpected offshoot of the Manganos' twenty years of running an institution and seeing people institutionalized: love. Maybe they stayed because they believed they loved their residents as much as anyone did, even their families. Maybe they stayed because they believed they knew their residents better than anyone did and knew what was best for them. Maybe they stayed because they weren't going to let the government decide the fates of their residents, their favorites, their saints. Maybe they stayed because they believed that to evacuate was to abandon people who had already been abandoned. "We stayed for these people," TJ Mangano says. "We wasn't about to leave them. If one of them wasn't going, we weren't going."

Indeed, even when Little Sal is talking about the thirty-five who died, he never simply says, "He died," or "She drowned." He says, "I didn't save him," or "I didn't rescue him." He says this not as an apology but rather as a reminder of his own role in who lived and who died -- his power. The Manganos were not irresponsible; they were, if anything, too responsible, for they had only done what the families of the residents asked them to do.

Until, of course, they didn't die. That's where the contract between them and the families of the dead broke down -- in the unforgivable fact of their survival.

And so there they are, in the conference room, Sal and Mabel, the Manganos. Mabel is squeezing a tissue, her face is shiny and wet, and there's a sense that she's not the person she was when she first sat down -- that she's slipping away behind some scrim of personal devastation. Sal is holding her hand. Little Sal is pacing.

"I loved them, I loved these people," Mabel says. "I miss them, my heart aches."

"We loved them," Big Sal says. "We loved what we done. Sure, we done it for money, it was our livelihood. But we never even had a budget. . . ."

"Whether or not we saved your family or lost your family, we are sorry for the water that came in," Little Sal says. "But not for the decision to stay."


You know what's the worst thing for them? That they can't do it anymore. That they can't . . . care. They were really good at caring. They had it inside them. And so their dream, if they escape the criminal charges, if they have a dime left after the thirty-one lawsuits and Jim Cobb's legal bill, is to rebuild. Right there. On the property. St. Rita's. There are staff members who have told them they want to come back. There are people in St. Bernard who have said they are waiting for the day when they can live with Sal and Mabel. . . .

And that's the thing for Steve Gallodoro. That's one prospect he does not want to contemplate. "I don't need to see them go to jail. The only thing I want to see is that they are never given an opportunity to hold a license that would enable them to care for any elderly, handicapped, disabled, because they have shown they are not responsible, and I need to know they can never be responsible for the lives of other people again."

But it's not his decision anymore. It's yours. Would you ever put your loved ones in a nursing home run by Sal and Mabel Mangano? Would you ever put your loved ones in a nursing home at all? Would you make the Decision?

I would. But every day I pray that I won't have to.

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