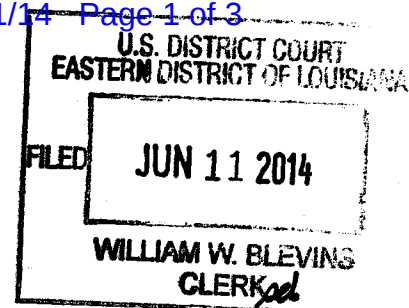


UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA



UNITED STATES OF AMERICA

\*

CRIMINAL DOCKET NO.: 14-71

v.

\*

SECTION: "K"

TYRELL C. SUTHERLAND

\*

\*

\*

\*

FACTUAL BASIS

The above-named defendant, **TYRELL C. SUTHERLAND** ("SUTHERLAND"), has agreed to plead guilty as charged to Count 1 of the Bill of Information in this matter. Should this matter proceed to trial, the United States of America will prove beyond a reasonable doubt, through credible testimony of Special Agents of the Federal Bureau of Investigation ("FBI"), state and local law enforcement agencies, the production of reliable witnesses, and evidence, the following facts in support of the allegations against defendant **SUTHERLAND**. The following proffer of the Government's evidence is intended only to provide the Court with enough evidence to satisfy the mandate of Rule 11(b)(3) of the Federal Rules of Criminal Procedure. This factual basis is not intended to be a disclosure of all the evidence available to the Government nor, to the extent it makes representations concerning anything the defendant said, is it a recitation of all that the defendant said.

In 2008, the Orleans Parish Prison ("OPP") was a prison facility under a contractual agreement with the United States Marshal's Service ("USMS") to provide for the secure custody, care, and safekeeping of federal prisoners in the Eastern District of Louisiana. From October

*JP*

2004 until October 2008, the defendant **TYRELL C. SUTHERLAND** ("**SUTHERLAND**") was employed by the Orleans Parish Criminal Sheriff's Office ("OPCSO") as a Deputy Sheriff.

On or about May 2008, S.C., a federal inmate at ("OPP"), introduced **SUTHERLAND** to another federal inmate, K.C. During a series of discussions, **SUTHERLAND** agreed to smuggle contraband into OPP on behalf of both S.C. and K.C. At times, K.C. used S.C.'s smuggled cell phone to make arrangements for contraband to be smuggled into OPP.

In May 2008, K.C. asked **SUTHERLAND** to call T.W. and provided him with T.W.'s cell phone number. **SUTHERLAND** spoke with T.W. during a series of cell phone conversations and agreed to meet with T.W. at a Wendy's fast food restaurant located on North Causeway Boulevard. During the meeting, T.W. handed **SUTHERLAND** a package wrapped in electrical tape. T.W. then paid **SUTHERLAND** \$300.00 in United States currency.

**SUTHERLAND** delivered the package, which contained a quantity of marijuana and a cell phone and delivered it to K.C., a federal inmate at OPP. One week later, **SUTHERLAND** accepted another wrapped package from T.W. This time, T.W. paid **SUTHERLAND** \$200.00 on behalf of K.C. to smuggle a quantity of marijuana into OPP. **SUTHERLAND** successfully delivered to marijuana to K.C.

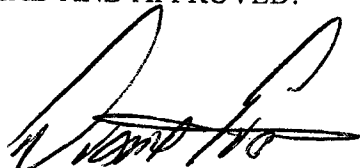
In August of 2008, **SUTHERLAND** met with S.C.'s girlfriend at a Walmart store located on Tchoupitoulas Avenue. S.C.'s girlfriend handed **SUTHERLAND** a wrapped package containing a cell phone. Also, S.C.'s girlfriend paid **SUTHERLAND** \$300.00 to smuggle the contraband into OPP. **SUTHERLAND** successfully smuggled the cell phone into OPP and delivered it to S.C. Law enforcement authorities discovered some of this contraband on August 17, 2008 during a shakedown search of S.C.'s tier.

*D.P.*

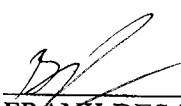
The Orleans Parish Criminal Sheriff's Office ("OPCSO") suspended **SUTHERLAND** on September 25, 20<sup>08</sup>~~07~~. The OPCSO terminated **SUTHERLAND**'s employment on October 22, 2008. During that entire time period, **SUTHERLAND** never revealed to law enforcement authorities his involvement in the conspiracy to smuggle contraband into OPP. In fact, **SUTHERLAND**'s co-conspirator S.C. continued to arrange for the smuggling of contraband into OPP up until November 21, 2008.

**SUTHERLAND** smuggled the quantity of marijuana in violation of Title 21, United States Code, Section 841(D). **SUTHERLAND** smuggled the cell phones in violation of LA-R.S. 14:402(A) and LA-R.S. 14:402(D)(9).  
(E) (E)(7)


READ AND APPROVED:

  
DUANE A. EVANS  
Assistant United States Attorney

6/11/14  
DATE

 Boigil Collins  
FRANK DESALVO  
Counsel for Defendant Tyrell C. Sutherland

4-9-14  
DATE

  
TYRELL C. SUTHERLAND  
Defendant

4-9-14  
DATE