

US appeals court blocks release of last Louisiana “Angola 3” prisoner

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A federal appeals court ruled Friday that Albert Woodfox, the last “Angola Three” prisoner still behind bars in Louisiana, must remain incarcerated for the time being. The decision came despite a district court judge’s ruling Tuesday that Woodfox be freed after more than four decades in solitary confinement.

In the earlier ruling, Judge James J. Brady of the US District Court for the Middle District of Louisiana also barred a third trial for Woodfox. He was convicted twice for the murder of a prison guard, but both convictions were overturned.

Woodfox, now 68, is one of a group of three prisoners at the notoriously brutal Louisiana State Penitentiary in Angola who came to be known as the “Angola Three.” Members of the Black Panther Party, the three were targeted by prison and state authorities for their political beliefs and outspoken comments against conditions in the prison.

Angola, the oldest and largest maximum-security prison in the US, sits on the site of a former slave plantation turned into a prison at the end of the Civil War. It derives its name from slaves who once worked its fields, most of whom came from the African nation of Angola. Seventy-seven percent of inmates at the prison are African-American, and prison labor still works the fields.

Woodfox and Herman Wallace were convicted of the April 1972 killing of Brent Miller, a prison guard at Angola. They were tried and convicted by an all-white jury within two hours. Robert King, the third man, was convicted of the death of a fellow inmate in 1973. Combined, the three have spent more than 100 years in solitary confinement.

Wallace was set free October 1, 2013, at the age of 71, after a campaign waged by Amnesty International (AI) for his release on humanitarian grounds. A grand

jury reindicted him two days later, but did not arrest him. He died the following day of advanced liver cancer.

King was released in 2001, after a court reversed his conviction. He has remained a tireless advocate for Wallace and Woodfox, writing on his web site, “I may be free from Angola, but Angola will never be free of me.”

In overturning Woodfox’s convictions, federal courts have ruled that his constitutional rights were violated through racial discrimination, prosecutorial misconduct, inadequate defense and suppression of exculpatory evidence.

A 2011 report by AI condemned the legal case against Woodfox and Wallace, stating: “No physical evidence linking the men to the guard’s murder has ever been found; potentially exculpatory DNA evidence has been lost; and the convictions were based on questionable inmate testimony.”

Despite the lack of physical evidence and Woodfox’s twice-overturned convictions, the state of Louisiana is demanding further retribution. A spokesman for Louisiana Attorney General James D. “Buddy” Caldwell said Judge Brady’s order Tuesday “arbitrarily sets aside jury decisions and gives a free pass to a murderer based on faulty procedural issues.”

According to Woodfox’s attorneys, he suffers from high blood pressure and heart and kidney disease. Having been held for the vast majority of the last 43 years in solitary confinement, he is believed to have spent the most time of any US prisoner in what Angola authorities refer to as “closed cell restriction.”

He has been held alone for 23 hours a day in a six-foot by eight-foot cell with views through metal bars of only a concrete corridor. In the remaining hour, he is allowed to shower and walk up and down the corridor

or to have an isolated walk in the exercise yard, weather permitting.

Woodfox's attorney George Kendall told the *Guardian* last year, "There is no other American prisoner who has been as long in solitary. If you ask other prisoners who have spent time in solitary, they will tell you that it is the worst thing that can happen to you in prison—it's as lonely and painful as it gets."

In 2008, Woodfox described the bouts of claustrophobia he has suffered frequently in his cell: "When I have an attack I feel like I am being smothered, it is very difficult to breathe, and I sweat profusely. It seems like the cell walls close in and are just inches from my face. I try to cope by pacing, or by closing my eyes and rocking myself."

Juan E. Mendez, the United Nations Special Rapporteur on Torture, in 2013 called for Woodfox's immediate release from solitary confinement, stating: "Four decades in solitary confinement can only be described as torture."

The horrific conditions of Albert Woodfox's incarceration are an indictment of the US prison system, which houses an estimated 2.4 million inmates in its prisons and jails.

While there is no government reporting system to count the number of prisoners in solitary confinement nationwide, the Vera Institute for Justice estimates that more than 80,000 people are placed in isolation in state and federal prisons on any given day. This is likely an underestimation, as the figure does not include those in jails, military facilities, juvenile facilities or immigration detention centers.

The recent suicide of Kalief Browder has focused renewed attention on the barbaric practice. Browder, who was accused of stealing a backpack at age 16, was incarcerated for three years at New York's Rikers Island prison, where he was tortured and starved in solitary confinement without ever having been convicted of a crime. He committed suicide after returning home, psychologically shattered by the experience.

A recent Human Rights Watch report exposed that mentally disabled prisoners in the U.S., including minors and the elderly, are frequently subjected to solitary confinement. These prisoners, who are incarcerated in record numbers due to the shutdown of mental health services, often spend months, years and

even decades locked in solitary confinement, being allowed only three to five hours a week of "recreation" alone in caged enclosures.



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