

3 of 29 DOCUMENTS

Orlando Sentinel (Florida)

November 10, 2006 Friday
FINAL

Official: Dismiss conviction of former Black Panther

SECTION: A SECTION; FLORIDA; The Nation, In Brief; Pg. A10

LENGTH: 101 words

BATON ROUGE, La. -- A state court official has recommended the reversal of the murder conviction of a former Black Panther who has been in Louisiana's state penitentiary since the early 1970s, the man's lawyer said Thursday. Inmate-rights activists have fought for years for a new trial for Herman Wallace, one of the Angola Three. Wallace has been in the state prison at Angola since he was convicted in the 1972 stabbing death of a prison guard. Wallace's lawyer, Nick Trenticosta, said court commissioner Rachel Morgan recommended that Wallace's conviction be reversed.

CONTACT: Compiled from wire reports

LOAD-DATE: November 10, 2006

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

Copyright 2006 Sentinel Communications Co.

4 of 29 DOCUMENTS

Sacramento Observer

Nov 9, 2006 / Nov 15, 2006

NATIONAL BRIEFS

SECTION: Pg. A4 Vol. 43 No. 47**LENGTH:** 678 words**ABSTRACT**

BATON ROUGE, Louisiana - A state court official has recommended the reversal of a murder conviction for a former Black Panther activist who has been in Louisiana's state penitentiary since the early 1970s, the man's lawyer said. Inmate rights activists have fought for years to get a new trial for Herman Wallace - one of a trio of inmates known as the "Angola Three." Wallace had been in Angola since he was convicted in the 1972 stabbing death of a prison guard. Wallace's lawyer, Nick Trenticosta, said court commissioner Rachel Morgan issued a recommendation that Wallace's conviction be reversed. Morgan presided over a hearing in September where Trenticosta argued that the conviction was tainted because prison officials had bribed the star witness into testifying against Wallace. Morgan's recommendation could be rejected by the trial judge, state District Judge Michael Irwin.

FULL TEXT

The Observer Newspapers

Conviction Reversal Advised

BATON ROUGE, Louisiana - A state court official has recommended the reversal of a murder conviction for a former Black Panther activist who has been in Louisiana's state penitentiary since the early 1970s, the man's lawyer said. Inmate rights activists have fought for years to get a new trial for Herman Wallace - one of a trio of inmates known as the "Angola Three." Wallace had been in Angola since he was convicted in the 1972 stabbing death of a prison guard. Wallace's lawyer, Nick Trenticosta, said court commissioner Rachel Morgan issued a recommendation that Wallace's conviction be reversed. Morgan presided over a hearing in September where Trenticosta argued that the conviction was tainted because prison officials had bribed the star witness into testifying against Wallace. Morgan's recommendation could be rejected by the trial judge, state District Judge Michael Irwin.

L.A. Settles Racial Bias Suit

LOS ANGELES - The city is paying \$2.7 million to settle a lawsuit from a Black firefighter who claims he suffered racial discrimination after co-workers served him spaghetti laced with dog food. The City Council approved the award, 11-1. In his lawsuit, firefighter Tennie Pierce, 51, said after he took a bite of the meal two years ago, he noticed other firefighters laughing. He demanded to know what was in the food after a second bite but nobody answered. Pierce said he suffered retaliation for reporting the incident and verbal slurs, insults and derogatory remarks, including taunting by firefighters "barking like dogs (and) asking him how dog food tasted," the lawsuit said. David Wellman, a professor at the University of California, Santa Cruz hired by Pierce's attorney, said the association of a Black man and dog food "resonates with the deep historical roots of slavery and the corresponding dehumanization."

Detroit Bans Affirmative Action

DETROIT - Michigan voters decided that race and gender should not be factors in deciding who gets into public universities or who gets hired for government work. By approving Proposal 2, Michigan becomes the third state in the past decade - joining California and Washington - to ban some types of affirmative action programs. With 70 percent of precincts reporting, 58 percent, or 1,418,982 people voted "yes" on Proposal 2, and 42 percent, or 1,010,196 voters, were opposed. "What it all comes down to is Michigan doesn't want to judge people by the color of their skin," said Doug Tietz, a spokesman for the Michigan Civil Rights Initiative, the group that supported the proposal. "I think Michigan was ready to move beyond that." A majority of voters who said their families were getting ahead financially supported the proposal, according to a statistical analysis of the vote from voter interviews conducted for The Associated Press by Edison Media Research and Mitofsky International. A majority of those who said they were falling behind financially were opposed. Voters who identified themselves as Republicans tended to favor the proposal. Those who considered themselves Democrats tended to oppose it.

- Compiled from OBSERVER wire services

LOAD-DATE: January 30, 2007

LANGUAGE: ENGLISH

ACC-NO: 58874

DOCUMENT-TYPE: Feature

PUBLICATION-TYPE: Other

JOURNAL-CODE: SACO

Copyright 2006 SOFTLINE INFORMATION, INC.

All Rights Reserved

Ethnic NewsWatch

Copyright 2006 Sacramento Observer

5 of 29 DOCUMENTS

The Associated Press State & Local Wire

November 9, 2006 Thursday 10:05 PM GMT

Conviction reversal recommended for jailed ex-Black Panther

BYLINE: By DOUG SIMPSON, Associated Press Writer

SECTION: STATE AND REGIONAL

LENGTH: 500 words

DATELINE: BATON ROUGE La.

A state court official has recommended the reversal of the murder conviction for Herman Wallace, a former Black Panther who has been held in solitary confinement at Louisiana's state penitentiary since the early 1970s.

Inmate rights activists have fought for years to get a new trial for Wallace, one of a trio of inmates known as the "Angola Three." Wallace, originally sent to Angola after a New Orleans armed robbery conviction, was found guilty of the 1972 stabbing death of a prison guard.

The recommendation to reverse that conviction came from Rachel Morgan, the court commissioner in the case, whose decision issued earlier this week was sent to defense lawyers and prosecutors. The trial judge, state District Judge Michael Irwin, has the power to reject the recommendation or agree with it and overturn the verdict.

Morgan presided over a hearing in September where Wallace's lawyer argued that the conviction was tainted because prison officials had failed to inform the defense lawyer that prison authorities had bribed the star witness.

Prosecutors argued that no proof of bribery existed. Dale Lee, the assistant district attorney who opposed reversal of the conviction, was not available for comment on Thursday.

The main witness against Wallace was Hezekiah Brown, a fellow inmate who received favorable treatment after he testified: he began receiving a weekly carton of cigarettes and was transferred from a main prison building to a house with his own room and television set, according to the testimony of a former guard.

Wallace's lawyer, Nick Trenticosta, said Brown also won a valuable promise before the trial, from then-Warden C. Murray Henderson, that the warden would help Brown win release from prison. Trenticosta argued that the warden's promise, plus the cigarettes and cushy new housing, amounted to a payoff in exchange for testimony implicating Wallace in the killing.

Trenticosta said the promise and the favorable treatment had been withheld from Wallace's defense lawyer, who should have had the opportunity to tell jurors information that could have led them to believe Brown was lying.

In her recommendation, Morgan agreed.

"Reasonable minds could differ in this case," she wrote, but added that she believed "Warden Henderson did promise to help Brown with a pardon before Brown testified and that he did authorize other favors within the prison."

Conviction reversal recommended for jailed ex-Black Panther The Associated Press State & Local Wire November 9, 2006 Thursday 10:05 PM GMT

Those favors, she said, "should have been disclosed to the defense before trial, as they weighed on the credibility of Hezekiah Brown."

In the hearing, Lee argued that prison authorities were correct to segregate Brown in new housing quarters after his testimony, because he would have faced retribution from other inmates angry at him for helping prison authorities and testifying against a fellow prisoner.

Lee also argued that there was no proof that Henderson promised to help Brown with his pardon, though Tenticosta produced testimony and correspondence in which Henderson appeared to acknowledge making such promises.

LOAD-DATE: November 10, 2006

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newswire

Copyright 2006 Associated Press
All Rights Reserved

7 of 29 DOCUMENTS

The Associated Press State & Local Wire

September 19, 2006 Tuesday 9:05 PM GMT

La. prosecutors oppose new murder trial for Angola inmate, ex-Black Panther

BYLINE: By DOUG SIMPSON, Associated Press Writer

SECTION: STATE AND REGIONAL

LENGTH: 836 words

DATELINE: ANGOLA La.

A former Black Panther convicted of killing a Louisiana prison guard in the 1970s deserves a new murder trial because prosecutors withheld key evidence that could have won him an acquittal, his lawyer argued in a prison courtroom on Tuesday.

Herman Wallace has spent most of the past three decades in solitary confinement at the state's top-security prison after his conviction in the 1972 stabbing death of guard Brent Miller. His lawyer argued that, before the trial, the warden had essentially bribed a witness into fingering Wallace as one of the killers and prosecutors knowingly kept the deal secret.

"Jurors would have dismissed (the witness') testimony as hogwash" if they had known about the alleged deal, lawyer Nick Trentecosta said.

Prosecutors, fighting Wallace's efforts at a new trial, said no proof exists of that deal an alleged promise from the warden to help the witness get a pardon and eventual release from prison. The warden and the witness are dead, and prosecutor Dale Lee argued that the idea of a deal between the two is based on speculation.

"I haven't seen anything to say that there was a promise given," Lee said. "There's nobody here to disprove what actually happened in 1972 they're all dead."

Presiding over the hearing was a court commissioner, Rachel Morgan, who said she will issue a recommendation to the trial judge, probably within a month, on whether Wallace should get a new trial. District Court Judge Michael Irwin could accept or reject her recommendation, or order another evidentiary hearing in his courtroom, she said.

Wallace, Albert Woodfox and Robert Wilkerson are known as the Angola Three, considered by prisoners' rights groups to be wrongly held in solitary confinement because of their political activity with the now-defunct Black Panthers. Demonstrators gathered outside the prison gates with a banner that read: "Free the Angola 3" and referred to Wallace as a political prisoner.

Wallace, Wilkerson and Woodfox have a pending lawsuit against the state, arguing that their decades of solitary amount to cruel and unusual punishment, in violation of the federal constitution. Wilkerson was released in 2001 after a judge overturned his murder conviction. Woodfox, convicted in Miller's death, remains in Angola.

La. prosecutors oppose new murder trial for Angola inmate, ex-Black Panther The Associated Press State & Local Wire
September 19, 2006 Tuesday 9:05 PM GMT

Prison officials have said Wallace and Woodfox are in solitary because they would be endangered if returned to the general prison population.

Hezekiah Brown, the witness who testified against Wallace and Woodfox, was at Angola on a rape conviction at the time of Miller's killing.

After Wallace's conviction, Brown received a weekly carton of cigarettes from prison authorities, what Trentecosta said was part of the payoff for testifying against Wallace. The cigarettes amounted to valuable currency "a prison pension" that Brown could spend on gambling, alcohol, drugs or sex, Trentecosta said.

After Wallace's trial, Brown was also given a plum assignment: transferal to a house on the prison grounds where he helped take care of the penitentiary's bloodhounds. Brown had his own room and a television set, a former guard, Bobby Ovileaux, testified. Ovileaux said he personally delivered the weekly cigarette carton to Brown and sometimes gave him more when he ran out, on orders from prison authorities.

Lee said the prison was right to segregate Brown from the general prison population because he would be in danger of being attacked or killed by other inmates, angry that he had testified against a fellow prisoner. Lee noted that Brown was known to have nightmares.

Lee said the prison was obligated to protect a prisoner from violence if he agrees to endanger himself by testifying against a fellow inmate.

"That's a commitment that I think a prison has an obligation to fulfill," he said.

Brown was released in 1986, when then-Gov. Edwin Edwards commuted his sentence on the advice of the Pardon Board.

Trentecosta produced several documents from then-Warden C. Murray Henderson in which Henderson referred to commitments and promises he had made to help Brown get a pardon. Henderson also testified in court that he had agreed before the trial to help Brown get a pardon.

Lee argued that evidence of the warden's help with the Pardon Board was vague and could have stemmed from other agreements he had made with Brown.

Wallace became involved with the Black Panthers while in the city jail in New Orleans, awaiting trial for armed robbery. He was convicted of the bank robbery and sent to Angola, where he helped form a branch of the Panthers.

Morgan rejected Trentecosta's attempt to call a high-profile witness, Wilbert Rideau, a former Angola death row inmate who is known around Louisiana for his journalism while behind bars.

Rideau had no direct knowledge of Wallace's case or Miller's killing. His only relevant expertise, Morgan said, was the conditions at Angola in the 1970s, when it was known to be among the most violent lockups in the nation. Morgan told Rideau to step down from the witness chair, saying she was familiar with Angola's history.

LOAD-DATE: September 20, 2006

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newswire

La. prosecutors oppose new murder trial for Angola inmate, ex-Black Panther The Associated Press State & Local Wire
September 19, 2006 Tuesday 9:05 PM GMT

All Rights Reserved

20 of 29 DOCUMENTS

The Associated Press State & Local Wire

October 20, 2003, Monday, BC cycle

High court keeps alive case of inmates held in solitary; Pursuing file photos

BYLINE: By ALAN SAYRE, Associated Press Writer

SECTION: State and Regional

LENGTH: 427 words

DATELINE: NEW ORLEANS

The nation's highest court refused Monday to kill a lawsuit brought by two prisoners and an ex-inmate at the Louisiana State Penitentiary who spent decades in solitary confinement.

Without comment, the U.S. Supreme Court declined to hear an appeal filed by state officials who said they should be immune from a suit by the "Angola Three."

Albert Woodfox and Herman Wallace claim they have been subjected to cruel and inhuman punishment, in violation of the federal constitution, by their stay in solitary. Both were convicted of killing Angola guard Brent Miller in April 1972 and have spent more than three decades in solitary.

Also suing is Robert Wilkerson, who was released from prison in February 2001 after a state judge overturned his conviction for killing another inmate during a prison brawl in 1973. Wilkerson also had been held in solitary prior to his release.

Wallace was moved into a more-restrictive form of solitary in 2002 after prison officials accused him of holding contraband in his cell.

The Supreme Court's refusal to hear an appeal from state officials, including Angola Warden Burl Cain and state corrections chief Richard Stalder, likely will clear the way for the suit to be tried, said Joe Cook, executive director of the Louisiana American Civil Liberties Union, which is spearheading the suit.

State officials did not return a call for comment.

Woodfox and Wallace are seeking to be released from solitary. Along with Wilkerson, who was confined in solitary when the suit was filed, they claim the prison board that reviews solitary confinement is a sham. The two remaining in prison also claim that they are being subjected to solitary confinement because they are politically active.

Prison officials have said that Woodfox and Wallace would be endangered if they were returned to the general inmate population. Wilkerson was held in solitary to avoid possible retaliation from other inmates, officials said.

Reached at his home in New Orleans, Wilkerson said he was pleased by the decision and hoped a trial would come soon.

High court keeps alive case of inmates held in solitary; Pursuing file photos The Associated Press State & Local Wire
October 20, 2003, Monday, BC cycle

"I was in solitary confinement for nearly 29 years," he said. "For Albert and Herman, it's beyond 29 years."

U.S. Magistrate Docia Dalby of Baton Rouge, who recommended in March 2002 that the three be allowed to sue, wrote that prisoners may claim solitary confinement is cruel and unusual only in "extraordinary circumstances." However, Dalby said a review of other cases found that three or four years is about the longest any prisoner stays in solitary confinement.

LOAD-DATE: October 21, 2003

LANGUAGE: ENGLISH

Copyright 2003 Associated Press
All Rights Reserved

21 of 29 DOCUMENTS

The Associated Press State & Local Wire

May 14, 2003, Wednesday, BC cycle

Appellate ruling allows Louisiana prison lawsuit to proceed

SECTION: State and Regional

LENGTH: 193 words

DATELINE: NEW ORLEANS

The men known as the "Angola Three" have the right to sue Louisiana prison officials after spending more than 25 years each in near isolation at Louisiana's state penitentiary, a federal appeals court ruled Wednesday.

Robert Wilkerson, Albert Woodfox and Herman Wallace sued Warden Burl Cain and Richard Stalder, chief of the state corrections department, alleging that they suffered cruel and unusual punishment in their years in "lockdown." The state officials have filed numerous appeals and asked that suit be dismissed, arguing that they should be immune from such suits.

A three-member panel of the U.S. 5th Circuit Court of Appeals disagreed Wednesday, sending the suit back to district court.

The three men were put in solitary confinement following murders that occurred inside the state prison at Angola.

Wilkerson was released from prison in February 2001 after a state judge overturned his conviction for killing a fellow inmate during a prison brawl in 1973.

Woodfox and Wallace were convicted of stabbing a prison guard to death. Wallace remains in lockdown, or near isolation, as does Woodfox, as he has been since 1972.

LOAD-DATE: May 15, 2003

LANGUAGE: ENGLISH

Copyright 2003 Associated Press
All Rights Reserved

22 of 29 DOCUMENTS

SATURDAY State-Times/Morning Advocate (Baton Rouge, Louisiana)

November 23, 2002, Saturday METRO EDITION

Inmate again appeals conviction in slaying

BYLINE: ALAN SAYRE

SECTION: News; Pg. 6-B;S Dateline NEW ORLEANS Credit AP Filename woodfox.ap Story Lead Inmate again appeals conviction in slaying By ALAN SAYRE Associated Press writer NEW ORLEANS - An in Editor pgw

LENGTH: 429 words

DATELINE: woodfox.ap

NEW ORLEANS - An inmate who has spent most of the past three decades in solitary confinement for the 1972 stabbing death of a state prison guard is trying for a second time to have his conviction overturned.

Albert Woodfox, 55, is serving a life sentence for the killing of Louisiana State Penitentiary security officer Brent Miller, who was stabbed to death at Angola during a period of racial unrest at the sprawling plantation prison.

Woodfox and co-defendant Herman Wallace, 61, also are suing to get out of solitary confinement, where they have spent most of their time since Miller was killed on April 17, 1972.

Wallace has a motion to overturn his original conviction pending in state court. Woodfox is challenging his second conviction in Miller's slaying.

Woodfox won a new trial during the 1990s but was convicted a second time by a jury in Tangipahoa Parish and was resentenced to life without parole in 1999.

In a motion filed in 21st Judicial District Court in Amite, Woodfox claims that two of three living prosecution witnesses have recanted their testimony against him and Wallace. The motion also says Woodfox has identified a new witness who says a now-deceased prisoner admitted killing the guard.

Woodfox's defense team has retained experts that can perform scientific tests that were not available or not performed in 1972, the motion says. The motion asks that the state be required to produce such evidence as fingernail scrapings taken from the victim and clothing items.

In a federal court suit, Woodfox and Wallace claim their years in solitary confinement amount to cruel and unusual punishment. A federal magistrate recommended in March that their suit go forward.

A third inmate, Robert King Wilkerson, also was held for years in solitary confinement. Wilkerson, who was convicted of killing another inmate during a 1973 prison brawl, claimed he was locked up because he had tried to give another prisoner legal assistance.

Wilkerson was freed in February 2001 after a state judge overturned his conviction and he pleaded guilty to murder conspiracy.

Inmate again appeals conviction in slaying SATURDAY State-Times/Morning Advocate (Baton Rouge, Louisiana)
November 23, 2002, Saturday

All three landed in Angola in the late 1960s for unrelated armed robberies. They met and formed a prison chapter of the Black Panthers, a militant group.

Angola officials have defended the long-term confinement of Wallace, Wilkerson and Woodfox, the so-called Angola Three, saying they were proven dangerous to staff members and other prisoners. Officials have said they are confined in conditions similar to death-row inmates, except they have more privileges.

SUBJECT: HOMICIDE (90%); LITIGATION (90%); WITNESSES (90%); SUITS & CLAIMS (90%); SENTENCING (90%); PRISONS (90%); CORRECTIONS WORKERS (90%); US STATE GOVERNMENT (89%); LAW COURTS & TRIBUNALS (88%); CAPITAL PUNISHMENT (78%); MURDER (78%); MAGISTRATES (77%); CONSPIRACY (77%); TESTIMONY (76%); DEATHS (73%); JUDICIAL & DECISIONS (70%); DECISIONS & RULINGS (70%); ROBBERY (64%);

LOAD-DATE: November 25, 2002

LANGUAGE: ENGLISH

Copyright 2002 Capital City Press

23 of 29 DOCUMENTS

The Associated Press State & Local Wire

November 21, 2002, Thursday, BC cycle

New appeal filed in long-running Angola prison case

BYLINE: By ALAN SAYRE, Associated Press Writer

SECTION: State and Regional

LENGTH: 430 words

DATELINE: NEW ORLEANS

An inmate who has spent most of the past three decades in solitary confinement for the 1972 stabbing death of a state prison guard is trying to have his conviction overturned for a second time.

Albert Woodfox, 55, is serving a life sentence for the killing of Louisiana State Penitentiary security officer Brent Miller, who was stabbed to death at Angola during a period of racial unrest at the sprawling plantation prison.

Woodfox and co-defendant Herman Wallace, 61, are also suing to get out of solitary confinement, where they have spent most of their time since Miller was killed on April 17, 1972.

Wallace has a motion to overturn his original conviction pending in state court. Woodfox is now challenging his second conviction in Miller's slaying.

Woodfox won a new trial during the 1990s, but was convicted a second time by a jury in Tangipahoa Parish and was re-sentenced to life without parole in 1999.

In a motion filed in state district court in Amite, Woodfox claims that two of three living prosecution witnesses have recanted their testimony against him and Wallace. The motion also says Woodfox has identified a new witness who says a now-deceased prisoner admitted killing the guard.

Woodfox's defense team has retained experts that can perform scientific tests on evidence that were not available or not performed in 1972, the motion says. The motion asks that the state be required to produce such evidence as fingernail scrapings taken from the victim and clothing items.

In a federal court suit, Woodfox and Wallace claim their years in solitary confinement amount to cruel and unusual punishment. A federal magistrate recommended in March that their suit go forward.

A third inmate, Robert King Wilkerson, was also held for years in solitary confinement. Wilkerson, who was convicted of killing another inmate during a 1973 prison brawl, claimed he was locked up because he had tried to give another prisoner legal assistance.

Wilkerson was freed in February 2001 after a state judge overturned his conviction and he pleaded guilty to murder conspiracy.

All three landed in Angola in the late 1960s for unrelated armed robberies. They met and formed a prison chapter

New appeal filed in long-running Angola prison case The Associated Press State & Local Wire November 21, 2002,
Thursday, BC cycle

of the Black Panthers, a militant group.

Angola officials have defended the long-term confinement of the Wallace, Wilkerson and Woodfox, the so-called Angola Three, saying they were proven dangerous to staff members and other prisoners. Officials have said they are confined in conditions similar to death-row inmates, except they have more privileges.

LOAD-DATE: November 22, 2002

LANGUAGE: ENGLISH

Copyright 2002 Associated Press
All Rights Reserved

26 of 29 DOCUMENTS

Times-Picayune (New Orleans, LA)

May 2, 2002 Thursday
Correction Appended

Two of 'Angola Three' counting days still; Guard's killing brings 3 decades of lockdown

BYLINE: By Gwen Filosa; Staff writer

SECTION: NATIONAL; Pg. 1

LENGTH: 1836 words

While inmates at the Louisiana State Penitentiary in Angola were finishing breakfast April 17, 1972, a prison guard lay dying in an empty dormitory. Brent Miller's body took 32 stab wounds from homemade knives before 7:30 a.m. He was 23 and newly married.

The next day, Herman Wallace and Albert Woodfox, convicted armed robbers who had formed the first prison chapter of the Black Panthers at Angola, were placed in solitary confinement. They were among 30 so-called "black militant prisoners" locked away in the wake of Miller's killing and other violence at the prison.

There, confined 23 hours a day in separate 6-by-9-foot cells, Wallace and Woodfox have remained. Convicted of Miller's murder, they received life sentences without the possibility of parole. The prison has kept them under lockdown, saying they are dangerous rule-breakers.

Wallace and Woodfox marked the 30th year of their isolation from the general prison population in April, a strange anniversary that recalls a bloody, terrifying time at Angola, when murders, rapes and fights among inmates were frequent and the racial tension gripping the nation seeped into the 18,000-acre prison.

Another former Black Panther from New Orleans, Robert King Wilkerson, was released from Angola last year after spending 29 years under lockdown with Wallace and Woodfox. Originally jailed for armed robbery, Wilkerson was put under lockdown after being convicted of killing an inmate.

The trio became known as the "Angola Three," a cause celebre for civil rights activists who three decades later still consider them political prisoners, framed for jailhouse crimes during a period of racial unrest. "I think it would have happened to any white guard who happened to have been in there at the time," Warden Murray Henderson said at the time Miller was killed.

In a federal lawsuit against prison officials in March 2000, the three say the conditions of their confinement at Angola amount to cruel and unusual punishment. The civil action, backed by the American Civil Liberties Union, is very much alive. And for the prison staff and their families who call West Feliciana Parish home, so is the bitterness of a young prison guard's death more than a generation ago.

'They chose a life of crime'

Angola officials deny any allegation of unfair treatment.

Two of 'Angola Three' counting days still; Guard's killing brings 3 decades of lockdown Times-Picayune (New Orleans, LA) May 2, 2002 Thursday Correction Appended

"They chose a life of crime. Every choice they made is theirs," Warden Burl Cain said. "They're crybabies crying about it. What they ought to do is look in the mirror and quit looking out. It's about time for them to look at themselves."

A federal magistrate judge, however, appears inclined to agree with the Angola Three.

"Given the natural limits on the length of human life, especially one in prison, it is difficult to imagine a more atypical or extraordinary confinement than that presented in this case," Magistrate Judge Docia Dalby wrote in a March 28 report. Dalby recommended that a U.S. District judge in Baton Rouge deny the state's motion to dismiss the inmates' lawsuit.

The issue is pending.

Prison officials, however, maintain that Wallace and Woodfox are locked up 23 hours a day for one good, hard reason: They are a security risk. In addition to being convicted of Miller's death, both are armed robbers who have escaped from jail once before.

"Public safety and the safety of my security staff is what we're all about first, and their comfort level is second," Cain said. "And you can look at their record. Their conduct record doesn't warrant them living in population, where they'd have more opportunity to figure out some breach of security."

Cell conditions

In describing Wallace and Woodfox's situation, Cain doesn't like the term "solitary confinement," a condition he says doesn't exist at Angola. As was the case with Wilkerson, while under lockdown Wallace and Woodfox are in single cells but are surrounded by people, not shut in the anachronistic "hole." They can watch television from their cells, they have library books delivered and they can smoke.

"They use this term all the time to try and get public sympathy," Cain said. "The next thing they're going to say is bread and water. They're eating good. They get fried chicken once or twice a week. They get pork chops once or twice a week, and they have dessert on their tray."

Cain said the focus should be on the inmates' criminal records. He cited Woodfox's daring escape in 1969 from Orleans Parish Criminal District Court, when someone slipped the 22-year-old a gun in the hallway and he handcuffed a group of people inside an elevator before fleeing to New York. Wallace escaped from Orleans Parish Prison at least twice about the same time period and was finally caught in 1971.

In recent years, Wallace and Woodfox have broken prison rules and ended up spending time at Camp J, the punitive cell blocks reserved for "the worst of the worst," prison officials said.

Today, Woodfox is among the 87 inmates housed at the prison's restricted closed-cell area. For an hour each day, he may walk along the tier for exercise and a shower. Three times a week, weather permitting, he may spend the hour outside in the "yard," a fenced-in space that resembles a cage with a grass floor.

On April 11, Wallace was moved from the closed-cell area to Camp J. During a search of his cell, officers had found a small piece of metal, hidden inside a Magic Marker, that could be used to open handcuffs, according to the prison.

Wallace will spend at least six months at Camp J, where 400 inmates, some of whom have raped or attacked others with weapons, live in single cells for having broken prison rules. Neither TV nor smoking are allowed. At Camp J, when an inmate gets his yard time, he is handcuffed.

Two of 'Angola Three' counting days still; Guard's killing brings 3 decades of lockdown Times-Picayune (New Orleans, LA) May 2, 2002 Thursday Correction Appended

No forgetting

Wilkerson calls Wallace and Woodfox his comrades, and his Mid-City home is decorated with a "Free the Angola 3 Now" banner and photographs of Black Panther leaders. Above the mantel is the famous shot of Panthers leader Bobby Seale seated in a wicker chair and holding a rifle.

He recalled rising each morning while at Angola and, in spite of the bars and concrete separating them, beginning a series of exercise drills with Wallace and Woodfox.

"We did that for years and years and years," Wilkerson said. "There were days I got up at 4:30 a.m. or 5. You have to work at it. It requires discipline."

Wilkerson had arrived at Angola after Brent Miller's killing with a 35-year sentence for armed robbery. As another Black Panther from New Orleans, he was immediately placed under lockdown. By 1975, he was convicted in an inmate's murder based on a prison informant's testimony and was given life without parole. There was no physical evidence linking him to inmate August Kelly's death.

Prison conditions were brutal, Wilkerson said, and the Panthers at Angola organized in an effort to protect young inmates from being raped and to improve inmate life.

"It was uniquely backward," he said, adding that racial equality didn't exist and that neither did any understanding of the Panther movement by white guards. "We were intruding on their traditions."

While under lockdown at Angola, Wilkerson spent hours reading, writing and at times simply thinking, a form of meditation, he says now. "I escaped in my thoughts, if you want to call it that," he said.

After years of appeals and a plea deal with prosecutors that ensured his freedom, he left Angola on Feb. 8, 2001.

Now 59, he devotes most of his time to social activism. Last week he embarked on a speaking tour of Europe, where he will talk about American prisons.

At the court hearing that gave him his freedom, Wilkerson said he made one last quiet act of defiance. When instructed by the judge to raise his right hand, the former Panther lifted his left as he agreed to the terms of the plea.

Worldwide support

In Miller's murder, four inmates -- including Wallace and Woodfox -- were originally indicted but at a 1974 trial, one man pleaded guilty to manslaughter and testified for the state. Another was acquitted, and Wallace was convicted of murder.

Woodfox had been convicted of the murder a year earlier. He won a second trial, but a jury convicted him again in 1998. At the time, Miller's brother said the verdict was "like an early Christmas present to the family."

A bloody fingerprint found on a dormitory door near Miller's body was never linked to any of the four defendants. One inmate-turned-star-witness was given a carton of cigarettes a week and a good word to the pardon board for his testimony, an internal prison memo shows. Hezekiah Brown, a convicted rapist once serving life, was released from Angola in the late 1980s but had died before Woodfox's second trial.

Wallace and Woodfox have found support worldwide, their story retold on Web sites such as prisonactivist.org. Anita Roddick, founder of The Body Shop retail chain, has posted an article about the three on her Web site, complete with addresses and directions for sending donations to their legal defense fund and their prison bank accounts.

Closer to home, the landmark Falstaff Beer factory across from Orleans Parish Criminal District Court was recently

Two of 'Angola Three' counting days still; Guard's killing brings 3 decades of lockdown Times-Picayune (New Orleans, LA) May 2, 2002 Thursday Correction Appended

painted with "Free the Angola 3" near its rooftop, in letters big enough to be seen for miles.

The prison to this day is trying to make an example out of Wallace and Woodfox, their advocates say. "Back in that time, when Angola was an example of one of the most obscenely brutal prisons probably in the world, these men were the leading organizers among the prisoners trying to change their conditions," said Scott Fleming, a lawyer in Oakland, Calif., who is working on Wallace's appeal.

Down on 'the farm'

Brent Miller, a young man from West Feliciana Parish, was part of the Angola tradition of families going to work at the prison, known by many simply as "the farm." His father worked at Angola, and at least one brother still does, along with other relatives.

Miller was the first guard murdered at Angola in 30 years. Another wouldn't be killed there until December 1999, when officer David Knapps was beaten to death with a hammer by inmates who tried to escape.

In an essay published on prisonactivist.org, Wallace argues that the prison paints Miller as a martyr.

"Miller, like all the rest of the security working here, was a hard-core racist," Wallace wrote. "These people were born and bred here on the farm, where their sons and son's sons inherited jobs and positions."

Miller's family didn't want to comment for this story, said his brother Stan Miller. It seemed best to stay out of the legal fray, he said, because he works for the state.

Like many victims' families, there are prison officers who speak about Miller's murder as if little time had passed.

"Any victim of crime is wounded for life," Cain said. "It doesn't mean we don't professionally do our jobs and professionally go on."

Gwen Filosa can be reached at

gfilosa@timespicayune.com or (504) 826-3304.

LOAD-DATE: May 3, 2002

LANGUAGE: ENGLISH

CORRECTION-DATE: May 2, 2002

CORRECTION:

Panther misidentified: Thursday's article about the "Angola Three" incorrectly identified the Black Panther leader pictured on a poster in one former inmate's home. The poster shows Huey Newton.

(Friday, May 3, 2002)

GRAPHIC: STAFF FILE PHOTO BY KATHY ANDERSON Robert 'King' Wilkerson was released from Angola last year after spending 29 years in lockdown, convicted in the killing of an inmate. He is one of a trio who became known as the Angola Three, a cause celebre for civil rights activists who three decades later still consider them political prisoners, framed for jailhouse crimes during a period of racial unrest. [49060] Herman Wallace In April, marked with

Two of 'Angola Three' counting days still; Guard's killing brings 3 decades of lockdown Times-Picayune (New Orleans, LA) May 2, 2002 Thursday Correction Appended

Albert Woodfox 30 years of solitary confinement at Angola

Copyright 2002 The Times-Picayune Publishing Company

27 of 29 DOCUMENTS

In These Times

April 29, 2002

Political Prisoners

BYLINE: By Kari Lydersen

SECTION: NEWS; In Person; Pg. 8

LENGTH: 811 words

At 59 years old, Robert King Wilkerson has spent most of his life -- 43 years -- behind bars.

Wilkerson organized for better conditions at Angola State Penitentiary during the '70s with his compatriots Albert Woodfox and Herman Wallace. All three had been imprisoned on robbery convictions and were members of the only official prison chapter of the Black Panther Party, started at Angola by Woodfox and Wallace in 1971. Angola, an 18,000-acre former slave plantation, was considered the most brutal penitentiary in the country at the time.

As a result of their organizing, supporters say, the Angola Three spent almost 30 years in Angola's version of solitary confinement, Closed Cell Restricted, in which inmates are kept in their cells for 23 hours a day. Wilkerson was released from Angola last year on a plea bargain after a favorable U.S. District Court of Appeals ruling indicated he was on a path to eventual release; Wallace and Woodfox are still in solitary confinement at Angola.

The ACLU, which has filed a lawsuit charging cruel and unusual punishment on behalf of the three men, says it is the longest such confinement in U.S. history. "The reason they put them in solitary is that they were Black Panthers," says Jed Stone, a civil rights lawyer who has worked on the case. "They didn't want the Black Panther Party in the general population of the prison."

Even from their solitary cells, the Angola Three organized to stop prisoner rape and worked to improve race relations between inmates. They carried out hunger strikes of 30 days or more demanding better conditions, and won a court ruling granting them yard privileges, which had previously been denied.

The three also staged a protest over the mandatory rectal searches performed each time they called their lawyers. "They would take you out in handcuffs and shackles and watch you the whole time, and then they'd still force you to undress and do the examination," Wilkerson says. "We said it was akin to slavery."

Wilkerson involvement in hunger strikes led him to spend separate stints of one and two years in the dreaded "Camp G" punitive unit, where prisoners were sequestered without light, heat, toilet facilities or even a mattress or blanket.

Wallace and Woodfox were convicted of the 1972 murder of a prison guard, and, in 1973, Wilkerson was convicted of the murder of another inmate. In both cases, according to the ACLU and prison records, the convictions were based entirely on the testimony of other prison inmates, all of whom were either paid or threatened into testifying, and no physical evidence linked them to the crimes. All three men were sentenced to life without parole, in addition to their original sentences.

According to prison records, Hezekiah Brown testified against Woodfox and Wallace in the 1971 trial in exchange for a carton of cigarettes per week and cash bribes. In Wilkerson's case, Grady Brewer, his co-defendant in the original 1973 trial, testified in 1997 that he alone had killed inmate August Kelly. Wilkerson was told by prison officials in periodic reviews that he remained in solitary because he was "under investigation." He never knew why. In the '70s, a review panel accidentally revealed that he had been under investigation for the murder of the same guard Wallace and Woodfox were convicted of killing in 1972 -- even though it happened several days before his arrival at Angola.

In the mid-'90s, a federal panel granted Wilkerson a new trial and appointed Chris Aberle as his lawyer. Eventually, the court ruled that there was significant evidence of innocence in Wilkerson's case, but no constitutional violations, which would have been necessary to secure his release. After much legal wrangling, Aberle worked out a plea bargain for Wilkerson's release. "I didn't want to accept it because I am innocent," Wilkerson says, "but at the urging of Albert and Herman and my supporters, I decided to."

On February 8, 2001, Wilkerson walked out a free man. But, he says, "Angola will never be free of me." He has dedicated himself to traveling the country, even the world, advocating for prisoners' rights and for those he left behind. In Chicago, at an event at the King Solomon's Mines Rastafarian cultural center, he met Fred Hampton Jr. and Akua Njeri, son and widow of murdered Black Panther Fred Hampton.

"As far as I'm concerned, we aren't former members of the Black Panthers, we are Black Panthers," he says. "I'll spend the rest of my time on this planet in this struggle. There are so many more wrongfully incarcerated at Angola and around the country. First it's free the Angola Three, then the Angola 30, then the Angola 300, then the Angola 3,000."

The ACLU case is still making its way through the courts. On April 17, Wallace and Woodfox will mark 30 years in solitary confinement.

LOAD-DATE: April 11, 2002

LANGUAGE: ENGLISH

GRAPHIC: Picture, Robert King Wilkerson with Fred Hampton Jr. and Akua Njeri at a benefit in Chicago.

29 of 29 DOCUMENTS

University Wire

March 1, 2002

Former Black Panther recounts prison time to U. Texas students

BYLINE: By Courtney Morris, Daily Texan

SOURCE: U. Texas-Austin

LENGTH: 749 words

DATELINE: Austin, Texas

A former Black Panther offered University of Texas students a different perspective on U.S. history Thursday as he recounted his experience as a political prisoner.

Robert King, along with Albert Woodfox and Herman Wallace, was a member of the Angola 3 -- three Black Panther Party members accused of crimes that took place inside the Louisiana State Penitentiary at Angola. King was convicted of the 1973 murder of an Angola prisoner even though another prisoner had admitted to the crime and was also convicted of the murder.

King was released at the age of 58 on Feb. 8, 2001. He pledged, however, to continue to fight for the freedom of his two friends.

A New Orleans native, King first learned of the Black Panther Party in 1970 while being held in the New Orleans Detention Center. King became intrigued by a news broadcast reporting that the BPP was barricading a New Orleans housing project against the police. Fascinated by its actions, he sought to learn more about the party.

"I wanted to see who those people were," King said. "That was something that was really unprecedented."

After he was sent to Angola in 1970 for robbery, King joined the BPP chapter that had been established at the prison by Woodfox and Wallace. Because of their political involvement in the chapter, the three men were targeted by Angola officials, King said.

Such targeting was not unusual, he said, since the federal government infiltrated and neutralized radical groups throughout the 1960s and 1970s.

King said young people today remain unaware of that period in the nation's past and do not work to raise their consciousness.

"So much goes on inside this society that happens that people allow themselves to be camouflaged. They insulate themselves against what really was not so long ago," King said. "This is something young people in this society really don't know. This is the sort of history that they are unfamiliar with, and for some reason, they really do not want to familiarize themselves with it. But you know that old saying, 'If you don't understand the past, you're doomed to make that mistake in the future.'"

King said young people need to educate themselves about their heritage to overcome obstacles they may face in

society.

"Young people need to seek out their true identity, their true nature, the true nature of this society," he said. "That would be a mistake if they don't get this history, dissect from the past to the present to the future."

The past, however, continues to impact activists like the Angola 3.

"The worst thing about it is that a lot of people who were victims of this domestic terror by the government remain victims," King said. "My two comrades, Herman and Albert ... dared to struggle while they were in prison. If you were outside

[prison], J. Edgar Hoover and the FBI, they [would] kill you. They [would] incriminate you, frame you by any means necessary. If you were already in [prison], they'll find a way to keep you in there, and that's what they did to my two comrades, and that's what they did to me."

He said the government attempted to quell the influence of the BPP but that the party's legacy lives in various government programs such as free breakfast and lunch programs and improved public health care services.

Now, 30 years after King's initial incarceration, the United States has come full circle regarding civil rights issues, but black Americans face greater challenges, he said.

Andre Lancaster, a member of African Americans for Radical Organizing, a co-sponsor for the talk, said it was important to bring the experiences of political prisoners into higher education.

"As we talk about racial profiling, this war on terror -- which has turned out to be a domestic war on people of color -- we need to look at the past ... and critique it and make it applicable for today."

Omar Kashmiri, director of the UT chapter of Amnesty International, which co-sponsored the event, said King's experience reflects the state of the prison system today.

"I think he's definitely a testament to the problems the prison system in America has today," Kashmiri said. "It's a chance to hear the horror stories and see how they can be a catalyst for change."

The talk was also sponsored by the Center for African and African American Studies and the University Green Party.

King will speak at 6:30 p.m. today at the Center for Mexican American Cultural Arts, at 600 River St.

(C) 2002 Daily Texan via U-WIRE

LOAD-DATE: March 1, 2002

LANGUAGE: ENGLISH

Copyright 2002 Daily Texan via U-Wire