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Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2015/06/08/federal-judge-orders-angola-3s-albert-woodfox-unconditionally-released-after-43-years-in-solitary-confinement/>

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by [Jean Casella and James Ridgeway](#) | June 8, 2015

Update, June 12, 4:30 pm: The 5th Circuit Court of Appeals has decided to continue the stay and block release until the State of Louisianas appeal is heard, but they have also granted an expedited status for the appeal. Final legal briefs are due August 7, so nearlytwo more months will pass before Albert Woodfox knows if and when he will be freed.

Update, June 9, 8:00 pm: A three-judge panel from the U.S. Fifth Circuit Court of Appeals has issued a stay that will keep Albert Woodfox in prison until 1 pm on Friday,unless this order is vacated, or renewed indefinitely or to a time certain, by this panel. Woodfoxs attorneys willappeal the stay.

The staycomes in response to an appeal mounted today by Louisiana Attorney General Buddy Caldwell, who wants to keep Woodfox behind bars and try him for a third time, rather than releasing him immediately, as ordered yesterday by a Federal District Court judge.

This afternoon, a federal judge in Louisiana issued an [unconditional writ of habeas corpus](#), ordering the immediate release of the Angola 3s Albert Woodfox and barring a retrial. He could be released within hours or days after more than 43 years in solitary confinement.

According to Tory Pegram, Campaign Coordinator for the International Coalition to Free the Angola 3, Judge James Brady of the Federal District Court in Baton Rouge argues that this extraordinary remedy is merited due to the following 5 factors: Mr. Woodfoxs age and poor health, his limited ability to present a defense at a third trial in light of the unavailability of witnesses, this Courts lack of confidence in the State to provide a fair third trial, the prejudice done onto Mr. Woodfox by spending over forty-years in solitary confinement, and finally the very fact that Mr. Woodfox has already been tried twice and would otherwise face his third trial for a crime that occurred over forty years ago.

Woodfox has been held in solitary confinement since 1972 for the murder of corrections officer Brent Miller at the Louisiana State Penitentiary at Angola. Many believe that he and the other two members of the so-called Angola 3 were targeted for the crime, and subsequently held in isolation, not because of the evidence but because of their involvement in the prisons chapter of the Black Panther Party.

Woodfox is the only member of the Angola 3 to remain in prison. Robert King was freed in 2001, following 29 years in solitary, after his original conviction for a separate prison murder was overturned. Herman Wallace, whose convictionfor Brent Millers murderhad also been overturned, died last year after more than 41 years in solitary and a few days of freedom.

In 2013 Judge Brady also vacated Woodfoxs conviction on the grounds that there had beenracial bias in the selection of grand jury forepersons inLouisiana at the time of his indictment.Last November, the Fifth Circuit, considered one of the nations most conservative Federal Appeals Courts, voted to upholdBradys ruling.

The man most likely to abhor Judge Bradys ruling today isLouisiana Attorney General James Buddy Caldwell. Caldwell has called Woodfox, now 68 years old, [the most dangerous man on the planet](#) due to his political convictions. More recently, when Woodfoxs conviction was overturned last year, Caldwell[immediately vowed to appeal](#), saying: We feel confident that we will again prevail at the Fifth Circuit Court of Appeals. However, if we do not, we are fully prepared and willing to retry this murderer again.

Caldwell asserts that the evidence against Woodfoxisoverpowering: There are no flaws in our evidence and this case is very strong, he said last year. Thesestatements belie the fact that much of the evidence that led to Wallace and Woodfoxs conviction has since been called into question. In particular, the primary eyewitness was shown to have been bribed by prison officials into making statements against the two men. Solitary Watchs James Ridgeway first wrote about the Woodfox case in2009 in [Mother Jones](#), providing a comprehensive history and analysis, as well as an account of the conditions in which Woodfox has lived for four decades.

Woodfoxs conditions of confinement have if anything deteriorated in the last five years: He was moved from Angola to David Wade Correctional Center in north centralLouisiana, where,[according to a separate lawsuit](#), he faces multiple daily strip searches and visual

body cavity searches. Woodfox, along with Robert King and the estate of Herman Wallace, is also plaintiff in a [major federal lawsuit](#) challenging his decades in solitary on First, Eighth, and Fourteenth Amendment grounds. That suit may also finally come to trial this year.



James Ridgeway (1936-2021) was the founder and co-director of Solitary Watch. An investigative journalist for over 60 years, he served as Washington Correspondent for the Village Voice and Mother Jones, reporting domestically on subjects ranging from electoral politics to corporate malfeasance to the rise of the racist far-right, and abroad from Central America, Northern Ireland, Eastern Europe, Haiti, and the former Yugoslavia. Earlier, he wrote for The New Republic and Ramparts, and his work appeared in dozens of other publications. He was the co-director of two films and author of 20 books, including a forthcoming posthumous edition of his groundbreaking 1991 work on the far right, Blood in the Face. Jean Casella is the director of Solitary Watch. She has also published work in The Guardian, The Nation, and Mother Jones, and is co-editor of the book Hell Is a Very Small Place: Voices from Solitary Confinement. She has received a Soros Justice Media Fellowship and an Alicia Patterson Fellowship. She tweets @solitarywatch.

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So sad that some form of justice, and I use the term loosely, is starting to come to this poor man who has spent an entire lifetime in solitary confinement. Reading this article, I realized Mr. Woodfox was placed in solitary confinement the year I was born. 42 years ago they have wrongfully imprisoned this man in solitary for 4 decades. Utterly appalling that the prosecutor, Caldwell, is still so evil and full of hatred. Must be the guilt he should be riddled with after all these years knowing he wrongfully fought to imprison these men. And now, at 68 years old, in poor health, they are going to finally exonerate Woodfox, and set him free? This glint of justice comes sorely too late if you ask me. Shame on you, Louisiana, shame on you.

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I am overjoyed!! I shared this far and wide.

That's a lot of hate to spend that much money and time messing with one guy for over 40 years.

Yes. times it appears pure evil manifests itself in human hate-many examples. Mr. Woodfox will be confused and in need of comfort and care after his ordeal, I sincerely hope he gets it. Bless.

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