

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2016/02/19/breaking-news-angola-3s-albert-woodfox-just-released-from-prison-after-43-years-in-solitary-confinement/>

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by [Jean Casella and James Ridgeway](#) | February 19, 2016

The following statement was released by the International Campaign to Free the Angola 3 at 2:10 pm Eastern time:

Just moments ago, Albert Woodfox, the last remaining member of the Angola 3 still behind bars, was released from prison 43 years and 10 months after he was first put in a 69 foot solitary cell for a crime he did not commit. After decades of costly litigation, Louisiana State officials have at last acted in the interest of justice and [reached an agreement that brings a long overdue end to this nightmare](#). Albert has maintained his innocence at every step, and today, on his 69th birthday, he will finally begin a new phase of his life as a free man.

In anticipation of his release this morning, Albert thanked his many supporters and added: Although I was looking forward to proving my innocence at a new trial, concerns about my health and my age have caused me to resolve this case now and obtain my release with this no-contest plea to lesser charges. I hope the events of today will bring closure to many.

Over the course of the past four decades, Albert's conviction was overturned three separate times for a host of constitutional violations including prosecutorial misconduct, inadequate defense, racial discrimination in the selection of the grand jury foreperson, and suppression of exculpatory evidence. On June 8th, 2015, Federal Judge James Brady [ordered Albert's immediate release and barred the State from retrying Albert](#), an extraordinary ruling that he called the only just remedy. A divided panel of the 5th Circuit Court of appeals [reversed that order in November with the dissenting Judge arguing](#) that if ever a case justifiably could be considered to present exceptional circumstances barring re-prosecution, this is that case. That [ruling was on appeal to the U.S. Supreme Court](#) when news of his release broke.

On behalf of the Angola 3 Albert Woodfox, Robert King, and in memory of Herman Wallace we would like to sincerely thank all the organizations, activists, artists, legal experts, and other individuals who have so graciously given their time and talent to the Angola 3s extraordinary struggle for justice. This victory belongs to all of us and should motivate us to stand up and demand even more fervently that long-term solitary confinement be abolished, and all the innocent and wrongfully incarcerated be freed.

[su\_vimeo url=https://vimeo.com/156037484]

### Albert Woodfox, Longest-Serving Solitary Confinement Prisoner, to be Freed from Prison After Four Decades

*Statements from Albert Woodfox One of the Angola 3 and Attorneys George Kendall and Katherine Kimpel*

February 19, 2016, West Feliciana, LA Albert Woodfox, who spent more time in solitary confinement than any prisoner in U.S. history, will be released this afternoon from custody after more than four decades in the Louisiana prison system. Mr. Woodfox, who turned 69 today, continues to maintain his innocence for the murder that sent him to solitary confinement for more than four decades. He pled no contest to two lesser crimes before being set free.

I want to thank my brother Michel for sticking with me all these years, and Robert King, who wrongly spent nearly 30 years in solitary. I could not have survived without their courageous support, along with the support of my dear friend Herman Wallace, who passed away in 2013, said Mr. Woodfox. I also wish to thank the many members of the International Coalition to Free the Angola 3, Amnesty International, and the Roddick Foundation, all of whom supported me through this long struggle. Lastly, I thank William Sothern, Rob McDuff and my lawyers at Squire Patton Boggs and Sanford Heisler Kimpel for never giving up. Although I was looking forward to proving my innocence at a new trial, concerns about my health and my age have caused me to resolve this case now and obtain my release with this no-contest plea to lesser charges. I hope the events of today will bring closure to many.

The extreme and cruel solitary confinement endured by Mr. Woodfox and his fellow prisoners, Herman Wallace and Robert King, known as the Angola 3, drew international condemnation. The unnecessary and inhumane use of solitary confinement was particularly stark in light of Mr. Woodfox's exemplary conduct record for decades. In fact, in the midst of litigation, the Wardens of both institutions where Mr. Woodfox was held in solitary confinement admitted that he had exemplary conduct records.

Although we are overjoyed that Albert Woodfox is finally free, it is indefensible he was forced to endure decade after decade in harsh solitary confinement conditions, longer than any prisoner in the history of the United States, stated George Kendall, attorney with Squire Patton Boggs, LLP. Albert survived the extreme and cruel punishment of 40 plus years in solitary confinement only because of his extraordinary strength and character. These inhumane practices must stop. We hope the Louisiana Department of Corrections will reform and greatly limit its use of solitary confinement as have an increasing number of jurisdictions around the country.

Mr. Woodfox and Mr. King, along with Mr. Wallace, brought a civil lawsuit in 2000, challenging the constitutionality of the State of Louisianas use of indefinite solitary confinement. Mr. Woodfox and Mr. King confirmed that a primary goal of the ongoing litigation is to help bring light to the fact that there is no penological justification for how the State of Louisiana currently uses solitary confinement and to create incentives for reform. As Mr. Woodfox explained, I can now direct all my efforts to ending the barbarous use of solitary confinement and will continue my work on that issue here in the free world.

Their case, which is pending, is supported by extensive reports from two nationally-recognized corrections experts. Those most recent experts reports, from 2015, are publicly available and include extensive detail about the State systems failings (<http://bit.ly/1PUqjiG>; <http://bit.ly/1oNAfUv>). As a federal judge wrote, the extreme length of Mr. Wallaces and Mr. Woodfoxs solitary confinement was so far beyond the pale that this Court has not found anything even remotely comparable in the annals of American jurisprudence. See *Wilkerson v. Stalder*, No. 00-304 (M.D. La. Feb. 1, 2005) (Doc. No. 105 at 21).

It is past time for our nation to leave behind its shameful legacy of being one of the only developed countries in the world that still relies so heavily on the outdated and ineffective corrections practice of indefinite solitary confinement, commented Katherine Kimpel, partner at Sanford Heisler Kimpel, LLP. That Albert Woodfox served over four decades in solitary confinement shocks the conscience and is a national embarrassment. We should take advantage of the growing national consensus regarding corrections reform to ensure that, if our society were to be judged by entering our prisons, we would not be found lacking.

Attorneys for Mr. Woodfox said he will now be able to receive the medical attention he desperately needs.

If you would like to speak with attorneys for Mr. Woodfox or leading experts on solitary confinement conditions and reform, please contact Laura Burstein or Jamie Moss at [Laura.Burstein@Squirepb.com](mailto:Laura.Burstein@Squirepb.com), [202-626-6868](tel:202-626-6868) (o), [202-669-3411](tel:202-669-3411) (c); or [jamie@newspros.com](mailto:jamie@newspros.com), [201-788-0142](tel:201-788-0142).

### **Angola 3 Case Background**

In 1972, Brent Miller, a young, white guard at Angola prison, was killed. At a time when Angola prison was highly racially polarized, investigators eventually honed in on four suspects who were politically active Black Panthers. Albert Woodfox and Herman Wallace were two of those men. No forensic or physical evidence linked Mr. Woodfox or Mr. Wallace to the crime, the fingerprints found at the scene, or the bloody knife found nearby. Several alibi witnesses placed both men in different parts of the prison and away from the scene of the crime at the time of the murder.

Mr. Woodfox was originally convicted in 1973 of the murder solely on the testimony of three inmate witnesses.

However, as Mr. Woodfox learned decades after his original trial, these inmates were provided attractive incentives by the prison officials for their testimony, including promises of improved housing and a pardon. State officials also suppressed inconsistent statements by these witnesses.

Eventually, Mr. Woodfoxs 1973 conviction was overturned because of discrimination in the selection of the grand jury that indicted him. He was retried in 1998. Despite the fact that two of the States three inmate witnesses had died, and despite the fact that they never were adequately cross-examined because of evidence hidden by prison officials, their transcripts from the prior trial were admitted into evidence and Mr. Woodfox was again convicted.

After many years of appeals, his 1998 conviction was set aside in later 2014 and he was recharged in 2015. His lawyers waged a vigorous campaign to exclude from any new trial the prior testimony of the deceased witnesses who never were adequately cross-examined. However, both the trial judge and the First Circuit Court of Appeal in Louisiana denied those motions, meaning that the prior statements would again be used against Mr. Woodfox at a new trial.

Although Mr. Woodfox and his legal team remained optimistic about the possibility for an acquittal at a new trial, concerns about Mr. Woodfoxs health mounted as he approached his 69th birthday. Mr. Woodfox decided to bring the case to a conclusion with todays action. His plea of nolo contendere or no contest to two lesser charges is not an admission of guilt. It means simply that he does not contest that the State would present evidence at a new trial from witnesses who said he committed this crime. Mr. Woodfox continues, as he always has, to maintain his innocence.

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.

Accurate information and authentic storytelling can serve as powerful antidotes to ignorance and injustice. We have helped generate public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

Only with your support can we continue this groundbreaking work, shining light into the darkest corners of the U.S. criminal punishment system.

by [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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this is outrageous that in America a man can spend more than 40 years in solitary confinement. this is supposed to be the land of the free but there seems to be such a lack of understanding that all humans have basic rights. it is outrageous how popular solitary confinement in this country has become and as a nation and society we have to demand that such torture ends. it is not punishment, it literally drives men mad. it is state sanctioned torture and there are thousands of men in our country who are being driven to insanity by these conditions. it needs to stop.

how many hundreds of millions will he receive, please God?

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