

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2013/10/01/41-years-solitary-dying-herman-wallace-conviction-overturned/>

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by [Jean Casella and James Ridgeway](#) | October 1, 2013

**Update, 10/4/15, 10 am:** Herman Wallace died early this morning, a free man. He was 71 years old.

In a [long article](#) we wrote in 2006 on Herman Wallace and his case, we ended with a quote from a letter he wrote to Jackie Sumell: Im often asked what did I come to prison for; and now that I think about it Jackie, it doesnt matter. It doesnt matter what I came here for, what matters now is what I leave with. And I can assure you, however I leave, I wont leave nothing behind.

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**Update, 10/2/13, 7 pm:** The latest details on Herman Wallaces release and his condition can be found on [Democracy Now!](#) and the [BBC World Service](#) (featuring an interview with Solitary Watch).

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**Update, 10 pm:** Angola 3 News reports that Herman Wallace is free from solitary and from prison:

Even after [Judge Jacksons late evening ruling](#) denying the States attempt at a stay and again ordering his immediate release, the State continued to stall. Once notified of the continued delay, Judge Jackson stoically refused to leave his quarters until Herman was released, and just minutes ago, Herman was driven away from the prison a free man, awake and able to revel in this miraculous turn of events. The State will likely still appeal to the 5th Circuit and attempt to have the order reversed, and may even re-indict him, but it seems that Herman, against all odds, has won.

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Following is the full text of a news release, Dying Angola 3 Prisoner Wins Full Habeas Relief After 41 Years; Federal Judge Orders His Immediate Release, issued by advocates for Herman Wallace. A post on [Angola 3 News](#) states: We pray that Herman can still hear this all-important decision that hes waited these four decades for. Albert Woodfox and Robert King are meeting at the prison this morning to say their farewells and will instead have this amazing news to share with Herman and maybe even be able to take him home.

Today, Judge Brian A. Jackson, Chief Judge of the United States District Court for the Middle District of Louisiana ruled in favor of Herman Wallace, granting full habeas relief and ordering him a new trial. Judge Jackson further ordered that the State immediately release Mr. Wallace from custody.

Mr. Wallace, one of the Angola 3, who is dying of liver cancer, served over forty years in solitary confinement conditions in Louisiana prisons.

Judge Jackson overturned Mr. Wallaces conviction due to an improperly chosen grand jury that excluded women jurors in violation of the Fourteenth Amendment. Judge Jacksons ruling can be accessed here: <http://bit.ly/1bqlz1K>

**Following is a statement from Herman Wallaces legal team:**

With todays ruling, at long last, Herman Wallace has been afforded some measure of justice after a lifetime of injustice. We ask that the Department of Corrections honor Judge Jacksons order and immediately release Herman Wallace so that he can spend his final days as a free man.

In addition, litigation challenging Mr. Wallaces unconstitutional confinement in solitary confinement for four decades will continue in his name. It is Mr. Wallaces hope that this litigation will help ensure that others, including his lifelong friend and fellow Angola 3 member, Albert Woodfox, do not continue to suffer such cruel and unusual confinement even after Mr. Wallace is gone.

Herman Wallaces Legal Team, October 1, 2013

## **Background on Herman Wallace case**

Herman Wallace, a member of the Angola 3 was held in solitary confinement conditions in Louisiana prisons for over forty years, despite his strong claims of innocence for the 1972 murder of a prison guard in Angola prison. Mr. Wallace has fought his unconstitutional conviction for decades, and is supported by four alibi witnesses who place him in another part of the prison when the tragic murder occurred.

Mr. Wallaces federal habeas petition was filed almost four years ago, and briefing was complete two years ago in the case. Today's ruling mandates a new trial in the case, but Mr. Wallace is bedridden and dying of advanced liver cancer. It's time for Louisiana to immediately release this 72-year old man with terminal liver cancer on bail so that he can receive proper medical care as his attorneys prepare for his new trial.

## **An Unfair Trial: Inadequate Counsel and Evidence Unconstitutionally Suppressed for 25 Years**

In 1972, Brent Miller, a well-loved, young, white guard at Angola prison, was killed. At a time when the prison was highly racially polarized, corrections officers quickly honed in on four suspects who were politically active Black Panthers. In addition to Albert Woodfox, Herman Wallace was one of these men. As with Woodfox, there was no forensic or physical evidence against Mr. Wallace; he was convicted solely on the testimony of four inmate witnesses. Each of these witnesses gave statements inconsistent with their testimony. And, as Mr. Wallace learned decades later, these inmates were provided incentives by the State for their testimony.

For 26 years, the state unconstitutionally suppressed the deals it made with its witnesses in this case, including promises of improved housing and a pardon. The state also suppressed inconsistent statements by these witnesses, which would have been powerful evidence for the defense. Without the credibility of these witnesses, the state does not have a case against Mr. Wallace.

There was a bloody fingerprint and other prints at the crime scene, but none of these matched any of the men prosecuted for the murder of Mr. Miller. Prison officials have declined to test the prints against the 1972 prison population to determine who left them at the crime.

Mr. Wallaces 3-day trial was fundamentally unfair. His attorney represented Mr. Wallace and two co-defendants, one of whom turned states evidence and witness against Mr. Wallace mid-trial, forcing Mr. Wallaces attorney to cross-examine his own client, with no advanced notice. The attorney later admitted he had no reason not to move for a mistrial but failed to do so out of shock and confusion. The attorney did such a poor job that he failed to even file an appeal when Mr. Wallace was found guilty and sentenced to life in prison for murder.

## **Justice Delayed: Mr. Wallaces Habeas Petition Languishes With The Courts**

Sixteen years after his original trial, Mr. Wallace obtained permission to file his own appeal pro se, which made its way through the Louisiana courts for 19 years. Though his appeals were summarily dismissed with a word or a sentence, there has never been a written opinion explaining why the facts and the law do not require a new trial in this case. However, dissenting judges (and the state court Commissioner) have written in detail to explain that the serious constitutional deficiencies in his trial require that Mr. Wallaces conviction be overturned.

Four years after it was filed, Mr. Wallaces habeas petition won full relief today from a federal court judge. Due to Mr. Wallaces failing health, it is urgent that the court grant him bail immediately.

## **Extreme Punishment: Mr. Wallaces Solitary Confinement and Health**

In addition to his wrongful conviction and life sentence, Mr. Wallace was additionally punished by prison officials, who kept him in solitary confinement conditions for over forty years, despite decades of exemplary behavior. The extreme duration of solitary confinement in the case of three men, including Mr. Wallace, has drawn international condemnation of the treatment of the Angola 3.

As one judge wrote, the extreme length of Mr. Wallaces solitary confinement was so far beyond the pale that this Court has not found anything even remotely comparable in the annals of American jurisprudence. *Wilkerson v. Stalder*, 00-Civ-304 (M.D.La)

Cruelly, prison officials also neglected to provide basic health care, including monitoring Mr. Wallace for liver cancer, which he was known to be at risk of developing. Liver cancer is treatable if caught in a timely way.

In summer 2013, after Mr. Wallace lost 40 50 pounds, he was given a medical assessment and found to have advanced and terminal liver cancer. Even after this diagnosis, it took over a month for Mr. Wallace to get chemotherapy treatment. That's why an oncologist and a specialist in internal medicine and geriatric patients have submitted sworn affidavits recommending that Mr. Wallace should be immediately released for medical reasons, so that he can receive adequate medical and palliative care.

## **Justice for Mr. Wallace Means Release, and Swift Consideration of His Pending Meritorious Claims**

Mr. Wallaces 1974 trial was unfair and unconstitutional, with illegally suppressed evidence that would have cast doubt on the states only evidence against him four witnesses with undisclosed motives to testify, at least one of whom has recanted his testimony entirely in a sworn affidavit. Mr. Wallaces pending habeas petition offers the court the opportunity to address this egregious miscarriage of justice.

For decades Mr. Wallace has endured the torture of solitary confinement and has fought for the opportunity to present his case in court showing his innocence. At this time, Mr. Wallace is in poor health, with liver cancer. The state should release him on bail so he may receive adequate medical care.

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

Solitary Watch encourages comments and welcomes a range of ideas, opinions, debates, and respectful disagreement. We do not allow name-calling, bullying, cursing, or personal attacks of any kind. Any embedded links should be to information relevant to the conversation. Comments that violate these guidelines will be removed, and repeat offenders will be blocked. Thank you for your cooperation.

That smarmy prison guard who was posting here is gone. ;=)  
and he took all his %^&\*&# remarks with him.  
Looks like this forum might be making some kind of impact.  
More such similar discussions are desperately needed everywhere!

The Iranian authorities currently hold at least 10 women and men who face possible execution by stoning on adultery charges.

Now that is something the spouse may wish on the adulterer but the state?

As for our death penalty.

I have posted several statistics that having grown up in L.A. I found alarming.

Here is one I posted on this site addressed to an advocate for increasing the number of death sentences carried out in order to reduce the number of inmates held in solitary.

<http://solitarywatch.com/2012/09/11/total-isolation-solitary-confinement-in-oregon/#comment-13863>

You are absolutely right. Improvement is needed everywhere.

@Avera

Now I have a lot of respect for Iranian culture and I love the food but they are not big on human rights either.

You said that you don't read CNN so you may have missed this recent article.

[http://www.cnn.com/2013/10/17/world/meast/iran-execution-survivor/index.html?hpt=hp\\_t3](http://www.cnn.com/2013/10/17/world/meast/iran-execution-survivor/index.html?hpt=hp_t3)

Convicted by an Iranian court of possessing a kilogram of crystal meth, the 37-year-old man was sentenced to death by hanging at Bojnurd Prison in northeastern Iran, according to Jam-E-Jam, an official newspaper that offered this wince-inducing account: On the morning of October 9, Alireza M. was taken from his cell to the gallows, where the judge who had issued the order read his sentence aloud and official papers were signed.

Then, a rope was placed around his neck and he was hanged for 12 minutes, after which his body was lowered and a doctor declared he was dead. The doctor, the judge and the prison head then signed the death certificate, and the body of Alireza M. was taken to a morgue for delivery the following day to his relatives.

But the next day, a worker at the morgue noticed that plastic encasing one of the bodies had steam in front of the mouth. The worker told the doctors at the morgue, who took Alireza M. to Imam Ali hospital in the town of Bojnurd, where he was reported to be feeling better.

The organization Human Rights Watch opposes execution as an inherently cruel and unusual form of punishment that violates fundamental human rights, said Faraz Sanei, a researcher in the organization's Middle East and North Africa Division.

He said the group is particularly opposed to execution of alleged drug offenders because cases like Alireza Ms are tried in revolutionary courts, which tend to include violations of due process,

In addition, the group considers hangings to constitute torture, he said. Human rights groups estimate that the Iranian authorities currently hold at least 10 women and men who face possible execution by stoning on adultery charges. At least 70 people have been executed by stoning in Iran since 1980.

But Iranian judiciary officials say there is apparently nothing in law that would prevent Alireza M. from being executed again.

And there appears to be support for it. According to the semi-official Mehr News Agency, Ayatollah Saafi, a religious scholar, has written: If after execution and before burial, while in the morgue, the executed man shows signs of life after being medically treated and regains his health, it is assumed that the verdict of execution will remain unchanged.

According to the U.N.s 2010 Drug Report, a massive increase in seizures of high-purity crystalline methamphetamine from Iran began in 2008. That same year, for the first time, the country seized four clandestine meth labs.

Apart from the idiocy that this man is probably hanged again for the same crime, an act in my opinion against the law as there is also no statement in that law orders the re-hanging if the hanged person is found to be alive in the morgue, I just want to say that a. the man is a drug-dealer (according to the charges and verdict), and b. deserved the punishment as described under the law of Iran, where death is the punishment for drug-dealers and dealing.

I am opposed to the death penalty, everywhere and no country excluded! That includes Iran as well as all other countries that have the death penalty on the books, USA included! If one is hanged by a rope or cooked on the electric chair, or injected with poison, or ones head is chopped off (China), it is cruel and inhumane, and subject to human errors!

Fact though is that where same laws are active, other punishments are used for the same crimes. In the USA people who kill a policeman are cooked (generally speaking, exceptions not considered), in Iran people who trade meth-crystals are hanged what shows that Iran considers the trade in meth-crystals as severe as shooting a police-man. Cultural difference?

In Iran their prisons are more like our raggedy cash-strapped community colleges. They say they are mostly lonely for their families and they get conjugal visits in little motel style rooms, with cute beds and a fridge in the room and the prison cell too..there are job training job services, education and recreation. The doors often are open and the staff are guards but they have a basic respect for the inmates. The brutality we have in our prisons is just absent there. In Iran

<http://www.nybooks.com/articles/archives/2013/oct/24/shame-our-prisons-new-evidence/?pagination=false#fn-30>

In April 2012, the Justice Department joined the Southern Poverty Law Center in suing Orleans Parish Sheriff Marlin Gusman, the man who runs the OPP, charging that conditions at the jail violate the constitutional prohibition against cruel and unusual punishment. At trial, a cell-phone video was produced that showed inmates in a communal cell injecting and snorting heroin, smoking crack, sorting through Percocet, Vicodin, and other pills, drinking Budweiser tallboys pulled out of a cooler in the cell, shooting dice for handfuls of cash, and showing off a loaded Glock .45mm handgun.<sup>31</sup> None of these inmates displays the slightest anxiety about getting caught but then, the tallboys, the gun (which has never been found), and the cell phone itself could not have been brought into the facility without the staffs collusion. (As one of the men in the video says, Theyll do anything for money, so we gettin it in.)

Each member of the Angola 3 have separately escaped from the Orleans Parish Prison.

And the escapes are still a problem as this article points out.

Prisoner who escaped in August from the Orleans Parish jail is captured in Houston

By Mary Kilpatrick on February 22, 2013  
NOLA.com | The Times-Picayune

Escapes from the jail complex have been a major problem. Three inmates were able to break out of the tents last April and May, one of them by cutting the tent in much the same manner Ard is alleged to have done. A fourth walked off of a community service detail in May, setting off a manhunt and a lockdown at a nearby school.

I find it ironic that Wallaces own mother worked in the Orleans Parish Prison.

As for Angola I found this article.  
Torture at Angola Prison

By Jordan Flaherty

The behavior documented at the Louisiana State Penitentiary at Angola stands out both for its brutality and for the significant evidence that it was condoned and encouraged from the very top of the chain of command.

In a remarkable hearing that explored torture practices at Angola, twenty-five inmates testified last summer to facing overwhelming violence in the aftermath of an escape attempt at the prison nearly a decade ago. These twenty-five inmates who were not involved in the escape attempt testified to being kicked, punched, beaten with batons and with fists, stepped on, left naked in a freezing cell, and threatened that they would be killed. They were threatened by guards that they would be sexually assaulted with batons. They were forced to urinate and defecate on themselves. They were bloodied, had teeth knocked out, were beaten until they lost control of bodily functions, and beaten until they signed statements or confessions presented to them by prison officials. One inmate had a broken jaw, and another was placed in solitary confinement for eight years.

While prison officials deny the policy of abuse, the range of prisoners who gave statements, in addition to medical records and other

evidence introduced at the trial, present a powerful argument that abuse is a standard policy at the prison. Several of the prisoners received \$7,000 when the state agreed to settle, without admitting liability, two civil rights lawsuits filed by 13 inmates. The inmates will have to spend that money behind bars more than 90% of Angolas prisoners are expected to die behind its walls.

## Systemic Violence

During the attempted escape at Angola, in which one guard was killed and two were taken hostage, a team of officers including Angola warden Burl Cain rushed in and began shooting, killing one inmate, Joel Durham, and wounding another, David Mathis.

The prison has no official guidelines for what should happen during escape attempts or other crises, a policy that seems designed to encourage the violent treatment documented in this case. Richard Stalder, at that time the secretary of the Louisiana Department of Public Safety and Corrections, was also at the prison at the time. Yet despite or because of the presence of the prison warden and head of corrections for the state, guards were given free hand to engage in violent retribution. Cain later told a reporter after the shooting that Angolas policy was not to negotiate, saying, Thats a message all the inmates know. They just forgot it. And now they know it again.

@Jean and Jameswe need a link for your action page if its about raising money for Hermans House..

I would really appreciate some support re: my last post. (10/11/13 @ 8:02 AM)

Hermans House can be built, thats what we can do. It might cost around \$200 to set up a 501-C3 nonprofit and then we can begin collecting donations (through Quintas or some such site) to the tune of maybe 400 thouto get the house built. I wanted Jackie to consult with me about this but she hasnt so far..I can do this with the Secretary of State office in my own state, but I really think Jackie needs to do this in LAthe form to request is #1023

Also it might take about 6 weeks from the time of application.to closure.So I really think this thing needs to get launched NOW before psychic momentum drags and people start forgetting. I would venture to guess that this money could be raised within 2 years at most, but we need to get going with it now. I could kick in fifty for the original application, and that means only three more people with similar donationsto get the application filed.and if Jackie doesnt come through, someone else in LA probably should. Otherwise I myself can..any help is welcome, esp. from others in LA.

Lets get that house built. Its what needs to happen.

WHAT AN INCREDIBLEY FANTASTIC IDEA, a means to an end of the heinous, inhumane and unconstitutional B.S, that HUMKAN BEINGS, our fellow man is being subject to!

This is really tragic, and I would like to know what can be done for the others, who are alive and suffering. This mans suffering and death should not be in vain. There are many of us that need to get out. It is an extremely unjust, cruel and hideous place to be, especially for those who are innocent. No one seems to want to help, however. Everyone that Ive come in contact with waits for someone else to do something, while I sit, along with many others, who need to be heard. What can we DO?

Please see our Action page.

One can only cherish their alone-ness when they have had some good-enough togetherness. I hope the teachers of prison/ashram meditation work always have that in mind. I personally cherish my tiny life here, in spite of the alonenessbecause with Nature and with my isolated but strangely kind roomie, it is lonely for sure, but very conducive to deep thought. Occasionally things spike into critical unbearable loneliness.for a while. And then I get itall over again. Solitary confinement is torture. Three days of it even in a nice setting. can also be something akin to tortureonce your togetherness-supplies have faded enough in the distance. Post modern Capitalism guarantees that isolation will torture us this way frequentlysometimes to an unbearable degree. And for people inside the prison isolation cellswell, the only wonder is how much strength and fortitude lies there. How much forbearance is witnessed. I have seen this with dogs tied out somewhere and abandoned. The silent PATIENT suffering. More reason to empathize.we see this everywhere, with so little complaining. More the reason to abolish this inhuman practice of locking up people in boxes to correct them. They have too much to teach us re: how to correct things that their voices can NOT be any longer ignored.There is simply nothing more to do and nothing more we can do to improve society until this BASIC MORAL principle is observed. People who can feel it.would not want others to feel it. If we could somehow get in touch with our own damaged selves, and feel how we have cut off the vulnerable and needy parts of our souls, then we might understand how people like this can use solitary to supposedly correct others, and then understand what a monstrous mistake they are making.I have read the work of Alice Walker and Lloyd Demause, and all other compassionate people should too. Most people running these institutions of correction are too damaged to understand they are just passing down the cycle of abuse.and cutting-off. We could be as Gods said Eric Fromm. Good idea, as the world is desperate for more holiness, hope and joy. But we must become whole people first. Everyone please pass the word!

@Avera you wrote

The more I learn about the REAL real world, the more I cherish my solitude

When I read this article below I thought of you and since it mentions the New Orleans Parish Prison it ties in nicely with this article. You may wish to read the whole article but here are a few excerpts.

On Being Unalone

By Delaney Nolan

<http://velamag.com/on-being-unalone/>

I went there wanting to be alone. Id left behind a bad year in New Orleansturning myself in at the Orleans Parish Prison, the money gone, the car gone. I wanted quiet.

Now I wake up with no one to talk to.

That arrest in Orleans, my third.

When I sat in the Orleans Parish courthouse, passed by sharp-suited lawyers, I watched the pigeons fly in the main hall. They came in through the massive old windows, tilted open to let some of the gulf heat out, and they rested up there by the ceiling. A young woman my age, clean-faced, who could've been my friend, negotiates my sentence with my lawyer, not looking at me.

My own failure to survive back in Louisiana, to earn a living, to escape unarrested, was compounded, in Istanbul, by my inability to do the simplest things to find a pharmacy, to read a street sign. In Iceland this failure has nothing to reflect against, no way to return to me, and now, when I speak that kind of terror out loud into the enormous sky, it just keeps going away from me, into the nowhere.

Here is a thing you can try. When you are alone, make yourself as ugly as you can. Wear your tightest clothes to see where the fat bulges. Look in the mirror and scrunch your face, see blood come up in harsh red lines, see your yellow gums, your unwashed hair. Leave your glasses on. Doesn't it feel delicious, embracing the hideous? When is the last time you got to be this ugly? And no one around to see?

Revel in it. I mean really rub it in.

In Iceland, in the empty northern house, morning voices are not always there. Sometimes I have to wait until long after dark and sometimes still, nothing.

When they don't come I go outside to walk and to get sunlight to keep healthy. I am afraid of: being pathetic. I am afraid of: seasonal depression. A lack of sun leading to a lack of those chemicals in the brain that we all, every one of us, need. So I go through the tiny woods.

The only living thing. And now I say aloud, I could be happy like this. If I could live off 1,000 words per day.

Sometimes I think I could sleep alone forever. Sometimes I draw faces on every cigarette in the pack, just so somebody is watching me.

I sleep alone I wake alone I eat alone I go walking past the frozen horses alone I throw stones in the glacial lake alone I search for the mouth of a river alone I step into the enormous night alone I look for constellations alone I walk to the empty road alone I stand in the road and look for cars there is nobody coming. No cars. Nobody is coming, Oh God, it is empty. It is what I hoped for.

I write stories that go on for ages. At some point, for just a couple days, I come to the clear cold space that must be preserved very delicately and I write and it is a sort of rapture that is better than anything, any drug, any drunkenness, any orgasm, any gift in the physical world.

I am the only living thing.

Days go by and I have not touched another living person for a week, for two weeks, and so I have to touch myself more and more.

I call the other living more and more.

What do you do today?

Did some writing. I walked the other way, way down the road. I found a church, but it was empty. I went inside and looked at the pews and read the pamphlets. I haven't been in a church in I dunno, months. I've only been in mosques recently, yknow?

What the mosques smell like: Fine old carpet, high and dusty stone.

What the church smells like: Clean and new-planed wood.

What the Orleans jail smelled like: Oranges, real oranges.

I call the other living and we talk for hours. I call somebody in New Orleans and I call somebody in Istanbul. I have kissed both their ears. When they smile to see me I suck it up greedily; I am the neediest thing in the world. This is a thing I learn: I did not know I needed to be needed so badly, supposed to be independent, never live for the sake of a man but hello, hello, how are you? When are you coming home?

I hope you get your wish to volunteer.

Even the best of the best in this country are closed minded hypocrites in total denial. In some states, just mention the subject of the new Jim Crow or the connection between modern Capitalism and unbearable loneliness, or even your own personal flaws and watch people shrink back into their glittering foil wrapper, hoping you'll realize you weren't invited to the party, and expecting you to apologize for not realizing it beforehand. You don't have to be a cowboy or a construction worker or even a poor colorless person. You just have to be a self-designated virtuous American (preferably not Jewish or Buddhist though) and the rest follows automatically. Everyone understands that and knows their place. Even progressive open minded alternative spiritual types (self-designated labels of course) act like that. Which is to say, like most other people.

The more I learn about the REAL real world, the more I cherish my solitude, my numerous personal flaws, and my tiny kind world consisting of me, my kitties and dog, and my gardens. And my uncommunicative but helpful housemate.

But I now also live to see Hermans House get built, and me volunteering to help build those gardenia, carnation and tulip gardens!! If anyone knows how I can get a personal message to Jackie, please tell me so I get to work on the project of gaining her trust..

I found that the video of Easy Riders Diner scene was been taken down from Youtube, but anyone can still watch the whole movie there. Here is the thrust of the story along with some dialogue from that scene. In the documentary of the film titled Shaking the Cage Fonda explains they the diner scene was filmed in Morganza, LA.

This is important in that he gives young people an idea of the environment where his trial was held during the same era. For instance the black section was in the rear out of view of the white section and was described by the film crew as the fun side.

In the 1969 movie Easy Rider two California bikers make a run to New Orleans.

During the trip they wind up stopping at this rural cafe/diner not too far from Angola.

While Lets Turkey Trot by Little Eva plays on the jukebox, the locals react to their presence.

No professional actors were used in this scene other than the stars. The rest were just local citizens that were told to use their own words, and to whom they had been told the bikers who were outlaws and rapists.

The locals at one of the cafes booths look up at the non-conformist intruders, as the Deputy Sheriff rhetorically asks: What the hell is this? Troublemakers?

His construction-site booth mate with a yellow cap, Cat Man adds: You name it Ill throw rocks at it, Sheriff.

Teenage girls at the next booth are excited by the strangers in a different way, particularly for George: Oh, I like the one in the red shirt with the suspenders and for Wyatt: Mmmm-mmm, the white shirt for me and look at the one with the black pants on.

In response to the attention, George and Billy make funny noises with their tongues and say: Poontang!

The dialogue between the Sheriff and Cat Man despises and ridicules the bikers long hair with crude insults:

Cat Man: Check that joker with the long hair.

Deputy: I checked him already. Looks like we might have to bring him up to the Hilton before its all over with.

Cat Man: Ha! I think shes cute.

Deputy: Isnt she, though. I guess wed put him in the womens cell, dont you reckon?

Cat Man: Oh, I think we ought to put em in a cage and charge a little admission to see em.

Overhearing their ill-natured comments, George gracefully sighs at the two good ol boys: Those are what is known as country witticisms. One of the girls boldly suggests asking the bikers to take them for a ride and then is dared to go ahead. Other customers are also threatened and make loud asides about their appearance, insulting them as weirdo degenerates the local townfolk are fearful of something they dont understand:

Customer 1: You know, I thought at first that bunch over there, their mothers had maybe been frightened by a bunch of gorillas, but now I think they were caught.

Customer 2: I know one of them Alley-oop I think. From the beads on him.

Customer 4: Well, one of them darned sure is not Oola.

Customer 1: Look like a bunch of refugees from a gorilla love-in.

Customer 2: A gorilla couldnt love that.

Customer 1: Nor could a mother.

Customer 3: Id love to mate him up with one of those black wenches out there.

Customer 4: Oh, now I dont know about that.

Customer 3: Well, thats about as low as they come. Ill tell yaMan, theyre green.

Customer 4: No, theyre not green, theyre white.

Customer 3: White? Huh!

Customer 4: Uh-huh.

Customer 3: Man, youre color blind. I just gotta say that

Customer 1: I dont know. I thought most jails were built for humanity, and that wont quite qualify.

Customer 2: I wonder where they got those wigs from.

Customer 1: They probably grew em. It looks like theyre standin in fertilizer. Nothin else would grow on em

Customer 3: I saw two of them one time. They were just kissin away. Two males. Just think of it.

Feeling threatened by the Yankee queers and their alternative, non-conformist lifestyle, the narrow-minded Deputy and Cat Man suggest eliminating them:

Deputy: Whatcha think we ought to do with em?

Cat Man: I dont damn know, but I dont think theyll make the parish line.

George quickly loses his hungry appetite and Wyatt rises to split the waitress has refused to serve them anyway. The teenage girls follow them outside and gather around to ask for a ride, but Billy changes his mind when he notices the Deputy peering out the cafe window at them the Man is at the window.

At their next campsite around a campfire (because hotels and motels wont accept them), the films fourth campfire scene, George (in a conversation with Billy) expresses the prophetic theme of the film their threat to the Establishment and to Americans who are hypocritical about life, liberty, and the pursuit of happiness.

In his famous this used to be a helluva good country speech, George articulates the real reason for the hostility and resentment that they generate. Billys notion is that their non-conformist mode of dress and long hair spark intolerance. But lawyer George philosophizes that they represent something much deeper and more fearful freedom, unconventionality, and experimentation in a materialistic, capitalistic society:

George: You know, this used to be a helluva good country. I cant understand whats gone wrong with it.

Billy: Huh. Man, everybody got chicken, thats what happened, man. Hey, we cant even get into like, uh, second-rate hotel, I mean, a second-rate motel. You dig? They think were gonna cut their throat or something, man. Theyre scared, man.

George: Oh, theyre not scared of you. Theyre scared of what you represent to em.



Billy: Hey man. All we represent to them, man, is somebody needs a haircut.

George: Oh no. What you represent to them is freedom.

Billy: What the hell's wrong with freedom, man? That's what it's all about.

George: Oh yeah, that's right, that's what it's all about, all right. But talkin' about it and bein' it that's two different things. I mean, it's real hard to be free when you are bought and sold in the marketplace. Course, don't ever tell anybody that they're not free cause then they're gonna get real busy killin' and maimin' to prove to you that they are. Oh yeah, they're gonna talk to you, and talk to you, and talk to you about individual freedom, but they see a free individual, it's gonna scare 'em.

Billy: Mmmm, well, that don't make 'em runnin' scared.

George: No, it makes 'em dangerous.

After they settle down in their sleeping bags, unidentified men [presumably the men from the cafe] ambush and attack them and beat them with baseball bats in the dark. Billy and Wyatt are both bloodied and bruised, but George has been clubbed to death.

Here is a photo of Istrouma High School taken in September 1963 the year it was integrated by three African American gals. (Two are in the photo in the school cafeteria food line)

Six years later in 1969 when I arrived there was still just a hand full of blacks but at least one was a male. I know this because I saw him get hit in the head with an apple during lunch. One big piece landed on my table. Also being from California my own experience was similar to the two bikers, the chicks were interested the guys were angry and possibly dangerous.

<http://cdm16340.contentdm.oclc.org/cdm/fullbrowser/collection/p15196coll2/id/1554/rv/singleitem>

Alan, I want to thank you for all the information you're presenting. Besides the usual reasons for wanting to keep Wallace in prison racial prejudice, personal reputations, etc., the fear of revolutionary activity is still alive and well. That now resonates in the strict confinement of Pelican Bay and other California prisoners, and the hard-nosed attitude that if any two or more prisoners cooperate, even for humanitarian reasons, it amounts to a revolutionary agenda. What's easier than to label it all as gang activity? Because we \*know\* that there are no political prisoners in the U.S. Maybe the last-minute attempts to keep Wallace in prison will help create a crack in that false facade. We can only hope.

I would be surprised if Wallace hadn't lost family members over those years. But I think Wallace would have found much of the present day LA to be quite an improvement over the conditions in 1967.

In formulating this opinion I referred to some of the historical events of the era which expose the authorities' mind set but do not excuse their conduct.

Timeline:

New Orleans native and former Black Panther activist Herman Wallace went to jail in 1967 at age 25 for a robbery he admits committing.

The case came to trial on April 5, 1967.

The State charged Herman Wallace, Arthur Holland, and John Thompson with four counts of armed robbery. After conviction on two counts, the trial judge sentenced them to a term of 50 years in the Louisiana State Penitentiary.

In August 1967 the FBI's notorious covert action program known as COINTELPRO was launched fraught with questionable FBI tactics according to the Final Report of the [Senate] Select Committee to Study Governmental Operations With Respect to Intelligence Activities.

In June 1969 Wallace entered the state prison system.

That same month F.B.I. Director J. Edgar Hoover proclaimed:

The Black Panther Party, without question, represents the greatest threat to the internal security of the country.

On July 31, 1969 three and a half weeks after my release from the C.Y.A., the National Guard was called into Baton Rouge to quell a race riot. The riot had erupted soon after the funeral of James Oliney, an African American male, who had been shot by Ray Breaux, a white police officer. I found it ironic that the Watts Riot of August 1965 had also begun within a month of my previous release from the C.Y.A. Although there had been no death to ignite the Watts riot there had been simmering resentment in the overwhelmingly African American community of the police departments heavy handed tactics employed against them. Therefore when police officers attempted to arrest an African American male for driving while intoxicated an angry crowd soon grew and events snowballed out of control.

Living within sight of both of these events I can remember contrasting Louisianas Governor Fox Mc Keithens quick decision to send in 500 National Guard troops to quell the riot in Baton Rouge to that of Californias during the Watts riot of 1965.

W.W. Woody Dumas, then the Mayor of Baton Rouge, made an early appearance on the local television channel to state his position. His response went something like this I have declared a 7:30 PM curfew for the city until further notice. No one, I say no one is to leave their homes. I don't care if your black, white or in between if your ass is on the street it's mine. With this said Louisianas 500 National Guard troops backed up by armor immediately moved into the state capital and the riot was short lived. Although Baton Rouge would still experience sporadic acts of violence, protests at Municipal Buildings and selective buying protests for weeks to come no wide spread damage was incurred. This contrasted sharply to the events during the Watts riot which saw five days of violence, looting and



burning of the city. The Watts riot had begun on Wednesday August 11, 1965 and ended on Sunday August 15. The first troops had arrived at 10:00 PM Friday night and two days later the remainder of the 40th Armored Division of the National Guard was sent in. By then the riot had caused \$200 million in damage.

Earlier in 1969 I was on a prison transport bus when we stopped at The Correctional Training Facility at Soledad or just Soledad to us.

Unknown to me at the time, the legendary George Lester Jackson, prison number A-63837, commonly referred to today as the Dragon, (taken from Ho Chi Minhs quote, When the prison doors are opened, the real dragons will fly out.) had arrived from San Quentin in January of 1968. He would later be charged with killing a guard in retaliation for the shooting deaths of three black inmates. The inmates had been shot by a lone white guard during a brawl three days prior in what is now known as The Soledad Incident of January 13, 1970. Jackson along with two Soledad Brothers, as they were called by the press at the time, would dominate the newspapers of the era. Jacksons Marxist-Leninist, revolutionary, ideology and guerilla foco tactics, took hold on both sides of the prison walls and resulted in the deaths of nine more prison guards and 24 inmates over the next year.

On August 21, 1971 Jackson, by now a Black Panther Field Marshal, died a violent death in San Quentins Adjustment Center, reportedly during an escape attempt. Three guards and two white building tenders also died in what is now called the Bloodiest Day in San Quentins history, after being repeatedly stabbed and having their throats cut. Three other, similarly wounded, guards would recover. Jacksons coconspirators were known as The San Quentin Six and would go on to dominate the news cycle during their trials. The legend is that when Jackson released his fellow AC revolutionary convicts, he shouted, The Dragon has come!

The three men now known as the Angola 3 were sent to Angola Prison in 1971 the same year as the bloody uprisings at San Quentin and Attica in August and September respectfully.

The affects of all these incidents were still resonating when in 1972, CO Brent Miller was murdered.

Eric Cummins wrote in The Rise and Fall of Californias Radical Prison Movement:

Page 233: In 1970 (San Quentin) Warden Nelson had served on the Committee on Riots and Disturbances of the American Correction Association. The first firm decision the group came to was that convict ringleaders must be removed and isolated from the general population before an opportunity to carry out their plans presents itself. In other words, troublemakers were to be identified and punished before they committed any offenses.

Page 230: In 1971 Attorney General John Mitchell announced to the press that the nations Law Enforcement Assistance Administration had just been allocated \$178 million for correctional aid to the states and localities. Mitchell predicted the amount would be doubled in 1972. Conservatives all across the nation were convinced the existence of a carefully orchestrated communist conspiracy to take over U.S. prisons.

Page 231: In hearings before a congressional subcommittee investigating San Quentin in October, Moe Camacho, President of the CCOA, called for the creation of separate, maximum security prisons for revolutionary inmates and demanded stricter treatment for the remaining maximum security prisoners.

It is easy to see how this demand was received down on the Farm.

No there was no sunlight, and the system sprung him days before his death out of tragic cynicism and neglect.(and then tried to RE-INPRISON him hours later out of monstrous cruelty and abuse!!)

The only sunlight is that he MIGHT have a house built now, (with thousands of people contributingsee the Hermans House project).. where his spirit will reside safely and strongly, and where people will learn the meaning of the expression NEVER AGAIN!!!. Please look up Jackie Sumell and ask her how you can help..

I took my time to read through the piece and all the comments that followed. Indeed this is a point where one questions the justness of the judicial system? when do we take the subjectivity of the people designing the law and repercussions that it has when its broken, from the objectivity that justice is presumed to have?

In a way I am relieved that he chose to depart before he was exposed to the circus we call society that he was cocooned away from for 41 years. 41 years is a long long time to spend with yourself , and to come out into a world which no longer seems , smells or even thinks the way you left it, would be a mammoth task. But I wonder if he had family that he outlived?

This reminds me of a piece by Anton Chekov called The Bet

[http://en.wikipedia.org/wiki/The\\_Bet\\_%28short\\_story%29](http://en.wikipedia.org/wiki/The_Bet_%28short_story%29)

If he feels the same as the short story lawyer did after 15 years of solitary confinement, we are struggling to find answers to things he might already have and thus choose to depart in the perfect way, throwing behind just a spot of sunlight on the system for us to ponder on!!

This brings to mind a poem that by terminally ill brother sent me awhile back.

Invictus:

Out of the night that covers me,

Black as the Pit from pole to pole,

I thank whatever gods may be

For my unconquerable soul.

In the fell clutch of circumstance  
I have not winced nor cried aloud.  
Under the bludgeonings of chance  
My head is bloody, but unbowed.  
Beyond this place of wrath and tears  
Looms but the horror of the shade,  
And yet the menace of the years  
Finds, and shall find me, unafraid.  
It is not how strait the gate,  
How charged with punishments the scroll,  
I am the master of my fate;  
I am the captain of my soul.

William Ernest Henley

R.I.P.

Hermans house now needs to be built and become a Center for Compassion and Human Dignity.and his spirit can live there. Maybe it can become an Educational Center to teach people the meaning of all the things that have been discussed here..

Released on Wednesday, re-indicted on Thursday, and passed on Friday.

Maybe this was just his way to prevent the man from gloating once again.

@everyone: Today is a sad day for human rights and justice.

Herman Wallace, the 71-year-old man who spent over 41 years in solitary confinement in prison in Louisiana, finally passed away after losing his battle with liver cancer.(from the Amnesty International website)

@Alan.WHHHHAAATTTT????? Ok I just googled your sentence and you are right. BUT wasnt he released by a federal judge who overturned his original conviction? And so shouldnt that be the end of it??

This is beyond madness and obscene beyond words. But I have read Lloyd Demause and many others who are sure this culture of violence against vulnerable people in America(as well as all the unjust wars we wage against non-threatening countries) is based on violent childhood abuseagainst people who end up working as prison guards, DAs and other kinds of professional punishers.

Comments about that last remark would be WAY BEYOND just welcome. The whole internet itself, as well as the whole society out there.. is starving for more of such truths.

It was all worth it just to see the look on that COs face as Mr. Wallace was wheeled out.

But only last month two other Angola cellmates attempted an escape.

After they were captured Warden Burl Cain was quoted as saying:

We never have lost one we didnt catch. So its pretty hard to get away from us. We practice all the time, and they looked sad and we were pretty happy. So it was a good Sunday morning and it was actually pretty interesting.

They had used their famous hound dogs to flush the escapees out.

So it wasnt that surprising that on Thursday, a West Feliciana Parish grand jury had already re-indicted Wallace.

They hounded the man to the very end!

As I approach my business each day, a huge, multi-level edifice dominates the landscape. Numerous surveillance cameras hang from the institutions many corners to capture the image of any prisoners that may be driven by self-preservation to escape his plight and rejoin civil society.

Only one inmate has actually scaled down those walls to freedom since Ive been here.

And his freedom was just as brief.

@Alan.Isnt State employment still civil service on the State level, beholden to some regulation and fairness and some idea of ethics in employee behavior?

And I know more prisons are going private. So there it would have no regulation or any real regulation. And Im sure thats the reason

why this alarming trend is growing so rapidly, PLUS the fiscal factormuch money is to be made using the resultant slave labor for every and any industry..

And I absolutely agree with you about death by incarceration and outrageous discrimination re: special punishments AND imprisonment to begin with.

After Attica in 1970 I thought it could never get worse and it would only get better in the future.  
Heh!

I do not hold ill feelings for the man and I abhor the length of time that he has spent in isolation.

Still when Marcus Aurelius wrote There is no man he meant me as well, it tells us something about how he viewed human nature.

I was in Baton Rouge Parish Jail in 1969 the same year Wallace was arrested. I know the system is abusive and corrupt and anyone that has ever watched the movie Easy Rider, which just so happened to be filmed in 1969, has a feel of the area. The scene at dinner in the film used the locals own words. There was no script nor were there professional actors used in that scene. Chilling to look back on it today and realize they were possible members of the jury and that he may have missed all those years unjustly.

You asked Who can start a nationwide investigation of the cesspool of prison-guard labor in America? Arent they all CIVIL SERVICE employees?

No, many institutions are privately run.

Below is Angolas job site they are state employees.

<http://www.doc.la.gov/wp-content/uploads/2009/10/HR-CO-PNP-Handout.pdf>

As for my referring to the death penalty.

- 1) Life without parole is a form of death penalty, namely, death by incarceration as distinct from death by execution.
- 2) The disparate and highly clustered use of the death penalty raises serious questions of unequal and arbitrary application of the law.

I think Marcus meant There is no man so fortunate that he can expect some of his deathbed-watchers not to be pleased with what is happening to him.

Yup, there are undoubtedly many who have proven that on this thread alone

And I say you need not worry as long as YOU are not one of themso as not to INVITE the same thing maybe happening to you.

Besides what does all that have to do with illegal and immoral confinement. We all KNOW there are people who love thator it wouldnt happen so much.

News reports are a bit of a mosaic different authors with different views paint a more clear picture of the story.

The following quote applies to some of the negative comments that Ive read on other news outlets regarding this case.

There is no man so fortunate that there shall not be by him when he is dying some who are pleased with what is going to happen.

Marcus Aurelius, c. 175

On the application of the death penalty I found these statistics interesting today so I posted them on one of the older SW stories here.

<http://solitarywatch.com/2013/06/12/voices-from-solitary-death-row-diary-of-florida-man-scheduled-to-die-tonight/#comment-13793>

Glad to see that, Alan. I dont read CNN, but thats apparently Al Jazeeras source. Im sure many more people read CNN than Al Jazeera, so hopefully, the news will spread.

[http://www.cnn.com/2013/10/01/justice/angola-3-former-black-panther-ordered-released/index.html?hpt=hp\\_t2](http://www.cnn.com/2013/10/01/justice/angola-3-former-black-panther-ordered-released/index.html?hpt=hp_t2)

CNN has it.

I read a lot of online news sites, and aside from Solitary Watch, the only site that has any mention of Wallaces release (so far) is Al Jazeera. Its a fairly extensive article. <http://america.aljazeera.com/articles/2013/10/1/louisiana-inmatefreedafter41yearsofsolitary.html>

When will these monsters who work as prison guards.be regulated? I mean arent they already regulated? When will that ever start to shake out? Who can start a nationwide investigation of the cesspool of prison-guard labor in America? Arent they all CIVIL SERVICE employees for Christs sakes?? Can someone start discussing this here or somewhere? Isnt it way beyond overdue??? Isnt reform and a total overhauling of our brutal medieval prison systemWAY WAY overdue???

The Atlantic Reports

Judge Orders Angola 3s Herman Wallace Released From Prison

After 40 years in solitary confinement, the terminally ill inmate may be going home.

ANDREW COHEN OCT 1 2013, 2:33 PM ET

UPDATE: Immediately after Judge Jackson's initial order, attorneys with the East Baton Rouge district attorneys office filed a request to halt Wallace's release. This evening, Judge Jackson promptly rejected the request, again ordered the prisoners' immediate release, and warned prosecutors that they would be held in contempt if they refused to allow him to leave prison. Here is the link to that second order. Prosecutors have the right to appeal this ruling to the 5th U.S. Circuit Court of Appeals.

<http://www.scribd.com/doc/172570028/Doc-100-Judge-Jackson-Denies-the-State-s-Motion-to-Stay-and-Orders-Herman-s-Immediate-Release>

For those who are not familiar with Justice Justice.

<http://www.texasobserver.org/archives/item/13630-1014-cruel-and-unusual-still->

Justice Justice of Texas wrote in 1999:

Texas prison inmates continue to live in fear a fear that is incomprehensible to most of the states free world citizens. More vulnerable inmates are raped, beaten, owned, and sold by more powerful ones. Despite their pleas to prison officials, they are often refused protection. Instead, they pay for protection, in money, services, or sex.

Correctional officers continue to rely on the physical control of excessive force to enforce order. Those inmates locked away in administrative segregation, especially those with mental illnesses, are subjected to extreme deprivations and daily psychological harm. Such practices and conditions cannot stand in our society, under our Constitution.

This young, African American judge, a native of LA is not afraid to make unpopular (in some circles) decisions. Maybe he is following the example of Justice William Wayne Justice of neighboring East Texas.

<http://blogs.wsj.com/law/2012/02/17/judge-strikes-down-law-banning-sex-offenders-from-facebook/>

10:38 am

Feb 17, 2012 JUDGES

Judge Strikes Down Law Banning Sex Offenders from Facebook

A federal judge in the Middle District of Louisiana has struck down a state law barring sex offenders from using Facebook and other social media on First Amendment grounds.

Chief Judge Brian Jackson ruled Thursday that the law, which took effect in August, imposed a sweeping ban on many commonly read news and information websites, as well as social networking sites.

The definition of chat room in the law is so broad, for instance, the courts own website could fall under the ban, he said.

Judge Jackson also took issue with the laws requirement that offenders who are no longer under court supervision seek an exemption from a judge to access social-networking sites legally. He said federal courts couldnt grant such exemptions because they have no jurisdiction over an offender who has completed a prison sentence and post-prison supervision.

UNF\*\*KINGBELIEVABLE? The injustice plays on as our continues its shutdown? With all the horrendous inhumane solitary confinements, it appears that the American government has been shutdown, for as long as solitary confinement has been in effect! Its time to END SOLITARY CONFINEMENT!!!!

They know someone cant even sue for much, and chances are they will never get any justice in the first place; the corrupt apathetic system is so bent-in on itself and the hidden motives are so entrenched and bound up with every other systemic corruption. Racism is an obscenely HUGE hidden motive but many other prejudices come into play..not the least of these is the idea that if you were charged you are probably guilty, and if you are convicted then you couldnt possibly be innocent. The corruption seems to need to be protected and therefore hidden. and until that changes, nothing else will.

What type of person runs a prison and allows one of its prisoners to spend 41 years in an inhumane, tortuous and unconstitutional confinement? How could the warden not have said anything to the Bureau of Prisons and how could the Bureau of Prisons allow someone to be in solitary confinement for any length of years let alone 41.

Oh, right, we dont torture, were a civilized nation.

Where are all the people that knew of this situation, and worked and allowed this situation to continue; where and what happened to their moral compasses?

Do these people go to church on Sundays?

Do these people have families?

Or do they justify everything with just doing their jobs and what theyre told to do.

It might help Woodfox and others convicted in that Parish under similar conditions but it is unlikely to change the system as a whole.

Vengeance is the term I would use.

Definition infliction of injury, harm, humiliation, or the like, on a person by another who has been harmed by that person.

(In this case Brent Miller the murdered state corrections officer.)

The fact,

that women were unconstitutionally excluded from the West Feliciana Parish grand jury that returned that indictment will not fulfill, Mr. Wallaces hope that this litigation will help ensure that others, including his lifelong friend and fellow Angola 3 member, Albert Woodfox, do not continue to suffer such cruel and unusual confinement even after Mr. Wallace is gone.

@Catana..I know ;=)

Alan, Im sorry to see this, but not surprised. Do we need any more evidence that criminal justice is often more about blind hatred than anything else?

Chief U.S. District Judge Brian A. Jackson dismissed Wallaces indictment Tuesday, ruling that women were unconstitutionally excluded from the West Feliciana Parish grand jury that returned that indictment.

Because Wallace was prosecuted on the murder charge by 19th Judicial District prosecutors in Baton Rouge, District Attorney Hillar Moore said Monday, Moores staff has asked that Wallace be retained in custody while they file an appeal.

Moores notice of appeal was filed Monday, and he said, Weve asked for a stay of Jacksons order for release of Wallace.

That request was made of both Jackson and the 5th U.S. Circuit Court of Appeals in New Orleans, Moore said.

<http://theadvocate.com/home/7208425-125/angola-3-herman-wallace-ordered>

Sadly it appears they hope to run the clock out.

I also dont see how this ruling helps those held in solitary confinement sense it was never addressed at all.

Very mixed feelings about this. Grateful that someone has seen the light, at last. But I also expect that the prison will find reasons to delay long enough to make sure that he dies there. I hope to be proved wrong, but this is the grand old US of A.

The Democracy Now show just yesterday devoted the entire hour to Hermans case. I am glad it had such an impact. Prayers for Hermans survival to be able to recover some dignity and peace.

This is great news! Very unfortunate his freedom comes at a time close to his death. Racism, bad lawyers and a lot of corruption took place over those 4 decades. What a shame. I would hope this case can help others dealing with the same.

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