



Voices Behind Bars: National Public Radio and Angola State Prison Epilogue

NPR Reporter Laura Sullivan and her editor, Steven Drummond, decided in September 2008 not to interview the two inmates, Herman Wallace, 66, and Albert Woodfox, 61. "I just think I had a better understanding of what the repercussions for them were going to be than even they did," says Sullivan. "I knew how seriously the prison was taking this. I knew from [the prison's] treatment of me how strongly they were taking this."¹

The inmates' lawyer, Nicholas Trenticosta, felt strongly that the Louisiana State Penitentiary in Angola, Louisiana, was violating his clients' constitutional rights by setting limits on whom they could talk to. Trenticosta told Sullivan that she and NPR lawyers could press this, but she knew that a resolution could take years. Drummond and Sullivan decided not to consult the NPR lawyers. "We probably would have at some point, had we gone a different way," Drummond says. "But the way the events played out, we didn't have to."²

Influencing their decision was the fact that Woodfox's next court date was coming up. A federal judge was reviewing Woodfox's case. Then in late September 2008, the judge ordered the state of Louisiana to dismiss charges or retry Woodfox, essentially reversing the 1998 conviction and life sentence. The state was given 120 days. The inmates' attorneys asked the state attorney general to drop charges against Woodfox and Wallace or, if there was to be a retrial, that Woodfox be released on bail.

After making a final plea for an interview with the inmates to prison officials in mid-October, Sullivan decided the time had come to wrap the story up and air it. "We're just going to have to let this go because we can try to keep negotiating with the prison, or we [NPR counsel] can

¹ Details from author's interview with Laura Sullivan in Washington, DC, on October 1, 2009. All direct quotes from Sullivan, unless otherwise attributed, are from this interview.

² Author's interview with Steven Drummond in Washington, DC, on October 1, 2009. All further quotes from Drummond, unless otherwise attributed, are from this interview

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try to come up with a legal strategy,” she recalls. “But if he gets out, then our whole story’s completely different.”

Sullivan put together a three-part series—using every bit of ambient sound she had gathered during her prison tour—that aired on NPR’s evening news program, *All Things Considered*, October 27-29, 2008. The series was titled *36 Years of Solitary: Murder, Death and Justice on Angola*. Its three segments each took a different look at the story:

- Part One, “Doubts Arise About 1972 Angola Prison Murder,” introduced listeners to the key players in the case and described Angola and its history.³
- Part Two, “Favors, Inconsistencies Taint Angola Murder Case,” detailed the flawed investigation into Brent Miller’s murder.
- Part Three, “Why Did Key Angola Witness Go to the ‘Dog Pen’?” looked into flaws in the case, including questions about testimony, doubts about the two prisoners’ guilt, other witnesses, and another suspect in the murder.

In the final part of the series, Sullivan noted:

Wallace has been appealing his case in state court. But a few months ago, Albert Woodfox’s case was examined by a federal magistrate. Under that scrutiny, prison officials moved Woodfox and Wallace out of solitary and into a maximum-security wing. It is possible for NPR to interview Wallace and Woodfox by phone, but Angola officials say if they were to learn that such an interview took place, the men would be returned to solitary confinement.

A month after the series was broadcast, a federal judge ruled that Woodfox should be released on bail. Louisiana prosecutors filed an appeal. A day later, a US Circuit Court of Appeals agreed to an emergency hold on the order. Woodfox would not have been released from prison right away anyway because his lawyers were searching for appropriate lodging for him. In December 2008, Woodfox was returned to solitary confinement indefinitely while prison officials examined his visitor and phone call lists. According to an NPR report:

[Prison officials] say they believe that some people listed as members of the defense team, for example, were actually authors or members of the media. They also charge that Woodfox improperly made three-way phone calls. But Woodfox’s lawyers say this is prison bluster, and that the return

³ Go to <http://www.npr.org/templates/story/story.php?storyId=96030547> to listen to the stories.

to solitary is simply the prison's response to the fact that Woodfox was nearly released on bail.⁴

On April 1, 2009, the University of Georgia's Grady College of Journalism and Mass Communication announced the 68th Annual Peabody Awards for broadcast journalism. Among the winners was the NPR Angola series, which was cited as a "gripping investigative report." The series also won Investigative Reporters and Editors and Robert F. Kennedy investigative journalism awards.

Sullivan's story on the care of elderly inmates, which featured a prisoner at Angola, went on hold. She did not return to Angola State Prison after 2008 and did not plan to try unless another warden was appointed. As of April 2010, due to a series of additional legal maneuvers, Woodfox's case remained before the US appeals court.

⁴ Laura Sullivan, "Despite Legal Win, Inmate Back in Solitary," National Public Radio, December 17, 2008, <http://www.npr.org/templates/story/story.php?storyId=98397302>.