

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **The Cruel and Inhumane treatment of Albert Woodfox and Herman Wallace**

Herman Wallace and Albert Woodfox, both in their sixties, have been held for almost 40 years in solitary confinement in prison in Louisiana. Amnesty International knows of no other prisoners in the USA who have been held for so long in such cruel and inhuman conditions.

Over the decades, the men have spent 23 hours a day confined to cells in the Closed Cell Restriction unit (CCR) measuring 2 x 3 metres. They have been allowed out of their cells for seven hours a week, permitted to exercise alone in an outdoor cage, or to shower, or walk the cell unit corridor alone. Their decades in solitary confinement have been devoid of opportunities for mental or social stimulation: no education, no possibility of work, limited access to books and no TV in their cells while social interaction has been limited to telephone calls and prison visits.

Albert Woodfox and Herman Wallace were placed in solitary confinement after being accused of killing a guard during a prison riot in 1972. The men have consistently claimed that they did not carry out the murder but were implicated for their political activism in prison as members of the Black Panther Party. Legal documents indicate that fear of their political activism is a factor in the prison's decision to keep them in isolation. Both have appeals against their convictions pending before the federal courts.

Decades of solitary confinement have impacted on the men's psychological and physical health: they are old and infirm. Prison mental health records indicate that the men pose no threat to themselves or to others, and the internal review board that has reviewed – over 150 times - the administration's decision to keep the men in extended lockdown has never indicated that the men are physically dangerous, nor escape risks. The only reason given for maintaining the men under the same conditions has been due to the "nature of the original reason for lockdown".

In 1996, Louisiana prison policy was changed to remove "original reason for lockdown" as a factor to be considered by the review board in considering whether to continue an inmate's confinement in lockdown. However, this change has never been applied to Albert Woodfox's and Herman Wallace's reviews, as the board continues to note "original reason for lockdown" on all of the documents denying reclassification.

Amnesty International believes that the confinement of Herman Wallace and Albert Woodfox in CCR serves no legitimate penological interest and violates international standards for humane treatment. The prison review board that has for decades rubberstamped the warden's original decision to place the men in CCR has failed absolutely a meaningful review of the men's placement.

Amnesty International believes that this failure, coupled with the totality of the prison conditions over the course of decades, amounts to cruel, inhuman or degrading treatment or punishment in violation of international human rights treaties, to which the US is a party.

For eleven years, the men have challenged in the federal courts the cruel conditions of their confinement. In 2007 a Magistrate Judge ruled that these conditions did constitute a

deprivation of a basic human need in violation of the Eighth Amendment of the US Constitution that prohibits Cruel and Unusual punishment. The case is still pending a full hearing by the trial court.

Amnesty International calls on the Louisiana authorities to immediately remove Albert Woodfox and Herman Wallace from solitary confinement and bring an end to the years of cruel, inhuman and degrading treatment that they have suffered. Failing such action by the state, we urge federal authorities to ensure the men are treated in compliance with international standards and the US Constitution.

**ENDS/**