The Journalism School
Knight Case Studies Initiative
Columbia University

CSJ-10-0029.0

Voices Behind Bars: National Public Radio and Angola State Prison

In September 2008, National Public Radio (NPR) reporter Laura Sullivan had a chilling phone conversation. She had been working for six months on a story about two prisoners at the Louisiana State Penitentiary in Angola, Louisiana, who had been held in solitary confinement for 36 years. There were powerful indications they were not guilty of the crime that threw them into solitary. As her research phase came to a close, two critical interviews remained: the two men. She did not have the cooperation of the prison administration. Through their lawyer, however, Sullivan thought she had a good chance of reaching the two inmates.

But the phone call from the spokesperson at Angola—as the prison was commonly called—was as close to a threat as Sullivan, an experienced prisons reporter, had ever heard. Prison authorities, said the spokeswoman, were well aware that Sullivan was trying to contact the men. They could not legally prevent her from doing so. But as Sullivan knew, the two had recently moved from solitary into a 12----man cell. The spokeswoman wanted Sullivan to know that, should the prison discover she had successfully contacted them, the inmates would be returned to solitary confinement.

Since December 2004, Sullivan had covered police and prisons, the in----house name for her beat (though on the NPR website her area was referred to as "crime and punishment"). She had learned that it never paid to lie to prison directors about what she was reporting. This policy had won her a reputation as trustworthy and fair. In visits to prisons in half the states across the country for stories on such sensitive issues as overcrowding, elderly inmates, crime trends, and prison rape, she'd been given exceptional access.

So the warning from Angola prison came as a surprise. Sullivan was already deeply invested in the story. She did not want to walk away from it. On the other hand, she could not imagine causing the inmates further hardship.

Over several days, Sullivan and her editor weighed the matter. They had three central questions. One was about the story itself. How important were the voices of the two prisoners to the story? The second considered consequences: was this news story worth risking the possibility that the two inmates would be sent back into solitary confinement? Finally,

This case was written by Delia Cabe for the Knight Case Studies Initiative, Graduate School of Journalism, Columbia University. The faculty sponsor was Professor Ann Cooper. Funding was provided by the John S. and James L. Knight Foundation. (04/2010)

what about Sullivan's responsibility as a journalist? How could she not report what seemed an important story about a possible miscarriage of justice?

National Public Radio

National Public Radio was unique among broadcast radio organizations in the United States. It was established by an act of Congress. President Lyndon B. Johnson signed the Public Broadcasting Act in 1967, which created the Corporation for Public Broadcasting (CPB), a nonprofit, nongovernmental entity to promote public broadcasting. "It will be free, and it will be independent—and it will belong to all of our people," Johnson said at the bill signing ceremony.

In 1970, the CPB, in accordance with this legislation, founded National Public Radio, an independent nonprofit membership organization that relied on funds generated by its activities. NPR would be neither a radio station nor an owner of radio stations. Instead, the organization would produce and provide news, information, talk, entertainment, and cultural programming to member stations. In 1971, NPR first aired *All Things Considered*, a weekday evening news program. Eight years later, another news program, *Morning Edition* debuted. Sullivan, as a reporter for the NPR News national desk, reported for both programs.

By 2008, NPR provided programming to more than 860 public radio stations in the United States. In addition to news, its wide----ranging programs covered arts and culture, sports, politics, and science. NPR, which had its headquarters in Washington, DC, gathered news from 36 bureaus around the world and relied on local coverage from more than 270 independent member public radio stations across the US. Its weekly audience went as high as 27.5 million listeners.

Despite its popularity, NPR had had its share of financial difficulties. In 1983, its debt reached $7 million, and the organization underwent a financial restructuring. No longer would it receive money directly from CPB. Instead, NPR supported itself via a combination of dues and programming fees from member stations, private foundation funds, and revenue from sales of NPR----related merchandise.

Corporate sponsorships became NPR's second----largest source of funding. It also attracted federal dollars: 1–2 percent of its budget came from competitive grants from federally funded organizations, including CPB, the National Science Foundation, and the National Endowment for the Arts. Although its endowment included a $200----plus million 2003 bequest from the estate of Joan Kroc, widow of Ray Kroc, the founder of McDonald's, NPR was legally restricted from using any of the money for day----to----day operations. In its nearly 40----year history, NPR had received many prestigious industry awards—among them, the Edward R. Murrow Award, presented by the Radio----Television News Directors Association, the George Foster Peabody Award, and the Alfred I. duPont----Columbia

University Award—for its coverage of news in the public interest. Sullivan's research into the solitary confinement of two prisoners who had possibly been falsely accused fell well within the NPR tradition.

Tip to Story

Sullivan had been tipped to the story at a prison conference a few years earlier. During an interview there for a series on the state of solitary confinement in the United States, Sullivan learned from a warden that two inmates had been in solitary confinement for more than 30 years in the Louisiana State Penitentiary, more commonly referred to as Angola State Prison. Sullivan was astonished. If that were indeed true, these inmates had spent more time in isolation than any others in the United States. But the story would have to wait. She was working on several other projects. She kept her notes in her reporter's "tickler" file for future reference.[1]

In February 2008, after returning from maternity leave, Sullivan decided to look into the two inmates in solitary confinement at Angola State. She was intrigued principally because the practice of solitary confinement was controversial. Prison officials in the US defended its use as a means to prevent violence and as a tool to enforce discipline. But others considered solitary confinement a form of torture. According to a *New Yorker* piece, "in 1890, the United States Supreme Court came close to declaring the punishment to be unconstitutional" because such confinement could lead to mental illness.[2] One study the writer cited found that a third of 200 prisoners in solitary confinement became psychotic.[3]

For the preceding two years, Sullivan had been working on a story about elderly inmates and their quality of life. She was following several prisoners and making repeat visits to tape interviews. As luck would have it, one prisoner was at Angola State. Sullivan had visited him twice with the consent of prison officials, including a public relations person. So Sullivan knew the authorities at Angola.

Based on this preexisting relationship, Sullivan one afternoon in late February picked up the phone and called the prison spokesperson at Angola to confirm whether they had held two prisoners in isolation for 36 years. She was immediately placed on hold. After a few minutes, the spokeswoman came back on the line to say the prison had no comment. The reaction and curt response surprised Sullivan. She was used to stonewalling from

---

[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] Atul Gawande, "Hellhole," *The New Yorker*, March 30, 2009, http://www.newyorker.com/reporting/2009/03/30/090330fa_fact_gawande.

[3] Atul Gawande, "Hellhole."

officials, comments such as "I'll have to check the records." But this felt different. Why would the prison administration want to keep this a secret?

Sullivan was disconcerted to realize that she had made a strategic error. She had long known that it was not effective to approach a key source on the very first phone call to get to the bottom of a story. She preferred to build her stories, working up from least important sources to the most central ones. Inadvertently, she had tipped her hand too early to the prison administration. However, she was confident she could retrieve the situation.

Sullivan went to see her boss, Senior National Editor Steven Drummond. "There are two guys down there in solitary confinement for 36 years. It's this really screwed up case that sounds like a mess," she filled him in. "Do you think we should do the story?" Drummond gave her the go----ahead.

Angola State Prison: A Short History

Angola State Prison was located on land that was originally an 8,000----acre plantation in West Feliciana Parish, in a remote region of Louisiana. The nearest town was 30 miles away. The plantation was named Angola, after the homeland of its former slaves. It traced its origins as a prison back to 1880, when inmates were housed in the old slave quarters and worked on the plantation. In those years, a private firm ran the state penitentiary. After news reports of brutality against inmates, the state of Louisiana took control of Angola in 1901.

Throughout the ensuing decades, Angola State Prison faced numerous problems thanks to its geography and administration. The penitentiary was bounded on three sides by the Mississippi River. In 1902, 1912, and 1922, floods destroyed the crops—a key source of funding for the penitentiary's operating costs. During the Great Depression, the prison facilities fell into poor shape after its budget was cut severely. Conditions became so bad that 31 inmates sliced their Achilles tendons to publicize their objections to hard labor and brutality. In the 1950s, a new governor fulfilled his campaign promise to clean up Angola, renovate the old buildings, and add new camps—as the prison buildings were called.

In the 1960s, Angola once more fell on hard times and was christened "the bloodiest prison in the South" because of the high rate of inmate assaults. Again, the penitentiary saw major renovations, improvement in medical care, and other upgrades. By the 1990s, the prison was accredited by the American Correctional Association, a recognition of its adherence to national standards for jails. In 1999, the US Army Corps of Engineers began a four----phase project to improve the nearby levees at a cost of $26 million.

By 2008, Angola State Prison had grown to 18,000 acres—the size of Manhattan. It was a maximum----security prison with an inmate population that was almost completely

African---American, while the officers who oversaw them were entirely white. The officers were known as "Freemen," not guards.

Angola had numerous enterprises: corn, cotton, soybean, and wheat crops; a license tag plant; printing services; a mattress factory (including suicide prevention mattresses); and a herd of 1,600 cattle. Since 1965, the prison had held a professional rodeo to entertain its inmates, employees, and the general public. Inmates participated in all but one of the events. A portion of the proceeds went toward the Louisiana State Penitentiary Inmate Welfare Fund, which paid for inmate educational and recreational supplies.

One could call Angola a company town. Anyone who worked at the prison lived in one of the hundreds of homes on prison property. The best behaved inmates—called "house boys" by the wardens—wore white uniforms, performed the landscaping work, and cooked and cleaned the houses, all at no cost to the residents. Other inmates who demonstrated good conduct worked in the fields.

The prison and its employees were part of a tight----knit community, one that Sullivan would find difficult to pry open for leads.

The Next Step

With her editor's approval, Sullivan started the research she wished she had done before contacting the prison spokesperson. She read the case files about the two prisoners and news stories about the murder and trial. She searched LexisNexis—an online database of more than 40,000 news, legal, and business stories—for every clip related to the prisoners dating back to 1972, the year of the crime that landed them in solitary.

She learned that on the morning of April 17, 1972, Brent Miller, a white 23----year----old corrections officer who was born and raised in Angola, was stabbed 38 times with a lawn mower blade during his shift at a prison dorm and died. These facts, Sullivan learned, were among the few not in dispute. Eventually, Herman Wallace and Albert Woodfox—two African----Americans each already serving 50----year sentences (Wallace for bank robbery; Woodfox for armed robbery)—were named as the prime suspects based on an eyewitness account from Hezekiah Brown, a serial rapist with a life sentence. Following their trial by an all----white jury and swift conviction, the two men were sentenced to life in prison and placed in solitary confinement.

But from the start, there were doubts about their guilt—and about the evidence used to convict them. Some of the 200 inmates interrogated by prison officials later claimed their questioners had used tear gas and beatings to extract evidence. Then there was the credibility of the star witness: Brown. The rapist had initially said he knew nothing; only in subsequent statements did he—and prison officials—maintain that he'd witnessed Miller's murder. His fellow inmates considered him a "professional snitch." Months after the murder, four more witnesses stated they saw one to four men running from the

murder scene, yet none of these witnesses apparently had seen one another. The grand jury that indicted Woodfox had not included a single African----American or woman. Nor had his lawyer used this fact to motion for dismissal of the case. Such evidence had persuaded a judge in 1992—fully 20 years later—to overturn Woodfox's conviction and call for a fresh trial (the judge did not, however, release Woodfox either from Angola or from solitary pending a new trial).[4]

As Sullivan unearthed more evidence about the case, she began to wonder whether Woodfox and Wallace had been wrongly convicted. There were numerous red flags. For example, in 1993, prosecutors won a second indictment against Woodfox. But one member of the grand jury that re----indicted Woodfox was Anne Butler. Butler was the former wife of an Angola warden, C. Murray Henderson, who had headed the Brent Miller murder investigation in 1972. In 1992, the then----couple (they had since divorced) published *Dying to Tell*, a book on Angola that included details about the murder and stated confidently that Woodfox and Wallace had committed the crime. During grand jury selection for the pretrial hearing, Butler again stated she believed Woodfox was guilty and told the district attorney that perhaps he should remove her from the jury. He did not.

That Butler had written the book was not a problem. But in an interview, Butler told Sullivan what she had said during jury selection and added that she had brought the book with her and distributed the book chapter about Woodfox to her fellow jurors during the grand jury proceedings. This, Sullivan knew, meant Butler had tainted the jury. Members of a jury are supposed to base their indictment or verdict solely on evidence presented during case proceedings and are prohibited from reading or watching anything about a case.

In the 1998 retrial that followed (a full six years later), a jury had re----convicted Woodfox of murdering Miller. But this conviction had also raised questions. During his testimony at the second trial, Angola Warden Henderson admitted to promising Brown, the serial rapist, a pardon in exchange for a statement saying he witnessed Woodfox and Wallace murder Miller. Sullivan, when she looked into this, found proof in prison records that Henderson had in fact written numerous letters to state officials requesting a pardon for Brown. Apparently, this had not deterred the jury from conviction.

In its own way, however, the system had not neglected the prisoners. As was the practice with all solitary confinement cases in Louisiana, the warden reviewed Woodfox and Wallace's punishment every 90 days and decided whether to renew it. For reasons which the wardens had not been required to document, their status had remained the same for 36 years. Because the wardens believed the two men were dangerous, they spent 23 hours a day in windowless concrete cells. During the remaining hour, they were allowed a

[4] Woodfox v. Burl Cain, Warden, Louisiana State Penitentiary, Angola, LA, Case no. 68933, filed in 21st Judicial District Court, Parish of Tangipahoa, State of Louisiana, p.2.

walk to the shower; every three days, they had an hour in a small caged exercise pen outdoors.

Prisoners' support. One of the calls Sullivan made was to a prisoner advocacy group called "Free the Angola Three." Prisoner advocacy groups, she knew, were often inadequately funded organizations, sometimes run by as few as one or two people who wanted to keep a prisoner's case in the public eye and aid in his or her release. The name of the group confused Sullivan. She had heard of only two, not three, prisoners being kept in solitary confinement in Angola. It turned out that the third prisoner was another case entirely. The advocacy group believed that Wallace and Woodfox were innocent.

The group gave Sullivan multiple interview leads and copious information about the case. With time, however, the relationship became somewhat difficult. "I felt like they were exerting a sense of control that did not belong to them over my reporting in this story," she says. "I did not feel like I owed them any sense of what I was doing, what I was working on, who I was talking to in the interviews. And it became clear sort of halfway through that they expected that, that they wanted… to control what we were learning as well." Apparently, the advocates were worried that Sullivan might uncover evidence of the inmates' guilt, not innocence.

They need not have worried. From one of the prisoners' current lawyers, Nick Trenticosta, Sullivan learned additional details about the various twists and turns of the case over the years. Like the advocacy group, Trenticosta believed the two men were railroaded. After interviewing him, Sullivan knew her story was no longer just about two men held in solitary confinement for the longest period in US history, but about a possible miscarriage of justice. "I knew that I wanted to explain the case, bring it to life. I just thought it was this very compelling story," she says.

Defining the Story

Sullivan went to see Drummond, her editor. After much discussion, they found themselves in agreement that the story had two separate themes. One was why Wallace and Woodfox were in solitary confinement; the second concerned whether their trials were just. Related to both was the question of which facts were accurate. "You had what happened on that day in 1972, and then what happened in the 36 years since then," says Drummond.[5]

As national desk editor, Drummond's role was to help Sullivan hash out issues as they came up and help her manage her time. A story like this could take as long as a year if Sullivan decided to chase down every lead. It was part of Drummond's job to help her decide what was worthwhile pursuing and for how long. On rare occasions, Sullivan might spend months working on a story and end up with nothing she could broadcast. Drummond

[5] 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.

had to decide what risks to take and how to use his resources—staff and production time, as well as money. "There were giant gobs of material here, and that was an initial struggle for Laura in reporting this, to define a story and try to wrestle it into a manageable size," Drummond says.

As for Sullivan, her job was to keep Drummond informed and consult him when editorial or logistical issues arose. For example, Sullivan found herself fixating on whether the two prisoners were guilty or innocent. Drummond helped persuade Sullivan that she should not let the question of who actually killed the young prison guard muddy the issue of why Woodfox and Wallace had been in solitary for 36 years, and the legal process by which they were convicted.

Mounting pressure. Meanwhile, Angola prison officials were feeling the heat that Sullivan's reporting had started to generate. Included among Sullivan's many interviews was US Representative John Conyers, Jr. (D----MI), chairman of the House Judiciary Committee. As a result of her inquiries, his office began raising questions about Angola's solitary confinement policies, as well as whether the two men had been wrongly convicted. On March 20, 2008, Conyers visited the prisoners (prisoners in solitary were almost never allowed visitors). In a written statement released the next day, Conyers said:

> I came to [Angola] to meet with inmates Herman Wallace and Albert Woodfox because I recently became aware of evidence that may suggest both Mr. Wallace and Mr. Woodfox were wrongly convicted of a 1972 murder of a prison guard. They have been held in solitary confinement for thirty----six years, possibly a longer period than any other inmate in U.S. history. I urge a swift and just resolution of this matter.[6]

At the same time, Louisiana State Representative Cedric Richmond announced that he would hold hearings about the two inmates and urged Louisiana Governor Bobby Jindal to pardon them. Finally, the lawyers for the two inmates filed a suit seeking compensation—in the millions of dollars—for keeping them in solitary for 36 years.

Perhaps as a result of this heightened public attention, the prison on March 24, 2008, a few days after Conyers' visit, moved Woodfox and Wallace out of solitary confinement and into a maximum----security dorm with about a dozen other inmates. Each day, they had one----hour access to the prison yard. Prison authorities did not, however, choose to make a public event of this change; the inmates' co----counsel, Trenticosta, found out about it only by chance when he went to visit his clients. A statement released by the prison stated that they were moved because space was needed to house other prisoners.

---

[6] John Conyers, Jr. (D-MI), press release, "Conyers Visits Inmates at Louisiana State Prison," March 21, 2009, judiciary document 110-JUD-02080, http://judiciary.house.gov/news/032108_2.html.

Go to the Source

About a month or two after her initial phone call, Sullivan decided it was time to call Angola's spokesperson again. She needed to visit the prison and interview the prisoners, and she wanted to see as many sites as possible linked to the two men held in solitary for so many years.

> I decided that if we're going to do this, we need to go [there], and I knew that we would not get everything we need, that the story wasn't going to come together in one trip. I already knew that there were a million avenues that I was going to want to chase down. This one—I wanted to hit the hot spots, you know, and try to just get as much as we could.

Under US law, no one had a legal right to enter a corrections facility without permission. The warden had the discretion to choose who could or could not come through the gates. Thanks to her years covering prisons, Sullivan had become adept at negotiating with wardens and other prison administrators and navigating bureaucracies. Typically, she convinced officials of a story's importance by outlining her reasons for doing it, its effect on the public's understanding of an issue, and the benefits the story might have for the warden and his or her prison.

Before Sullivan reached for the phone, she thought it through. "I did not want in any way to lie or mislead them, but I needed access," she says. Without access, she had no story. It would have been possible to claim that she simply wanted to re----interview the elderly inmate for the other story she was working on, then surprise the prison authorities with a request to see Woodfox and Wallace. But Sullivan knew better. "You cannot in any way tell a warden you are coming to do one story and then do something else," she says.

> This job is hard enough as it is. You are your reputation, and the only reason you get access to prisons or you are allowed to come back is because they trust you're going to be true to your word.

On the other hand, if she called to ask forthrightly for an interview with the inmates in solitary confinement, they would slam the door in her face. She hoped that she could negotiate with the prison officials. Before she picked up the phone, she plotted a strategy she hoped would work: leave no room for a rejection. "I would like to come down and interview [the elderly inmate] again," she said to the spokesperson, "and I would like to talk to you while I'm there about Woodfox and Wallace." The woman reminded Sullivan that prison officials would have nothing to say about those two. But Sullivan deliberately did not press her. "Let's not be hasty," Sullivan says. "Why don't we talk about it when I get there?"

Trip to Angola. Sullivan scheduled a trip to Louisiana for early July 2008. Amy Walters, her producer, joined her. Once in Angola, Sullivan met with the warden, Burl Cain, and repeated the request she had made to the spokesperson. "We don't talk about those. Just

can't do it, you know, really. That's not the deal," he told her.[7] So she collected what material she could without talking to them.

A radio reporter needs tape of ambient sound—recordings that in this case would convey the daily sounds of the prison to her listeners. To satisfy this need, Sullivan asked for a tour of the prison, making it clear to the warden that she was pursuing both stories: the one about the elderly inmate, and the one about Woodfox and Wallace. To her relief, he allowed her to take the tour. But he stipulated that she could not interview anyone about Woodfox and Wallace. Sullivan acquiesced, hoping that in the course of the tour, she would pass by some of the spots that figured in the story of the isolated prisoners, such as Brent Miller's former residence or the crime scene. Melody Spragg, an Angola administrator, served as her escort. When Sullivan asked Spragg whether she could see the Brent Miller Firing Range, which was named for the slain guard, she responded: "Absolutely not."

The tour was short, conducted by car, and tightly controlled. Spragg drove her through the neighborhood where prison employees lived and by the dog pen. The bloodhounds, attack dogs, and wolves were used to track down escaped inmates. Sullivan didn't let on that she was pleased to visit the dog pen, where she made recordings of barking hounds. She knew from her research that Hezekiah Brown, who had been the state's main witness against Woodfox and Wallace, had been assigned to oversee the dog pen as a reward. "It was a very luxurious place to go, and that was his gift for testifying against the two men," she says.

Every time she was allowed out of the car, Sullivan recorded more sound. At an abandoned building that had been shuttered decades earlier—a lone shack in a field—Sullivan taped chirping cricket "ambi." But the tape she had gathered so far was insufficient for her solitary confinement story. "Can I at least see where [Woodfox and Wallace] were in solitary?" Sullivan asked Spragg, hoping at the very least to catch a glimpse of the building's exterior. Again, the answer was no. Sullivan had made her site visit, but collected very little usable material.

Digging Deeper

Sullivan returned to her Washington, DC, office knowing she needed more for her story. After the Angola visit, and despite her earlier agreement with Editor Drummond, the focus was shifting. She had started with an examination of whether anybody should be held in solitary confinement for 36 years; now she found herself drawn inexorably into the question of Woodfox and Wallace's guilt or innocence and whether the initial 1972 investigation into the murder by Angola wardens had been conducted properly.

---

[7] Laura Sullivan, "Doubts Arise About 1972 Angola Prison Murder," *All Things Considered*, National Public Radio, October 27, 2008, http://www.npr.org/templates/story/story.php?storyId=96030547. Other interview details, unless separately attributed, are from this story.

Sullivan did not want to produce a standard "he said, she said" story pitting those who asserted the men's guilt against those who found them innocent. She wanted to get beyond third---party sources—people who had knowledge about the case and opinions about it, but were not directly involved—and at least try to reach the principals: prison officials who had taken part in the investigation. Once again, she sat down with Drummond. Should she go deeper? Was this a profitable tangent, or a waste of time? Both she and Drummond realized that if she chose to pursue the story further, there was a risk that the prison authorities would prevent her from developing the concurrent elderly inmate story. But they agreed that that was a risk worth taking. Sullivan decided to make another trip to Angola.

Trip #2. Toward the end of July, Sullivan headed back to Angola for four days, again with Producer Walters. Sullivan had decided to push hard on the question of guilt or innocence. She had set up a couple of interviews in advance with the two inmates' previous defense lawyers, as well as former prison officials. But she also wanted to find former inmates. Because nearly four decades had passed since the murder, Sullivan was looking for people with no assurance that they were still alive.

Sullivan and Walters started knocking on doors to find anyone who might know more firsthand. "We got a couple of doors slammed in our faces," Sullivan says. They also conducted property searches in order to uncover last places of residence. "You think that this is something you can just look up on Wikipedia? It's not," Sullivan says. "These are very, very tricky, like asking people who did what and where—trying to get the staff's list. It was impossible."

But then Sullivan hit pay dirt. Before leaving Washington, Sullivan had arranged to meet with Leontine Verrett, Brent Miller's widow, at her home. They had had a preliminary phone call, but Sullivan had no idea what Verrett might say in person. Over the years, Verrett had done in---depth research into her husband's murder. Because Angola was such a small town, the widow knew many of her husband's former coworkers.

In the interview, Verrett told Sullivan that she no longer believed that Woodfox and Wallace had killed her husband. "That was an amazing moment," Sullivan says. Suddenly, Sullivan had a new development to add to the story—the widow's change of heart. She admired Verrett's candor, especially in a tight----knit community: "I think it's hard to come forward publicly and say that you're questioning the guilt of two men that most people in your community believe are guilty," Sullivan says.

Inner Circle

Sullivan still wanted to get beyond the gatekeepers and interview the inner circle. To build her narrative, she needed firsthand accounts of what the prison was like in 1972—

specifically on the day of the murder and during the investigation that ensued. It was not easy; in the closed community that made up Angola, word got around quickly. By this point in her reporting, prison officials were tracking Sullivan's movements and had asked several of those she wanted to interview not to talk to her.

Nonetheless, on a third trip in September 2008, she and her producer—despite the obstacles—finally located people who had been prisoners at Angola at the time of the Miller murder and who agreed to see them. Some spoke only on the condition that Sullivan not identify them by name. The inmates described Black Panther meetings—Wallace and Woodfox were its leaders—behind the prison dorms in 1972, and discussions about starting a revolution in the prison, or to protest the violent conditions at Angola. The Black Panthers were a Marxist revolutionary group formed in 1966 that had several goals, including the release of African-Americans from US jails. The group had numerous chapters across the country.

Others were willing to speak on the record. Sullivan interviewed Wilbert Rideau, a former prisoner who had been editor of the prison newspaper, *Angolite*, during the 1970s. The prison had been a violent place. When they met, Rideau showed Sullivan back issues with stories about the 52 men stabbed during 1972, eight of whom died. The previous year, 82 had been stabbed, eight fatally. "Angola was a lawless jungle," Rideau told Sullivan.

Another interviewee who provided Sullivan with an inside look was Lloyd Hoyle. In the 70s, Hoyle had moved from a position as deputy warden in Iowa to a similar job at Angola. In 1972, he and his boss oversaw the investigation into Miller's murder. Hoyle told Sullivan that the prison guards, many of whom were illiterate, abused and tortured inmates. Inmates slept with J.C. Penney catalogues strapped to their chests to protect them from stabbings. When Hoyle visited the prison before taking a job there, he was taken aback by the state of affairs at Angola. "I wasn't even working there, and I almost shed tears because of the conditions of that prison," he told Sullivan.

While Sullivan felt better about her developing story, there was still a major piece missing. For a fully credible and properly reported story, she needed to talk to Wallace and Woodfox themselves.

What price access?

Sullivan knew one thing: according to their lawyer, Woodfox and Wallace were willing to do an interview. "They were anxious to talk about it and tell their side of things. Their lawyer was totally on board with this," Sullivan says. In mid----October 2008, Sullivan renewed her request to prison officials to interview the prisoners. But again, they nixed the idea. "Then, I made my pitch to [the prison] lawyer about why they [the prisoners] should be granted their public right to speak," Sullivan says. She got another "no."

Finally, Sullivan took her case to the prison spokeswoman. "You may absolutely not interview these two inmates," she told Sullivan over the phone. "And if we find out that you have interviewed them, we will return them to solitary confinement." Startled, Sullivan asked the spokeswoman: "How can you make a rule like that?" "It's a security issue," Sullivan recalls the spokeswoman responded. "We have the right to determine who our inmates speak to, and who they don't. We're not granting you permission. And if you do this anyway, then they will be punished."

Sullivan knew she had a way to contact them. The inmates had phone privileges, and each had a list of people to whom they were allowed to speak. On that list was their lawyer, Trenticosta. He saw the prison's stance as a raw assertion of power, and maintained that denying Sullivan permission for an interview violated his clients' constitutional rights. So when Sullivan approached Trenticosta about arranging a phone call, he was eager to cooperate. Despite the threat of a return to solitary confinement, the prisoners declared themselves still interested in talking to her. They made a tentative plan: the men would call Trenticosta; Sullivan would be in the room as well. "Even though they can control who that phone [call] goes out to, they can't control who's sitting on the other [end of the] line," Sullivan says.

Although recording a phone conversation for a radio story was not optimal because of reduced sound quality, it was a lot better than nothing. If Sullivan were able to interview the inmates, she could ask the questions she felt were central to the story: Were you framed during the investigation? Did you kill the guard? What has it been like to be in solitary all these years? "That's a giant gaping hole to not have represented in the story," Sullivan says.

But while Sullivan *could* interview the inmates, she was not sure she *should*. "I don't think they fully understood all the repercussions of it," she said. She met with Drummond to discuss the quandary. Like most news organizations, NPR News adhered to a code of ethics and practices. "The purpose of this code is to protect the credibility of NPR's programming by ensuring high standards of honesty, integrity, impartiality, and staff conduct," it said.[8] The section on ethical conduct in news coverage and program production included the stipulation that journalists "always keep in mind that gathering and reporting information may cause harm or discomfort, and they weigh that against the importance of the story."

Was this the kind of situation the code was written to address? Should Sullivan put first her desire to tell the best story she could and let the chips fall where they might? Should she feel responsible if the prisoners were indeed returned to solitary confinement? Should she simply include the prison's threat in her report, and hope they were bluffing? How

[8] "NPR News Code of Ethics and Practices," National Public Radio October 15, 2009, http://www.npr.org/about/ethics/ethics_code.html.

strong a story could she tell without a contribution from the inmates? Most pressing, should Sullivan tell Trenticosta to arrange a phone conversation with the prisoners?