Inmates fight battle on air
Prison station airs call-in show, helps with woes

By JAMES MINTON
Baker-Zachary bureau

ANGOLA — Louisiana State Penitentiary inmates used air time last week to buy more time in a legal battle over their appeal rights.

An attorney and a paralegal offered legal advice to the prison’s 5,200 inmates during a history-making broadcast Tuesday night on KLSP-FM, Angola’s inmate-operated radio station.

Disc jockey Prentice “Goldie” Robinson is certain the three-hour broadcast broke new ground.

The program was Angola’s first attempt to use the radio to deliver legal assistance to a mass audience, he said. and KLSP is the world’s only station licensed to operate from prison on a commercial radio band.

The state Legislature indirectly prompted the radio program by passing a bill last year limiting the amount of time convicts have to contest their convictions beyond their initial direct appeals.

The legislation set an Oct. 1 deadline that affects most of Angola’s prisoners. Its opponents say Corrections officials and prisoners were ill-prepared to cope with the deadline and the law infringes on citizens’ rights to appeal unconstitutional imprisonment.

Inmate counselor Joseph Woods helps fellow inmate Johnny Cunningham fill out his appeal papers from his cell at Angola prison.
Proponents argue that the law sets a framework to finalize criminal convictions, relieving the courts, prosecutors, police and crime victims of having to deal with cases that drag on for years.

Although prisoners developed the legal strategy unveiled Tuesday night, prison officials, including Warden John Whitley, sanctioned the broadcast because of their obligation to provide inmates with "meaningful" access to the courts.

Inmates Gerald Bosworth, an attorney, and Norris Henderson, a prison law librarian, sat before microphones in the "Incarceration Station" to give step-by-step instructions for filling out "generic" post-conviction relief applications destined for criminal district courts around the state.

Inmate counselor substitutes, or legal aides, fanned out through the penitentiary's dormitories and cell blocks to answer questions and assist illiterate inmates in filling in the blanks. Members of an anti-drug abuse organization's paralegal class also volunteered to help.

Bosworth estimated Friday that Angola officials will mail between 1,300 and 1,500 completed applications to district courts for the participating prisoners.

"I was pleasantly surprised by the amount," Bosworth said.

Before Bosworth and Henderson took over the microphones, Baton Rouge attorney Keith Nordyke explained how he and Bosworth are attacking the legislative act on constitutional grounds in federal and state lawsuits.

Nordyke represents all Louisiana prisoners in an ongoing 1971 class-action suit that challenged state prison conditions, but he said his involvement in the two new lawsuits in the two new lawsuits is unrelated to the other case.

Bosworth filed the original petition in Baton Rouge federal court that challenged the 1990 legislative act. Nordyke later enrolled as counsel in the case, amended the petition and filed another suit in state court.

"I read the suit Gerald filed, and I really was concerned about the effect of that law on that many inmates," Nordyke said. "I talked to the warden to get an idea of the problem and agreed to sign on."

Bosworth said the law restricts a prisoner's right to raise collateral issues — such as inadequate legal counsel at trial — after the courts dispose of his initial appeal.

"It doesn't make any difference which side prevails. This case is going upstairs (to higher courts). This is the District Attorneys Association's bill. The district attorneys are not going to take a defeat lying down," Bosworth said of the litigation.

The post-conviction applications prepared Tuesday night seek 180-day extensions in each criminal case to give inmate counselors and prisoners time to obtain trial transcripts, police reports and other documents, Bosworth said.

"Without those documents, we don't know who has valid claims," he said.

In Angola's Oak dormitory, Albert Williams said he had filled out one of the appeal forms. In his 28th year of a life sentence for murder, Williams said he is "always looking for a reason to file."

"As long as you're confined, you ought to be able to help yourself," he said.

From left, Norris Henderson, Gerald Bosworth and Keith Nordyke broadcast to Angola inmates on how to file appeals prior to the Oct. 1 deadline. Angola disc jockey Prentice Robinson, with his back to the camera, works the control room.