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KATIE SCHWARTZMANN  
LEGAL DIRECTOR

August 11, 2010

Warden Burl Cain  
Louisiana State Penitentiary  
Angola, LA 70712

Re: Reporter James Ridgeway  
Via: U.S. Mail & Facsimile

Dear Warden Cain:

Recently reporter James Ridgeway—whose work has appeared in the Wall Street Journal, the Economist, Parade Magazine, The New York Times Magazine, The New Republic, the Village Voice, and Mother Jones—requested to tour parts of the Louisiana State Penitentiary (“Angola”). His requests to tour Angola have been denied by prison officials. A prison official told Mr. Ridgeway that the denial was based on disagreements with Mr. Ridgeway’s prior reporting on Angola. This refusal is discriminatory and content-based, and as a result, is a clear violation of Mr. Ridgeway’s First Amendment rights.

The areas of Angola Mr. Ridgeway wants to visit are often visited by newspaper reporters, magazine writers, and other media. Public records show that members of the print and video media visit the prison every month. Television stations and newspapers routinely come onto the prison grounds for tours and to conduct interviews. Angola has the capacity to give Mr. Ridgeway a tour of Angola; including the different prison camps, CCR, Death Row, the Hospice Program, the Angolite offices, New Orleans Baptist Theological Seminary classes, and the religious services held at the numerous prison chapels.

Further, the prison can clearly accommodate Mr. Ridgeway. The Los Angeles Times reports that “Angola’s leaders call their institution ‘the most visited prison in the world,’ with more than 1,000 tourists monthly, besides the roughly 70,000 people who come each year on rodeo days.”<sup>1</sup> Frequently groups of children, including middle schools, tour Angola. Every month hundreds—and sometimes thousands—of people visit the numerous chapels throughout Angola. Angola has apparently also entertained visits from comedian Russell Brand (September 2009), Miss Louisiana (May 2010), “[t]hree tourists from Shreveport” (April 2010), and the Dixie Dazzle Dolls—a children’s beauty pageant group (May 2010). These visits confirm that Angola’s refusal to allow Mr. Ridgeway to visit is discriminatory.

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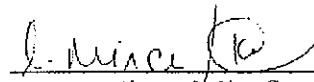
<sup>1</sup> Christopher Reynolds, Buck the norm with a trip to the Angola Prison Rodeo, Los Angeles Times (April 5, 2009) available at: <http://articles.latimes.com/2009/apr/05/travel/tr-angolarodeo5/2>

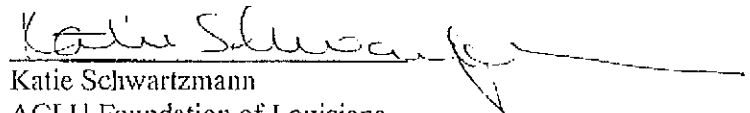
(2)

The government violates the First Amendment when it denies access to a jail or prison based on the content of a speaker's prior speech. Restrictions on press access to prisons cannot be based on the content of a reporter's articles or an individual's viewpoint. Pell v. Procunier, 417 U.S. 817, 826 (1974) ("no discrimination in terms of content"); The Chicago Reader v. Sheahan, 141 F. Supp. 2d 1142, 1146 (N.D. Ill. 2001) ("Defendants assert that they denied Marlan access [to the jail] not because she criticized the sheriff, but because she misled them about the content of her article. This is still a content-based decision."). In sum, Angola may not legally apply a different set of rules to Mr. Ridgeway regarding visits to the prison from those applied to other members of the public and press on the basis that it disagrees with his reporting.

We bring this matter to your attention in hopes of avoiding litigation. Please allow Mr. Ridgeway to tour those areas of the prison to which others are provided access. The First Amendment to the U.S. Constitution calls for it.

Sincerely,

  
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cc. Sec. James LeBlanc