

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

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by [Solitary Watch Guest Author](#) | March 19, 2010

Editors note: Our first guest post on Solitary Watch News is by Stan Moody, a former state representative and chaplain at the Maine State Prison, where he ministered to inmates in the supermax unit. Moody, who currently serves as pastor at the Meeting House Church in Manchester, Maine, is the author of the books Crisis in Evangelical Scholarship and McChurched: 300 Million Served and Still Hungry. In February, Moody testified at a hearing in the Maine State Legislature on a proposed bill to limit solitary confinement in the states prisons. As part of his testimony, he told the story of a prisoner who died alone in his segregation cell; he tells the same story, in more detail, in this guest post. More of Moody's writings can be found at www.stanmoody.com.

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I wrote this article on St. Valentines Day, a day that conjures up a wide range of experiences, from first love to the famous massacre on February 14, 1929

There are 4,000 or more people incarcerated in Maine at the moment. Keeping watch over them are hundreds of prison guards, most of whom would rather be home than spending loves holiday doing cavity search or bed counts. Happy Valentines Day!

There is a widow in upstate NY who reels from a double-whammy of a brilliant, successful husband who confessed to a sexual assault and the memory of his ashes arriving 6 months later from Maine State Prison (MSP) with the notice that he had died of natural causes. Then another whammy finding out 6 weeks later, after she had buried him, that it was a homicide and that prison officials had known as much within minutes of his death officially, within 2 days.

There are others who come to mind who are reeling, as well, from conflict over what to do about this situation that, if brought into the light, will explode into a full-blown crisis. Maine Department of Corrections officials are on pins and needles, wondering what is going to happen when this explodes. I was scheduled to give testimony on the conditions at the supermax unit at MSP that I feel gave rise to the death of inmate Sheldon Weinstein, a prospect that threw a wrench into my Valentines Day.

I have a picture in my mind of the Attorney Generals Office vainly searching for a good option to prosecute somebody for this death without smearing the prison system. It has been nearly 10 months since Weinstein died alone in his cell of a ruptured spleen presumed to have been caused by an inmate assault 4 days earlier. It is not as though they had to go looking for a suspect or that the evidence was scattered over 50 states. Nobody was going anywhere. Justice is slow and nearly blind, but it gets slower and blinder when a state agency is implicated.

It is easier to digest this story if we can somehow de-humanize people caught up in the meat grinder we call justiceguards and prisoners alike. Whether you like it or not, however, all players in the justice drama are human beings, Weinstein included. It is that very humanity that cries out for reform of the efficient, military, detached environment that we call Maine State Prison.

It may be time for me to share my story.

It was Friday, April 24, 2009. I was finishing my rounds as Chaplain at the Special Management Unit (Supermax) when I came to the end of the dreaded B1 corridor, looked in and saw Sheldon Weinstein sitting on his wheelchair with his legs across his bunk, 10 feet away. He smiled when he saw me and joked about how old men like him and me were targets in prison. I saw his hugely black eye and asked him if he had other injuries. He pointed to his stomach. He then asked me if I could help get him some toilet paper. He had been using his pillow case, but since he had no pillow, it didnt matter anyway, I suppose.

I spent probably 10 minutes talking/shouting with Sheldon through a steel cell door. I then left and asked a guard on duty to see that he got some toilet paper.

I came in the next morning and was told that Weinstein was found dead at around 6:00 pm that evening. His posture had been reversed. He was lying across his bunk, with his feet in his wheelchair. He had yellow complexion, suggesting liver or spleen, his stomach was distended, and rigor mortis had begun to set in, indicating that he probably had died within an hour or two after I left.

My amateur diagnosis of cause of death was ruptured spleen, confirmed by autopsy within 2 days. Almost universally, the reaction of captains, guards, sergeants and inmates was, Good riddance! One less mouth to feed! One prisoner, however, had taken it upon himself before the assault to wheel confessed sex offender Weinstein to the chow hall to prevent him from being spit upon.

When they found him, Weinstein did have toilet paper.

There is a prisoner in segregation who is awaiting indictment for murder. I have had a number of conversations with that prisoner. If I were his attorney, I would be licking my chops over this one. Did Weinstein die of an assault, or did he die of medical and security neglect? If there is a murder indictment, will any prison staff be implicated as accessory? Since someone brought toilet paper to him, and since he was unlikely to have been able to maneuver to the cell door, and since his sitting position was reversed, did he die from the assault on the previous Monday, or did something further happen to him on Friday?

Has the pathology report on the condition of the spleen been analyzed by other medical professionals to determine if it were likely to have taken four days to bleed out?

Adding intrigue to the situation, the guard whom I asked to provide toilet paper was placed on Administrative Leave almost immediately. The guard who was on duty in the housing unit where Weinstein was assaulted was fired.

The test for first degree murder is malice aforethought that is, that the person or persons involved plotted and intended to kill. That, however, is problematic in the case of Maine State Prison. Here's why.

Assaults of inmates by other inmates not only are common there but may be, some believe, tacitly encouraged. In Weinstein's case, it began with the decision to place him in a minimum security housing unit notorious for attacks on sex offenders. Beating sex offenders and rats (people who give the names of those who beat them) was so common that it had become routine. The victim would be given the signature black eye and be placed in segregation for his own protection for months, while those who carried out the assault would often be out within 10 days.

I have written an exhaustive narrative on the circumstances surrounding the death of Prisoner Weinstein but will hold that narrative until I sense that there is movement toward justice in this case. There can be no rationalization for his crime. Yet, he was not sentenced to the death to which he was consigned. He had a surprising background that defies common stereotypes of sex offenders. The way in which prison officials handled the matter with his surviving family speaks volumes about a profound failure of conscience.

The death of Sheldon Weinstein has changed my life remarkably. While both prisoners and guards cannot seem to get beyond his crime, I was confronted with a real life situation from which I could not in good conscience walk away. It has cost me dearly in terms of my political stature and will, I presume, continue to do so. It has opened my eyes to the fallacy that nearly all people in government, at the end of the day, are good people who really want to do the right thing. I have seen a level of contradiction that I could have gone on blithely the rest of my life without seeing.

Will Weinstein's death be subjected to the level of investigation it deserves? Will his death become a catalyst for addressing the system of favoritism and influence peddling that prevails at the prison? Who can know the answer to these questions? Thus far, there has been no indication of change to a system that mirrors the blue line of silence.

My hope is that there will be a few Department of Corrections employees who will summon the courage to speak out against systemic practices within the prison that are the root cause of discrimination and inconsistent discipline.

Sheldon Weinstein: brilliant; Jewish; sex offender; dead within 6 months of incarceration. Who cares?

Accurate information and authentic storytelling can serve as powerful antidotes to ignorance and injustice. We have helped generate public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

Only with your support can we continue this groundbreaking work, shining light into the darkest corners of the U.S. criminal punishment system.

by [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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We are all prisoners in one way or another, let love be the light

my son sean higgins has been locked up for 1 year over the prison stuff, i talk to him on sundays, every time he sounds worst, im afraid something bad is happen to his mind, so what happens when hes not charged, and he gets out, whats going to happen then, hes my only kid, but 1 year locked up by our selve, really can do a lot to someones mind, he or i will never get that time back, now you can talk about

(alone) thanks for listen,, signed lonely mom in north berwick maine. Anela Higgins.

The Weinstein death, alone and in solitary, is the Achilles Heel of the Maine State Prison systemIn an effort to deflect attempts at transparency and accountability, the Maine Department of Corrections has circled the wagons with the mantra, We operate under nationally accepted standards

Visit me and get on my email list for future articles on prison reform:

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