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## Criminal Justice Issues and Prisoners' Rights

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In a Washington State Prison, Solitary Confinement Is the First-Line Response to COVID, and a Bureaucratic Nightmare

by [Voices from Solitary](#) | August 2, 2021

*Christopher Blackwell, 40, is serving a 45-year prison sentence in Washington State. He co-founded [Look 2 Justice](#), an organization that provides civic education to system-impacted communities and actively works to pass sentencing and policy reform legislation. When the COVID pandemic hit his prison, he was on the same unit as Tim Pauley (who has given permission for his story to be told in this piece). Blackwell is currently working towards publishing a book on solitary confinement. His writing has been published by the Washington Post, Boston Globe, Huff Post, Insider, and many more outlets. He is on Twitter @chriswblackwell*

Im sorry, but you need to get ready. Weve got to take you to IMU [solitary confinement]. The sergeant delivered this devastating news after approaching the bars of the cage where Tim Pauley was housed. Tim had not been accused of committing an infraction but this would be his second trip in just months to a horrible place typically used as a punishment, but now used to house prisoners during the pandemic.

Im sure [the sergeant] was sorry, as were half a dozen other staff I encountered on my walk to the bad place. Yet, once I was out of sight, the steel door slammed to the concrete tomb, the only one left to feel the real pain was me, Tim said.

Tim explained the episode was but one in a series of unlikely events. When the pandemic hit, Tim was concerned COVID-19 would cause him severe harm if he contracted it. Given his living conditions at a one-hundred-year-old prison he knew the Department of Corrections (DOC) would fail to properly protect him from the virus. In an effort to protect himself, Tim, who is 62 years old, had an attorney file a petition in the Washington State Courts which would have secured his release on the grounds that he was not safe at his age in a communal living situation managed by the DOC. It was quickly denied after the DOC reassured the courts of all they were supposedly doing to protect him and other at-risk prisoners.

Several months after his PRP was denied, over 90% of his living unit contracted the virus. Fortunately, he was one of the lucky ones he tested positive, but he didnt experience many symptoms. Nevertheless, he was sent to a makeshift encampment set up in the prisons gym for 20 days with over a hundred other sick prisoners.

After the major outbreak started to subside at the Washington State Reformatory (WSR) months of madness things finally started to loosen up. Prisoners were even told they would be allowed to again receive treatment for non-Covid conditions by outside medical facilities things like pre-planned surgeries. I had been waiting on a minor surgical procedure nearly a year; I was ready to finally get it taken care of, Tim said.

On a Saturday morning, he was transported to a hospital near the prison for a pre-op COVID-19 test. During the test, he informed the nurse he had tested positive for COVID-19 less than 90 days before. They appeared to comprehend this, Tim said. The test was taken and shackled and cuffed, Tim was returned to the prison.

Three days later, he was summoned to the prison infirmary. A nurse was anxiously waiting in the doorway upon his arrival.

How are you feeling Mr. Pauley? she asked with a skeptical look in her eye.

Having just run three miles, he told her he was feeling great not too bad for a man who is 62.

At that point, he noticed a paper in her hand. Now skeptical himself, he inquired if there was a reason why she would think he wasnt feeling okay.

Mr. Pauley, your recent covid test came back positive, the nurse said. He explained that he wasnt surprised as he had just tested positive less than 90 days before.

They shouldnt have used that particular test within 180 days of you testing positive, the nurse told him. So now we have to reschedule

your surgery.

Tim shrugged it off and returned to his cell.

About 30 minutes passed when the aforementioned apologetic sergeant showed up to give him the bad news. Even though prison medical staff had a reasonable certainty he didn't have COVID-19, a decision had been made to send him to solitary confinement sensory deprivation.

The sergeant told him that the medical staff couldn't find any record of his quarantine during the outbreak—a clear display of just how irresponsible DOC medical staff are and have continued to be throughout the pandemic. If they cannot keep track of simple medical records, how can prisoners expect to be protected from the virus? Allegedly, the medical staff was going to continue searching for his records and he would be released from solitary once confirmed.

Frustrated, Tim was taken to solitary to experience the harsh conditions because DOC medical failed to do their job. But only Tim would feel the pain solitary has to offer while the medical staff returned to the comfort of their home that night—negligent without ever being accountable.

Shortly after Tim entered solitary confinement, a nurse showed up to administer a COVID-19 test, the type she claimed he should have originally received, given he had previously had the virus. He quickly provided the sample, hoping to prove he wasn't infected and eager to be released from the vile tomb.

An hour later, another medical staff member returned and said his test was negative. Tim was excited and ready to return to the prison's general population.

So when can I go back? he eagerly asked.

Well, I don't know, let me get back to you on that, the nurse said as she walked off.

Hours passed, no one returned.

The next morning, a third nurse showed up. They asked to take his vitals. Tim got down on his knees and pushed his arm through the small cup port on the thick steel door, struggling to maintain balance as they grabbed his arm.

Your vitals are normal, looks good, said the nurse.

So when can I get outta here? Tim asked.

We need you to provide us with two negative tests before we can release you. We'll be by tomorrow to take your next test.

Annoyed, Tim stood up and slowly walked back to the thin pad he'd tossed and turned on the night before.

The following day, just after breakfast, a fourth medical staff member came by to administer his second COVID-19 test. Lunch came and went—no news. When dinner arrived he began to stress that he had tested positive. *Why were they not coming back?* He didn't feel sick. *Was it even possible to catch the virus twice in 90 days?* So many questions rattled around in his mind.

When the guard opened the cup port to hand Tim his food, he realized he wasn't hungry; in fact, he felt like he was on the verge of vomiting at any moment. He refused the tray of prison slop.

The next morning, his stress hadn't subsided in the least. He had spent the whole night trying to fall asleep on a worn-out pad that couldn't have amounted to more than a half-inch thick. He felt worse than he had the previous evening. His metal hips and worn-out shoulders were throbbing in pain, he said.

He refused breakfast. When lunch came he refused that too. Anytime medical staff passed, he stopped them and asked for an update on his status. Every answer he received was different: you have to be here 10 days with no symptoms, no, it's 14 days, etc. At this point, it was more like spin-the-wheel and see where it lands. The bottom line was, he wouldn't be leaving this place until they said he could.

Tim paced nearly 12 hours a day—burning calories he didn't have to burn. Sometimes he counted his steps, but mostly he was just lost in thoughts as he tried to understand this unforgiving situation. He tried to convince himself he wasn't there for punishment and DOC would figure it out. However, that offered little help. Tim's been in prison since 1980. He knows just how little he means to the system, convincing himself they'll do the right thing is just stupid—he shames himself for even trying.

After the fourth day of not eating, a guard noticed and asked when the last time was he ate. It's been at least a couple days, he said. The guard just walked off.

During the four days, several mental health staff had stopped by his cell and asked how he was doing. When he told them he was depressed, all of a sudden they had somewhere urgent to be. I knew they were only there to check a box, not to actually provide mental health services, Tim said.

On the fifth day, the original nurse came to see him with the heart-wrenching news that he would be held in solitary for 14 days. She inquired as to why he hadn't been eating. I'm depressed and it's robbed me of my appetite, he told her.

Acting concerned, all of a sudden, she went on to say she would be sending someone from mental health to see him.

A short time later, another nurse came by and tried to get him to drink an Ensure nutrition drink. If food made me want to vomit, I knew this would make that a reality even faster—I refused, he said.

The original nurse came by a short time later and offered him a bottle, one they wanted him to urinate in. They were concerned he stay hydrated. Tim played along and provided a bottle of urine. He asked the nurse if he could have something in writing saying when he would be released. She said she couldn't do that.

I wanted something tangible so when day 14 came I wouldn't be stuck there and given some new reason why I can't be released, he said.

Within an hour, a professional-looking woman in regular clothing came to the front of his cell and said she represented mental health. She asked Tim to tell her everything. He started from the beginning, even discussing his PTSD, which led to him not being able to sleep, eat, or think about anything other than getting out of that small, tightly confined concrete box. He concluded his story by saying he hadn't received a major infraction in over 25 years and under no circumstances did he belong in solitary confinement. She left saying she would look into all this.

An hour later, the original nurse came by his cell and told Tim he would be released from solitary confinement the following day.

I wanted to believe this, however, I had been fielding a steady stream of lies from these people. I didn't believe her. He continued to stress and refused all meals.

The next day, after refusing two more meals, Tim was released from the cold concrete tomb and returned to his cell in general population. If Tim would have eaten his meals and played along like a good little prisoner he would have surely been subject to a much longer stay in solitary confinement. He was never told the specifics upon his release. It took several days before he was free of the mounted stress and twisted stomach from not eating. This will be just one more horrific memory courtesy of the DOC for him to file away in his decades-long memory bank of living behind these crumbling brick walls.

What happened to Tim isn't an anomaly; situations like this have happened and will continue to happen to prisoners. This was true before, during, and will surely still be true after the pandemic is long gone.

Prisoners are abused daily by the hands of this broken system. The barbarically cruel and dehumanizing use of solitary confinement must come to an end, it only serves one purpose: abusing and severely harming those forced to lay within its grasp.

Solitary confinement isn't a healthy tool for prison administrators to have at their disposal, it's a weapon to abuse and mistreat those within their care: a bully tactic. As a society in 2021, we need to strip this weapon from them. Because it's not just the prisoners who suffer. Society as a whole suffers the harm inflicted on those forced to endure the archaic punishment of solitary confinement when those prisoners are released back into society.

The Voices from Solitary series publishes dispatches from people surviving the lived experience of solitary confinement.

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.

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