

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2011/01/10/prison-whistleblower-condemned-to-solitary-confinement/>

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by [James Ridgeway and Jean Casella](#) | January 10, 2011

The ongoing story of Massachusetts inmate Timothy Muise demonstrates in detail how freedom of expression ends at the prison gate. When Muise has sought to expose what he alleges is a sex-for-snitching ring run by guards at MCI Norfolk, a state prison south of Boston, he was charged with inciting a group demonstration, along with various other rule violations, and summarily placed in solitary confinement awaiting a disciplinary hearing. After a hearing that reveals the real nature of due process for prisoners, Muise was sentenced to further weeks in solitary.

On November 2, 2010, we [first reported](#) on a letter that Solitary Watch had received from Muise. He is a member of a serious and respected Lifers Group at Norfolk, whose members, among other things, seek to reform the states prison system by writing reform legislation to be considered in the state legislature. The letter described the broad outlines of a sex-for-information ring, in which certain prisoners were placed on one tier where they were free to have sex, provided they turned snitch to supply the guards with information on other prisoners. Failure to do so, according to Muise, would result in the same inmates, being turned over to general population, where their sexual proclivities would become known and they would be targets for assault. Muise wrote:

Abusive and sadistic guards move weak and vulnerable prisoners into housing units they oversee and manipulate them into engaging in sexual activity with each other (many of these men are homosexuals, sex offenders and men with mental health histories) and then they [the guards] force them to become informants under the threat of revealing their secrets to the general population.

Muise elaborated in another letter to a friend, making reference to the [high incidence of suicides](#) in Massachusetts prisons and jails:

The officers that are involved in this ring are also behind abusive treatment that makes this environment hopeless (suicides), and issue a disproportional amount of disciplinary reports, as well as create so many abusive situations through manipulating informant information, creating false rumors about prisoners, and spreading CORI [Criminal Offender Record Information] protected information around the prison. They have gotten away with it for years here at Norfolk, and each time a prisoner attempted to bring it to light they were transferred, had weapons placed in their cells, were tortured with cell searches and strip searches on an almost daily basis, which eventually lead to the general feeling that you could not address these issues. As I am sure you know I DISAGREE! This all lead to this sex for information ring. They got so bold, so brazen, that they dared to do the unimaginable. Men have caught HIV because of it, may have been subjected to unspeakable abuse that could not be proven, and to complain could make your life so much worse.

Muise said the state Department of Corrections was conducting an investigation into the guards alleged conduct. When contacted, the department refused to grant an interview or comment on the subject.

Muise had sent letters along the same lines to friends, family members, attorneys, and prisoners rights advocates. One of the letters went to an activist friend, Susan Mortimer. Dated November 10, the handwritten letter says in part:

Got you (*sic*) letter dated 11/08. Thank you so much for sending the Ridgeway article. Do whatever you can to get it out there. Some of the real hard chargers in here are going to try to organize a day of protest. I will keep you posted. We need your help.

Prison documents obtained by Solitary Watch show that the outgoing letter was intercepted by prison authorities, who issued a Disapproved Correspondence/Publication and Contraband Notice and secured the letter as evidence. As a result of inmate Muise's outgoing correspondence he was removed from the general population and placed within the special management unit (SMU) on pending investigation status. Although the Massachusetts Department of Correction's real website insists it does not have such a thing as solitary confinement, the SMU is precisely that: a unit with up to 23-hour lockdown, used for administrative and disciplinary segregation.

After Muise had spent a week in the hole, a prison corrections officer sought to interview him, but reportedly found that he was uncooperative and refused to participate in the interview process. He was advised a D-Report was forthcoming. A D-Report is short for disciplinary report. That report, dated November 18, accuses Muise of violating seven categories of the department regulations, including engaging in or inciting a group demonstration or hunger strike; endangering the prison's security; and use of mail or telephone in violation of established regulations.

A final charge makes it clear that prisoners are not just forbidden to protest their conditions they are forbidden to plan, write, or talk, or think about protesting: Attempting to commit any of the above offenses, making plans to commit any of the above offenses or aiding another person to commit any of the above offenses, it reads, shall be considered as the same as the commission of the offense itself.

Muise insists that he was not in any way involved in organizing a day of protest within the prison, and that he was asking for Mortimers help in publicizing the sex-for-snitching ring to policymakers, watchdog groups, and the press. In fact, the only demonstration that did take place was held on Saturday, December 18. It consisted of eight people standing across the street from the prison gate, holding signs that said Blowing the Whistle Is Not a Crime and Let Tim Out of the Hole, as well as Dirty Tricks, Dirty Minds. According to one of the participants, guards warned the protesters that if they persisted the prison might have to be locked down, disrupting visits by a stream of family members.

On Monday, December 20, Muise went before a prison disciplinary board for a hearing on the charges against him. He had enlisted the help of two student attorneys from Harvard Law School, Benjamin Holtzman and Rajan Sonik, acting under the supervision of Harvard instructor and attorney John D Fitzpatrick. Several of the charges were dismissed as unproven or duplicative, but Muise was found guilty of the charges relating to engaging in or inciting a group demonstration.

Muise's punishment was loss of canteen privileges and 15 days in disciplinary detention meaning the SMU, or the very place where he had already been languishing for six weeks while awaiting his hearing. Under Sanction Rationale, his report states: To hold inmate accountable for his actions and to hopefully encourage positive behavior change.

In response to a January 3 email enquiring about Muise's status and the reasons for the disciplinary action, Diane Wiffin, spokesperson for the Massachusetts Corrections Department, wrote:

Hi, James! As previously indicated, the Massachusetts Department of Correction (DOC) does not utilize solitary confinement. Mass. General Laws Chapter 6, Section 167-178 is the Criminal Offender Record Information (CORI) statute that prohibits the DOC from disseminating any information pertaining to an inmates incarceration within the DOC, so we cannot discuss a specific inmate and his disciplinary history. DOC does not comment on investigations. As I indicated earlier, I can tell you that the DOC swiftly investigates all allegations brought to its attention. We will not tolerate misbehavior. Diane

According to letters written to his supporters, Tim Muise is convinced the actions taken against him have little to do with the rule violations outlined in the charges, and everything to do with his attempts to expose the guards' blackmail of prisoners in the sex-for-information scheme. But this underlying issue has effectively been buried by the mind-numbing internal disciplinary procedures of the prison. What remains is what Muise perceives as a clear warning that prison inmates have no right to free speech, and should he decide to persist in his whistleblowing he will face retaliation, likely more severe than what he already endured.



James Ridgeway (1936-2021) was the founder and co-director of Solitary Watch. An investigative journalist for over 60 years, he served as Washington Correspondent for the Village Voice and Mother Jones, reporting domestically on subjects ranging from electoral politics to corporate malfeasance to the rise of the racist far-right, and abroad from Central America, Northern Ireland, Eastern Europe, Haiti, and the former Yugoslavia. Earlier, he wrote for The New Republic and Ramparts, and his work appeared in dozens of other publications. He was the co-director of two films and author of 20 books, including a forthcoming posthumous edition of his groundbreaking 1991 work on the far right, Blood in the Face. Jean Casella is the director of Solitary Watch. She has also published work in The Guardian, The Nation, and Mother Jones, and is co-editor of the book Hell Is a Very Small Place: Voices from Solitary Confinement. She has received a Soros Justice Media Fellowship and an Alicia Patterson Fellowship. She tweets @solitarywatch.

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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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these stories are horrifying. .

sad vary much so from the state of grassian let alone they should be ashamed and for them to say they do not have solitary is like saying there was no 911 and there's no saying that so i have no pity for the docs there in regards to this may there be light in the darkness of justice

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