

BEFORE THE GOVERNOR OF THE STATE OF MISSOURI
THE HONORABLE JAY NIXON

In the Matter of:)
)
PAUL GOODWIN,) Scheduled for Execution by the State
) of Missouri on December 10, 2014, at
Petitioner.) 12:01 a.m.
)

AFFIDAVIT OF CARMEN DECK

1. My name is Carmen Deck. I am an inmate at Potosi Correctional Center in Mineral Point, Missouri. My inmate number is 990144.

2. I have been at Potosi Correctional Center for sixteen (16) years. When I first met Paul Goodwin, my impressions of him were of a Big Dumb guy who acted a lot like a kid. Paul is like a thirteen (13) or fourteen (14) year old kid trapped in a man's body. My uncle and sister are both several profoundly retarded, and while Paul functions better than they do, he definitely has a low IQ. Paul is not a normally bright person. He is able to understand and comprehend the basic things in life, but his judgment and understanding is often poor. Paul's understanding of things is like a child's, and he is filled with child-like joy when he is happy.

3. Paul and I became friends because I saw that he needed someone to "pal around with." I saw that Paul needed someone to look out for him, and to try to be sure

that he was not taken advantage of. I enjoy my relationship with Paul because of how easily he is pleased. Recently, Paul has been worried that the state of Missouri would set an execution date for him. He would tell me and Dan Porter, another inmate here at Potosi Correctional Center, "They are probably gonna kill me." Dan and I would try to lift Paul's spirits by distracting him.

4. Paul has support from his family, and he is able to spend a lot of money in the commissary. By "a lot" of money, I mean that he can spend the monthly maximum, which is \$300, each month. What Paul has, combined with his lower IQ, makes him a target for some of the inmates at Potosi Correctional Center.

5. I have never asked anyone for anything, but Paul is a generous man. Paul has a lot of people who hang around him -- clinging on to him -- trying to be nice to him, in the hope that he will share what he has with them. There are also some inmates who "mooch stuff off of Paul," because they know he is not very bright. Paul is easily led, gullible, and a follower.

6. As I became Paul's friend, I realized that he really needed to exercise more. He spends a lot of his time sitting around eating, which is not good for anyone -- and especially not good for a diabetic. I would tell Paul, "You need to *do* something. You are getting FAT!" (I said it in a lovingly, teasing way -- which is how we usually talk with

each other.) Paul would respond by telling me that he "liked" the way he was. I think he just said that so that he could pretend that what I said did not bother him.

7. Dan Porter, and I started trying to get Paul to get out and do more. When we first started trying to get him to do more, we would all do ten (10) jumping jacks and then one (1) or two (2) push-ups. We wrestled, in a playful way, (like kids would) with Paul. Both Dan and I are in much better physical condition than Paul is, so he would tire long before we did. He would say things like, "I'm too big for this," and when we were wrestling, he would say he was too big to wrestle with us. Because we are in so much better physical condition than he is, he was not actually too big for us.

8. Dan Porter and I started looking for physical things to do that would be interesting and engaging for Paul. We found that Paul liked Frisbee golf and racquetball. Paul is very slow because of his size and the time it takes him to process information. His hand-eye coordination is very poor. Even though Paul seems to enjoy these sporting activities, he is not particularly good at them. Whenever he does something good, he will make the "W" sign on his forehead and jump around happily shouting "I'm a Winner, I'm a Winner!" -- just like a child would. Paul has a child-like need to win, like kids do. I think it makes him feel like someone when he wins.

9. Paul is like a child in that he will do crazy, off-the-wall things in an effort to get noticed, because he wants the attention. Paul has a hearing impairment, and

sometimes, even though he wears hearing aids, he has trouble hearing. Other times, he will mess around and act like he cannot hear, repeating every other word or so of what I say. Just when I think he really did not hear me, he will break into a big laugh. He just wants to be noticed and paid attention to.

10. After we had been friends for a while, Paul started asking me to become his cellmate. He would say, "Come on, man -- you're my only friend." By the time I agreed to be Paul's cellmate, he had been trying to get me to be his cellmate for some time. I can cell with anyone, but sometimes you find someone you really click with. I was in a very good cellmate relationship when Paul first asked me to cell with him. At first, I did not want to give up my good arrangement, but over time, I came to understand that Paul needed my help and that he needed someone who would motivate him and serve as his ally.

11. Eventually, I gave up my really good cellmate situation because I felt that Paul needed me. Paul is a good "cellie" in many ways, but he is also a lot like a little kid. He likes to joke and play around all the time. I sometimes got irritated with him because I wanted to rest or do something *other* than pay attention to him and whenever I tried to get a minute to myself, he would be like, "Oh, man, you don't like me no more." Of course, it was not that I did not like him any more, or that I did not want to be his friend any more -- I just wanted a minute for myself.

12. Since I have gotten to know Paul well, I have noticed that Paul's feelings are easily hurt. He is like a kid in that his feelings are much more easily hurt than an adult's feelings would be in the same situation. I think Paul's feelings are easily hurt because he understands just enough to feel hurt about something he only partially understands.
13. Paul and I ended up being "cellies" for about a year, from 2010 until 2011. When Paul and I were cellmates, he did not do a very good job of cleaning our cell. Paul cleaned our cell by dipping a washcloth into the toilet bowl and wiping down the floors. I did not let it bother me when Paul did stuff like that. I would just go around behind him, re-cleaning what he had just cleaned. I tried not to be too obvious about it, but sometimes he realized I was cleaning an area he had just cleaned. He would say, "Oh, man -- I just did that." I would say, "Oh, well, I dropped something." I never wanted Paul to feel like I was cleaning behind him, but that is essentially what I was doing.
14. Paul is able to take care of himself in terms of physical care relatively well. He showers regularly and brushes his teeth. Maybe Paul is not quite as clean as some of the other men here, but he takes care of himself to the best of his ability.
15. Paul can play Scrabble, but not very well. After years of having played Scrabble, Paul has learned some of the shorter, most commonly used words, but he is far from good at the game. My girlfriend, Alice, and I play *every* Friday when she comes to visit me. I have gotten to be pretty good at Scrabble over the years, and as a result, I

sometimes use words, like AYIN [the sixteenth (16th) letter of many Semitic abjads)] that Paul simply does not know or understand. When I do that, he will usually challenge me initially and then after I look the word up in the dictionary, he will reluctantly agree that it is a word. Then, Paul will use a word I am not familiar with, and I will be like, "Hey, man -- that's not a word." Without consulting the dictionary, he will say, "It's a tree." Of course, I know he is wrong, and that whatever word he used is not a tree, but I just let it go. It isn't worth arguing, and Paul gets a child-like pleasure out of being allowed to leave his word on the game board. I think it is debatable about whether or not Paul knows the words he uses are not real words, because I believe Paul thinks he is putting a real word on the board. Paul also sometimes use a variation on a word -- spelling a word *almost*, but not, quite correctly. I just let it go when that happens. Sometimes, if Paul is having trouble coming up with a word, he will "mess with the tiles," looking for ones that he wants before selecting what are supposed to be random replacement tiles.

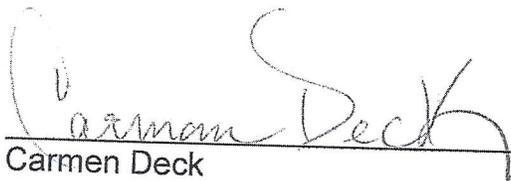
16. The conduct violations that Paul receives are mostly because as a result of his limited intellectual abilities. For example, Paul once received a conduct violation for having too many boxes of cakes. The rule is that you can only have four (4) boxes of cakes from the commissary in your possession at any one time. If Paul has two (2) boxes of cakes left from the previous week's commissary, he does not realize that he should only order a maximum of two (2) more boxes, even though he is allowed to order

up to four (4) boxes per week. Making the connection between how many boxes he has, how many boxes he *will have*, and the policy limit is just too much for him.

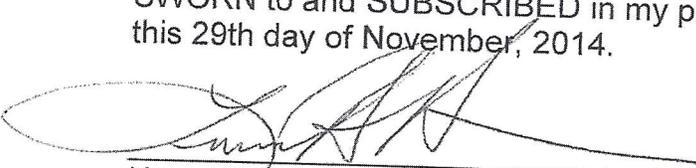
17. My girlfriend, Alice Wintermeyer, has been writing to Paul for several years now. Because she understands his child-like nature, she tries to do things that will please him. For example, she sent him the biggest birthday card she could find one year. Then, this year, because Paul was hoping he would receive a very, very big card from Alice, she made him an itty bitty, teeny tiny card. When he received his birthday card, he was really sad and disappointed that it was not what he expected it would be. She was teasing him, but he did not really get it. Later, she sent him a big card, with a sincere birthday wish. Paul wrote to Alice saying, "Man, you really had me."

18. I care about Paul, because he is my friend, but I would never make him sound more impaired than he is, because I have first-hand experience with mental retardation in my family. Paul is simply not bright.

Further affiant sayeth not.


Carmen Deck

SWORN to and SUBSCRIBED in my presence
this 29th day of November, 2014.


Notary Public

