

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

In the Matter of:

PAUL GOODWIN,

Petitioner.

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Scheduled for Execution by the State
of Missouri on December 10, 2014, at
12:01 a.m.

AFFIDAVIT OF CARYN PLATT TATELLI, AM, LCSW

1. My name is Caryn Platt Tatelli. I am a Licensed Clinical Social Worker. I have practiced as a mitigation specialist for more than twenty (20) years, and have experience working on capital cases from pre-trial through the clemency phase. I was court-appointed to assist Paul Goodwin's attorneys, Jennifer Herndon and Michael Gorla with their representation of Paul Goodwin during his clemency proceedings.
2. After reviewing hundreds of pages of case-related material, I determined that a key outstanding issue that must be addressed prior to an execution is the question of Paul Goodwin's intellectual functioning. Of particular interest is Paul Goodwin's current adaptive functioning, as that has never been assessed. After consulting with Jennifer Herndon, and Dr. Denis Keyes, a leading expert in the field of intellectual disabilities, I investigated Paul Goodwin's adaptive functioning within Potosi Correctional Center, where he has been incarcerated for the past fifteen (15) years. While I hoped to interview Missouri Department Corrections staff and inmates alike, as of the writing of

this affidavit, despite significant efforts, I have not been able to interview either past or present Missouri Department of Corrections staff. I did speak with a retired man who was formerly the warden at Potosi Correctional Center. He declined to be interviewed, stating that he did not want to "stir up a hornet's nest." I was fortunate to be able to interview eight (8) inmates who had substantial knowledge of Paul Goodwin's intellectual deficits and adaptive skills.

3. On Friday November 14, 2014, I visited Potosi Correctional Center. I met with Paul Goodwin. I had never met him prior to that visit. He understood that the purpose of my visit was for me to interview him so that I could begin work on his clemency petition. I was particularly interested in names of correctional staff and inmates who knew Paul Goodwin who might be able to provide me with information about his adaptive functioning. Unfortunately, Paul Goodwin was not able to provide me with the names of any correctional staff, and struggled to provide me with names of inmates who know him well. He explained uncomfortably that he has a hard time remembering people's names. Paul Goodwin eventually produced two names -- "David" Porter and "Carmen." After some investigation, I determined that "Carmen" was Carmen Deck. When I requested permission from Potosi Correctional Center to visit the two men -- "David" Porter and Carmen Deck, I was informed that there were no inmates there by the name of "David" Porter, but that there was an inmate there by the name of Daniel Porter. Paul Goodwin's sister, Mary Mifflin, confirmed that her brother has great

difficulty with names and explained that he often does not know his cellmates' names, even after months of living together.

4. During the morning visiting hours on Friday November 14, 2014, I also visited with David Barnett, who has known Paul Goodwin since his arrival at Potosi Correctional Center. David Barnett is my client, and he had been informed that I wanted to visit him to talk with him about Paul Goodwin, although that was the extent of what he knew about the purpose of my visit. He had agreed to meet with me, even though all inmates who receive a legal visit are required to submit to a strip search before and after the visit. David Barnett provided extensive information about Paul Goodwin's adaptive skills deficits and also helped me compile a list of other inmates to interview.

5. Between the morning visiting session and the afternoon visiting session, staff at Potosi Correctional Center processed my request to visit four (4) additional inmates -- DANIEL Porter (not "David"), Lance Shockley, Walter "Tim" Storey and Ronald Wright, all of whom have known Paul Goodwin for a number of years. None of those men knew the purpose of my visit when they were called for a legal visit, and yet all four (4) of them consented to the visit knowing they would be required to submit to a strip search both before and after our visit and despite the fact that my visit had nothing to do with their cases and would not benefit them in any way. All of the inmates I interviewed on Friday knew Paul Goodwin well, and shared their experiences of living with him at Potosi Correctional Center. They each gave significant and different examples of Paul

Goodwin's adaptive skills deficits, detailing the ways in which Paul Goodwin's intellectual disability defines and limits him.

6. On Sunday, November 16, 2014, I met with three (3) additional inmates at Potosi Correctional Center -- Charles Armentrout, Carmen Deck and Lester Stone. While Carmen Deck had heard that someone had been at Potosi Correctional Center to interview inmates about Paul Goodwin, none of the inmates I interviewed were expecting me to visit them, and they had not spoken with each other or anyone else about the purpose or subject of my visit. All of the men I met with on Sunday, November 16, 2014 were required to submit to a strip search both before and after our visit, and they gained nothing from my visit. As with the inmates I visited on Friday, each of these men provided substantial significant and different examples of Paul Goodwin's intellectual disability and adaptive skills deficits.

7. As I finished with each inmate, I asked who else might have information to add about Paul's intellectual functioning. Lester Stone explained, "I think it is important for me to say that...[you] could have randomly picked any staff member at Potosi Correctional Center and any inmate who has been there for any length of time. Anyone who knows Paul will be able to talk about his deficits, and while each person might provide different examples, in the end, the result would be the same -- information about the ways in which Paul does not function well cognitively." Lance Shockley and David Barnett echoed Lester Stone's thoughts, saying it is "commonly understood amongst Potosi Correctional staff and inmates alike that Paul is slow" and everyone "-- staff and

inmates alike -- knows that Paul is not all the way there." Their assessment perfectly echoes the strong impression I had as I finished my interviews. Unfortunately, despite significant efforts to speak with a current or former employee at Potosi Correctional Center, including following the protocol mandated by the Missouri Department of Corrections for contact with current employees, I was not able to find anyone who was willing to speak with me regarding Paul Goodwin's intellectual functioning.

8. A number of the inmates I interviewed recalled clearly their first impressions of Paul Goodwin, even though most of them have known him for more than ten (10) years. Charles Armentrout recalled his first impressions of Paul Goodwin saying, "he looked like Baby Huey, in that he was slumped and hulking. Even from a distance, I could tell that he was not very bright." He called Paul Goodwin a "big dummy" explaining, "I do not want that to sound mean or derogatory, but it is the perfect description for him. He is very large, physically, and he is really not very bright." Carmen Deck, whose uncle and sister are both "severely profoundly retarded" recalls his first impressions of Paul, which 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." Walter Storey also provided a strong visual image of Paul Goodwin, saying that he "is as soft as a bed of 'kitty cotton'" and added "'Paul is just like Lennie, the slow-witted character in *Of Mice and Men*.'"

9. All of the eight (8) men I interviewed described Paul as being intellectually delayed. David Barnett stated that Paul's "comprehension level is delayed. He is slow

in everything he does -- his speech is slow...almost as if he has to think extra hard to find the right words -- and even then, the words he uses are often not actually the 'right' words." He described Paul as "child-like," functioning at "second (2nd), third (3rd), or fourth (4th) grade" and opined that Paul has reached his "mental capacity." Lance Shockley explained that he has "always spoken to Paul like he is a real person, although there are certainly inmates and staff who talk to him more like a child," which is perfectly understandable given his limitations.

10. David Barnett noted that if "there is something he does not know or understand, he looks to an adult, much like a child would" and added, he "laughs a lot of stuff that he does not understand off [sic]." Charles Armentrout and Lester Stone echoed David Barnett, with Charles Armentrout saying, "most of the time Paul does not really understand fully what is happening around him" and Lester Stone adding, "Paul does not understand most of what is going on around him. Paul is definitely not all there, from a cognitive perspective...you can tell he is simply not right."

11. Those who know Paul Goodwin best -- inmates at Potosi Correctional Center -- consistently described him as being "child-like" or "childish" and having a need for acceptance and they were all able to provide examples of immature functioning and behavior. Lance Shockley described Paul as a being "like a big kid." Charles Armentrout added that Paul "has a child-like need for attention." Lester Stone described Paul as "more childish than any of the rest of the men" and added that his nickname is

"Big Shirley, because of how goofy he is." Daniel Porter explained that when he decided he was going to become Paul Goodwin's friend, he realized he was going to have to "get down on his level."

12. The men who have lived with Paul Goodwin for the past fifteen (15) years all know him to be, as David Barnett put it, "very simple." David Barnett explained by saying "[i]t does not take much to please him or to occupy him." David Barnett also described Paul's sense of humor as "very simple, and child-like," adding that the "things Paul finds funny are so 'low' and simple that sometimes it is hard to find the humor...because you are looking for something subtle or hidden when the 'humor' is right there in plain sight." Daniel Porter echoed David Barnett saying, "[t]he simple things in life please Paul, and early on...I decided I wanted to please him when I could, because I liked how happy it made him."

13. Daniel Porter, who has become one of Paul's friends, initially wondered why anyone would want to hang out with Paul because he is "intellectually slow...dense...[and] like a child." He explained that he has come to find Paul "endearing" and "appealing because of how child-like he is." Daniel Porter and Paul Goodwin now share a number of "silly inside jokes...[t]he humor is very simple, which works for Paul's level of intellect and which is refreshing for me." Another of Paul Goodwin's close friends, Carmen Deck, explained that he enjoys his relationship with Paul because of "how easily he is pleased."

14. Ronald Wright explained that while he and Paul did not always get along, "I think it is important to say that the reasons we did not get along were mostly due to Paul's limited functioning." Walter Storey explained, "If you criticized him in any way, or tried to help him see something differently, he took offense." Carmen Deck added, "I have noticed that Paul's feelings are easily hurt...much more easily than an adult's feelings would be in the same situation."

15. Charles Armentrout explained that "Paul can be hard-headed, and takes offense if someone tries to correct him. He does not ever want to look like he is wrong...He thinks he sees and understands things about a situation that are not really accurate because he does not understand the situation." Ronald Wright explained that any time Paul had to acknowledge that Ronald was right, the "acknowledgement made him feel bad."

16. A number of the men I interviewed, including David Barnett, Charles Armentrout, Walter Storey, Carmen Deck and Ronald Wright have been cellmates, or "cellies" with Paul Goodwin during his period of incarceration at Potosi Correctional Center. They each acknowledged that celling with Paul Goodwin brings a unique set of challenges. Walter Storey has celled with Paul Goodwin twice. In agreeing to cell with Paul Goodwin, Walter Storey "knew that he might need some extra help because of how slow he is." Other than his needing extra help and support, the two biggest issues Paul

Goodwin's cellmates faced revolved around his childish behavior and his inability to clean the cell.

17. Walter Storey explained that some of the difficulties he had in celling with Paul stemmed from Paul's "child-like nature. If I wanted quiet time, or some time to myself, Paul had trouble understanding that I just needed him to leave me alone...[he] would stand up over me, poking at me, wanting to play, trying to get my attention -- just like a child...it did not matter what I said, or how often I tried to explain it to Paul -- he just never understood." Carmen Deck recalls that he "sometimes got irritated" with Paul because whenever he "wanted to rest or do something *other* than pay attention" to Paul, Paul Goodwin would say, "Oh, man, you don't like me no more."

18. All of the men I interviewed -- even those who did not actually cell with Paul -- recognized that Paul had tremendous difficulty sharing the responsibility of cleaning the cell. Lester Stone explained "Paul is simply not capable of truly cleaning a cell...[he] can get the cleaning supplies, but he is not able to clean so that the cell...is 'tidy clean.'...He will also start cleaning something and then sit down to have a smoke or drink a cup of coffee. He gets distracted and is not clear on the task at hand, so it can take him one (1) to two (2) hours to clean his cell -- and our cells are just not that big."

19. Ronald Wright explained that he and Paul had a significant disagreement over the cleaning of their cell. It happened when Paul "got some detergent and put the soap

in the toilet. He swished a rag around in the toilet bowl water to make some suds and then started washing down the cell with a rag he was dipping in and out of the toilet."

Ronald Wright explained, "[e]ven though I knew he had some limitations, I just could not accept that Paul was cleaning my living space with water from the toilet bowl." When Ronald Wright tried to talk to Paul Goodwin about the issue, he "responded negatively, because he did not want me telling him what to do." After a few days, Paul Goodwin approached Ronald Wright in the yard, telling him "he knew it was stupid to clean that way." Ronald Wright later learned that Paul Goodwin's mother had told him that using the toilet water was "a nasty way to clean the cell."

20. Carmen Deck had the same types of issues when he celled with Paul. "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.'" Lester Stone observed "most of the time, Paul's cellies will let him do what he can to clean and then go behind him, cleaning so that their cell is really clean. I do not think that Paul really makes the connection that his cellmate is going behind him, cleaning."

21. There is no doubt amongst those inmates I interviewed that Paul Goodwin is taken advantage of by some of the inmates at Potosi Correctional Center. Lance Shockley opined, "Paul has problems with...other inmates...taking advantage of him. I do not know if Paul can even see that he is being taken advantage of."

22. Some of those very inmates who describe Paul as someone they care about have taken advantage of Paul. Lester Stone, who has known Paul for eleven (11) years explained with regret, "[w]hile I wish it were not so, I was a very different person when I first met Paul...I had a convict mentality...I made my life in prison by taking from the weak." While he now looks out for Paul Goodwin, he admits that when he first met Paul Goodwin, he "saw that he was slow and weak...saw an opportunity, and knew that he was someone I would be able to take advantage of." Lester Stone used "kindness and casual conversation and pretend interest to befriend Paul." He admits, "it only took a couple of days of my talking to Paul before I was able to get stuff from him."

23. Lester Stone is ashamed and embarrassed by his early treatment of Paul Goodwin, and now counts himself amongst those who watch out for Paul. Walter Storey explained, "[s]ome of us who are Paul's friends will try to tell him when we think other inmates are trying to take advantage of him." Carmen Deck "became friends [with Paul] because...I saw that Paul needed someone to look out for him, and to try to be sure that he was not taken advantage of...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." Walter Storey added, "[w]e will say to him, 'Look, Paul -- these guys aren't your friends -- they want your money.' Paul never wants to hear us say things like that, and does not want to accept that his 'friends' might be using him."

David Barnett concluded that even within the structured setting of Potosi Correctional Center and with the support of the inmates who look out for him, Paul still "has trouble keeping up with what is going on around him."

24. All of the inmates I interviewed spoke sympathetically about the ways in which Paul's intellectual disability adversely affects his ability to live within the rules and regulations of Potosi Correctional Center. Carmen Deck explained that Paul's "judgment and understanding is often poor" while Ronald Wright explained that "Paul does not always understand how his actions are going to be perceived by others...Paul lacks an understanding of cause and effect." Daniel Porter opined that the "biggest problem with Paul is that he is not really able to understand what the consequences of his actions might be."

25. Charles Armentrout believes that more than half of Paul Goodwin's Conduct Violations were because he "is so literal." He explained, "because Paul did not really understand the rules, he just sort of figured that they did not apply to him. It was not so much that Paul did not want to 'bother' with the rules, or that Paul thought he was 'better' than others as it was that the rules did not really make sense to him." Walter Storey echoed Charles Armentrout: "I think it is important to understand that it is not that Paul did not care about the rules he was essentially breaking -- and the fact that he was setting himself up to get in trouble -- it was that he did not think the situation through, and therefore, it did not 'click' for him that he could get in trouble."

26. Lance Shockley explained that "Paul is not able to see a situation from all of the different possible sides or angles...Even if Paul has been in a similar situation before, Paul struggles to think about how his actions might be perceived, and what the consequences or repercussions might be. He cannot analyze things the way the rest of us can." Charles Armentrout added, "[t]here is a definite disconnect between what Paul thinks he sees and hears and his understanding of reality...He is very concrete and specific, and he is unable to see the bigger picture and therefore his decision-making is skewed." He added, "[j]ust from the way Paul talks, you can tell that his expectations of outcomes in most situations are not reality-based, and that in general, he does not have much in the way of common sense."

27. Carmen Deck provided an example of a Conduct Violation that was "the result of his limited intellectual abilities." Paul Goodwin received the Conduct Violation at a time when he had too many boxes of cakes in his cell. "The rule is that you can only have four (4) boxes of cakes...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."

28. Walter Storey provided another example of a Conduct Violation Paul Goodwin received as a result of his intellectual disability. "At Potosi Correctional Center, there are restrictions about what kind of clothing you can wear in certain places. You are not allowed to go into the library unless you are wearing state issued clothing." He explained, "because Paul is not focused on the little things, he forgets these kinds of rules, thinking more about the big picture -- that he wants to go to the library -- and then he gets into trouble because he is not wearing the required state issued clothing."

29. A number of inmates, including David Barnett, Walter Storey and Charles Armentrout talked about a time when Paul Goodwin's uncle's friend, who worked for a law firm in the St. Louis area, wanted to give money to inmates who did not have outside support so they could purchase televisions. Paul gathered a list of inmates who would benefit from such a gift, and the law firm sent money in to approximately a dozen inmates. Because it is a violation of policy for one inmate's family to send money to another inmate, Paul received a Conduct Violation.

30. In reflecting on the incident where Paul Goodwin's family sent funds to a number of inmates, Lester Stone opined, "I believe that what started out as Paul wanting to help a few guys he knew and liked and viewed as 'friends' turned into a situation where inmates who saw the weaknesses in Paul were pressing him." David Barnett added, "to Paul, it was simple -- he was helping his uncle and he was helping those inmates...I do not think Paul understood that what he was helping his uncle do would be perceived as

wrong by the facility." Charles Armentrout concluded, "I...believe his lack of good judgment and poor understanding of consequences played a role in the way this situation unfolded."

31. Many of the inmates I interviewed opined that the Potosi Correctional Center staff understands Paul's limitations, and supported this theory with the explanation that Paul's disciplinary consequences are often not nearly as severe as they would be for a more typical inmate. Lester Stone explained, "the staff who review the Conduct Violations...understand that no matter how bad it might sound, Paul's intentions were never as bad as they might seem based on the way the Conduct Violation is written." A review of the available Conduct Violations and the related Disciplinary Action Reports supports this analysis.

32. Unlike in some other states, condemned men in Missouri are allowed to hold "jobs" within the correctional institution as long as their behavior is acceptable. According to David Barnett, Paul Goodwin "has held a few 'jobs'...at Potosi Correctional Center. It is important to know that his jobs are not like most jobs, in that what he does is very, very simple." Walter Storey reports that part of Paul Goodwin's difficulty in holding a job is that he "loses focus. Even if someone gave Paul a list of very specific tasks, he does not read well and [they]...would have to keep an eye on him to be sure he was on-task and moving down the list."

33. At one time, Paul Goodwin worked in the Laundry Room. Several of the inmates I interviewed were assigned work duties in the Laundry Room during the same time frame as Paul Goodwin. David Barnett was one of those men. "Paul could never really do anything more than some folding and custodial work. Even when he was assigned to do something as simple as folding, he would get distracted and wander away."

Lester Stone has a similar recollection: "The only role Paul ever had in the Laundry Room was as a folder, but even that was hard for him. I think the Laundry Manager...felt sorry for Paul, because he let Paul work in the Laundry Room...even though he was pretty adrift down there."

34. Educational opportunities are available to all inmates at Potosi Correctional Center as long as their behavior conforms to expected standards. Walter Storey encouraged Paul to go to school while they were cellmates. "He always said he did not want to go." Reflecting on all he knows about Paul Goodwin now, Walter Storey admits, "I think that Paul knew it would be too hard for him to be in school."

35. While Paul Goodwin did not ever attend any formal educational programming at Potosi Correctional Center, he did take a course Lance Shockley taught called Transition Training, which is a basic psychology class. The class is geared toward helping inmates identify their needs, assess whether or not their needs are being met, and to consider their character. According to Lance Shockley, the purpose of the Transition Training class is to "help inmates think about themselves in a different light."

36. Lance Shockley explained that the Transition Training class "was a struggle for Paul because he had trouble keeping up with the material." He explained that because "Paul was trying to keep up but really could not, I worked individually with Paul on our wing at night and on the days when the class did not meet." Lance Shockley reflected that the class "was hard for Paul, and I really had to push him to get him through it." Eventually, Paul Goodwin confided in Lance Shockley that "when I called on him in class, I was putting him on the spot, and that he felt frustrated" adding that "his mother always did the talking for him."

37. Recreation is an important part of prison life, as it affords inmates an opportunity to exercise and to connect with each other. Paul Goodwin's recreational interests are simple and child-like, reflective of the rest of his life. He watches television, looks at magazines and plays Scrabble. While Scrabble might not typically be considered a "simple" game, according to all of the inmates who play the game with him, when Paul Goodwin plays Scrabble, his intellectual limitations become very obvious. When one of his friends encourages him to, Paul Goodwin will walk or participate briefly in activities that require physical exertion.

38. Many of the inmates interviewed shared stories about playing Scrabble with Paul Goodwin. Like Charles Armentrout, they all reported that playing Scrabble with Paul "can be frustrating...because he does not know how to spell very well and he often misspells words or makes words up as he goes." Carmen Deck explained that

whenever Paul Goodwin made up a word, he would bring it to his attention and allow Paul to leave the word on the board. "It isn't worth arguing and Paul gets a child-like pleasure out of being allowed to leave his word on the game board." Lester Stone echoed the other inmates, saying "[w]e all just let Paul spell the words however he wants. We all know he is not right."

39. Carmen Deck reported knowing that Paul would "'mess with the tiles,' looking for ones that he wants before selecting what are supposed to be random replacement tiles." All of the inmates who have ever played Scrabble with Paul Goodwin agree that winning Scrabble is far more important to Paul Goodwin than it will ever be to them. Charles Armentrout explained, whenever "Paul won a game of Scrabble, he would jump up and down and get all excited -- like a kid would do."

40. Daniel Porter explained that he and Paul have played a number of games together during the course of their friendship. "His limited intellectual ability is clear in everything he does. When we played washers, in which you only keep score until eleven (11), Paul would not be able to keep up with the running tally. He would regularly forget where we were in the score and was often confused...He would question me sometimes and then, when I would explain to him how we had reached whatever score we were at, he would shrug and say 'OK, whatever you say.'"

41. When it comes to physical exercise, Paul Goodwin is a reluctant participant, at best. As they got to know him, Carmen Deck and Daniel Porter both realized that Paul Goodwin needed more exercise. Carmen Deck explained, "[h]e spends a lot of his time sitting around and eating, which is not good for anyone -- and especially not good for a diabetic." Carmen Deck and Daniel Porter embarked on a campaign to get Paul Goodwin moving. Carmen Deck recalls, "[w]hen 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...[and] he would tire long before we did."

42. Realizing that much of what they proposed was not holding Paul Goodwin's interest, Daniel Porter and Carmen Deck started looking for "physical things to do that would be interesting and engaging." Carmen Deck "found that Paul liked Frisbee golf and racquetball." He explained that "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 enjoys these physical activities, he is not very good at them. Carmen Deck recounted that whenever Paul 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."

43. Daniel Porter explained that Paul's immaturity was often apparent during recreation. Whenever he stops to talk to another inmate while he and Paul are out for

recreation together "Paul will hurry up and go marching off, pouting like a child because I am not giving him my full attention. Then I have to catch up with him and apologize and promise that I will give him my full attention for the rest of our time out."

44. Potosi Correctional Center participates in a program called Puppies for Parole, in which inmates socialize and train rescue dogs with the goal of making the dogs more adoptable. In order to participate in the program, inmates must be in the Honor Dorm and both cellmates must apply to have a dog. The Puppies for Parole program is rigorous and requires intensive, structured work with the dogs individually, in small groups and with an outside trainer. The inmates are also required to complete a daily written log about their interactions with their dogs.

45. Charles Armentrout, who was Paul Goodwin's cellmate when they agreed to apply to the program explained, "I knew when I agreed to apply to volunteer in the program that I would be the one doing the paperwork, completing the training logs, and documenting what we were doing with the dog. I did not think Paul fully understood what was going to be expected of him, and I understood that there would be requirements of the program that he would not be able to fulfill." He explained that "[s]haring the responsibilities of training the dogs we were assigned...was hard. Paul really did not have the capacity to put the dogs through a rigorous training program and he did not understand why it was so important for us to follow certain protocols." Walter Storey, who is involved in the Puppies for Parole program explained, Paul Goodwin "did

not really understand the commitment he was making when he applied to be in the program."

46. All of the inmates I interviewed who had any knowledge of Paul Goodwin's work in the Puppies for Parole program opined that Paul Goodwin did not have the capacity to work within the program requirements. Several inmates wondered if he had envisioned having the dog as a pet, not an animal that needed to undergo rigorous training so as to become more adoptable. Those same inmates observed that Paul Goodwin treated his dog like a pet. Charles Armentrout explained, "If I tried to tell him that he should interact with the dog differently, Paul would always say, 'It's just a dog. A dog's gotta play.'"

47. Charles Armentrout gave an example of Paul's very poor judgment, explaining that even though Paul knew that one of their dogs, Dakota, had "issues with aggression -- especially around food -- Paul would still try to play with Dakota when he was trying to eat." He gave an example of a time when Paul "got down next to Dakota when he was eating and even while Dakota was growling and nipping at him, Paul was still confident that Dakota was not going to bite him." Charles Armentrout admitted ruefully that Dakota DID bite (him) in the end, and "Paul cried like a baby when Dakota was removed from our care."

48. At some point, no more dogs were assigned to Paul Goodwin. However, he was still officially part of the Puppies for Parole program, so when another inmate needed a "dog sitter," he was an option. Walter Storey tried using Paul Goodwin as a "dog sitter," but found that Paul could not handle even that responsibility, as the "dog sitters" were "required to work within the principals of the program." When Walter Storey allowed Paul to "dog sit," Paul "just played with my dog." When Walter Storey "tried to talk to Paul about...[his] concerns...that he was not applying the principals of the program...[Paul] took offense and said, 'O.K., then I won't watch your dog any more.'" It is likely that that was Paul Goodwin's last involvement in the Puppies for Parole program. David Barnett noted that Paul Goodwin "never graduated a dog from the Puppies for Parole program."

49. The option to purchase snack foods, quick meals and personal care products is provided for inmates within the Missouri Department of Corrections through the commissary. There are very strict policies regarding inmate expenditure of funds. Inmates are only allowed to spend a certain amount of money each month. Inmates have "Spend Days" one day a week, and there is a cap on how much they can spend each week. When there are fundraisers, in which inmates can buy pizza or bags of candy to support charitable works within the prison, those expenditures count toward the monthly limit, but not the weekly limit. Because of the way inmate expenditures are controlled and limited, in certain months, an inmate might easily reach his monthly limit before the month ends.

50. All of the inmates I interviewed -- Dave Barnett, Charles Armentrout, Ronald Wright, Lance Shockley, Walter Storey, Carmen Deck, Daniel Porter and Lester Stone -- opined that Paul Goodwin does not know how to manage his money, and noted that because Paul Goodwin's family sends him the maximum he is allowed to spend every month, he really does not *have* to be able to manage his money. Charles Armentrout explained, "Paul does not know how to manage his money. He has no sense of the value of his money, or of the limits placed on commissary spending." Walter Storey said, "Paul is only able to get along (financially) because his family keeps him supplied with money." Lance Shockley observed that Paul's family "sends him money every month -- like a parent would give a child an allowance...[his] family knows what his limitations are."

51. Several inmates, especially those who have celled with Paul Goodwin, explained that his inability to manage his money becomes especially clear when one of two circumstances occur. When Paul Goodwin participates in a fund-raiser, he always makes the maximum allowable purchase and therefore reaches his monthly cap before the final commissary "Spend Day." In months when there are five (5) "Spend Days" instead of the more typical four (4) "Spend Days," Paul reaches his monthly cap during the fourth (4th) "Spend Day" and then he is not be allowed to participate in the final "Spend Day" of the month. Charles Armentrout explained, "As often as I tried to caution Paul in those months where I thought he was going to run out of money...my words of

caution never really sank in, and at the end of some months, Paul would be really upset, because he could not participate in commissary." Ronald Wright noted, "[e]very single time we had a month with five (5) "Spend Days," Paul would come up short for the last week...Even though this situation happened with some frequency, Paul never learned to plan differently -- even when I reminded him and tried to get him to plan accordingly." Lester Stone added, any time Paul is unable to participate in a "Spend Day," he is "always very upset. He will cry and be off in 'nowhere land.'" Echoing the others interviewed, Walter Storey used the words "always very distressed" to describe Paul's demeanor in such a situation.

52. All of the inmates I interviewed expressed concern about Paul Goodwin's eating habits in regard to his health as a diabetic. They reported that Paul Goodwin regularly consumed sugary, carbohydrate-laden foods without restraint. David Barnett explained, "[w]hen Paul wants something -- like a candy bar or a cake or a chicken -- he indulges himself until it is gone." Charles Armentrout echoed David Barnett, "Paul ate, smoked and drank everything he purchased through commissary almost as soon as he got it."

53. As his cellmate, Charles Armentrout worried about Paul Goodwin's consumption of sugary sweets because he knew that Paul Goodwin was diabetic. At one point, in response to Charles Armentrout's repeated urging, Paul Goodwin "stopped drinking soda, but he would still eat something like twenty (20) Honeybuns in a sitting." He

explained, "I do not think it was that Paul did not care about his health; it was more that he was not able to think through the consequences of his eating habits."

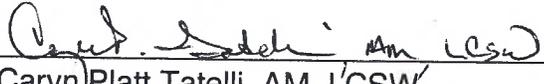
54. Daniel Porter noted strong evidence of Paul's immaturity around food. When medical staff at Potosi talk to Paul about how out of control his sugar levels are, and "warn him that he will have to have either his feet or his legs amputated, Paul responds by throwing the rest of his commissary foods away -- instead of sharing them with others. And then, by the next week, it is as though Paul has forgotten about their warning, and he goes and buys all that sugary junk food again."

55. Walter Storey explained that Paul Goodwin's family worried about his consumption of candy bars and sweets. Apparently during a visit Paul Goodwin's family refused to buy him candy and other sweet treats, to which Paul responded by saying, "'Well, if you're not gonna buy me candy, don't come up here.' Of course, I do not think Paul really meant that he did not want to see his family -- it is more that he is not able to think through the long-term consequences of eating food that is bad for his body."

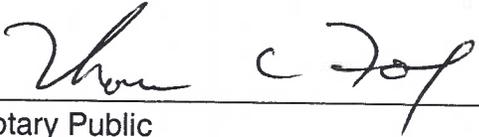
56. Daniel Porter opined that Paul is "not good about managing even the simple tasks of daily living. He is diabetic, and is prone to sores on his feet that do not heal. About a year and a half ago, Paul went out to play Frisbee golf one day. It was sort of raining, so he had boots on. However, he had not put socks on, and he got a rub spot or a blister on his foot that turned into a sore." Daniel Porter noted that "most men --

especially those prone to sores on their feet -- would have known to dress appropriately for the weather, but Paul did not. Most men...would have realized that they were getting a sore, but Paul was oblivious to it the entire time he was outside. He has had problems with his feet for years, and he has never learned how to take appropriate care of himself."

Further affiant sayeth not.


Caryn Platt Tatelli, AM, LCSW

SWORN to and SUBSCRIBED in my presence
this 4th day of December, 2014.


Notary Public

