

totally different from most of the men here. When I decided that I was going to become Paul's friend, I realized I was going to have to get down on his level. Paul once told me that his lawyers told him that he had a low IQ. I already knew that from the time I had spent with him, but I think he felt like he was confiding something important in me when he shared that with me.

5. Paul is like a child. I know other guys who have taken advantage of him, but it was important to me not to do that with him. Paul is so different from all of the other inmates at Potosi Correctional Center that I had to figure out how to get down on his level. He is not very intelligent, and some people might even describe him as "dense." Paul is nice, within the realm of his limitations. However he is not very intelligent, and he is often down on himself because of the things he does not understand.

6. While I was initially puzzled by Carmen's relationship with Paul, over time I came to see that there was something endearing about Paul. While a lot of people would not hang out with Paul because of his limitations that are due to his low intellectual function, I think Paul is appealing because of how child-like he is. As I got to know Paul better, we reached a point where we could not stop talking and laughing with each other. We have a lot of silly inside jokes and names we call each other. The humor is very simple, which works for Paul's level of intellect and which is refreshing for me (and probably for Carmen, too). When one of us ends up in the hole (read: segregation), the other two will stand outside and make "L's" (for "loser") on our foreheads in the yard, where the one in the hole can see us. When we first started doing the "Loser joke," Paul would pout, because he thought we were serious. Now, I think he understands that we do it in a

joking way because we care about each other. Paul will tell me I "suck" and he calls me "Daniel-son." I have heard Carmen say "You Stupid" to Paul in a loving way.

7. If Carmen and Paul had not been close, I probably would never have gotten to know Paul as well as I did. I am thankful that I have come to know Paul as I do, for my relationship with him brings something important to my life. I know that Carmen Deck's girlfriend, Allison, writes to Paul and sends him birthday cards. I think she must see something special in him, too.

8. The simple things in life please Paul, and early on in my relationship with him, I decided I wanted to please him when I could, because I liked how happy it made him. When the weather is nice, we often sit in the yard and talk. While we are sitting out there, I look for four-leaf clovers. Paul sometimes looks, too, but he does not have the focus to stay on task. I used to encourage him by saying, "You know, before the summer is over, you're gonna find one." I do not know how many four-leaf clovers I found over the course of this past summer -- more than ten (10) -- but Paul never found one.

9. As I got to know Paul, I realized that he sort of needed a friend. I also realized that he needed more physical exercise than he was getting. We would walk and talk about our families. And then, eventually, we started to play Frisbee Golf and Pickleball, which is sort of like tennis, but involves a whiffle ball and wooden paddles. I am in better physical condition than Paul, so he always got tired before I did. I think his diabetes -- and the related complications -- also made him fatigue more quickly.

10. Paul and I have played a number of games together during the course of our friendship. His limited intellectual ability is clear in everything he does. When we played washers, in which you only keep score until eleven, 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 about who had scored what. 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."

11. One time, Paul wanted to play sand volleyball with me -- just me. Sand volleyball is typically played with two teams. Despite my trying to explain that to Paul, he was determined that we would play sand volleyball. We trudged up to the gym to get the ball, and then back down to the volleyball court which was some distance away. I knew the game would not hold Paul's interest, and we were done within four (4) or five (5) minutes. We just could not continue hitting the ball back and forth to each other. While I was a little bit frustrated by this, Paul was pleased to have played for those few minutes. We had a similar experience with a game of kickball, in which just Paul and I played. Again, kickball is played with two teams. I never argue with Paul when he gets ideas like these, as I decided early in my relationship with him that I would support him in doing the things he wanted to do if that made him happy.

12. I am a pretty friendly guy, and I know a lot of the inmates at Potosi Correctional Center. Often, when I am out for recreation with Paul, someone will holler at me, wanting me to pause and talk. I usually will, at least for a few minutes, because I am friendly like that. Whenever I stop to chat, 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 for recreation. This type of child-like behavior has happened multiple times over the last few years.

13. I have never tried to ask Paul any "big questions" because I know he is not capable of understanding them. As an example of how slow Paul is, once there was a question of what four times twenty-one (4×21) was. Of course, that is easy math, but Paul could not even begin to figure it out. Paul does not have any big words in his vocabulary, and it is important not to use big words in talking with him.

14. I never celled with Paul, so I do not know what it would have been like, although I think I would have enjoyed sharing a cell with a friend. That said, I have heard a few stories about what it was like for men who celled with Paul. I do not believe that Paul put much effort in to keeping his living space clean. I also know that Paul did not really get along very well with one of his cellmates -- Ronald Wright. When Paul got mad at his cellmate, he would be disrespectful and inappropriate. For example, once when Paul was upset with one of his cellmates, he played with himself. Another time, when Paul wanted a cell change, he wrote a kite (read: note) threatening his cellmate. I do not know what Paul was thinking when he threatened his cellmate, as that kind of behavior is only going to get you written up. Even though Paul is my friend, when I heard about that situation, I could see that he was in the wrong...and I had to wonder -- what did he think was going to happen? I think the biggest problem with Paul is that he is not really able to understand what the consequence of his actions might be.

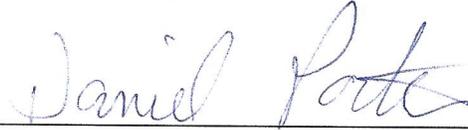
15. Paul gets "some really big money from his family" that he spends in commissary. Paul does not know how to manage his money, so he always spends everything he has. Paul is a diabetic, and he has always bought way too much sugary stuff from commissary, even though he should have understood that eating so much sugar was not good for him. Sometimes, when medical staff 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 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.

16. 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. Of course, 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 in Paul's situation 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.

17. We have a Special Needs Unit (we call it SNU) at Potosi Correctional Center. It is a housing unit for inmates who have special needs. The inmates in the SNU unit rarely leave their cells. They struggle with personal hygiene and do not really understand how

to clean their cells. Some of them also have physical disabilities, and have difficulty walking or getting around. I have sometimes wondered why Paul is not in the SNU, because there are some higher functioning guys in the SNU who seem just like Paul -- and some of the guys in the SNU are actually smarter than Paul.

Further affiant sayeth not.



Daniel Porter

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



Notary Public

