

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 WALTER STOREY

1. My name is Walter Storey. I go by the name of Tim. I am an inmate at Potosi Correctional Center in Mineral Point, Missouri. My inmate number is 990093.
2. I have known Paul Goodwin since he arrived at Potosi Correctional Center. I still remember my first impression of him. Based on his large size, I thought "Boy, they are gonna have a time with him!" What I did not know at the time -- but came to understand -- was that Paul is as soft as a bed of "kitty cotton." Paul is just like Lennie, the slow-witted character in *Of Mice and Men*.
3. Paul is able to take care of himself, in terms of his basic needs. At Potosi Correctional Center, inmates are offered opportunities to shower once a day. I do not think Paul showers every time he has an opportunity, but he keeps himself clean enough. He knows to shower and shave and he keeps his fingernails trimmed.

4. Most of the men who are doing time at Potosi Correctional Center (read: long sentences or awaiting execution) want cellmates who can maintain themselves, who can meet their own needs. For example, if our cellie smokes, we want him to be able to purchase his own cigarettes. If he likes to eat a lot, we want him to be able to purchase his snacks. Whatever the need is -- we do not want cellies who are constantly looking for hand-outs. Because Paul has the financial support of his family, he is able to meet his own needs in this way.

5. Paul and I have been cellmates twice, I think. I knew when I agreed to be Paul's cellmate what it would be like to cell with him. I knew he would be able to meet his own financial needs (he likes to eat a lot, and I knew he would be able to buy his own snacks).

6. I also knew that he might need some extra help because of how slow he is. I knew that Paul was child-like, and so I understood that there might be some other types of issues. The biggest issue I had with Paul as a cellie was due to his 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. Even if I told him I wanted some time to myself and laid down, Paul would stand up over me, poking at me, wanting to play, trying to get my attention -- just like a child. It was very frustrating, because it did not matter what I said, or how often I tried to explain it to Paul -- he just never understood. Even though Paul

irritated me, we never had any disagreements as cellies, and it was an administrative decision (not related to either of us) both times we were separated.

7. When Paul and I were cellies, I encouraged him to go to school, but he never would. He always said he did not want to. Looking back, and knowing all that I know about him now, I think that Paul knew it would be too hard for him to be in school.

8. While Paul has the financial support of his family, and was able to maintain himself, there were times when he did not manage his funds well. I think that during the times Paul and I were cellmates, the maximum an inmate was allowed to spend in any one month was \$300.00. (I could be wrong about the figure. As I never had that kind of financial support, that policy has never been relevant to me.) Several times, Paul spent the maximum allowable before the month was out (either because he had more than the usual number of opportunities to "spend" in the commissary or because there was some sort of special fundraiser). Whenever that happened, Paul was always very distressed.

9. Based on my observations of Paul's struggles to manage his funds in any manner beyond spending all that he had and as quickly as was allowable, I am certain that Paul would not be able to manage his funds outside of the prison. Paul is only able to get along (financially) because his family keeps him supplied with money.

10. Given what I know of Paul, I do not think he could hold a job for a very long period of time. This is true even here at Potosi Correctional Center. Paul has worked in a variety of different positions, but has never held any job for very long. Paul loses focus. Even if someone gave Paul a list of very specific tasks to do, he does not read well and whomever it was that was overseeing Paul's work would have to keep an eye on him to be sure he was on-task and moving down the list.

11. When Paul was first incarcerated, none of the condemned inmates were required or encouraged to work by the Missouri Department of Corrections. All of the condemned inmates received "State Tip," a very modest (just over \$5.00 a month) monthly "allowance" regardless of whether or not they "worked." Relatively early on during his incarceration at Potosi Correctional Center, Paul got a job in the kitchen. Working in the kitchen is highly undesirable because there is a great deal of turnover. I do not know how it came about that Paul had a job in the kitchen -- it is possible that someone encouraged Paul to get a job, or it is possible that he took the initiative on his own, although given what I know of him, I doubt that.

12. While Paul had the job in the kitchen, he had a problem with another inmate. I was working in the kitchen at the time, too. I was staffed in the Veggie Room, but I have a good sense of what happened. To me, the situation says a lot about Paul's limitations. The other inmate threw pancake batter on Paul. Paul responded by throwing pancake batter back. At first, the situation was sort of playful, and I think both

of them thought it was funny. Then, it changed and Paul did not want to play any more. Instead of just telling the other inmate that, Paul and the other inmate ended up in a physical fight. Paul's poor judgment and problem solving were clear during this incident.

13. Over the years, I have noticed that Paul will do things that the average person would know not to do. In prison lingo, Paul would do things that the average prisoner would know -- "that's a hole (read: segregation) ticket just waiting to happen."

14. A good example comes from a conduct violation Paul had relatively recently. Paul was sharing his cell with one other man. All state-issue razors look the same, and Paul wanted to distinguish his from his cellmate's. Paul burned the handle so that he could tell his razor apart from his cellmate's. He did not think through the fact that he could be written up for Arson and for Alteration of State Property (the razor). The best thing to do would have been for Paul to take a pair of clippers and scratch the end of the razor, which would have allowed him to distinguish his razor from his cellmate's razor while preventing any potential disciplinary issues.

15. 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 into trouble.

16. A good example of Paul's inability to remember specific rules comes from a problem he has had repeatedly. 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. Sometimes, 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.

17. I think there is another good example of a time when Paul did not think through what he was doing, and how what he was doing might get him in trouble. Quite a few years ago, Paul got involved in a situation where his family sent money to a number of inmates who did not have any outside resources or support. Their plan was for the inmates to use the funds to buy televisions. I believe Paul was doing it out of the kindness of his heart. I was in the hole (read: solitary confinement) when this incident happened, so I am unclear on some of the details, but it was my understanding that once word got out about what Paul was doing, some of the guys took advantage of his kindness. And, of course, it is against the rules for an inmate's family to send money in to another inmate, so it was Paul got into trouble.

18. Paul is easily manipulated. I think the example I gave about the situation where Paul's family helped some of the inmates at Potosi Correctional Center buy televisions is an example of how some of the inmates manipulate him. Some of us who are Paul's

friends will try to tell him when we think other inmates are trying to take advantage of him. We 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.

19. In his time at Potosi Correctional Center, Paul has sometimes had some conflict with various family members -- especially one of his sisters -- over what they do not want him to buy through his commissary account. If Paul has money, he will spend it. Paul is diabetic, and he should not buy candy bars and sweets, but he does. His family was refusing to buy him candy and other sweet treats during their visits, to which he 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 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.

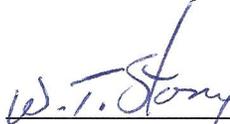
20. Paul was involved in the Puppies for Parole program for a while. At the time that Paul was involved in the program, it was very rigid and strict. (Now, the program is not as rigid and strict as it was back then, but I still think it would be a struggle for Paul.) The program has very specific principles, guidelines and expectations. Inmates in the program must complete a training program, follow the principles and keep careful documentation about their dog's progress. Paul struggled to work with his dog within the principles and guidelines, and often had difficulties in the program, in that he did not

train his dog as the program required. Whenever there was an issue, Paul would always say that he could not hear what the instructor was saying, which might have been true, given that much of the training of the dogs with the program facilitator occurred outside and it would have been hard to hear over the dogs barking and officer's radio's blaring. That said, I think it was more that Paul wanted the dog as a pet, and that he did not really understand the commitment he was making when he applied to be in the program. Then, once Paul had a dog, he could not really do what was required of him in order to train the dog. I think, understanding the principles of the program, that it would have been hard for Paul to work within the program to apply the principles as required.

21. Eventually, they stopped giving Paul dogs, but, because he was a part of the program, those of us with dogs had the option of using Paul as a "dog sitter" when we were unable to be with our dog for some reason. Of course, the "dog sitters" were required to work within the principals of the program (rather than treating the dog like a pet), and when I allowed Paul to dog sit for me, we had a problem because he just played with my dog. When I tried to talk to Paul about my concerns about the fact that he was not applying the principles of the program, he took offense, and said "O.K., then I won't watch your dog any more." That kind of a reaction from Paul was pretty typical. If you criticized him in any way, or tried to help him see something differently, he took offense. Of course, I did not want to hurt Paul's feelings, and I did not want him to stop

taking care of my dog -- I just wanted him to do it a bit differently, but, once his feelings were hurt, he was done -- just like a child would be.

Further affiant sayeth not.


Walter Storey

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



Notary Public

LEONARD H. HENSON
Notary Public-Notary Seal
State of Missouri, St. Francois County
Commission #14904434
My Commission Expires June 22, 2018