

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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TERRANCE J. SHAW,  
Plaintiff,

v.

Case No.: 15-CV-511

EDWARD WALL, et al,  
Defendants.

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DECLARATION OF TERRANCE J. SHAW  
IN RESPONSE TO DEFENDANTS' MOTION  
FOR SUMMARY JUDGMENT

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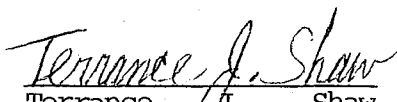
I, Terrance J. Shaw, "Shaw" hereafter, do hereby declare under the penalty of perjury, that all statements made herein are true and correct, based on my personal knowledge.

1. I am the Plaintiff in the above-entitled case and make this Declaration in response to Defendants' Motion for Summary Judgment.
2. Starting in or about 2008, I began use of a wheelchair and inmate aide to and from the canteen and sometimes the law library.
3. I purchased canteen on a bi-weekly basis and on almost every occasion. I had an inmate aide and wheelchair to assist me due to my disabilities as documented in my medical records kept and maintained in the Health Services Unit (H.S.U.) at Oshkosh Correctional Institution (O.S.C.I.) hereafter.
4. At the times I used the wheelchair and inmate aide to assist me, I had permission to do so by unit correctional staff.
5. My cellmate on September 30, 2014, the day I was ordered to destroy my legal papers, was Lawrence Davis #615182. Before we agreed to get doubled, we sat down and vetted each other for possible future cellmates. At that time I explained to him I had over 30 years worth of property and numerous legal documents in my cell, and if he had a problem with that, we would not be compatible.
6. Mr. Davis informed me he would not have a problem with that, because he had almost no property, including no t.v. or radio. We then agreed to be cellmates.
7. Since being housed on W-Building, I have had my cell searched over 60 (sixty) times, and even though I had about the same amount of property, including legal documents I had on Sept. 30th, 2014, there was no enforcement of the property limitation rule requiring that I reduce my property amount.
8. Prior to June 25, 2015, DeYoung called me into her office and I discussed with her the specific claims in my 2012 lawsuit and how I was being

discriminated against due to my disability by being required to go to canteen last.

9. At that time DeYoung suggested that I should apply for a law library job, which would be available due to my medical status as light activity.
10. A true and correct copy of Inmate Complaint Number OSCI-2014-14822, is attached hereto as Exhibit-200.
11. The terms of the Settlement Agreement in the 2012 Lawsuit conceded I was disabled and should be assisted by an inmate aide and wheelchair for long distance movement within OSCI.
12. Attached hereto as Exhibit-1003, is a true and correct copy of the Directive by the Administrator requiring all inmate-to-inmate legal document transfers must be sent through the U.S. mail, dated August 27, 2012.
13. Enclosed are true and correct copies of the original documents in my HSU Medical Files of Exhibit-L, L1, L2, L3, L4, L5, L6, L7, L8, L9, L-10, L-11, & L-12.
14. Enclosed are true and correct copies of the original documents in my HSU Medical Files of Exhibit-M, M1, M2, M3, M4, and M5.
15. Enclosed are true and correct copies of the original documents in my HSU Medical Files of Exhibit-N, N1, N2, N3, N4, N5, N6, N7, N8, N9, and N-10.
16. Prior to July 2, 2015, I had used the 1st Class Mail to send legal documents to other inmates, including inmate paralegal Vance Hernandez-Smith, who has been assisting me/Shaw in other legal matters for over 14 consecutive years. And at no time prior to July 2, 2015, did Sergeant Cook, or any other correctional staff, prevent or attempt to prevent me/Shaw from doing so.

Dated this 5th day of September, 2016.

  
Terrance J. Shaw  
Plaintiff, Pro-Se

Racine Correctional Institution  
P.O. Box 900  
Sturtevant, WI 53177-0900

Scott Walker  
Governor

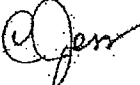
Gary H. Hamblin  
Secretary



State of Wisconsin  
Department of Corrections

Mailing Address

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DATE: August 27, 2012  
TO: All Staff and Inmates  
FROM: Cathy A. Jess, DAI Administrator   
SUBJECT: Legal Correspondence Routing

Effective September 30, 2012, institutions will no longer forward inmate to inmate legal correspondence or other correspondence via inter-institution routing. Inmates will be required to utilize the U.S. Mail to correspond and share documents between each other.

Internal procedures establishing routing of inmate to inmate legal correspondence have been limited to Green Bay Correctional Institution, Waupun Correctional Institution, Columbia Correctional Institution and Wisconsin Secure Program Facility. These changes will bring consistency in practice to all institutions and eliminate concerns over staff handling of inter-institution routed correspondence.

Inmate opportunities to communicate in the law library, dayroom and other areas in accordance with established institution procedures continue to be available.

CC: Wardens  
Corrections Complaint Examiner  
Kathryn Anderson, Chief Legal Counsel  
Larry Jenkins, DAI Assistant Administrator  
Robert Humphreys, DAI Assistant Administrator  
Daniel Westfield, Security Chief  
File