



The Commonwealth of Massachusetts

Executive Office of Public Safety & Security

Department of Correction

50 Maple Street, Suite 3

Milford, MA 01757

(508) 422-3300

www.mass.gov/doc



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

Luis S. Spencer
Commissioner

Peter A. Pepe, Jr.
Katherine A. Chmiel
Deputy Commissioners

Paul L. DiPaolo
Acting Deputy Commissioner

July 19, 2012

Timothy J. Muise, W-66927
MCI-Shirley
P.O. Box 1218
Shirley MA, 01464-1218

Re: Your Allegations of Union Malfeasance/Violation of Collective Bargaining Agreement

Dear Mr. Muise:

Your letter dated June 17, 2012 to John Marra, General Counsel of the Commonwealth Human Resources Division, was referred to me for reply. You allege that members of the Massachusetts Correction Officers Federated Union ("MCOFU") at MCI-Shirley "falsely claim" that they are "understaffed," and, as a result, "close" areas of the prison. You claim that the areas closed are "always rehabilitative offerings for the population and this is creating a public safety nightmare in the fact that unprepared prisoners will be released onto the streets of the Commonwealth." You allege that the MCOFU members are violating the collective bargaining agreement by closing certain areas of the prison.

Please be advised that decisions concerning Department of Correction facilities are the responsibility of the Commissioner of Correction, pursuant to M.G.L. c. 124, §1. Such decisions are based on sound correctional practice, and consistent with Department policy.

Sincerely,

Paul L. DiPaolo
Acting Deputy Commissioner

cc: Karen Hetherson, Assistant Deputy Commissioner
Kelly Ryan, Superintendent
Kristie Ladouceur, Director, Office of Administrative Resolution
John Marra, General Counsel
File



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MCI-Shirley
P. O. Box 1218

Shirley, Massachusetts 01464
(978) 425-4341, Fax (978) 514-6601

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Kelly A. Ryan
Superintendent

July 24, 2012

Timothy Muise, W66927
MCI-Shirley (E2)
PO Box 1218
Shirley, MA 01464

Dear Mr. Muise:

Your letter to Commissioner Spencer dated July 8, 2012, concerning volunteers and Sgt. [REDACTED] has been referred to me for reply.

Be advised that the decision to close the programs building is contingent upon staffing levels.

An Inquiry has been initiated in order to investigate your allegations against Sgt. [REDACTED]

I trust your concerns have been addressed.

Sincerely,


Kelly A. Ryan
Superintendent

KAR/daf

Cc: Luis S. Spencer, Commissioner (C12-INM-15430)
File



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MEMORANDUM

TO: Timothy Muise, W66927 (E2)
FROM: Alvin A. Notice, Deputy Superintendent of Operations
DATE: July 24, 2012
RE: **COMPLAINTS AGAINST SGT. MCGARVEY**

Your letters to Superintendent Ryan dated July 10th, July 12th, and July 14th, regarding your complaints against Sgt. [REDACTED] have been referred to me for reply.

Be advised that an Inquiry has been initiated in order to investigate your allegations against Sgt. [REDACTED]

I trust your concerns will be addressed.

AAN/daf

Cc: Kelly A. Ryan, Superintendent
File