



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Department of Correction
MCI-Shirley
P. O. Box 1218



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Acting Deputy Commissioner

Kelly A. Ryan
Superintendent

August 30, 2012

Timothy Muise W66927
MCI-Shirley / E-2
P. O. Box 1218
Shirley, MA 01464

Dear Mr. Muise:

Your letter to Commissioner Luis S. Spencer, dated August 11, 2012, alleging retaliation by correctional staff, has been referred to me to reply.

I have read your letter and will address each issue separately:

With regard to being denied a job in the law library, as stated in my previous reply to this issue, you have not been cleared for a library position due to your prior disciplinary history, which includes initiating a group demonstration, circumventing mail system, ordering magazine subscriptions for other inmates, as well as other serious infractions. This type of adjustment deems you unsuitable for clearance as a library worker.

As noted in my letter to you dated July 9, 2012, the decision to curtail the use of Eucharistic Ministers was based on the fact that there are a number of ordained clergy and volunteers associated with the Catholic religion who willingly serve as Eucharistic Ministers for our population on a regular basis.

With regard to programs and earning any sentence deductions here at MCI-Shirley, a review of your case plan indicates you have been recommended for programs and have successfully completed the Active Listening Program on August 16, 2011. The Department of Correction policy mandates that inmates are prioritized for placement in programs based on their proximity to release. It is therefore likely that other inmates, closer to release, are being enrolled to available slots in programs you have requested.

Your statement that you have been denied as "high risk" for the vocational education wheelchair program is false. As previously stated, the Department of Correction is mandated that inmates are prioritized for placement in programs based on their proximity to release. Your name is and

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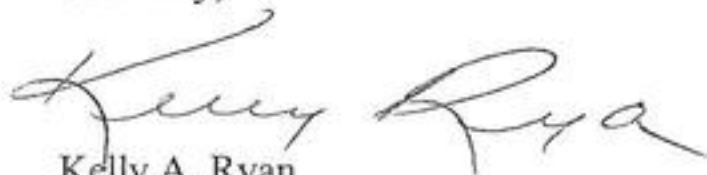
remains on the waitlist for the wheelchair program. If you have any questions regarding where you are on the waitlist, you may speak with the education department when they return at the beginning of the school year.

Medical single cell status is determined by the contracted medical provider. A single cell is not medically indicated. A single cell may be earned via seniority in the unit. You entered the E-2 housing unit on June 3, 2011, and are on the appropriate place on the E-2 seniority list. You can address the seniority list with your Unit Sergeant.

As noted in a previous response to the issue regarding Sgt. Richard McGarvey, you have been advised by Deputy Superintendent Alvin A. Notice that an investigation has been initiated. Once the investigation is complete and a determination has been reached, you will be notified.

Be advised, where this administration has responded to you several times regarding these same issues, consider these matters closed.

Sincerely,



Kelly A. Ryan
Superintendent

cc: Luis S. Spencer, Commissioner
Karen L. DiNardo, Deputy Superintendent
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