

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|--------------------------------------|---|--------------------------|
| THOMAS REMICK, <i>et al.</i> | : | |
| and all others similarly situated, | : | |
| | : | CIVIL ACTION NO. 20-1959 |
| Plaintiffs-Petitioners, | : | |
| | : | (Schiller, J.) |
| v. | : | |
| | : | |
| CITY OF PHILADELPHIA; and | : | |
| BLANCHE CARNEY, in her official | : | |
| capacity as Commissioner of Prisons, | : | |
| | : | |
| Defendants-Respondents. | : | |

DECLARATION OF AMY TAYLOR

I, Amy Taylor, hereby declare that the following is true and correct to the best of my knowledge and belief:

1. I am currently incarcerated on A Unit at ASD in the Philadelphia Department of Prisons.
2. I received no information at all about the Covid-19 vaccines until on or around February 14, 2021, when a notice appeared on the tablets we use for video visits. We had to check a box saying we had read the notice before doing anything else on the tablet.
3. The notice covered two topics: the benefits of wearing two face masks and the Covid-19 vaccine. The notice encouraged us to wear two face masks but said double-masking was not required. The only information about the vaccine was about how to get a second dose if we were released from jail after getting our first dose.
4. The notice had no information about how the vaccine was developed, how it works, why we should accept it, what is in it, or potential side effects.

5. In addition to the information about how and where to get a second dose of the vaccine after leaving jail, the notice included the following message from Commissioner Carney: “If you have not accepted the vaccine, I encourage you to do so to protect yourself and your loved ones from Covid-19. I acknowledge your concerns and apprehension based on a long history of mistrust related to treatment and the timeliness of vaccine production. Take advantage of the opportunity now. Please continue to review the information about Covid-19 provided to you in paper form and information that runs on the PDP television system. Sincerely Commissioner Carney.”

6. I have never seen any information about the Covid-19 vaccine on the PDP television system. In fact, in my roughly fifteen (15) months in PDP custody, I have never seen any information from PDP on any television in the jail.

7. I also had not received any information in “paper form” about the Covid-19 vaccines when I saw that message on the tablet.

8. I did not receive any additional information about the Covid-19 vaccines until today, February 26, 2021, when people wearing Corizon shirts came on to our unit with papers for us to fill out and sign, indicating either that we were accepting or refusing the vaccine.

9. The Corizon workers did not distribute any information to us about the vaccine before asking us to make a decision about whether to accept the vaccine and sign the form.

10. Many of us, myself included, asked the Corizon workers for more information about the vaccine. They gave those of us who asked an informational sheet, which listed potential side effects of the vaccine and had other basic information about the vaccine.

11. The Corizon workers did not distribute the information sheet to everyone or make it known that it was available.

12. One Corizon worker told me and a few other women that the first dose of the vaccine would help our bodies develop antibodies and that we would then get a second shot containing live Covid-19 virus. We asked her repeatedly whether the second dose would really have the virus in it, and she said “yes” every time.

13. Because I am Muslim, I was also curious to know whether the vaccine was made with pork products. On one or two occasions before today, I asked Corizon medical staff who I saw whether the vaccine was made with pork products, and they said they didn’t know. The information sheet also did not say whether the vaccine was made with pork or whether it was halal.

14. No one talked to us about what the repercussions would be if we refused the vaccine.

15. I checked “refuse” on the form because I did not have enough time to fully read the information sheet and because I still wanted to know whether the vaccine was halal.

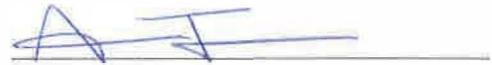
16. Had I received the information sheet before today and had time to review it, I more than likely would have accepted the vaccine.

17. From talking to other women on my unit about it, I believe some of them who refused felt the same way.

18. It seemed that some of the women who checked “accept” did so out of fear of negative consequences (like being moved to less desirable housing) if they had refused. No one said that would happen, but it’s what they feared.

19. I believe more women on my unit would have accepted the vaccine if PDP or Corizon had provided all the information in advance and given us an opportunity to ask questions.

Pursuant to 28 U.S.C. § 1746, I, Amy Taylor, declare under penalty of perjury that the foregoing is true and correct. Executed this 26th day of February, 2021.



Amy Taylor

**IN THE UNITED STATES DISTRICT COURT
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DECLARATION OF ROGER BECKER

I, Roger Becker, hereby declare that the following is true and correct to the best of my knowledge and belief:

1. I am 53 years old and currently incarcerated at Riverside Correctional Facility (RCF).
2. I am currently housed on Unit D.
3. Approximately 50% of staff members do not wear their masks all the time, including white shirts (supervisors).
4. I work as a cleaner for the medical unit a few days a week and even medical staff are not consistently wearing their masks.
5. We do not receive a bar of soap every week. Staff distribute soap to us about every other week.
6. When we ask for soap in between distributions, staff tell us that they are all out and that when they get soap, we will get soap.

7. We often experience toilet paper shortages. For example, we are currently going on two weeks without a distribution of toilet paper. When we run out of toilet paper, we have to make due with paper towels.

8. We do not always receive razors when we sign up for them. It is my understanding that we should be able to get razors three times per week, however, we have gone full weeks without getting even one. This is especially important as court appearances have resumed and we want to be able to look presentable at court.

9. Unit D is not cleaned four times a day. Staff do not enforce unit cleaning so it is only done sporadically.

10. There is a bird that regularly flies around on D Unit and drops feces everywhere. No one cleans up after it. The bird seems to be stuck on the unit and staff have taken no steps to remove it.

11. Phones are not cleaned after each use. They may get wiped down in between recreation times, but not always.

12. We do not receive cleaning supplies to clean our cells twice a week. There is no regular distribution of cleaning supplies at all.

13. In order to clean my cell, I have to ask for cleaning supplies. They are only available sometimes.

14. About half the time when I request cleaning supplies, staff tell me that there is no cleaner available or that the closet where cleaning supplies are held is locked and will be opened later but then it does not get opened.

15. For example, I asked for cleaning supplies on February 19, 2021 and again on February 23, 2021, but staff said they did not have any supplies to give me.

16. Laundry is not done regularly. I only have access to clean laundry if I wash it myself.

17. The unit does not consistently have bleach or soap for laundry. I have to buy my own laundry soap from commissary.

18. We do not receive sheet or uniform exchange every week. I got new sheets and uniforms today, March 1, 2021 for the first time since December 2020.

19. I have not received any education about the COVID-19 vaccine. I was given the first dose of the vaccine in mid-February 2021, but I had not seen any videos, pamphlets or other papers providing information about the benefits, risks, or side effect of the vaccine before staff administered it to me. I have not seen any of this type of information since either.

Pursuant to 28 U.S.C. § 1746, I, Roger Becker, declare under penalty of perjury that the foregoing is true and correct. Executed this 1st day of March, 2021.



Roger Becker

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DECLARATION OF MALIK BELL

I, Malik Bell, hereby declare that the following is true and correct to the best of my knowledge and belief:

1. I am 28 years old and currently incarcerated at the Detention Center (DC).
2. I am currently housed on Unit B.
3. We are still let out of our cells for only 45 minutes per day.
4. On some occasions, we have been locked in our cells for days at a time. Staff tell us that they are short-staffed when this happens. For example, on February 18 and 19, 2021, we were not allowed out of our cells for 48 hours straight.
5. When we cannot come out of our cells, we cannot take showers or use the phones to call our loved ones or our attorneys.
6. I have not been able to clean my cell in the month that I have been at DC. No one on this unit is allowed to clean their cells.

7. We have not received any bleach or disinfectant. When I asked for supplies to clean my cell, the correctional officer I asked said no.

8. The cells on this unit have infestations of water bugs and mice. Every time I turn my light on, there are flying water bugs all over and I have to kill as many as I can.

9. An old radiator is our only source of heat, but only a part of it works and actually emits heat. As a result, it is freezing cold on the unit. We have not received any extra blankets to make up for the lack of heat.

10. The unit directly above mine houses people who have tested positive for COVID-19, including people I recognize from my previous housing unit at Riverside Correctional Facility (RCF). I am concerned about being so close to people who have COVID-19 because of the potential risk of exposure.

11. Today, I received a bar of soap for the first time since I got to DC a month ago.

12. We frequently run out of toilet paper and when we ask for more, staff tell us that there is not any more to give to us.

13. I only have one face mask. Staff have only passed out new masks once in the month I have been housed at DC.

14. When staff do provide masks, they are either used, washed masks or masks that are too large to fit on my face.

15. I have not seen the phones on this unit cleaned at all, much less after each use.

16. Showers on this unit also are not cleaned regularly.

17. I have not had the opportunity to do laundry in the month that I have been at DC. I have also not received a sheet or uniform exchange.

18. Staff often wear their masks below their noses or under their chins while working on the unit.

19. I was given a write-up on January 26, 2021 based on my cellmate's conduct. After two days in punitive segregation at RCF, I was transferred to DC.

20. I have not had any type of disciplinary hearing, but was instead immediately placed on punitive segregation. Staff told me that because of COVID-19, they are no longer doing misconduct hearings.

21. I do not understand why I was transferred to punitive segregation at DC instead of being placed on the punitive segregation unit at RCF. It seems as though it is extra punishment to be sent to DC because the conditions here are so bad.

22. On February 25, 2021, I got the first dose of the COVID-19 vaccine. I knew enough about the COVID-19 vaccine based on experiences of my family members and my own research to know that I wanted to take it, but no one provided any information to me about the risks, benefits, or side effects of the vaccine. I was simply told I could take it or not.

23. I heard other incarcerated people talking about how they did not want to take the vaccine because they did not trust that it would help and were worried that it would make them sick. PDP staff have not provided any information that I have seen to help people understand the benefits of the COVID-19 vaccine. I have been in PDP custody for 10 months and I have not received a pamphlet or seen a video about the vaccine.

24. When I was housed at RCF on E Unit, we were under shelter-in-place status for about a month and a half or two months. During that time, I was only able to come out of my cell for 15 minutes to choose between a shower and a phone call. Some days we did not come out at all.

25. I have never experienced anything like that before. Some of the other incarcerated people on RCF E Unit really could not deal with that level of isolation and we were not doing well mentally.

26. We were also not given necessary supplies at RCF, including weekly bars of soap and cleaning supplies to clean our cells.

Pursuant to 28 U.S.C. § 1746, I, Malik Bell, declare under penalty of perjury that the foregoing is true and correct. Executed this 26th day of February, 2021.



Malik Bell

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DECLARATION OF KASEEM HEPBURN-ELLIS

I, Kaseem Hepburn-Ellis, hereby declare that the following is true and correct to the best of my knowledge and belief:

1. I am 21 years old and currently incarcerated at Philadelphia Industrial Correctional Center (PICC).
2. I am currently housed on Unit G2.
3. Since mid-February, staff has started to let out half the unit for recreation at a time. We do not come out for two hours every day, more like three times per week. The rest of time, we are permitted to stay out for about an hour or an hour and a half.
4. A few times, staff have told us that they are short-staffed and that is why we cannot get our full recreation time.
5. It can be difficult to get on the phone to speak with loved ones, even with the increased out-of-cell time, because only four phones on the unit are turned on and staff let out 50 people at a time.

6. We do not receive a free bar of soap each week on Unit G2. Staff distribute soap more like once every three weeks. When we do not have any soap and request some, staff do not provide it.

7. We often run out of toilet paper and sometimes only receive new rolls once per week. If we ask for more toilet paper after we run out, only some staff members will provide it.

8. Unit G2 is not cleaned four times a day, just once in the morning.

9. The phones are not cleaned after each use. Up to 100 incarcerated people use the phones daily, but I never see them get wiped down.

10. We do not receive cleaning supplies to clean our cells twice per week. When we ask for cleaning supplies, staff tell us that there aren't any for us to use in our cell. Staff do not call General Inspection (GI) cleaning, not even once per week.

11. I only have two face masks. Many other people on Unit G2 also do not have four masks. Yesterday, someone on the unit asked if I had an extra face mask that he could borrow because he did not even have one.

12. Staff do not regularly distribute new masks. We get new masks maybe once every couple of months.

13. We do not have the opportunity to do our laundry twice per week. Laundry is only done once per week and sometimes not everyone's laundry is washed even once weekly.

14. Sheets and uniforms are not exchanged once per week. We get sheet and uniform exchange around once per month.

15. I have not received any information about the COVID-19 vaccine. I have not seen any videos or received any informational papers or educational materials of any kind about the vaccine.

16. In early February, a high-ranking PDP official who may have been a Deputy Warden came to Unit G2. She talked to the correctional officers and other staff members, but she did not ask incarcerated people whether we had access to cleaning supplies and masks. She did not talk to us about out-of-cell time or really interact with incarcerated people at all.

17. During shelter-in-place in December 2020 and January 2021, we did not come out of our cells every day and, when we did come out, it was only for 20 minutes. We had to choose between using the phone to talk to our families or lawyers and taking a shower. It was difficult enough to be locked down for 23 hours and 40 minutes a day, but not coming out at all many days made many of us feel like we were mentally breaking down.

Pursuant to 28 U.S.C. § 1746, I, Kaseem Hepburn-Ellis, declare under penalty of perjury that the foregoing is true and correct. Executed this 23rd day of February, 2021.

Kaseem Ellis

Kaseem Hepburn-Ellis

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DECLARATION OF SEAN NICHOLAS

I, Sean Nicholas, hereby declare that the following is true and correct to the best of my knowledge and belief:

1. I am 37 years old and currently incarcerated at Curran-Fromhold Correctional Facility (CFCF).
2. I am currently housed on Unit D1P2.
3. We are still locked in our cells for days at a time. I did not come out of my cell at all from Friday, February 19 to Monday, February 22, 2021.
4. I was locked in my cell throughout the previous weekend as well.
5. When we do come out, we are not always able to come out for a full two hours.
6. Staff let out groups of eight cells at a time, but they do not make it through the whole unit in a given day. As a result, each day, there are some people are not permitted to come out.

7. The weekends are especially bad because, as staff tell us, there are frequent staff shortages.

8. On days when we are not permitted to leave our cells, we cannot take a shower or speak to our loved ones on the phone.

9. I have gone many days in a row without being able to take a shower.

10. These extended periods without out-of-cell time, showers, or phone calls have been occurring since I was first incarcerated in PDP in May 2020. The cumulative effect of these lockdowns has negatively affected my mental health.

11. I have a history of depression and I have been requesting to see a mental health professional for a month. When a nurse did come to speak to me after I filed a sick call request, she discussed my mental health concerns with me in the dayroom, where other people could hear. I have not been able to speak to anyone about my mental health in a private, confidential setting.

12. My beard is very long because I have not had access to a razor in a month.

13. We do not receive a free bar of soap each week. Staff provide free bars of soap maybe once per month.

14. We run out of toilet paper most weeks. Some staff will provide more on request, but some will not and then we have to wait until the next week.

15. I have not seen linen exchange in six months. When staff have come around with clean linens or uniforms, they do so very quietly, very early in the morning. They do not make any kind of announcement to inform us that we can exchange linens or uniforms.

16. We do not receive any cleaning supplies to clean our cells. Staff have not called General Inspection (GI) cleaning in the four months that I have been on this unit.

17. I get on my knees with a tissue and a rag to clean my cell with soap that I have to buy from commissary.

18. Block workers clean the unit common spaces maybe three or four times per week.

19. The phones are not cleaned after each use, only once in the morning before anyone uses them.

20. I have two face masks. I have only seen staff pass out new face masks once in the last six months. I hand wash my face masks to keep them clean.

21. I have not received any information about the COVID-19 vaccine. I have not seen any educational videos or been provided with any written materials about the vaccine. I do not know when or if I will be able to receive the COVID-19 vaccine while I am incarcerated in PDP.

I, Grace Harris, certify that Sean Nicholas relayed the above information to me over video call on February 23, 2021, and that he gave me permission to relay this information in a declaration signed on his behalf. Because Mr. Nicholas is incarcerated, the finished declaration has not been reviewed with Mr. Nicholas.

/s/ Grace Harris

Grace Harris
Attorney I.D. # PA 328968
PA INSTITUTIONAL LAW PROJECT
718 Arch Street, Suite 304 South
Philadelphia, PA 19106
(215) 925-2966
gharris@pailp.org

Dated: February 23, 2021

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DECLARATION OF KAREEM SPRUAL

I, Kareem Sprual, hereby declare that the following is true and correct to the best of my knowledge and belief:

1. I am 27 years old and currently incarcerated at Curran-Fromhold Correctional Facility (CFCF).
2. I am currently housed on Unit C1P2.
3. We do not receive two hours of out-of-cell time each day. On most days, we have been getting about 45 minutes or an hour of daily recreation time.
4. Staff tell us that there are not enough correctional officers to have rovers on each unit, so we cannot come out for as long. Rovers are staff members who are not assigned to a particular unit, but move between units and provide supplies and additional assistance to the staff on the unit.
5. Sometimes, staff shortages have resulted in us receiving no out-of-cell time at all. For example, on January 10, 2021 and on at least one occasion in February, no one came out of

their cells and the correctional officer on duty told us that this was because there were not enough staff members. Extended lack of out-of-cell time due to staff shortages is particularly common on the weekends.

6. During shelter-in-place, we were only coming out of our cells for 20 minutes every other day, at the most. The consistent lack of out-of-cell time in December and January caused significant mental stress. Being unable to leave my cell and speak to my loved ones was very depressing. When we have periods of being stuck in our cells now, it's particularly difficult.

7. Staff do not provide us with necessary supplies to keep ourselves and our living spaces clean.

8. We do not receive a free bar of soap each week. Staff provide soap when they feel like it, but not consistently.

9. Staff direct an incarcerated worker to go around with a signature sheet to see who needs free soap, but many people end up getting skipped if they are not awake or at their door when the worker comes by.

10. When we run out of soap, staff do not provide a new bar. We have to buy our own soap on commissary if we want to maintain our hygiene.

11. For the almost three months that I have been on this unit, I have not seen anybody with cleaning supplies provided by the facility, let alone cleaning their own cells. I can only clean my cell because I can afford to buy cleaning supplies from commissary.

12. As a result of the lack of supplies, Unit C1P2 is not cleaned four times per day. Block workers sometimes wipe down the tables, but they do not disinfect all of the frequently-touched surfaces on the unit.

13. The phones are not cleaned after each use.

14. We are not able to do our laundry twice per week. I have only had my laundry washed one time since I have been on the unit. Staff do not seem to know that we are supposed to be able to do our laundry twice per week. Staff say we are allowed to do laundry once per week, but it is so difficult to catch the laundry cart that, in practice, we are very rarely able to have our laundry cleaned.

15. We do not receive a weekly sheet or uniform exchange. I have had the same sheets for over a month. I have not been able to exchange my uniform since I have been on this unit.

16. I have to hand-wash everything in order to keep it clean.

17. We do not have four cloth face masks each. I have two masks.

18. The masks I have consist of one layer of cloth with elastic loops that go around my ears. They are slightly open at the sides.

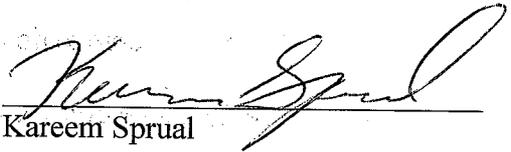
19. Some staff members still walk around with their masks pulled down while they are on the unit. Others pull down their mask to speak with each other or incarcerated people.

20. Staff are not really requiring that incarcerated people wear their masks anymore, even during recreation when there are groups of people in common spaces together.

21. Last night, February 22, 2021, I received the first information about the COVID-19 vaccine, but it was just a piece of paper that said everyone will be offered the vaccine and provided an address in Philadelphia to get the vaccine if you are released before getting it in PDP custody.

22. We have not received any information about what the vaccine is, how it works, potential side effects, risks, or benefits of the vaccine. I have not seen any videos explaining the vaccine or been provided any other educational information about it.

Pursuant to 28 U.S.C. § 1746, I, Kareem Sprual, declare under penalty of perjury that the foregoing is true and correct. Executed this 23rd day of February, 2021.


Kareem Sprual