

# **EXHIBIT C**

**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 KHALIL BROWN**

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

1. I am 22 years old and currently incarcerated at Curran-Fromhold Correctional Facility (CFCF).
2. I am currently housed on Unit D2P4.
3. Our out-of-cell time is still very inconsistent. I often go days in a row without being permitted to leave my cell.
4. On several occasions, I have been locked in my cell for three or more days straight.
5. For example, from March 25-28, 2021, I did not come out of my cell for four days in a row.
6. Typically, only some cells come out each day and everyone else is locked in for the entire day with no access to phone calls or showers.

7. For example, on February 20, 2021, only cells 4-16 came out. On February 21, 2021, staff told us that the guards downstairs left early, so cells 25-32 were not able to come out. People in those cells went two days in a row without coming out.

8. On February 23, 2021, cells 17-24 did not come out. On February 24, 2021, only cells 17-29 came out on the 7am-3pm shift and only cells 15 and 16 came out during the 3pm-11pm shift. Cells 1-14 and 30-32 did not come out at all. On February 25, 2021, cells 17-28 did not come out at all.

9. Short-staffing regularly causes recreation to run too slowly for everyone to come out of their cells, or to end early, before everyone has had a chance to come out of their cells. Staff have told us that this happens because other staff members leave before their shifts end or do not come to work at all.

10. The amount of time that we can spend outside of our cells when we do come out varies. Sometimes we are let out for about an hour, other days we are only permitted 30 minutes. It is always less than two hours.

11. We have not received a free bar of soap in weeks. The last time staff gave out soap, there was not enough for everyone to get a bar.

12. Unit cleaning is not enforced. The only cleaning block workers do is sweeping the floors, and they only sweep twice a day.

13. The phones are not cleaned after each use. Staff do not tell the block workers to clean the phones or provide any cleaning solution to clean the phones with.

14. Staff do not provide us with anything to clean our cells with. We have to find a way to clean our cells with supplies that we purchase from commissary. The supplies sold on

commissary are meant for personal hygiene, not for cleaning surfaces, so we have to make do with what we have.

15. We have not had a General Inspection (GI) cleaning in the six months that I have been on this unit.

16. Staff do not make new masks available to us each week. We usually have to wait around two weeks to get new masks. Sometimes, we have to wait months between mask distributions.

17. Staff will only replace masks if they are ripped really badly. They do not replace masks that are just very dirty and old. Sometimes staff say they do not have any masks to replace damaged ones with.

18. Staff do not always wear masks while they are working in the facility. For example, on March 26, 2021 during the 3pm-11pm shift, on March 28, 2021 during the 7am-3pm shift, and on March 29, 2021 during the 7am-3pm shift, I saw staff members who were not wearing their masks.

19. We do not receive weekly linen and uniform exchanges. I have had the same sheets and uniform for months. When staff do come around to do a laundry exchange, it is at around 5am when people are still asleep. They do not wake us up to tell us laundry exchange is available.

20. I was offered the COVID-19 vaccine but I did not take it because I did not have enough information about the potential side effects. The only information I have received from PDP staff about the COVID-19 vaccine was a single double-sided paper. It had instructions on how to get the vaccine on the outside if we get released before getting the second dose, and it said that nobody has died from taking vaccine. But there was no information about side effects or how the vaccine was created or approved. Specifically, I am concerned about how the vaccine affects

the ability to have children in the future, and I received no information about this potential side effect.

Pursuant to 28 U.S.C. § 1746, I, Khalil Brown, declare under penalty of perjury that the foregoing is true and correct. Executed this 30th day of March, 2021.

Khalil Brown  
Khalil Brown

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**DECLARATION OF LEVI GUPTON**

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

1. I am 47 years old and currently incarcerated at Riverside Correctional Facility (RCF).
2. I am currently housed on Unit F.
3. In the last few months, there have been multiple times when I have gone several days in a row without being permitted out of my cell.
4. For example, from February 1 through February 3, 2021, I was not able to come out of my cell to make a phone call or take a shower for three days straight.
5. More recently, on March 26 and March 27, 2021, I was not able to come out of my cell to make a phone call or take a shower over the weekend. This happens almost every weekend.
6. Sometimes block representatives come around with a recreation signature sheet and forge our signatures to say that we have been out of our cells when we have not.

7. During the last three weeks or so, we have not been coming out of our cells at all in the morning, which makes it difficult to call our lawyers.

8. We are only able to leave our cells approximately three times a week. Sometimes we only come out of our cells because we ask the staff over and over. Otherwise, they ignore us.

9. When we do come out of our cells, it is always for less than three hours.

10. For example, on March 12 and March 13, we were only let out for half an hour. On March 28, we were only let out for 20 minutes.

11. When we ask about why we are not getting three hours out of our cells, staff will sometimes threaten us with pepper spray. This makes it very hard to communicate with staff members.

12. Staff have told us that lack of out-of-cell time is often the result of not enough staff members coming to work.

13. I have put in several sick calls to request mental health care. Staff have told me to stop putting in sick calls. One staff member from the reentry program, Ms. Johnson, told me to “be a man” instead of asking to speak to someone about my mental health.

14. I have also added my name to the sick call list because my left hand is swollen and numb, and I had a bad reaction to the medication I was given. I was not seen by medical staff until I wrote several grievances about these issues. I know that other people on my housing unit are similarly frustrated because they have not received medical attention.

15. On Saturday, March 27, 2021, I had two anxiety attacks because I was denied my anxiety medication that morning. The nurse on staff that day who was responsible for providing medication had left early because the COs were letting out one person at a time and she did not want to wait.

16. Soap is not distributed every week. It has been at least five weeks since soap was last available. Even then, staff did not distribute the soap. I had to ask for it after I saw a staff member giving a bar to someone else who had asked for it.

17. I regularly ask correctional officers on my unit for a bar of soap, but they tell me the jail doesn't have any.

18. We do not receive toilet paper every week, so we frequently run out.

19. The housing unit is not cleaned four times every day, and there are no cleaning supplies available. Block workers sweep the floors when they are allowed out of their cells, but they do not wipe down handles, railings, tables, or other frequently touched surfaces.

20. No one cleans the showers. They are often clogged and full of standing water. The water sits there for weeks at a time, smells terrible, and attracts bugs. There are lots of bugs in the showers now. There are also paint chippings falling from the ceiling over the showers.

21. I told a white shirt on February 18 and February 23, 2021 that the showers were clogged. She took photos, but the showers are still clogged.

22. I have never seen the phones on Unit F wiped down or cleaned.

23. Staff do not provide us with anything to clean our cells with. I frequently ask for something to clean my cell with, and I am always told that there is no cleaning solution and no cleaning supplies available.

24. If I want to clean my cell, I have to use a rag and personal soap that I purchase from commissary.

25. I have not received a hand towel since I got here, over two months ago.

26. I do not have four masks. I only have the two masks I was given when I was at CFCF. I have not received new masks since January 2021.

27. Yesterday, March 29, 2021, an incarcerated worker came around with a signature sheet for us to sign for new masks, but we never actually received the masks.

28. The masks I have are just single, thin layers of fabric, made from bed sheets.

29. I frequently ask the staff to replace my masks because they are old and damaged. Staff say there are no masks available.

30. For example, I recently asked Sgt. Green and Sgt. White for new masks. They both told me that there are none available.

31. I am not able to properly wash the two masks that I do have because there is rarely detergent available for laundry.

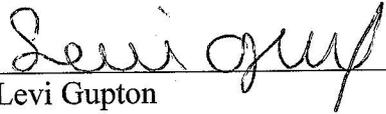
32. We do not receive weekly linen and uniform exchanges. Staff tell us that there are no clean linens to exchange. I have the same sheets and uniforms that I received when I got here in January.

33. I have not been offered a COVID-19 vaccine.

34. I have not received any information about the COVID-19 vaccines. PDP staff have not provided any papers with information about the vaccines. I have not seen any videos about the vaccines. I asked a Corizon nurse for information about the vaccine and she said she would give me something, but she never did.

35. I know other people who have also asked for vaccine information, because they have not received anything either.

Pursuant to 28 U.S.C. § 1746, I, Levi Gupton, declare under penalty of perjury that the foregoing is true and correct. Executed this 30th day of March, 2021.

  
Levi Gupton

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**DECLARATION OF RICKEY MILES**

I, Rickey Miles, 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 Philadelphia Industrial Correctional Center (PICC).
2. I am currently housed on Unit H1.
3. For the six weeks that we were on shelter-in-place status in December 2020 and January 2021, we did not come out of our cells every day. We were regularly locked in our cells for two or more days at a time.
4. The lack of out-of-cell time drastically affected our mental health. Many people on my unit became very depressed.
5. On some occasions, staff locked us all in our cells as punishment for conflicts between individual incarcerated people. For example, on January 5, 2021, a fight took place between two incarcerated men on our unit. Despite the fact that staff removed those people from

the unit, the rest of us were locked in our cells for the following three days. During that time, we were not allowed showers, phone calls with loved ones, or commissary.

6. Out-of-cell time has improved since January; however, we still do not receive three hours per day. We typically come out of our cells for about an hour per shift, totaling about two to two and a half hours per day.

7. Staff often make us go back into our cells before the recreation period has ended. For example, during the 3pm-11pm shift on March 11, 2021, those of us in cells 26-37 were only out for about 15 minutes when staff told us to go back to our cells.

8. On Unit H1, we are not given cleaning supplies to clean our cells. I have been on this unit since November 5, 2020, and I still have not had the chance to clean my cell properly.

9. When I have specifically asked staff to let me clean my cell, they have just brushed me off. I have to make do with my personal soap and laundry detergent.

10. As a result of the lack of cleaning supplies and opportunity to clean, our cells are generally filthy.

11. The common areas of the housing unit are not cleaned four times per day. Workers clean the unit once in the evening. There is often trash left in the dayroom overnight.

12. The showers in particular are very dirty. Some of the curtains are ripped and do not stay up while we are showering.

13. Workers clean the phones when the shift changes, not after each use.

14. I only have two face masks. There have been times that I have asked for new masks when mine got very old and dirty, but staff told me that there were not any available.

15. Staff do not prioritize us having masks or enforce the wearing of masks. We were not even informed that we are supposed to have four cloth masks.

16. Staff do not always wear their own masks. Some corrections officers often keep them down below their faces. I have seen a CO tour all of the cells on the unit without wearing a mask.

17. We do not receive clean sheets regularly. When someone does come around with clean sheets, we are only permitted to exchange one of our two sheets. My sheets have rust stains on them.

18. The only way to clean our sheets is to put them in with our personal laundry. However, there is often a lack of laundry detergent for all 100 people on this unit, which makes it very difficult to do personal laundry twice a week.

19. When someone runs out of soap between distributions, some staff will not provide another bar. Many staff members refuse to go look and instead just tell us that they do not have any more to give us.

20. COs have told me that they were not informed about the lawsuit or the Settlement Agreement.

21. When I was initially offered the COVID-19 vaccine, I refused to take it because I had not been given any information about it.

22. Staff have since passed out information sheets about the vaccines, but I am still unsure if I want to take it because a CO told me that she was not taking it. Now I am not sure whether it is safe.

Pursuant to 28 U.S.C. § 1746, I, Rickey Miles, declare under penalty of perjury that the foregoing is true and correct. Executed this 31st day of March, 2021.

  
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Rickey Miles