

# **EXHIBIT B**

**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 MARK HENDERSON**

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

1. I am 33 years old and currently incarcerated at Curran-Fromhold Correctional Facility (CFCF).
2. I am currently housed on Unit D2P3.
3. We are still not allowed to come out of our cells every day.
4. For example, on Monday May 10 and Tuesday May 11, 2021, I did not come out of my cell at all.
5. When we do come out of our cells, we come out for about an hour and a half at the most.
6. I have never received three hours of out-of-cell time in a single day.
7. Staff tell us that the lack of out-of-cell time is due to staff shortages.

8. On days when we are not permitted to come out, we cannot take a shower or call our loved ones or our attorneys.

9. I feel very cut-off and helpless when I am locked in my cell for days at a time.

10. Being denied out-of-cell time so often has had the cumulative effect of making me depressed and anxious. For others, it seems to cause anger and frustration.

11. We do not have time to go to the law library, which makes me feel like I have no control over my criminal cases and no recourse to fight my charges.

12. I have had both Moderna vaccine shots, but I have not been moved to a vaccinated block. The majority of people on my block have been vaccinated already, but there does not seem to be enough room on the vaccinated blocks for everyone who has been vaccinated.

13. Staff stopped passing out soap on this unit. I have not received soap for about a month now.

14. Previously, staff provided three rolls of toilet paper per week, but in March 2021, they cut it down to two rolls per week. They are frequently late in passing out even those two rolls, so we are often left completely without toilet paper.

15. The only face mask I had was so old and dirty that when I went to an outside hospital for a medical appointment, the hospital staff gave me a new, surgical mask because they were concerned about me continuing to wear the one that I had.

16. The last time I remember PDP staff passing out new masks was in February 2021.

17. We still do not receive cleaning solution to clean our cells.

18. Since the shelter-in-place period in January 2021, there have been no General Inspection (GI) cleanings.

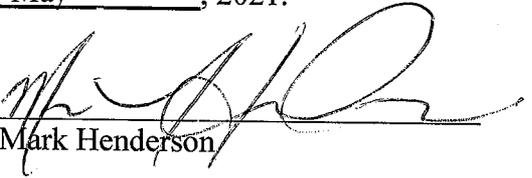
19. There have been no uniform or linen exchanges since April 2, 2021.

20. It is difficult to get the attention of supervising staff members to make a complaint about the conditions on this unit.

21. For example, on May 8, 2021, a man on my unit asked to speak to a supervisor to make a verbal report about the lack of out-of-cell time and inability to use the phone. While he was talking to the unit CO and requesting a supervisor, another CO who was on rover duty ran over very aggressively. The rover CO told the incarcerated man to stop speaking to the unit CO and to go back into his cell or he would pepper-spray him. The rover CO stood in front of the man's cell so he could not go back inside without going through him and began hitting him. The incarcerated man tried to go back into his cell, but the rover CO pulled him back out of his cell to continue beating him. The unit CO had to try to intervene to get the rover CO to stop assaulting the man. The incarcerated man was not resisting or fighting back, but he was beaten badly and needed medical attention.

22. Witnessing incidents like this makes it very frightening to report conditions issues to staff members and no one is responding to paper grievances, so I feel like we have no outlet.

Pursuant to 28 U.S.C. § 1746, I, Mark Henderson, declare under penalty of perjury that the foregoing is true and correct. Executed this 13th day of May, 2021.

  
Mark Henderson

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**DECLARATION OF TAKEEM PRINCE**

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

1. I am 24 years old and currently incarcerated at Curran-Fromhold Correctional Facility (CFCF).
2. I am currently housed on Unit C1P2.
3. We do not get three hours of out-of-cell time each day.
4. Some days we do not come out at all, even for phone calls or showers.
5. For example, on May 8 and May 9, 2021, no one on the unit was allowed to leave their cells, except the block workers who were only let out to bring us our food trays.
6. Sunday, May 9, 2021 was Mother's Day. None of us were permitted to make phone calls to our loved ones on Mother's Day.
7. When we do come out, the most out-of-cell time we receive is about an hour and a half. I have never received three hours of out-of-cell time in a day.

8. In April, we were locked in our cells for a week straight, with no showers or phone calls. We went on hunger strike to protest the deprivation of out-of-cell time. During that time, COs walked around with large cans of pepper spray, threatening us when we asked to come out of our cells.

9. Being locked in my cell so much makes me feel trapped like a caged animal, especially because the lack of out-of-cell time has been going on for so long.

10. I am housed in a multipurpose room with three other people. The room is very small for four people and has no window. The door must be unlocked manually by a staff member, so I worry that if there were an emergency, like a fire, we would be trapped.

11. Staff only pass out soap once a month, if that. I do not remember the last time that I received a free bar of soap.

12. The housing unit is still barely cleaned even once a day. Phones are not wiped down between uses.

13. Staff never let us clean our cells, even if we ask for cleaning supplies while we are locked in our cells for days at a time.

14. Staff do not pass out new masks every week.

15. We have to wait for a supervisor to replace ripped or damaged masks, because COs will not.

16. We do not receive regular sheet and uniform exchanges. I have not received a new uniform in months. When staff do come around to exchange sheets and uniforms, they come at 5am and do not knock on doors or alert anyone on the unit that they are there.

17. In November and December 2020, I was held on an intake quarantine pod, B2P1, for 52 days. The conditions on the intake unit were very bad. We were in our cells almost all the

time, often for several days straight, because there were rarely staff members on the block to let us out. Because staff was not present on the unit, it took a very long time for someone to respond to medical issues. I only had one jumpsuit and one set of linens during that time. We went days without access to toilet paper.

Pursuant to 28 U.S.C. § 1746, I, Takeem Prince, declare under penalty of perjury that the foregoing is true and correct. Executed this 14th day of May, 2021.

  
Takeem Prince

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**DECLARATION OF ALLEN CROMWELL**

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

1. I am 44 years old and currently incarcerated at Philadelphia Industrial Correctional Center (PICC).
2. I am currently housed on Unit K.
3. We are not let out of our cells every day.
4. For example, we did not come out at all on Wednesday, May 5, 2021 and for four days straight from Friday, May 7 through Monday, May 10, 2021.
5. When we do come out of our cells, we usually come out for about 40 minutes to an hour.
6. We have never received three hours of out-of-cell time in a single day.
7. Staff tell us that the lack of out-of-cell time is because there are not enough officers to run the block.

8. Being in the cell so much makes me feel depressed, anxious, and angry.

9. The lack of out-of-cell time also causes havoc on the block, including fights over using the phone and generally low morale among incarcerated people.

10. There are only three working phones on the block so we cannot all speak to our families every day.

11. It is humiliating and dehumanizing to have to fight and beg each other for access to speak to our loved ones.

12. Arguments over using the phone have sometimes become violent. About two weeks ago, one man was injured in a fight over the phone and other incarcerated people had to apply pressure to his headwound and give him medical attention because staff would not touch him. It took 10-15 minutes for medical staff to arrive, but they did not do anything until an outside ambulance came 35-40 minutes later and took him away on a stretcher.

13. Staff have not been passing out our incoming letters regularly. We can also see that the outgoing box of mail is full and that our letters are not being sent out.

14. We still have to bang on our cell doors to get medical attention if anyone on the block needs help.

15. We still do not receive weekly bars of soap. They were supposed to bring around soap and toilet paper this morning, but they did not. I do not know if they will pass it out on second shift.

16. The block is still not being cleaned regularly. Block workers are only let out when supervisors are coming onto the block. For example, on May 11, 2021, a Deputy Warden came onto the unit, so the COs were scrambling to get the block workers to clean the block before her visit.

17. Many of us banged on our doors to try to get the Deputy Warden to come talk to us at our cells, but she said she was not here to talk to us and only spoke with other staff members.

18. We still do not receive cleaning supplies to clean our cells. I have been in this cell for eight months and I have never been given anything to clean the cell toilet. I attach a rag to the end of my cane and use soap that I buy from commissary to clean the toilet in my cell as best as I can.

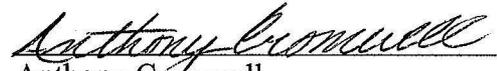
19. Since the incident when someone was injured with a broom, it is even more difficult to get access to a push broom, which is the only cleaning tool on the unit.

20. When we come out, we have to choose between showering, trying to get on the phone, or trying to use the block's single broom. These are difficult choices to make, because we never know when we are going to come out next.

21. I still only have one face mask. The last time staff came to the block with masks, they only brought about 30 and there are around 95-100 people on this block.

22. We have not had our clothes washed in about three weeks. Staff told us that some of the laundry machines are broken.

Pursuant to 28 U.S.C. § 1746, I, Anthony Cromwell, declare under penalty of perjury that the foregoing is true and correct. Executed this 12th day of May, 2021.

  
Anthony Cromwell

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**DECLARATION OF JOHN MASTERSON**

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

1. I am 31 years old and currently incarcerated at Riverside Correctional Facility (RCF).
2. I am currently housed on Unit E.
3. We do not receive three hours of out-of-cell time every day.
4. Some days we do not come out of our cells at all.
5. For example, on May 1 and May 2, 2021, we did not come out of our cells due to staff shortages.
6. Many people on my unit have become frustrated with the lack of out-of-cell time.
7. This frustration has led to incidents of violence and clashes between incarcerated people and staff. For example, on Monday, May 10, 2021, there was a fight between two people on the unit and staff responded by telling everyone to go back to their cells. People did not want

to return to their cells, because once again we had not received three hours of out-of-cell time. The situation escalated, and a CERT team came onto the block and began firing bean bags or pellets and pepper spray at incarcerated people, as well as striking people with nightsticks, until everyone was back in their cells.

8. Even those of us who stayed in our cells throughout the whole incident experienced the effects of the pepper spray on the unit.

9. We have not had any recreation time since Tuesday, May 11, 2021, and we have not been able to make any phone calls. I have not been able to take a shower in four days.

10. Many of us on the unit have been on hunger strike this week in response to the staff violence and being denied commissary and out-of-cell time.

11. We are required to sign a signature sheet when we come out of our cells, but the times are already filled in and they do not reflect how much time we actually are allowed to stay out. The signature sheets also indicate that we have been able to take a shower and use the phone, even when we are not actually able to get on the phone.

12. It is often impossible to get on the phone because there are 64 people out at a time and only ten phones on the unit.

13. We do not receive a bar of soap every week. We receive soap about once a month or every two weeks, at the most.

14. Unit E is still not being cleaned properly. Block workers are usually locked in their cells for most of the day and cannot come out to clean.

15. Cleaning supplies are only available when we are given out-of-cell time. This means that we have to choose between cleaning, taking a shower, or using the phone, and we do not have time for all three.

16. There is no dedicated time for cleaning. I have not seen a General Inspection (GI) cleaning since I arrived on this unit in September 2020.

17. Laundry workers have been locked in their cells all week just like everyone else, so we have not been able to wash our clothes.

18. I mostly wash my clothes in my cell's sink using soap that I buy from commissary.

Pursuant to 28 U.S.C. § 1746, I, John Masterson, declare under penalty of perjury that the foregoing is true and correct. Executed this 14th day of May, 2021

  
John Masterson