

EXHIBIT P

Declaration of Robert Miller

I, Robert Miller, declare as follows:

1. I was incarcerated at Carl Robinson Correctional Institution from December 2018 until April 3, 2020. I am 34 years old. At Carl Robinson, I was housed in 3B (building 3, on the B side). To my knowledge, there are 180 people in each building: 90 on A side and 90 on B side. It's a dormitory setting: We share showers, toilets, phones, tables, everything.

2. Before I left Carl Robinson, we were struggling to get the proper cleaning products. In March, the warden had come to talk to us and said we would get extra soap and bleach to use for cleaning because of the virus. But three weeks later, we still hadn't gotten anything. We were cleaning the dorm with our own toilet paper—we each get only one roll per week—and our own soap. We had to decide between using soap to clean our bodies or to clean our areas. So on March 24, we wrote a letter to our counselor supervisor saying that we were not able to clean our environment properly. We were asking to clean and being told they didn't have paper towels, or being denied spray bottles. The detail workers were able to clean the phones, bathrooms, and the vents on their designated shifts, but they weren't cleaning the floors, bunks, lockers and walls. Why did DOC not give us ways to clean anything? It was clearly hazardous.

3. There were other issues too. Medical would hand us pills without gloves on. When we complained, they told us they didn't have to wear gloves or masks. I wrote a request about it. They also started giving us "off" portions of food, and old food, about a month ago—we would get a lunch portion of food for dinner: two slices of bread, two slices of baloney, one slice of cheese, a little coleslaw, a small bag of chips, and milk.

When they did clean the phones and the bathrooms, they would kick out the whole building and put us all in the gym together, or put half of us in there at a time. Despite the virus, COs continued to shake down peoples' areas, usually three bunks a day, but sometimes up to a whole section. Even if they were coughing or sick, they would go through all our stuff thoroughly, touching everything. One of the COs in our block already had tested positive for COVID at that point. And they weren't wearing masks until recently. The warden is did address certain issues but the COs did not do what she said.

4. On Wednesday, April 1, we got word that A side was not going to eat lunch in protest of the conditions. Everybody on B side decided that if A side wasn't eating, we wouldn't either. I later heard that it went from building to building. We all shared whatever food we had; I gave a guy the last soup I had in my locker. Then when time came to get our trays—we had to go outside to get them, no matter what the weather was—and the correctional officer asked whether we were going down to get them, everyone says no. We didn't scream, yell, or throw things. We just said no, we weren't going to eat that one meal.

5. At the time, all the staff was on A side. Then the warden, deputy warden, lieutenants and other officers started to leave the building. Then when they heard we weren't eating, they came to see us. We all sat on our bunks and had a conversation: We told them everything that was going on, and how we hadn't gotten bleach or any cleaning products that we were supposed to get. We also explained the issues with the food, which was rancid, old, and often moldy. One of the captains said he didn't believe us. The conversation ended and the officers left. The next day, nothing happened. We just called

our families and told them about it.

6. That Friday, a correctional officer came and told me I needed to go down to the processing area (A&D) and get a new ID. Instead, when I got there, a bunch of correctional officers rushed me and threw me against the wall. They put me in shackles and twisted my arms up. Then they put me in a van and took me to Northern. They told me I was under investigation. They didn't say what for.

7. When I got to Northern, they strip searched me and threw me back in shackles and put me in a cell. I didn't have my morning medication. I had to beg them to give me my albuterol inhaler, because I have asthma. My body was also starting to go numb. I was lying on the floor, wheezing, and calling for help. I pressed the intercom in the cell for help but was told multiple times to stop pressing the button. The COs just kept ignoring me when they walked by. My lungs were getting tight and painful. I yelled to the person two cells down to get help. When I was able to speak to a CO, I asked them to call a "code white," which is a medical emergency. They refused.

8. I also take a medication named neurotin in the mornings. If I don't take it, my left side will go numb and I'm unable to walk or to use my hand. I didn't get the pill that morning. After hours went by, a CO on second shift finally brought me to medical, and he had to help me get up and walk. They helped with my asthma, but I didn't get the neurotin until later that night.

9. I was put in Northern just to silence me. I can't afford to take a ticket for something I did not do. If we don't feel like going to chow, we don't have to. A hunger strike is technically missing six meals; we just turned down food once.

10. Here at Northern, I am in 1West in a cell the size of a closet by myself.

Other people are here, including some from Robinson. I still haven't had a hearing for my ticket. I'm past my amount of seg days. I'm only allowed to go shower three times a week for 15 minutes each. I'm not allowed to order commissary or have my TV or hotpot.

11. Outside my window, by the entry to 2West, I've seen tons of people getting transported in here in shackles, with workers wearing Hazmat suits. Some of the people getting transported were doing badly and looked like they were hurting. The first night I was here, people were coming in all night long. Earlier that day I saw them bring in maybe 50 mattresses to the same building. They now have a tent set up there. I've heard ambulances coming by. One of the tiermen said that they had to open another block because they had too many people with COVID-19 here, and that it was already over 100.

12. They have continued to bring people in. They are doing it at night with the lights off. Some of the COs have been wearing hazmat suits and some are not. Some are wearing normal clothes and others are not. When I look outside my window, I can see debris all over – gloves, hair nets, shoe covers, a broken pallet, and hangers.

13. The ventilation in here is crazy. The air is either hot and muggy or freezing. When it's cold here, it's really cold. In order to sleep, I need to sleep with sweatpants, a sweatshirt, thermals, and a T-shirt, under the blanket, and it's still too cold to sleep. And if it's not freezing, it's too hot and muggy.

14. The COs here are giving us a Styrofoam cup of Lemonall and paper towels to clean. There are showers on the tier but you have to go half-naked. You can't clean the showers before you get in, and you're transported there and back in handcuffs

that aren't cleaned.

15. You can only make three phone calls per week. I was taken here on April 3 and now I'm still here. Nobody is telling me anything. They aren't testing anyone in this part of Northern for COVID-19. I put in a sick call on April 9, and I was just seen on the 19. I told them I needed a refill of my inhaler because my asthma feels like it's getting worse and I feel like I've had a cold for weeks. All he did was check my vitals.

16. I understand this is prison, but even still there's a way it should be run and a way it should not be. At Robinson, they were letting us stay up late at night and keeping the TVs on and phone and extra channels, all to keep us calm. But they weren't letting us do what we needed to do to protect ourselves from this virus. They turned a blind eye to us.

17. I declare under penalty of perjury that the foregoing is true and correct. I would testify to the same statements above if called to do so in court.

18. I have authorized Elana Bildner to affix my signature to this declaration for me, because I'm incarcerated, and it would take a minimum of 10 business days for me to receive a document in the mail, sign it in front of a notary, and return it by mail.

Executed this 20 day of April, 2020.

Robert Miller

by  _____