

# **EXHIBIT T**

### **Declaration of Chad Petitpas**

1. I, Chad Petitpas, declare as follows:

2. I have been incarcerated at Brooklyn CI for approximately six years. I am 40 years old. I am housed in D Dorm of Brooklyn CI. There are four dorms at Brooklyn CI. To my knowledge, there are 114 people housed in each dorm.

3. Our facility has been on a kind of “soft lockdown” for the past seven or so weeks. This started when someone in B Dorm tested positive for coronavirus. When that happened, they quarantined B Dorm. But they still let the other dorms—including mine—go to outdoor rec, and move around freely inside the dorm.

4. As I said, there are around 114 people in each dorm, and everyone is split into 19 cubes. A cube is essentially a room with no roof and no front wall. There are a total of three bunks in each cube. When you’re on your bunk, you’re probably about three feet away from the people in the bunk above or below you, and the bunks adjacent to you.

5. When we are not in our cubes, we are in the open social area. This social area has eight tables. Normally, four people sit at each table, but sometimes, people pull extra chairs around, so that each table can fit six. When people do that, everyone is shoulder-to-shoulder and knee-to-knee.

6. No one at the prison has told us to “socially distance” or keep six to eight

feet away from each other. I have seen those recommendations on TV, but I know that those safety guidelines are not for us. That is because “socially distancing” is impossible here.

7. We have access to the social areas and the bathrooms all day long. That is only interrupted during counts, which happen twice per day. During the counts, prisoners have to be in their cubes, and other prisoners, who are employed by the prison, clean the social area. They also clean the social area once at night, but this is more of a quick sweep. The tabletops are wiped down once per day with cleaning liquid. I don't believe the chairs are ever cleaned.

8. The showers are cleaned once per day. Because we can shower whenever we like, I would guess that 95 or 100 people shower every day. Nearly all of us use showers that have not been disinfected.

9. The phones are also cleaned one time per day. There are a total of six phones, and every inmate is allowed up to six calls a day. I would guess that around 80-90 people make calls every day, so that is about 13-14 people using the same phone in a row, before it is disinfected.

10. The prison has provided us with a free bar of soap two times. The first time was about five weeks ago. The second time was about two weeks ago. Because we usually do not get free soap from the prison, we have to buy it on our own from the commissary. It costs \$0.90. That might not sound like a lot, but to put it in context,

weekly wages for people who are employed by DOC is around \$5.50. That means that a bar of soap is equal to almost twenty percent of our weekly salary. Even so, I have noticed that prisoners who have the means to are cleaning their hands more often than normal. Of course, some cannot afford soap, so they can't clean their hands.

11. The staff have masks, but very few wear them. I would guess that out of 100 officers, there are maybe 5 who will wear a mask. The rest of them are adamantly opposed to it. The staff have told me that the masks are not what they were promised, and that they won't be effective in protecting against the virus. They compare what they have to putting a t-shirt over their face.

12. Because staff refuse to wear the masks, prisoners don't see the point in wearing them, either. DOC gave every prisoner in my dorm two masks, about two weeks ago. The masks are made of an odd khaki material, similar to our uniform shirts. The majority of the inmates don't wear them, because most people have little confidence that the masks will make a difference. It's been explained to us on the news and through staff, that if the virus is contracted it will be because it is brought in by a staff member. So if the staff aren't protecting us by wearing masks, we don't understand what difference it makes if we, the prisoners, wear them.

13. I am also concerned for myself and for other people about what will happen if we test positive for coronavirus. Brooklyn CI mostly houses people who have a current conviction or a history with a sexual component. A lot of the people here

would rather not be transferred to Corrigan or Northern. In fact, in the past, those facilities have been used as a threat. Now, the prison is saying that if a person tests positive, they will be sent to Northern or Corrigan.

14. At one point, around five days ago, a number of people made clear that even if they weren't feeling well, they wouldn't report their symptoms, because they are afraid of being transferred. The warden heard about this, and so he came down and had everyone's temperature taken. According to the digital thermometer, my temperature was 97.1 degrees. But the thermometer read the temperature of another guy as being 95.7 degrees. I'm pretty sure that if that was his actual temperature, he would be dead. So I don't have much confidence that the prison's procedures are working to screen out symptomatic staff from coming into the building.

15. I am also concerned about what will happen to the many people in my dorm who are close to the end of their sentences. Like I said, I have been at Brooklyn CI for six years, and over that time I have kind of taken on the role of helping people get set up with homeless shelters, food pantries, and other kinds of services for their release. This isn't an "on the books" job, it's just something I do to help people. So a lot of people who are close to the end of their sentences come and talk to me. I would guess that right now, in my dorm, there are about 20 people who are within 60 days of their end-of-sentence date.

16. DOC has not announced any procedures in place for an inmate who is at

the end of his sentence and has a higher than normal temperature. But a number of staff have told me that what will happen is that DOC is going to take 20-30 days of their good time away, send them to Corrigan or Northern until the temperature goes down to normal. This makes me sad, and angry. People have earned their good time. And DOC should not be able to take it away because they have, and continue to, mismanage their response to the coronavirus.

17. DOC has the discretion to release the people on furlough when they are at the end of their sentence. Our dorm is at nearly full capacity, and there are many people who are near the end of their sentences, but not one has been released on furlough. I think this is because DOC has an unstated policy of not approving people for community release who have a sex offense on their records. I am in discovery with DOC on a federal case that is related to this. I believe from what I have learned through this discovery that seven people with sex offences have been approved for community release in the last five years. I think that this is unjustifiable even in normal times, and I am very discouraged that DOC won't even consider behaving differently during a global pandemic.

18. 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.

19. I have authorized Sophia Angelis to affix my signature to this affidavit for me, because I am incarcerated, and it would take a minimum of seven days for me to receive a document in the mail, sign it in front of a notary, and return it by mail.

Executed this 22 day of April, 2020.

Chad Petitpas\_\_\_\_\_

by Sophia Angelis\_\_\_\_\_