

EXHIBIT X

Declaration of Tyrone Spence

1. I am an adult.

2. I have been incarcerated at Garner Correctional Institution since September 2019. I am 28 years old. I am housed in Echo Unit. To my knowledge, there are approximately 90 people currently housed in my unit.

3. My unit is not on lockdown, but we are confined to the unit. We get about 3 hours and 30 minutes of out-of-cell time per day. During this time, we can lift weights or play ping pong, chess, or cards. Sometimes, ten or fifteen people use equipment during one recreation period, and equipment is not cleaned in between each person's use. Some people use gloves, but they are not used consistently.

4. One other person lives in my cell. We sleep in bunkbeds. The cell is cramped, and it is impossible to stay more than five feet away from one another. Our sleeping area is not cleaned or sanitized by staff. We have cell clean-up once per week, at which time we are provided a broom, mop, and cleaner. The cleaner is diluted. If I want to clean my cell any other day of the week, I usually use shampoo.

5. I eat my lunch and dinner in the common area of the unit. Each table has four seats. Everyone sitting at a table is within arm's length of one another.

6. The staff do not provide us with soap. I do not have access to hand sanitizer. I recently requested that my family send me hand sanitizer, but the prison staff would not allow it.

7. I do not have a shower in my cell. I share six showers with the entire unit. The showers are typically cleaned twice per day. They are also cleaned with diluted cleaner.

8. I share six phones with the entire unit. The phones are not cleaned between each person's phone calls. I usually place a sock over the phone or put the phone inside my t-shirt to protect against germs.

9. I have not observed many staff members wearing masks or gloves or washing their hands more often. I have not observed staff checking temperatures of incoming persons or staff on a daily basis.

10. Staff have placed posters on the wall providing information about what the facility is doing to prevent against transmission of the virus. They have also provided us with two masks made out of the same cloth that our uniforms are made out of.

11. One person in my unit had a fever. He was taken off of his work assignment in the kitchen, but remained in the unit. Another person in my unit said he was having trouble breathing. He went to medical briefly before being sent back to the unit.

12. I have been diagnosed with asthma.

13. 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.

14. I have authorized Wynne Muscatine Graham 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 16th day of April, 2020.

Tyrone Spence
by Wynne Muscatine Graham