

EXHIBIT H

Declaration of Alex Flemming

1. I, Alex Flemming, declare as follows:
2. I have been incarcerated at Northern Correctional Institution since February 14, 2020. I am 24 years old. I am housed in the 1-West unit of Northern. To my knowledge, there are 6 people housed on my tier.
3. Approximately 40-50 people were transferred into my unit as a whole around early April. I was given a new cell-mate who was transferred in, but he was transferred to a different cell after one day. I was told he would be placed back in my cell again if he was found to be on special parole. Since then he has been transferred back to my cell.
4. I have a heart condition called Supraventricular tachycardia as well as a right branch bundle blockage, and I have to take heart medication twice daily.
5. I get recreation one hour per day Monday through Friday. Sometimes they cheat you and only give you 40 minutes. I get rec in an individual cage. There are three individual cages separated by fences with holes in them, and when they first started taking coronavirus seriously, they left the middle cage empty. Since they have started getting more transfers, they have been filling up all the cages again. I would be close enough to touch the person in the next cage over if there wasn't a fence. I do not go to rec with the same people every day, sometimes it's people from other tiers.
6. The conditions here at Northern are brutal. I saw an inmate being assaulted by two correctional officers. The inmate was escorted by one officer and when he reached the blind spot, where the camera couldn't see them, the other officer joined in and they beat him. He couldn't defend himself because he had his hands cuffed behind him. I had to walk to end to the shower because I didn't want to view the image anymore.

7. I do not have a cellmate. My cell is not cleaned nor sanitized by staff. We are each provided a dustpan, broom, lemonall, and some paper towels. They give you one small styrofoam cup of lemonall two times a week, which is double from before the coronavirus, but it's still not enough to clean every time a correctional officer enters my cell.
8. I eat my meals in my cell.
9. The water is not drinkable here. I don't drink it because it bothers my stomach a lot. Other inmates have told me it's been like this for a long time. I only drink the milk and orange juice provided to me.
10. The staff do not provide us with soap. I asked for soap and was denied, I was told that I have to be indigent to be provided with soap. When I've needed soap in the past two weeks, I've gotten it from the commissary for a fee. I do not have access to hand sanitizer.
11. I do not have a shower in my cell. I share a shower with approximately 20 other people, including people on my tier, people from neighboring tiers, and the inmates who are allowed to clean the building. I also share 4 phones with half of the facility.
12. Since the onset of the coronavirus pandemic, I have observed staff wearing masks. They have said they check temperatures of staff members before they come in but I have no way to confirm this.
13. Staff have not provided me with guidance about how to protect myself and others from coronavirus transmission. They just gave notice that we would have to use the phones faster and have two people at a time in the rec cages instead of three – though that lasted only a week before they started filling the middle cage again. They have provided me


with one mask made out cloth of in approximately the beginning of April.

14. We have been requesting that they clean the ventilation systems because we all share the same air. Prisoners from Corrigan came to clean Northern around March 22nd, 2020, but they did not clean the ventilation. We have not gotten any response about cleaning the ventilation.
15. When I seek treatment for a medical condition, it usually takes me a week to two weeks to see a doctor. Sometimes if it's really urgent you can request to be pulled out of your cell right away, but they get to decide how urgent it is. I requested treatment for two confirmed cavities, and was supposed to get treatment in February, but it still hasn't happened.
16. There have been a few times that they haven't had my heart medications, but they marked it as me refusing my medication in their records. This has happened before and after the pandemic. I had a doctor I really liked who prescribed the heart medication for me to have in my cell with me, because it's important for my health. But he has been gone since mid-March, and I no longer have my medication in my cell with me.
17. They are no longer running mental health groups at Northern. There is really no mental health counseling happening anymore unless someone writes to a mental health counselor asking to be pulled out of their cell because they are imminently suicidal. There is also a buzzer to press but no one really answers those.
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 Madeline Batt 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 21st day of April, 2020.

Alex Flemming _____

by  _____