

EXHIBIT C

**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 BREYON HARE

I, Breyon Hare, 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 D2P4, which is designated as a vaccinated block.
3. After a brief improvement, out-of-cell time has declined again. For the month of July 2021, we were let out very inconsistently and rarely for three hours in a day. There were several days when we were not allowed out of our cells at all.
4. For example, we did not come out of our cells at all on July 12, July 14, July 16, July 19, July 24, or July 31, 2021.
5. When we cannot come out of our cells, we cannot take showers, make phone calls, go outside for fresh air, or clean our cells.

6. When we are permitted to come out of our cells, we come out for varying amounts of time. For example, on July 17, 2021, we came out for one hour. On July 18, 2021, we came out for 10 minutes. On July 29, 2021, we came out for 30 minutes. On August 1, 2021, we came out for 15 minutes.

7. We have not received three hours out-of-cell time in one day since July 28, 2021.

8. It is very inconsistent how much time we receive out of our cells and how many cells are let out at one time.

9. The sustained, persistent lack of out-of-cell time has negatively affected our collective mental health on this unit. Because out-of-cell time is so inconsistent, I often expect to come out and end up disappointed and discouraged. It is emotionally exhausting to experience so much up and down.

10. Correctional officers (COs) tell us that our lack of out-of-cell time is due to staff shortages.

11. Staff shortages have been affecting other jail functions as well, including access to medical care.

12. For example, on August 2, 2021, I was scheduled to see an outside provider due to a chronic eye condition. However, after waiting for over two hours, staff told me that there was no staff available to transport me to my appointment and that the appointment would have to be rescheduled. It took three months for PDP to schedule the appointment, so I am worried that it will be another long delay before it is possible to reschedule it. In the meantime, I am living with daily pain in my eye.

13. We still do not receive adequate supplies, including cleaning products or soap.

14. We cannot exchange our sheets or uniforms regularly. To my knowledge, we have not had a single sheet exchange in 2021. Uniforms were exchanged on July 22, 2021 for the first time in months.

15. We received new masks on August 3, 2021 for the first time since I can remember.

16. I have not had an in-person visit since March 2020.

17. My loved ones have been unable to access the technology to set up tablet visits, so I have not seen them at all in over a year and a half.

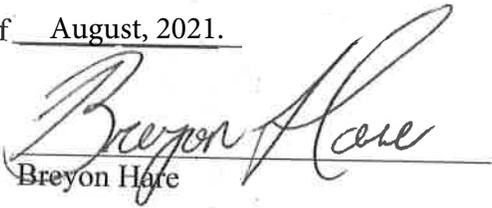
18. I try to talk to my mother every day, but I cannot always get on the phone to talk to her. It makes me very worried and anxious when I cannot communicate with her.

19. It would greatly increase morale here if people were able to see their families. For many people who are incarcerated pretrial, if they cannot see their loved ones while they are still in the Philadelphia jails and are then sentenced to a state prison term, they may not see their loved ones for many years.

20. I signed up for a vocational program about four or five months ago, but it has not been offered. It seems like there are no opportunities for rehabilitation being offered in PDP facilities right now.

21. I have been trying to get to the law library for several months but have been unable to. The last time that the law library was available was April 2021 and it was only open for one day. Before April, I had not been able to go since February 2021. Access to legal resources has been very limited and sporadic throughout the COVID-19 pandemic.

Pursuant to 28 U.S.C. § 1746, I, Breyon Hare, declare under penalty of perjury that the foregoing is true and correct. Executed this 3rd day of August, 2021.


Breyon Hare

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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 34 years old and currently incarcerated at Curran-Fromhold Correctional Facility (CFCF).
2. I am currently housed on Unit D2P3, which is a vaccinated unit.
3. We are still not allowed to come out of our cells for three hours a day.
4. Some days we are still locked in for the entire day without any recreation time.
5. For example, on July 16 and July 31, 2021, no one came out of their cells for recreation.
6. When we do receive out-of-cell time, it is almost always for less than three hours a day.
7. For example, on July 17, 2021, we received 45 minutes out of our cells. On July 18, 2021, staff let out four cells at a time for 10 minutes each and only people housed in cells 1-16

came out at all. On July 19, 2021, only people in cells 17-32 came out, and it was for less than two hours. On July 21 and August 1, 2021 staff let the entire block out at once, but only for 2 hours.

8. It is very inconsistent how many people are let out at one time and for how long. It seems like running recreation is up to the discretion of individual Correctional Officers (COs) and it varies widely.

9. It is very frustrating and depressing to not know when we will be let out of our cells or for how long. The lack of predictability makes it difficult to plan calls with loved ones or attorneys on the outside.

10. We still cannot go to the law library. I have not been able to go to the law library since January 2021. When my lawyer gives me information, I cannot do independent research to understand what is happening with my criminal case.

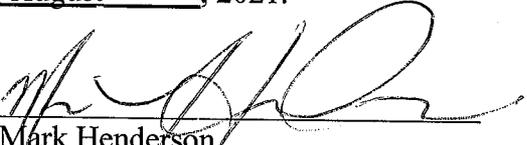
11. There is no cell cleaning taking place on Unit D2P3. We do not receive cleaning supplies or time to clean our cells. The last time we had a General Inspection (GI) cleaning was in December 2020.

12. We only have three tablets and five working phones on this unit to share between 64 incarcerated people.

13. I have been incarcerated for almost a year and I have had no in-person visits with my loved ones in that time. It has been very bad for my morale to go so long without visits. It makes me feel stuck and helpless and less connected to the outside world. It is extremely straining on my relationships to have so little contact.

14. I have three children, and it is incredibly hard to not hug my kids or see how they are doing in person to make sure they are okay.

Pursuant to 28 U.S.C. § 1746, I, Mark Henderson, declare under penalty of perjury that the foregoing is true and correct. Executed this 3rd day of August, 2021.


Mark Henderson