

EXHIBIT 1

DECLARATION OF ANTHONY SWAIN

I, Anthony Swain, certify under penalty of perjury that the following statement is true and correct pursuant to 28 U.S.C. §1746.

1. My name is Anthony Swain. I am 43 years old. I am currently incarcerated at the Metro West Detention Center in Miami, Florida in cell 1D2. I have been in jail since February 3, 2016.
2. I have cystic myelomalacia from my C3 to C6 vertebrae. I am a parapalegic. I only have 50 percent of my body remaining. My femur is amputated. I have a crack in my pelvis. I have no feeling in my left arm. I have no feeling in my fingers. I have severe pain in my spinal chord. My entire body aches. My breathing and respiratory system are failing. I am confined to a wheelchair.
3. I am trying my best to take care of myself in the midst of this pandemic, no different from you, no different from any other human being. But it's impossible to do that at this jail. Corrections treats us like we are the scum of the earth, like we don't deserve protection. The cell is filthy and we have no access to hygiene products. Today [on April 3rd] I had to make a mask out of my yellow sock and an elastic string from my catheter bag. We are crowded together with no space between us. We inmates are scared.
4. The cell that I am in houses the most medically vulnerable people in Metro West. There are people in here who have AIDS, people who are recently coming out of surgery, people who are elderly. Despite that, there are no measures taken to protect us from new people who circulate through our cell every day. We see people who are coughing, have fevers, and are otherwise ill, but they aren't tested and we don't know what they have.
5. There was one individual who came in here within the last month who was feeling terrible. They took his temperature and found that it was 103 degrees. It took Corrections almost a week to send him to the hospital. During the entire time he was waiting to go to the hospital, he was mixed in with the rest of us, using the same things we use. Soon after that, there was another person who came in with a sore throat. He told us that he didn't feel well and told us to stay away from him. He was sweating in his sleep, and within a day, he couldn't get up out of bed. They left him in our cell for two days before they sent him to Jackson hospital.
6. There are about five people in my cell who are coughing, or otherwise complaining about being sick.

7. Even staff in here are sick. A cart nurse who passed out our medication was working in our cell for almost a month. The whole time he was here, he was coughing and sneezing. He finally he stopped coming to work, and is now in quarantine. On April 1 at 2 a.m., an officer came over to my friend telling him that she needed his help. She told him that she didn't feel well and asked him to count the trays for her in the hallway. I told my friend to try to take care of himself when he was out there. Only God knows what she is sick with. And even with that being said, she was walking around without a mask. Guards don't wear masks or gloves. There aren't enough masks to go around.
8. During the four years I've been here, I've seen many infectious diseases spread around the cell. Just the other day, we had someone in here with MRSA [methicillin-resistant staphylococcus aureus], which is spread through skin-to-skin contact or contact with a contaminated object. He was in here using all the same things that the rest of us use, but it wasn't until after he left that the officers told us that he was sick with MRSA. How can we protect ourselves if we don't know about someone's contagious disease until after the fact?
9. Earlier this year, one person in my cell had scabies, and they left him in here with us for weeks on end before they moved him to open population. By the time he left, more than ten people in the cell had scabies. Pink eye is always going around. There are about fifteen people who have it in my cell. In addition, new people bring in lice, which is then passed around the cell. There is nothing we can do to protect ourselves, no matter what we try, without the assistance of Corrections.
10. There are already people in Metro West who have coronavirus. The cell right next to mine, 1D4, is quarantined. Officers who work in my cell, 1D2, go over to 1D4 and come back in here. After we hounded them, they told us that one inmate in there has coronavirus, and all the people around him got sick and are quarantined. 1D4 has about 60 people in it, and the last I heard, 22-25 people of them are currently sick. The officers told us there's a lot of people coughing in there, and the inmates don't have masks. None of the officers or nurses want to go in there. I've heard officers from my cell argue in the hall about who is going into the unit, and they try to push the younger officers in the units that are infected. Then, those same officers come right back in here and have contact with us. When they come back, the other officers tell them, "don't come near my desk, stay where you're at." The way I hear the officers talk, it's clear to me that they are in fear for their lives and don't want to take the virus home to their families.

11. 1D2 and 1D4 share the same air vents. The only thing that divides our bathrooms is a door. This is the door that the corporal walk between to do checks between the two cells. If I were to write a note on a piece of paper, I could slide it under the door to their cell.
12. Despite all of these things that are happening in here, Corrections hasn't issued any publications, flyers, pamphlets, announcements, or anything else to educate us about the coronavirus or how to keep ourselves safe. Every once in a while, an officer will say to make sure we wash our hands. It seems to me that Corrections is trying to stay out of the way, hoping that the situation in here doesn't go public or hit the news. The information that we have is from the news, or based on things we overhear or get out from nurses, officers, or other inmates. That creates a lot of fear, especially given that we're hearing that the coronavirus is in the cell right next to us.
13. This place is a petri dish for disease. We are in such close quarters. You can stay six feet away from other people on the outside, but for us, we are less than two feet away from other people at all times. There are four rows of beds with eight beds per row. One of the walls has sixteen beds of "medical housing," which is used for people who are coming out of the hospitals or off the streets with an illness. People in medical housing are often coming in here coughing, hacking, and dirty. Medical housing isn't separated in any way from the rest of the cell. The air circulates in here horizontally, meaning that anything that happens on one side of the cell comes to the other side of the cell. In our unit, if you sneeze, cough, or even pass gas, the person on the other side of the unit can smell it.
14. All of us use the same toilets, the same sinks, the same remotes, and the same phones. People all crowd around the same TV. The remote is filthy. I would have to use gloves to touch that thing. We use the same water cooler and a little hot pot to heat water. We don't even have access to personal hygiene products. We can't take any preventative measures to protect ourselves from covid.
15. Corrections does not hire people to sanitize our cells. Instead, they have trustees who do it for free, and who aren't provided with proper protective equipment. They aren't giving masks or gloves to trustees who are doing all the dirty work and cleaning dirty people. The cleaning supplies that we are given aren't real cleaning supplies: they are extremely watered down. We have people in this unit bleeding, yet we don't even have bleach. I've seen blood on the floor because the supposed cleaning products they give us can't even clean that up.
16. On top of that, our cell is disgusting -- which is especially horrible considering that officers tell us that our cell is the cleanest one in Metro West. The base of the telephone

leaks because the shower is on the other side of the phone. The showers are dirty regardless of the cleaning supplies that the trustees use to clean it. I have written multiple grievances about the showers because there is something growing in the handicapped shower that I use. You see plants growing from the floor of the shower, ants running around the floor, and mildew everywhere. I have to write grievance after grievance for the shower to be cleaned -- it usually takes 2-3 months to even get a response. The windows are leaking, the sinks are broken, and there was a rag stuck in the handicapped toilet until recently. There are stains on the ground from people falling and busting their heads open on the floor.

17. I can't trust Corrections to take care of us if we do contract the virus. In my experience, Corrections cuts costs and ignores the medical needs of inmates. For example, I slipped and fell in February 2017, and hurt my wrist. I filed grievance after grievance to be taken to the hospital, but my grievances went unanswered for more than a year. When I was finally taken to the hospital, more than a year and a half later, I no longer had any feeling in my left arm. The doctor at Jackson told that if I'd come sooner, they would have been able to save my wrist. Now, they are going to have to fuse my wrist together.

18. It has also been my experience that Corrections removes people from medical housing as soon as they possibly can because medical housing is more expensive. I have seen Corrections throw sick and injured people into open population with everyone else when they need to be in medical housing. This threatens their safety and the safety of everyone around them.

19. This is a place where I wouldn't want to catch anything.

This declaration was orally sworn to by Anthony Swain on April 3, 2020 because the Metro West Detention Center is currently not permitting documents to be exchanged for signature.

Under penalties of perjury, I declare that I have read the foregoing in its entirety to Anthony Swain on April 3, 2020.

A handwritten signature in black ink, appearing to read 'Maya Ragsdale', with a horizontal line extending to the right.

By:

Maya Ragsdale

Date: April 3, 2020

