

# **EXHIBIT B**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

EDWARD BANKS, *et al.*,

Plaintiffs-Petitioners,

v.

No. 1:20-cv-00849

QUINCY BOOTH, in his official capacity  
as Director of the District of Columbia  
Department of Corrections, *et al.*,

**DECLARATION OF DONELL HOWARD**

1. My name is **Donell Howard**. I am 51 years old. I am currently incarcerated at the Tallahatchie County Correctional Facility in Tutweiler, Mississippi. I am serving a sentence imposed by D.C. Superior Court.
2. I was incarcerated at the D.C. Jail until June 5, 2020. I am offering this information based on my own personal knowledge.
3. Before I left D.C. Jail, I was not tested for coronavirus. The only medical test I got the day I was removed from D.C. Jail was a check of my temperature using a forehead thermometer. My temperature was normal, and so I was cleared to leave D.C. Jail.
4. When I left D.C. Jail, they put me on a bus. About 32 other people were on the bus with me. Some of the people on the bus were coughing.
5. The bus was packed. Every seat was full. There was not social distancing. The staff on our bus were D.C. Jail staff, and they had masks.
6. The bus took us to Dulles Airport. When we got to Dulles Airport, they put all 32 of us on the same plane, with some other guys. The plane flew to Memphis, Tennessee.
7. The plane was also packed, and we were seated three together on the plane. There was no social distancing on the plane.
8. U.S. Marshals patted us down before we got on the plane. The marshals were not wearing masks.
9. The Marshals on the plane, some had masks and some did not. There were different Marshals when we got to Tennessee, and they had no masks.

10. When we got to Memphis, Tennessee, we were put into two buses, and they drove us to Tallahatchie, Mississippi. When we got to Tallahatchie County Correctional Facility, the staff there did not have masks on.
11. I have been at Tallahatchie, Mississippi since Friday, June 5, 2020.
12. I was not tested for coronavirus when I arrived at Tallahatchie.
13. I have not been tested for coronavirus at any time since I got to Tallahatchie.
14. In terms of symptoms I have had a headache since I got here.
15. I have put in medical requests since I got here. It is for my shoulder. I put the medical request in on Sunday and saw medical on Tuesday, so it was two days wait.
16. At Tallahatchie, they don't check temperatures every day. They checked my temperature when I went to medical for my shoulder.
17. They haven't told us anything. They have to call BOP to get permission for anything, including haircuts. They gave us a personal face razor to shave. I have not had a haircut the entire time I've been here.
18. When I got to Tallahatchie, they told us we would be here for two weeks, for a 14 day quarantine. After the 14 days were up, they told us they didn't know how long we would be here. It might be a long time. They said it is up to BOP. The guards on the unit and the case managers all tell us they don't know how long we will be here because it is up to BOP.
19. We found out from the news that BOP is not accepting any new prisoners, and that there is no movement into BOP because of coronavirus.
20. I have not been told what my BOP destination is, but I saw on some of my paperwork that it says Petersburg. They did not give me the paperwork, but I happened to see it.
21. My full term release date is up on October 14, 2020. That's my max date. They have not calculated my good time or my halfway house eligible date. I have asked at Tallahatchie about halfway house or home confinement options, and they have told me that's up to BOP and they can't do anything about it.
22. The warden came yesterday and told us that BOP would call Tallahatchie when it was time to release people, and BOP would tell Tallahatchie whether to send people for a plane or a bus to get home.
23. Tallahatchie staff did not have masks when I arrived. Some of the staff have started wearing masks in the weeks since I got here. Some do not.
24. The medical staff sometimes wear masks, but not all of them.

25. Tallahatchie gave the prisoners masks when we arrived. They are the disposable masks. They give us new masks a few times, and then last week they gave us washable masks.
26. At Tallahatchie, they pass out a bar of soap for each person every Tuesday
27. I am on the G13 unit at Tallahatchie. My unit is not all people from D.C. Some are from North Carolina and other places. There are twenty-something people on my unit and sixteen or seventeen of them are from D.C.
28. There are other people from D.C. on other units. I think the total number of people here from D.C. is about 140-150 people. That includes all the people on my bus, and people from buses that left D.C. Jail and arrived here a week before mine. The D.C. people are scattered all over the jail. I don't know if any new D.C. people have arrived since I got here.
29. They bring us spray to clean our cells. We use a rag to wipe the spray. I made the rag by tearing up my own towel that I use to clean my body.
30. I am in a double cell with a cellie. Everyone is in double cells who is in cells. There are also units in here with a hundred or more people in the unit. That's a dormitory. In a dormitory, it's a mix of people from other states. The dormitory is a big room with a lot of bunk beds close together all in the same room. That dormitory is full.
31. My cell is not big enough to do social distancing.
32. The staff do not limit the number of people who can come out of their cells at the same time for social distancing.
33. No one at Tallahatchie has talked to us about social distancing.
34. The staff do not practice social distancing.
35. They don't have signs up about coronavirus.
36. I did not get any instructions when we got here about coronavirus.
37. I have gotten no instructions about coronavirus from medical since I got here.
38. When we got here, there was a unit across from my unit, and they said people in there had coronavirus. Not everyone on that unit had coronavirus. They said only 2-3 people on that unit had coronavirus. They said they put all those people on one unit, and let them come up at different times for rec for social distancing. After a week, they put all of the people on that unit together because the coronavirus was over.
39. While at Tallahatchie, we cannot get haircuts. I was told we can't mingle with the other residents to go to the barbershop. They will not give us clippers to cut our own or each other's hair.

40. At Tallahatchie, we can't go to the library to get books.
41. At Tallahatchie, we can't be on Detail to get time off unit or good time credits.
42. For anything we need, we have to put in a request or a grievance form. If we didn't put in the forms, we wouldn't get anything we need. I put in a grievance form about my time computation, to see if I could go to a halfway house. I did that a month ago. I have gotten no response to that form.
43. We have access to commissary, if our families send us money. I don't have any money.
44. Every Sunday we get a free phone call, but it's only one call for 30 minutes, and if you only get five minutes, that still counts as your call.
45. Everyone here needs to have their time computed so that we know when our release dates are.

I, **Amy Phillips**, certify that **Donell Howard** told the foregoing to me on **July 9, 2020**, and that he affirmed that it was true and correct to the best of his knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

**Executed on July 9, 2020.**



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**Amy Phillips**  
Staff Attorney  
Public Defender Service for the District of Columbia  
633 Indiana Avenue, NW  
Washington, D.C. 20004