

EXHIBIT C

**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 JAMES GULLORY

1. My name is **James Guillory**. I am 20 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. I left D.C. Jail on a Friday: June 5, 2020. The way I left D.C. Jail on June 5 is the same way that I described to you in my May 29, 2020, declaration.
4. I was not tested for Covid-19 before I left D.C. Jail. D.C. Jail staff did not take my temperature before I left D.C. Jail.
5. The last time I had a coronavirus test was 3-4 weeks before I left D.C. Jail, when my entire unit was tested. A medical team member stuck a swab up my nose to test for coronavirus. I got my results 2-3 days later, and I was negative. That is the only time I have ever been tested for coronavirus.
6. We took two buses and one van from D.C. Jail to Dulles Airport. The staff on the bus I was on were D.C. Department of Corrections staff. U.S. Marshal Service cars and vans followed our bus. Our bus was full. There were no empty seats on our bus, and someone was sitting directly next to me.
7. The heat was on in the bus, making it very hot. Many people took off their masks because it was too hot. I could not wear my mask properly because the heat fogged up my glasses. The D.C. Department of Corrections staff on the bus were not wearing masks. The driver was wearing a mask.

8. On the bus, before we got off at the airport, U.S. Marshal Service agents came on the bus. One U.S. Marshal took my temperature. The thermometer beeped, and then they moved on to the next person. The U.S. Marshal who came onto our bus was wearing a mask on the bus.
9. The bus parked on the runway at the airport. When we got off the bus, U.S. Marshals told us where to stand on the runway and patted us down.
10. One U.S. Marshal who was processing us on the runway was not wearing a mask. He was chewing tobacco and spitting into a bottle. The same Marshal then directed us where to sit on the plane. When he got on the plane with us, he was still not wearing a mask. He was still chewing tobacco and spitting into the bottle on the plane.
11. Once we got on the plane, we got in our seats. U.S. Marshals told us where to sit. We were sitting next to each other, with no empty seats between us. The plane had rows of three seats on each side. The first bus to get onto the plane sat in the back of the plane. The U.S. Marshals were sitting in the middle all together. The second bus sat at the front of the plane. Our bus and the other bus were on the same plane.
12. The plane flew to Memphis, Tennessee.
13. On the plane, the Marshals gave us lunches. We all took off our masks to eat, and we were sitting next to each other handcuffed eating without masks on.
14. We each got a bathroom break on the plane. U.S. Marshals escorted each person to the bathroom and watched us use the bathroom.
15. After I used the bathroom, I was directed back to my seat. A different person was sitting next to me after I got back from the bathroom, because the person who had previously been sitting next to me was still in the bathroom. I sat next to a total of four different people on the plane.
16. When we got to Memphis, we were loaded off the plane by name. We were directed to another bus. The bus I got on was full with no empty seats. The U.S. Marshals who directed us to the bus were different Marshals from the ones who had ridden with us on the plane. The U.S. Marshals on the bus in Tennessee were not wearing masks. I and the other prisoners still had our masks. Some people took their masks off on the bus but I kept my mask on, until it got too hot on the bus to wear it.
17. While we were on the bus, it was raining badly. The first bus was in front of us, and the windshield wipers stopped working. We pulled over in a restaurant parking lot. The buses switched drivers. The bus drivers were not wearing masks. After the drivers switched, the buses kept going.
18. The weather was so bad that we couldn't see out of the bus. The U.S. Marshals told us that we were in the middle of a tornado. The bus pulled over and stopped and was shaking, and all we could see outside was gray. The bus was stopped for several minutes,

and I feared that we were about to get smashed up by the tornado. I didn't want to die like that, handcuffed in a bus.

19. After the tornado passed, the bus started driving again. We were on the highway to the jail, which is the Tallahatchie County Correctional Facility. We got to the jail a few minutes later.
20. The bus drove to the jail and pulled into the jail parking lot. A lady with an orange vest came onto the bus. I overheard people said we were at the warehouse.
21. When we got to the warehouse, we were all told to get off the bus, and we walked off the bus. A few feet away from the bus, they took off our ankle shackles and told us to go inside.
22. Once we were inside the warehouse, I saw a room with cells in it. The cells were about 10 feet by 12 feet each. CCA staff were inside the warehouse. They checked our names off a list and checked our temperatures. The staff who checked my name and temperature was Sergeant Patten.
23. After Sergeant Patten checked my temperature, the CCA staff directed us all to go into the cells. They tried to put fifteen to twenty people in each cell. Some of the guys didn't want to go into the cells because they were too crowded. We told the CCA staff that it was too crowded for us to do social distancing. It was very hot inside the warehouse, and the CCA staff told us the generator was down.
24. When the men refused to go into the crowded cells, CCA brought in their SORT team, which is like an ERT team or a SWAT team. The SORT team had paintball guns, but the guns had mace in them. They are pepper ball guns. The SORT team threatened to shoot anyone who didn't go into the cell. Everyone went into the cells when the SORT team got there.
25. When we were inside the cells, CCA staff brought us out two at a time to change into blue uniforms. There were two tiny cells like dressing rooms to strip and be searched and get new uniforms. I was also given a new mask after I came out of the dressing room.
26. While we were inside the cells with fifteen to twenty other people, we ate two meals. One meal was a sandwich and the other was dinner. Everyone took off their masks while they ate in the cells.
27. After we got our uniforms and crocs, we were all put in one big cell. It was very hot and everyone was sweating. Everyone from D.C. was in one cell, and we were all sweating. We asked them to open the door for fresh air, but they kept closing it when people put their faces by the door to get fresh air. Every seat in the big cell was full.
28. We were called out of the big cell one at a time for intake processing, to get IDs and answer questions. The CCA staff doing the intake processing were not wearing masks. I had to take my mask off to take my ID photo. I put my mask in my pocket. I was not able to wear my mask during the intake interview because it was too hot to wear a mask. In

the interview they asked questions about whether we had ever been sexually assaulted or sexually assaulted anyone else.

29. After intake, I was taken back to the big cell with all the guys from D.C.
30. Next, I was processed by medical. First they measured our height and weight. The medical staff were not wearing masks.
31. After medical measured me, I was sent to another room for a tuberculosis shot. The person who gave me the shot was wearing gloves, but no mask. I was not wearing a mask during the medical exam because it was still too hot to wear it.
32. There was a medical interview questionnaire. The person who did the medical questionnaire was not wearing a mask.
33. After medical, they put me in another cell. Everyone was put in two cells. Both cells were full. The people in my cell were not the same people in the cell from before but they were from D.C.
34. After everyone was done with the medical screening, CCA staff escorted us to our units.
35. We were in the warehouse area with the cells from 5pm to after 10pm.
36. I am assigned to unit G17. I was given a slip saying I should be in Cell 102. When I got to Cell 102, there was someone else already in there. That person had been at Tallahatchie for a few days already. I did not want to go into the cell because he wasn't from D.C. and I was afraid he might have coronavirus. I told the staff I refuse to go into his cell.
37. CCA staff put me in cell 207. I asked for cleaning supplies. I got 2 rags and used one to wipe the cell and the other to wipe my body in the shower.
38. After I took a shower, I went to sleep. Later the same night, they woke me up and told me I had to move to cell 102, because cell 207 was assigned to two other people. I didn't want to go to 102 with the other person I didn't know because I was afraid of coronavirus. They put me in cell 206 with another person from D.C.
39. Over the weekend, I was in cell 206 with that person all weekend.
40. On Monday, the SORT team came back and moved everyone's cells again. I was moved from cell 206 to cell 205. In cell 205, my cellmate is a different person from D.C. He had also been with another cellmate all weekend.
41. Two other people had been living in cell 205 over the weekend. The cell was not cleaned before they locked me and my cellie inside it together. When we got there, it was just how they left it. I later asked for cleaning supplies and was able to clean the cell.

42. I have now been in cell 205 since Monday, June 8. My cellmate has also been in 205 since June 8.
43. When I first arrived at Tallahatchie County Correctional Facility, they told us it was for a 14-day coronavirus quarantine. They told us that after that, we would go to Bureau of Prisons. Within the 14 days, a case manager came on the unit and told us we might be at Tallahatchie longer than 14 days. The case manager didn't say why, but told us she didn't think BOP was coming to pick us up after the 14 days quarantine. No one has given me any updates about how long I will be at Tallahatchie or where I will be taken next.
44. On my sentence, my full term release date is January 15, 2020. I am supposed to be eligible to apply for a halfway house next week on July 15, 2020. I asked a CCA staff member about applying for halfway house, and the case manager said she didn't have my packet and couldn't fill out the application for me. She told me that if my lawyer had my packet, my lawyer could send it to her to fill out and submit. My lawyer has told me that she does not have my packet and that she can't get it from BOP.
45. Right now I have a mask on. When we first got here, they gave us disposable masks. They gave us disposable masks one other time. Then they handed out reusable masks last week. We put the masks in with our laundry to be washed. Our laundry is taken away for a day to be washed. While our masks are in the laundry, we do not have access to masks.
46. Here at Tallahatchie, prisoners don't wear masks on the unit. Staff sometimes wear masks, but often wear them pulled down under their chins. I don't think people here take coronavirus as seriously as we take it in D.C. We know more about it because we're from D.C.
47. Staff do not remind us to put on our masks or tell us to do social distancing except when we are walking through the hallways to rec. Once we get to rec, no one tells us to wear our masks or to practice social distancing.
48. My cell is too small to social distance from my cellmate.
49. The jail has not done a temperature check or medical screening on me since I got here on June 5.
50. I do not know whether anyone on my unit is sick or has symptoms of coronavirus
51. A couple of weeks ago, an officer told me that there was a coronavirus outbreak at the jail. I had asked why we were getting bagged lunches instead of hot lunches that day, and she told me there was a coronavirus outbreak in kitchen. She did not tell me anything else about the outbreak. There was never an announcement about the outbreak. No one has ever talked to us about coronavirus or about the outbreak.
52. There are signs on the walls my unit about Covid-19. The signs say to wash your hands and list some symptoms: shortness of breath, cough, fever. The signs do not explain social distancing. I know about social distancing from D.C. I know more about coronavirus than what is on the signs, because I'm from D.C.

53. Detail are the inmates who clean the units Details gets cleaning supplies every day to clean common areas of the unit and the showers. If someone needs to clean their cells they can borrow cleaning supplies from Detail. The case managers lock the cleaning supplies in the bubble when they leave at 5pm, so there are no cleaning supplies after that.
54. They give us one bar of soap, two rolls of toilet paper and one razor every Tuesday.
55. When we get our meals, they are supposed to come with spoons, like disposable plastic spoons, to eat with. We do not get spoons with most meals, so we reuse the same plastic spoon over and over again for 4-5 days. The staff will tell us that we're not getting new spoons and advise us to keep our spoon to reuse it.
56. My cellie told the case manager that we're supposed to get a fresh mask every day. The case manager wasn't mean, but she responded that the facility is not going to give you a new mask every day.
57. My teeth are hurting every time I eat. I went to the dentist in D.C. and they told me I have holes in my teeth because I haven't been to the dentist in two years. I was supposed to go to the dentist the next week when I got moved here. I asked to go to the dentist. The staff here took me to the dentist my first two weeks here, but I haven't seen them since. The dentist told me that my teeth are the first thing I need to take care of when I get out. I couldn't get my teeth fixed in D.C. Department of Corrections, and now I can't get to the dentist here. I have a hole in my teeth. I couldn't go in DOC, and now I can't go here.
58. When I asked the staff here to take me to the dentist, they said you have to be up here for a year. We're not supposed to be here for a year. But the staff said you have to be sentenced to be here for a year to get real dental or medical care. If you're here for shorter, you can only get seen if it's an emergency.

I, **Amy Phillips**, certify that **James Guillory** 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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