

EXHIBIT 2

Declaration of Richard Buswell

1. I am currently incarcerated at the Camp at FCI Oakdale II. My Bureau of Prisons Register Number is 15618035. I previously pleaded guilty to one count of conspiracy to commit wire fraud and one count of distribution of synthetic marijuana. I received a 10-year sentence for the wire fraud charge and a consecutive 8-year sentence for the marijuana charge.

2. I am 51-years-old and I have a number of serious chronic medical conditions. I have high blood pressure, which I treat with medication. I have asthma, which I treat with an albuterol inhaler. I also have sleep apnea, which requires me to use a Continuous Positive Airway Pressure (CPAP) machine to sleep at night.

3. I am concerned that I already have coronavirus or COVID-19, or that I will get it very soon.

4. It is impossible for inmates at Oakdale to stay six feet away from each other. To make phone calls, inmates must stand within two feet of each other because the phones are so close. For approximately 125 men, we have eight working sinks, which are no more than two feet apart. There are only five or six working showers. We have eight working toilets, which are very dirty.

5. There is no liquid soap in the individual soap dispensers and we only have access to communal bar soap, which is filthy. We do not have access to hand sanitizer or clean hand towels. Laundry is done only twice a week.

6. Most of the prison staff has very little access to personal protective equipment. Even when they do have access, they often do not wear masks or gloves. A member of the prison medical staff takes inmates' temperatures every day, but they wear the same pair of gloves for every inmate, which puts us at risk of cross-contamination.

7. Three Oakdale staffers that I interacted with have tested positive for coronavirus. Many prison staffers work at the prison hospital and then come to the Camp. Several prison staffers have told me that it's just a matter of time until we get coronavirus and get sick, and that there is nothing they can do for us. The prison is constructing hospital tents in the recreation yard. The prison staff is overworked and they are just as confused and scared as the inmates. I am concerned about the prison staff's safety as well as the inmates'.

8. Approximately one week ago, I submitted a request for emergency furlough. I have not received a response. I spoke to my case manager about my request. She told me she was too overwhelmed to deal with it and did not provide me any further guidance. She told me she thought that the inmates at Oakdale probably already have coronavirus or COVID-19 and she believes she already has it as well, which made me very worried.

9. I work in food service and help prepare meals for the inmates. I am housed at the Camp and prepare meals for the inmates at FCI Oakdale. Since Oakdale went on lockdown, I have been preparing bag lunches for inmates. We are preparing bag lunches because we don't have enough food to meet the usual requirements. We cannot get any food into the prison and we were not prepared for this. Prison officials are trying to get more food. I estimate we have enough food to last 30 to 40 days.

10. The three prison staffers I interacted with who tested positive for coronavirus also helped prepare bag lunches for inmates. They appeared to be very sick while they were working and handling food in close quarters for an eight-hour shift. One staff member in particular was coughing, sweating, and seemed very sick.

I, Somil Trivedi, certify that I reviewed the information contained in this declaration with Mr. Buswell by telephone on April 5, 2020, and that he certified that the information contained in this declaration was true and correct to the best of his knowledge.



Somil Trivedi
American Civil Liberties Union
915 15th Street, NW, Washington, DC 20005
202.715.0802
strivedi@aclu.org