

AFFIDAVIT OF ANTHONY MARKS

STATE OF WEST VIRGINIA
COUNTY OF RALEIGH, To Wit:

I, Anthony Marks, being of sound mind and over the age of eighteen (18), do solemnly swear that the following are true and correct statements based on my personal knowledge:

1. My name is Anthony Marks. I am a former employee of the West Virginia Division of Corrections and Rehabilitation ("DCR").
2. From September 2021 until January 2022, I was a correctional officer at Southern Regional Jail ("SRJ") in Beaver, West Virginia.
3. I am personally familiar with, and have knowledge of, DCR policy, SRJ policy, the living conditions at SRJ, and how inmates are treated at SRJ.
4. During my time at SRJ, overcrowding was a widespread and ongoing problem at the facility. It was a regular occurrence to have three (3), four (4), or more inmates living in a two-person cell (approximately 120 square feet).
5. SRJ was so overcrowded, inmates were forced to live and sleep on the dayroom (the common area in the middle of a pod) floor or on the floor in front of individual cells.
6. Living and sleeping on the dayroom floor exposes inmates to both health and safety risks. It is also a PREA violation (Prison Rape Elimination Act, 28 CFR § 115).
7. When inmates were forced to live/sleep on the dayroom floor, they had no access to individual sinks or toilets.
8. I am aware of inmates at SRJ being attacked and injured by other inmates because they are living in the dayroom and not protected by a locked cell.
9. Suicide cells at SRJ were also very overcrowded.

10. SRJ had only two (2) cells designated for inmates on suicide watch. I am aware of as many as twelve (12) inmates being placed in a suicide cell together at one time (approximately 120 square feet) and left there for days.

11. At SRJ, inmates were commonly given inadequate portions of food.

12. At SRJ, inmates were regularly given spoiled milk.

13. At SRJ, inmates were commonly given what appeared to be undercooked or rotten meat.

14. At SJR, inmates were regularly served food on dirty/unsanitary trays.

15. During my time at SRJ, there were widespread and ongoing problems with the water/plumbing at the facility.

16. At any given time, numerous inmate cells (often over crowded) at SRJ had no running water.

17. I am aware of inmate cells that had no running water the entire time I worked at SRJ.

18. If an inmate does not have running water in his/her cell, he/she can go up to six (6) hours (or longer) without access to drinking water during lockdown.

19. If an inmate cell does not have running water, the inmates are supposed to be provided bottled drinking water during lockdown. This rarely (if ever) happened at SRJ.

20. In cells that did have running water, many only had hot water.

21. In cells that did have running water, the water often ran constantly (*i.e.*, cannot be turned off).

22. Some inmate cells at SRJ had the sink or toilet completely torn out of the wall.

23. During my time at SRJ, broken toilets (that do no flush) was also a widespread and ongoing problem at the facility.

24. At any given time, numerous inmate cells at SRJ (often overcrowded) had toilets that did not flush or were otherwise broken.

25. Broken toilets in inmate cells at SRJ commonly became infested with bugs or maggots.

26. I am aware of inmate cells that had no functioning toilet the entire time I worked at SRJ.

27. Water leaking from broken sinks and toilets was also a widespread and ongoing problem at SRJ.

28. At any given time, numerous inmate cells at SRJ had water (from a broken sink or toilet) leaking onto the floor.

29. Because virtually all of the cells were overcrowded, inmates at SRJ commonly slept in sink or toilet water (and sometimes toilet waste) on the floor of their cell.

30. At SRJ, cells that are adjacent to showers commonly had water seeping in through the ceiling, walls, and floor.

31. Many of the showers at SRJ either did not work, only had hot water, or ran constantly.

32. At SRJ, hygiene items (*e.g.*, toilet paper, soap, shampoo, tooth paste, etc.) are supposed to distributed to inmates daily. However, this rarely happens.

33. When hygiene items were distributed, correctional officers commonly piled them up in the middle of pod and let the inmates fend for themselves. This “free for all” practice resulted in inmates fighting over basic hygiene items and some inmates going without.

34. During my time at SRJ, broken cell windows were a widespread and ongoing problem at the facility. At any given time, there were multiple inmate cells with broken windows, which made them unusable.

35. The failure to repair these windows (so the cells can be used) contributed to the overcrowding problem at SRJ.

36. During my time at SRJ, there were widespread and ongoing problems with broken cell doors at the facility.

37. At any given time, numerous inmate cells at SJR had doors that were broken or did not lock. This is a major safety concern (for inmates and correctional officers) and also violates PREA.

38. I am aware of incidents at SRJ where an inmate was attacked or beaten by another inmate because his cell door was broken or did not lock.

39. During my time at SRJ, black mold was a widespread and ongoing problem at the facility.

40. There was black mold in inmate cells, inmate showers, and grew on the clothing of inmates.

41. I am not aware of SRJ doing anything to address the black mold problem, other than simply painting over it.

42. Every inmate pod at SRJ has a "tower" where a correctional officer is stationed. Intercoms or "call boxes" from inmate cells are routed to the tower. This allows inmates to communicate with the correctional officer in the tower and vice versa.

43. In many of the inmate cells at SRJ, the intercom or "call box" did not work. This posed a serious risk for inmates, who are unable to report an emergency (*e.g.*, fight, injury, medical

problem, etc.). If an emergency occurred, inmates were only able to kick their cell door or yell for help if they need assistance. This is also a PREA violation.

44. The buttons and intercoms on the communication board/panel in each tower at SRJ were so old and degraded, they either did not work or barely functioned. This posed a serious risk for inmates, who are unable to report an emergency (*e.g.*, fight, injury, medical problem, etc.). This also posed a serious risk for correctional officers, who have to respond to inmates kicking doors or yelling for help without knowing what is transpiring. This also a PREA violation.

45. During my time at SJR, inmates were commonly prevented from filing grievances.

46. At SRJ, if an inmate wants to file a grievance, a correctional officer is supposed to provide a form to the inmate to complete and return to the correctional officer. Once received, the correctional officer is supposed to provide the completed form to a supervisor for filing.

47. Instead of asking a correctional officer for a grievance form, inmates at SRJ were required to write one officer – Ben Houches – and request a form from him.

48. Paper grievance forms at SRJ were commonly withheld from inmates who request them.

49. At SRJ, inmates are supposed to be offered one hour per day of recreation time (uncirculated air). However, during my time at SRJ, recreation time was regularly withheld from inmates.

50. I am aware of an entire pod of inmates going months without being offered recreation time.

51. During my time at SRJ, several inmate pods were infested with rats and rat feces.

52. At SRJ, the heating and air conditioning regularly went out for weeks at a time.

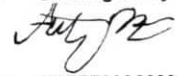
53. Supervising correctional officers and jail administrators – including Superintendent Francis – are fully aware of the aforementioned problems at SRJ.

54. Attached hereto as Exhibit 1 is a November 11, 2021 e-mail sent to Superintendent Francis (and others) with a cell-by-cell accounting of the ongoing problems at SRJ.

55. Moreover, every week Superintendent Francis and his team do a visual inspection of each pod at SRJ.

56. This affidavit is true and correct to the best of my knowledge.

Affiant further saith not.

DocuSigned by:

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Anthony Marks

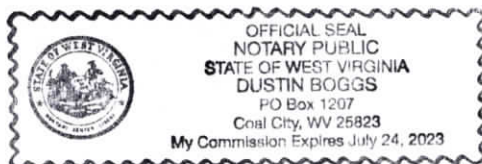
8/8/2022

Date

Taken, subscribed, and sworn before me by Troy Carter,
this 8 of Aug, 2022.


Notary Public

[NOTARY SEAL]



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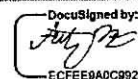
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AFFIDAVIT OF DEAN VANDEVENDER

STATE OF WEST VIRGINIA
COUNTY OF KANAWAH, To Wit:

I, Dean VanDevender, being of sound mind and over the age of eighteen (18), do solemnly swear that the following are true and correct statements based on my personal knowledge:

1. My name is Dean VanDevender. I am a former employee of the West Virginia Division of Corrections and Rehabilitation (“DCR”).

2. From June 9, 2019 to November 23, 2020, I was employed as a correctional officer at Southern Regional Jail (“SRJ”) in Beaver, West Virginia.

3. I am personally familiar with, and have knowledge of, DCR policy, SRJ policy, the living conditions at SRJ, and how inmates are treated at SRJ.

4. When an inmate is first incarcerated at SRJ, he/she is supposed to be given a “flex cup” for drinking and a “spork” for eating. While I was a correctional officer at SRJ, new inmates were regularly not provided flex cups or sporks. Those inmates were left to drink from old milk cartons or plastic bottles and to eat with their hands.

5. While I was a correctional officer at SRJ, the portions of food provided to certain groups of inmates, particularly sex offenders, were regularly cut or “thinned” by other inmates working in the kitchen. Correctional officers were aware of this practice, and it was often done at their direction.

6. While I was a correctional officer at SRJ, food provided to certain groups of inmates, particularly sex offenders, was regularly tampered with or contaminated with saliva (spit), hair, urine, or semen. Correctional officers were aware of this practice, and it was often done at their direction.

7. While I was a correctional officer at SRJ, inmates were regularly served food on dirty/unsanitary trays. After a meal, food trays were often not cleaned/disinfected and then used again.

8. While I was a correctional officer at SRJ, inmates were regularly served spoiled milk for breakfast.

9. At SRJ, food is supposed to be served to each individual inmate in his/her cell. However, it was a regular practice for correctional officers to pile food trays up in the middle of an inmate pod and let them fend for themselves. As a result of this "free for all" practice, inmates would often fight each other for food and some inmates would go hungry.

10. While I was a correctional officer at SRJ, overcrowding was a widespread and ongoing problem.

11. Almost every cell at SRJ was overcrowded, with three (3) and often four (4) inmates living in a two-person cell. As a result, many inmates in the jail slept on the concrete floor on a regular basis. I specifically recall one female cell with six (6) inmates living in it at once.

12. SRJ was so overcrowded, inmates were regularly forced to live and sleep in the open common room or "day room" in the middle of a pod.

13. Inmates living and sleeping in a day room had no individual toilet or sink access.

14. Inmates living and sleeping in a day room were left in an unsafe environment at night, because they were not safely locked in individual cells.

15. While I was a correctional officer at SRJ, there were widespread and ongoing water problems at the facility.

16. Inmate cells at SRJ often had no running water. Inmate cells with no running water were problematic, because inmates (often in an overcrowded cell already) would go without access

to drinking water while in lockdown, sometimes for as long as six (6) hours. I am aware of inmate cells going for as long as two (2) weeks with no running water.

17. In inmate cells that did have running water, the water often ran constantly (*i.e.*, could not be turned off).

18. In inmate cells that did have running water, the sinks often ran only hot water. If the inmate cell also ran water constantly (which was a regular occurrence), this created a steamy, sauna-like environment inside the cell and throughout the pod.

19. While I was a correctional officer at SRJ, the air conditioning to certain pods (or sometimes the entire jail) would go out for weeks at a time, especially in the summer.

20. While I was a correctional officer at SRJ, inmate cells often had toilets that did not flush or would never stop running. Inmate cells with no functioning toilet were problematic, because inmates (often in an overcrowded cell already) would go without access to a working toilet while in lockdown, sometimes for as long as six (6) hours. I am aware of inmate cells going weeks without a properly functioning toilet.

21. While I was a correctional officer at SRJ, the drinking fountain in inmate pods regularly did not work. Often, there would be only one (1) working inmate drinking fountain in the entire jail. As a result, inmates who had no working water in their cell had limited or no access to drinking water.

22. Pods at SRJ are supposed to have two (2) showers for inmates. However, the water to one shower in a pod regularly did not work, often leaving seventy (70) to eighty (80) inmates in an overcrowded pod sharing one shower for extended periods of time.

23. Because of ongoing problems with either the hot or cold water in pod showers, inmates were regularly forced to take scalding hot showers (even in the summer) or freezing cold showers (even in the winter) if they wanted to bathe.

24. While I was a correctional officer at SRJ, water leaks in cells were a widespread and ongoing problem.

25. Broken or running sinks regularly leaked water onto to the floor of inmate cells.

26. Broken or running toilets regularly leaked water or sewage onto the floor of inmate cells.

27. Inmate cells next to working showers often had water leaking or seeping in from the ceiling, walls, and floor.

28. Since virtually all inmate cells at SRJ were overcrowded, it was a common occurrence for inmates to sleep in water (from the sink, toilet, or next-door shower) on the floor of their cell.

29. While I was a correctional officer at SRJ, the presence of black mold throughout the jail was a widespread and ever-present problem.

30. Black mold was present inside inmate cells, pod showers, air vents, and grew on the clothing of inmates.

31. To the best of my knowledge, nothing was ever done about the black mold throughout SRJ, except to have inmate trustees paint over it.

32. While I was a correctional officer at SRJ, inmates being given insufficient (or no) access to hygiene items (*e.g.*, toilet paper, soap, shampoo, toothpaste, tooth brushes, etc.) was a widespread and ongoing problem.

33. At SRJ, inmates are supposed to be provided hygiene items every day. However, it was a regular occurrence for inmates to go weeks or even months without being provided basic hygiene items, including toilet paper. I am aware of inmates using rags or socks as toilet paper because none was provided to them.

34. Female inmates at SRJ were also not provided an adequate amount of feminine hygiene products.

35. I am aware of correctional officers at SRJ falsifying log records to indicate that hygiene items were distributed to inmates, when in fact none were.

36. On the rare occurrence when hygiene items were distributed to inmates, it was a common practice for correctional officers to pile hygiene items in the middle of an inmate pod and let the inmates fend for themselves. As a result of this "free for all" practice, inmates would often fight each other for hygiene items and some inmates would go without.

37. Hygiene items at SRJ were withheld or not distributed even though there were sufficient amounts of hygiene items kept in a storage room in each inmate pod.

38. At SRJ, inmates are supposed to be issued two (2) sets of clothing. However, inmates were often only given one set of clothing when arriving at SRJ.

39. With only one set of clothing, an inmate cannot send laundry out for cleaning (with nothing else to wear), so laundry must be washed piecemeal and by hand. The majority of inmates at SRJ have to wash their clothes in the sink or in a mop bucket. If the sink in an inmate cell was broken, inmates often were unable to clean their clothes.

40. At SRJ, each pod has a "tower" room where a guard is stationed at all times. Each inmate cell is equipped with an intercom or "call box," which is routed to the tower room. The

call box allows inmates to communication with the correctional officer in the tower in case of an emergency.

41. At SRJ, correctional officers stationed in a tower regularly muted the call boxes to entire pods during the night shift and slept for hours (sometimes for a full six-hour lockdown). This was a dangerous practice, because if an inmate had an emergency (*e.g.*, fight, injury, medical problem, etc.), requests for assistance were ignored.

42. While I was a correctional officer at SRJ, inmates were regularly denied the ability to file a grievance.

43. When an inmate requests to file a grievance, a correctional officer is supposed to provide a grievance form to the inmate. Once a grievance form is completed, the inmate is supposed to return the form to a correctional officer, who is then supposed to pass the grievance form on to a supervising officer for filing.

44. I am aware of correctional officers at SRJ regularly refusing to provide inmates with grievance forms.

45. If correctional officers did provide an inmate with a grievance form, the form was commonly torn up in front of the inmate, thrown in the trash, or not passed on to supervisors for filing.

46. While I was a correctional officer at SRJ, correctional officers would regularly beat inmates as punishment for filing or attempting to file a grievance. Inmates were also commonly beaten by correctional officers for talking back, refusing orders, or voicing complaints, among other things.

47. I am aware of correctional officers taking inmates into cells or showers (where there are no cameras) and beating them as punishment. Once an inmate was beaten, he/she would be

taken to medical, where nursing staff was usually told that the inmate “slipped in the shower,” “fell down the stairs,” or some other obvious lie. The nursing staff at SRJ knew that inmates were being beaten by correctional officers, but did nothing about it.

48. Some correctional officers at SRJ would even take inmates into medical examination rooms (where there were also no cameras) and beat inmates as punishment. The nursing staff at SRJ was aware of this practice as well.

49. As a result of these beatings, inmates commonly suffered broken bones, lacerations, bruises, and concussions, but were almost never sent to a hospital for evaluation and treatment.

50. I am also aware of correctional officers at SRJ falsifying “use of force” reports to cover up inmate beatings. Correctional officers who beat inmates would regularly falsify use of force reports to make it appear that the force used against an inmate was justified (*e.g.*, claiming the inmate resisted, was belligerent or aggressive, attacked an officer, etc.), even when there was no justification for the beating.

51. While I was a correctional officer at SRJ, inmates were regularly put in isolation suicide cells as a form of punishment, even though the inmates were not suicidal.

52. Suicide cells at SRJ were also very overcrowded. Because there were only two suicide cells in the jail, there were often as many as ten (10) inmates placed in a two-person suicide cell for as long as two (2) weeks.

53. While on suicide watch, inmates would go days without access to a shower.

54. While I was a correctional officer at SRJ, inmate requests for medical attention or “sick calls” were regularly ignored by correctional officers.

55. While I was a correctional officer at SRJ, correctional officers would regularly tell inmates what another inmate was charged with, which is a safety violation.

56. Correctional officers at SRJ would commonly disclose an inmate's charges to other inmates, knowing that the inmate would likely get attacked by his fellow inmates as a result.

57. Inmates at SRJ are supposed to be offered one (1) hour of recreation time (uncirculated air) every day. While I was a correctional officer at SRJ, inmates were regularly denied recreation time.

58. A common trick used by correctional officers was to "offer" recreation time during the early hours of the morning (when most inmates are sleeping) and then log that recreation was offered, but "declined."

59. Supervising correctional officers and jail administrators – including Superintendent Michael Francis (who inspected the jail weekly) – were fully aware of the aforementioned problems at SRJ.

60. This affidavit is true and correct to the best of my knowledge.
Affiant further saith not.

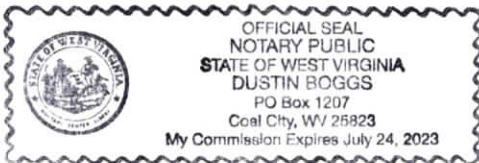
Dean VanDevender
Dean VanDevender

7.20.2022
Date

Taken, subscribed, and sworn before me by Dean VanDevender,
this 20 of July, 2022.

[Signature]
Notary Public

[NOTARY SEAL]



AFFIDAVIT OF SCOTT MOORE

STATE OF WEST VIRGINIA
COUNTY OF RALEIGH, To Wit:

I, Scott Moore, being of sound mind and over the age of eighteen (18), do solemnly swear that the following are true and correct statements based on my personal knowledge:

1. My name is Scott Moore. I am a former employee of the West Virginia Division of Corrections and Rehabilitation (“DCR”).
2. From July 1997 until August 31, 2021, I was a correctional officer (Corporal) at Southern Regional Jail (“SRJ”) in Beaver, West Virginia.
3. I am personally familiar with, and have knowledge of, DCR policy, SRJ policy, the living conditions at SRJ, and how inmates are treated at SRJ.
4. During my time at SRJ, overcrowding was a widespread and ongoing problem at the facility. It was a regular occurrence to have three (3) or four (4) inmates living in a two-person cell.
5. In overcrowded cells, inmates are forced to sleep on the floor, often without a mattress.
6. SRJ was so overcrowded, inmates were forced to live and sleep on the dayroom (the common area in the middle of a pod) floor.
7. Living and sleeping on the dayroom floor exposes inmates to both health and safety risks.
8. When inmates were forced to live/sleep on the dayroom floor, they had no access to individual sinks or toilets.
9. I am aware of inmates at SRJ being attacked and injured by other inmates because they are living in the dayroom and not protected by a locked cell.

10. Suicide cells at SRJ were also very overcrowded.
11. SRJ had only two (2) cells designated for inmates on suicide watch. I am aware of as many as eight (8) inmates being placed in a suicide cell together at one time and left there for days.
12. At SRJ, inmates are supposed to be provided a "flex cup" for drinking and a "spork" for eating. However, inmates were regularly not provided these items.
13. Inmates without a flex cup or spork must drink from old milk cartons or plastic bottles and eat with their hands.
14. At SRJ, inmates were commonly given inadequate portions of food.
15. At SRJ, inmates were regularly given spoiled milk.
16. Inmates at SRJ are also supposed to be provided with at least two (2) sets of clothing. However, inmates were regularly given only one set of clothing.
17. I recall inmates at SRJ begging to be given more clothing.
18. Inmates are also supposed to be given the option of having their clothes laundered by the jail. However, the majority of inmates were not able to utilize laundry service because they had only one set of clothes. As a result, these inmates had to wash their clothes in a sink.
19. Inmates that could utilize the jail's laundry service commonly would not, because clothes were regularly stolen or would come back wet and musty.
20. During my time at SRJ, there were widespread and ongoing problems with the water/plumbing at the facility.
21. At any given time, numerous inmate cells (often over crowded) at SRJ had no running water.

22. If an inmate does not have running water in his/her cell, he/she can go up to six (6) hours (or longer) without access to drinking water during lockdown.
23. In cells that did have running water, many only had hot water.
24. In cells that did have running water, the water often ran constantly (*i.e.*, cannot be turned off).
25. During my time at SRJ, broken toilets (that do no flush) were also a widespread and ongoing problem at the facility.
26. At any given time, numerous inmate cells at SRJ (often overcrowded) had toilets that did not flush or were otherwise broken.
27. Water leaking from broken sinks and toilets was also a widespread and ongoing problem at SRJ.
28. At any given time, numerous inmate cells at SRJ had water (from a broken sink or toilet) leaking onto the floor.
29. Because virtually all of the cells were overcrowded, inmates at SRJ commonly slept in sink or toilet water on the floor of their cell.
30. At SRJ, cells that are adjacent to showers commonly had water seeping in through the ceiling, walls, and floor.
31. Many of the showers at SRJ either did not work, only had hot or cold water, or ran constantly.
32. During my time at SRJ, broken cell windows were a widespread and ongoing problem at the facility. At any given time, there were multiple inmate cells with broken windows, which made them unusable.

33. The failure to repair these windows (so the cells can be used) contributed to the overcrowding problem at SRJ.

34. During my time at SRJ, black mold was a widespread and ongoing problem at the facility.

35. Black mold was everywhere in the jail, including inmate cells and inmate showers.

36. During my time at SRJ, inmate cells in every section of the jail had broken or constantly flickering lights. Some parts of the cell had so many broken lights, it was difficult to see.

37. At SRJ, inmates are supposed to be offered one hour per day of recreation time (uncirculated air). However, recreation time was regularly withheld from inmates.

38. A common practice used by correctional officers to avoid providing inmates with recreation time was to offer rec time first thing in the morning after lockdown when most inmates were asleep.

39. During my time at SRJ, I saw rats in the jail.

40. I also saw areas of the jail that were infested with ants.

41. At SRJ, inmates who were not suicidal were commonly placed in overcrowded suicide cells as punishment.

42. Inmates at SRJ were also placed in segregation cells – with twenty-three (23) hour per day lockdowns – for no justification.

43. Inmates in segregation cells often went days without water or being let out for a shower.

44. One particular inmate – Benjamin Allen – was kept in a segregation cell at SRJ for fourteen (14) months by order of Superintendent Michal Francis.

45. Inmates at SRJ were also beaten by correctional officers with no justification.

46. Correctional officers would regularly take inmates into individual cells or inmates showers (where there are no cameras) to beat inmates.

47. Correctional officers also used the medical facilities at SRJ to beat inmates, because there are no cameras there either.

48. After these beatings, correctional officers would lie on use of force reports – by saying something like “the inmate made an aggressive move” – to justify the beatings.

49. Inmate requests for medical care or “sick calls” were regularly ignored at SRJ.

50. I recall one inmate at SRJ who repeatedly requested medical attention, was ignored, and later died of COVID.

51. Supervising correctional officers and jail administrators – including Superintendent Francis – are fully aware of the aforementioned problems at SRJ.

52. Every week Superintendent Francis and his team do a visual inspection of each pod at SRJ.

53. This affidavit is true and correct to the best of my knowledge.

Affiant further saith not.

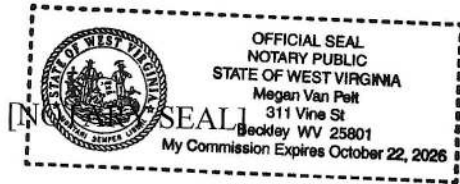

Scott Moore


Date

State of: WEST VIRGINIA
County: of RALEIGH

Taken, subscribed, and sworn before me by Scott Moore,
this 26TH of August, 2022.

My commission expires: OCTOBER 22, 2026





Notary Public

AFFIDAVIT OF TROY CARTER

**STATE OF WEST VIRGINIA
COUNTY OF RALEIGH, To Wit:**

I, Troy Carter, being of sound mind and over the age of eighteen (18), do solemnly swear that the following are true and correct statements based on my personal knowledge:

1. My name is Troy Carter. I am a current employee of the West Virginia Division of Corrections and Rehabilitation (“DCR”).

2. I am currently a correctional officer (Lieutenant) and shift supervisor at Southern Regional Jail (“SRJ”) in Beaver, West Virginia. I have worked at SRJ since October 2020.

3. I am personally familiar with, and have knowledge of, DCR policy, SRJ policy, the living conditions at SRJ, and how inmates are treated at SRJ.

4. Every inmate pod at SRJ has a “tower” where a correctional officer is stationed. Intercoms or “call boxes” from inmate cells are routed to the tower. This allows inmates to communicate with the correctional officer in the tower and vice versa.

5. In many of the inmate cells at SRJ, the intercom or “call box” does not work. This poses a serious risk for inmates, who are unable to report an emergency (*e.g.*, fight, injury, medical problem, etc.). If an emergency occurs, inmates are only able to kick their cell door or yell for help if they need assistance. This is also a PREA violation (Prison Rape Elimination Act, 28 CFR § 115).

6. The buttons and intercoms on the communication board/panel in each tower at SRJ are so old and degraded, they either do not work or barely function. This poses a serious risk for inmates, who are unable to report an emergency (*e.g.*, fight, injury, medical problem, etc.). This also poses a serious risk for correctional officers, who have to respond to inmates kicking doors or

yelling for help without knowing what is transpiring. This also a PREA violation. *See* Videos Recordings, attached hereto as Exhibit 1.

7. The problems with call boxes inside inmate cells and the communication boards/panels inside the towers at SRJ have been brought to the attention of management – including Superintendent Michael Francis (“Superintendent Francis”) – on numerous occasions, but nothing has been done to fix the problem.

8. When an inmate arrives at SRJ, he/she is supposed to be given a laundry bag. However, laundry bags are rarely provided to inmates, because the jail regularly runs out and does not order more.

9. Laundry (and laundry bags) are important for inmates. Without a laundry bag, if an inmate sends his/her clothes out to be washed by the jail, the odds are he/she will not get the correct clothes back. If an inmate sends his/her personal clothing (purchased with commissary funds) out to be washed without a laundry bag, the odds are he/she will have the personal clothing stolen by other inmates.

10. As a result, the vast majority of inmates at SRJ have to wash their clothes by hand, either in a sink or mop bucket.

11. When an inmate arrives at SRJ, he/she is supposed to be given a mat to sleep on. However, many inmates at SRJ are not provided a mat.

12. Since virtually every cell at SRJ is overcrowded, inmates commonly sleep on the concrete floor without a mat. *See* Photographs attached hereto as Exhibit 2.

13. Overcrowding is a widespread and ongoing problem at SRJ. It is a regular occurrence to have three (3), four (4), or more inmates living in a two-person cell (approximately 120 square feet).

14. SRJ is so overcrowded, inmates are forced to live and sleep on the dayroom (the common area in the middle of a pod) floor or on the floor in front of individual cells.

15. Living and sleeping on the dayroom floor exposes inmates to both health and safety risks. It is also a PREA violation.

16. When inmates are forced to live/sleep on the dayroom floor, they have no access to individual sinks or toilets.

17. I am aware of inmates at SRJ being attacked and injured by other inmates because they are living in the dayroom and not protected by a locked cell.

18. I am aware of inmates at SRJ being raped or sexually assaulted by other inmates because they are living in the dayroom and not protected by a locked cell.

19. I am aware of as many as sixteen (16) inmates living on the dayroom floor of a pod at one time.

20. Broken cell windows are a widespread and ongoing problem at SRJ. At any given time, there are multiple inmate cells with broken windows, which makes them unusable. *See Ex. 1.*

21. The failure to repair these windows (so the cells can be used) contributes to the overcrowding problem at SRJ.

22. There are widespread and ongoing problems with the water/plumbing at SRJ.

23. At any given time, numerous inmate cells at SRJ have no running water. *See Ex. 1.*

24. If an inmate does not have running water in his/her cell, he/she can go up to six (6) hours (or longer) without access to drinking water during lockdown.

25. In cells that do have running water, many only have hot water.

26. In cells that do have running water, the water often runs constantly (*i.e.*, cannot be turned off). *See* Ex. 1.

27. Water leaking from broken sinks and toilets is also a widespread and ongoing problem at SRJ. *See* Ex. 1 and 2.

28. At any given time, numerous inmate cells at SRJ have water (from a broken sink or toilet) leaking onto the floor. *See* Ex. 1 and 2.

29. Because virtually all of the cells are overcrowded, inmates at SRJ commonly sleep in sink or toilet water on the floor of their cell.

30. Broken toilets (that do not flush) are also a widespread and ongoing problem at SRJ. *See* Ex. 1 and 2.

31. At any given time, numerous inmate cells at SRJ (often overcrowded) have toilets that do not flush or are otherwise broken. *See* Ex. 1 and 2.

32. Broken toilets in inmate cells at SRJ commonly become infested with bugs or maggots. *See* Ex. 1 and 2.

33. At SRJ, cells that are adjacent to showers commonly have water seeping in through the ceiling, walls, and floor. *See* Ex. 1.

34. Many of the showers at SRJ either do not work, only have hot water, or run constantly. *See* Ex. 1.

35. The presence of black mold is a widespread and ongoing problem at SRJ.

36. There is black mold in inmate cells, inmate showers, and grows on the clothing of inmates. *See* Ex. 1 and 2.

37. Issues with black mold at SRJ have been brought to the attention of management – including Superintendent Francis – on numerous occasions. His answer to the black mold problem at SRJ has been to have inmate trustees paint over it.

38. At SRJ, the air conditioning regularly goes out for weeks at a time, especially during summer months. For inmates living in over-crowded cells with hot water running constantly, this creates an unhealthy environment.

39. Spoiled milk is commonly served to inmates at SRJ.

40. There are widespread and ongoing problems with broken cell doors at SRJ. At one point, approximately seventy-five percent (75%) of the cell doors at SRJ were broken or did not lock. This is a major safety concern (for inmates and correctional officers) and also violates PREA.

41. I am aware of numerous incidents at SRJ where an inmate was stabbed or beaten by another inmate because his cell door was broken or did not lock.

42. At SRJ, inmates are commonly placed in isolation suicide cells as a form of punishment, even though the inmates are not suicidal.

43. Suicide cells at SRJ are also very overcrowded.

44. SRJ has only two (2) cells designated for inmates on suicide watch. I am aware of as many as sixteen (16) inmates being placed in a suicide cell together at one time (approximately 120 square feet) and left there for days.

45. The water in the suicide cells at SRJ does not always work and showers are commonly withheld due to correctional officer understaffing.

46. Superintendent Francis is aware of the problem of overcrowding in the suicide cells at SRJ. I have received e-mail communications from him regarding this issue.

47. At SRJ, hygiene items (e.g., toilet paper, soap, shampoo, tooth paste, etc.) are supposed to distributed to inmates daily. However, this rarely happens.

48. When hygiene items are distributed, correctional officers commonly pile them up in the middle of pod and let the inmates fend for themselves. This “free for all” practice results in inmates fighting over basic hygiene items and some inmates going without.

49. At SRJ, if an inmate wants to file a grievance, a correctional officer is supposed to provide a form to the inmate to complete and return to the correctional officer. Once received, the correctional officer is supposed to provide the completed form to a supervisor for filing.

50. Paper grievance forms at SRJ are commonly withheld from inmates who request them.

51. Superintendent Francis has ordered correctional officers to not provide inmates with grievance forms. Grievances are to be handled by only one correctional officer – Ben Houches.

52. Inmates as SRJ also have the ability to file a grievance using an electronic kiosk. However, most of the kiosks at SRJ are usually broken (or turned off).

53. Superintendent Francis – who has the sole authority to revoke an inmate’s telephone privileges – often does so for petty and unjustified reasons. For instance, when word started to get out about the conditions at SRJ, inmates who were found to be speaking out had their telephone privileges revoked.

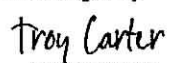
54. Supervising correctional officers and jail administrators – including Superintendent Francis – are fully aware of the aforementioned problems at SRJ.

55. Attached hereto as Exhibit 3 is a November 11, 2021 e-mail sent to Superintendent Francis (and others) with a cell-by-cell accounting of the ongoing problems at SRJ.

56. Moreover, every week Superintendent Francis and his team do a visual inspection of each pod at SRJ.

57. This affidavit is true and correct to the best of my knowledge.

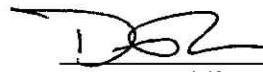
Affiant further saith not.

DocuSigned by:

0D051560B370491
Troy Carter

7/28/2022

Date

Taken, subscribed, and sworn before me by Troy Carter,
this 28 of July, 2022.


Notary Public

[NOTARY SEAL]

