

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DOCKET NO. 19-10447-RGS

UNITED STATES

TELEPHONE OR VIDEO HEARING
REQUESTED

V

JAMES DE LA CRUZ

AFFIDAVIT OF COUNSEL IN SUPPORT OF DEFENDANT'S MOTION FOR IMMEDIATE
RELEASE FROM CUSTODY BASED ON CHANGED CIRCUMSTANCES - COVID-19

Andrew W Piltser Cowan deposes and states the following under the pains and penalties of perjury:

1. I am counsel to the defendant in this case.
2. On March 17, 2020, I checked the website for the Wyatt Detention Facility to see what information they had posted about their COVID-19 mitigation plan. There was no information posted, nor has the US Marshals Service posted any information on their website about the health of detainees in their custody.
3. I telephoned the Wyatt facility at 1:08 PM, identified myself as an attorney representing an inmate, and asked what the facility's COVID-19 mitigation plan was. The officer I spoke to, who did not identify himself by name, was only aware of restrictions on non-contact visits. He was not able to identify any other specific action the facility had taken or planned to mitigate the spread of disease there.
4. The officer then told me he would transfer me to a supervisor who could speak to the issue in more detail. I was transferred to a voicemail. I left a detailed message

identifying myself and asking for information about the facility's COVID-19 plan. As of this writing I have not received a return call.

Subscribed and sworn to under the pains and penalties of perjury this 17th day of March, 2020

/s/ Andrew W Piltser Cowan
