

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Marquis Collier, John Doe I, John Doe II, and John Doe III, individually and on behalf of all others similarly situated,	20 Civ. 2183
Petitioners,	
v.	
RALPH SOZIO, United States Marshal, Southern District of New York; BRYAN T. MULLEE, Acting United States Marshal, Eastern District of New York; THE GEO GROUP, INC.; WILLIAM ZERILLO, Facility Administrator, Queens Detention Facility,	DECLARATION OF MARQUIS COLLIER
Respondents.	[EXHIBITS FILED UNDER SEAL]
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I, Marquis Collier, declare under penalty of perjury and pursuant to 28 U.S.C. § 1746:

1. I am 28 years old. I have four children: one nine-year-old, two six-year-olds, and one two-year-old. I speak with them twice a day. My mother and brother are both present in my life. I also had an uncle who helped raise me. He passed away from COVID-19 at the beginning of April.

2. I have been detained at the Queens Detention Facility (“GEO Queens”) since March 20, 2020. I was previously detained at the Westchester County Jail in Valhalla, New York from October 19, 2017 to March 20, 2020. I do not know why I was transferred to GEO Queens. I know that GEO Queens is known as the facility that houses people who are cooperating against other defendants in federal criminal cases, but I am not cooperating with the government in any cases.

3. I have suffered from chronic asthma my whole life. (*See Ex. A.*) I was also stabbed in 2009, which resulted in a punctured lung that had to be treated with a chest tube, and which still sometimes causes me respiratory issues. (*See Ex. B.*) During the two-and-a-half years that I was detained at Westchester County Jail, I had access to an asthma pump to treat my asthma attacks and assist me when I experienced shortness of breath. Whenever I needed the pump, which was about two to three times a week, I would ask the guard to bring it to me from the medication cart. Sometimes, I would be able to get it from the medication cart myself. I become winded when I exercise or play sports. I usually do not have asthma attacks because I can control them with my asthma pump. The medical staff at GEO Queens has known about my chronic asthma since I was transferred here on March 20. (*See Ex. C.*) But, I did not get my asthma pump until April 10 (*see id.*), even though I asked the medical staff for it multiple times. On April 11 and April 12, GEO Queens officers told me that I was being called to see Dr. Mohammad, but they did not tell me the reason why. I thought I was being called to collect my asthma pump, which I had already received, so I did not go.

My Experience with COVID-19 at GEO Queens

4. When I was transferred to GEO Queens on March 20, I was placed in C Dorm. C Dorm has about 45 beds. The beds are about one to one-and-a-half feet apart.

5. Around the beginning of April, my bunkmate started having symptoms of COVID-19, and on or around April 12 he tested positive for the virus. The GEO staff did not move my bunkmate or me to another dorm, either when he started having symptoms or once he tested positive for the virus. They did not even move one of us to another bunk, even though there were some beds in our dorm that were completely unoccupied. I was left to sleep right above him while he was coughing and suffering from the virus.

6. The inmate assigned to the bunk beside mine also tested positive for COVID-19. Just like my bunkmate, the inmate in the bunk next to mine was not moved to another dorm or even another bed after he tested positive to keep him from spreading the virus to others. I could not socially distance from my bunkmate or the other COVID-19-positive inmate because our beds are so close together. There were at least three people who tested positive for COVID-19 in C Dorm while I was there.

7. I did not see the inmates who tested positive in C Dorm get any additional medical treatment once they got sick. I observed medical staff give some sick inmates Tylenol and cough medicine, but inmates were not provided with any other supplies to help them cope with their symptoms.

8. On April 28, I was transferred to A Dorm to keep me apart from other inmates involved in my case. The transfer was not related to COVID-19. There are also inmates in A Dorm who have symptoms of COVID-19.

9. Around the beginning of April, I began experiencing symptoms of COVID-19, including headaches and a sore throat. Despite my symptoms, having chronic asthma and being bunked adjacent to two inmates who tested positive for COVID-19, I never received a test. I believe it is the responsibility of GEO Queens to test every inmate to best protect us from the virus. I have not witnessed GEO medical staff testing any inmates since they tested the two inmates who slept near me in C Dorm, who ended up testing positive for the virus.

**GEO Queens Is Not Taking Proper Steps to
Stop the Spread of COVID-19 and Protect Inmates**

10. In my opinion, GEO Queens is not doing enough to protect inmates from contracting and spreading COVID-19. Both when I was living in C Dorm and now in A Dorm, it is impossible to socially distance from people. We sleep within feet of each other. The fact that

the facility did not quarantine or move my bunkmate to a different dorm or bed shows me that GEO Queens is not taking the risks of COVID-19 seriously.

11. It is impossible for the inmates to protect ourselves without more help from GEO Queens. We all touch the same surfaces and use the same objects. When one inmate uses the phone, he talks and breathes into it. The phone is not disinfected before the next person in line begins using the phone. The inmates also handle and touch the same kiosk to check our commissary accounts. All of the inmates also use the same showers, the same urinal stalls, the same toilet stalls, and the same sinks. It is impossible to sanitize or disinfect the facilities between uses.

12. In my opinion, it is the responsibility of GEO Queens to protect us from the transmission of COVID-19. The inmates are responsible for cleaning the dorms, bathroom facilities, and living areas but we do not have the right equipment and supplies to properly clean and disinfect our living space. In my time here, there has been no increase in cleaning products available to the inmates and no professional or outside cleaning services have ever been brought in to disinfect my living areas in C Dorm or A Dorm.

13. Since my transfer to GEO Queens on March 20, I have felt extremely at risk of contracting COVID-19. Living in GEO Queens, it feels as if I never breathe fresh, clean air. There are no windows. All of the air is recycled in the same space. Being surrounded by the other inmates—symptomatic, non-symptomatic, and COVID-positive—I cannot help but feel extremely vulnerable to contracting the virus. Because of my asthma and because my uncle has passed away from the virus, I feel particularly afraid. I do not want to die in prison.

14. The facility's current conditions and treatment practices make it impossible to imagine that we will ever be safe from COVID-19. As long as GEO Queens refuses to implement

social distancing, properly sanitize the facility, provide inmates with proper protective gear and access to cleaning products, we are at the mercy of the virus.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Dated: Queens, New York
May 11, 2020



As reported by Marquis Collier to
Alana M. Longmoore of
Sullivan & Cromwell LLP