Dear Warden :

I represent X is an 87-year-old gentleman waiting to be re-sentenced.  Mr. X is at a highly elevated risk to contract and die from Covid-19. In addition to his extremely advance age, his risk factors include, cardiac myocardial infarction, arrhythmia, atrial fibrillation, intracranial atherosclerosis, mild to moderate cerebral volume loss, coronary artery disease, neuropathies of the extremities, hyperlipidemia, enlarged right ventricle, moderate aortic valve sclerosis, increased chronic urinary frequency, moderate tricuspid regurgitation, degenerative mitral valve. He is also unable to walk unassisted, as he neither has the strength nor the balance, which then of course, makes the required six (6) feet of social distancing impossible.

He is housed on the medical unit with three (3) other sick and elderly inmates.  I understand he is on the same unit as the quarantined inmates diagnosed with Covid-19. I understand that prisoners are also not permitted to have masks.  I also understand that any cleaning of this shared cell (4 inmates within one cell) is the responsibility of the inmates themselves. Since Mr X cannot ambulate independently, he is unable to access or use the cleaning supplies, and his cell mates show no interest in cleaning the cell.  This on-going health problem has not been addressed by your institution.  He is therefore forced and as such:

1.     Unable to properly socially distance, while at the same time his cell mates are also unable to socially distance from each other.

2.     To be housed in an unsanitary cell with three other inmates,

3.   To remain on the same wing as inmates diagnosed with Covid-19.

These circumstances demonstrate a textbook example of a failure to provide reasonable care, including medical care. This is wholly unacceptable and a gross violation of Mr. X’s rights and person.

Mr. X is at the highest risk to contract and die from this deadly virus, and his living conditions seem guaranteed to ensure this happens.

We are placing you on notice of our intention to hold every person, institution, and in particular George X. Hill Correctional Facility responsible for what is clearly, and continues to be your negligence and gross negligence for the manner in which you have failed and continue to fail to provide proper care, housing, safety, reasonably appropriate precautionary guidelines, medical care, including but not limited to the necessary and required guidelines insuring social distancing, and the providing of necessary products and resources. Mr. X is now suffering under these conditions. While you are unable turn back history and reverse your failures to date, you should know, in the event Mr. X contracts the virus, and/or the event of his death, we will seek all remedies available to and including punitive damages in addition to whatever may be appropriate at this time.

Very truly yours,

cc: BLANK

 (relevant overseers political and private)