

FILED
SUPREME COURT
STATE OF WASHINGTON
3/25/2020 10:05 AM
BY SUSAN L. CARLSON
CLERK

No. _____

SUPREME COURT OF THE STATE OF WASHINGTON

SHYANNE COLVIN, SHANELL DUNCAN, TERRY KILL, LEONDIS
BERRY, and THEODORE ROOSEVELT RHONE,

Petitioners,

v.

JAY INSLEE, Governor of the State of Washington, and STEPHEN
SINCLAIR, Secretary of the Washington State Department of Corrections,

Respondents.

DECLARATION OF DANIEL RALPH MAPLES

Nicholas Allen, WSBA #42990
Nicholas B. Straley, WSBA #25963
Janet S. Chung, WSBA #28535
Columbia Legal Services
101 Yesler Way, Suite 300
Seattle, WA 98104
Telephone: (206) 464-1122
Attorneys for Petitioners

I, Daniel Ralph Maples, declare under penalty of perjury under the laws of the Washington that the following statements are true and correct to my best knowledge and belief:

1. I am 62 years old and am competent to testify as to the contents of this declaration.

Background

2. I am currently in detention at Stafford Creek Correctional Center in Aberdeen.

3. I have been here since 2009. I've been incarcerated since December 2005.

4. My cell has 2 beds and meant to house 2 of us.

5. I'm in a tank with 150 people or more and we all breath the same air.

6. There are about 78 cells on my tank and all of them have 2 people.

7. I'm on A side and there is another B side with just as many cells on it. We all breath the same air. Staff, inmates. We all breath the same air.

8. I'm in a dry cell. There is no sink, shower or toilet in my cell.

9. So lockdown would be terrible.

10. I have to use a catheter for a medical condition.
11. I have Parkinsons and the stage that I am right now is not good.
12. I need to use a catheter and would have no way of cleaning my catheter or getting rid of my urine if we were on lockdown.
13. There are 4 communal bathrooms for everyone on A side. There are no wet cells in on A or B side.
14. There is only one unit in all of Stafford Creek that have the cells toilets or sinks in them this is G unit.
15. None of the other units have toilets or sinks in the cells.
16. Everyone who does not live in G unit has to use communal bathrooms.
17. We all share the same toilets, sinks and showers.
18. All DOC has done is put up signs telling us to wash our hands more often.
19. The bathrooms are cleaned by porters but not very well.
20. Right now we're not on lockdown so we're all out in the dayrooms, yard and chow halls with all the other guys.
21. I have an early release date of April 1, 2020. I am supposed to get out on April 1.

Medical History

22. I currently suffer from young-onset Parkinsons, like what Michael J. Fox has. I've had it for a while.

23. I have to use a walker or a cane when I have the energy to get around. I have a mobility issue.

24. Because my system has slowed down, I now have to use a catheter to urinate.

25. I have to use certain medications to be able to defecate because my system doesn't work properly.

26. My cellmate helps me get my clothes together and provides me with care.

27. I take medications to control the symptoms of my Parkinsons.

28. I suffer from tremors.

29. I also have COPD.

30. I've had to deal with it since 2003.

31. I use an inhaler when I get short of breath sometimes.

32. High stress causes me to get short of breath and when I get stressed I have hard time communicating because I have serious cognitive issues that sometimes make it difficult for me to communicate.

33. Parkinsons is like a roller coaster ride. Sometimes right after taking my medications I have no or little cognitive problems and then I can start having difficulty as the meds wear off or if I am stressed.

34. DOC has not taken good care of me. The only time I get chronic care is when I beg for it.

35. I've been losing my vision since October. My vision loss is due to my Parkinsons.

36. This is problem that many people with Parkinsons get and so the doctors should have been ready to deal with it as soon as I started getting symptoms.

37. I saw a doctor who recommended an eye specialist. But they still haven't sent me to see a specialist.

38. I filed a grievance on it. They've been trying not to do anything for me because they know I should be getting out soon.

39. I'm deaf in my right ear and have limited hearing in my left ear.

40. I asked that they put a notice on my door so that I don't get a write up if I can't respond to orders from the corrections officers because I don't hear them. But they haven't done it.

41. They haven't given me a hearing aid either, even though I've asked for one.

Problems with the Kitchen and Living Units in Controlling Disease

42. I work in the kitchen. I sit at a desk and fold napkins right next to the dish pit. They wash all the silverware, the trays, the glasses that we use in the dish pit.

43. All of these dishes get handwashed by other inmates.

44. They handwash everything because there are no dishwashers. The process is horrible. We basically have to eat off dirty dishes.

45. The sometimes run out of the cleaning supplies for the dishes. Sometimes they have to use oven cleaner or floor cleaner. Things don't get rinsed off real well and we're eating it.

46. The dishes are washed by inmates, some of whom don't care much about their job and do a bad job.

47. Since the COVID outbreak, DOC has done nothing to make sure that things in the kitchens are done more hygienically.

48. They are preparing to lock us down, I think.

49. If they lock us down, they bring trays by of the pre-made food and they drop it off at each cell.

50. The dishwashing will be done the same way. The trays, silverware, and glasses will go back to the kitchens and be washed the same way if we are locked down.

51. Inmates will be preparing all of the food and the trays on lockdown, just like they do now.

52. Staff will do the delivery of the food and so if staff get sick they will transmit COVID to us when they deliver the trays.

53. They can also get us sick, just by being around us.

54. When the staff come into to the prison now, they check their temperature but even the staff are complaining that its not being done right. It's not taking very accurate temperatures. I know this because staff in the kitchen are telling us this.

55. I've heard from the correctional officers that they are worried about the things DOC is doing to keep COVID out of the units.

56. This is really worrisome to us because there are a lot of elderly in Stafford Creek.

57. There is no COVID testing or nothing for people inside. If they put is on quarantine or lockdown they will just lock us in our cells and wait for us to die.

58. Being short I am very freaked out about how little DOC is doing and how many people could get really sick here inside.

59. We don't have access to hand sanitizer. We only have basic body wash like soap that we wash our hands with. This soap is only in the bathrooms. These are communal soap dispensers that we all use. We

have no way of washing our hands in our cells and we aren't allowed hand sanitizer. There are no paper towels in the bathrooms for us to use.

60. We have our own personal towels.

61. They do laundry every day, but I'm not sure how things are going to happen when we are on lockdown.

62. I am a veteran and should have a place to get help through the VA.

63. I am not exactly sure where I am going to go on release, but even though I am not sure where I will go, I think I should be released.

64. I get free medical through the VA. I am not hopeless. I will come up with something.

65. I worry about my health condition while I am detained here. Due to my medical conditions I am aware that I am at a higher risk of contracting the corona virus than most.

66. Based on the information I have been able to gather, I am aware that my existing medical conditions expose me to more severe symptoms of the corona virus than most.

67. I have told staff that I am worried about it, but it doesn't do any good around here, because no one listens.

68. DOC has not given us any real idea what to do if we get sick. We think they will just quarantine us, which will be much worse than

where we are now. This will dissuade guys from telling DOC that they are sick.

69. Also, guys won't tell staff or doctors about being sick because they don't want to be the guy that forces everyone else to go onto lockdown or quarantine.

70. So, people inside have strong reasons not to tell staff even when they are sick.

71. I give Columbia Legal Services permission to file litigation on my behalf against DOC in order to do whatever needs to be done to protect people in DOC custody.

DATED this 19th day of March 2020 in Aberdeen, Washington.

I am unable to sign this document as it was prepared in Seattle, but I have had it read to me over the telephone and authorize Nick Straley to sign it on my behalf.



Daniel Ralph Maples, by Nicholas B. Straley, WSBA #25963

CERTIFICATION RE AUTHORIZATION TO SIGN
ON BEHALF OF DECLARANTS

I, Nicholas B. Straley, declare under penalty of perjury under the laws of the State of Washington:

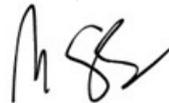
1. I am counsel for the petitioners in this action.

2. Due to shortened time and limitations on access to the declarants due to the current public health emergency, distance, shortened time, and prison procedures, I was unable to obtain physical signatures from the declarants.

3. I personally spoke with following declarants over the telephone on the dates and times stated herein. I drafted each declarant's declaration while on the telephone with them. At the conclusion of the call, I read each declarant's declaration to them, and each declarant stated to me that they believed the contents to their declaration to be true and correct, and authorized me to sign the declaration on their behalf.

<u>Declarant</u>	<u>Date</u>
Linda Graham	March 19, 2020
Daniel Ralph Maples	March 19, 2020
Maurice Phillip-Meadows	March 18, 2020
Shanell Duncan	March 19, 2020

DATED this 22nd day of March, 2020 at Seattle, Washington.



Nicholas B. Straley, WSBA #25963

COLUMBIA LEGAL SERVICES, INSTITUTIONS PROJECT

March 25, 2020 - 10:05 AM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 98317-8
Appellate Court Case Title: Shyanne Colvin et al. v. Jay Inslee et al.

The following documents have been uploaded:

- 983178_Affidavit_Declaration_20200325100418SC388318_6691.pdf
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A copy of the uploaded files will be sent to:

- Jeff.Even@atg.wa.gov
- janet.chung@columbialegal.org
- jeffe@atg.wa.gov
- nick.straley@columbialegal.org
- tim.lang@atg.wa.gov

Comments:

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Filing on Behalf of: Nicholas Brian Allen - Email: nick.allen@columbialegal.org (Alternate Email: nick.allen@columbialegal.org)

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