

## DECLARATION OF NATHANIEL MOORE

My name is Nathaniel Moore. I declare under penalty of perjury that the following is true and correct to the best of my knowledge.

1. My name is Nathaniel Moore. My DOC ID is 251425. I will be 55 in October 2020. I am imprisoned at MCF-Faribault.
2. I am terrified to get COVID-19 in the prison.
3. Since being sentenced to prison on May 30, 2019, I have lived in many different places. I first went to MCF-Faribault for a few weeks. I was then transferred to the low security Dakota unit at MCF-Faribault, which is outside of the fence. After being there for about two months, I was sent to MCF-Red Wing, another minimum security facility.
4. While I was at Red Wing, I was asked if I wanted to participate in the Institution Community Work Crews (ICWC) program. That program puts minimum-security prison inmates to work in the county under the supervision of a department crew leader. Projects include cleaning up highways, cutting grass, and helping the elderly. People in the county program are guaranteed 8 months of work release after completing the program. I accepted the offer to join the program, and I was transferred to the Pennington County jail with other ICWC participants.
5. While I lived at the Pennington County jail, I had some freedom. After working a full day with the ICWC program, I could get passes to go out in the community—to the library, meetings for organizations I was a part of, or even to the gas station. I was a “level 1” with “0 points,” which meant that I could go out into the community by myself, without any guards or police. Because I was a level 1 with 0 points, I also had 4 hours each month to go wherever I wanted to go. I also had my own cellphone.
6. I was in the ICWC program from January to March, when the DOC shut the program down because of the COVID-19 pandemic.
7. I have some medical conditions that require medication and monitoring. I am a kidney cancer survivor. In my one remaining kidney, I have chronic kidney disease-stage 4. I also have high blood pressure, and I am immunocompromised.
8. I believe these health conditions put me at a higher risk of complications or even death if I get the virus.
9. When the ICWC program shut down in March, I stayed at the Pennington County Jail with the other ICWC participants. When it started back up again in May, I worked for a week. At the end of the week, the ICWC coordinator told me that the DOC was sending me back to prison. Why? I asked. I hadn’t done anything wrong that would get me kicked out of the program. “Medical” I was told.
10. When I asked for more information about what “Medical” meant, the caseworker told me he thought it meant that the jail couldn’t afford my medication so was sending me back. I didn’t think it was fair because they had already been paying for my medication and the ICWC program knew about my medication before I started it. It was only after COVID-19 that they decided to pull me back. It also didn’t make sense because the DOC was paying for my medication whether I was at the county jail or a DOC facility. All of my

- medical conditions were managed while I was at Pennington County Jail. I was actually waiting to get an ultrasound from an outside doctor when I was moved to St. Cloud.
11. I was at MCF-St. Cloud from June 15 to July 30. I was at St. Cloud during the COVID-19 outbreak there. The DOC took me from Pennington County Jail, where there were no cases or the virus, and brought to St. Cloud, where there would soon be more than 100 cases.
  12. When I got to St. Cloud, I was supposed to be in quarantine for 2 weeks in E house. But only 2 days after being in E house, the DOC moved me to C house, which is where all the kitchen workers live. Some of the kitchen workers were still working in the kitchen at that time. Inmates at C house were also still going to the chow hall. At first, we were only allowed to sit 4 people to a table. When the outbreak broke, we were still going to the chow hall, just sitting 2 to a table. I didn't have a test before being moved to C house.
  13. About a week after I moved to C house, the DOC started mass testing us for COVID-19. We soon learned that multiple people in C house, and even people on my floor had the virus. I was really upset because one of the infected people was only 2 cells from me. The DOC actually took an inmate with the virus from E house and put them in a cell with person who did not have the virus – that happened on my floor. Then the other cellmate got the virus too. This was crazy. I thought “I have to get out of here.” I'm a person who is susceptible and can get really sick.
  14. While at St. Cloud, I asked about my MINNSTAR score, which had been low. The response I got said the DOC didn't know why it was suddenly very high. The man who calculates the score said it was because of my criminal history. But my criminal history is the same as it's always been, and the first 5 times it was calculated it was low. So how in world did it jump to high and then to very high?
  15. Around July 30, the DOC moved me and a bunch of other inmates to MCF-Faribault. I don't know why I was moved. It seems unsafe for people at Faribault that the DOC would be bringing people from St. Cloud, where there were still a lot of cases, into the Faribault prison.
  16. At Faribault, I was quarantined in unit K3A for 10 days. The DOC then moved me to unit K4A. That unit is where there was a huge outbreak and two inmates died about a month earlier.
  17. I started to work at Anagram folding balloons. There was no social distancing. We were working on the belt and we were right across from each other. The DOC is still requiring us to work with people right across from us, less than 2 feet.
  18. On September 10, the DOC moved me to unit K4D. I was told I had to quarantine there for 14 days before the DOC was moving me to Dakota, the minimum security unit outside of the fence.
  19. The risk of cross contamination here is high, and I feel like my life is still in danger.
  20. As of September 29, 2020, I am still in quarantine in unit K4D under restrictions. A doctor told me yesterday that I have been clear for COVID-19 for days now. I am still back here.
  21. There are five cells in unit K4D used for quarantine for people who are going to Dakota, like me. The other cells are filled with inmates who either tested positive for the virus or have been sent here after serving punishment time in segregation. They have to do another 45-90 days as “UI” or “unassigned inmates” before they can go back to general

population with fewer restrictions. Even though the UIs are back here for punishment, they have more freedom than we—the people waiting to go to minimum—do. If we are let out in the common area for flag, it's early in the morning, and we can't talk to our families because they are at work. The UIs get out later in the evening and they get a chance to talk to their families. We also don't get to go outside except for weekends when we can only go to a caged patio. The caged patio is for the UI people. So the DOC is treating us like the people who are being punished, even though we haven't done anything wrong.

22. In unit K4D, there have been two cells with red tags on the doors. I am pretty sure this means that the people in the cells have COVID-19 or are presumed to have it.
23. The infected people were let out in the common area just like we were, but they went out at a different time. But the janitors who were out with us were also out with the infected people. So the DOC isn't actually separating people. And the infected people used the same microwaves, phones, showers, and everything that we did. It doesn't make sense. I don't understand why the DOC put me in a unit with people who had the virus if I'm being moved to minimum. It seems like the DOC just increased my chance of getting the virus by putting me here. When I arrived at this unit, COs told me that a lot of people are left here for 3 weeks instead of just 2 like I was told.
24. The DOC only lets us clean our cell once per week, only on the weekend. So there are people back here who were infected, and we couldn't clean our room. The DOC should want us to clean and allow us to clean. That's why I'm frustrated.
25. If released, I would live with my wife in Minneapolis, Minnesota.

Dated: 9/29/20

/s Nathaniel Moore