

# Exhibit 1

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**DECLARATION OF [REDACTED]**

I, [REDACTED] declare:

1. I have personal knowledge of the matters set forth herein, and if called as a witness, I could and would competently so testify.

2. I am 51 years old. I am currently housed at SATF, which stands for the California Substance Abuse Treatment Facility and State Prison, Corcoran.

3. I have been housed at SATF since 2015.

4. My CDCR number is [REDACTED], and I have been in CDCR custody since March 2010.

Hearing Disability

5. I am hard-of-hearing and use hearing aids. I have been hard-of-hearing since I was a child. I had reconstructive surgery on my ear when I was 15 years old. My hearing loss is getting progressively worse. CDCR classifies me as DNH.

6. A representative from the Prison Law Office told me that my medical record lists by primary method of communication for hearing as “Hearing Aids,” and my secondary as “Need Staff to Speak Loudly and Clearly.” But it really depends on the environment I am in. If I am in a quiet room and there’s only one other person, who is near me and we are speaking directly to one another, I may be able to rely only on my hearing aids. But in other environments – especially when there is background noise or other people talking – I typically cannot rely on hearing aids or people speaking loudly alone.

7. I also cannot always use my hearing aids. The batteries sometimes die unexpectedly, especially with the new model of hearing aids that I received in February or March of this year. I can’t always get new batteries when I need them. For example, during the week of July 29, 2024, my batteries died. I went to the clinic three times asking for replacement batteries. All three times, the nurse I talked to told me that they were out of stock.

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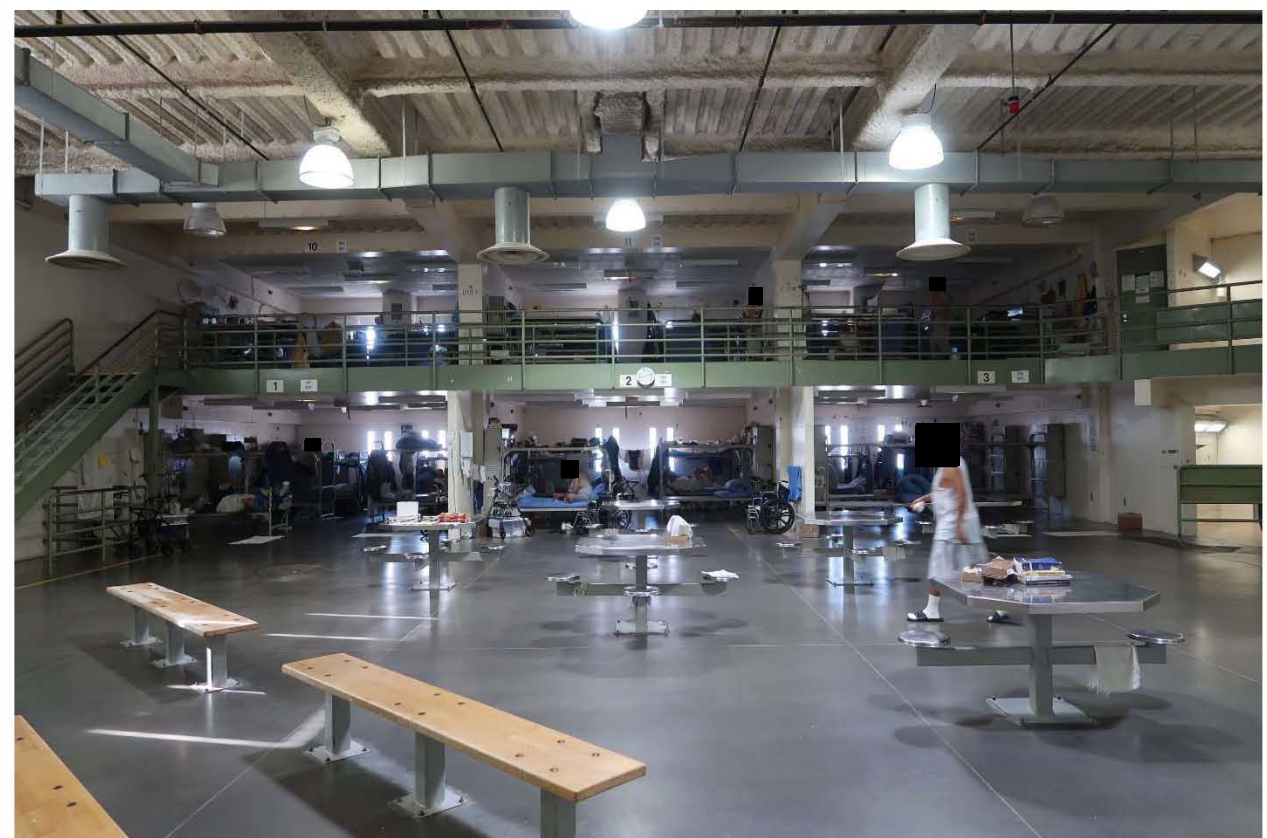
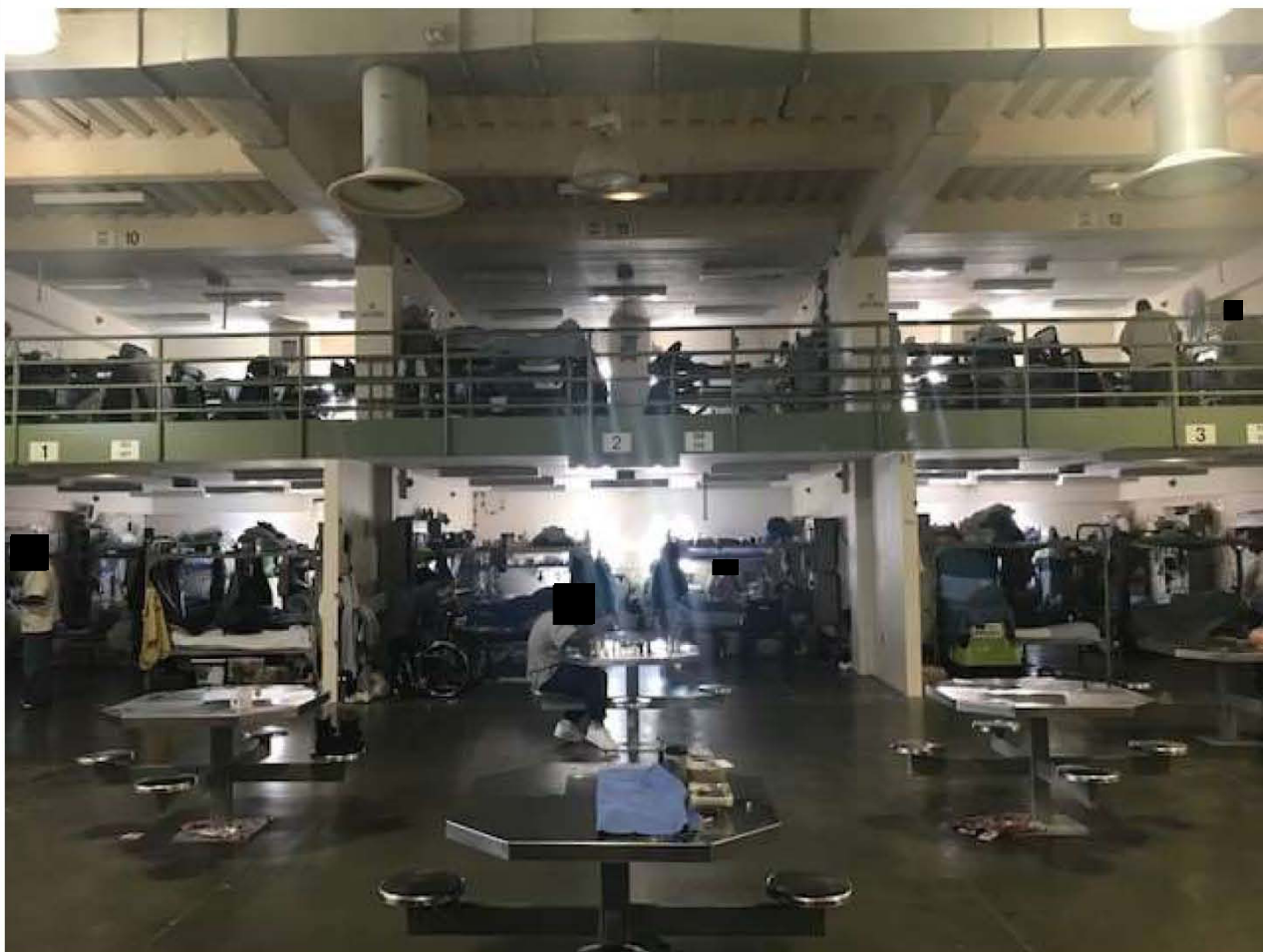
Announcements

8. I have trouble hearing announcements in the housing unit, including announcements about legal mail, chow, and medication pass. As a result, I sometimes miss mail distribution and don't get my mail. I also sometimes miss chow – by the time I realize it's time for dinner and rush over to the door leading out to the yard, staff are locking the door and I'm stuck in the housing unit.

9. For the last few years, I have been housed on Facility A, which is a Level II yard. I live in A2, which is an open dormitory-style housing unit. There are three sections in my housing unit. Each section has a dayroom separated from the adjoining section or sections by a crash gate. The gates are barred and not solid, and you can hear noise from the other sections. For example, I live in A section, but I can hear noise from the B section dayroom television, even if the crash gate is closed.

10. A representative from the Prison Law Office showed me the photographs below. They are an accurate reflection of the layout of my housing unit section, although my section no longer has the two rows of benches that are seen in the second photo.

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1           11.     The PA system in my section doesn't work very well, and it's been like that  
2 for years. That, plus my hearing disability, means I can't understand what staff are saying  
3 most of the time. Sometimes in the housing unit I can hear that my name was called, but  
4 not what I am being called for. I sometimes have to go into other sections to hear  
5 announcements because the PA system is better there.

6           12.     A representative from the Prison Law Office showed me the photograph  
7 below. This photo of the PA system looks like the PA speaker in my section.



23           13.     If I don't have a ducat, I don't know to listen for my name. At least if I have  
24 a ducat, I know that I have to listen to be called, but the time listed on the ducat is never  
25 for the time they call me. Sometimes I'm called earlier than what was listed on the ducat,  
26 sometimes later. But at least I know if I have a ducat that I have to be vigilant as I might be  
27 called. It's stressful, though, because I am so busy focusing on whether I am being called  
28 that I can't relax and concentrate on other things. There are many announcements made

1 throughout the day, and many do not pertain to me. Maybe someone else is being called to  
2 medical, or maybe a program I am not in is running. But I can't know that without  
3 knowing what is being said.

4 14. When I don't have a ducat, I have no idea what I'm being called for or even  
5 that I am being called at all. Sometimes staff get irritated with me when I keep asking them  
6 if they called me or not. I don't want to have to ask them, but I just can't hear the  
7 announcements and don't want to miss something important or get in trouble.

8 15. I've asked custody staff multiple times to write information about  
9 announcements on a board and flash the lights. They just tell me that I don't have enough  
10 of a hearing impairment for them to do that. I have seen staff flash the lights for people  
11 who are deaf or almost completely deaf and have ADA workers go tell them about  
12 appointments after staff tell them to. But they won't do that for me. They say it's because I  
13 don't qualify.

14 16. Sometimes I'll ask ADA workers, who are other incarcerated people, directly  
15 if they can come make sure I hear announcements. They'll do it for a couple days and then  
16 they'll forget. I have told staff that ADA workers said they would tell me about  
17 announcements and weren't doing it. Nothing changed after I told staff.

18 17. I was assigned as an ADA worker in around 2016 or 2017, when I was on F  
19 yard. When I was an ADA worker, I observed that many people with disabilities are  
20 insecure and do not want ADA workers to know about their personal business. I can  
21 understand that because I have a disability. I am not sure that many people with disabilities  
22 would want ADA workers to tell them about announcements, and I do not think that many  
23 people with disabilities would tell staff if ADA workers aren't doing their job.

24 18. I have asked my friends to tell me when it is time for programs so that I  
25 don't miss them. I also memorized the television program schedule. When a certain  
26 television program comes on, I know it is close to the time for medication pass, so I can  
27 ask staff to be released.

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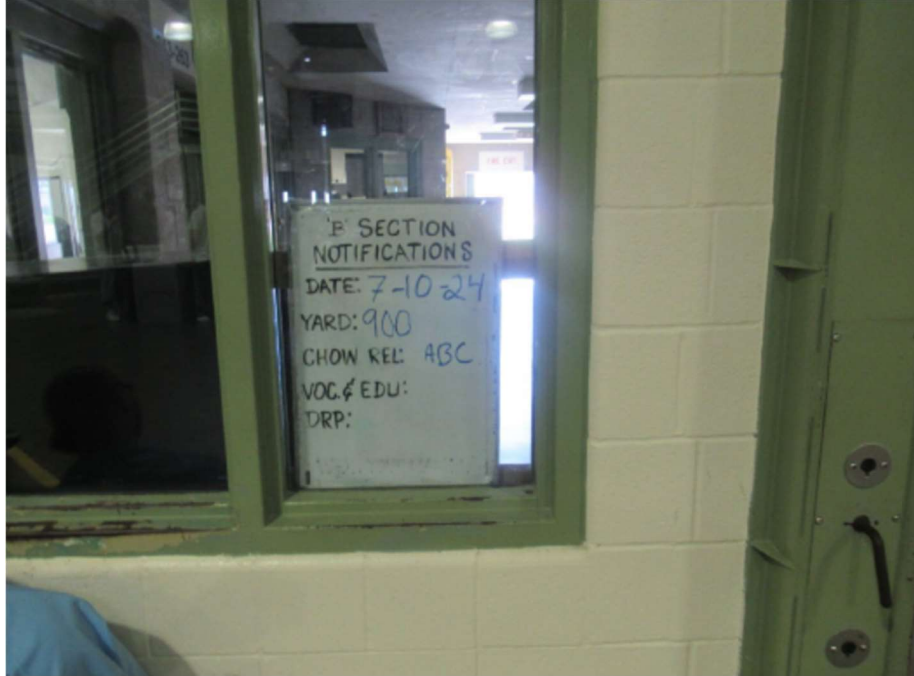
1           19. For the last few years, there has been an electronic scrollboard in our  
2 building that can display written text. A representative from the Prison Law Office showed  
3 me the photographs below, which looks like the scrollboard in my section, although my  
4 scrollboard doesn't say "4th July."



16           20. At the beginning of the pandemic, staff told us that Sacramento (that means  
17 CDCR headquarters) would train us on how to use the scrollboard. But it's been years and  
18 they never have and do not use it to communicate announcements. It's a little small, so I  
19 am not sure how much it would help me. I would have to be watching it constantly to  
20 know whether it had changed, because the text is so small and scrolls or flashes  
21 continuously.

22           21. ADA workers also write information on a whiteboard. A representative from  
23 the Prison Law Office showed me the photograph below, which looks like the whiteboard  
24 in my section. The whiteboard in my section faces into the section from the rotunda.

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22. Most of the time, the sections on the board for “VOC & EDU” and “DRP” are not filled in, so the whiteboard doesn’t give me very much information. It isn’t changed for different programs or when the time of a program (like yard or chow) changes.

23. A larger visual display in the unit would be helpful, so if the lights flashed or I otherwise knew that an announcement was being made, I could check the display and see whether the announcement related to me. A pager that buzzed or lit up could also be helpful, so long as staff used it correctly—that would tell me when to check the pager for information or check with staff.

24. I also have problems hearing announcements when I am on the yard. Sometimes when you’re on the yard, you get called for medical appointments, education, or things like that. I can’t always hear the announcements clearly and don’t know if the announcements relate to me. I’ve been in the pill line and have medical staff tell me, “We’ve been trying to call you.” I didn’t know, because I couldn’t hear the announcement.

Tablet Notifications

25. A representative from the Prison Law Office told me that CDCR is considering communicating announcements through the tablet.

26. I have a tablet, but it doesn’t always work.



1 27. I use my tablet hourly. However, the tablet does not send an alert to tell me  
2 when I have received a message from CDCR. To check whether I’ve gotten a message  
3 from CDCR, I need to completely log out of the tablet, then log back in. I can then  
4 navigate to the section with free content, then to the facility messages application. Logging  
5 out and back into the tablet involves entering an eight-digit number (my PID number),  
6 followed by a four-digit passcode.

7 28. When I use the kiosk, a notification will display that I have new facility  
8 messages, but I don’t see a notification like that on the tablet.

9 29. I also can’t take my tablet to the yard. I can only use my tablet in the housing  
10 unit. I have seen officers confiscate tablets from people on the yard. Sometimes I have  
11 seen staff allow someone from another building come to stand outside of our building to  
12 try to use their tablet because the tablet network is down in their building, but that is an  
13 exception.

14 Vibrating Watch

15 30. I met with a representative from the Prison Law Office in July 2024. She  
16 helped me fill out an 1824, which was assigned log number 590237. I said on the 1824 that  
17 I am missing announcements, including for meals, due to my inability to hear them. I said  
18 that I am DNH and have asked staff to flash my lights, but that is not happening due to me  
19 not being DPH. I asked to be considered for a vibrating watch.

20 31. No staff person came and talked to me about missing announcements or to  
21 ask for more information. However, a sergeant asked me whether I had safety concerns  
22 because the 1824 also stated that, “I am not using my audible alarm because I do not hear  
23 it initially, and by the time I do, I’ve aggravated [m]y podmates.”

24 32. I received a Claimant Grievance Receipt Acknowledgment in response to my  
25 1824. I asked a sergeant about my 1824 because I was concerned that it was being  
26 processed as a grievance. The sergeant told me that an investigation was done in my  
27 building about the 1824. The sergeant said that the investigation showed that staff were  
28 flashing the lights in my building. That is not <sup>entirely</sup> true—staff do not regularly flash the lights in

1 my pod when I have an individual appointment, like a ducat. Staff only flash the lights in  
2 my building for yard release. They sometimes flash the lights for other general  
3 announcements like unlock and medication pass.

*Because I can't understand what they're saying, I don't know what they are flashing lights for and can only guess.*

4 33. The sergeant also told me that the order of issuance for vibrating watches  
5 would be DPH first, then DNH. Based on that, I think I should be eligible for a vibrating  
6 watch, but no one has given me a vibrating watch.

7 34. I have not yet received a response to my 1824. The Claimant Grievance  
8 Receipt Acknowledgement I received says I will receive a response no later than  
9 September 9, 2024

10 35. I met with a representative of the Prison Law Office on August 5, 2024. The  
11 representative asked me if I knew a Counselor [REDACTED]. They said that they had observed  
12 the meeting of the RAP and that the RAP had interviewed a Counselor [REDACTED]. I do not  
13 know a counselor named [REDACTED] but [REDACTED] is the name of the regular Second Watch  
14 officer in my building.

15 36. Because Officer [REDACTED] works on Second Watch, I don't typically see her  
16 work when dinner is happening, because dinner is on Third Watch. I also don't know if she  
17 would know if I go to meals or not because there are so many people released at once.

18 37. It is very important to me that I do not miss meals. I am on a kosher diet, and  
19 my understanding is that if I miss six or more meals, I could be removed from my religious  
20 diet. I am also prescribed a liquid nutritional supplement, which I need to get from dining.

21 1824 Process

22 38. I have tried to use the 1824 process to get help for my hearing disability  
23 before.

24 39. For example, in February 2024 I asked for an FM system to be put in place at  
25 SATF to connect the dayroom television to the FM radio application on the ViaPath  
26 tablets. This would help me listen to the dayroom television. It would also help me  
27 understand announcements better because it would reduce noise from the television in the  
28 dayroom. I used to be housed at nearby Avenal State Prison and they had a system like that

1 so hard-of-hearing people could listen to the television and so it was quieter for dayroom  
2 noise, which made announcements clearer. It was helpful. My personal sound  
3 amplification device (PSAD) does not help at all with hearing the television or  
4 announcements in a busy dayroom. It picks up too much background noise and I hear  
5 everything else—it doesn't help me isolate sound from the television or sound from  
6 announcements.

7 40. My 1824 was assigned log number 524844.

8 41. The SATF Reasonable Accommodation Panel (RAP) told me in response to  
9 my 1824:

10 The RAP has determined that you are appropriately  
11 accommodated with the closed captioning that is available on  
12 all televisions at SATF and your Personal Sound Amplification  
13 Device (PSAD). However, SATF will review the feasibility of  
14 procuring radio transmitters for each television at the  
institutions. This will involve procurement and as a result may  
take a substantial amount of time. You will receive an amended  
RAP response for this request once a determination has been  
made. There is no timeline for when this will be completed.

15 42. I talked with a sergeant about my request. The sergeant said that staff  
16 thought it was a good idea. The sergeant even said the warden had done a walkthrough and  
17 agreed that an FM system would help. The sergeant said that staff just needed to evaluate  
18 the cost-effectiveness of an FM system.

19 43. It's been over four months since I got that response, and I haven't received  
20 an update about the FM system or an amended response. It is still not available for me at  
21 SATF.

22 44. I think the RAP also misunderstood the part of my request about  
23 announcements. I was not only asking for an FM system so I could hear the television. I  
24 thought the FM system also would reduce television noise so I could hear announcements  
25 made by staff. The RAP response I received didn't address that part of my request.

26 45. After receiving the RAP response, I filed a 602 to Sacramento. I explained  
27 that the RAP misunderstood the part of my request about announcements. I haven't gotten  
28 a response to that 602.

1           46. I also submitted an 1824 in December 2023. That 1824 was assigned log  
2 number 499490. I wrote that I have problems hearing conversations in front of me while  
3 using my hearing aids. I said the current hearing aids I was given (Flame 250) do not  
4 properly filter the background noise so most of what I heard is everything but the  
5 conversation at hand. I asked for a different type of hearing aid. The RAP denied my  
6 request and said “Flame 250 digital hearing aid is the only type of hearing aid available at  
7 this time.”

8           47. I also submitted an 1824 in March 2023, asking for over-ear headphones for  
9 my tablet that I could use with my hearing aids. The ViaPath representative who had come  
10 several months before said that we should buy over-ear headphones with no microphone  
11 from canteen, which didn’t seem fair to me. My 1824 was assigned log number A-23-  
12 00491. The RAP response said that “SATF does not currently have over the ear  
13 headphones to provide. If SATF receives these items, SATF will develop a plan to  
14 disseminate them. You may purchase over the ear headphones through quarterly  
15 packages.”

16           48. I eventually received over-ear headphones, but I am not able to use them to  
17 make phone calls right now. I don’t know if the problem is with my headphones or the  
18 tablet itself. A sergeant told me that the over-ear headphones are on backorder.

19           49. It is frustrating to get RAP responses like these. Seeing how the 1824s I  
20 currently have pending are being handled is also irritating. It makes me feel like they make  
21 decisions without really considering what my disability is and what I need, and that they  
22 don’t make it a priority to accommodate people with disabilities.

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1 I declare under penalty of perjury under the laws of the United States of America  
2 that the foregoing is true and correct, and that this declaration is executed at Corcoran,  
3 California, on this 8-6-24 day of August, 2024.

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# Exhibit 2

DECLARATION OF [REDACTED]

I, [REDACTED], declare:

1. I have personal knowledge of the matters set forth herein, and if called as a witness, I could and would competently so testify.

2. My California Department of Corrections and Rehabilitation (“CDCR”) number is [REDACTED]. I am currently housed at the California Substance Abuse Treatment Facility and State Prison, Corcoran (“SATF”). I am 65 years old.

3. My first name is spelled “[REDACTED]” in CDCR records, but I actually spell my name “[REDACTED].”

4. I have been incarcerated in CDCR for over two decades, since November 2003.

5. I have difficulty hearing. CDCR classifies me as DNH, and I use a hearing aid in my left ear. I don’t wear a hearing aid in my right ear because it doesn’t help. I have ringing in both ears. Especially in my right ear, the ringing blocks out all other sound.

Announcements

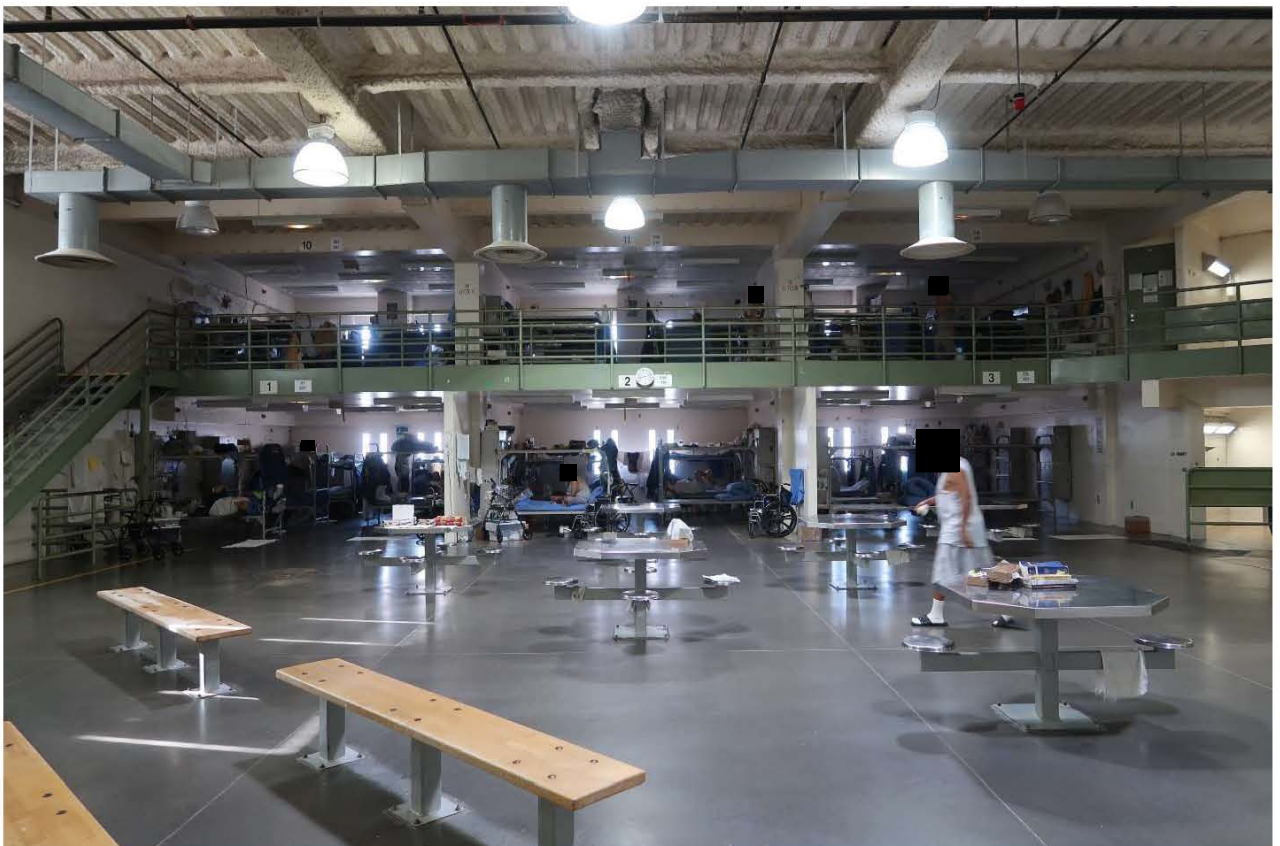
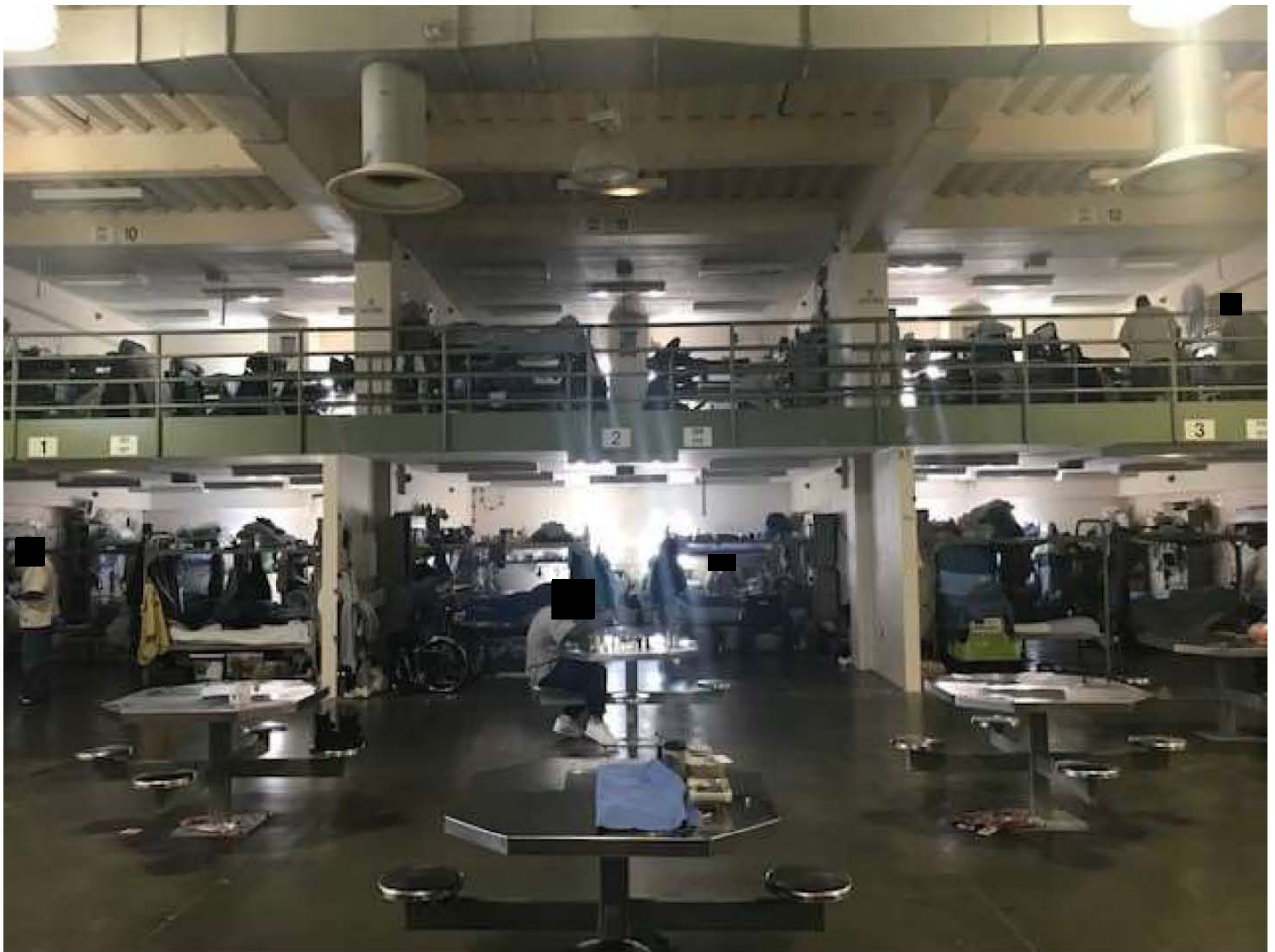
6. I live on Facility B, in B1. Facility B is a Level II general population yard.

7. I live in an open dormitory-style housing unit. There are three sections in my housing unit on the lower tier, and three sections on the upper tier. All sections share a dayroom, but each section is separated from the other ones by a crash gate. The crash gate is not solid—it’s bars. The crash gates are opened after breakfast and closed at 5 pm count, then opened again until count at 10 pm.

8. Each section (lower tier and upper tier) in my housing unit has three pods where incarcerated people live. The pods do not have doors and are open to the dayroom. Each pod contains seven double bunks.

9. A representative from the Prison Law Office showed me the photographs below. These photographs look similar to my housing unit section.

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1           10.    If there is background noise around me, it's really challenging for me to  
2 comprehend anything that people are saying, even with my hearing aid. It's even worse  
3 with my pocket talker, because the pocket talker amplifies everything—it's a garbled mess.  
4 It's very hard for me to distinguish one voice from another voice when multiple people are  
5 talking. The dayroom in my housing unit can get pretty loud with people talking and  
6 playing their radios and television.

7           11.    The speakers for the intercom system in my housing unit make distorted  
8 sound. The audio is muffled. I can't hear or understand announcements over the intercom,  
9 including when my name is called. When an officer speaks into the microphone, it sounds  
10 like someone is screaming into it. I can hear that an announcement is being made, but the  
11 sound is garbled, and I cannot make out what is being said.

12          12.    For announcements that are just for me, like when I have to go to medical or  
13 CTC, staff often will come get me. I think they know that I can't hear announcements.

14          13.    However, I frequently miss announcements that are for more than just me  
15 because of my hearing loss and the poor quality of the intercom audio. I miss the mail call  
16 very often. I miss the announcement for evening chow multiple times a week. I just can't  
17 tell what they're saying.

18          14.    I miss my noon medications very often because I don't hear them  
19 announcing pill call. I miss 4 pm pill call sometimes too.

20          15.    I often forget about pill call without a reminder—I am worried that I might  
21 have early-onset Alzheimer's—and am not constantly vigilant to try to see if an  
22 announcement about pill call is being made. Instead, during the day, I often draw or play  
23 chess or other games on my tablet and lose track of time.

24          16.    I missed my noon medication twice last week. A representative from the  
25 Prison Law Office told me that my medical records say "pt failed to report for noon med  
26 line" on August 1 and August 2, 2024. I didn't hear an announcement for pill call on either  
27 day.

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1           17. My health is very important to me. I have had heart attacks and <sup>two strokes</sup> ~~and a stroke~~. I  
 2 had a stroke several years ago when I was at Soledad. Feeling that helpless was one of the  
 3 most frightening experiences of my life. I still have weakness on my left side, which  
 4 makes it hard for me to draw and write on my own because my left hand was my dominant  
 5 hand.

6           18. On August 5, 2024, a representative from the Prison Law Office told me that  
 7 people in CDCR can request vibrating watches. I had a vibrating watch before I came to  
 8 prison because of my glaucoma and other eye conditions. I didn't know that I could get a  
 9 vibrating watch in CDCR, and I think a vibrating watch might help me remember when I  
 10 have pill call or meals – or at least remind me of when those announcements may happen  
 11 so I can be on the lookout for them or ask staff if pill call or chow had been called. Hearing  
 12 people know when it's time for pill call because they can hear the announcement. The  
 13 Prison Law Office representative helped me file an 1824 to ask for a vibrating watch on  
 14 August 5.

15           19. For yard announcements, I can tell that an announcement is being made, but  
 16 I have never been able to understand what they are saying. For example, on July 8, 2024,  
 17 in the early afternoon, they ordered everyone on the yard to get down because people were  
 18 fighting, but I did not hear them make the announcement. I just saw other people sitting  
 19 down so I did the same. But I worry about what would happen if I didn't copy what  
 20 everyone else was doing fast enough.

21   Tablet Notifications

22           20. A representative from the Prison Law Office told me that CDCR is  
 23 considering sending announcements through the tablet.

24           21. I have a tablet, but it goes out sometimes. I use my tablet every day unless  
 25 there's no signal. A few days ago, I checked my tablet and saw that I had 23 unread facility  
 26 messages. I didn't know that I had received any facility messages because I don't get a  
 27 notification for facility messages. There is an option for "alarms" in the "sound" section of  
 28

1 the settings on the tablet. I have the “alarms” feature turned on, but I’ve never gotten an  
2 alarm or notification on the tablet, including for facility messages.

3 22. For a tablet to be useful for me for announcements, it would need to vibrate  
4 or light up when there is an announcement and have the announcement written out in text.  
5 I’d also have to be able to carry the tablet with me wherever I went. Right now, I can only  
6 use my tablet in the housing area, not on the yard. I think that is a safety and security  
7 policy.

8 23. I used a pager before I came to prison. I think a pager could be helpful if it  
9 could vibrate to give a notification, since I wouldn’t be able to hear a beep.

10 Request for Speech-to-Text Device

11 24. In December 2023, staff brought a few devices to the building to show to  
12 people with hearing and vision problems. The devices included a stand-alone magnifier  
13 and an iPad for captioning. Staff said that we could get the devices if we filed an 1824 to  
14 ask for them, so I filed an 1824 requesting those devices and a magnifier and pocket talker.  
15 The log number for my 1824 is 490926.

16 25. A female sergeant gave me a pocket talker after I filed the 1824, but I don’t  
17 remember if she asked me about why I needed the iPad. As I mentioned above, even with  
18 my hearing aids I have trouble hearing. I rarely talk to people out on the dayroom because  
19 of my hearing disability. I thought an iPad with speech-to-text technology might help me  
20 communicate with other people, including staff and my peers. I would like to try it.

21 26. I don’t remember receiving a response to my 1824, but I have not received  
22 an iPad.

23 27. A representative from the Prison Law Office showed me a Reasonable  
24 Accommodation Panel (RAP) response to my 1824, which said, “You do not have a severe  
25 hearing impairment impacting placement,” and, “You do not require an iPad or iPhone  
26 with live captioning to access PSAs.”

27 28. The response also said, “Your current Effective Communication (EC)  
28 methods of hearing aids and need staff to speak loudly and clearly are sufficient to

1 maintain EC during due process and all general communication.” That is not true. Hearing  
2 aids and speaking loudly and clearly are only effective for me if the room is quiet and  
3 there’s only one person speaking at a time. That rarely exists in prison.

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I declare under penalty of perjury under the laws of the United States of America  
that the foregoing is true and correct, and that this declaration is executed at Corcoran,  
California, on this 6 day of August, 2024.

[Redacted signature]

[Redacted name]

# Exhibit 3

DECLARATION OF [REDACTED]

I, [REDACTED], declare:

*and lived experience*

1. I have personal knowledge of the matters set forth herein, and if called as a witness, I could and would competently so testify.

2. My California Department of Corrections and Rehabilitation (CDCR) number is [REDACTED] I am currently housed at the California Substance Abuse Treatment Facility and State Prison, Corcoran (SATF). I am housed on Facility D, in D5. I am 59 years old.

3. I have been incarcerated in CDCR on my current term for over two decades, since October 2000. I have been housed at SATF since 2019.

Hearing Disability

4. I have a hearing disability. CDCR classifies me as DNH.

5. I have a hard time understanding what people are saying.

6. I have hearing aids but they often do not help me hear what people are saying. I also have a pocket talker. Both my hearing aids and my pocket talker amplify the noises in the environment around me, and that noise just overtakes the conversation, and I have a hard time discerning all the words that are being spoken. Even with my hearing aids on, I really struggle because white noises cause me to not be able to discern some words.

7. I really have to strain to try to make out what people are saying. When I strain, I have to fight through the white noise and then fight through the fact that I'm hearing other sounds at the same time.

8. Even when staff speak to me directly, I have a hard time understanding what they are saying. I try to read lips but that does not tell me everything, and often times people do not speak with their lips and instead speak gutturally.

9. I can sometimes make out what people are saying in quiet, closed-door, one-on-one settings, but it still is challenging. I have trouble understanding in medical appointments. I have to strain a lot to understand what is being said. Sometimes I hear words and don't know what they mean, and I forget to ask because I have to keep paying

*L.C.B. 303  
8/6/24;*

1 attention to try to understand what they're saying. It's hard to keep everything in my head  
2 and also follow the conversation; I end up not fully understanding what is going on with  
3 my health.

4 10. It is particularly hard for me to hear in group settings like the dayroom, even  
5 with hearing aids and my pocket talker. It can make me feel frustrated and overwhelmed. I  
6 mostly stick to myself; I am not able to talk to many people because of my inability to  
7 hear.

8 11. I do not always have my hearing aids. They can break, and it can take a  
9 while to get replacements.

10 12. Even when my hearing aids are working, I do not always have batteries for  
11 them so they do not work.

12 13. For the last couple of weeks, a nurse has been coming into the building and  
13 giving me batteries. I'm not sure how long that practice will last.

14 14. Before that, I had to go to the medical clinic and ask for them, and it was a  
15 frustrating process to get them. I wrote a CDCR 1824 on March 6, 2024, saying that  
16 custody staff would not let me out of my building to go to the medical clinic to get hearing  
17 aid batteries. The log number for my CDCR 1824 is 530605.

18 15. Even when I am able to get to the medical clinic to ask for batteries, staff tell  
19 me to "get away from the window" and "stay away from the window" and that only people  
20 who need to pick up medication can be there.

21 16. I also cannot always get batteries for the pocket talker when I need them.  
22 You're supposed to get the batteries from the ADA sergeant, but he is not here on the  
23 weekend. They don't give us spare batteries.

24 Announcements

25 17. It is hard for me to understand announcements in my building. I can hear that  
26 an announcement is being made, but I can't understand what they are saying or if the  
27 announcement applies to me.

28 18. I have had problems understanding announcements at SATF for a while.

1           19. For example, in 2021, I filed a CDCR 1824. It was given log number SATF-  
2 D-21-01598. At that time, I was housed in D5, the same unit I am in now. I said that I was  
3 not able to hear an announcement related to pick up of canteen forms. Because of that, I  
4 turned in my canteen form late and told the canteen manager it was late because of my  
5 hearing disability. The canteen manager mocked my disability and said something like,  
6 “Do you hear me now?” about three times. The Reasonable Accommodation Panel (RAP)  
7 response said that my allegation would be “handled through the grievance process.” The  
8 RAP did not respond to my concern about not hearing the announcement, and in the years  
9 since I still do not understand all announcements in my unit. After that experience, I  
10 stopped going to canteen because I did not want to be made fun of because of my disability  
11 again. It was hurtful.

12           20. In my housing unit, staff make announcements with a microphone. They  
13 generally don’t come to my cell to give me individual notifications. I can’t determine what  
14 is being said. The microphone and PA system are just loud, but I can’t determine what the  
15 speaker is saying. It is worse than a bullhorn to me.

16           21. Because I could not hear announcements, I have missed medical  
17 appointments, going to the law library, and yard and dayroom.

18           22. Yard is really important to me. I want to go to the yard to work out, take care  
19 of my health, and breathe fresh air. It helps me clear out my mind. Sometimes staff  
20 announce that if people want to go to the yard, they should flash their cell lights. But I do  
21 not hear that announcement so I do not know to flash my lights, and I miss yard.

22           23. Staff also make announcements on the yard, such as when alarms are  
23 activated, when I should get-down for emergencies, and in-line.

24           24. The PA system on the yard is sometimes broken and goes in and out. I can’t  
25 make out what they’re saying, and I don’t know if it’s an important announcement or if it  
26 applies to me. When the PA system is broken, staff sometimes use a bullhorn that just  
27 makes matters worse – it’s just loud, but the words are not clear.

28



1 25. In-line is when you have the option to go back into the housing unit if you  
 2 need to shower or get something from your room or something like that. It usually lasts  
 3 only 5-10 minutes, so it's important to know right away when in-line has been called. I  
 4 have missed in-line several times because I couldn't hear the announcement.

5 26. I have a tablet, but staff tell us that we're not allowed to have it on the yard  
 6 and that it will be confiscated if we bring it to the yard.

7 27. It would really help if there was a device I could have with me all the time,  
 8 wherever I was in the prison, and that would vibrate when there was an announcement and  
 9 tell me what the announcement was for.

10 28. Rita Lomio and Daniel Greenfield, attorneys at the Prison Law Office, told  
 11 me that CDCR was considering asking people designated DPH regularly whether staff and  
 12 ADA workers provided individual notification of announcements to them. I would not be  
 13 comfortable telling staff if an ADA worker was not doing his job and was not telling me  
 14 about announcements. ADA workers are other inmates and if you tell on them, it can  
 15 single you out as an informant and put you in danger.

16 Alarms

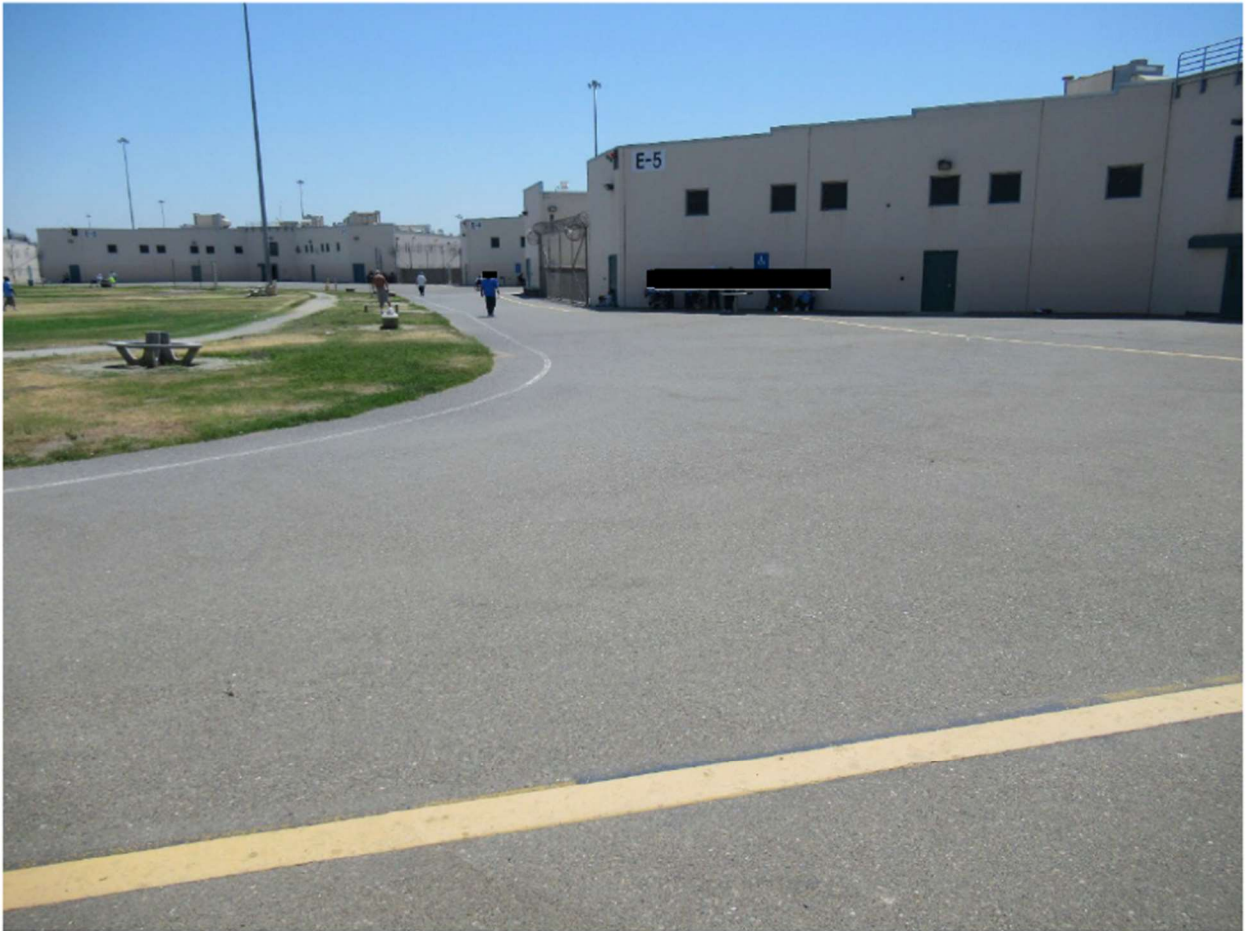
17 29. I also have trouble hearing alarms. Sometimes I can hear them, and  
 18 sometimes I can't. When I don't hear them, I don't get down right away. I only get down  
 19 after I notice other people getting down. This happens both in my housing unit and on the  
 20 yard. Sometimes it seems from officers' aggressive body language that they think I am  
 21 intentionally not complying because I do not get down right away. But it's not that I am  
 22 not complying, it's just that I didn't know there was an alarm. It's a miscommunication.

23 30. There's a red light in the building to signal an alarm, but it's not very bright  
 24 so if you're not looking right at it, you won't notice it and wouldn't know that it was on. If  
 25 I'm sitting down and the light is above me, I can't see it.

26 31. There are also lights on the yard meant to signal an alarm. They are on the  
 27 side of buildings. Depending on where the incident is and where I am, I might not notice  
 28

1 the light. And it's hard to tell if the light is on because it is pretty small and it doesn't stand  
2 out much in the daylight.

3 32. Ms. Lomio showed me the below photographs of E yard. The yard of  
4 Facility D, where I live, has similar lights in those locations.



21 IMG\_0024(1)- Yard/ Yard walk way away from walls  
22  
23  
24  
25  
26  
27  
28



16 IMG\_0023(1)- Staff tent on E yard

17  
18 Previous Attempts to Ask for Help

19 33. In December 2023, I submitted an 1824 asking for a speech-to-text device  
20 and a vibrating watch. No staff person came to talk to me about that request before they  
21 denied it. I got a written denial about a month later. The log number is 498625. The RAP  
22 said:

23 You do not have a severe hearing impairment impacting placement. You are  
24 accommodated with hearing aids, pocket talker, and access to the caption  
25 phone. Your current Effective Communication (EC) methods of hearing aids  
26 and need staff to speak loudly and clearly are sufficient to maintain EC  
27 during due process and all general communication. You do not require an  
28 iPad/iPhone with live captioning or a vibrating watch to access Programs,  
Services, and Activities (PSA)s.

1 34. Getting this response made me feel that there's no hope for me or other  
2 people with disabilities to get help. It made me feel like they don't care. A speech-to-text  
3 device would help me communicate with others, including my peers and staff. A vibrating  
4 watch would let me be more independent. I could set times for religious services or other  
5 appointments. Even if the appointments don't happen right at the scheduled time, at least  
6 I'd know to ask staff what was going on and whether an announcement had been made.  
7 That's not a complete solution, though. I'd prefer to be able to know what an  
8 announcement was at that time it is made. It would be best if that was in writing, because  
9 of my hearing disability.

10 35. On April 10, 2024, Ms. Lomio sent a letter to a CDCR attorney in *Armstrong*  
11 *v. Newsom*. Ms. Lomio asked CDCR to reconsider the RAP's denial of my request and  
12 evaluate me for a speech-to-text device and a vibrating watch.

13 36. I do not remember any staff coming to talk to me about my need for those  
14 devices after Ms. Lomio sent the letter.

15 37. I met with a representative from the Prison Law Office on July 10, 2024,  
16 when they visited SATF. I told the representative that I still didn't have a vibrating watch  
17 or speech-to-text device. She helped me fill out another 1824 about that. The log number is  
18 590923.

19 38. In that 1824, I also said:

20 I am DNH and I have problems communicating with staff and understanding  
21 the instructions that they are giving me over the P.A. system or directly. I  
22 also regularly miss announcements for yard/exercise, medical  
23 appointments/dental, religious services, etc.

23 There is a communication barrier – I cannot hear the P.A. system clearly  
24 translate the message. I cannot read officers' lips clearly and sometimes I  
25 miss the translation of a word in conversation.

26 39. I asked for, among other things, "an officer to come to my door to make  
27 individual announcements for medical appointments, yard, etc."

28 40. No staff came and talked to me about the requests I made in that 1824.

I got a written "Claimant Grievance Receipt  
Acknowledgement" for the 1824 that says that "the  
office of grievances will complete its review no later  
than 09/10/2024." As of today, I have not gotten any  
other written response to my 1824.

RCB  
8/6/24

1 41. Ms. Lomio sent an email to the CDCR attorney on July 26, 2024, asking  
2 CDCR to give me a vibrating watch and speech-to-text device. I don't remember any staff  
3 person coming to talk to me about that.

4 42. As of today, I still don't have a vibrating watch or a speech-to-text device.

5  
6 I declare under penalty of perjury under the laws of the United States of America  
7 that the foregoing is true and correct, and that this declaration is executed at Corcoran,  
8 California, on this 6, day of August, 2024.

9 [Redacted signature block]

10 [Redacted signature block] wn

11  
12  
13 43. Today, I was supposed to meet with an  
14 attorney from the Prison Law Office. I did not hear  
15 an announcement from staff over the intercom to  
16 go to visiting for that meeting, and no staff  
17 came to my door to tell me it was time to go.  
18 Instead, I was sitting in my cell watching the  
19 Olympics on television. I was surprised to find an  
20 inmate at my door and that the door to my cell  
21 was open. I did not know what was going on. I'm  
22 on a Level IV yard, and unexpected interactions like  
23 that, when inmates are at your door without your  
24 knowledge or consent, could be a threat. The cell door  
25 isn't usually open, and I hadn't heard it open. I had  
26 to ask the other inmate what he was doing and  
27 firmly ask him to go away, and I left my cell to  
28 ask staff why my door was open. They then told me  
was open.

J.C.B. 30;  
8/6/24;

# Exhibit 4

1   **DECLARATION OF ██████████**

2           I, ██████████, declare:

3           1.     I have personal knowledge of the matters set forth herein, and if called as a  
4 witness, I could and would competently so testify.

5           2.     My California Department of Corrections and Rehabilitation (“CDCR”)  
6 number is ██████████. I am currently housed at Substance Abuse Treatment Facility  
7 (“SATF”) on G yard. I am 47 years old.

8           3.     I have been incarcerated in CDCR since December 12, 2000.

9           4.     I’m deaf in my right ear. The hearing in my left ear is getting low. I didn’t  
10 know what DNH was until a representative from the Prison Law Office defined it, but I  
11 understand that I am designated DNH by CDCR.

12   Announcements

13           5.     I can hear and understand announcements in my housing unit for the most  
14 part when I have hearing aids on. Without my hearing aids, however, I can’t make out  
15 what words are being spoken – I can only hear that an announcement over the PA system  
16 is happening.

17           6.     When I don’t have my hearing aids, I need to rely on other people to tell me  
18 what the announcement was for. I don’t usually get individual notification of an  
19 announcement by staff or ADA workers. Sometimes an ADA worker will come get me,  
20 but that’s usually only after I’m already late to an appointment.

21           7.     Right now, I don’t have my hearing aids, so I can’t understand what is being  
22 said over the PA system. My hearing aids were lost around May 2024 when I came over to  
23 G yard, where I am now, from F yard. I’ve been waiting for new hearing aids since then. I  
24 don’t know when I’ll see someone to get new hearing aids.

25           8.     There are lots of announcements in my building throughout the day. Some  
26 announcements apply to everyone or a certain group of people, and others apply just to  
27 individual people.

28

1           9.       Sometimes staff call me for individual appointments, like medical  
2 appointments. Sometimes I get a ducat in advance telling me what time the appointment is  
3 scheduled for, but sometimes I don't get a ducat at all. In those cases staff will just call my  
4 name over the PA system and tell me I have an appointment. Sometimes staff tell me I  
5 should have gotten a ducat when I did not actually get one.

6           10.      Because it is hard for me to understand announcements when I don't have  
7 hearing aids, I can't tell if an announcement is directed to me or not. There are also  
8 program changes throughout the day – for example, sometimes a program is delayed and  
9 starts later than it was supposed to. It would be helpful to have real-time information about  
10 announcements that are being made, displayed on a board or a screen, so that I could see if  
11 there was an announcement that related to me.

12          11.      Announcements also happen when I'm on the yard. Every now and then I'm  
13 able to understand an announcement on the yard, but it's not consistent. There are so many  
14 people out there on the yard that it's hard to hear.

#### Tablet Notifications

15  
16          12.      A representative from the Prison Law Office told me that CDCR is  
17 considering communicating announcements through the tablet.

18          13.      We can't take our tablets outside of the housing unit building. I don't know  
19 if there is a written rule about this, but staff don't let you do it. The tablets also don't work  
20 in certain areas. On August 5, 2024, I met with a representative from the Prison Law  
21 Office who asked me to try to log into my tablet. We were in the confidential visiting room  
22 at the time. I tried to log in, but I couldn't – apparently the Wi-Fi wasn't good enough.

23          14.      I receive facility messages on my tablet, but I don't get notifications for  
24 facility messages when I'm doing something else on my tablet, like texting, watching the  
25 news or sports, or watching a movie. Other than checking the facility messages  
26 application, I only know when I have facility messages because the screen sometimes  
27 freezes when I'm trying to navigate to an application and shows a message box that says  
28



1 that I have a certain number of new messages. I can either open the facility messages or  
2 close the message box.

3 Vibrating Watch

4 15. I'd like to have a vibrating watch to allow me to be more independent. In  
5 July 2024, a representative from the Prison Law Office helped me write an 1824 asking for  
6 a vibrating watch. No one has come to talk with me about getting a vibrating watch or why  
7 I need one and I haven't gotten a response to that 1824 yet.

8  
9 I declare under penalty of perjury under the laws of the United States of America  
10 that the foregoing is true and correct, and that this declaration is executed at Corcoran,  
11 California, on this 6 day of August, 2024.

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# Exhibit 5

1                                   **DECLARATION OF** [REDACTED]

2           I, [REDACTED], declare:

3           1.     I have personal knowledge of the matters set forth herein, and if called as a  
4 witness, I could and would competently so testify.

5           2.     My California Department of Corrections and Rehabilitation (CDCR)  
6 number is [REDACTED]. I am currently housed at the California Substance Abuse Treatment  
7 Facility and State Prison, Corcoran (SATF), on G yard. I am 54 years old.

8           3.     I have been incarcerated in CDCR since June 11, 2010.

9                                   Hearing Disability

10          4.     CDCR classifies me as DNH. My hearing loss makes it hard for me to  
11 distinguish words when people are speaking. When there are sidebar conversations  
12 happening and people are talking, yelling, singing, or there are overlapping voices, it is  
13 particularly hard for me to understand what someone is saying.

14          5.     The hearing aids help me, but I have issues getting access to hearing aid  
15 batteries. Staff frequently deny me replacement batteries—at least every other month this  
16 happens. It can take several days to get replacement batteries, and during that time, I  
17 struggle to hear. There used to be weekly hearing aid battery exchanges last year when I  
18 was in a different building on G yard, but that doesn't happen anymore.

19                                   Announcements

20          6.     My housing unit has four sections. Each section has its own dayroom. Each  
21 section's dayroom is separated from a central rotunda area by a gate. The gates to each  
22 section are solid metal with a window and are remotely controlled by staff.

23          7.     My section has eleven pods—five pods on the lower tier, and six pods on the  
24 upper tier. Each pod has either three double bunks (six beds) or four double bunks (eight  
25 beds). The pods have solid doors.

26          8.     I am not aware of a whiteboard in my dayroom that lists the program  
27 schedule for the day. That could be helpful if I could read it, so long as it was updated any  
28

1 time the schedule changed. It could also be helpful to have a television screen that would  
2 show programs and announcements for specific people.

3 9. Especially if there are a lot of people talking or background noise in the  
4 housing unit, I miss announcements. People regularly listen to music, work out, talk, yell,  
5 watch television, listen to the radio, and talk on the phone in the dayroom, which to me is  
6 like being in a zoo. It's very difficult to understand announcements.

7 10. I am in the EOP and am assigned to EOP mental health groups. With the  
8 background noise in the unit, I sometimes can't understand which room my group should  
9 be in or whether we should go to the yard. I've been late to my groups a few times because  
10 I didn't know where we were meeting. When I first moved to my current unit in late June,  
11 I was late to a group because we were supposed to meet in C section, and I missed the  
12 announcement when I was in B section. I didn't know where the group was until an ADA  
13 worker came to my pod to ask me whether I would be going to group that day, after the  
14 group had already started without me.

15 11. I would prefer if ADA workers would tell me about announcements right  
16 when they happen or five minutes before, rather than me finding about the group after the  
17 fact, when the ADA worker is doing a checklist for attendance. When I only find out later,  
18 I might miss 15 or 20 minutes of the group before I get there.

19 12. It's also difficult for me to hear announcements when I'm out on the yard.  
20 For example, in early July 2024, I was out on the yard and I heard that there was an  
21 announcement being made, but I couldn't tell what they were saying—even though I had  
22 my hearing aids on—because of my hearing loss and because of the poor audio quality on  
23 the yard speaker system. So I stayed out on the yard for another 10 or 15 minutes. Then  
24 another incarcerated person came up to me and said that they had called out UHT  
25 (“Uniform Heat Trigger”) awhile back and that I should go inside. UHT is the  
26 announcement that staff make when people like me who are on heat-sensitive psychiatric  
27 medications have to go inside because of high temperatures outside. When I got back  
28

1 inside, the housing unit officers asked where I had been and said that they had called UHT  
2 a while ago.

3 Tablet Notifications

4 13. A representative from the Prison Law Office told me that CDCR is  
5 considering communicating announcements through the tablet.

6 14. I don't think that communicating announcements through the tablets would  
7 work. On the average day, I don't use the tablet during the day and don't check it until at  
8 least 11 pm at night. I also don't know if the tablet works on the yard. I met with a  
9 representative from the Prison Law Office on August 5, 2024, in the visiting room. I tried  
10 to use my tablet in the visiting room at that time, but I couldn't log on to the tablet. The  
11 tablet also doesn't work on some days, sometimes for more than a day at a time.

12  
13 I declare under penalty of perjury under the laws of the United States of America  
14 that the foregoing is true and correct, and that this declaration is executed at Corcoran,  
15 California, on this 6<sup>th</sup> day of August, 2024.

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