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16 UNITED STATES DISTRICT COURT  
17 SOUTHERN DISTRICT OF CALIFORNIA

18 DARRYL DUNSMORE, ERNEST  
ARCHULETA, ANTHONY EDWARDS,  
19 REANNA LEVY, JOSUE LOPEZ,  
CHRISTOPHER NELSON,  
20 CHRISTOPHER NORWOOD, and  
LAURA ZOERNER, on behalf of  
21 themselves and all others similarly situated,

22 Plaintiffs,

23 v.

24 SAN DIEGO COUNTY SHERIFF'S  
DEPARTMENT, COUNTY OF SAN  
DIEGO, CORRECTIONAL  
25 HEALTHCARE PARTNERS, INC.,  
LIBERTY HEALTHCARE, INC., MID-  
26 AMERICA HEALTH, INC., LOGAN  
HAAK, M.D., INC., SAN DIEGO  
27 COUNTY PROBATION DEPARTMENT,  
and DOES 1 to 20, inclusive,

28 Defendants.

Case No. 3:20-cv-00406-AJB-WVG

**DECLARATION OF DANIEL  
WEBB IN SUPPORT OF  
PLAINTIFFS' MOTIONS FOR  
PRELIMINARY INJUNCTION  
AND PROVISIONAL CLASS  
CERTIFICATION**

Judge: Hon. Anthony J. Battaglia

Trial Date: None Set

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**DECLARATION OF DANIEL WEBB**

I, Daniel Webb, 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 have been incarcerated at the San Diego County Jail ("the Jail") since January 16, 2021. My booking number is 21101684. I am 56 years old.
3. I am housed in unit 7B. I was incarcerated while awaiting trial until my conviction in January 2022. Since then, I have been incarcerated while awaiting transfer to the custody of the California Department of Corrections and Rehabilitation ("CDCR").
4. I have been incarcerated at the Jail approximately 33 times since 2014. I have not had a regular home since around the year 2000, and have been homeless for most of the past 20 years. I have been incarcerated repeatedly on charges for public intoxication. I have never been offered alternatives to incarceration nor received assistance for alcohol dependence. I have never received alcohol treatment while incarcerated at the Jail. I have never received any reentry programming in connection with my discharge from the Jail. When I am released from the Jail, I am released to the street and go right back to being homeless without any treatment.
5. My left leg was amputated below the knee in approximately 2008, after I was injured in a collision with a train. I received a lower leg prosthesis shortly thereafter, which allowed me to walk without the need for other assistive devices. I received a new prosthetic leg on or around June 2018, from Hanger Clinic: Prosthetics & Orthotics in San Diego. Attached as **Exhibit A** is a true and correct copy of my Jail medical records, showing that I had a left leg prosthetic in October 2018 when I entered the Jail, and that I was using the prosthetic in January 2019.

1       6.     When I have been arrested and incarcerated in San Diego, I am almost  
2 always housed at San Diego Central Jail. Sometimes, I have been booked into  
3 Vista, but then quickly transferred to another Jail facility. For example, in  
4 early May 2015, I was booked into Vista, but then transferred to Central Jail  
5 after a few days. Attached as **Exhibit B** is a note in my Jail medical records  
6 showing that the Sheriff's Department moved me to Central Jail because Vista  
7 could not accommodate my disabilities: "Classification is aware that the I/p  
8 needs to be transferred to SDCJ because VDF is not ADA compliant."

9       7.     On or around February 2019, while I was incarcerated at the Jail, I went  
10 out to court and left my prosthetic leg in my cell. When I returned, the  
11 prosthetic was gone. I asked a deputy where my prosthetic was and he  
12 responded that staff had taken it and thrown it in the "dumpster."

13       8.     After the Jail had thrown my prosthetic leg away, I submitted multiple  
14 sick call requests and grievances in February, March, and April 2019  
15 requesting a replacement prosthetic. For example, attached as **Exhibit C** is a  
16 true and correct copy of a February 16, 2019 request asking for a replacement  
17 prosthetic. I also filed sick call requests and inmate request forms requesting a  
18 prosthetic on February 25, March 31, April 7, and April 15, 2019. Those  
19 requests are attached as **Exhibit D**. In the April 15, 2019 request, I reminded  
20 Jail staff that I had been asking for a replacement prosthetic for two months  
21 and that the process of fitting a new prosthetic would take several weeks.  
22 None of the Jail medical or custody staff seemed to feel any urgency to replace  
23 my prosthetic limb. Although in April 2019 I was finally told that I was  
24 referred for a prosthetic replacement, I was transferred to CDCR before I ever  
25 received a new prosthetic.

26       9.     At CDCR, I was able to obtain a new prosthetic leg. However, this  
27 prosthetic was stolen from the back of my wheelchair when I was released  
28

1 back into the community. In 2020 and 2021 when I was back in the Jail, I  
2 told Jail staff that the Jail had thrown away my prosthetic leg and that I  
3 needed a replacement. Attached as **Exhibit E** is a true and correct copy of a  
4 May 2021 sick call request form stating my need for a replacement due to  
5 custody staff's confiscation of the prosthetic limb in 2019.

6 10. The Jail has not provided me with a replacement prosthetic, despite my  
7 repeated requests. For months, Jail staff repeatedly told me that I am on  
8 schedule to receive a replacement. In August 2021, I was told that the County  
9 and Sheriff's Department would not replace my prosthetic leg. The medical  
10 doctor at the Jail told me that I will have to get it on my own when I get out.

11 11. Since my prosthetic was taken away by the Jail, my physical body has  
12 deteriorated. I am forced to use a wheelchair to get around the Jail. My back,  
13 legs, and joints hurt from constantly sitting in the wheelchair and the lack of  
14 exercise I was used to. Being without my prosthetic leg has destroyed my  
15 body from sitting in a wheelchair for all these years. Sitting slouched in a  
16 wheelchair all day every day has damaged my vertebrae.

17 12. Not having my prosthetic leg has made it impossible to get housing or a  
18 job. Being in a wheelchair, I am constantly victimized. I am regularly robbed  
19 weekly of my property and medications, and unable to effectively defend  
20 myself or pursue the robber. I cannot make it to medical appointments.

21 13. I was housed in an Enhanced Observation Housing ("EOH") cell for  
22 three days in October 2018 because I expressed suicidal ideation. I was  
23 forced to be in the cell naked, with only a safety smock to cover me in the  
24 cold cell. There was nowhere to sleep other than on the floor, next to the hole  
25 where I had to use the bathroom. I had no access to any programs, such as the  
26 phone, social visits, or any reading material. I can't explain how bad it was,  
27 but I can say that it was absolutely horrible. The experience was so miserable  
28

1 that I do not want to report feeling suicidal in the Jail, because I do not want  
2 to go back there.

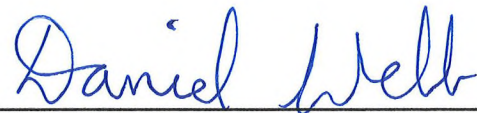
3 14. I cannot read without glasses and have trouble seeing anything real  
4 close without glasses. In January 2021, I asked for glasses to read in order to  
5 cope with my life circumstances. I did not receive an eye exam or glasses  
6 that month, so in February 2021, I again requested to see an optometrist and  
7 to obtain glasses. Shortly thereafter, the Jail gave me 3.0 (three power)  
8 magnification glasses, but they were too powerful and hurt my eyes. In  
9 October 2021, I requested that the Jail provide me with different glasses  
10 because the 3.0 magnification glasses were not working for me and I could  
11 not read with them. On October 20, 2021, I had an eye exam and was fitted  
12 for new glasses that were 2.25<sup>50</sup> magnification. By December 2021, I still had  
13 not received the 2.25<sup>50</sup> magnification glasses and was stuck with the 3.0  
14 magnification glasses that were too powerful. In February 2022, the  
15 optometrist told me there is a possibility that I have glaucoma, but the  
16 optometrist was not able to confirm whether I have glaucoma or not. But I  
17 still did not receive a new set of glasses. The optometrist finally gave me a  
18 pair of glasses that work okay for me in early March 2022.

19 15. For the past several months I have complained daily to Jail staff about  
20 abdominal pain and swelling. The Jail has only prescribed laxatives for this  
21 medical issue. I repeatedly told Jail staff that the laxatives were not working,  
22 and have put in many medical slips and grievances about this problem. My  
23 abdomen has swollen as if there is a basketball inside, and it is extremely  
24 painful as if my muscles are tearing and there are spikes inside my belly. On  
25 approximately March 5, 2022, a loop of my intestines pushed out between my  
26 abdominal muscles and below my sternum. The bulging intestines measured  
27 approximately three inches high, four inches wide, and ten inches long. I told  
28 custody officers and pill call nurses about this emergency, and they responded

1 by telling me that I was eating too much and getting fat. None would believe  
2 me and none referred me to medical care. I submitted numerous sick call  
3 slips and grievances, but doing so proved futile and I did not receive any  
4 medical attention. On March 7, 2022, I went man down, but custody officers  
5 basically ignored me. After additional repeated attempts to go man down, I  
6 was finally taken to see medical staff who told me that I had a ventral hernia  
7 and provided only a velcro wrap to wrap around my belly. Medical staff told  
8 me that I needed a sonogram and said that it could take weeks or months  
9 before I get the sonogram, and that in all likelihood I would have to wait until  
10 I get out of Jail before I actually receive the sonogram.

11 16. I submit this declaration because I want to help improve the medical,  
12 dental, and mental health care at the Jail, ensure that incarcerated people with  
13 disabilities are accommodated and treated fairly, and help make the Jail safe  
14 and secure for all incarcerated people.

15  
16 I declare under penalty of perjury under the laws of the United States of  
17 America that the foregoing is true and correct, and that this declaration is executed  
18 at San Diego County Central Jail in San Diego, California this 9th day of March  
19 2022.

20  
21 

22 Daniel Webb

# **EXHIBITS A-E**

**Filed Under Seal**