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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 JOSHUA  
 ROBERTS 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 JOSHUA ROBERTS**

I, Joshua Roberts, 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 May 13, 2021. Since 2018, I have been incarcerated at the Jail eight times. Currently, I am housed at San Diego Central Jail in housing unit 6B. My booking number is 21116622. I am 35 years old.

3. I have a history of suicide attempts, including in custody. In September 2020, I was booked into the Jail. My Jail medical records state that before booking into the Jail, I had swallowed a bag of heroin and spent a week at the hospital. On September 18, 2020, the night after I was booked into the Jail, I was seen by a mental health clinician for a suicide risk assessment. I was miserable. I was in a three-person quarantine cell after booking, and had barely been able to get out of the cell to use the phone. I think I got out once in the day or so that I was there. I was not receiving any mental health medication yet. After I talked to her, I was placed in an enhanced observation housing (“EOH”) cell. I did not think she or anyone cared about me.

4. It was miserable in the EOH cell too. It was a small cell, with a dirty mattress. I was naked except for a suicide blanket. I saw other people’s spit all over the walls, and what looked like urine streaks. I could only drink water out of a little nub on top of the toilet. It was gross, because the water pressure was so low that to drink water I would have to drink where someone else’s mouth had been. When I was in the EOH cell, I felt like dying. I felt like leaving the Jail, whether in a body bag or going to the hospital. I talked to another mental health person the next morning, and got let out of the EOH cell.

5. I was feeling so miserable about my experience at the Jail that on September 19, 2020, in the afternoon, and right after getting out of the EOH cell, I

1 attempted suicide. I climbed over the railing of the second tier in my housing unit at  
2 Central and jumped, hitting the lower level ground about 15-20 feet below.  
3 Attached as **Exhibit A** is a true and correct copy of an excerpt from my Jail medical  
4 records about my suicide attempt. I suffered fractures in my ankles and in my spine.  
5 I was hospitalized for about 11 days, first at UCSD in the emergency room and then  
6 at Tri-City.

7         6. Even right after I returned from the hospital, my meetings with mental  
8 health professionals at the Jail were not always confidential. For example, on  
9 October 1, 2020, I was seen cell-side by a psychiatrist. The same was true for an  
10 assessment with a psychologist a few weeks later. Attached as **Exhibit B** is a true  
11 and correct copy of the notes from that encounter, showing that the psychologist saw  
12 me at my cell with a deputy there. When these meetings are not confidential, it  
13 makes it difficult for me to really verbalize how I am feeling, because I do not want  
14 deputies to hear about my vulnerabilities.

15         7. I submit this declaration because I want to be a part of this litigation to  
16 help improve the medical, dental, and mental health care at the Jail, ensure that  
17 incarcerated people with disabilities are accommodated and treated fairly, and help  
18 make the Jail safe and secure for all incarcerated people.

19         I declare under penalty of perjury under the laws of California and the United  
20 States of America that the foregoing is true and correct, and that this declaration is  
21 executed at San Diego, California this 11<sup>th</sup> day of April, 2022.

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Joshua Roberts

# **EXHIBITS A-B**

**Filed Under Seal**