

November 21, 2020 @ OSCI

Hi everyone!

It's been a minute since I posted due to COVID, quarantine and tablet issues. I've also been going thru a lot of depression lately. Overall, not a good situation.

After an 18-day quarantine I'm back at it again. I had tested negative for the virus twice immediately before they put me in quarantine. I was having some allergy/asthma symptoms. After a week there, I finally tested positive. After seeing how they were running it, I'm 95% sure that they gave me COVID. After moving into a cell I watched others move in to other cells. The cells were not cleaned/sanitized before the next individual was put in them and no cleaning supplies were allowed. I did see them come around once in that entire time with a cleaning cart but they never changed the mop water/toilet brush or had enough clean rags. These were "wet cells" with toilet and sink in them so this was pretty appalling. Combine this with only 2 showers/changes of clothes per week and it isn't a mystery why people are dying around here. I'm very su

As for the local conditions outside of quarantine: Library including law is completely shutdown. No programming or religious services. No washing of personal clothes. Two showers/wk. Calls/kiosks only on shower days (although we're supposed to get 5 calls a week). Hot water/ice only @ meals. The equivalent of a kid's bag lunch for most meals.

I guess things are scheduled to start reopening more soon. (Unit laundry machines, SO-4 group, etc). I'm not holding my breath. It seems like they're only doing it now because over half institution has been infected. Also, the fact that OSCI made yesterday's ABC news with the infection rate (over half the institution, 1000+ infections) and that they weren't notifying people's family when they died of COVID. And they call us criminals!

Apparently, at least 10 people have died while in the "care" of the Wisconsin Department of Corrections from COVID. I did get my class action lawsuit filed in federal court over how the DOC is handling the pandemic, refusing release to those with serious complications from the virus, and overcrowding. I just wish I could've gotten it in sooner and some of those guys might have lived. I'm in the screening phase where the Judge decides whether there's a case or not.

For anyone interested, the case site is: Tony Justich v. Kevin Carr, et al., 2:20-CV-001575-JPS (Eastern District of Wisconsin). I'm hoping to get class certification for all Wisconsin incarcerated individuals. If you have a friend or loved one incarcerated in Wisconsin that's willing to write a Declaration (statement) for the Court then please ask them to write me for a form at: Tony Justich #402275, Oshkosh Correctional Institution, P.O. Box 3310, Oshkosh, WI 54903-3310. Alternatively, you can post their contact info in reply or send them the sample Declaration found at the end of this post. They would just write it out on a sheet of paper, sign, date, and mail it to me. The more Declarations that get filed, the more likely it is that the Court will side with us.

One of my good friends that released a couple weeks ago wrote me and told me about seeing Christmas decorations going up. I guess for me , Christmas is just a time for family. The only family (I think) I have left is my little brother although he's been MIA for a good while now (since May). Not sure that Christmas would mean as much to me right now without at least him around. Just hoping he didn't get back into the bull crap. I figure I'll be out there for next Christmas so I'll have to see how it goes. My take on family is that it's not defined solely by blood so there's no saying who my family will be by this time next year.

Well, I'll go just so I can get this out.

Stay safe and sane!

Tony

Sample Declaration (If you copy and paste this into an email to your incarcerated friend/family it will be easier for them to read if their tablet is turned sideways)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

Tony Justich,
Plaintiff,
vs.

DECLARATION OF
[Print name here; All caps]

Kevin Carr, et al.,
Defendants.

Civil Case No. 2:20-CV-1575-JPS

I, [Insert name here], do hereby declare:

I have been incarcerated in the Wisconsin Department of Corrections at [Insert institution name here] since [Insert date of your arrival (month/year)]. I am currently [Insert age] years old.

[Optional: I have the following medical conditions that make me prone to COVID-19: Advanced Age, Asthma, hypertension, COPD, Obesity, Diabetes, HIV/AIDS, etc. (only include conditions you actually have).] I have experienced/witnessed the following during the institution's/department's handling of the pandemic: [These are sample statements that may or may not apply to you, you can use them to tell your side of the story, for any statements you use please try to include facts (who, what, where, when); feel free to include any information and facts that you want the Court to know; use as many sheets of paper you need]

[I tested positive for COVID on (date).]

[I was quarantined for (number of days) days in (my cell/Segregation/Restricted movement unit).]

[The symptoms of COVID that I've experienced are (difficulty breathing, loss of taste, nausea, chills/fever, weakness, irregular heartbeat, body pains, etc).]

[I requested Compassionate/Extraordinary Health Release on (date) and was denied based on (staff name or policy) that I was ineligible because (reason for denial).]

[During this time, I was restricted from (rec, phone calls, library, legal access, etc).]

[Staff failed to prevent the spread of the virus by (failing to wear masks, providing inadequate masks/cleaning supplies/gloves/medical care, failing to follow/enforce COVID protocols, etc).]

[My institution is overcrowded. This causes (lack of bathroom access, using cells meant for one person for two, slow HSU response, other things that shows overcrowding).]

[Anything else you've seen about how staff handled the pandemic that doesn't seem right to you or made things harder for yourself or others]

I declare, under penalty of perjury, that the forgoing is true and correct.

Executed on: [Insert date] at [Insert the city part of your mailing address], Wisconsin.

By: [Sign here]