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Attorneys for Defendant
THE GEO GROUP, INC.

UNITED STATES DISTRICT COURT**CENTRAL DISTRICT OF CALIFORNIA – EASTERN DIVISION**

RAUL NOVOA, JAIME CAMPOS
FUENTES, ABDIAZIZ KARIM, and
RAMON MANCIA, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

THE GEO GROUP, INC.,

Defendant.

THE GEO GROUP, INC.,

Counter-Claimant,

vs.

RAUL NOVOA, JAIME CAMPOS
FUENTES, ABDIAZIZ KARIM, and
RAMON MANCIA, individually and on
behalf of all others similarly situated,

Counter-Defendant.

Case No. 5:17-cv-02514-JGB-SHKx

Assigned to Hon. Jesus G. Bernal

**DEFENDANT THE GEO
GROUP, INC.'S NOTICE OF
SUPPLEMENTAL
DECLARATION**

Hearing Date:

Date: April 16, 2020

Time: 2:00 p.m.

Crtrm.: Telephonic Hearing

TAC Filed: September 16, 2019

SAC Filed: December 24, 2018

FAC Filed: July 6, 2018

Comp. Filed: December 19, 2017

Trial Date: February 2, 2021

1 Defendant The GEO Group, Inc. (“GEO”), hereby gives notice of the attached
 2 Declaration of Eric Staiger in support of Defendant the GEO Group, Inc.’s Opposition
 3 to Plaintiffs’ *Ex Parte* Application for a Temporary Restraining Order Requiring
 4 COVID-19 Prevention Measures for Nationwide HUSP Class. The Declaration is
 5 attached as Exhibit 1. GEO submits this declaration to provide additional information
 6 to the Court, and Plaintiffs, in advance of the hearing set for April 14, 2020. This
 7 declaration is relevant to Plaintiffs’ initial application where they alleged that COVID-
 8 19 was present in the Pine Prairie ICE Processing Center in Louisiana.¹ ECF 252-1,
 9 15. GEO has investigated Plaintiffs’ allegations. The attached declaration provides
 10 accurate details about the instances of COVID-19 at the Pine Prairie Facility and
 11 additional detail not provided by the news article cited by Plaintiffs in support of their
 12 allegations.

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 14 Dated: April 13, 2020

AKERMAN LLP

By: /s/ Michael L. Gallion

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THE GEO GROUP, INC.

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¹ GEO has investigated the other facilities and has provided additional information to Plaintiffs’ counsel since the time of their Application. GEO has not identified any other facilities that require an update for positive cases, other than Pine Prairie.

EXHIBIT 1
To Defendant The GEO Group, Inc.'s
Notice of Supplemental Declaration

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Case No. 5:17-cv-02514-JGB-SHKx

Assigned to Hon. Jesus G. Bernal

**DECLARATION OF ERIC
STAIGER IN SUPPORT OF
DEFENDANT THE GEO
GROUP, INC.'S OPPOSITION
TO PLAINTIFFS' EX PARTE
APPLICATION FOR A
TEMPORARY RESTRAINING
ORDER REQUIRING COVID-19
PREVENTION MEASURES FOR
NATIONWIDE HUSP CLASS**

Counter-Defendant.

DECLARATION OF ERIC STAIGER

I, Eric Staiger, hereby declare:

1. I am the Facility Administrator at the Pine Prairie ICE Processing Center ("Pine Prairie Facility"). I am over the age of eighteen (18), and I am competent to testify in this matter. My statement is based upon my personal knowledge, and my education, training, and experience.

1. The Pine Prairie Facility has implemented rigorous processes to avoid the exposure of the detainee population to COVID-19 and to ensure that procedures are put in place to avoid the spread of COVID-19 in the event that COVID-19 were to be introduced to the Pine Prairie Facility.

2. To date, there have been two incidents of COVID-19 at Pine Prairie. Both incidents have been contained consistent with the Center for Disease Control and Prevention's ("CDC") recommendations.

3. The first confirmed case of COVID-19 in the Pine Prairie Facility resulted from a recent transfer from Oakdale Federal Prison. The individual tested positive at the time of his transfer from the Oakdale Federal Prison. The individual has been held in medical isolation, with constant medical care, since his arrival. He has not had any contact with other detainees in the facility. When the individual arrived at Pine Prairie, he was asymptomatic. On Friday, April 10, 2020, I received the results of a test administered by our facility which came back negative. The individual was tested again to confirm the negative result. On April 13, 2020, I received the results of a

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1 second test for the individual, that test also came back negative. As of the date of this
2 declaration, two tests have confirmed that the individual is negative for COVID-19.
3 Because the detainee has tested negative two times, he will be transferred out of the
4 Pine Prairie facility in the very near future.

5 4. The second confirmed case of COVID-19 was a detainee who arrived at
6 the facility late last week. Upon arrival he was taken for a medical examination as part
7 of his intake screening process. During his medical screening presented with symptoms
8 and was immediately isolated. He was tested by the medical staff at the facility and on
9 Friday night, his results came back positive for COVID-19. He remains in medical
10 isolation with constant care. He did not and has not had any contact with any
11 individual who was already detained within the facility. He did have contact with other
12 individuals who travelled with him to the facility and arrived for intake. Every
13 individual who travelled with detainee who presented symptoms at intake (and later
14 tested positive for COVID-19) has been housed in an isolated unit away from other
15 detainees. None of those detainees have experienced symptoms of COVID-19. If they
16 do, they will be medically isolated and tested.

17 5. Our facility is in possession of additional tests and they will be
18 administered consistent with the CDC guidelines and advice of medical professionals.

19 6. Attached as Exhibit A is a true and correct copy of the CDC Interim
20 Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional
21 and Detention Facilities. GEO utilized this guidance to educate its personnel and
22 detainees at the Pine Prairie Facility about COVID-19. GEO further utilized this
23 guidance to develop its policies and practices for addressing COVID-19. My
24 declaration below provides some specifics about GEO's implementation of the
25 guidelines at Pine Prairie Facility. I have not attempted to describe in totality each and
26 every action taken by the facilities and GEO staff to implement the guidelines or any
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1 other precautions, nor could I do so within the limitations of a publicly filed
2 declaration. However, I hope to convey to the Court that GEO is being proactive and is
3 taking COVID-19 seriously to reduce the risk of infection.

4 7. The health, safety, and well-being of detainees at Pine Prairie Facility
5 correlates with the health, safety, and well-being of GEO staff, GEO administration,
6 and our families. Our interests are aligned with respect to mitigation strategies to slow
7 the spread of the coronavirus and resulting infections of COVID-19.

8 8. GEO has held multiple town hall meetings for detainees, since the
9 beginning of March about COVID-19. These meetings include medical professionals
10 who answer detainees' questions about COVID-19 and keep detainees aware of the
11 ongoing situation.

12 9. As with all others across the country, we are continuing to evolve our
13 practices as we learn more about COVID-19. We continue to implement
14 supplementary safety measures, in addition to those listed below, as information
15 becomes available.

16 Social Distancin and Access Limitations

17 10. The Pine Prairie Facility has implemented a number of limitations, in
18 connection with ICE, to reduce the introduction of any outside sources of
19 contamination into the facility.

20 11. Limited Visitation: ICE has temporarily stopped all in-person visitation
21 for detainees and their family and friends with the exception of detainees' attorney
22 visits. Attorneys who wish to enter the building must wear Personal Protective
23 Equipment ("PPE") including an N-95 or surgical masks, goggles, and gloves.
24 Otherwise, all visits are restricted to videoconferencing on tablets that are provided to
25 detainees and telephone interviews with attorneys.

26 12. Anyone Enterin the Pine Prairie Facility: Any individual who enters the
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1 facility must first complete a screening questionnaire to determine whether the
2 individual has a likelihood of exposure to COVID-19. This includes all GEO staff,
3 medical staff, ICE personnel, and other regular personnel within the building, as well
4 as those who arrive for purposes of attending proceedings at the immigration court
5 within the Pine Prairie Facility. Thereafter, GEO staff take the temperature of all
6 individuals seeking entry. Anyone who presents with a fever must return home until
7 cleared by a medical professional. Staff are not permitted to work when they are sick
8 and are advised to stay home if they develop symptoms of COVID-19 or come into
9 contact with someone who has been exposed. All staff who are potentially exposed
10 have been instructed to follow CDC guidelines for self isolation and medical care.

11 13. Contractors: Non-emergency contractors are not presently permitted
12 within the Pine Prairie facility.

13 14. Incomin Detainees: The Pine Prairie Facility has also placed restrictions
14 on any new detainees who arrive at the facility for detention. All detainees are screened
15 for COVID-19 exposure upon arrival at the facility, before entering the secure portion
16 of the facility. After a medical professional confirms that there are no clinical signs of
17 COVID-19, and that their travel history does not raise significant concerns of
18 exposure, each incoming detainee must undergo a minimum of a fourteen-day waiting
19 period before being housed in the general population. This procedure allows GEO to
20 address concerns that new individuals who are asymptomatic may be carrying COVID-
21 19. During this period, new detainees are regularly checked by medical professionals
22 for symptoms. If a detainee were to present concerns of exposure to COVID-19
23 because of his or her symptoms, the detainee would be placed in a negative pressure
24 medical holding cell, or alternatively, would be denied access to the facility. All
25 detainees who cannot verify their travel history, or who have been to areas considered
26 "hot spots," are placed immediately in medical isolation or denied access to the facility
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1 if space is unavailable. All medically isolated individuals are checked daily by medical
2 staff. This procedure has been effective, as GEO was able to isolate the asymptomatic
3 individual who was transferred from Oakdale Federal Prison from the rest of the
4 population using these techniques.

5 15. Social Distancin within Livin Units: GEO has opened additional living
6 units to provide for additional space for each detainee in his or her living unit. As a
7 result, the current population in each pod or dorm significantly less than total capacity
8 of each unit. All meals served in the dining hall are served to 45 or fewer detainees at a
9 time, when typical capacity is double that. Detainees are able to maintain a 6 foot
10 distance between each other when getting their meal and eating their meal.

11 16. Social Distancin for Other Activities: GEO has temporarily ended all
12 visits from volunteers to reduce the exposure to outside pathogens. Detainees may still
13 use the law library, but social distancing is practiced by limiting the number of
14 individuals in the law library at any one time. Detainees may still engage in recreation
15 but the number of individuals engaged at a time is limited to a number whereby six (6)
16 feet of distance can be maintained between each detainee. Detainees no longer share
17 recreation time with other housing units and instead are limited to interactions with
18 their own housing units. Further, staff has been instructed to clean and disinfect all
19 equipment between each use.

20 17. Detainees Who Leave the Facility for Medical or Other Appointments:
21 Detainees who must attend medical appointments or immigration-case related meetings
22 off of the premises of the Pine Prairie facility are immediately placed in restrictive
23 housing upon their return for a minimum of 14 days in an effort to reduce concerns the
24 detainee could have been exposed to COVID-19 while in the community and prevent
25 any unintended spread of the same.

26 Enhanced Hgiene Practices

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18. Supplies: I have assessed GEO's stock of soap and cleaning supplies and all supplies are stocked and not at risk of depleting in the near future. Further, there are supplies to provide hand sanitizer in strategic areas throughout the facility. I have a plan in place to keep supply stocks replenished as needed. GEO uses EPA approved cleaning products that have been demonstrated to be effective against the coronavirus, more specifically HDQ cleaning product which appears on "List N" of the EPA's approved list of cleaners. That list can be accessed here: <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>. The Pine Prairie Facility currently has an ample supply of this cleaning product, which is used to disinfect all hard surfaces.

19. Intensified Cleaning. GEO has implemented intensified cleaning of surfaces and objects that are frequently touched, both inside and outside of the secured perimeter. GEO staff must sanitize all hard surfaces and high-touch areas multiple times during each officer's shift, including tables, doorknobs, telephones. GEO uses EPA-registered disinfectants that are represented to be effective against the virus that causes COVID - 19. GEO is not diluting disinfectants below effective levels. GEO has gloves for use with cleaning. Detainees are issued these gloves to clean. Detainees have not complained about the availability of cleaning supplies. Detainees have access to additional bottles of disinfectant in their housing units.

20. Reinforced Hygiene: GEO has reinforced healthy Hygiene practices and has made supplies available to encourage safe hygiene practices. GEO plays a video on a loop in all housing areas that demonstrates the proper handwashing technique. This video is also available on detainee tablets. GEO has also made the information attached as Exhibit B available to all detainees.

21. Staff PPE Use: GEO staff have been issued surgical masks within the past week. Going forward each GEO staff member will receive three (3) masks a week with

1 instructions for their use and disposal.

2 22. To my knowledge, ICE continues to release detainees who are identified
3 as high risk as it relates to contraction of the COVID-19 virus.

4 23. All detainees are provided with soap and may replenish their soap anytime
5 it runs out. There is no risk that detainees do not receive soap.

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 I executed this Declaration on the 13th
8 day of April, 2020, in Pine Prairie, Louisiana.

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12 Eric Staiger, Declarant
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