

EXHIBIT 6

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DECLARATION OF DENNIS MORENO

I, Dennis Moreno, declare:

1. I have personal knowledge of the facts set forth in this declaration.

2. I am a detainee at the Tulare County Sheriff’s Department (“TCSD”) Bob Wiley Detention Facility (“Bob Wiley”) in Unit 21, Cell 203 in Visalia, California in Tulare County. I have been incarcerated in the Tulare County jails since December 12, 2018. My current booking number is 9900048881.

3. I am 69 years old. Because of my age, I am vulnerable to severe COVID-19.

4. One of my friends in my unit was Kevin Gardner, who died while in custody on October 8th, 2021. (He was also known as Kevin Brown.) Kevin was housed in Cell 101.

5. Since Kevin was the same age as my oldest son, I bonded with him more. We enjoyed talking with each other very much. We’d use our program time to talk about the Bible and different scriptures. We would also gather to pray for each other. He shared a lot with me about his family, especially his two daughters. Since his cell was on the bottom tier and I was up at the top tier of our unit, our program time would differ, so he’d sometimes come up to my cell door to talk to me or I’d go downstairs to his cell and talk to him. We were able to speak to each other through an opening on the side of the door. Kevin didn’t have anyone to put money on his books, so I’d always give him some soup and coffee.

6. I believe that Kevin died of COVID-19 because TCSD staff did not take care of him. He was sick in the days before he died, and believed he had COVID, but the jail staff did not respond to his sickness until it was too late.

7. On Thursday, October 7th, 2021, I saw TCSD deputies take Kevin out of our unit for his court hearing. After he got back from his court hearing, I went down to Kevin’s cell to speak to him. That’s when he told me he was feeling sick and he thought he had COVID. I told Kevin he needed to be checked by staff. He said he had informed the bailiff at the courthouse about his sickness and requested help. Kevin said the bailiff told him he

1 shouldn't have been taken to court to begin with because of his sickness, and that he
2 should've stayed in his cell, but that was it.

3 8. The next morning on October 8th, 2021, Kevin came to my cell to talk to me.
4 I noticed Kevin looked sick. He looked sweaty and hot like he had a fever. His face was
5 red like a tomato. I asked him if he felt okay. Kevin then told me he was experiencing
6 chills, night sweats, body aches, and he felt sick.

7 9. Later that night, on October 8th, 2021, Kevin again came to my cell around
8 8:30 pm to ask for some Tylenol because he had a very bad headache. Kevin kept saying "I
9 have the coronavirus" and that he had a headache. When I asked if he had tried calling the
10 jail staff, Kevin said he tried calling them for two days but still hadn't received help from
11 staff. I believe he used the callbox in our unit to call them. I'm not sure if he put in a sick
12 call request.

13 10. Kevin was very concerned about his health to the point he asked me to pray
14 for him. I remember him saying over and over how sick he felt. I don't know if he was
15 tested, but he kept saying he had the coronavirus. I didn't have any Tylenol to give him, so
16 I gave him some coffee instead. He took the coffee and left to ask other detainees in our
17 unit for Tylenol.

18 11. Later on that night, at around 11:00 pm, I heard a sheriff deputy yell Mr.
19 Brown's name. Since I'm on the top tier of Unit 21, I was able to see the deputy run to
20 Kevin's cell door with a flashlight. I could hear the deputy repeatedly ask Kevin if he was
21 okay, but there was no response.

22 12. Two to three nurses came into our unit and rushed over to Kevin's cell. I
23 overheard one of them say Kevin's face was purple and he wasn't breathing. A few
24 moments later, the fire department arrived and brought in a defibrillator to shock Kevin.
25 They also worked to put an IV in his arm. They worked on him for about 30-40 minutes.

26 13. After everything calmed down and the nurses and fire department left, a jail
27 guard was going through his normal round of checking in with each cell. When he came to
28 my cell, I asked him if Kevin had passed away, and he said yes. Later on that night,

1 someone in Unit 21 kept yelling out to everyone “He died! He died! He’s dead!”

2 14. Kevin’s death has been difficult. I went from talking to my friend one minute
3 to him being dead the next. Everyone deserves a second or third chance, including Kevin.
4 He was supposed to be released in 16 days. He was a good-natured guy. He was a nice
5 man. He shared with me how excited he was to re-connect with his two daughters in
6 Wyoming. He planned to be more involved with church and wanted to preach in the
7 streets. He also wanted to start a prayer group with released detainees to provide support
8 and strength for one another. Kevin always prayed for everyone. I can’t believe he is dead.

9 15. From what Kevin shared with me, it feels like the jail staff did neglect him. I
10 think his death could have been prevented if they would’ve checked on him earlier. Ever
11 since his death, I’ve seen the staff disinfect the bars, tables, and walls in our unit. The unit
12 was also immediately put on lockdown.

13 16. I believe that the jail’s slow response to Kevin’s symptoms did not just affect
14 Kevin, but affected everyone in our unit and maybe beyond. I remember seeing Kevin
15 interact with some people in the bottom tier before his death. After October 8th, 2021, I
16 know of five other people in our unit who became infected with COVID-19 after Kevin’s
17 death. Two of them are currently in the bottom tier and the other three are up in the top
18 tier.

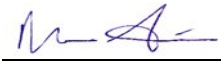
19 17. Kevin’s death and the neglect by TCSD staff makes me wonder who will die
20 next. I don’t feel safe in here. After seeing what happened to Kevin, I wonder if Bob Wiley
21 has enough adequate medical staff to deal with an outbreak like this. I don’t think they do.
22 I also don’t think the medical staff was well-trained enough to save Kevin. They didn’t do
23 the basic things that they were supposed to do, like respond quickly to COVID symptoms
24 and test people for COVID.

25 18. Because of my confinement and the COVID-19 pandemic, I am not able to
26 sign this declaration in person. This declaration was read to me over the phone by
27 Maricela Sanchez on October 28th, 2021. I understood and verified its contents in full, and
28 authorized Maricela Sanchez to sign the declaration on my behalf.

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I, Maricela Sanchez, certify that I have read the foregoing to Dennis Moreno and that he affirmed the foregoing is true and correct on October 28th, 2021.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed at Fresno, California this 28th day of October 2021.



Maricela Sanchez