

EXHIBIT 7

DECLARATION OF MICHAEL BALDERAS

I, Michael Balderas, declare:

1. I have personal knowledge of the facts set forth herein.

2. I am currently incarcerated in the Tulare County Sheriff's Department ("TCSD") Bob Wiley Detention Facility ("BWDF") in Unit 42. I have been incarcerated since April 25, 2019. I am a pre-trial detainee. I am 31 years old.

3. Early in the week of October 4, 2021, I heard other incarcerated people coughing in my unit. I saw other people in the unit who looked visibly sick. I talked with some of these people during dayroom. They told me that they felt sick. The person next door to my cell was one of these people. That week, he told me that he had put in a sick call slip because he didn't feel well.

4. A few days later, on October 8, 2021, I started feeling sick myself. I had a runny nose, a headache, and a lack of energy.

5. On October 9, 2021, my cellmate and I were tested for Covid-19. We were not told our results that day.

6. Over the next few days, my symptoms got a lot worse. I started struggling to breathe. I had regular coughing fits and could barely walk. I spent the whole day sleeping and felt like my body was shutting down. I felt terrible.

7. During this time, I told the nursing staff in my unit everyday that I felt terrible and that I needed medical care. The nursing staff would only take my temperature and then walk away.

8. By October 14, 2021, I was in really bad shape. I felt almost lifeless. I just lay on my bunk and couldn't eat. I was coughing all the time. I felt helpless. I was afraid to go to sleep every night because I wasn't sure if I would wake up.

9. On October 18, 2021, I was finally told that I had tested positive for Covid-19. That day, my cellmate pressed the call button in our cell to tell the nursing staff that I couldn't breathe. When he did this, I was on the floor of our cell gasping for air. The nurses did not come for five minutes. When they came, I was taken out of the cell to the

1 front of BWDF. At the front, the nurses took my vitals, told me that they couldn't give me
2 any treatment, and had me returned to my cell.

3 10. On October 19, 2021, a medical provider came to my unit for the very first
4 time. He came to my cell-front after a TCSD deputy told him that he needed to evaluate
5 me. I came to the cell-front and was gasping for air. He took my vitals and checked my
6 breathing. He said that I had possible pneumonia and needed to go to the hospital.

7 11. I was then sent to the hospital. I spent the next ten days there. I was barely
8 conscious for the first week. I was put on an oxygen mask and an IV. The staff there told
9 me that I had pneumonia. I was in really bad shape. I worried that I could die.

10 12. On October 29, 2021, after ten days in the hospital, I was returned to Unit
11 42. I had lost over thirty pounds. I'm now recovering, but I still have bad dizziness and
12 shortness of breath. Staff still don't give me an inhaler for my shortness of breath when I
13 ask for one, even though I spent ten days in the hospital. I'm worried that I'll never recover
14 from this.

15 13. In the spring of 2021, I was offered the Covid-19 vaccine. I was housed at
16 the South County Detention Facility at the time. The day I was offered the vaccine, I had
17 just got back from court when medical staff came to my unit. The medical staff asked if I
18 wanted the Covid-19 vaccine. I asked if they had any information about the vaccine, such
19 as a medical brochure. They told me that they did not have any information about the
20 vaccine. I asked them whether the vaccine had any side-effects. They just told me that
21 taking the vaccine was a yes or no question and refused to give me any information at all
22 about the vaccine. Because the staff refused to give me any information about the vaccine,
23 I refused the vaccine. If I had been given information about the vaccine, I likely would
24 have taken it. Staff have come by to offer the vaccine since then, but each time it's the
25 same thing – they have refused to give me any information about it. If I had been given the
26 information to provide informed consent and had gotten the vaccine, I likely would not
27 have had such a bad case of Covid-19.

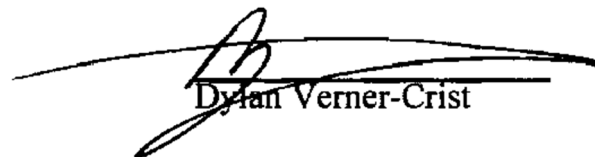
28 14. If TCSD staff had quickly tested and quarantined the sick people in my unit

1 in early October, I don't think I would have gotten sick. Likewise, if staff had given me
2 information about the vaccine, I could have gotten vaccinated and been protected against
3 severe Covid-19. Instead, I got seriously sick and was hospitalized for ten days. I honestly
4 feel that TCSD failed to take the proper precautions to protect me and other incarcerated
5 people from Covid-19. There was way more that they could have done. Their indifference
6 almost cost me my life.

7 15. Because of my confinement and the COVID-19 pandemic, I was not able to
8 sign this declaration in person. The declaration was read to me over the phone by
9 investigator Dylan Verner-Crist on October 31, 2021. I understood and verified its contents
10 in full, and authorized Dylan Verner-Crist to sign the declaration on my behalf.

11 I, Dylan Verner-Crist, certify that I have read the foregoing to Michael Balderas and
12 that he affirmed the foregoing is true and correct on October 31, 2021.

13 I declare under penalty of perjury that the foregoing is true and correct and that this
14 declaration is executed at Berkeley, California this 31st day of October, 2021.

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