The following is a personal account of events that took place during a lockdown that occurred on Tuesday, September 19, 2017 at the Puerto Rico Federal Detention Center due to Hurricane Maria and the regrettable set of circumstances surrounding the deplorable living conditions of our confined quarters and officers' abusive treatment:

The Federal Detention Center went into a complete lockdown status and all inmates were to be locked and secured in their respective cells due to a category 5 hurricane approaching the island of Puerto Rico with winds in excess of 120 mph. The hurricane damaged the vast majority of the island and the Federal Detention Center was left with no electricity or running water. For the following 7 days all inmates were to remain locked in their cells. That night my cellmate and I noticed that our toilet would not flush and that our sink had no running water to drink from. The electricity was also not working. The next morning breakfast was brought to our cells by the officers, and as I requested information as to the severity of the hurricane to the officer he disregarded my question. I felt vulnerable and afraid. Lunch that afternoon, like breakfast, was running behind and was a bologna sandwich and a bottled water. Shortly after lunch I requested to officers if something could be done about our toilets not flushing or if they could look into providing us with something to place over the toilet to keep from having to smell and see feces and urine while eating. The officers responded that there was nothing they could do regarding the water and that they would look into bringing something to place over the toilet, but nothing was ever brought. The smell in our cell was nauseating. That evening our cell became so dark that you could not see your hand in front of your face. Dinner was brought with no bottled water and officers told us that bottled water would be brought later, but never arrived. I again raised my concern over the toilet and foul smell situation.
but was told to be patient and left in the dark. Literally. That night I could not see what I was eating. Many questions were made to officers that evening such as toilets not flushing, the smell and sight of human waste while eating, lack of drinking water, lack of shower, but all were either ignored or put off. However one officer promised us that we would be able to flush our toilets and how bottled water would be available before the night was over. That night ended and our toilets were never flushed nor was the bottled water brought as promised.® The next day I along with numerous inmates were becoming scared and highly concerned that the disastrous situation that the hurricane caused was so severe and extensive that prison officials could not provide or protect us. Our repeated requests were being ignored but most frightening was the officers not being able to provide basic water to consume. On top of that, our living quarters were slowly becoming conditions not fit for human habitation. On several occasions I noticed officers seemed confused and not concerned about our safety or protection. The lack of due care for the inmates interests or safety, the lack of restoring official control over a disastrous situation, and the failure to plan ahead despite the Governors warnings prior to the hurricane had all become a major concern to me. Around noon a memo was handed out to all inmates informing us that we would all have access to flush our toilets after every meal. We were also let out of our cells, a few inmates at a time, to place phone calls to family. Because of the downed phone lines throughout the island hardly any inmate got a connection. The smell of sewage was in the air, perhaps because our cell doors were open. Lunch arrived, with one bottled water, and we were all locked back into our filthy cells after only being out for half an hour. After the stale bologna sandwich and bottled water our toilets were finally flushed. Officers would
allow the toilets to flush for about ten seconds or so and during these ten seconds inmates, myself included, would gather water from the sink into a bowl or refill the empty plastic water bottle before the officer would quickly turn the valve off. Little did we know that this would be the last time our toilets would be flushed until our evacuation date. The next day my cellmate and I had diarrhea. I blamed it on the food being unclean and unwholesome, but my cellmate suggested it was bacteria and unsanitary conditions that floated about in our foul and filthy confined quarters. We even asked for cleaning supplies but our numerous verbal requests went unanswered. I feel that a filthy cell is intolerably cruel given these circumstances where we were provided no sanitary means of disposing of our human waste. Conditions were so bad that officers refused to come near.

The next day officers were not coming near our cells but only to provide meals and to count. The negligence and abusive treatment was beginning to agitate the inmates. Once again our toilets needed flushing but officers were not keeping or following the memos instruction on flushing our toilets after every meal. Due to these conditions I threw up in my toilet that evening and decided I could no longer eat with the intoxicating smell and stench that lingered in our cell every day. The next day an inmate whose cell is on the upper tier in our unit passed out and was hauled off on a stretcher by several officers. A couple of hours later the bottom tier in our unit began to experience flooding and water was slowly entering underneath all of our cell doors. Inmates began yelling and kicking cell doors terrified at the thought of where this water was coming from and why. Rumors were that a pipe busted, others were that we were being drowned and others were that an inmate activated the fire alarm sprinkler inside of his cell. It turned out to be the latter as I was later told. The water continued to flow
inside of every cell on the bottom tier. The kicking of the cell doors also continued, causing a small glass portion located on a cell door to shatter. Shortly after, during count time, officers noticed the shattered glass and entered the cell brutally, punching and beating on both of the inmates that occupied said cell. Once the two inmates were in handcuffs another officer pepper sprayed both of the handcuffed inmates. Inmates started collecting water from the flooding and scooping it off of the ground and placing it in our small plastic trash buckets in order to manually flush the toilets. Unfortunately a toilet or two clogged up and began to overflow with urine and human waste throughout the unit. Meanwhile officers are attempting to work on shutting off the plumbing connected to the fire alarm sprinkler that is the cause of the flooding, but several officers attempts are unsuccessful. From my cell I can see officers coming and going and only after one hour do the officers finally have the unmanageable flooding under control. Later I would see the bruised face of the inmate who was housed in the cell where the flooding came from. It turns out that many of the officers that were running in and out of our unit that day were possibly U.S. Marshalls or from other facilities because the following day was the surprise evacuation. Many inmates tried to address our situation to these new set of officers but because of the language barrier it was difficult to communicate our concerns. The U.S. Marshalls seemed willing to help us, but it was too late. At this point it was evening and we were never given dinner. A combination of not being able to feed us, not being able to stop the flooding in time and the stench in the air only aggravated the officers. Perhaps the passing out of an inmate on their watch only added to the mix. Later I was told that the inmate is sick and suffers from seizures. Seeing that this physical environment was not under control the Warden Vazquez reacted with abusive and excessive force.
That night while the majority of the inmates were either asleep or sitting around in their boxers, a team of numerous officers made a dynamic entry into every cell yelling to get on the ground over and over. Because every cell’s floor was covered in feces and urine infested water most inmates were hesitant and the ones who refused or stalled to get face down in the dirty water were either pepper sprayed or shot at close range with a machine gun type weapon that fires rubber bullets. Several inmates were shot multiple times and had bleeding and severe bruising from the close proximity of the fired shots. One inmate in the cell adjacent to mine was shot several times and the blood was visible thru his white t-shirt. He later showed me the scars as a result from the rubber bullets. So much pepper spray was used that every inmate was coughing, choking, and blinded. The cloud of pepper spray was so large that even the officers were coughing despite some of them wearing masks. As soon as my cell door was opened my cellmate and I got face down in the dirty water with our hands behind our backs for approximately ten seconds for the zip ties to be placed on our wrists. No mercy was shown for my cellmate who is a sick elderly man in his sixties and who is blind out of his glass eye. I felt extremely intimidated at the officers harsh actions. Officers subdued the unit but not before kicking several detainees, pepper spraying others and shooting a few. Then all the inmates were rounded up and ordered to sit down next to one another in the center part of the unit. One inmate was complaining about the zip ties being on too tight and as soon as Captain Moreno noticed that this inmate’s hands were turning blue due to lack of blood flow, he quickly grabbed a pair of scissors to cut off the zip ties but could not get the scissors to fit between the zip tie and the wrist. At this point the inmate is screaming and it takes Captain Moreno along with another officer around one full minute before the zip tie is finally
cut off drawing blood from the inmates wrist in the process. The inmate was crying and the officers grabbed a rag to stop the bleeding. Meanwhile the coughing continued and many inmates private parts could be seen thru their wet boxers. Aside from this humiliation, other inmates were injured and received no medical attention. Only then did Warden Vazquez appear along with this time an even more numerous team of both male and female officers also aiming weapons at us. Warden Vazquez began to address the inmates by yelling and gave a very humiliating speech. After this speech every inmate was placed in a single file line in front of the mop facility room where the cruel and inhumane punishment was to continue. The discomfort I felt of not knowing what was going to happen to us in the mop facility room was devastating. While one officer would escort the zip tied and injured inmate to the mop facility room another officer would wait inside with a water hose in hand. The officer with the water hose would have us stand inside against a wall facing him so that he could pressure spray our faces with water. The water was sprayed directly into my face and caused my glasses to fall off. I began to choke and was forced to close my eyes and look away to catch my breath. Supposedly this was to ease the burning of the pepper sprayed inmates according to the officers but not all inmates were directly pepper sprayed yet all had to undergo the humiliating water hose treatment. I was then taken back to my cell but slipped and hurt my leg on the way to my cell. The female officer following behind me was not able to catch me, but did assist me in getting up since I was zip tied and could not get up myself. I was placed in my cell drenching wet and cuffed and roughly after two hours did officers go cell to cell to remove the zip ties from our wrists. That night I had no dry clothes to sleep in and slept naked underneath my bed sheet.
Early the next morning we were told by an officer at our cell that we had less than two minutes to get dressed whether our clothes and uniforms were wet or dry. I put on my wet clothes, stepped out of my cell and was immediately handcuffed and shackled for evacuation. We arrived in Mississippi that evening and got a bottled water and a sandwich to eat. Over twenty-four hours had elapsed since we were last fed. And more than seven days without a shower. The officers' conduct violated the inmates rights and I feel the officers applied excessive force for the sole and impermissible purpose of inflicting unjustified harm on the detainees. The officers' failure to protect elevated to a point that is unreasonable and does not reflect normal policy.

I, Milton Pinilla, have personal knowledge of each and every fact set forth in this affidavit, and if called to testify in this matter I could and would completely testify to each of the facts set out in this affidavit. I declare under penalty of perjury, under the laws of the United States of America, that this statement is all true and correct.

I signed this affidavit on Nov 30, 2017 at Yazoo City, MS.

Milton Pinilla