

**Declaration of Westview County  
Jail Corrections Officer Ty Hayward**

My name is Ty Hayward and I am a corrections officer in the medical department of the Westview County Jail (WCJ), which houses about 350 inmates at any given time. I was born and raised in Westview. I graduated from Westview High School and got my associate's degree in criminal justice from Westview Community College. I started working at WCJ after I graduated from WCC in 2006.

I was initially hired as a detention officer for the "B Pod," which was a standard low-risk male detention unit at WCJ. After being shuffled between a few units over the years, I began training to work with the medical staff and was reassigned to the medical unit in 2015. Although I am not a doctor or trained healthcare provider, I have received basic training in emergency medical care, First Aid, CPR, and AED training, and I often assist the nursing staff when they are overwhelmed.

WCJ contracts with a number of physicians, physician's assistants, advanced registered nurse practitioners, and other healthcare providers throughout Westview for specialty care, in addition to employing in-house doctors and nursing staff. We also often work with St. Anthony's Hospital, as it is the closest emergency medical facility. There are extensive protocols in place to ensure the health and safety of inmates at WCJ.

The COVID-19 pandemic presented a significant risk to the health and safety of incarcerated individuals. At WCJ, however, we implemented additional measures to minimize the spread of the virus and protect our staff and inmates. We strictly adhered to the CDC's Guidance for Correctional and Detention Facilities. Beginning in April 2020, we divided an entire housing unit into three sections: one to isolate individuals with confirmed

COVID-19, one to isolate individuals with suspected COVID-19, and a third to quarantine close contacts of those with confirmed or suspected COVID-19. Additionally, we were in constant contact with city, county, and state public health officials, as well as partner law enforcement agencies and other nearby correctional facilities. We limited the transfer of inmates to the extent we could. Although the pandemic has made things more difficult and often meant we were relying on a reduced staff, we still have successfully managed our general healthcare practices in addition to COVID safety procedures.

Of course, these protocols have not been perfect. The COVID-19 pandemic was at its peak in Stetson between December 2020 and March 2021. At that time, we had about three dozen “positive” inmates at any time. Luckily, only half of them tended to be symptomatic cases, and we only had to provide 20 inmates with intensive medical care in the last 10 months. Those 20 inmates had preexisting conditions or comorbidities. The asymptomatic cases are harder to detect because we can only afford to administer tests if a person is symptomatic or if an inmate says they had direct contact with a person who tested positive in the last 10 days.

Now, the main concern is the spread of the COVID-19 Theta Strand in Stetson. We do not have the authority to administer the COVID-19 vaccine to inmates and we certainly cannot compel vaccination. In any event, about 80 percent of our inmates and staff are vaccinated. At present, we have three inmates who have tested positive for the COVID-19 Theta Strand. One is in administrative confinement, another is in the jail’s infirmary, and another was transferred to St. Anthony’s for more personalized treatment. As far as I can tell, there are not any inmates in general population who are positive for the Theta Strand.

Wanda Maximoff arrived at our facility on Thursday, September 23, 2021. I was immediately made aware of her medical issues, her vaccination status, and her need for treatment. Generally, WCJ will maintain continuity of care to the extent such treatment is reasonably accessible and can be provided to an inmate based on WCJ's security concerns. Maximoff's need for treatment during her detention is not so complicated or difficult that it will present issues for WCJ to continue her treatment. We currently have about five inmates receiving dialysis treatment several times each week. We contract with Westview Dialysis Center to provide necessary treatment for inmates. They send a dialysis technician to WCJ a few times a week to administer dialysis for these inmates, and we've never had issues with them since their contract started in June 2018. As long as I get valid documentation from her treating physician confirming that she actually qualifies and needs dialysis, and letting us know how often she needs it, I will make sure that is handled here.

I am aware of the pending civil case filed by Joaquin Torres about his dialysis treatment. What happened to him in November 2018 was unanticipated and very sad, but that case had nothing to do with our contract with Westview Dialysis Center. At that time, Torres was authorized to be transported for treatment at an outside primary physician, but he simply declined to go one day. Maybe it was because his family stopped coming to visit him. Then, he went into shock. If he had not refused treatment or spoke up about any pain, we would have treated him right away.

Maximoff does not present any security concerns such that I would be concerned for her escape or insubordination during her medical treatment, and she said she would not do "anything stupid" that would risk her health or keep her from seeing her kids. Maximoff pleaded for me to continue her

treatment with her physician, Dr. Lewis, but I advised her that WCJ could not afford to transport her multiple times per week to receive “concierge care.”

I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Ty Hayward

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Dated: September 24, 2021