

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION**

JAC'QUANN (ADMIRE)	)	
HARVARD, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No.: 4:19-cv-00212-MW-MAF
	)	
	)	
MARK S. INCH, <i>et al.</i> ,	)	
	)	
Defendants.	)	

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**DECLARATION OF JAC'QUANN (ADMIRE) HARVARD**

I, Jac'quann (Admire) Harvard, declare under penalty of perjury:

1. I am a 30-year-old Black transgender woman in a men's prison, Wakulla Correctional Institution Annex. I am the lead named plaintiff in this case. I was in solitary confinement for almost 10 years straight, from when I was 18 to 28 years old. I make this declaration based on my own personal knowledge.

2. I have worked closely with my attorneys to respond to all requests for information to the best of my ability, and I sat for a deposition in December 2020. I will continue to work with my attorneys, review materials they give me, and share my thoughts as the case moved forward. When I have had questions about the case,

I have asked and will continue to ask my attorneys for help so I can understand and participate.

3. I have been incarcerated in the Florida Department of Corrections (FDC) since 2009, when I was 18 years old, basically still a growing child. Less than four months in, FDC accused me of lying to staff to get a high-calorie diet and put me in Disciplinary Confinement. For the next ten years, FDC kept extending my time in isolation, and they did not let me out of isolation until 2019, when I was 28 years old. Since 2019, I have been in a mental health treatment program.

4. Whether they call it Disciplinary Confinement or Close Management, it's all the same - you are isolated from everyone and locked in a cell almost 24 hours a day. I was kept in isolation at a number of prisons throughout the years: Santa Rosa, Suwannee, Union, Suwannee, and Florida State Prison (FSP). There were no major differences in my experience of confinement between these prisons.

5. All the confinement cells are very small and you are not allowed to talk to the people in other cells. While I was in confinement, I would get so desperate to talk to another human being that sometimes I would talk to people in other cells through the vents or sign through the cell door even though I risked getting a DR. I could not see any nature outside of my cell window- just the rec yard and cages. It's like the only thing that existed around me was more prison. At FSP, the toilet was corroded and smelled bad. Also, the guards controlled flushing the toilets so I had to

put a sign up asking them to flush it. They didn't always do it, so my cell would often smell like feces and urine.

6. Sometimes in confinement I would refuse to come out of my cell to shower because if I did go, officers would ransack my cell, throwing around my mail and pictures, and taking things out of my locker when I left. Sometimes this happened more than three times a month, so I would only shower once a week to avoid leaving my cell and having my property thrown around. It was very distressing to have to choose between showering and having my personal things taken or destroyed.

7. Because I am transgender, I used to be allowed to shower on my own when I was in General Population. But while I was in confinement, showering was difficult and humiliating for me because the showers are in full view of cells, so other people could look directly at me from their cell windows. I feel female and am housed in a male facility, so privacy for me is very important. I have had men stare at me and watch me from their cells, and men have also masturbated while watching me shower.

8. Recreation time while in confinement is uncomfortable and just more time in a cage. The rec cages have pull-up bars but otherwise all I could do is walk in a circle with a fence all around me and even on top of me. It made me feel like an animal.

9. I was not allowed any personal visits during my time in confinement, since I was 18 years old. Besides the times I was able to use the phone while in the Transitional Care Unit, the only time I was allowed a phone call while in isolation was in 2010, when I talked to my aunt when my great-grandmother died. I need these phone calls to help me deal with the huge strain of not being able to get family visits.

10. FDC has diagnosed me with gender dysphoria, schizoaffective disorder, depression, anxiety, and high blood pressure. My time in confinement kept getting extended because FDC repeatedly gave me DRs when what I really needed was help for my mental illnesses. I was struggling so much with my mental health problems and I could not cope with them well in confinement.

11. I feel like all those years in confinement really took a toll on my mental health. I can't be positive which of these conditions I might have had if I never was in prison, but I believe being locked up in isolation as a teenager all the way until I was 28 made my mental health worse. During those years in confinement, I was placed in a suicide watch cell more than 50 times, and hospitalized for suicidality and psychiatric reasons approximately 20 times.

12. The worst part of being in isolation is the loneliness. I was in a cell for so many hours at a time without being able to talk to anyone or touch anyone, and these conditions made me feel desperate. Also, being transgender makes living in confinement extra difficult. I had no one to help me deal with the stress caused by

the officers who disrespected and made fun of me and threatened me because of who I am. And I had no one to support me during the four years between when I requested my hormones and correct undergarments and when I got them.

13. When I was in confinement at FSP, I only had an individual counseling session about once a month and I had to do these sessions while standing and restrained in a shower cell. It was dirty and moldy, and I had to speak to the counselor through bars. An officer would be standing nearby and it was very uncomfortable and stressful because the officer could hear what I was saying. Several times, they used what I had told the counselor against me by telling me that I am complaining and not letting me meet with the counselor later. I held back speaking about what I really wanted to because of this environment, things like gender dysphoria and family issues.

14. There were also numerous times I desperately needed mental health help but couldn't get it. Instead of referring me to mental health staff, officers ignored me, made fun of me, and retaliated against me using violence or by restricting my property or recreation. There are so many examples:

15. In December 2018, I was feeling very afraid and cut myself. The staff ignored my distress so I went on a hunger strike to get their attention. A day or two later, officers suddenly came in and cell extracted me. They broke my wrist, banged my head against the door, and punched me twice in the face using shackles as brass

knuckles, breaking my eye socket. I had lost so much blood from cutting myself that when I was finally taken to the hospital days later, I needed a blood transfusion. In March 2019, I cut myself again and tried to declare a psych emergency, but a Lieutenant gave me a DR for yelling on the door and said “You’re all right. I’m not impressed.” I didn’t get any help that day. Another time, in April 2019, I was feeling very distressed from being confined and cut myself again. A group of guards took me to the emergency medical room and choked me on the bed, hit me in the face with an aluminum lid that chipped my tooth, and punched me in the back, legs, hip, and stomach while saying things like “Don’t do it again” and “Did you learn your lesson?” Another time that I cut myself, Captain Blich threatened that officers would break my other eye socket. All of these officers kept giving me DRs instead of helping me.

16. I have also experienced other punishment for having mental health symptoms and needing mental health help. For example, while I was at FSP, officers have given me an air tray after I declared a psychological emergency. An air tray is a food tray without any food. The officer told me it was for declaring the emergency when he gave me the tray. Another time, I was punished for cutting by being refused recreation for 30 days. I have also been retaliated against for cutting by being put on property restriction. Since being in FDC custody, I have been placed on property restriction about 15 times. Once, I was left in only in my boxers for 3 days straight.

These periods of time are especially traumatic and punitive because I am a woman in a men's prison and being stripped to my boxers makes me feel especially vulnerable and humiliated, and exacerbates my gender dysphoria. All of this also made my compulsion to cut even worse because I felt trapped in isolation. I have been disregarded, punished, and refused the help I desperately need so many times while in confinement.

17. I wrote grievances about some of these incidents but I know at least some of my grievances against officers were not being submitted because I did not get receipts for those. At Santa Rosa, FSP, and Suwannee, I was retaliated against for writing grievances. Officers have jumped me and told me, while they were beating me up, that it was for writing grievances. I have also had an officer throw my personal pictures in the toilet and tell me it was for the grievance I wrote.

18. Since I was 12 years old, I have understood myself as a girl and have been dressing and carrying myself as such. Despite my gender dysphoria, FDC did not provide me all the ADA accommodations I needed. I had been taking hormones in order to medically transition since age 15, but the prison refused to provide hormones when I requested them when I first got to prison. After reading FDC policies on its care of transgender people, I started requesting hormonal treatment, undergarments, and female grooming items in 2015. For a long time, FDC only provided services for transgender people at Zephyrhills, but I couldn't transfer there

because I was on CM and Zephyrhills is not a CM camp. So despite my several grievances about the problem, I had to wait 4 years before FDC finally offered me transgender services at FSP.

19. In 2018, confinement started affecting me especially hard. Sometimes, the guards would tell me that I was not going to recreation because I was transgender. Some officers at both Santa Rosa and FSP would refuse to take me to my psychiatrist appointments, commenting that there are no “fags” coming out today. During strip searches, officers would say things about my genitals and mock me. The combination of lack of gender dysphoria treatment, insults, and abuse made me feel afraid and deteriorated my mental health further.

20. I was transferred to the Security Treatment Unit for mental health care a couple months after this case was filed. Now I’m in the Diversion Treatment Unit, another mental health unit. Here, I am not restrained and am not subject to strip searches. I can watch TV and be out of my cell for many hours of the day, and can go to the chow hall with others for meals. I also receive 10 hours counseling per week, including individual counseling without an officer present. All these changes have made a world of a difference in my mental health.

21. It’s important to me to be the lead named plaintiff in this case because I want my voice to be heard about how distressing and humiliating solitary confinement is. Even though I’m out of confinement, I still care for the people who



are there because I understand the pain and suffering they are subjected to. I hope for changes in policies in confinement so that future incarcerated people don't have to go through what I went through.

Under 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing declaration is true and correct.

Executed on [DATE] 3/24/21\_\_\_\_\_.

Signed:   
Admire Harvard