

***EXHIBIT 9***

Inmates of Ely State Prison address the Nevada Board of State Prison Commissioners

Esteemed board members, Mrs Masto, Mr Gibbons, Mr Miller.

My name is Marritte Funches. I make this statement to you in severe pain, and possibly from my own death bed. After years of suffering needlessly, from kidney and prostate problems. All the while enduring a long list of harassments. But all I've experienced and observed over the past 19 years here, compels me to speak on behalf of everyone.

Immediately upon his arrival, E.K. McDaniel began implementing his lockdown-supermax ideology. Closing the school building, shutting down the gym, locking down all but one of the general population units, and cutting most every positive program we had, the few remaining nothing more than a single workbook. Which only call for you to answer a few questions alone in your cell to complete and receive a certificate. ESP was not constructed to be a Supermax prison, or even a Lockdown prison. In order to implement this ideology, warden McDaniel has had to manipulate conflicts and create policies which violate our human/civil rights on a daily basis. Because it is impossible under these lockdown conditions.

For us all to receive the federally mandated five (5) hours of fresh air and sunshine per week, warden McDaniel has instituted an entire system of humiliations and punishments, which serve no other purpose than to dehumanize and discourage us from going outside. To which going outside, fresh air, sunshine, and exercise, has been recognized by every court in the land. To be vitally important, to the good mental and (p. 2) physical health of a person. Tho' we go outside alone with no other inmates, and the enclosure is searched between each exercise period, we are forced to endure the humiliation of no less than three (3) naked strip searches, two of which include anal cavity checks. In the cold weather months, when temperatures reach below freezing, we're not allowed to wear gloves or any other extra clothing. And there's no inside area for us to exercise. We're often forced to choose between going outside late at night, 1 or 2 A.M., or not at all. And while outside, our cells are subject to be trashed for no reason.

We're only allowed two (2) showers per week, two weeks a month, and three (3) per week the other two. Then just going to the shower is made to be as humiliating as possible. Forced to get down on our knees, and to crawl backwards out the door while handcuffed, where leg irons are then applied. Once in the tiny shower stall, we're forced to get down on our knees again. This time in whatever puddles of filth left from all the men who showered before you that day. Some of them mentally ill, or vindictive. So they have no restraint, or they intentionally urinate, etc. for who ever after them to kneel in. Some of these men have HIV/AIDS. Tuberculosis, Hepatitis, and Staph infections are common. Suffice it to say, many of us refuse this humiliation, and simply do not shower. But then we are not allowed to receive soap in our cell. Soap is only given during showers, at which time we're allowed to bring a single small piece of soap (1 1/2 x 1 inch) back to our cell. Enough to wash your hands once or twice. This is all again intentionally designed to keep us from wanting our (p. 3) five (5) hours of fresh air and sunshine each week.

Early on in the McDaniel regime, in order to justify locking down the prison, he created hostile environments intentionally to cause violent conflicts, removing the convicts he knew could keep the peace. And then mixing various gang members, known informants, paedophiles, mentally ill inmates, etc. A sure recipe for conflict that any person with common sense could see.