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Attorneys for Plaintiffs,  
KEITH H. WASHINGTON,  
SAN FRANCISCO BAY VIEW  
NATIONAL BLACK NEWSPAPER

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

WASHINGTON, KEITH H. and SAN  
FRANCISCO BAY VIEW NATIONAL  
BLACK NEWSPAPER,

Plaintiffs,

vs.

FEDERAL BUREAU OF PRISONS, GEO  
CALIFORNIA, INC., MONICA HOOK,  
MARIA RICHARD and WILL GOMEZ,

Defendants.

Case No.:

**DECLARATION OF MARY  
RATCLIFF IN SUPPORT OF  
MEMORANDUM OF POINTS AND  
AUTHORITIES IN SUPPORT OF  
PLAINTIFFS' APPLICATION FOR A  
TEMPORARY RESTRAINING  
ORDER AND/OR ORDER TO SHOW  
CAUSE AND FOR PRELIMINARY  
INJUNCTION**

1 I, Mary Ratcliff, hereby declare:

2 1. I have personal knowledge of the matters stated in this Declaration, and if  
3 called and sworn as a witness in this matter, I could and would competently testify  
4 thereto.

5 2. I am the co-founder of the San Francisco Bay View National Black  
6 Newspaper (“SF Bay View”).

7 3. The SF Bay View was founded in 1976. The SF Bay view, located in the  
8 Bayview-Hunters Point district of San Francisco, is a communications network for the  
9 Black community worldwide. Its website, [www.sfbayview.com](http://www.sfbayview.com), is the most visited Black  
10 newspaper on the web. The SF Bay View is also published in a free print edition which is  
11 distributed throughout the Bay Area and mailed to subscribers, including thousands of  
12 prisoners all over the country. Our newspaper aims to equip and inspire Black people  
13 and all people to rise up and fight for freedom and justice, to build unity within the  
14 community and to build solidarity with other communities.

15 4. During the pandemic, the community we serve, the Black community, is at  
16 greatest risk. Our newspaper is literally a lifeline for the most vulnerable people in the  
17 nation. The Bay View staff is obliged to serve our people’s need for lifesaving  
18 information and inspiration, just as medical professionals are obliged to serve the need  
19 for effective health care.

20 5. Our business did not close during the pandemic. In fact, the pandemic  
21 greatly expanded our role. The Bayview-Hunters Point neighborhood was one of the  
22 hardest hit by the pandemic, and experienced hunger and poverty. Almost everybody in  
23 the neighborhood had preexisting conditions of one form or another. Our newspaper  
24 played an integral role in helping people find resources and keeping spirits up during the  
25 hardships of the past year.

26 6. Keith H. “Malik” Washington is the current editor-in-chief of the SF Bay  
27 View. I was the previous editor.

28 7. My husband, Willie Ratcliff, is now 88. He used to carry much of the load at

1 the paper, distributing the paper and helping with many other aspects of the work.  
2 Willie now has Alzheimer's. As he began to withdraw, the full weight of running the  
3 business fell on my shoulders.

4 8. As my age advanced – I am 82 years old – my strength began to recede. I  
5 was diagnosed with a serious case of breast cancer in July 2020, and needed to find a  
6 replacement to step into my role.

7 9. When Malik applied for the editor-in-chief position at the SF Bay View, we  
8 had already been publishing his writing for many years. We soon determined that he  
9 would be the perfect replacement for me.

10 10. Malik began his position on September 3, 2020, when he was placed in pre-  
11 release status at the Taylor Street Facility.

12 11. Malik generally works from 8 a.m. to 7 p.m. at the SF Bay View. He leaves  
13 the Taylor Street facility at about 7 a.m. every morning, taking the bus to the SF Bay  
14 View Offices, about an hour away. He generally returns at about 8 p.m. in the evening.

15 12. Malik and his fiancée rent an apartment approximately three minutes' walk  
16 from the SF Bay View offices. Although the apartment is close by, the conditions of  
17 Malik's pre-release do not allow him to visit the apartment or work from home. Instead,  
18 he works at the SF Bay View offices, which brings him into contact with SF Bay View  
19 staff.

20 13. Willie and I are in our 80s. If Malik is exposed to COVID as a result of the  
21 outbreak at the Taylor Street Facility, and he transmits the coronavirus to us, we are at  
22 serious risk of dying.

23 14. Malik made an application for home confinement, which was rejected in  
24 November 2020. He appealed the rejection on December 17, 2020. The appeal was  
25 rejected on January 15, 2021.

26 15. On January 8, 2021, I emailed Belief Iruayenama, Malik's case manager at  
27 the Taylor Street Facility, requesting permission for Malik to attend a press conference  
28 at January 11, 2021 from noon to 1 p.m. Ms. Iruayenama responded at 12:29 p.m.: "It's

1 fine, he already has a pass for work for that day. So he can go for the Press conference  
2 since its in line with his job and its within his work hours.”

3 16. I learnt about the COVID outbreak at the Taylor Street Facility from Malik.  
4 On January 9, 2021, the SF Bay View issued a press release on the outbreak, which was  
5 circulated on Twitter.

6 17. The press release stated that “[GEO Group] has no plans to test the  
7 residents until early next week.”

8 18. Following the confiscation of Malik’s cell phone on January 10, 2021, he has  
9 not been able to perform some of his work functions.

10 19. One of Malik’s job functions is to process and route, when appropriate,  
11 emails which the SF Bay View receives to the appropriate staff person to process. The SF  
12 Bay View receives approximately 500 emails a day. The editor-in-chief has to read these  
13 emails, determine if a response is appropriate, and forward the email to the staff person  
14 who can respond or act on the email.

15 20. Malik used to perform this function in the evening, after he returned from  
16 work at approximately 8:00 p.m. Now, I am forced to do this work in his stead, or  
17 delegate it to other staff.

18 21. It takes approximately 8 hours for other staff to cover for the work which  
19 Malik used to do in a much shorter time.

20 22. Because Malik is not permitted to use a laptop in his room at the Taylor  
21 Street Facility, he writes stories and story ideas on his phone after he returns from the  
22 SF Bay View at approximately 8:00 p.m. He can no longer do so.

23 23. In effect, Malik has been prevented from working in the evenings after he  
24 returns from the SF Bay View. Instead, he has to do this work during the daytime,  
25 reducing both the total amount of work he does and his productivity during the day.

26 24. A major objective of Malik’s job function is to promote collaboration  
27 between the SF Bay View and other organizations, including both news organizations  
28 and organizations in the community.

1           25.     The ban on Malik’s communication with other members of the press has  
2 prevented him from performing a crucial function of this job – both building  
3 relationships with other reporters and news editors, and also developing stories, story  
4 ideas and research and investigation collaboratively with other members of the  
5 journalistic community, in the Bay Area and also nationally.

6           26.     Malik and all the staff of the SF Bay View have also experienced a great deal  
7 of stress as a result of this discipline. The workload at the paper is significantly higher, as  
8 previously explained. Morale has also been affected, and we are all concerned about  
9 Malik’s well being as well as our ability to continue functioning.

10          27.     As a result of the retaliation against Malik, the staff at the SF Bay View have  
11 been tied up responding to Malik’s absence and reduced work. It has been extremely  
12 difficult to produce the February issue of the paper, and I have had to do most of the  
13 production by myself. It is likely that the February edition of the paper will be published  
14 late.

15          28.     Malik and his fiancée have rented an apartment three minutes away from  
16 the SF Bay View offices. Having Malik travel an hour back and forth between the Taylor  
17 Street Facility to his work is inefficient. More than that, however, it is also extremely  
18 dangerous to me and my husband, Willie, who are at risk of contracting COVID if the  
19 outbreak at the facility spreads to him.

1 I declare under penalty of perjury that the foregoing is true and correct, except  
2 as to those matter stated on information and belief, and as to those matters I believe  
3 them to be true. Executed on February 1, 2021 in San Francisco, California.  
4  
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7 Signed : Mary Ratcliff\*

8 Mary Ratcliff  
9

10 \* I, Richard Tan, am the ECF user whose identification and password are  
11 being used to file the foregoing documents. Pursuant to Civil Local Rule 5.1(i), I  
12 hereby attest that concurrence in the filing of these documents has been obtained  
13 from each of its signatories.  
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