

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

JOSEPH SCLAFANI, MICHAEL FEINSTEIN,  
and BRET CAPPOLA,

Plaintiffs,

CAROL A. MICI, in her official capacity as  
Commissioner of the Massachusetts Department  
of Corrections,  
DOUGLAS DEMOURA, in his official capacity  
as Superintendent of MCI-Cedar Junction, and  
STEVE SILVA, in his official capacity as  
Superintendent of MCI-Norfolk,

Defendants.

C.A. No.

**Declaration of Peter Feinstein**

Pursuant to 28 U.S.C. §1746, I, Peter Feinstein, declare as follows:

1. I am 56 years old, and I live in Plymouth, Massachusetts with my wife. My son, Michael Feinstein, lived with us before he was incarcerated at MCI-Cedar Junction.
2. Michael was a pretty happy kid. He was very good at sports, especially baseball. He was also really close with his younger brother, Matt, and always looked out for him.
3. We started to see Michael using drugs during his senior year in high school. It was so hard to see him go through that downward spiral. We saw him using OxyContin, and when that got too expensive, he switched to heroin. As his addiction increased, so did his involvement with the criminal legal system. Michael has a great heart, but when he was in a state of active addiction, he made some bad choices.
4. I have seen some very smart people get addicted to opiates, and I know addiction doesn't discriminate or care about your social status. I don't think there is one person who can say they don't know someone who is impacted by the opioid crisis.
5. Our family certainly has been. My wife and I watched Michael struggle with this addiction for years. I have had to see my son on life support after one of his overdoses. I thought we were going to lose him. He put me down as the person to try and identify him because he didn't want his mother to have to do so. It was brutal.
6. We quickly realized that Michael's addiction was life or death, and we tried everything that we could think of to try and help him. I ran around the state with him and brought him to every rehabilitation center I knew. I even involuntarily committed him a few times. But straight detox never worked for him, because it didn't help address his cravings. He would come out and go back to his dealer in a matter of days or weeks.

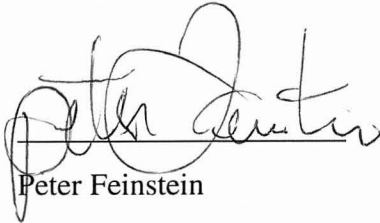
7. I love my son, but when he was in a state of active addiction, it really put a wedge between us. At one point, it got so bad that I brought him to a homeless shelter. I told him that he couldn't be around us, that he was going to give me a stroke and that I couldn't do it anymore. It broke my heart to say this to him. But I didn't know what else to do.
8. Michael's prescribed Suboxone treatment has made all of the difference. During the seven months before he went into Cedar Junction, Michael was taking a prescribed dose of Suboxone, and I was finally able to see my son in a state of active recovery.
9. He went to work every day in construction and landscaping, and was able to do things like build brick retaining walls. I knew the Suboxone was helping him, because he never could have done this physically difficult work while he was still in active addiction. When I picked him up at the end of the day, his boss would tell me that my son was a great worker and that he was going to be lost without him during his sentence.
10. My wife and I also saw a difference at home. He made sure things were done around the house, and he helped us out in every way he could. He really stepped up.
11. Before Michael went into Cedar Junction, I told him I was going to truly miss him. It is the first time I have told him that before a period of incarceration. Michael's prescribed Suboxone treatment gave me my son back. Michael in active recovery is able to be the person that he truly is. I am so proud of him. He and I both know that there is so much that he can do.
12. Michael's Suboxone treatment is helping to save his life. I don't know why the Massachusetts Department of Correction would cut off his medication. I know there is access to drugs both inside and outside of prison. I am terrified that he will go through withdrawal and relapse if he is taken off of his Suboxone treatment while he is incarcerated.

13. Michael will need to fight his addiction for his entire life. His Suboxone treatment helps him win that battle and stay in active recovery.

14. Michael's nephew was born the week after he entered MCI-Cedar Junction. Not being there was very hard for him. Michael is going to be the godfather, so his brother Matt is waiting to do the ceremony until he is released. We need Michael to stay on his prescribed Suboxone treatment so that he can come home and meet his nephew in a state of active recovery.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 17 2019



Peter Feinstein