

**UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF OUISIANA**

ALEX A., by and through his guardian, Molly Smith; BRIAN B.¹; and CHARLES C., by and through his guardian, Kenione Rogers, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

GOVERNOR JOHN BEL EDWARDS, in his official capacity as Governor of Louisiana; WILLIAM SOMMERS², in his official capacity as Deputy Secretary of the Office of Juvenile Justice, JAMES M. LEBLANC, in his official capacity as Secretary of the Louisiana Department of Public Safety & Corrections,

Defendants.

Civil Action No. 3:22-CV-00573-SDD-RLB

EXHIBIT 1

¹ On July 14, 2023, pursuant to Rule 25(a)(2) of the Federal Rules of Civil Procedure, Plaintiffs notified the Court of the death of Brian B. Doc. 162. Plaintiffs leave Brian B. as a Plaintiff until the clerk is ordered to change the caption.

² On November 18, 2022, Gov. Edwards announced the resignation of Dep. Sec. Sommers and the appointment of Otha “Curtis” Nelson as his replacement. <https://gov.louisiana.gov/index.cfm/newsroom/detail/3892> Because Sommers was sued in his official capacity, Nelson is automatically substituted as a Defendant. Fed. R. Civ. P. 25(d). Plaintiff leaves Sommers as a Defendant until the clerk is ordered to change the caption.

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA**

ALEX A., by and through his guardian, Molly Smith, individually and on behalf of all others similarly situated,

Plaintiff,

v.

GOVERNOR JOHN BEL EDWARDS, in his official capacity as Governor of Louisiana; WILLIAM SOMMERS, in his official capacity as Deputy Secretary of the Office of Juvenile Justice, JAMES M. LEBLANC, in his official capacity as Secretary of the Louisiana Department of Public Safety & Corrections,

Defendants.

Civil Action No. 3:22-cv-573-SDD-RLB

This is a typewritten version of the attached handwritten Declaration.

SECOND SUPPLEMENTAL DECLARATION OF DANIEL D.

I, [name redacted], hereby declare the following to be true under penalty of perjury:

- 1) I am 16 years old and making this declaration of my own free will. Everything in this declaration is true and to the best of my personal knowledge. For this lawsuit, I am going by the name Daniel D. ("D.D.") to protect my privacy.
- 2) I originally made a declaration in support of Plaintiffs' motion to intervene. I am one of the proposed intervenors. I affirm the facts set forth in my original declaration and first supplemental declaration, and I would competently testify to those facts if called and sworn as a witness. I make this declaration as a supplement to my original and first supplemental declaration.

- 3) I am in the custody of OJJ related to a juvenile delinquency proceeding. OJJ is currently holding me in the former death row building at OJJ's West Feliciana Campus at Angola ("Angola").
- 4) I came to Angola from Swanson. This is my third time at Angola.
- 5) OJJ first sent me here in either September or October 2022, OJJ transferred me out in January 2023, to OJJ's Swanson facility, and then transferred me back to Angola in March 2023. OJJ then transferred me to Swanson on or around April 27, 2023 before I was brought here, back to Angola, on or around June 16, 2023.
- 6) When I was held in Angola in March and April 2023, I refused one virtual visit with my legal counsel in this lawsuit. I was being held in solitary confinement and was frustrated and not feeling well. I never refused a second virtual visit with my legal counsel.
- 7) Being back at Angola makes me feel frustrated.
- 8) I am currently at B pod.
- 9) When I first arrived at Angola, I was locked alone in my cell and not let out except to shower for three days. (3 days)
- 10) I am locked alone in my cell every day from 5pm until 8am the next morning.
- 11) The water in my cell is not drinkable.
- 12) The food at Angola is horrible. I have only eaten three (3) trays of food since I arrived here June 16, 2023. I have to buy commissary food in order to eat.
- 13) I have seen other children be punished by being left alone in a cell on cell restriction for 48 hours.
- 14) I have only been able to call my family once since coming back to Angola. When I was at Swanson, I could call my family throughout the day, every day.

15) There is no air conditioner on my block. It is extremely hot and the fans don't always work. Sometimes the power goes out and there are no fans.

16) I am still not receiving substance use treatment. I get that treatment at other juvenile facilities.

17) For school I sit in front of a computer all day. There is only one teacher for all the kids.

18) There's no library in this facility like in other facilities.

19) No one from my family can come visit me here. They often visited me when I was at Bridge City. The distance is too far for them to come here.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing declaration is true and accurate.

Executed on the 26th day of June 2023, in Angola, LA.

/s/ Daniel D.

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA

Alex A., by and through his
guardian, Mollie Smith,
et. al.

3:22-cv-573

✓

Governor John Bel Edwards,
in his official capacity,
et. al.

SECOND SUPPLEMENTAL DECLARATION OF
DANIEL D.

I, [REDACTED], hereby declare the following to
be true under penalty of perjury:

1) I am 16 years old and making this declaration
of my own free will. Everything in this
declaration is true and to the best of my
personal knowledge. For this lawsuit, I am
going by the name Daniel D. ("D.D.") to
protect my privacy.

2) I originally made a declaration in support of
Plaintiffs' motion to intervene. I am one of the
proposed intervenors. I affirm the facts set
forth in my original declaration and first
supplemental declaration, and I would
competently testify to those facts if called

and sworn as a witness. I make this declaration as a supplement to my original and first supplemental declaration.

- 3) I am in the custody of DJV related to a juvenile delinquency proceeding. DJV is currently holding me in the former death row building at DJV's West Feliciana Campus at Angola ("Angola").
- 4) I came to Angola from Swanson. This is my third time at Angola.
- 5) DJV first sent me here in either September or October 2022, DJV transferred me out in January 2023, to DJV's Swanson facility, and then transferred me back to Angola in March 2023. DJV then transferred me to Swanson on or around April 27, 2023 before I was brought here, back to Angola, on or around June 16, 2023.
- 6) when I was held in Angola in March and April 2023, I refused one virtual visit with my legal counsel in this lawsuit. I was being held in solitary confinement and was frustrated and not feeling well. I never refused a second virtual visit with my legal counsel.
- 7) Being back at Angola makes me feel frustrated.

- 8) I am currently at B pod.
- 9) When I first arrived at Angola, I was locked alone in my cell and not let out except to shower for three days. (3 days)
- 10) I am locked alone in my cell everyday from 5pm until 8am the next morning.
- 11) The water in my cell is not drinkable.
- 12) The food at Angola is horrible. I have only eaten three (3) trays of food since I arrived here June 16, 2023. I have to buy commissary food in order to eat.
- 13) I have seen other children be punished by being left alone in a cell or cell restriction for 48 hours.
- 14) I have only been able to call my family once since coming back to Angola. When I was at Swanton, I could call my family throughout the day, every day.
- 15) There is no air conditioner in my block. It is extremely hot and the fans don't

always work. Sometimes the power goes out and there are no fans.

16) I am still not receiving substance use treatment. I get that treatment at other juvenile facilities.

17) For school I sit in front of a computer all day. There is only one teacher for all the kids.

18) There's no library in this facility like in other facilities.

19) No one from my family can come visit me here. They often visited me when I was at Bridge City. The distance is too far for them to come here.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing declaration is true and accurate.

Executed on the 22nd day of June 2023, in Angola, LA.

[REDACTED]

[REDACTED]

Alpha Matt
Mehran Matt →
Account Louisiana
1340 Poydras
New Orleans, LA