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,

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

Defendants.

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 - 2) I originally made a declaration in support of Plaintiffs' motion to intervene.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.

FOR THE MUDICIE DISTRICT OF LOWISTAWA

Alex A., by and Through his guardium, Mollie onthem, et. M.

3:22-W-573

Greener John Ber Edwards, in his official capacity, et. M.

STOMO SPRENONTAL DECLARATION OF DANIEL P.

hereby declare the following to be the under penalty of pening:

1) I am the years old and making thus delaration of my on free will then there in the delaration is that and to me sest of my personal knowledge. For this lawsuit, I am going by the name Daniel D. ("D.D.") to protect buy primus.

2) I originally hade a declaration in support of Plainthffs' motion to interience. I am one of the proposed interiences. I affirm the facts set forth in my original declaration and first supplemental declaration, and I would competent my testify to those facts it called page 1 of 5

and swipin as a witness. I make this declaration at a supplement to my original and first supplemental diddrection. a juvenile delinguncial proceeding.

and is aumenting hording me in the torner death now building at ON's list Feliciaran Campur at Angola P "Angola". 4) I came to Angola from Suanton. This is my third time at Angola. s) all his sent me have in either september or Ochber 2012, Ou transferry meint in Innuary 2023, to QU'S swanter failuty and then transferred me bruk to thryola in March 2023. ON then Transferred me to Sunnon on or around April 27,203 before I was brought here, breek to Angola, on or around June 16, 2023. 10) when I was held in Angla in March and April 2023, I refused me notual not I was being held in solutary contrement and us frestrated and not feeling nell. I never retused a second instual instit Themes back at Angola Makes me feel - Physpatca.

page 2 A 5

- 8) 1 rm currently at B pod.
- 1 when I first arrived at Angolai, I was locked alone in my cell and not let out except to shower for three days. (3 days)
- 10) I am loved alone in my cell englass. Them 5pm until Som monerat morning.
 - 11) The water in my cell is not drivable.
- eaten three (3) trains of Road since I amued nuc June 16, 2023. I have to buy sommissing tood in order to eat.
- 13) I have seen other children be purched by keing left alone in a cell or cell restriction for 48 hours
- finite only been able to call my finite once unine back to tryola. When I was at Swanton, I could call my family throughout the day, every day.
- 15) Thuse is no air conditioner on my blook. It is extremely not and the foredunit

goes out and thell all no fins.

- use treatment. I get hat treatment at other jurinile treatment.
- 17) For School 1 sit in front of a computer all day. There is only one teacher for our the rids.
- 18) there's no Usanz in this facility.
- 19) No one from my family can come not no here. They often visited me when I was at Endge cots. The distance 18 too far for them to come nex.

and when penalty of pening pursuant to 28 U.S.C. 3 1746 that the pregoing declaration is true and accurate.

Executed on the neth day of June 2023, in Angela, IA.

Enge 4 of 5



Meha Mutt Mespan Watt Alworf womening 1340 Paytons New Means of

lyes #5