

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

ALEX A., by and through his guardian, Molly Smith; BRIAN B.<sup>1</sup>; 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 SOMMERS<sup>2</sup>, 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 3

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<sup>1</sup> 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.

<sup>2</sup> 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.

## DECLARATION

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

1. This supplements the declaration I previously submitted.
2. I am currently being held by OJJ on the former Death Row, in a tier named “conquer.”
3. Last week, on Thursday or Friday, OJJ guards maced a youth while he was handcuffed and shackled. His initials are [REDACTED] was in his cell, next to mine. [REDACTED] was locked in his cell, and mine was too. When they maced [REDACTED] the spray went over into my cell. The guards then put handcuffs and shackles on the entire tier (6 ppl) and took us to the shower. The water did not get all the mace off of my body.
4. The day before I got hit by mace, I had my back injured when a staff member threw me up against a wall. It broke my skin—I think on glass—and bled. The nurse came eventually and put cream on it. Being maced the next day, on my open wound, really burned and hurt.
5. I’ve been in my cell, along with everyone, all day since last Wednesday. The only time we are allowed out is to shower. They make us shower in handcuffs and shackles, and only give us 8 minutes. The rest of the day we are locked in our cells.
6. They started letting us out of our cells yesterday—for 2 hours of recreation, still handcuffed and shackled. No ball is provided, so we just sit there. They let us out 4 at a time.
7. The last time I was provided access to “school”—a computer, no teacher—was last Tuesday. I am close to getting my HISET (high school diploma) – and it makes me sad I can’t earn it. They keep promising that they’ll give me education, but don’t.
8. The tier where I sleep and have been on lock down is not air conditioned. They have a fan and are supposed to give us ice and water, but only provide it about half the time. I am often thirsty. It’s hard to sleep because it’s so hot. When the power goes out, we don’t even have the fan. The only a/c we get to is school.

9. The counseling here is not any good. It is rare that I get to see anyone, and mostly they just let me call home. I do not get any in person visits with my family.

10. The food here still sucks. I do not get enough to eat and am often hungry.

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July 11, 2023

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2) I am currently being held by OJ on the former Death Row, in a tier named "Conquer."

3) Last week, on Thursday or Friday, OJ guards maced a youth while he was handcuffed and shackled. His initials are [REDACTED] was in his cell, next to mine. [REDACTED] was locked in his cell, as was mine was too. When they maced

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4) The day before I got hit by mace, I had my back injured when a staff member threw me up against a wall. It broke my skin - I think on glass - and bled. The nurse came eventually and put cream on it. Being maced the next day, on my open wound, really burned and hurt.

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July 11, 2023