

**DECLARATION OF JOCQUEENEE BERNARD**

*I, Jocquenee Bernard, certify under penalty of perjury that the following statement is true and correct pursuant to 28 U.S.C. § 1746.*

1. My name is Jocquenee Bernard. I am thirty-seven years old and of sound mind.
2. I'm currently detained in the East Baton Rouge Parish Prison. I've been in the jail since February 14, 2020. Right now, I'm on the Q4 line. I suffer from high blood pressure and take medicine for this condition.
3. They don't have the virus under control inside this jail. The guards don't even wear masks all the time like they're supposed to. Lots of deputies have gotten sick. There was an officer, Officer Warren, who died from the virus. He had a lot of contact with some people on my line—he took people back and forth to court, and right before he died he had taken us out to the yard for rec and to the chow hall. Officer Warren got sick right after the first person in our line got really sick from the virus. That's when the outbreak really started to go downhill.
4. A lot of us on my line were sick with coronavirus symptoms and didn't even know it—not until we heard about it on the news. I lost my sense of taste and smell, and I had real trouble breathing. I reported to the nurses that I was sick with coronavirus symptoms, but they ignored me. I tried to make a sick call, but they ignored it. Sometimes they don't give you the sick call form, or say they don't have it even when they do, or sometimes they just ignore it even when you do fill out a sick call. My mom had to call them up and have them check on me. They said that without a fever of over 100 degrees, they couldn't treat me. They brushed it off as a cold, even if you showed other symptoms of the virus. They refused to test me, gave me nothing more than a little cough syrup, and charged me \$10 for the sick call because they claimed that I didn't have coronavirus, even though they didn't test me. They're not supposed to charge for medical care during the pandemic.
5. Almost everyone on my line and almost the entire Q building caught the coronavirus. At one point, the guards and nurses pulled at least ten people off my line in March for being so sick with the virus. But then they stopped taking people out and just put our entire line on lockdown around late March. The ten guys who were pulled off my line were gone for about two months. Not all of them have come back to this line, and I'm not sure if they've all come back to the jail at all. I think some were taken to Angola.
6. The people who were taken off the line were the only ones tested for the virus on my line—I haven't seen anyone else be tested, even to today.

7. My line is still under quarantine. We still get fed on the line and haven't been to the chow hall since the jail started the quarantine.
8. I heard from a hall man and from some of the guards that the whole Q building went on lockdown around late March, and we've all been on lockdown ever since the first case got into the jail. I also saw sick beds all over the medical holding tank, where I heard the nurses were holding a lot of people who were sick and some men who were on ventilators. I saw at least one man on a ventilator, and another guy who was being treated in medical is on my line now. When I went back to medical for a blood pressure check around July 30th, some of the cots were still in the medical holding tank. I don't think they were cleaned or sanitized, because they looked the same as the last time I'd seen them.
9. In late April, the guards began passing out blue medical masks for us to use. That's around the same time they stopped testing anyone for the coronavirus. They stopped giving out masks after a couple weeks and just gave us bandanas instead. A guard told me this was because the real masks were too expensive. We had to make our masks or bandanas last for at least a week each until the guards came to change them out. I got a cloth mask for the first time when I went to court on July 14th, because a guard saw me wearing my bandana and didn't want the court to know that we didn't have real masks. I've had a cloth mask since then, but some of the guys on my line still don't have cloth masks and are still wearing bandanas. The guards only change out our cloth masks every 2-3 weeks.
10. The guards aren't wearing their masks on the line all the time. Some don't wear masks at all, and some only have them hanging from their chins. The guards in medical don't all wear their masks either. They pretty much walk around how they want. Some of the detainees don't wear their masks, but the guards don't remind or force anyone to wear their masks unless they're going to court.
11. The jail says that it has all the proper equipment and sanitation to fight the virus, but that's not true. I saw on the news that the jail had reopened condemned parts of the jail to put the sickest people.
12. All they've done to tell us how to protect ourselves is put up a poster about washing hands, but they haven't given us more hand soap and they don't give us antibacterial soap or liquid soap.
13. The jail also recently spray painted a sign on the wall about social distancing. But you can't social distance up in here—it's still crowded, and there are almost 120 people on the line on top of each other all the time. There's even more people on the line than there were during the inspection in this case. During the inspection, there were a little under 100 people on the line. The jail brought more people on the line immediately

after the inspection. And the last few weeks, more and more people have been added to my line. There are guys who came back from other quarantine or lockdown cells, and they're also bringing in new people off the street. Now, we're almost back to full capacity.

14. We have to be right on top of each other for roll call and pill call—we've got to be no farther than 2 or 3 feet apart—and that's been the same throughout the pandemic. In the day room, we're right on top of each other all the time, about a foot apart at most, if you can get that much space. The guards don't remind us to stay six feet apart—we can't do it, there's no way.
15. We sleep on top of each other in the bedroom—I can easily reach across and touch the next bed when I'm lying in mine.
16. The guards come by only about once a week with cleaning supplies like bleach or other chemicals for us to clean the line with. We get a mop and bucket every day, but we don't always get real cleaning solution and sometimes the bucket already smells bad when it comes onto the line, like something is spoiled in it.
17. The conditions inside are terrible. It's deplorable in here. The roof is leaking, there's gnats, and there's lots of black mold. We're all breathing in black mold on a daily basis.
18. I usually wear contacts, but those aren't allowed inside. I can barely see anything without them. My mom called the jail and asked to pay for glasses, but she never heard back from them.
19. In April, they started giving us just two free calls a week, for about ten minutes a piece. But that's not what's happening in practice. The guards can just cut off the calls you're on, depending on who comes on during shift change, and you can lose an entire call if they cut you off right after you start the call. It happens an awful lot, about twenty times a week total. The guys get really upset about this—phone calls are the only way we have to connect with our family and friends while the jail is on lockdown.
20. Some of my court hearings got canceled because of the pandemic, and I wasn't able to go back to court until July 14th. At my hearing, the judge dropped my bond from \$85,000 to \$3,000, but he added a stipulation that I add a tracking app to my cell phone. The Bail Project agreed to bail me out, but I can't afford the \$500 monthly fee for the tracking app, so I'm stuck in here.
21. Toward the beginning of the quarantine, I wrote a letter describing the horrible conditions and mentality of the guards at the East Baton Rouge Parish Prison. Over 60

men on my line signed onto my letter—I think almost everyone on the line then except about 20 people signed the letter. The issues we raised in the letter are still problems. A copy of the letter is attached to this Declaration.

22. I'm so worried for my kids. I've got a little boy who is four years old and a little girl who is about to turn four. I want to be there for them, and I'm worried they'll get sick. I'm worried about them and about my mom. I just want to stay alive for them, to take care of them all.
23. If I'm released, I'd go to my family's home and stay in the spare bedroom, where I could quarantine myself, and I would take care of my family. I would be able to stay away from people who were sick and buy myself alcohol-based cleaning supplies. I would also have access to clean water, healthy food, and medical care of my choice if I needed it.

This declaration was orally sworn to by Jocquenee Bernard on August 13, 2020, because the East Baton Rouge Parish Prison is currently not permitting documents to be exchanged for signature.

Under penalty of perjury, I declare that I have read the foregoing in its entirety to Jocquenee Bernard on August 13, 2020.

By:



Miriam Nemeth

Date: August 13, 2020

by: Jocquene Bernad (Jocquene Bernad) march 21, 2020  
Living IN A State of Corruption

It's sad when the state you live in throw  
 off the prison system. When you're the last on  
 everything including education it begins to  
 be obvious what type of slave mentality  
 system this is. And well I say slave  
 mentality I don't mean black and white; it's  
 sit out to attack social classes below poverty  
 or lower class people who can't afford a lawyer  
 and type of corruption in the courts.

For the lower class it's easier to get in trouble  
 than the upperclass because of living conditions,  
 and financial stability. It's easy to overlook the  
 advantages more people have over others. For exam-  
 -ple: In lower class communities there's more drugs,  
 violence, arrests, and murder. While in higher class commu-  
 -nities there's less violence, less addiction rate, and  
 murder are still to some. Law enforcement and police  
 almost always target the lower class more. It's  
 with new or old laws being made in states which  
 are very much outdated and should be band be-  
 cause the courts are heavily biased in favor of  
 the 1% 17 percent and it's sad!

It's as if the rest of the country is that they would  
 has taken steps towards equality but it's not taken  
 back.



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(13)

march 21, 2020

Using a system that's setup to arrest you in a way which means you can be 100% innocent - but if someone says you've done something they can arrest you with little to no proof. An arrest that can take you to lose your job, home, family and disrupt your time from your life. The way it's setup your guilt till proven innocent.

Think of it like this you get arrested they set an over priced bond that almost seems like ransom and if you can't afford it you from anywhere in area of 45 to 60 days for crimes such as misdemeanors and non violent felonies. While in others states it's 10 to 15 days. Capital offences however have up to a 120 days which is way pass the normal limit in other states which give 30 to 45 days to hold someone with out enough evidence.

This is all tied into have 17<sup>th</sup> century Neapolitan laws still being practiced. An even after your arraignment and they still don't have enough evidence or they don't have "any" they will still just push your court day back a few months to a year instead of letting you go and dismissing your case. Which is a clear violation of your rights. The reason behind holding you is money, greed & mind manipulation.

LB

march 22, 2020

Because when you think about it the jail makes money for everyday you're in there, and the courts get paid for every court date you have. And the biggest factor that's played is the mind games being played by the system. Anyone who has been to jail can tell you and agree with me. Of course jail is not suppose to be a vacation but my goal it doesn't have to feel like hell.

My first example will be the lines or "dorms" you place people on. This is a hundred or more people in one small confined area which is a breeding ground for tempers to rise and violence. With no windows and no real outlets to clear your mind besides TV, or the phone. It's almost expected for fights or other violent acts to be performed when you're piled together like sardines in a can. People that have never experienced this type of situation like most lawmakers or police couldn't even tell you how they could or would adapt to this type environment. Sure it's easy to talk down to someone while you're in a position of power but what if the shoe was on the other foot they would be terrified. This



March 22, 2020

My second example is the officers working in the prisons and the living conditions. I'm pretty sure we've all heard stories or what you see on TV shows but the reality of the situation is much more horrible. The officers they have working at the prisons all have anger issues from the men down to the women it's like they only hire people with chips on their shoulders or have problems at home and bring them to work. I'm sure you've heard stories of police brutality and murdered covered up with families having lawsuits still pending from years ago. Let me reassure you a lot of these stories are very much true! You have some officers who come in looking for trouble almost egging on the inmates. Talking down to you cursing you out threatening you and provoking you because they know they gonna win at the end of the day. Because if and when you do them something you'll be maced, beaten, or worst. To be honest I feel like animals have more rights than a inmate at least in this state. It's one thing if someone is acting disrespectful to an officer but for most of them they get the badge to demand respect and that's not how it goes.

Plaintiffs' EXHIBIT-9



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march 23, 2020

There's an old saying "you get respect when you give it" not the other way around. My third example is the living conditions of the prisons which is one of the most important things to think and hear about. The in this parish is really disgusting in all due honesty. There's black mold growing everywhere the walls are so covered with it that it makes another vent cover on the outside of it. The windows which are tinted to where you can't see outside are covered with mold as well from the line to the chow hall.

So your breathing black mold 24/7 no matter what which is very deadly, and does unpairable damage to the lungs. the chemicals they give you to clean with don't disinfect anything. If you go into the restroom area you can smell the urine before you even turn the corner. The urinals are covered with old dried up urine with nates floating around everywhere from the stalls to the shower. Their even in the day room where you watch tv and by the beds. The showers are full of mold as well, its like the news papers said a little while back its a breeding ground for diseases and viruses. If the media ever took notice everytime they come to investigate, either they say the jails on lockdown, or

Plaintiffs' EXHIBIT-9

LB  
march 24, 2020

they only bring them to the cleanest side that doesn't have that many inmates. It's all meant to mislead and deceive the public to stop them from getting show down or having more lawsuits.

I'm not saying everyone in jail doesn't belong there because there is a lot of people that do. It gets crazy because you mix the people with misdemeanors and non violent felonies that don't really have time with the inmates who have capital offences all because of over population and lack of care.

You can have a normal hard working family man or a woman with murderers and that person is forced to adapt just to live or survive for the short time he's there. I myself have witnessed fights, stabbing, and people getting jumped for no real reason. I've had to defend myself as well; so with all of this going on plus the police brutality, and court dates being pushed back.

They might have a thing on you but you've been around this stupidity for so long when you do go to court they can throw a stupid deal at you and you're so ready to get out of jail you take it even if you're innocent.

What makes it worst is there's a pandemic go on right now the coronavirus or COVID-19 and we have no real cleaning supplies, hand sanitizers, face masks, and there's a 120 people sleeping



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march 24, 2020

right on top of each other closer then 6 feet away from each other all day every day. People walking around coughing and sneezing with no real way to protect yourself from getting sick.

When you ask about protective measures the only thing you get is a disrespectful answer like well bond out or shut the fuck up. It makes a pretrial inmate like me with no real time feel like we're almost being sentenced to death for no reason. Especially with the government telling only 50 people or less in one area at a time and people dropping like flies with more cases of the virus popping up every day. East Baton Rouge Parish Sheriff Sid Gautreaux has the news and news paper lying to the public saying Baton Rouge jail population has hit a 10-year low. The jail is have much still over populated. Some and my line are speckling up.

Apr 1, 2020

How can I have faith in the justice system when it's setup for people like me to lose no matter what? Now that the COVID-19 virus has hit East Baton Rouge Parish Prison in the same cell block as me I just pray now and the inmates on this dorm all make it home okay. If not I just pray my kids are taken care of and know their father loves them and always will.

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Apr 7, 2020

With the death of Deputy Warren who was just working around us the same week he took sick and later passed away. And several other deputies who all tested positive for COVID - A or the coronavirus that all have worked in the prison exposing us all to the virus. What's worst is with the numbers of positive cases rising to 17,000 in Louisiana we have officers working in the prison that don't wear face masks around the inmates like it's OK to expose us to whatever they come in contact with outside of the facility. It seems that East Baton Rouge Parish Prison and its works are perfectly fine with jeopardizing the lives of the inmates pretrial or otherwise as long as they make money off us. With more than half the prison quarantined it's like the DA and judges are trying to sentence us to death. The crazy thing is most other parishes have released their pretrial inmates but not EBR it's too much like right and we're a cash cow for them. Let's do the math Louisiana is the incarceration capital of the world especially East Baton Rouge Parish. The only way you get tested for the coronavirus in parish prison is if you're almost dead. I've only seen two test given and honestly,

When are we gonna be treated like human beings is the question?



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Inmate	D.O.B	Line	Arrest Date
Jacqueline Bernard	6/3/83	Q3 + Q4	Feb 14, 2020
Kedrick Eubanks	11/14/80	Q3 + Q4	Jan 22, 2018
Michael rice	8/21/99	Q3 + Q4	Jan. 12, 2020
Joseph Laird	11/12/1989	Q3 + Q4	Jan. 15, 2020
DERRICK PERKINS	5.7.77	Q3	MAR 1/2020
James Tahan	4/2/83	Q3 + Q4	Jan. 12, 2020
James White	10-16-81	Q3	Feb 4, 2019
Travis Payne	1-10-97	Q4	OCT 31, 2017
Leroy Thompson	12/04/1992	Q3	Feb 5, 2020
Kenneth Smith	7-15-1999	Q3	Jan. 7, 2020
Walter Jackson	1-19-81	Q3	Feb. 12, 2020
JOEL GASPARD	6-9-78	Q4	Nov 6, 2019
DeVaughn Dyson	10-05-82	Q4	Jan 14, 2020
Horace Smith	8-30-79	Q4	Jan 28, 2020
Tony HARRIS	10-12-81	Q4	Oct 10, 2019
Christopher London	5-4-80	Q4	Nov -22-2019
Garrett Freeman	4-19-74	Q4	June 22-2019
Alvin Thompson	7-11-81	Q4	Feb-12-2020
Bryan Barron	5-12-81	Q4	Feb-24-2020
Daryl Cheney	05-09-97	Q3	Sept. 25, 2019
Alexandro Montalvo	1/9/01	Q3	Aug. 3, 2019
Jasper Stan	2/15/83	Q3	Mar. 10, 2020
Desmond Tillman	9-27	Q4 Q4	Aug. 16, 2019
Samuel Richardson	9-14-77	Q3	Jan 10 <sup>th</sup> 2020
Philip Soren	12-17-74	Q3	Dec. 30, 2019
Leslie McRay	10-5-78	Q-3	2-15-2020
Eddie Williams	08-19-85	Q-3	12-12-19

Plaintiffs' EXHIBIT-9

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Inmate ID	DOB	Line	Arrest Date
John Leagard	7-26-89	Q3	2/18-20
Hyndes Alford	7-18-84	Q4	1/1/20
Lee Jackson	7/21/80	Q4	11/14/19
Servy Huggins	5/20/80	Q4	2/3/20
Calvin Young	7/10/68	Q4	2/26/20
Jeffrey Benton		Q4	12/9/19 FEDERAL
Benjamin Allen	5-2-98	Q4	
Roy Emery	8-11-81	Q4	11-6-19
Leonard D. Bell	03-22-1949	Q4	JUN. 10. 2019
Telvin Lawson	5/20/16	Q1	3/6/19
Roscoe Edwards	3/11/92	Q4	9-5-17
Reignall Hilton	10-26-83	Q4	3-3-20
Aladon Smith	16-16-93	Q1	2-18-20
Carlos Romas	8-4-99	Q3	March/6/20
José Pérez	12/30/95	Q3	March/15/20
Fredy Elvir	09/13/97	Q4	1/13/20
Daniel Davis	10/1/70	Q3	2/9/20
Jason Turner	1/27/79	Q3	2/24/20
Tammy Lishman	5/5/69	Q4	2/11/20
Michael Walker	2/4/67	Q3	3-10-20
Cody Williams	7/17/91	Q3	3-3-20
James Cephus	6-15-79	Q4	1-28-20
Lyont. Benson	5-18-93	Q3	2-19-20
Samuel Richardson	9/1/77	Q3	1-10-20
Leonard Simpson	8/4/94	Q4	4-4-2019

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Inmate DOB Line Arrest Date

Selel Edwards	12/28/83	Q-4	3/14/2020
Michael Pictigiaromo	2-27-84	Q-3	2-4-2020
Dwayne Jackson	5/18/71	Q-4	3-10-2020
Lorenzo Betegans	10/03/99	Q-3	
Joshua Witherspoon	7/31/1985	Q-3	7-22-2019
Deandre Grayson	1/13/96	Q-3	Mar 11, 2020
Iliya Ndizihwe	05/20/00	Q-4	2/23/2020
Adrian Waguespack	9/24/86	Q-4	6/28/2019
Derrick Paul Mancuso	9/25/81	Q-3	3/1/2020 <sup>Det # 565193</sup>
Charliah Jones	8-1-00	Q-4	10-8-18
Jeffrey Stephens	11-1-81	Q-3	3-25-20
Rigoberto Montoya	3/8/75	Q-3	4/10-19

E.B.P. Parish Prison  
Not Censored  
Inmate Mail  
Not Responsible for Contents

Therese Bernard Q-4  
2807 General Isaac Smith  
Scotlandville LA 70207

Roslyn Alexander  
PO Box 14937  
Baton Rouge LA 70858

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