

DECLARATION OF TRAVIS DAY

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

1. My name is Travis Day. I am 38 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 July 22, 2020. Right now, I'm on the Q7 line.
3. There is no question in my mind that there are people with COVID-19 in this jail. I know of at least two people on the Q7-8 line with a cough who have also lost their sense of smell and taste. Even though the nurses come onto the line two times a day for pill call, they are not testing people for coronavirus and not taking our temperatures.
4. When I first arrived at the jail, I was placed in A3. We were told we were under quarantine and would be for 14 days. I ended up staying on A3 for 18 days because two people—Alvin Banks and Jimmie Newton or Newman—had the virus. When the first person tested positive, they moved us to A2. When the second person tested positive, they left him on the line with us for a few days before moving him to B3. Both guys are now on B3.
5. It is not possible to social distance on A3 or A2. Because I was exposed to the virus by the two people who tested positive, I asked to be tested. When the jail refused, I insisted on being tested! The jail staff responded by threatening me with placing me on lockdown, in a one-person cell on B1. They made up charges that I hit someone to put me on lockdown, but it was a lie. I spent 3 days on lockdown, where the conditions were awful.
6. A2, A3, and B1 are infested with rats, spiders, roaches, and other bugs flying all over. The showers and ceilings are full of mold. When I was on lockdown, on B1, it was really hot. It felt like they turned the heat on to make it hotter. I do not know whether they turned the AC off, or whether it was not working, but it felt like they made my cell hot on purpose.
7. I know there are other men who were placed on lockdown because they demanded to be tested. There were 3 other people on lockdown with me on the B line, and they put 2 more on that line when they took me off.
8. It is impossible to actually keep distance away from people in here. On Q7, the bunk beds are about three feet apart, and the lower and upper bunks are only about two feet apart when you're lying down. When you're sleeping, you're basically always a few feet away from someone else. And it's worse during the day, when we're all in the day

room (the communal space where we all have to go when we're not sleeping). There are about 120 people piled on top of each other without space, without places to sit, without any distance. There's no way to social distance.

9. Also on Q7, you can't even distance in the bathroom here. It's always a traffic jam in there because of how many people need to use the bathroom. There's only about eighteen or twenty inches between the shower heads, so if someone is in the shower next to you they're only about eight inches away. All the sinks are about four to six inches apart—they're so close that water splashes from one guy to the next when you're using them. Water splashes from one shower to the next, too. It's even worse because lots of these things are broken. Two to three toilets are broken, and four sinks are broken. Some of the sinks don't even drain, so you have to knock the water out of the sink onto the floor and try to clean it.

10. I want to get out and see my family. My lawyer tells me there is a judge hold on me, and he says he is trying to get it lifted. I have rental properties that I need to maintain and children that depend on me. When I get out I will live at my mother's house at 1359 E. Black Oak Street, Baton Rouge, LA.

This declaration was orally sworn to by Travis Day on August 12-13, 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 Travis Day on August 13, 2020.

By: 

David Utter

Date: August 13, 2020