

DECLARATION OF BILLY PETTICE

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

1. My name is Billy Pettice. I am 40 years old and of sound mind.
2. I am currently detained pretrial at the East Baton Rouge Parish Prison in East Baton Rouge, Louisiana. I have been in the jail since June 22, 2018. My attorney and I requested a bail reduction about six months ago; after the reduction, my bond amount is still \$175,000. I don't have any holds, and I'm only in the jail because I can't afford my bond.
3. I have high blood pressure. Recently, my blood pressure has been spiking.
4. Before I was arrested, I worked for Western Express and drove an 18-wheeler truck nationwide. I have a five year old son and a two and half year old daughter who live with their mother. I supported them and would see them when I wasn't driving. My job kept me away more than I liked, and I didn't get to spend as much quality time with my kids as I wanted, and that was painful for me. I want to teach them how to be responsible and successful in life, set them on the right path, and show them how to be a leader when I get out. Since I can't support them financially right now, my children and their mother have had to move back in with their grandmother, and I know times are hard for them. I look forward to getting out and helping them stabilize their lives. I also look forward to giving back to my community—I want to leave a legacy and help fight drug issues in my city. I want my kids to know that I was part of the solution and not part of the problem.
5. Before early April, I was confined on the Q5-6 line in the jail, one of the first lines to get the coronavirus. Another guy on the line got coronavirus and was pulled off the line. They quarantined our line and held us there until any of us developed symptoms, then they moved us to lockdown.
6. I started feeling sick around the end of March, around the time the first guy from the jail went to the hospital and after the nurse told the guards to take another guy off the line. Right after the other guy left, I got chills and started sweating, and I had chest pains and was coughing, like I had a chest cold. My body hurt from top to bottom, and I couldn't stand up straight. My breathing was off at times, and I sometimes had to fight to breathe. I had a burning sensation in my nose like I was breathing in chemicals (and I could smell chemicals too) and a burning in my head as well. My symptoms lasted probably 3-4 weeks, and I had no appetite for several days.
7. The nurses checked my temperature, and it was 102 degrees. The nurses left and came back later that day to check my temperature again. It took them hours to come back. By then, my fever was up to 106 or 107 degrees. The nurses told me to pack my things and that they would send the guards to come get me. The guards finally came a few hours later. It felt like they forgot about me, and I had to shake the bars on the line to remind them.

8. The guards took me to the B wing, which is in the old building of the jail. It had been condemned and shut down since 2018. The jail opened it back up for the coronavirus pandemic. My mother called the Warden about where they were holding me, and he told her that they had repaired that part of the jail. But I don't believe they did. There were rat feces on the line, lots of black mold and rust, and the water came out of the faucets brown. It was just nasty. I told the guards, but they didn't get us clean water.
9. The B3 line is a solitary confinement line. The cells are so small and tight. It's like being on death row, and it's horrible. We were locked in our small cells almost all day. The guards wouldn't open the windows to let us get fresh air, and it was pretty warm on the line. We also couldn't get any information from the guards about what was going on.
10. There were maybe two people on the line when I got back there. I was in one of the first groups of people brought back to those lines. During the time I was back there, there were maybe 10-11 people on the line with me. Most of the guys were maybe my age or older, and there was one guy who was in his 60s.
11. I spent about 7 days on B3. The first three or four days, the guards didn't let us out of lockdown at all—we were in our cells for 24 hours a day. Finally, they let us out to take a shower and use the phones to call our loved ones. We got about 30 minutes out of our cells each day per person. We didn't get much time out of our cells because the guards were lazy and didn't want to stay on the line supervising us while we were out of our cells. Sometimes, I was only able to call my mother every few days.
12. The shower on the B3 line was gross from not being used for a couple of years and was covered in mold or mildew or something like that. We told the guards, but they wouldn't bring a trustee cleaning crew on the line. They only brought us some clear cleaning solution to clean it ourselves, and one of the guys on the line volunteered to do it. I still didn't use the shower because it still looked nasty even after it was supposedly cleaned.
13. We didn't have anything to do on the line. We didn't have a TV. I just read my bible, prayed, and talked to the other men on the line. I talked to God and tried to stay calm.
14. Solitary confinement had a horrible effect on me, mentally. I got migraines, I felt mentally drained a lot, and sometimes it was hard for me to put words together. I became depressed while I was back there. I was scared to go to sleep because people were dying from the virus and I felt like I was gonna die back there too. Words can't describe that experience. I had a lot of breakdowns back there. The jail isn't doing what they should do for our mental stability, and I feel like they don't care about us.
15. The virus also caused my stomach and bowels to lock up. I put in a written request to get a liquid food supplement that I could eat, but the guards never brought me any, even when my mom called the Warden. By the time I got back to Q5-6, the guys on the line told me I lost a lot of weight while I was fighting the virus. I don't know how much, but I can tell in my neck and everyone else can see it.
16. The nurses tested me for coronavirus, and my first test came back inconclusive on April 9th. They told me I had to stay in solitary confinement until I took another test and got a

negative result. The jail didn't show me any paperwork about my test results. I was really upset at having to stay back on that death row longer. I felt hopeless.

17. My fever got up to 105 degrees, according to the jail's paperwork. But I never saw a doctor in the jail the whole time I was sick. I really only saw the nurses during the twice daily pill call, when they handed out medications and took our temperatures. Pill call happened in the early morning and around 5 or 6 pm.
18. I didn't get any actual medical care on B3. The nurses just gave me Ibuprofen and cold medicine. I didn't get any breathing treatments or any inhalers, even though I was regularly struggling to breathe.
19. One time, I had a very hard time breathing, and the other men on the line had to yell for a nurse to come check on me. I couldn't yell because I could barely breathe. This was how we always had to get the attention of the guards and nurses—we had to scream and beat on the walls, like we were in a dungeon. It took the guards and nurses forever to come back each time. The time I had trouble breathing, the nurse took a long time to come back to the line—I don't even know how long it was. And she had a real nonchalant attitude when she got there. She had me breathe into a device that said my oxygen level was at 75, which I believe is on the low side. The nurse didn't give me any treatment or do anything to help me. She just told me to take deep breaths and she left. It probably didn't help that I was breathing moldy air on the lockdown line.
20. Other guys on the line had medical problems while we back there too. One guy was even taken to the hospital.
21. We saw the guards on B3 maybe once every blue moon. They mostly just sat out front, down the hallway that led to our dungeon line. They didn't sit near the line and they rarely checked on us, maybe only every few hours. We had to scream or beat on the walls to get their attention. They were real lazy, and no one was in a rush. They have a bad way of thinking about us in here: they look at us as criminals and they don't think we're worth anything. They treat us like crap, worse than animals—especially on lockdown. If we tried to talk to the guards or nurses on the line, they would just ignore us or wouldn't let us talk. Or sometimes they even tried to create conflict with us.
22. After about a week on B3, the jail transferred me and three other men to Camp J at Angola. We were mixed in with guys at Angola who were serving long sentences, even though we hadn't been convicted of the crimes we were being detained for. There were men from all over the place at Camp J in Angola. I was in Angola for about six weeks. Being in Angola felt even more like punishment than being on B3. I still had a lot of my symptoms when I was transferred and during my time at Angola. My body ached, I had a burning feeling in my nose like I was smelling chemicals, I was coughing a lot, and I had sharp pains in my stomach.
23. On May 14, 2020, I was transferred back to the Parish Prison from Angola after I tested negative for coronavirus. I spent about an hour in central booking, then I was put back on the Q5-6 line.


24. I was on Q5-6 when the jail inspection happened in this case. The guards ordered us to put our masks on for the inspection, but that wasn't usual. I didn't put my mask on, and nothing happened to me. The guards told us to sleep head to foot, which is not how we usually sleep. Everything was staged for the inspection.
25. The jail is falling apart. There is a leak in the ceiling right above my bed, and I have to put a plastic bag down to catch the water so my bed doesn't get soaked. The water looks like coffee, and it's constantly coming down. The leaks in the ceiling are really dangerous—one guy slipped on a puddle from the leaking ceiling and had to be in a wheelchair for a little while, and one of the guards recently fell on a wet spot too. The vents are corroded and there's no air circulation from the outside. There are gnats everywhere. It's a nasty atmosphere.
26. The guards are very lax in how they're running the jail—it's very poorly run, and they're nonchalant toward the conditions and toward us. Nothing has really improved since the attorneys did their inspection in this case in early June. If anything, things have gotten worse. I'm worried that I'll get coronavirus again.
27. I don't know how I'm going to protect myself from the virus in here. I can wash my hands when I want to, but social distancing is really impossible, just the way this place is built and its capacity. The jail keeps bringing more people on the line. There are about 100 people on the line right now, and the line can hold about 116 people. There was a time when the population was down to about 80 people, around the time the jail was in the news a lot before I went to Angola. But since I've been back, the jail is bringing more men on the line and we're almost back to normal. They're filling the place right back up.
28. Our beds are only about two feet apart. I tried to hang a towel around my bed to protect myself, but guys cough and sneeze all night. No one sleeps head to foot, and the guards don't tell us to or enforce it, except right around the inspection in early June.
29. There are so many people on the line that you got to clean all day long—it's not enough to do it at the beginning and the end of the day. But the guards bring us just one bucket and mop in the morning and one in the evening. That's just enough for a small kitchen floor, not for a bathroom, day room, and two bedrooms shared by up to 116 men. The mop bucket has some kind of solution diluted in it. One of the guys on the line cleans the floor with the mop and bucket in the morning and in the evening. The guards don't give him any other cleaning supplies. He uses paper towels to clean the phones and bath towels on the rest of the line. He washes the towels himself and sometimes sends them out with the laundry, but laundry only comes once or twice a week and sometimes they miss a day. That's not enough for 100 people to stay clean. We don't even get any hand sanitizer.
30. The jail doesn't disinfect the mattresses when someone leaves—we have to do it ourselves if we're able to. The guards have only asked if we want our beds sprayed once in a blue moon.

31. A lot of guys use soap to clean when it gets real bad up in here. We get institutional soap from the jail, not antibacterial soap. We use this plain old soap to clean the toilets and showers.
32. Trustees come around with a disinfectant bottle to spray the phones down twice a day, but people use the phones all day, so spraying twice a day doesn't really help.
33. We all share six showers on the line. They're nasty because so many people use them. And they're so close together, maybe only two feet apart. We also share 6 commodes and 3 urinals. One of the urinals is broken, and all of them are really close together, only about a foot or a foot and a half apart. There's urine all over the place. There are gnats coming out of the drains in the bathroom and bedroom—the gnats are everywhere. The drains don't often get cleaned. Every so often, the guards will pour bleach on the drains, but that doesn't get rid of the gnats. The bathroom is so nasty.
34. The day room is full of people all the time, and we can't practice social distancing because there are too many people on the line. The tables are always full. The guards don't enforce any social distancing. During roll call, we're absolutely too close together. There's no room to space out. The guards don't care and just try to get in and get out, get it done fast enough so they can go back to wherever it is that they go. And most of them are lazy. They operate in here as if there isn't a crisis. They just don't care.
35. During pill call, we're back to back with each other, close enough to cough on each other and be exposed.
36. Most of the guards have stopped wearing their masks, and the ones that do wear their masks as a chin strap. Only maybe two or three guards wear their masks correctly.
37. Just a few weeks ago, the guards changed out our bandanas for masks, but most of the guys don't wear them anymore either. And the guards don't remind us to wear our masks, except when they come onto the line for commissary or to hand out phone cards. Now they don't even come on the line for commissary and just do that through the gates. They don't tell us to put on our masks during roll call, and some of the guards don't wear their masks during roll call either, except around their chins. The guards and nurses don't advise us to wear our masks during pill call anymore either. The guards collect our masks to wash them only every 7-10 days.
38. Since August, we've been allowed to go outside to rec again. While we're outside, most of the guys hang out together in different huddles. The guards don't tell us to be six feet apart while we're outside or while we're inside.
39. Ever since I had the virus the first time around, I've had pain in my stomach, sides, and lower back, around where my kidneys are. I have tension in my stomach and feel full all the time, and I don't have regular bowel movements anymore—just once or twice a week. My eyes are also burning from time to time like they did when I first got the coronavirus. One of the nurses in Angola told me this was one of the symptoms of the virus. I didn't have any of these symptoms before I got the coronavirus, and I'm worried that I'm having some long-term effects from the virus.

40. I told the nurses that I was still having symptoms before they sent me to Angola and after I got back in June, but they didn't do anything about my symptoms. I'm not even sure they wrote them down.
41. I finally saw the nurse about a week ago, in mid-August. She just gave me stool softeners and milk of magnesia, but she didn't examine my kidneys or ask me anything about them. She said she would send me to see a doctor about the sharp pains I've been experiencing, but they haven't called me up for that yet.
42. I wanted to file a grievance about Angola and about my care on the B wing, but the guards wouldn't give me any grievance forms. I asked several times, and I know of other people who asked too. The guards didn't say no, they just ignored us or said "ok" but never brought any forms back to us. This happened to me on both Q5-6 and B3. Around late July or early August, I tried to file a grievance about our inability to socially distance in the jail and our fears of catching the coronavirus again. Sgt. Gaines tried to talk me out of filing the grievance and even tried to give it back to me. He was sweating and clearly bothered by me trying to file a grievance. I was finally able to file my grievance around August 2nd. My grievance was rejected around August 5th, 2020, and I filed an emergency appeal to the Warden about a week after I got the response. The jail didn't give me copies of my grievance or my appeal with the time and date of filing on it, like they were supposed to. I still haven't heard back from the Warden about my appeal.
43. If I was released into the community, I would live with my mother in Baton Rouge. I have a separate bedroom there where I could quarantine if I needed to. 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. I would also be able to see a qualified doctor who could run tests and diagnose the sharp pains I've had in my abdomen since I recovered from COVID-19.

This declaration was orally sworn to by Billy Pettice on August 17, 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 Billy Pettice on August 17, 2020.

By: 
Miriam Nemeth
Date: August 17, 2020