

Declaration of Berklee Donovan

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I, Berklee Donovan, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows:

2. I am the LA Jails Conditions Advocate at the ACLU Foundation of Southern California (ACLU SoCal). My job involves monitoring and reporting on the conditions of the Los Angeles County Jails. I hold a Masters in Social Work (MSW) and have worked with incarcerated populations for the past ten years.

3. The purpose of this declaration is to set forth what I observed when I visited the Inmate Reception Center (IRC) downtown on two separate occasions: Wednesday, May 3, 2023 and Wednesday, May 10, 2023.

4. When I arrived at the IRC clinic on May 3, 2023, accompanied by ACLU SoCal attorney Melissa Camacho, I encountered a foul smell (like human waste) in the hallway by the holding cells at the rear of the clinic. The smell was not as strong once I moved deeper into the clinic area, but it was quite noticeable in the first floor holding cell area.

5. Within the clinic, I observed that about half of the chairs were being utilized and the environment was relatively calm.

6. To try to identify the smell, I walked around the clinic. I noticed that the toilets were working. However, the floor around the toilets was wet with urine and there was limited toilet paper available. The smell was not as strong, however, so it did not seem to be coming from the clinic toilets. The third toilet along the side of the clinic (even farther from the smell) was particularly disgusting as it had urine, feces, and trash on the floor.

7. I could not determine the source of the foul smell in the Clinic holding cell hallway.

8. I walked upstairs to the IRC Custody Line holding cells and noticed a cell that did not have any people in it, but it had piles of personal belongings and trash that littered the whole cell's floor. I observed brown lunch bags, old wrappers, pens, pencils, magazines, books, articles of clothing, toiletries, etc. What was particularly noticeable, and alarming, was the "graffiti" on the walls that had been marked using a tube of toothpaste. In addition to writings all over the cell

1 door and walls in toothpaste, there were globs of toothpaste all over the floor of the cell.

2 9. Just a few cells down, I observed that holding cell 209 was occupied with
3 approximately the maximum number of people allowed at a time (16 people). It was crowded.
4 People seemed visibly nervous to talk to me or Melissa. No one offered to give me a name or
5 show me their wristband.

6 10. I observed that holding cell 209 did not have enough designated seating for
7 everyone to be seated, so I noticed that many were sitting or lying on the floor or standing.

8 11. I observed that holding cell 209 had no trash can, so there were large amounts of
9 accumulated trash in the corners of the cell.

10 12. I asked if they have enough toilet paper, to which one replied by pointing at a row
11 of milk and juice cartons along the top of the half-wall separating the toilet from the rest of the
12 cell. I noticed that the cartons had remnants of feces on them. One man made motions indicating
13 that someone had defecated into them.

14 13. I next visited the IRC on May 10, 2023. Upon my entrance to the IRC, I stopped
15 spoke to the Compliance Sergeant in the sergeant's office and then went to the IRC clinic area
16 and spoke with deputies in the IRC Clinic.

17 14. At the time of my arrival, there was one individual who was handcuffed to the
18 front bench, and deputies reported that he had been there for about an hour and fifteen minutes.
19 During my time in the IRC clinic, I witnessed this individual being escorted out of the clinic. I
20 was told he was going to IRC overflow in 231.

21 15. As I began walking through the rest of the Clinic, I spoke to one individual who
22 was seated in one of the plastic chairs visibly sick. He was sweating, had his eyes closed, and
23 was holding a piece of cloth over his mouth. He had a trash can next to him, and he reported that
24 he'd been throwing up all morning and was starting to notice blood in his vomit. He told me he
25 was waiting for a detox bed to open at the time. He reported that he had been in the IRC Clinic
26 for about 18-20 hours. I spoke to deputies and inquired about the status of an open detox bed for
27 him. Within the next 10 minutes, I witnessed his movement out of the Clinic.

28 16. I then spoke to four other men who told me they were waiting for open detox
beds. One of them reported being in the IRC clinic since 5/9/23 around 5:00 pm. Two of them

1 reported being in the IRC clinic since 5/9/23 around 6:00 pm. One of them reported being in the
2 IRC clinic since 5/9/23 around 8:00 pm. And the last one reported being in the IRC clinic since
3 5/10/23 around 1:00 am.

4 17. I asked the deputies in the Clinic whether a detox bed was also available for them.
5 Within minutes, I heard their names get called to be moved. The deputy reported that one of the
6 remaining men needed to follow-up with the medical team before he could be moved.

7 18. I then spoke with the medical staff, who confirmed that he had been fully cleared
8 and was able to be moved at that time. I relayed this information to the deputy. I was informed
9 that the final remaining person was set to be taken to urgent care.

10 19. I communicated all these updates to each incarcerated person who then responded
11 with frustration that they had been there so long and were only getting moved now because I had
12 inquired about it all.

13 20. As I walked around the rest of the Clinic, I observed the third toilet (behind the
14 front bench overflow) was covered in urine, feces, and had a whole outfit meant for an
15 incarcerated person on the ground. A t-shirt, pair of pants, pair of boxers, and a pair of socks
16 were scattered across the floor at the base of the toilet.

17 21. I walked upstairs to Custody Line. It was busy. While I was there, about 30
18 incarcerated individuals were being moved, likely to their new housing locations or to state
19 prison.

20 22. I declare under penalty of perjury of the laws of the State of California and the
21 United States that the foregoing is true and correct. Executed this 5th day of June in Los
22 Angeles, California.



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