

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

**J.A., by and through her next friend, Kimberly
Hornsby; L.R., by and through her next friend
Robert Rosenthal; R.B., by and through her next
friend, Helen Johnson, on behalf of themselves
and all other persons similarly situated; H.D., by
and through her next friend, Roy Dowdy; S.G., by
and through her next friend, Billie Stewart;
M.S., by and through her next friend, Audrea Sibley;
E.S., by and through her next friend, Alicia Stojic;
S.W., by and through her next friend, Virginia Cook;
and the Mississippi Protection and Advocacy Systems, Inc.**

PLAINTIFFS

V.

NO: 3:07-CV-394-DPJ-JCS

**GOVERNOR HALEY BARBOUR, in his official
capacity; DONALD TAYLOR, in his official capacity
as Executive Director of the Mississippi Department
of Human Services; L. DONALD ARMAGOST in his
official and individual capacities as the administrator
of Columbia Training School; RICHARD JAMES, in
his official and individual capacities as Assistant
Administrator of Columbia Training School;
KATHY PITTMAN, in her official capacity as Director
of the Division of Youth Services; Mr. ALEXANDER
in his official and individual capacities as a Columbia
Training School Security Officer**

DEFENDANTS

**DEFENDANT LARRY ALEXANDER'S ANSWER
TO THE AMENDED COMPLAINT**

Comes now one of the defendants, Larry Alexander (referred to in plaintiffs' Amended Complaint as "Mr. Alexander," and referred to hereafter as "defendant Alexander"), by and through counsel, and would answer plaintiffs' amended complaint as follows:

1. Paragraph 1 of plaintiffs' Amended Complaint contains no allegations against defendant

Alexander. Thus, no response to the allegations contained in paragraph 1 of plaintiffs' Amended Complaint is made by this defendant. To such extent that the allegations contained in paragraph 1 of plaintiffs' Amended Complaint are applicable to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies them.

2. Paragraph 2 of plaintiffs' Amended Complaint contains no allegations against defendant Alexander. Thus, no response to the allegations contained in paragraph 2 of plaintiffs' Amended Complaint is made by this defendant. To such extent that the allegations contained in paragraph 2 of plaintiffs' Amended Complaint are applicable to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies them.

3. Defendant Alexander denies the allegations contained in the first complete sentence of paragraph 3 of plaintiffs' Amended Complaint, insofar as those allegations apply to him. To the extent that the allegations contained in the first complete sentence of paragraph 3 of plaintiff's Amended Complaint apply to defendants other than this defendant, then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same. With regard to the allegations contained in the second complete sentence of paragraph 3 of plaintiffs' Amended Complaint said allegations are not directed at defendant Alexander and no response is given to them. To any extent that the allegations are directed at defendant Alexander they are denied. To such extent that the allegations contained in the second complete sentence of paragraph 3 of plaintiffs' Amended Complaint are applicable to defendants other than defendant

Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies them.

4. With regard to the allegations contained in paragraph 4 of plaintiffs' Amended Complaint, to any extent that they are directed at defendant Alexander they are denied. Where the allegations contained in paragraph 4 of plaintiffs' Amended Complaint are directed at defendants other than defendant Alexander, defendant Alexander is without sufficient information to either admit or deny said allegations and, therefore, denies them.

5. Paragraph 5 of plaintiffs' Amended Complaint contains no allegations against defendant Alexander. Thus, no response to the allegations contained in paragraph 5 of plaintiffs' Amended Complaint is made by this defendant. Though it does not appear that the allegations contained in paragraph 5 of plaintiffs' Amended Complaint are directed at the remaining defendants, either, to any extent that they are, defendant Alexander is without sufficient information to either admit or deny said allegations and, therefore, denies them.

6. Paragraph 6 of plaintiffs' Amended Complaint contains no allegations against defendant Alexander. Thus, no response to the allegations contained in paragraph 6 of plaintiffs' Amended Complaint is made by this defendant. Where the allegations in paragraph 6 of plaintiffs' Amended Complaint are directed against the remaining defendants then defendant Alexander would state that he has insufficient information to either admit or deny said allegations and, therefore, denies them.

7. With regard to the allegations contained in paragraph 7 of plaintiffs' Amended Complaint Defendant Alexander denies that plaintiff M.S. is entitled to any relief of any type or in any amount from him. Should other claims for relief by the other listed plaintiffs in paragraph 7 of the Amended

Complaint be directed toward defendant Alexander they are denied as well. Where the allegations contained in paragraph 7 of plaintiffs' Amended Complaint are directed at defendants other than defendant Alexander then this defendant would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies them.

JURISDICTION AND VENUE

8. Defendant Alexander admits the allegations contained in paragraph 8 of plaintiffs' Amended Complaint. To the extent that said allegations apply to defendants other than defendant Alexander, defendant Alexander is without sufficient information to either admit or deny them and, therefore, denies same.

9. Defendant Alexander admits the allegations contained in paragraph 9 of plaintiffs' Amended Complaint. To the extent that said allegations apply to defendants other than defendant Alexander, defendant Alexander is without sufficient information to either admit or deny them and, therefore, denies same.

PARTIES

10. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 10 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 10 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

11. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 11 of plaintiffs' Amended Complaint. Where the allegations

contained in paragraph 11 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

12. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 12 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 12 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

13. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 13 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 13 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

14. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 14 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 14 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

15. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 15 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 15 of plaintiffs' Amended Complaint apply to defendants other than

defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

16. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 16 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 16 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

17. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 17 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 17 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

18. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 18 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 18 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

19. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 19 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 19 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information

to either admit or deny said allegations and, therefore, denies same.

20. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 20 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 20 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

DEFENDANTS

21. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 21 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 21 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

22. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 22 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 22 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

23. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 23 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 23 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information

to either admit or deny said allegations and, therefore, denies same.

24. Defendant Alexander admits the allegations contained in the first complete sentence of paragraph 24 of plaintiffs' complaint. With regard to the second complete sentence of paragraph 24 of plaintiffs' complaint defendant Alexander is without sufficient information to either admit or deny the allegations contained in said sentence and, therefore, denies same. With regard to the third complete sentence of paragraph 24 of plaintiffs' complaint defendant Alexander is without sufficient information to either admit or deny the allegations contained in said sentence and, therefore, denies same. Defendant Alexander admits the allegations contained in the last two complete sentences of paragraph 24 of plaintiffs' complaint.

25. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 25 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 25 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

26. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 26 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 26 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

CLASS ACTION ALLEGATIONS

27. Defendant Alexander is without sufficient information to either admit or deny the

allegations contained in paragraph 27 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 27 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

28. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 28 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 28 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

29. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 29 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 29 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

30. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 30 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 30 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

31. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 31 of plaintiffs' Amended Complaint. Where the allegations

contained in paragraph 31 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

32. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 32 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 32 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

STATEMENT OF FACTS

33. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 33 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 33 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

34. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 34 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 34 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

35. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 35 of plaintiffs' Amended Complaint. Where the allegations

contained in paragraph 35 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

36. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 36 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 36 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

37. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 37 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 37 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

**Protection from Harm Violations:
Shackling Mentally Ill Girls for 12 Hours a Day**

38. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 38 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 38 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

39. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 39 of plaintiffs' Amended Complaint. Where the allegations

contained in paragraph 39 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

40. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 40 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 40 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

41. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 41 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 41 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

42. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 42 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 42 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

43. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 43 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 43 of plaintiffs' Amended Complaint apply to defendants other than

defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

44. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 44 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 44 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

45. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 45 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 45 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

46. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 46 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 46 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

47. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 47 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 47 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information

to either admit or deny said allegations and, therefore, denies same.

48. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 48 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 48 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

49. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 49 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 49 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

50. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 50 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 50 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

51. Defendant Alexander denies the allegations contained in paragraph 51 of plaintiffs' Amended Complaint to the extent that they are directed toward him. Where the allegations contained in paragraph 51 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander, then defendant Alexander would state that he is without sufficient information to either admit or deny the allegations contained in paragraph 51 of plaintiffs' amended complaint

and, therefore, denies same.

52. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 52 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 52 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

53. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 53 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 53 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

54. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 54 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 54 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

**Protection from Harm;
Excessive Use of Force**

55. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 55 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 55 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information

to either admit or deny said allegations and, therefore, denies same.

56. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 56 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 56 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

57. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 57 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 57 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

58. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 58 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 58 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

59. The allegations contained in paragraph 59 of plaintiffs' Complaint are a statement of The Division of Youth Services Policy on Abusive Institutional Practices. Where correct they are admitted by defendant Alexander, and where incorrect they are denied.

60. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 60 of plaintiffs' Amended Complaint. Where the allegations

contained in paragraph 60 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

61. With regard to the allegations contained in the first complete sentence of paragraph 61 of plaintiffs' Amended Complaint defendant Alexander is without sufficient information to either admit or deny said allegations and, therefore, denies same. Where the allegations contained in the first complete sentence of paragraph 61 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander, defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same. With regard to the allegations contained in the second complete sentence of paragraph 61 of plaintiffs' Amended Complaint, defendant Alexander denies said allegations as they apply to him. Where said allegations refer to defendants other than defendant Alexander, defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

**Protection from Harm
Staff-on-Youth Sexual Assault**

62. Defendant Alexander admits the allegations contained in paragraph 62 of plaintiffs' Amended Complaint.

63. Defendant Alexander denies the allegations contained in paragraph 63 of plaintiffs' Amended Complaint.

64. Defendant Alexander denies the allegations contained in paragraph 64 of plaintiffs' Amended Complaint.

65. Defendant Alexander denies the allegations contained in paragraph 65 of plaintiffs'

Amended Complaint.

66. Defendant Alexander denies the allegations contained in paragraph 66 of plaintiffs' Amended Complaint.

67. The allegations contained in paragraph 67 of plaintiffs' Amended Complaint are a statement of The Division of Youth Services Policy on Abusive Institutional Practices. Where correct they are admitted by defendant Alexander, and where incorrect they are denied.

68. Defendant Alexander denies the allegations contained in paragraph 68 of plaintiffs' Amended Complaint.

69. Defendant Alexander denies the allegations contained in the first complete sentence in paragraph 69 of plaintiffs' Amended Complaint. As to the second complete sentence in paragraph 69 of plaintiffs' Amended Complaint, defendant Alexander would state that since there were no assaults, there was no action that needed to be taken by Defendants Armagost, James, Pittman, and Taylor.

70. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 70 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 70 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

71. With regard to the allegations contained in the first complete sentence of paragraph 71 of plaintiffs' Amended Complaint defendant Alexander is without sufficient information to either admit or deny said allegations and, therefore, denies same. Where the allegations contained in the

first complete sentence of paragraph 71 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander, defendant Alexander is without sufficient information to either admit or deny said allegations and denies same. Defendant Alexander denies the allegations contained in the second complete sentence of paragraph 71 of plaintiffs' Amended Complaint.

72. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 72 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 72 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

73. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 73 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 73 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

**Inadequate Mental Health/Rehabilitative Treatment and
Self-Harm Prevention Practices and Policies**

74. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 74 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 74 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

75. Defendant Alexander is without sufficient information to either admit or deny the

allegations contained in paragraph 75 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 75 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

76. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 76 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 76 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

77. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 77 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 77 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

78. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 78 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 78 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

79. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 79 of plaintiffs' Amended Complaint. Where the allegations

contained in paragraph 79 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

80. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 80 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 80 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

81. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 81 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 81 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

82. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 82 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 82 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

83. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 83 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 83 of plaintiffs' Amended Complaint apply to defendants other than

defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

84. Defendant Alexander denies the allegations contained in paragraph 84 of plaintiffs' Amended Complaint as they apply to him. Where the allegations contained in paragraph 84 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander, defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, would deny same.

85. With regard to the allegations contained in the first three complete sentences in paragraph 85 of plaintiffs' Amended Complaint defendant Alexander is without sufficient information to either admit or deny same and, therefore, denies said allegations. Where the allegations contained in the first three complete sentences in paragraph 85 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander, defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same. With regard to allegations contained in the fourth complete sentence in paragraph 85 of plaintiffs' Amended Complaint defendant Alexander denies same as they apply to him. Where the allegations contained in paragraph 85 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander, he is without sufficient information to either admit or deny them and, therefore, denies said allegations.

86. With regard to the allegations contained in the first two complete sentences in paragraph 86 of plaintiffs' Amended Complaint defendant Alexander is without sufficient information to either admit or deny same and, therefore, denies said allegations. Where the allegations contained in the

first two complete sentences in paragraph 86 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander, defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same. With regard to the allegations contained in the third complete sentence of paragraph 86 of plaintiffs' Amended Complaint, defendant Alexander denies same as they apply to him. Where the allegations contained in the third complete sentence of paragraph 86 apply to defendants other than defendant Alexander, defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

87. Defendant Alexander denies the allegations contained in the first complete sentence of paragraph 87 of plaintiffs' Amended Complaint as they apply to him. Where the allegations contained in the first complete sentence apply to defendants other than defendant Alexander, defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same. With regard to the allegations contained in the second complete sentence of paragraph 87 of plaintiffs' Amended Complaint defendant Alexander is without sufficient information to either admit or deny same and, therefore, denies said allegations. Where the allegations contained in the second complete sentence of paragraph 87 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander, defendant Alexander is without sufficient information to either admit or deny said allegations and, therefore, denies same.

88. Defendant Alexander denies the allegations contained in paragraph 88 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 88 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander he is without sufficient information

to either admit or deny said allegations and, therefore, denies same.

89. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 89 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 89 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

EXHAUSTION

90. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 90 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 90 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

91. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 91 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 91 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

CAUSES OF ACTION

COUNT 1

DECLARATORY AND INJUNCTIVE RELIEF TO REMEDY EIGHTH AND FOURTEENTH AMENDMENT VIOLATIONS: INADEQUATE MENTAL HEALTH AND REHABILITATIVE TREATMENT

92. Just as plaintiffs incorporate by reference into paragraph 92 of plaintiffs' Amended Complaint all allegations heretofore stated in their Amended Complaint, defendant Alexander incorporates his answers and responses to the allegations in said paragraphs into his response to paragraph 92 of plaintiffs' Amended Complaint.

93. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 93 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 93 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

94. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 94 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 94 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

COUNT 2

DECLARATORY AND INJUNCTIVE RELIEF TO REMEDY EIGHTH AND FOURTEENTH AMENDMENT VIOLATIONS; FAILURE TO PROTECT FROM HARM

95. Just as plaintiffs incorporate by reference into paragraph 95 of plaintiffs' Amended Complaint all allegations heretofore stated in their Amended Complaint, defendant Alexander incorporates his answers and responses to the allegations in said paragraphs into his response to paragraph 95 of plaintiffs' Amended Complaint.

96. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 96 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 96 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

97. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 97 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 97 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

COUNT 3

DAMAGES FOR EIGHTH AND FOURTEENTH AMENDMENT VIOLATIONS: EXCESSIVE USE OF RESTRAINTS

98. Just as plaintiffs incorporate by reference into paragraph 98 of plaintiffs' Amended Complaint all allegations heretofore stated in their Amended Complaint, defendant Alexander incorporates his answers and responses to the allegations in said paragraphs into his response to paragraph 98 of plaintiffs' Amended Complaint.

99. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 99 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 99 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

COUNT 4

**DAMAGES FOR EIGHTH AND FOURTEENTH AMENDMENT VIOLATIONS:
FAILURE TO PROVIDE ADEQUATE REHABILITATIVE [SP.]/MENTAL HEALTH
TREATMENT AND PROTECTION FROM HARM**

100. Just as plaintiffs incorporate by reference into paragraph 100 of plaintiffs' Amended Complaint all allegations heretofore stated in their Amended Complaint, defendant Alexander incorporates his answers and responses to the allegations in said paragraphs into his response to paragraph 100 of plaintiffs' Amended Complaint.

101. Defendant Alexander is without sufficient information to either admit or deny the allegations contained in paragraph 101 of plaintiffs' Amended Complaint. Where the allegations contained in paragraph 101 of plaintiffs' Amended Complaint apply to defendants other than defendant Alexander then defendant Alexander would state that he is without sufficient information to either admit or deny said allegations and, therefore, denies same.

COUNT 5

**DAMAGES FOR EIGHTH AND FOURTEENTH AMENDMENT VIOLATIONS:
STAFF ON YOUTH SEXUAL ASSAULT**

102. Just as plaintiffs incorporate by reference into paragraph 102 of plaintiffs' Amended Complaint all allegations heretofore stated in their Amended Complaint, defendant Alexander incorporates his answers and responses to the allegations in said paragraphs into his response to paragraph 102 of plaintiffs' Amended Complaint.

103. Defendant Alexander denies the allegations contained in paragraph 103 of plaintiffs' Amended Complaint.

PRAYER FOR RELIEF

With regard to the unnumbered paragraph beginning “WHEREFORE, . . .” including subparagraphs a. thru f., defendant Alexander denies that plaintiffs are entitled to any of the relief described in this unnumbered paragraph, including its subparagraphs. With regard to the remaining defendants, defendant Alexander is without sufficient information to either admit or deny whether such relief should be granted and, therefore, he denies same.

AFFIRMATIVE DEFENSES

A. The actions of defendant Alexander as described in plaintiffs’ Amended Complaint are cloaked with qualified immunity.

B. As a matter of law, defendant Larry Alexander is not liable for punitive damages.

C. Any award of exemplary damages would be unconstitutional under the due process clauses of the Mississippi and the United States Constitutions.

D. Any assessment of exemplary damages against defendant Larry Alexander would be violative of the provisions of the Constitution of the United States of America, including the Eighth Amendment and the Fourteenth Amendment thereof, the proscription on Ex Post Facto and other retroactive laws of Article I of the Constitution of the United States of America, and is violative of the provisions of the Mississippi Constitution, including §28 thereof.

E. An award of exemplary damages against defendant Larry Alexander in this civil action would amount to a deprivation of property without due process of law in violation of the Fifth and Fourteenth Amendments to the United States Constitution.

F. No legislation has been enacted authorizing exemplary damages in a civil action such as

this, and no legislation has been enacted placing any limit on the amount of exemplary damages.

G. The criteria used for determining whether and in what amount exemplary damages may be awarded are impermissibly vague, imprecise, and inconsistent, and are therefore in violation of the due process provisions of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

H. An award of exemplary damages against defendant Larry Alexander in this civil action would amount to an excessive fine in violation of the Eighth Amendment to the Constitution of the United States of America and of §28 of the Mississippi Constitution.

And now, having fully answered and responded to plaintiffs' Complaint, defendant Larry Alexander herein respectfully requests that he be dismissed from this action with prejudice and with his costs.

Respectfully submitted,

LARRY ALEXANDER, DEFENDANT

BY: WILKINS, STEPHENS & TIPTON, P.A.

BY: /s/ Bill Patterson

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CERTIFICATE OF SERVICE

I, Bill Patterson, the undersigned attorney for defendant Larry Alexander, do hereby certify that on August 20th, I electronically filed the foregoing *Defendant Larry Alexander's Answer to the Amended Complaint* with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

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Mailed to:

Ira A. Burnim - PHV
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This the 20th day of August, 2007.

/s/Bill Patterson

Bill Patterson, Esq.