

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

- - - - - x  
 JOSE JIMEMEZ MORENO and MARIA :  
 JOSE LOPEZ, on behalf of :  
 themselves and all others :  
 similarly situated, : Case 1:11-cv-05452  
 Plaintiffs, :  
 v. :  
 JANET NAPOLITANO, et al., :  
 Defendants. :

- - - - - x

Thursday, June 6, 2013  
Washington, D.C.

Deposition of PHILIP T. MILLER,  
commencing at 9:06 a.m., held at the offices of  
Winston & Strawn, 1700 K Street, N.W., Washington,  
D.C., before Keith Wilkerson, a notary public in and  
for the District of Columbia.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S O F C O U N S E L

Attorneys for the Plaintiffs:

Winston & Strawn  
35 West Wacker Drive  
Chicago, Illinois 60601  
(312) 558-3735

BY: BENJAMIN P. CARR, ESQ.

National Immigration Justice Center  
208 South LaSalle Street, Suite 1818  
Chicago, Illinois 60604  
(312) 660-1626

BY: MARK FLEMING, ESQ.

Attorneys for the Defendants:

United States Department of Justice  
Civil Division  
Office of Immigration Litigation  
P.O. Box 868  
Ben Franklin Station  
Washington, D.C. 20044  
(202) 307-4693

BY: WILLIAM C. SILVIS, ESQ.

COLIN A. KISOR, ESQ.

LANA L. VAHAB, ESQ.

A P P E A R A N C E S O F C O U N S E L

Attorneys for the Defendants:

U.S. Department of Homeland Security  
U.S. Immigration and Customs Enforcement  
500 Twelfth Street, N.W.  
Washington, D.C. 20536  
(202) 732-3352

BY: STEVEN M. BRODSKY, ESQ.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I N D E X O F E X A M I N A T I O N S

WITNESS	PAGE
PHILIP T. MILLER	
By Mr. Carr	5
By Mr. Silvis	202
By Mr. Carr	213

I N D E X O F E X H I B I T S

NO.	DESCRIPTION	PAGE
1	Deposition Notice	9
2	Interim Policy	32
3	Memo, 12/21/12	51
4	Memo, 11/19/09	79
5	The Law of Arrest	83
6	Chapter 43	93
7	Immigration Detainer	96
8	Immigration Detainer	110
9	Immigration Detainer	111
10	Answers to Interrogatories	131
11	Standard Operating Procedures	141
12	Title 8 Excerpt	194

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

P R O C E E D I N G S

Whereupon,

PHILIP T. MILLER

was called for examination by counsel for Plaintiffs and, after having been duly sworn by the notary public, was examined and testified as follows:

EXAMINATION BY COUNSEL FOR PLAINTIFFS

BY MR. CARR:

Q. Good morning, Mr. Miller.

A. Good morning.

Q. My name is Ben Carr, and I represent the plaintiffs in this case. Could we start with you stating and spelling your full name for the record?

A. My name is Philip Todd Miller. Philip is spelled P-h-i-l-i-p, Todd, T-o-d-d, and Miller, M-i-l-l-er.

Q. And where do you currently live? City and state is fine.

A. Gainesville, Virginia.

Q. Mr. Miller, have you ever been deposed before?

A. No.

Q. I'm going to explain some of the basic ground rules for a deposition so that we can be on the same page as we go through the questions and

1 answers. Like I just mentioned, it's a question and  
2 answer format. I'll ask a question. As soon as I'm  
3 done, please answer. Please answer verbally. The  
4 court reporter can't take down nods or shakes of the  
5 head. If you don't understand a question please  
6 tell me, and I'll rephrase the question. And if you  
7 don't hear a question that I ask, tell me and I'll  
8 repeat the question or have the court reporter  
9 repeat the question. If you find any question that  
10 I ask confusing just let me know, and I'll rephrase  
11 the question to hopefully make it more clear. Do  
12 you understand?

13 A. Yes, sir.

14 Q. Also, if there's anything that interferes  
15 in any way with you answering a question, will you  
16 tell me?

17 A. I will.

18 Q. We're free to take breaks at any time you  
19 want. Just let me know. The only thing that I'll  
20 ask is that we don't take any breaks while a  
21 question is still pending. You'll need to get  
22 through the answer first, and then we can break. Do  
23 you understand?

24 A. I do.

25 Q. Is there anything that would prevent your

1 full and complete testimony today?

2 A. No, there is not.

3 Q. I'd like to talk a little bit about what  
4 you did to prepare for the deposition today. What  
5 did you do to prepare for today's deposition?

6 A. I met with OPLA attorneys, and I also met  
7 with an ERO attorney. I reviewed some documents  
8 they provided relating to the various iterations,  
9 three iterations of the detainer form, policies and  
10 directives associated with the issuance of those  
11 forms, and a few of the statutes associated with the  
12 authority to issue detainers.

13 Q. Now, you mentioned that you reviewed  
14 documents. To your knowledge, all the documents  
15 that you reviewed, have they been produced in this  
16 litigation?

17 A. To my knowledge, yes.

18 Q. You also mentioned that you reviewed some  
19 statutes. Are all of the statutes that you reviewed  
20 publicly available?

21 A. Yes, they are.

22 Q. Did you bring any documents with you to  
23 the deposition today?

24 A. Yes, I did.

25 Q. What documents did you bring today?

1           A.       I have the detainers. I have the  
2 enforcement priorities memorandum, the prosecutorial  
3 discretion memorandum, the directives and policy  
4 related to the issuance of detainers, and the  
5 standard operating procedures for the Law  
6 Enforcement Support Center.

7           Q.       Have all of those documents, to your  
8 knowledge, been produced in this litigation?

9           A.       Yes, they have.

10           MR. CARR: Counsel, to the extent any of  
11 the documents that he brought with him to the  
12 deposition today have not been produced, we'd just  
13 request that they be produced to us.

14           MR. SILVIS: They should be all of the  
15 same ones that we produced to you. He didn't look  
16 at anything otherwise.

17           BY MR. CARR:

18           Q.       You mentioned discussing the deposition  
19 with various attorneys. Did you discuss this  
20 deposition with anyone other than your attorneys?

21           A.       No, I haven't.

22           Q.       You understand that you're here today to  
23 provide testimony on behalf of ICE.

24           A.       Yes, I do.

25           Q.       And do you understand that you've been



1 designated as a witness with knowledge of several  
2 specific topics?

3 A. Yes, I do.

4 BY MR. CARR: And I would like to state  
5 for the record that counsel for the defendants and  
6 counsel for the plaintiffs talked before the  
7 deposition, and I believe we're going to stipulate  
8 that Mr. Miller is designated on topics one, four,  
9 five, six, seven, eight, nine, eleven and twelve.

10 MR. SILVIS: Agreed.

11 (Miller Exhibit No. 1  
12 was marked for identification.)

13 BY MR. CARR:

14 Q. Mr. Miller, I've handed you what's been  
15 marked as Exhibit 1. Please take a moment to review  
16 that document and let me know when you're ready.  
17 And Mr. Miller, I should also mention that I'm not  
18 going to go through the document page by page, and  
19 if there's anything specific I'll direct you to it  
20 and allow you enough time to review it.

21 A. Okay.

22 Q. Mr. Miller, are you familiar with Exhibit  
23 1?

24 A. Yes, I am.

25 Q. Have you reviewed Exhibit 1 before?

1 A. Yes, sir.

2 Q. And Exhibit 1 is the notice of the Rule  
3 30(b)(6) deposition, including the topics for the  
4 deposition today. Is that correct?

5 A. Yes, sir, it is.

6 Q. And have you been prepared on the topics  
7 that counsel stipulated to and that I mentioned  
8 earlier on the record?

9 A. Yes.

10 Q. And those topics are contained in Exhibit  
11 1?

12 A. Yes, they are.

13 Q. I want to move forward and talk a little  
14 bit about your background. I'd like to start off  
15 with just asking a few questions about your current  
16 position at ICE. What is your current title?

17 A. I am the assistant director for field  
18 operations.

19 Q. Do you have any other titles at ICE?

20 A. No.

21 Q. And you only work for ICE. Is that  
22 correct?

23 A. That is correct.

24 Q. No other government agencies?

25 A. Correct.

1 Q. Who do you report to?

2 A. My immediate supervisor is Tim Robbins.

3 Q. And who does Mr. Robbins report to?

4 A. Tom Homan.

5 Q. And who does Mr. Homan report to?

6 A. Dan Ragsdale.

7 Q. And who does Mr. Ragsdale report to?

8 A. Director Morton.

9 Q. Is Director Morton the highest ranking  
10 official at ICE?

11 A. Yes, he is.

12 Q. What is Mr. Robbins' title?

13 A. He's the deputy executive associate  
14 director.

15 Q. And what is Mr. Homan's title?

16 A. The executive associate director for  
17 enforcement and removal operations.

18 Q. And what is Mr. Ragsdale's title?

19 A. He's the deputy director of ICE.

20 Q. And Mr. Morton's title is?

21 A. He's the director of ICE.

22 Q. Are Mr. Robbins, Mr. Homan, Mr. Ragsdale  
23 and Mr. Morton all located in Washington, D.C.?

24 A. Yes, sir.

25 Q. Who at ICE reports to you?

1           A.       My immediate reports are the two deputy  
2 associate directors for field operations, and I have  
3 a senior advisor and a special assistant.

4           Q.       What are the names of the two deputy  
5 assistant directors that report to you?

6           A.       Jack Bennett for the east operations, and  
7 the gentleman who's currently detailed for west is  
8 Jeffrey Lynch.

9           Q.       Now, you mentioned that Mr. Lynch and  
10 Mr. Bennett are designated for east and west. Do  
11 they cover certain regions of the country?

12          A.       Yes. There are 24 field offices within  
13 Enforcement and Removal Operations, and we basically  
14 divide them up by the Mississippi, 12 to the east  
15 and 12 to the west.

16          Q.       So the geographical boundary is the  
17 Mississippi River for the two divisions?

18          A.       Essentially. Well, essentially where the  
19 office sits, yes.

20          Q.       You also mentioned that a senior advisor  
21 reports to you. What's the name of that senior  
22 advisor?

23          A.       Andrea Rogers.

24          Q.       And you mentioned a fourth person who  
25 reports to you. What was their title again?

1 A. Special assistant.

2 Q. What is the name of the special assistant  
3 that reports to you?

4 A. Charlene Bowman.

5 Q. What are Ms. Rogers's responsibilities?

6 A. She helps me to -- I'm responsible for  
7 clearing and vetting all of the outside  
8 correspondence that ICE ERO receives -- I'm sorry to  
9 use acronyms -- Enforcement and Removal Operations.  
10 I don't know if we can agree that the acronym for  
11 that is ERO. It's less cumbersome to say.

12 Q. That's no problem.

13 A. All the outside correspondence, both  
14 Congressional and from anyone really who makes an  
15 inquiry related to ERO operations, I'm responsible  
16 for clearing those, and she assists in clearing a  
17 lot of those. She's also available to provide  
18 in-house counsel to any of the field office  
19 directors who have a question in terms of how we're  
20 going to apply or manage new policy changes.

21 Q. And Ms. Bowman, what are her  
22 responsibilities?

23 A. She basically helps prepare my briefing  
24 book each day, helps with scheduling issues,  
25 preparation of documents for my signature.

1           Q.       And I think you mentioned this before,  
2 but I wanted to ask just to get a little more  
3 detail. What are the responsibilities of the two  
4 deputy assistant directors who report to you?

5           A.       Just to kind of facilitate day-to-day  
6 operations. If the field office directors have  
7 immediate action questions or they have requests  
8 that require kind of some preparation before we  
9 actually present them to senior management, they're  
10 available to pull together the information that we  
11 need.

12                    There are a number of what are called  
13 executive summaries we have to prepare just to brief  
14 upper management on, you know, either specific cases  
15 or the needs of the field office directors, and they  
16 pull all of that information together, format it in  
17 a standardized way, and basically prepare it for my  
18 review.

19           Q.       We spent some time talking about other  
20 individuals at ICE and their responsibilities. I  
21 wanted to ask: What are your responsibilities in  
22 your current position at ICE?

23           A.       Basically the oversight and management of  
24 the 24 field office directors and all of the  
25 operational elements that come into play in doing

1 that.

2 Q. What do you mean by "operational  
3 elements?"

4 A. We have to take very broad national  
5 policy and apply it to the uniqueness of each field  
6 office. Each of the field offices of course are  
7 dealing with different district court decisions and  
8 different circuit court decisions, and they kind of  
9 fine-tune how their standard operating procedures  
10 are applied.

11 A lot of times it requires discussion and  
12 modification and consultation with ICE, the Office  
13 of Principal Legal Advisor, to say, you know, "This  
14 is the large national concept but, based on the  
15 Ninth Circuit or the Fifth Circuit, how do we need  
16 to modify this to make it actionable within the  
17 precedent rulings of that circuit court or, in some  
18 cases, even at the district court level."

19 Q. So when you mention the uniqueness of the  
20 various field offices, that uniqueness is related to  
21 the various laws and circuits that those field  
22 offices are located in?

23 A. Correct.

24 Q. Are there any other aspects of the  
25 individual field offices that leads to any

1 uniqueness as you describe it?

2 A. Absolutely. Countless.

3 Q. Can you describe some of those unique  
4 features?

5 A. Some of the features are what state  
6 they're in. Many of the -- for instance, when we're  
7 charging a person that we believe to be removable,  
8 much of the way the Immigration and Nationality Act  
9 or the INA is structured is based on federal  
10 criminal violations, so we have to look at the state  
11 statutes, most of which are divisible, and how they  
12 actually fit into the matrix of how to charge the  
13 person, you know, if we're trying to use or  
14 predicate the removability on some kind of criminal  
15 violation or criminal conviction.

16 That varies not only with the state in  
17 which the person is currently residing but also the  
18 state in which the person was convicted, because not  
19 everyone appears in immigration court in the same  
20 state where their criminal conviction took place.

21 Also, because ERO line officers and  
22 support staff are bargaining unit employees, there's  
23 the application of the CBA as it relates to the  
24 national CBA, and then each field office also has  
25 local agreements, some of which are localized to the



1 individual offices and not just within the field  
2 office. Some of the field offices are bound by --  
3 they're all bound by geography, but some of them are  
4 simply, you know, geography as easy as a city like  
5 San Diego or Los Angeles. I was the field office  
6 director over in New Orleans and had five states, so  
7 my considerations on how to work through issues in  
8 five states was much different than someone who has  
9 one city to manage.

10 I mean, it's hard to list all of them.  
11 That's part of what we do every day is deal with the  
12 unique things. Guidance comes out in a very general  
13 sense, and how to fine-tune it to the environment in  
14 which it's being applied is kind of the hard part of  
15 it.

16 Q. So is it fair to say that each ICE field  
17 office has to deal with different laws and  
18 regulations?

19 MR. SILVIS: Object to the form.

20 MR. CARR: Strike that question.

21 BY MR. CARR:

22 Q. Let me clarify that a little bit. Is it  
23 fair to say that each ICE field office must take  
24 into consideration, when forming policies, the  
25 unique nature of its geographic location?

1           A.     When they're crafting operating  
2 procedures, local operating procedures, yes, they  
3 do.

4           Q.     Have you held any other positions within  
5 ICE?

6           A.     Yes.

7           Q.     What other positions have you held?

8           A.     Do you want me to start with INS or only  
9 ICE?

10          Q.     Please start with INS and, if it will  
11 help you, let's work from when you first started at  
12 INS through the present.

13          A.     I started with INS as an immigration  
14 inspector, then a deportation officer, then a  
15 special agent. At the creation of ICE I was a  
16 special agent, then a senior special agent, then an  
17 assistant field office director, deputy field office  
18 director, and field office director before my  
19 current position as the assistant director.

20          Q.     Were all of the positions that you just  
21 listed located in the same field office?

22          A.     With the exception of my current  
23 position, yes.

24          Q.     What field office were you located in  
25 from the time you started at INS up through the time

1 you were a field office director?

2 A. New Orleans.

3 Q. And would that be referred to as the New  
4 Orleans field office?

5 A. Well, for INS it was the New Orleans  
6 district office. With the creation of ICE I was a  
7 special agent, so it was called SAC or special agent  
8 in charge, New Orleans. And then when I came back  
9 to ERO as the assistant field office director, then  
10 it would be the New Orleans field office. Generally  
11 speaking, "field office" is for ERO and "SAC" is for  
12 Homeland Security Investigations.

13 Q. I would like to talk a little bit about  
14 the organization of ICE in general. Are there  
15 particular divisions of ICE that are responsible for  
16 the investigation of detainers?

17 A. I don't understand your question.

18 Q. Let me rephrase. What divisions of ICE  
19 investigate detainers?

20 A. I don't believe any investigate  
21 detainers.

22 Q. Who at ICE investigates detainers?

23 MR. SILVIS: Objection. Asked and  
24 answered.

25 BY MR. CARR:

1 Q. Let me rephrase that. Who at ICE  
2 issues -- strike that. What divisions of ICE are  
3 responsible for issuing detainers?

4 A. Both Homeland Security Investigations,  
5 HSI, and ERO.

6 Q. Homeland Security Investigations is a  
7 division of ICE?

8 A. Yes.

9 Q. In what context does Homeland Security  
10 Investigations issue detainers?

11 A. I'm not sure. I don't know what their  
12 current operating procedures are.

13 Q. Are you responsible or do you oversee  
14 Homeland Security Investigations in your current  
15 role?

16 A. No, I do not.

17 Q. But you do oversee ERO.

18 A. Yes.

19 Q. What sub-programs under ERO issue  
20 detainers?

21 A. There are several. The primary is  
22 through the Criminal Alien Program, but there's also  
23 Fugitive Operations, and Secure Communities for us  
24 has been assumed as a methodology under the Criminal  
25 Alien Program. I think that's still for many on the

1 outside seen as a separate division, but it's no  
2 longer treated internally as a separate division.

3 Q. To be clear, Secure Communities is part  
4 of the Criminal Alien Program?

5 A. Correct.

6 Q. Has Secure Communities always been part  
7 of the Criminal Alien Program?

8 A. No.

9 Q. When did Secure Communities become part  
10 of the Criminal Alien Program?

11 A. I believe it was in 2010.

12 Q. And when did Secure Communities first  
13 come into existence?

14 A. I believe it was 2009.

15 Q. So from 2009 to 2010 was Secure  
16 Communities a separate program in ICE?

17 A. Yes.

18 Q. Why did Secure Communities become part of  
19 the Criminal Alien Program at ICE?

20 A. Secure Communities is essentially a  
21 methodology. Once it was fully deployed there was  
22 no need to have a separate division, because the  
23 divisional structure dealt with the deployment and  
24 implementation of the program. Once fully deployed,  
25 it was merely a methodology for operating the

1 Criminal Alien Program.

2 Q. Is Secure Communities the only  
3 methodology for operating the Criminal Alien  
4 Program?

5 A. No.

6 Q. What other methodologies are there for  
7 operating the Criminal Alien Program at ICE?

8 A. Face-to-face interviews, what are  
9 commonly referred to as jail checks, where you're  
10 reviewing the booking logs from a facility.

11 Q. Are there any other methodologies used by  
12 the Criminal Alien Program?

13 A. Not in terms of methodology.  
14 Face-to-face interviews and jail checks were  
15 essentially how things were done before Secure  
16 Communities.

17 Q. Did the Criminal Alien Program -- strike  
18 that. Is the Criminal Alien Program located in each  
19 of the individual field offices of ICE?

20 A. Yes.

21 Q. Who in each of the individual field  
22 offices oversees the Criminal Alien Program in the  
23 offices?

24 A. The field office directors.

25 Q. Are you familiar with a division of ICE

1 known as LESC?

2 A. LESC?

3 Q. Yes.

4 A. Not LESC, no.

5 Q. The Law Enforcement Support Center?

6 A. Yes. It's not a division. It's an  
7 office.

8 Q. So the Law Enforcement Support Center,  
9 which I'll refer to as LESC, is an office within  
10 ICE?

11 A. Yes.

12 Q. Is the LESC separate from the Criminal  
13 Alien Program?

14 A. No.

15 Q. Is the LESC part of the Criminal Alien  
16 Program?

17 A. I guess, yes.

18 Q. Does the LESC issue detainers?

19 A. Yes, they do.

20 Q. To what geographical areas does the LESC  
21 issue detainers?

22 A. The entire country.

23 Q. Besides the Criminal Alien Program and  
24 the LESC, are there any other divisions or programs  
25 within ICE that issue detainers?

1 A. Certainly.

2 Q. What divisions or programs are those?

3 A. The Fugitive Operations Program and -- I  
4 mean, any immigration officer can, regardless of  
5 what their assigned duties are, so to say that it's  
6 limited to one specific enforcement program would be  
7 inaccurate.

8 Q. Are there any other enforcement programs  
9 under ICE that typically issue detainers that we  
10 haven't mentioned?

11 A. Within ERO, no.

12 Q. You mentioned Fugitive Operations or  
13 Fugitive Ops. Under what circumstances does  
14 Fugitive Ops issue detainers?

15 A. If they're working in the field and the  
16 person they encounter ends up being charged  
17 criminally, whether that's county, city or federal  
18 charges, and they're either handling the prosecution  
19 and/or assisting a local agency with the  
20 prosecution, they would lodge a detainer when the  
21 person is booked in on those criminal charges.

22 Q. How does Fugitive Ops typically encounter  
23 an individual?

24 A. They receive information. They work up  
25 the information and develop a target pack. Once the



1 information has been vetted by a supervisor and  
2 seems to be a viable target that meets our  
3 priorities, then they proceed with locating and  
4 arresting the individual.

5 Q. Let's zoom out just a little bit about  
6 Fugitive Ops. What is the role that Fugitive Ops  
7 plays at ICE?

8 A. The programmatic role is to identify and  
9 remove foreign persons against whom immigration  
10 judges have entered a final order of removal and  
11 they have either failed to surrender to ICE or  
12 failed to depart the country, as they indicated to  
13 the immigration judge.

14 Q. And what is the difference between the  
15 role of Fugitive Ops and the Criminal Alien Program?

16 A. Fugitive Operations is dealing with  
17 persons who are at large, not in an institution.  
18 The Criminal Alien Program is focusing on people who  
19 are in an institution, either pre-trial or serving  
20 their sentence.

21 Q. So to be clear, the Criminal Alien  
22 Program, including Secure Communities, which is part  
23 of that program now, only deals with individuals who  
24 are currently incarcerated or held in detention.

25 A. Correct.

1 Q. Is the Criminal Alien Program primarily  
2 responsible for the cancellation of detainers?

3 MR. SILVIS: Object to form.

4 BY MR. CARR:

5 Q. Let me clarify that. Can the Criminal  
6 Alien Program cancel detainers?

7 A. Officers can.

8 Q. Can officers within the Criminal Alien  
9 Program cancel detainers?

10 A. Yes.

11 Q. Can officers within Fugitive Ops cancel  
12 detainers?

13 A. Yes.

14 Q. Can officers who work for Secure  
15 Communities, which is part of the Criminal Alien  
16 Program, cancel detainers?

17 A. Yes.

18 Q. Can the LESC cancel detainers?

19 A. Officers at the LESC can cancel  
20 detainers.

21 Q. Are there any other ICE divisions or  
22 programs that have the authority to cancel  
23 detainers?

24 A. Yes.

25 Q. What divisions or programs are those?

1           A.     Any immigration officer can cancel  
2     detainers.

3           Q.     Do any other ICE divisions or programs  
4     typically cancel detainers?

5           MR. SILVIS:   Object to the form.

6           BY MR. CARR:

7           Q.     You may answer.

8           MR. SILVIS:   Objection also to  
9     foundation.   You can answer if you can.

10          A.     I'm sorry.   Could you repeat it?

11          MR. CARR:    Could you read the question  
12     back, please?

13                     (The record was read by the reporter.)

14          THE WITNESS:   To my knowledge, no.

15          BY MR. CARR:

16          Q.     Besides the Criminal Alien Program and  
17     Fugitive Ops, are there any other divisions or  
18     programs within ICE involved in the investigation of  
19     individuals prior to issuing a detainer?

20          A.     Yes.

21          Q.     What programs or divisions are involved  
22     in the investigation of individuals prior to issuing  
23     a detainer?

24          A.     Officers working on a non-detained docket  
25     may, just because they're generally the ones who are

1 working. In an office setting when we go public  
2 window, sometimes law enforcement simply comes up to  
3 the public window and seeks assistance, not through  
4 a formal mechanism, and so they may be involved in  
5 assisting with an officer's investigation that may  
6 result in a criminal charge and a criminal arrest  
7 which may lead to a detainer.

8 And just because of expedience's sake  
9 they may follow up with a detainer, later informing  
10 a supervisor within the Criminal Alien Program  
11 division and their local office that a detainer has  
12 been lodged. But since any immigration officer can  
13 lodge a detainer, there are instances where that  
14 does happen.

15 Q. You mentioned a non-detained docket. Is  
16 that correct?

17 A. Yes.

18 Q. What do you mean by a non-detained  
19 docket?

20 A. A non-detained docket are persons who are  
21 not in detention while they're going through  
22 immigration court or on appeal to the Board of  
23 Immigration Appeals, and nevertheless there is an  
24 officer who manages their case during that time.

25 Q. Who at ICE is responsible for the

1 oversight of detainer policy?

2 A. The ICE Office of Policy.

3 Q. And who is the head of the ICE Office of  
4 Policy?

5 A. I'm not sure who is now. There was a  
6 recent change. The woman who was doing it was  
7 promoted or changed to a different position, so I'm  
8 not sure who is in charge now.

9 Q. Who was previously in charge of the ICE  
10 Office of Policy?

11 A. Susan Cullen.

12 Q. And when did she leave her position, to  
13 the best of your knowledge?

14 A. I believe it was in 2011 or 2012.

15 Q. Is Mr. Morton ultimately responsible for  
16 ICE's policies and procedures?

17 A. Ultimately, yes.

18 Q. What individuals at ICE have the  
19 authority to issue a detainer?

20 MR. SILVIS: Objection. Asked and  
21 answered.

22 A. All immigration officers do. I'd have to  
23 reference 8 CFR 287 to read you the list. I don't  
24 have the list memorized.

25 BY MR. CARR:

1 Q. You mentioned immigration officers. Just  
2 for purposes of this deposition, is it easier to  
3 refer to those officers at IEAs?

4 A. IEAs are one. Deportation officers would  
5 be another. Within ERO those are the primary  
6 officer core positions, and then the supervisory  
7 equivalent.

8 Q. So is --

9 A. We could say IEAs and DOs.

10 Q. Just so that we're on the same page, if I  
11 talk about immigration officers we'll understand  
12 we're speaking about those various categories that  
13 you just described?

14 A. Sure, with the caveat that this is only  
15 within ERO. Within HSI there's a whole different  
16 group of people.

17 Q. And to clarify, how many field offices  
18 are there within ICE?

19 A. 24.

20 Q. And those field offices are all based on  
21 geographic limitations. Correct?

22 A. Geographic boundaries. Correct.

23 Q. Do the various field offices issue  
24 detainers for individuals located outside of their  
25 geographic region?

1 A. Yes.

2 Q. I'd like to move along and discuss some  
3 of the policies and policy documents related to  
4 detainers that ICE has promulgated. Does ICE follow  
5 uniform policies nationwide for the investigation of  
6 individuals prior to issuing a detainer against  
7 them?

8 A. Could you rephrase that?

9 Q. Does ICE have a uniform national policy  
10 for the issuance of detainers?

11 A. Yes.

12 Q. And are those policies written down?

13 A. Yes.

14 Q. What document contains those policies, or  
15 documents?

16 A. There's a guidance on the issuance of a  
17 detainer, a policy from Director Morton from 2012 on  
18 the issuance of detainers.

19 Q. Are there any unwritten policies followed  
20 nationwide for the issuance of detainers?

21 A. Not to my knowledge.

22 Q. Are there any other written policies  
23 related to the issuance of detainers that you did  
24 not just mention?

25 A. There are policies that were --

1 directives that were superseded with the 2012  
2 policy, yes.

3 Q. But those policies are no longer in  
4 effect?

5 A. Correct.

6 (Miller Exhibit No. 2  
7 was marked for identification.)

8 BY MR. CARR:

9 Q. Mr. Miller, I've handed you what's been  
10 marked as Exhibit 2. It's Bates stamped DHS 000036  
11 through DHS 000038, and it's titled Interim Policy  
12 No. 10074.1, Detainers. Please take a moment to  
13 review that document and let me know when you're  
14 ready.

15 A. I'm ready.

16 Q. Mr. Miller, do you recognize Exhibit 2?

17 A. Yes.

18 Q. What is Exhibit 2?

19 A. It was an interim policy on the issuance  
20 of detainers that was issued by the director in  
21 August of 2010.

22 Q. And is Exhibit 2 a true and correct copy  
23 of that policy?

24 A. To the best of my knowledge, yes.

25 Q. This policy was effective as of August



1 2nd, 2010. Is that correct?

2 A. Correct.

3 Q. So this policy would have been effective  
4 on February 1st, 2011?

5 A. I believe so, yes.

6 Q. And this policy would have been effective  
7 on March 22nd, 2011?

8 A. Correct.

9 Q. I want to direct you to Exhibit 2.  
10 Towards the top of the first page, where it says  
11 superseded, it says there LESC LOP 005-09. Do you  
12 see that, Mr. Miller?

13 A. Yes, I do.

14 Q. What is LESC LOP 005-09?

15 A. Law Enforcement Support Center Local  
16 Operating Procedure.

17 Q. What is an LESC local operating  
18 procedure?

19 A. It would have been guidance issued by the  
20 LESC for the technicians and officers working at the  
21 LESC.

22 Q. And would that LESC LOP document have  
23 been a national policy?

24 A. No.

25 Q. It would have only applied to actions and

1 procedures for the LESC. Is that correct?

2 A. Yes, sir.

3 Q. And Exhibit 2 completely superseded the  
4 LESC LOP mentioned here. Is that correct?

5 A. Yes.

6 Q. So the LESC LOP mentioned here would not  
7 have been effective past August 2nd, 2010. Correct?

8 A. Yes, sir.

9 Q. During the time that the policy in  
10 Exhibit 2 was effective was it applied every time a  
11 detainer was issued?

12 MR. SILVIS: Objection. Foundation.

13 A. To my knowledge, yes.

14 BY MR. CARR:

15 Q. So the policy in Exhibit 2 was uniformly  
16 applied to all detainers. Correct?

17 MR. SILVIS: Objection. Foundation.

18 BY MR. CARR:

19 Q. You may answer.

20 A. To my knowledge, yes.

21 Q. I'm going to direct you to the second  
22 page of Exhibit 2 marked as DHS 37. I'll direct you  
23 to Section 4.4. I want to direct you to the last  
24 sentence of Section 4.4 that reads: If at any time  
25 after a detainer is issued ICE determines it will

1 not assume custody of the alien, the detainer should  
2 be withdrawn or rescinded and the LEA notified.

3 Do you see that sentence?

4 A. Yes, I do.

5 Q. How often does ICE determine that it will  
6 not assume custody of an alien and withdraw a  
7 detainer?

8 MR. SILVIS: Objection. Foundation.

9 BY MR. CARR:

10 Q. You may answer.

11 A. I really don't have any statistics on  
12 that.

13 Q. Does ICE typically determine that it will  
14 not assume custody of an alien and withdraw a  
15 detainer?

16 MR. SILVIS: Objection to form. It's  
17 vague. Also to foundation.

18 BY MR. CARR:

19 Q. You may answer.

20 A. That's a resource management issue at the  
21 local level, and I can't speak to what every single  
22 office is doing on a daily basis.

23 Q. Under ICE policy, when would the  
24 determination that ICE will not assume custody of an  
25 alien and withdraw the detainer occur?

1           A.       Any time prior to the expiration of the  
2 48 hours.

3           Q.       So that determination could happen after  
4 the 48 hour detention period was already triggered?

5           A.       Yes, sir.

6           Q.       Are there any national policies on  
7 continuing to investigate a detainer after its  
8 issuance but prior to the triggering of the 48 hour  
9 detention period?

10          A.       To my knowledge, no.

11          Q.       To your knowledge, does any further  
12 investigation related to the detainer occur without  
13 the subject of the detainer or an advocate for them  
14 contacting ICE?

15          A.       It may. If the continuance of the  
16 detainer is predicated on an actual criminal  
17 conviction, it would continue to monitor the case  
18 through the court to ensure that the conviction is  
19 obtained before.

20          Q.       And that situation, that would be an  
21 individual who has a detainer issued against them  
22 based on charges, not a conviction?

23          A.       Correct.

24          Q.       Is that the only instance in which  
25 further investigation will occur regarding the

1     detrainer without the subject of the detrainer  
2     contacting ICE?

3           A.     Generally, yes.

4           Q.     Are there any policies or procedures in  
5     place at ICE to avoid issuing a detrainer against  
6     someone who has previously had a detrainer canceled?

7           A.     To my knowledge, no.

8           Q.     Does ICE have any policies regarding the  
9     documentation of the cancellation of a detrainer?

10          A.     I'd have to reference the most recent  
11     memorandum to see exactly how it's captured or  
12     captioned on the memo.

13          Q.     I'd like to refer you back to Exhibit 2,  
14     Section 4.6. I'll direct your attention to the  
15     language in the first part of the section where it  
16     says: Immigration officers shall take particular  
17     care when issuing a detrainer against a lawful  
18     permanent resident (LPR), as some grounds of  
19     removability hinge on conviction.

20                   Do you see that sentence?

21          A.     Yes, I do.

22          Q.     Is Section 4.6 currently in effect in  
23     Exhibit 2?

24          A.     The logic of that is covered in the  
25     director's new memorandum.

1 Q. But is Section 4.6 of Exhibit 2 still in  
2 effect?

3 MR. SILVIS: Objection. Asked and  
4 answered.

5 A. To my knowledge, the memorandum was  
6 superseded by the 2012 memorandum. This policy was  
7 superseded by the 2012 policy.

8 BY MR. CARR:

9 Q. So your testimony is that Section 4.6 was  
10 superseded by the 2012 policy memorandum.

11 A. Correct.

12 Q. But you believe that the logic of 4.6 is  
13 still in effect. Correct?

14 A. Yes.

15 Q. What does the phrase "shall take  
16 particular care" mean when issuing a detainer  
17 against a legal permanent resident?

18 A. Because the charge of removability as a  
19 permanent resident most commonly is predicated on a  
20 criminal conviction, it has to be a conviction of a  
21 particularly serious crime for which there is a  
22 direct removability charge associated with that.

23 "Particular care" means to ensure that the charge  
24 that is pending is a charge that, once convicted,  
25 would render the person removable.

1 Q. How does ICE ensure that the charge  
2 against the LPR renders them removable?

3 A. In consultation with counsel.

4 Q. Are there any other methods for ensuring  
5 that the charge renders the LPR removable?

6 A. All officers receive basic training as to  
7 the kinds of crimes that would render a permanent  
8 resident removable. But as we discussed previously,  
9 with divisible statutes it is usually necessary to  
10 consult with the office of chief counsel for  
11 clarification on the specific state or federal  
12 charge.

13 Q. Are there any other ways that officers  
14 ensure that an LPR, that the charge against them  
15 renders them removable when taking particular care?

16 MR. SILVIS: Object to the form.

17 BY MR. CARR:

18 Q. You may answer.

19 A. Can you repeat that?

20 MR. CARR: Can you read back the  
21 question?

22 (The record was read by the reporter.)

23 THE WITNESS: To my knowledge, no.

24 BY MR. CARR:

25 Q. Is there a requirement in ICE policy that

1 an ICE officer interview an LPR prior to issuing a  
2 detainer?

3 A. No.

4 Q. You mentioned consultation with counsel  
5 when investigating an LPR prior to issuing a  
6 detainer. Is an immigration officer always required  
7 to consult with counsel prior to issuing a detainer  
8 against an LPR?

9 A. It's not a requirement. It's a best  
10 practice.

11 Q. And what do you mean by "best practice?"

12 A. We're not attorneys. We're not trained  
13 to dissect the statute and marry it up with the  
14 actual letter of the INA or keep current with all of  
15 the INA decisions that may impact how individuals  
16 are charged, especially LPRs. Most commonly, we  
17 defer to chief counsel's office at the local level  
18 or the Office of Principal Legal Advisor at the  
19 headquarters level for that clarification.

20 Q. But to be clear, there's no written  
21 policy requiring an immigration officer to consult  
22 with counsel prior to issuing a detainer against an  
23 LPR. Correct?

24 A. Correct.

25 Q. And an immigration officer, if they



1 choose to follow the best practice and consult with  
2 counsel, what counsel do they contact per policy or  
3 procedure?

4 A. It's not policy or procedure, but each  
5 field office has an associated office of chief  
6 counsel.

7 Q. So the immigration officer would consult  
8 their local field office counsel office. Correct?

9 A. Correct.

10 Q. You also mentioned that all officers  
11 receive basic training regarding LPRs and  
12 removability. Is that correct?

13 A. Yes, sir.

14 Q. What does that basic training consist of?

15 A. It consists of a block of instruction on  
16 the actual removability charge, the application of  
17 those to persons who have been admitted, and LPRs  
18 would be a subgroup of that, and then how their  
19 criminal convictions would be applied to determining  
20 those removability charges in a very broad sense.

21 Q. When does an immigration officer receive  
22 this training?

23 MR. SILVIS: I just want to note an  
24 objection for the record here that Mr. Miller hasn't  
25 been designated specifically on the topic of

1 training, so to the extent that you're seeking  
2 answers of ICE on specific training and what  
3 training the officers receive, we would note that  
4 objection.

5 MR. CARR: Your objection is noted. But  
6 also for the record we'd like to state that we  
7 believe that the training is part of the policies  
8 and procedures followed by ICE, and we believe it's  
9 relevant to topic one of the 30(b)(6) notice.

10 Could you please read back the last  
11 question that I asked him prior to the objection?

12 (The record was read by the reporter.)

13 THE WITNESS: Generally at the beginning  
14 of his or her employment by ICE.

15 BY MR. CARR:

16 Q. Does an immigration officer receive any  
17 training after the beginning of their employment?

18 A. Yes.

19 Q. How frequently does an immigration  
20 officer receive training following the start of  
21 their employment?

22 MR. SILVIS: Object to foundation.

23 A. There are annual training requirements.  
24 It's reoccurring throughout their career.

25 BY MR. CARR:

1 Q. Are those annual training requirements a  
2 nationwide policy?

3 MR. SILVIS: Object to foundation.

4 A. I'm not sure if they're policy or exactly  
5 how they're captioned, but there are mandatory  
6 training requirements for all officers.

7 BY MR. CARR:

8 Q. Are those mandatory training requirements  
9 for immigration officers included in a written  
10 document?

11 MR. SILVIS: Same objection.

12 A. I believe so.

13 BY MR. CARR:

14 Q. What document are those training  
15 requirements contained in?

16 MR. SILVIS: Same objection.

17 A. I'm not sure.

18 MR. CARR: Counsel, for the record, we'd  
19 request production of documents describing the  
20 procedures for training that are nationwide  
21 procedures, and we'll serve a written request for  
22 that on you.

23 MR. SILVIS: We'll await that request.

24 BY MR. CARR:

25 Q. Going back to the initial training we

1 discussed, at the beginning of an immigration  
2 officer's employment, how long is that initial  
3 training?

4 MR. SILVIS: Object to foundation.

5 A. I believe in its current structure it's  
6 eleven weeks.

7 BY MR. CARR:

8 Q. Is there a particular location that  
9 immigration officers must go to for this training?

10 MR. SILVIS: Object to foundation.

11 A. Yes.

12 BY MR. CARR:

13 Q. What is that location?

14 A. The Federal Law Enforcement Training  
15 Center.

16 Q. And where is the Federal Law Enforcement  
17 Training Center located?

18 A. Brunswick, Georgia.

19 Q. And to your knowledge, what is the  
20 content of the training that the immigration  
21 officers receive in Brunswick, Georgia?

22 MR. SILVIS: I'm going to object to the  
23 foundation again and just note that the foundation  
24 objection means that it is outside the scope of the  
25 30(b)(6).

1           A.       They receive training in immigration law,  
2 firearms, defensive tactics and physical training.

3                   BY MR. CARR:

4           Q.       Are there any documents that describe the  
5 training that immigration officers receive when they  
6 go to Brunswick, Georgia?

7                   MR. SILVIS: Object to foundation.

8                   BY MR. CARR:

9           Q.       You may answer.

10          A.       Yes.

11          Q.       To your knowledge, what documents  
12 describe the training that they receive in  
13 Brunswick, Georgia?

14          A.       The general training is outlined on our  
15 website.

16          Q.       Are there any other specific documents  
17 that you can recall that are used in the training?

18          A.       Used in the training, yes. There's  
19 course related documents, a syllabus, a training  
20 schedule.

21                   MR. CARR: Again, for the record,  
22 counsel, we'd note that we'd request production of  
23 those training materials that are used in Brunswick,  
24 Georgia, including any syllabi, worksheets, anything  
25 related to the training.

1                   MR. SILVIS: We'll await a written  
2 request.

3                   BY MR. CARR:

4                   Q.       And then we also discussed the annual  
5 training that immigration officers received. What  
6 is the content of that annual training? Strike that  
7 question. Let me clarify it. Are there any  
8 policies governing the content of that annual  
9 training?

10                   MR. SILVIS: I'd like to note that we'll  
11 make a standing objection to any training questions  
12 just to simplify things.

13                   MR. CARR: Your objection is noted, and  
14 that's fine.

15                   A.       I can't speak to the training and  
16 development. There's a whole separate section that  
17 handles the training and development. In terms of  
18 the creation of the training and how the training is  
19 modified year to year, that's not an operational  
20 consideration. We're kind of the end user of that.  
21 There's a separate division that creates all of the  
22 training.

23                   BY MR. CARR:

24                   Q.       What is the name of the division that  
25 creates all of the training?

1 A. There's a training and development unit.

2 Q. And that training and development unit is  
3 part of ICE?

4 A. Yes.

5 Q. Who is in charge of the training and  
6 development unit, to your knowledge?

7 A. Charles DeVita.

8 Q. And the training unit, is that a  
9 nationwide unit? Does it provide training policies  
10 and procedures for the entire country?

11 A. Yes.

12 Q. And in regards to the annual training, to  
13 your knowledge do immigration officers receive  
14 updates regarding immigration and citizenship law as  
15 part of that training?

16 A. Yes.

17 Q. And do they receive updates on  
18 immigration and citizenship law particular to their  
19 geographic region as part of that training?

20 A. I can't speak to what each chief counsel  
21 does at his or her office location.

22 Q. You just mentioned the office of the  
23 chief counsel at each location. Is that office of  
24 chief counsel at each location who conducts the  
25 annual training?

1 A. On law related matters, yes.

2 Q. I want to go back and talk a little bit  
3 more about issuing detainers against legal permanent  
4 residents. What is the policy given to immigration  
5 officers for determining whether an individual is a  
6 legal permanent resident?

7 A. The policy is just to determine the  
8 individual's immigration history. It's not limited  
9 to legal permanent residents.

10 Q. Are there any policy documents describing  
11 what an immigration officer should do to determine  
12 whether an individual is a legal permanent resident?

13 MR. SILVIS: Object. Asked and answered.

14 A. Again, it's part of the database checks  
15 to determine the person's individual immigration  
16 history. It's not limited to the outcome of that.

17 BY MR. CARR:

18 Q. So there's no specific checklist just for  
19 determining legal permanent residency status?

20 A. To my knowledge, no.

21 Q. What national policies must be followed  
22 in order for an immigration officer to determine  
23 whether a conviction is a removable offense for a  
24 legal permanent resident?

25 A. To my knowledge, there is no policy



1 directing that.

2 Q. I know we've strayed away from the  
3 exhibit for a while, but I'll direct you back to  
4 Exhibit 2. We're still on the same page, page 2,  
5 marked as DHS 37. I'll direct you again to Section  
6 4.6 that we were discussing previously. In the last  
7 sentence it says in part: Immigration officers  
8 should exercise such authority judiciously and seek  
9 advice of counsel for guidance if the LPR has not  
10 been convicted of a removable offense.

11 Can an immigration officer issue a  
12 detainer against an LPR who has not been convicted  
13 of a criminal offense but only charged?

14 A. Yes.

15 Q. In what instances can an immigration  
16 officer, per policy, issue a detainer against an LPR  
17 who has not been convicted of a removable offense  
18 but only charged?

19 A. If he or she believes that that charge,  
20 if convicted, would result in substantiating the  
21 grounds of removability against the LPR.

22 Q. So a detainer may be issued against an  
23 LPR who has been charged with a crime but not yet  
24 convicted if the conviction would result in  
25 removability?

1 A. Correct.

2 Q. And perhaps I should clarify and clean up  
3 my last question just so that we're clear on this.  
4 An immigration officer may issue a detainer against  
5 an LPR who has been charged but not convicted with a  
6 removable offense.

7 MR. SILVIS: Object to the form.

8 A. It wouldn't be based upon -- the  
9 removability offense is something that we determine.  
10 They would lodge a detainer based on the criminal  
11 charge.

12 BY MR. CARR:

13 Q. So an immigration officer could issue a  
14 detainer against an LPR charged with a criminal  
15 offense that, if convicted, would render them  
16 removable?

17 A. Yes.

18 MR. SILVIS: I just want to note it's  
19 been about a little over an hour. Do you mind if we  
20 take five minutes?

21 MR. CARR: That's fine. This is actually  
22 a good stopping point.

23 (Recess.)

24 BY MR. CARR:

25 Q. I wanted to ask another question

1 regarding legal permanent residents before we move  
2 on. Under ICE policy, can a detainer be issued  
3 against an LPR with no prior removable offenses who  
4 is only charged but not convicted with a removable  
5 offense?

6 A. What do you mean by "removable offense?"

7 Q. By "removable offense," any offense that  
8 would be sufficient to remove an LPR from the  
9 country.

10 A. If they're charged with a crime that, if  
11 convicted, would render them removable, yes.

12 Q. Even in the instance of an LPR who has no  
13 prior record of offenses that would render them  
14 removable?

15 A. Yes.

16 (Miller Exhibit No. 3  
17 was marked for identification.)

18 BY MR. CARR:

19 Q. Mr. Miller, I've handed you what's been  
20 marked Exhibit 3. It's been Bates stamped DHS  
21 000112 through DHS 000114. It's a memorandum with  
22 the subject line of Civil Immigration Enforcement  
23 Guidance on the Use of Detainers in the Federal,  
24 State, Local and Tribal Criminal Justice Systems.  
25 It's dated December 21, 2012. Please take a moment

1 to review Exhibit 3, Mr. Miller, and let me know  
2 when you're ready.

3 A. Okay.

4 Q. Mr. Miller, do you recognize this  
5 document?

6 A. Yes, I do.

7 Q. What is Exhibit 3, Mr. Miller?

8 A. It's the current policy directive from  
9 Director Morton regarding the issuance of detainers.

10 Q. Is Exhibit 3 a true and correct copy of  
11 that memorandum?

12 A. To the best of my knowledge, yes.

13 Q. Exhibit 3 is the current policy on  
14 detainers. Correct?

15 A. Correct.

16 Q. And Exhibit 3 is currently effective  
17 across the entire country?

18 A. Yes, sir.

19 Q. And Exhibit 3 is currently effective in  
20 the Chicago AOR. Correct?

21 A. To the best of my knowledge, yes.

22 Q. Is there a reason why Exhibit 3 would not  
23 be effective in the Chicago AOR?

24 A. No.

25 Q. Would the Chicago AOR be free to

1 disregard the policies outlined in Exhibit 3?

2 A. No, it would not.

3 Q. Does ICE currently apply the policies in  
4 Exhibit 3 when issuing a detainer to every  
5 individual?

6 A. Yes.

7 Q. And the policy in Exhibit 3 is uniform  
8 for all detainees issued by ICE. Correct?

9 A. Yes.

10 Q. Regarding the effective date of this  
11 policy, this policy was effective as of December  
12 21st, 2012. Is that correct?

13 A. Yes.

14 Q. I'd like to direct you to the first  
15 paragraph under the heading Purpose in Exhibit 3.  
16 And the last sentence in that paragraph, that  
17 sentence reads: This guidance replaces Sections 4.2  
18 and 4.4 of the August 2010 Interim Guidance on  
19 Detainers, Policy No. 10074.1, and otherwise  
20 supplements the remaining sections of that same  
21 guidance.

22 Do you see that sentence, Mr. Miller?

23 A. Yes.

24 Q. When that sentence refers to the August  
25 2010 Interim Guidance on Detainers document, is that

1 the same document we just looked at in Exhibit 2?

2 A. Yes, it is.

3 Q. And is it true that Exhibit 3 only  
4 replaces Sections 4.2 and 4.5 of Exhibit 2?

5 A. That is correct.

6 Q. And Exhibit 3 says that it otherwise  
7 supplements the remaining sections of Exhibit 2. Is  
8 that correct?

9 A. Yes, sir.

10 Q. What does "otherwise supplements" mean?

11 MR. SILVIS: Object to foundation.

12 BY MR. CARR:

13 Q. You can answer.

14 A. I would read that to mean that it  
15 enhances the other sections.

16 Q. So other than Sections 4.2 and 4.5 of the  
17 prior policy in Exhibit 2, the remainder of Exhibit  
18 2 is still in effect?

19 A. Yes.

20 Q. What part of Exhibit 3 supersedes Section  
21 4.2 of the prior policy, Exhibit 2?

22 A. Can you say that again?

23 MR. CARR: Can you read the question  
24 back?

25 (The record was read by the reporter.)

1 THE WITNESS: I'd have to read Section  
2 4.2 of the prior document.

3 BY MR. CARR:

4 Q. Do you have Exhibit 2 in front of you,  
5 Mr. Miller?

6 MR. SILVIS: I'll object to the extent  
7 that the document speaks for itself. Exhibit No. 3  
8 speaks for itself.

9 A. The instructions contained in the section  
10 captioned National Detainer Guidance would replace  
11 Section 4.2.

12 BY MR. CARR:

13 Q. What part of Exhibit 3 supersedes Section  
14 4.5 in the August 2010 policy that was in Exhibit 2?

15 A. There are different components within the  
16 2012 guidance that would relate to Section 4.5.

17 Q. Can you please identify the different  
18 components of Exhibit 3 that would relate to 4.5 of  
19 Exhibit 2?

20 A. Superseding 4.5, where it would suggest  
21 or direct ICE officers to timely assume custody of  
22 certain classes of aliens, the 2012 directs ICE  
23 officers to ensure -- I'm sorry. The beginning of  
24 the last sentence on the first page under the  
25 caption Background, it says that the guidance will

1 ensure the agency's use of detainers in the criminal  
2 justice system uniformly applies to principles set  
3 forth in the June 2010 memorandum and is consistent  
4 with the agency's enforcement policies.

5 Furthermore, under the section Revised  
6 Detainer Form, where it says that the changes to the  
7 form will make it easy for officers and agents to  
8 document the immigration enforcement priority and  
9 prosecutorial discretion analysis that they have  
10 completed leading to the issuance of the detainer.

11 And then finally, the section captioned  
12 Prosecutorial Discretion, especially where it says  
13 that it does not require a detainer in each case,  
14 and that all ICE officers, agents and attorneys will  
15 continue to evaluate the merits of each case based  
16 on the June 2011 memorandum, the title listed  
17 thereon.

18 Q. Thank you.

19 A. You're welcome.

20 Q. Looking at the entirety of Exhibit 3,  
21 does Exhibit 3 provide any instructions on the  
22 procedures an immigration officer must follow to  
23 establish a reason to believe that an individual is  
24 subject to ICE detention for removal or removal  
25 proceedings?



1 MR. SILVIS: Objection. The document  
2 speaks for itself.

3 BY MR. CARR:

4 Q. You may answer.

5 A. No, it doesn't.

6 Q. Does Exhibit 3 provide any instruction on  
7 how an immigration officer should document how he or  
8 she established a reason to believe that an  
9 individual is subject to ICE detention for removal  
10 or removal proceedings?

11 MR. SILVIS: Objection. The document  
12 speaks for itself.

13 A. Could you repeat the question?

14 MR. CARR: Can you read the question  
15 back, please?

16 (The record was read by the reporter.)

17 THE WITNESS: No, it does not.

18 BY MR. CARR:

19 Q. Are there any national policy documents  
20 that do provide instruction on how an immigration  
21 officer should document how he or she establishes a  
22 reason to believe that an individual is subject to  
23 ICE detention for removal or removal proceedings?

24 A. No.

25 Q. Are there any nationwide worksheets or

1 checklists that ICE disseminates regarding how an  
2 immigration officer should determine that an  
3 individual is not a U.S. citizen?

4 A. No.

5 Q. Are there any nationwide worksheets or  
6 checklists that ICE disseminates regarding how an  
7 immigration officer should determine that an  
8 individual is not an LPR?

9 A. No.

10 Q. And just to clarify, when I use the  
11 acronym "LPR" I'm referring to legal permanent  
12 resident. Do you understand that?

13 A. Yes, sir.

14 Q. I know we get into the jargon sometimes.  
15 I know you and I understand it, but I want to make  
16 sure the transcript has that clear. Are there any  
17 ICE worksheets or checklists for an immigration  
18 officer to go through to determine if an LPR's  
19 conviction satisfies a ground for removal?

20 A. No.

21 Q. In Exhibit 3 is there any instruction on  
22 which a subject must be interviewed prior to the  
23 issuance of a detainer?

24 A. No.

25 Q. Are there any national policies on when a

1 subject must be interviewed prior to the issuance of  
2 a detainer?

3 A. No.

4 Q. Are there any national scripts or  
5 worksheets describing what must be asked in an  
6 interview of a subject if an immigration officer  
7 chooses to interview a subject before issuing a  
8 detainer?

9 A. No.

10 Q. Are there any national policies regarding  
11 the documentation of an interview prior to issuing a  
12 detainer?

13 A. No.

14 Q. Are there any policies regarding where  
15 the investigation made prior to the issuance of a  
16 detainer must be documented?

17 A. No.

18 Q. Does Exhibit 3 put forth any policies  
19 requiring the subject of a detainer to be a flight  
20 risk prior to issuing a detainer?

21 MR. SILVIS: Objection. The document  
22 speaks for itself.

23 BY MR. CARR:

24 Q. You may answer.

25 A. No, it does not.

1 Q. Are there any policies requiring that the  
2 subject of a detainer be a flight risk prior to the  
3 issuance of a detainer?

4 A. No.

5 Q. Does Exhibit 3 have any policy  
6 requirements that require the subject of a detainer  
7 to be likely to escape before an ICE officer could  
8 obtain an arrest warrant?

9 MR. SILVIS: Objection, asked and  
10 answered, and the document speaks for itself.

11 BY MR. CARR:

12 Q. You may answer.

13 A. No.

14 Q. Are there any ICE policies that require  
15 the subject of a detainer to be likely to escape  
16 before the ICE officer could obtain an arrest  
17 warrant before issuing a detainer?

18 A. Could you repeat that again?

19 Q. That was very complicated, and I  
20 apologize. Let me rephrase that to make it clear.  
21 Are there any ICE policies that require the subject  
22 of a detainer to be likely to escape before the ICE  
23 officer can obtain an arrest warrant?

24 A. No.

25 Q. Does the policy in Exhibit 3 change how

1 an immigration officer is instructed to establish a  
2 reason to believe an individual is subject to  
3 removal from the prior policy in Exhibit 2?

4 MR. SILVIS: Object to the form.

5 A. Can you repeat that?

6 BY MR. CARR: Can you read the question  
7 back, please?

8 (The record was read by the reporter.)

9 THE WITNESS: No, it does not.

10 BY MR. CARR:

11 Q. Since the issuance of the new policy in  
12 Exhibit 3 have the procedures for issuing a detainer  
13 changed?

14 A. Yes.

15 Q. How have the procedures for issuing a  
16 detainer changed since the issuance of the policy in  
17 Exhibit 3?

18 A. In addition to having reason to believe  
19 the individual is subject to removal, the officer  
20 issuing the detainer also has to indicate a  
21 secondary criteria that parallels that the subject  
22 of the detainer meets one of our enforcement  
23 priorities.

24 Q. Under the prior policy in Exhibit 2, was  
25 an immigration officer not required to consider the

1 secondary criteria that you just mentioned?

2 A. They were not required to document it.

3 Q. My question was just a little bit  
4 different.

5 MR. CARR: Can you read it back, please?

6 (The record was read by the reporter.)

7 MR. SILVIS: Object to the form.

8 A. Correct.

9 BY MR. CARR:

10 Q. So the immigration officer was not  
11 required to consider the secondary criteria under  
12 the prior policy in Exhibit 2?

13 A. Correct.

14 Q. Under the policy in Exhibit 3, an  
15 immigration officer is still required to determine  
16 that an individual is not a U.S. citizen prior to  
17 issuing the detainer. Correct?

18 A. Correct.

19 Q. And the policy in Exhibit 3 does not  
20 contain any instructions on how an officer should  
21 determine an individual is a U.S. citizen. Is that  
22 correct?

23 MR. SILVIS: Objection. The document  
24 speaks for itself.

25 A. Could you say that again?

1 MR. CARR: Could you please read the  
2 question back?

3 (The record was read by the reporter.)

4 THE WITNESS: That's correct.

5 BY MR. CARR:

6 Q. Are there any ICE policy documents that  
7 describe how an immigration officer should determine  
8 that an individual is or is not a U.S. citizen?

9 A. No.

10 Q. Does Exhibit 3 contain any policy  
11 requirements or procedures regarding how an officer  
12 should determine that an LPR has a conviction or  
13 falls into a category that may subject them to  
14 removal prior to issuing a detainer?

15 MR. SILVIS: Object to the form.

16 BY MR. CARR:

17 Q. Would you like me to rephrase?

18 A. Absolutely.

19 Q. I think I confused myself, to be fair.  
20 The policy in Exhibit 3, does it contain any  
21 policies or procedures for an immigration officer on  
22 how to determine whether an LPR is subject to  
23 removal?

24 A. No, it does not.

25 Q. Are there any other ICE policies that

1 describe the policies or procedures for how an  
2 immigration officer is to determine whether an LPR  
3 is subject to removal?

4 A. No.

5 Q. Is there any other ICE policy on how an  
6 immigration officer should establish a reason to  
7 believe that the subject of a detainer is removable?

8 A. No.

9 Q. I'd like to direct you to page 2 of  
10 Exhibit 3, under the subsection National Detainer  
11 Guidance. The first full paragraph there reads:

12 Consistent with ICE's civil enforcement  
13 priorities, and, absent extraordinary circumstances,  
14 ICE agents and officers should issue a detainer in  
15 the federal, state, local or tribal criminal justice  
16 systems against an individual only where, one, they  
17 have reason to believe the individual is an alien  
18 subject to removal from the United States, and two,  
19 one or more of the following conditions apply.

20 Do you see that paragraph, Mr. Miller?

21 A. Yes, I do.

22 Q. And you see the two numbered conditions,  
23 correct, one and two?

24 A. Yes.

25 Q. Should a detainer only be issued if both



1 conditions one and two are met?

2 A. Absent extraordinary circumstances, yes.

3 Q. What would those extraordinary  
4 circumstances be?

5 MR. SILVIS: Object to foundation.

6 A. I believe that they are outlined in a  
7 footnote in the director's enforcement priorities  
8 guidelines. If you'll allow me to reference that, I  
9 can read you the footnote, if you'd like.

10 MR. CARR: Let's go off the record for  
11 just a second.

12 (Discussion off the record.)

13 BY MR. CARR:

14 Q. Mr. Miller, you were just explaining what  
15 the extraordinary circumstances would be. Could you  
16 please explain what those extraordinary  
17 circumstances would be?

18 A. Some of the extraordinary circumstances  
19 outlined by the director include an individual who's  
20 a suspected terrorist, a known gang member or the  
21 subject of an outstanding felony arrest warrant, or  
22 the detainer is issued in furtherance of an ongoing  
23 felony, criminal or national security investigation.

24 Q. And those particular categories are  
25 listed in footnote 4 of Exhibit 3. Is that correct?

1 A. Yes, sir.

2 Q. Are those extraordinary circumstances  
3 rare?

4 A. Yes, they are.

5 Q. Under the paragraph that we just read  
6 there's a series of bullet points. Correct?

7 A. Yes, sir.

8 Q. And can I refer to those bullet points as  
9 enforcement priorities? Would that be accurate?

10 A. I think the enforcement priorities are  
11 outlined in a separate document.

12 Q. Well, why don't we just refer to those at  
13 the bullet points, then?

14 A. Okay.

15 Q. Do the listed circumstances under the  
16 bullet points create grounds for removal in every  
17 individual case?

18 A. If the person is convicted, yes.

19 Q. Now, you said "if the person is  
20 convicted." For example, if an individual who is an  
21 LPR was charged with a misdemeanor offense as under  
22 bullet point three, would that individual be subject  
23 to removal?

24 A. Charged with a misdemeanor, generally  
25 speaking, no.

1 Q. In the policy memo, the current policy  
2 memo, Exhibit 3, are there any instructions on how  
3 to ensure that a detainer is properly served on an  
4 individual subject to the detainer?

5 A. No.

6 Q. Are there any other policy documents, any  
7 other ICE policy documents, that provide instruction  
8 on how to ensure that a detainer is properly served  
9 on an individual subject to a detainer?

10 A. No.

11 Q. Does Exhibit 3 provide any instruction on  
12 how ICE field offices or other ICE entities should  
13 handle challenges to a detainer?

14 A. No.

15 Q. Are there any other policy documents  
16 providing instruction on how ICE field offices or  
17 any other ICE entity should handle any challenges to  
18 a detainer?

19 A. Yes.

20 Q. What documents?

21 A. There is a policy directive on the  
22 handling of claims to U.S. citizenship by field  
23 offices.

24 Q. Is that policy directive regarding  
25 handling claims to U.S. citizenship solely used in

1 the context of challenges to detainers?

2 A. No.

3 Q. Under what circumstances is that policy  
4 directive on handling claims to U.S. citizenship  
5 used?

6 A. It's used for persons who are subject to  
7 field arrest, persons who are already in detention  
8 and may be in removal proceedings, and then of  
9 course challenges to detainers.

10 Q. So there are a variety of different  
11 circumstances in which that policy directive on  
12 handling claims to U.S. citizenship comes into play.  
13 Correct?

14 A. Yes, sir.

15 Q. Does the policy directive on handling  
16 claims to U.S. citizenship contain any specific  
17 reference to challenges to detainers?

18 A. No.

19 Q. Does the policy directive on handling  
20 claims to U.S. citizenship mention detainers at all?

21 A. No.

22 MR. CARR: Counsel, we would request that  
23 we receive a copy of that policy directive on  
24 handling claims to U.S. citizenship, unless it's  
25 publicly available, in which case we'd appreciate it

1 if you'd just point us towards that document.

2 MR. SILVIS: Could we go off the record  
3 for one second?

4 MR. CARR: Yes.

5 (Discussion off the record.)

6 MR. CARR: Let's go back on the record.

7 MR. SILVIS: I just want to note that we  
8 believe that it has been previously produced, but we  
9 we'll check at the next break and see.

10 MR. CARR: The parties will confer at the  
11 next break.

12 BY MR. CARR:

13 Q. Is there any supervisory review of the  
14 evidentiary findings of an immigration officer prior  
15 to the issuance of a detainer?

16 A. It's not required.

17 Q. Are there any policies describing when a  
18 supervisory review should take place?

19 A. No.

20 Q. Are there any policies or procedures that  
21 ICE follows after the issuance of a detainer?

22 MR. SILVIS: I'll object to the form.  
23 Vague.

24 BY MR. CARR:

25 Q. You may answer.

1 A. No.

2 Q. Now, you mentioned earlier that in  
3 certain circumstances ICE will continue to  
4 investigate a detainer after its issuance for  
5 someone who is charged but not convicted. Is that  
6 correct?

7 A. Correct.

8 Q. How is that investigation conducted?

9 A. It will vary from office to office, the  
10 nuances of it, but essentially it's staying in  
11 contact with the district attorney's office to track  
12 the case.

13 Q. So there's no national uniform policy on  
14 continuing to investigate in that circumstance?

15 A. No.

16 Q. And any policies or procedures would be  
17 developed at the local field office level. Is that  
18 correct?

19 A. Correct.

20 Q. And just to be clear, there's no written  
21 policy on the procedures that ICE has to follow  
22 after the issuance of a detainer in that  
23 circumstance.

24 A. Correct.

25 Q. Does an ICE agent have to do anything to

1 confirm their reason to believe the subject of the  
2 detainer is removable after they issue the detainer?

3 A. I'm sorry. Could you say that again?

4 Q. Does an ICE agent have to do anything to  
5 confirm their reason to believe the subject of the  
6 detainer is removable after they issue the detainer?

7 A. No.

8 Q. Are there any policies regarding  
9 following a detainer up with an administrative  
10 warrant prior to ICE assuming physical custody?

11 A. No.

12 Q. Are there any policies regarding  
13 following a detainer up with a notice to appear  
14 prior to ICE assuming physical custody of the  
15 subject?

16 A. No.

17 Q. Is an immigration officer required to  
18 issue an administrative warrant prior to ICE  
19 assuming physical custody of the subject of a  
20 detainer?

21 A. No.

22 Q. Is an immigration officer required to  
23 issue a notice to appear prior to ICE assuming  
24 physical custody of the subject of a detainer?

25 A. No.

1 Q. In what circumstances would ICE start an  
2 investigation into cancelling a detainer?

3 A. Most commonly, if the subject of the  
4 detainer or someone acting on their behalf contacted  
5 us with additional information that wasn't known at  
6 the time the detainer was issued.

7 Q. And there's no requirement that the  
8 subject of a detainer receive a copy of the detainer  
9 after it's issued. Correct?

10 A. Correct.

11 Q. You just testified that ICE starts an  
12 investigation into cancelling a detainer when  
13 they're contacted by the subject or someone acting  
14 on their behalf. What kind of information does ICE  
15 attempt to obtain after being contacted by the  
16 subject or someone acting on their behalf?

17 A. That would depend on the reason they were  
18 contacted.

19 Q. Are there any specific written  
20 instructions for the kinds of information that ICE  
21 should obtain after being contacted by a subject or  
22 someone acting on their behalf?

23 A. Again, it would depend on the claim that  
24 was being made.

25 Q. Is there any particular written guidance



1 for any type of claim being made?

2 A. Yes.

3 Q. What written guidance is there?

4 A. Again, that memorandum that I spoke about  
5 earlier, when it's a claim to U.S. citizenship that  
6 outlines how the ERO and the local chief counsel  
7 should review any evidence submitted by the subject  
8 and weigh that against their claim to citizenship  
9 and then reach a conclusion.

10 Q. What information must ICE receive from a  
11 subject or someone acting on their behalf in order  
12 to start an investigation into cancelling a  
13 detainer?

14 A. The individual or someone acting on their  
15 behalf would just have to make that oral attestation  
16 to citizenship in that instance.

17 Q. And would the investigation into  
18 cancelling a detainer only occur if the individual  
19 makes a claim to U.S. citizenship?

20 A. No.

21 Q. In what other circumstances would the  
22 investigation start?

23 A. Any time that they question the validity  
24 of the detainer they would look into whatever those  
25 circumstances are. I can't speak for every jail in

1 the United States, but it's very common that people  
2 feel that they shouldn't have a detainer lodged  
3 against them. Depending on what the basis of that  
4 is, they review whether or not the detainer should  
5 remain in place or be lifted.

6 Q. Is there any instance in which ICE would  
7 not start an investigation after receiving a claim  
8 that a detainer was improperly issued?

9 A. To my knowledge, no.

10 Q. So if ICE receives a claim from a subject  
11 or someone acting on their behalf that the detainer  
12 was improperly issued, ICE will always start an  
13 investigation?

14 A. To my knowledge, yes.

15 Q. I'd like to direct you back to Exhibit 3,  
16 to page 3 of that document which is marked as DHS  
17 114. I'll direct you to the section entitled  
18 Revised Detainer Form. Is this section referring to  
19 the December 2012 revision of the I-247 form?

20 A. Yes.

21 Q. And we will look at that in a little bit,  
22 but for now I want to keep looking at Exhibit 3.

23 The second sentence of Exhibit 3 under the Revised  
24 Detainer Form section states: The revised detainer  
25 form, which should be used in all cases once it is

1 issued.

2 Do you see that partial sentence?

3 A. Yes.

4 Q. So this guidance indicates that the  
5 revised detainer form should be used in all cases  
6 once it's effected. Is that correct?

7 A. Yes.

8 Q. Is the revised detainer form issued in  
9 2012 used in all instances?

10 A. To my knowledge, yes.

11 Q. Are older detainer forms still used  
12 anywhere in the United States?

13 MR. SILVIS: Object to foundation.

14 A. By ERO officers, I don't believe so.

15 BY MR. CARR:

16 Q. You said "by ERO officers." Are there  
17 any other officers who may use older detainer forms?

18 A. I can't speak for the other components  
19 within the department that have authority to issue.  
20 I can really only speak to how this guidance is  
21 applied within ERO.

22 Q. But ERO no longer issues any detainers on  
23 the older forms. Correct?

24 A. Correct.

25 Q. I'd like to direct you down two

1 paragraphs on the same page of Exhibit 3 to the  
2 subsection entitled Six Month Review. That  
3 paragraph reads:

4 ICE field office directors, chief  
5 counsel, and special agents in charge should closely  
6 evaluate the implementation and effect of this  
7 guidance in their respective jurisdictions for a  
8 period of six months from the date of this  
9 memorandum. Based on the results of this  
10 evaluation, ICE will consider whether modifications,  
11 if any, are needed.

12 Is that correct?

13 A. Yes.

14 Q. Who is conducting this six month review?

15 A. Within ERO the individual field office  
16 directors are.

17 Q. What is the purpose of the six month  
18 review?

19 A. To ensure that the form itself is clear  
20 to the officers and that they're using it  
21 effectively and correctly.

22 Q. And when you refer to "the form," you're  
23 referring to the current version of the I-247 form?

24 A. Yes, sir.

25 Q. When will the six month review be

1 complete?

2 A. Based on the issuance of this, I would  
3 say in June of 2013.

4 Q. Will there be any documents produced from  
5 this review?

6 A. I don't know.

7 Q. Are any documents required to be produced  
8 as part of the six month review?

9 A. I don't know.

10 Q. Has ICE issued any guidance regarding the  
11 content of the six month review other than Exhibit  
12 3?

13 A. To my knowledge, no.

14 Q. Have there been any results yet from the  
15 six month review that you're aware of?

16 A. No, not that I'm aware of.

17 Q. Will the six month review investigate  
18 whether ICE officers are meeting the reason to  
19 believe the individual is an alien subject to  
20 removal from the United States standard for issuing  
21 a detainer?

22 A. I don't know.

23 Q. Since the new policy in Exhibit 3 came  
24 into effect has the number of detainers issued  
25 nationally changed?

1           A.       I don't know.

2           Q.       Would it be possible to obtain the  
3 information as to whether the total number of  
4 detainers issued nationally has changed since  
5 Exhibit 3 went into effect?

6           A.       Yes.

7           Q.       How would one obtain the information on  
8 the number of detainers issued nationally since  
9 Exhibit 3 came into effect?

10          A.       We have an entire division on law  
11 enforcement statistics. They're the repository for  
12 all of our statistical information and pulling  
13 information out of our web based enforcement system  
14 that creates the detainers. They would be able to  
15 provide that information.

16          Q.       And what is the name of that division?

17          A.       LESA. And within the LESA the  
18 Statistical Tracking Unit, the STU, actually does  
19 the data pulls.

20          Q.       To your knowledge, have there been any  
21 internal ICE communications regarding an increase or  
22 decrease in numbers of detainers since Exhibit 3  
23 came into effect?

24          A.       To my knowledge, no.

25                 MR. CARR: Let's go off the record for

1 just a second.

2 (Discussion off the record.)

3 (Miller Exhibit No. 4  
4 was marked for identification.)

5 BY MR. CARR:

6 Q. Mr. Miller, I'm handing you what's been  
7 marked as Exhibit 4. It's a document dated November  
8 19th, 2009. It's a memorandum with the subject of  
9 Superseding Guidance on Reporting and Investigating  
10 Claims to United States Citizenship. We don't  
11 believe this document was produced in this  
12 litigation, but it is publicly available on the ICE  
13 website.

14 Mr. Miller, take a moment, please, to  
15 review Exhibit 4, and let me know when you're ready.  
16 Mr. Miller, do you recognize Exhibit 4?

17 A. Yes, I do.

18 Q. What is Exhibit 4?

19 A. It is guidance from Director Morton on  
20 how field officer directors and special agents in  
21 charge and chief counsels should handle claims to  
22 U.S. citizenship.

23 Q. Is Exhibit 4 a true and correct copy of  
24 the document you just described?

25 A. Yes.

1 Q. The policies described in Exhibit 4, are  
2 they applicable in the context of detainers?

3 A. Yes.

4 Q. And are the policies described in Exhibit  
5 4 still in effect for ICE?

6 A. Yes.

7 Q. And the policies in Exhibit 4 have not  
8 been superseded by any document. Correct?

9 A. Correct.

10 Q. Would an immigration officer take this  
11 memorandum under consideration prior to issuing an  
12 immigration detainer?

13 A. If the information was available, yes.

14 Q. And when you say "if the information was  
15 available," what information are you referring to?

16 A. If there was information to suggest that  
17 the person who they were considering to issue the  
18 detainer on, if there was information available at  
19 that moment that the person was in fact a U.S.  
20 citizen.

21 Q. And when you say "that moment," when were  
22 you referring to?

23 A. When they're conducting their  
24 investigation prior to the issuance of the  
25 immigration detainer.



1 Q. Would an immigration officer be required  
2 to take this memorandum under consideration prior to  
3 issuing an immigration detainer if there is some  
4 indication that the subject is a U.S. citizen?

5 A. Yes.

6 Q. I'd like to direct you to the second full  
7 paragraph. Halfway down this paragraph there's a  
8 sentence that starts: As a matter of law, ICE  
9 cannot assert its civil immigration enforcement  
10 authority to arrest and/or detain a U.S. citizen,  
11 abbreviated USC.

12 Do you see that?

13 A. Yes, I do.

14 Q. Do you understand that statement to also  
15 apply to the issuance of detainers?

16 A. Yes, I do.

17 Q. As a matter of law, ICE cannot issue a  
18 detainer against a U.S. citizen. Correct?

19 A. Correct.

20 MR. SILVIS: Object to the extent it  
21 calls for a legal conclusion.

22 BY MR. CARR:

23 Q. You can answer.

24 A. If the information is known, yes.

25 Q. What do you mean by "if the information

1 is known?"

2 A. If the person conducting the  
3 investigation knows that the person is or has  
4 reached the conclusion that the person is a U.S.  
5 citizen.

6 Q. So if the individual immigration officer  
7 conducting the investigation does not know that the  
8 subject of the detainer is a U.S. citizen, they  
9 could issue a detainer against a U.S. citizen?

10 A. If the information that they have before  
11 them suggests that the person is removable from the  
12 United States, yes.

13 Q. Does Exhibit 4 provide any instruction,  
14 provide any step-by-step instruction on how an  
15 immigration officer must determine whether an  
16 individual is a U.S. citizen?

17 MR. SILVIS: I'm going to object to the  
18 form. It's a little vague.

19 A. I don't think these are step-by-step  
20 instructions; just general guidance on how to assess  
21 the claim and perform the investigation.

22 BY MR. CARR:

23 Q. Is an immigration officer required to  
24 determine that an individual is not a U.S. citizen  
25 before issuing a detainer?

1 A. To the best of their knowledge, yes.

2 Q. And does the Exhibit 4 memorandum apply  
3 to the determination that an immigration officer  
4 must make as to whether the subject is a U.S.  
5 citizen or not?

6 A. Can you say that again?

7 Q. When making the determination as to  
8 whether an individual is a United States citizen  
9 before issuing a detainer, do the instructions and  
10 guidance in Exhibit 4 apply?

11 A. Yes.

12 (Miller Exhibit No. 5  
13 was marked for identification.)

14 BY MR. CARR:

15 Q. Mr. Miller, you've been handed what's  
16 been marked as Exhibit 5. It's a document that is  
17 Bates stamped DHS 000074 through DHS 000109. It's a  
18 document with the title The Law of Arrest, Search,  
19 and Seizure for Immigration Officers. Please take a  
20 moment to review that document, Mr. Miller. It is  
21 rather lengthy, so I will refer you to specific  
22 portions of this document as we go through. You  
23 don't need to review every single page at this point  
24 in time, but please let me know if you'd like some  
25 time to review.

1 A. I'm familiar with the document.

2 Q. Do you recognize Exhibit 5, Mr. Miller?

3 A. Yes, I do.

4 Q. And what is Exhibit 5?

5 A. It's a Department of Justice document  
6 that was provided to immigration officers during the  
7 INS days.

8 Q. Is Exhibit 5 still provided to  
9 immigration officers at ICE?

10 A. I'm not aware. I don't know what  
11 documents they get at the academy. I went to the  
12 academy in 1996, and I can't really speak to what's  
13 issued today.

14 Q. And when you refer to "the academy," what  
15 are you referring to?

16 A. FLETC, the Federal Law Enforcement  
17 Training Center in Brunswick, Georgia, commonly  
18 referred to as "FLETC" or "the academy" by people  
19 who went there for basic training.

20 Q. So you received Exhibit 5 as part of your  
21 original basic training for INS?

22 A. Yes.

23 Q. Are the policies in Exhibit 5 still in  
24 effect?

25 A. Some are. I mean, there are several

1 contained herein. Some may have been addressed by  
2 any of the DHS component agencies separately and  
3 some may have been adopted by ICE from INS. We'd  
4 have to go item by item. I don't know everything  
5 that's contained in here verbatim.

6 Q. Well, let's look at a specific section.  
7 I'm going to direct you to page -- it's VII-2, which  
8 is on DHS 98. I apologize. Can you please flip  
9 back one page? I'd like to start on page VII-1,  
10 which is on DHS 97. I apologize for the confusion.  
11 It's Chapter VII relating to detainers. Do you see  
12 where I'm at, Mr. Miller?

13 A. Yes, I do.

14 Q. Are the policies in Chapter VII titled  
15 Detainers currently in effect?

16 MR. SILVIS: I'll object to the form of  
17 the question to the extent it's suggesting this is a  
18 policy document.

19 A. In order to answer that I'd need to see  
20 the CFR that predates the current CFR. As you guys  
21 are aware, this was issued in 1993, which was a  
22 different set. Title 8 CFR was different, and this  
23 references 8 CFR 242.2. I'm assuming that was prior  
24 to the '96 issuance, so in order to answer that I'd  
25 need to actually review that document.

1 BY MR. CARR:

2 Q. So we're looking at Chapter VII,  
3 Detainers, in Exhibit 5. The only portions that  
4 would no longer be in effect would be those that  
5 reference older CFR provisions. Is that correct?

6 A. No, that's not what I said. I said in  
7 order to answer your question I would have to look  
8 at the CFR as it was captioned in 1993 to be able to  
9 say whether or not that remains in effect today. As  
10 we all know, the core of the immigration law, the  
11 Immigration and Nationality Act, changed in 1996,  
12 and we're talking about documents that existed in  
13 1993.

14 Q. Thank you for that clarification. I  
15 appreciate it. To the extent that the CFR  
16 provisions have not changed in substance, would  
17 these policies still be in effect in Exhibit 5?

18 MR. SILVIS: Object to the form, and also  
19 foundation.

20 A. The current detainer policy is the 2012  
21 guidance and not the 1993 guidance.

22 BY MR. CARR:

23 Q. Would the 2012 policy memo supersede  
24 Chapter VII of Exhibit 5?

25 A. I'd have to review that to see if it's

1 specifically captioned as superseding it. Do you  
2 want me to take a minute to do that?

3 Q. Actually, if you would refer back to  
4 Exhibit 3. Does Exhibit 3 specifically note that it  
5 supersedes Exhibit 5 or any part of Exhibit 5?

6 A. No. It does not supersede it.

7 Q. Referring back to Exhibit 5, I'd like to  
8 flip to the second page of Chapter VII which is  
9 Bates stamped DHS 98, and it's page VII-2. There's  
10 one paragraph in the top left-hand corner. Do you  
11 see where I'm referring to, Mr. Miller?

12 A. Yes.

13 Q. About halfway through that paragraph it  
14 states: A detainer placed under this subsection is  
15 an arrest which must be supported by probable cause.

16 Does that sentence that I just read still  
17 apply to the current issuance of detainers?

18 MR. SILVIS: Object to the extent that it  
19 seeks a legal conclusion.

20 A. Let me read the entire paragraph rather  
21 than just one sentence.

22 BY MR. CARR:

23 Q. Mr. Miller, I'm sorry to interrupt, but  
24 please let me know when you've finished reading the  
25 paragraph, and I'll rephrase the question going

1 forward.

2 A. I've finished.

3 Q. You've reviewed that paragraph,  
4 Mr. Miller?

5 A. Yes.

6 Q. The paragraph on page VII-2 of Exhibit 5,  
7 does it still apply to the current issuance of  
8 detainers?

9 A. Based on my reading of this paragraph and  
10 my reading of Exhibit 3, I would say no.

11 Q. Is there any part of the paragraph on  
12 page VII-2 that still applies to the current  
13 issuance of detainers?

14 A. Again, it's difficult for me to answer  
15 that because this is referencing the CFR from 1993,  
16 which I have not reviewed. Both in footnote 200 and  
17 in the text itself it's referring to the CFR from  
18 1993.

19 Q. And I'll refer you back to the sentence I  
20 mentioned earlier, where it says that a detainer  
21 placed under this subsection is an arrest which must  
22 be supported by probable cause. Do you see that  
23 sentence, Mr. Miller?

24 A. Yes, I do.

25 Q. Is a detainer issued today still required



1 to be supported by probable cause?

2 MR. SILVIS: Object to the extent that it  
3 seeks a legal conclusion.

4 BY MR. CARR:

5 Q. You can answer.

6 A. No. The current guidance is a reason to  
7 believe.

8 Q. And to your understanding, is a reason to  
9 believe different than probable cause?

10 A. To my understanding, yes.

11 Q. What is the difference between a reason  
12 to believe and probable cause?

13 MR. SILVIS: Objection to the extent it  
14 seeks a legal conclusion.

15 BY MR. CARR:

16 Q. You may answer.

17 A. I think "reason to believe," based on the  
18 information the individual officer has before him or  
19 her at the time they're reaching their conclusion,  
20 is that it's more likely than not that the person is  
21 foreign born and has grounds of removability from  
22 the United States, either currently or based on the  
23 conviction for which they're charged, a conviction  
24 associated with the charge that has been levied  
25 against them, as opposed to probable cause, which I

1 think would require a higher level of review of  
2 exculpatory information.

3 Q. I'll direct you to the next sentence in  
4 that same paragraph on page VII-2, where it says:  
5 These detainers should be followed by an order to  
6 show cause.

7 Did I read that correctly?

8 A. Yes.

9 Q. Currently are detainers still required to  
10 be followed by an order to show cause or the current  
11 version of that document?

12 A. No.

13 Q. And the current version of an order to  
14 show cause would be a notice to appear. Is that  
15 correct?

16 A. Correct.

17 Q. And I'll also direct you to the next  
18 sentence that starts: Since it is difficult to  
19 establish that these aliens are likely to abscond  
20 before a warrant can be obtained to support an  
21 arrest without warrant under Section 287(a)(2) of  
22 the Act, a warrant of arrest should be issued and  
23 served upon the alien.

24 Do you see that, Mr. Miller?

25 A. Yes, I do.

1 Q. Does current ICE policy require a warrant  
2 of arrest to be issued and served upon an alien  
3 subject to a detainer?

4 A. No.

5 MR. SILVIS: Objection. Asked and  
6 answered.

7 BY MR. CARR:

8 Q. Are there any current ICE policies  
9 recommending that a warrant of arrest should be  
10 issued and served upon the subject of a detainer?

11 A. State that again.

12 MR. CARR: Could you please read that  
13 back?

14 (The record was read by the reporter.)

15 THE WITNESS: Let me review Exhibit 3 for  
16 the exact verbiage. I'll look at Exhibit 2 as well.  
17 Exhibit 2, Section 4.3 directs the person issuing  
18 the detainer to attach either the warrant or warrant  
19 of arrest, warrant of removal or the removal order  
20 unless impractical.

21 MR. CARR: Could you read back that  
22 response?

23 (The record was read by the reporter.)

24 BY MR. CARR:

25 Q. Mr. Miller, Section 4.3 of Exhibit 2 does

1 not state that a warrant of arrest should be issued  
2 and served upon the subject of a detainer. Correct?

3 A. Correct.

4 Q. And to be clear, Exhibit 5 states that a  
5 warrant of arrest should be issued and served upon  
6 the alien. Correct?

7 A. That's what the document says, yes.

8 Q. And currently should a warrant of arrest  
9 be issued and served upon the subject of a detainer?

10 MR. SILVIS: Object to the form.

11 A. No.

12 BY MR. CARR:

13 Q. Do ICE officers typically issue a notice  
14 to appear and an arrest warrant when they issue a  
15 detainer against a subject?

16 MR. SILVIS: Object to the form.

17 A. No.

18 BY MR. CARR:

19 Q. Is there any national policy that an  
20 immigration officer is required to issue a notice to  
21 appear or an arrest warrant to the subject of a  
22 detainer?

23 MR. SILVIS: Objection. Asked and  
24 answered.

25 A. No.

1 (Miller Exhibit No. 6  
2 was marked for identification.)

3 BY MR. CARR:

4 Q. Mr. Miller, you've been handed what's  
5 been marked as Exhibit 6. It's a document Bates  
6 stamped DHS 000161 through DHS 000171, and it's  
7 titled Chapter 43, Detainers, Subpoenas and  
8 Warrants. Please take a moment to review that  
9 document and let me know when you're ready,  
10 Mr. Miller.

11 A. Okay.

12 Q. Mr. Miller, do you recognize Exhibit 6?

13 A. I was provided a copy by counsel.

14 Q. Did you have any prior experience with  
15 Exhibit 6 before receiving a copy from counsel?

16 A. When I was an INS special agent, yes.

17 Q. What is Exhibit 6?

18 A. It's a chapter from the INS Special Agent  
19 Field Manual.

20 Q. So to be clear, Exhibit 6 is part of a  
21 larger document?

22 A. Correct.

23 Q. And that document is referred to as the  
24 INS Special Agent Field Manual?

25 A. Yes, sir.

1 Q. When was the INS Special Agent Field  
2 Manual issued?

3 A. I don't know.

4 Q. When was Exhibit 6 issued, if you're  
5 aware?

6 A. I'm not aware.

7 Q. Is Exhibit 6 currently effective?

8 A. To my knowledge, no.

9 Q. So any policies or procedures outlined in  
10 Exhibit 6 are not currently in use by ICE  
11 immigration officers?

12 MR. SILVIS: Object to the form.

13 A. To my knowledge, no.

14 BY MR. CARR:

15 Q. Is there any reason why an immigration  
16 officer would refer to Exhibit 6 currently when  
17 issuing a detainer?

18 A. To my knowledge, no.

19 Q. Let me ask you to flip the page of  
20 Exhibit 6 to the second page marked DHS 162. There  
21 are several bullet points at the top of that page,  
22 and I'd direct you to the second bullet point where  
23 it says: Check one of the four action blocks  
24 following the data blocks indicating the type of  
25 service action pending in the case.

1 I know we're taking that a little bit out  
2 of context, and I wanted to bring that back a little  
3 bit. When this document, Exhibit 6, refers to one  
4 of the four action blocks following the data blocks,  
5 is that referring to the check boxes at the top of  
6 the detainer form?

7 A. Do you know which detainer form this is  
8 referring to? I'm sorry to answer your question  
9 with a question but, as you're aware, there's more  
10 than one issue of the detainer.

11 Q. To make this clear, are you aware of  
12 which detainer form the policies and procedures in  
13 Exhibit 6 would apply to?

14 A. No.

15 Q. We're going to put away this document for  
16 the time being. Other than the documents we've  
17 looked at so far today, Exhibits 2 through 6, are  
18 there any other policies regarding the issuance of  
19 detainers in force for ICE between August of 2010  
20 and the present?

21 A. No.

22 Q. We might be able to clear up what we were  
23 just discussing with our next exhibit, which we'll  
24 mark as Exhibit 7.

25 (Miller Exhibit No. 7)

1    was marked for identification.)

2                                BY MR. CARR:

3                Q.        Mr. Miller, you've been handed what has  
4 been marked as Exhibit 7. It's titled Immigration  
5 Detainer, Notice of Action. It's Bates stamped as  
6 DHS 000119 through DHS 000121. Please take a moment  
7 to review that document and let me know when you're  
8 ready.

9                A.        I'm ready.

10              Q.        Mr. Miller, do you recognize Exhibit 7?

11              A.        Yes, I do.

12              Q.        What is Exhibit 7?

13              A.        It is the current iteration of an  
14 immigration detainer Form I-247.

15              Q.        And Exhibit 7 is the version of the  
16 detainer form that is currently in force. Correct?

17              A.        Yes, sir.

18              Q.        And this detainer form was revised in  
19 December of 2012. Is that correct?

20              A.        Yes, it was.

21              Q.        Were there any policies regarding  
22 training on using the revised form, Exhibit 7?

23              A.        I don't believe there was any policy  
24 related to the training. The policy was issued by  
25 the director in terms of the utilization of the form



1 and how to utilize the form.

2 Q. And when you refer to the guidance issued  
3 by the director, you're referring to Exhibit 3 that  
4 we looked at earlier. Is that correct?

5 A. Yes, sir.

6 Q. Was there any change in ICE procedure  
7 regarding the issuance of detainers after the  
8 revision of the detainer form in December 2012?

9 A. Yes.

10 Q. And were those changes in procedure  
11 included in Exhibit 3?

12 A. Yes, they were.

13 Q. Were there any other documents that  
14 described changes in procedures for the new detainer  
15 form besides Exhibit 3?

16 A. On the national level, not to my  
17 knowledge.

18 Q. When you say "on the national level,"  
19 were there changes at the field office level?

20 A. I'm not aware of what happened in all of  
21 the 24 field offices, but during my preparation  
22 counsel did provide me with a standard operating  
23 procedure for the LESC. I'm not sure when that was  
24 issued, whether it was based on this detainer or the  
25 2011, but I know that that was an operating

1 procedure that was initiated after the iteration of  
2 one of those two, and I don't have a copy with me so  
3 I can't really say.

4 Q. I believe we'll look at that document  
5 later, but I'd like to stick with this document for  
6 right now. At the top of Exhibit 7, underneath  
7 where it says, "The U.S. Department of Homeland  
8 Security has taken the following action related to  
9 the person identified above currently in your  
10 custody," there are four large check boxes. Do you  
11 see those?

12 A. Yes, I do.

13 Q. When an ICE immigration officer issues a  
14 detainer are they instructed to check only one of  
15 those four boxes?

16 A. No.

17 Q. Can an immigration officer check more  
18 than one of the four boxes?

19 A. Yes.

20 Q. And I'd like to direct you to what I'm  
21 going to call the sub boxes under the top box. Do  
22 you understand what I'm referring to?

23 A. Yes.

24 Q. There are several sub check boxes under  
25 the "determine if there's a reason to believe" large

1 check box. I'd specifically like to direct you to  
2 the check box marked "other, specified." Do you see  
3 that?

4 A. Yes, sir.

5 Q. What is the purpose of the "other" check  
6 box?

7 A. The purpose of the "other" check box is,  
8 as we discussed previously, and I'll refer you to  
9 Exhibit 3 on page DHS 000113 in footnote 4, those  
10 would be one of the extraordinary circumstances or  
11 other public safety threats as captioned in Exhibit  
12 3. And if you were going to predicate the issuance  
13 of the detainer on one of those, it would be to be  
14 captioned hereon.

15 Q. And would those extraordinary  
16 circumstances be the only reason an immigration  
17 officer could check the "other" box?

18 MR. SILVIS: Objection. Foundation.

19 A. I guess I can't speak to the infinite  
20 number of possibilities, but most commonly those  
21 would be the reasons.

22 BY MR. CARR:

23 Q. An immigration officer could check the  
24 "other" box for a reason besides the extraordinary  
25 circumstances you described. Correct?

1           A.       Those were the ones that were provided to  
2 us by the director as guidance, but certainly in the  
3 world of international terrorism and criminality  
4 it's hard to say definitively that there wouldn't be  
5 other categories that could arise. For example,  
6 what we saw in Boston, that was unforeseen, but  
7 nevertheless detainers were issued, so it's hard to  
8 say what unfolds before us. The guidance in  
9 footnote 4 was provided as general categories for  
10 those persons that clearly pose a public safety risk  
11 that we most commonly interact with.

12           Q.       Could an immigration officer issue a  
13 detainer with only the "other" check box marked for  
14 a reason not covered by the categories listed in  
15 footnote 4 of Exhibit 3?

16           A.       I'm sorry. Could you repeat that again?

17           MR. CARR: Can you read that back?

18                     (The record was read by the reporter.)

19           THE WITNESS: Yes.

20           BY MR. CARR:

21           Q.       And to the best of your knowledge, can  
22 you specify any of those circumstances in which an  
23 immigration officer could issue a detainer?

24           A.       No, I can't. As I said previously, those  
25 were general categories that were offered as

1 guidance, but I wouldn't preclude the existence of  
2 other things that weren't known to the director at  
3 the time that this was issued in 2012.

4 Q. And those other issues would be subject  
5 to the discretion of an immigration officer?

6 A. Correct.

7 Q. Is a detainer still valid if the only box  
8 checked is the "other" box?

9 MR. SILVIS: Object to the extent that it  
10 calls for a legal conclusion.

11 A. They would have to check the initial box  
12 as directed in Exhibit 3, the initial box that says  
13 "determine that there is reason to believe that the  
14 individual is an alien subject to removal from the  
15 United States," and then check the "other" box and  
16 specify what the "other" category is.

17 BY MR. CARR:

18 Q. And to clarify, on the current detainer  
19 form, Exhibit 7, an immigration officer is required  
20 to check the large box that states "determine that  
21 there is a reason to believe," and is also required  
22 to check at least one of the sub boxes?

23 A. That is correct.

24 Q. If the only sub box checked is the  
25 "other" sub box, would that detainer still be

1 enforceable?

2 MR. SILVIS: Objection. Foundation. I'd  
3 also object to the extent that it calls for a legal  
4 conclusion.

5 A. Could you rephrase that or clarify that?

6 BY MR. CARR:

7 Q. Certainly. If the top large check box is  
8 checked off and the only sub check box that's  
9 checked is "other," is the detainer still valid?

10 A. Yes.

11 Q. Could the circumstance where there is an  
12 initiation of an investigation into a subject's  
13 removability qualify under the "other" sub check  
14 box?

15 MR. SILVIS: Object to the form.

16 A. Provided the investigation comports with  
17 one of the criteria laid out in the director's  
18 memorandum, yes.

19 BY MR. CARR:

20 Q. And the criteria laid out in the  
21 director's memorandum that you're referring to, what  
22 are those?

23 A. Do you want me to read them?

24 Q. You don't need them to read them, but --

25 A. Referencing the pending criminal charges

1 or one of the criteria outlined in footnote 4 on  
2 page 113. If the investigation is tied to one of  
3 those elements, then yes.

4 Q. And you're referring to Exhibit 3?

5 A. Yes. Exhibit 3, page 113.

6 Q. Referring back to Exhibit 7 and the sub  
7 check boxes, what degree of certainty does an  
8 immigration officer have to have before checking  
9 those boxes?

10 A. They have to have reason to believe that  
11 one of those sub boxes, in addition to the element  
12 of removability, exists.

13 Q. Do they have to confirm that the  
14 conditions they check are met?

15 A. Yes.

16 Q. Is it enough for an immigration officer  
17 to have a reasonable suspicion that one of the  
18 subcategories, the sub check boxes, have been met?

19 MR. SILVIS: I'll object to the extent  
20 that it calls for a legal conclusion. I'll object  
21 also to the form.

22 A. Based on the information they reviewed in  
23 reaching their conclusion to issue the detainer,  
24 they would have to have a reason to believe that one  
25 of those things existed. Since many of these

1 criteria would be derived from electronic databases,  
2 they would be basing their conclusions on the  
3 information that was available to them as entered  
4 into that data system.

5 BY MR. CARR:

6 Q. Does ICE initiate removal proceedings if  
7 it is later determined that the subject of a  
8 detainer did not meet one of the enforcement  
9 priorities?

10 A. They have the discretion to do so, but  
11 the current guidelines on prosecutorial discretion  
12 would suggest that their resources be used  
13 elsewhere.

14 Q. Is it national policy for all ICE offices  
15 to use only the current detainer form, Exhibit 7?

16 A. Within ERO, yes.

17 Q. Can an ICE immigration officer use a  
18 prior detainer form currently?

19 A. By policy, no.

20 Q. If an ICE agent issues a detainer today  
21 using an old form, not Exhibit 7, would that old  
22 detainer still be effective?

23 MR. SILVIS: Objection to the extent that  
24 it calls for a legal conclusion. Also, the term  
25 "effective" is a bit vague and ambiguous.



1 BY MR. CARR:

2 Q. You can answer.

3 A. According to the policy it would not.

4 Q. Does ICE still treat old detainer forms  
5 issued prior to the version in Exhibit 7 as  
6 effective?

7 A. Yes.

8 Q. Why has ICE not reviewed all detainers  
9 issued on the old forms since the revision in  
10 Exhibit 7?

11 MR. SILVIS: Object to foundation.

12 A. Within ERO it was just determined that  
13 there were too many and that, at the time they came  
14 to our attention in terms of the detainer being  
15 activated, we would do a prosecutorial discretion  
16 review at that time.

17 MR. CARR: Could you read back that  
18 response?

19 (The record was read by the reporter.)

20 BY MR. CARR:

21 Q. When you say "at the time they came to  
22 our attention," are you referring to the time that  
23 the detainer's 48 hour period became effective?

24 A. Yes.

25 Q. So ICE chose to wait until the old

1     detrainer forms were activated before reviewing their  
2     sufficiency. Is that correct?

3             MR. SILVIS: Objection to form.

4             A.     No.

5             BY MR. CARR:

6             Q.     ICE did not review any detrainer form, any  
7     old detrainer form issued prior to the revision in  
8     Exhibit 7. Correct?

9             A.     It wasn't a policy to do so, no.

10            Q.     If an ICE agent has probable cause to  
11     believe that an individual's removable, why is there  
12     no policy requiring them to also issue an  
13     administrative warrant?

14            MR. SILVIS: Objection to form.

15            A.     That's a theoretical question. I don't  
16     know theoretically why that -- we have warrantless  
17     arrest authority so, generally speaking, the  
18     detrainer is issued prior to the arrest, and the  
19     determination of the actual arrest and how to charge  
20     the individual is made once all the information  
21     about the individual is known to us.

22            BY MR. CARR:

23            Q.     If an immigration officer issues a  
24     detrainer based on their reason to believe that an  
25     individual is removable, why is there no requirement

1 for them to also issue an administrative warrant?

2 A. It isn't a requirement. Again, it's  
3 theoretical speculation. It's not covered by the  
4 policy, and I don't know why.

5 Q. Would an immigration officer who has a  
6 reason to believe that an individual's removable  
7 pursuant to the issue of a detainer also be able to  
8 issue an administrative warrant?

9 A. The officer would not be able to issue  
10 the warrant. The supervisor would have to issue the  
11 warrant.

12 Q. What is the particular job title or  
13 description of someone who has the ability to issue  
14 an administrative warrant at ICE?

15 A. The first line supervisor would be a  
16 supervisory detention and deportation officer.

17 Q. That would be an SDDO. Is that correct?

18 A. Yes, sir.

19 Q. Are there any limitations on ICE's  
20 warrantless arrest authority?

21 MR. SILVIS: Object to the extent that it  
22 calls for a legal conclusion.

23 A. Relating to administrative violations of  
24 Title 8, that would be the limitation.

25 BY MR. CARR:

1 Q. I'll direct you back to Exhibit 7, down  
2 to a check box towards the very bottom. This is  
3 after the "it is requested that you" section. Do  
4 you see that?

5 A. Yes, sir.

6 Q. The first check box states that this  
7 request derives from federal regulation 8 CFR  
8 Section 287.7. Is that correct?

9 A. Yes.

10 Q. Does the current version of the detainer  
11 form, Exhibit 7, derive from federal regulation 8  
12 CFR Section 287.7?

13 A. Yes.

14 Q. And let's move down a couple more check  
15 boxes to the next to last one, where it states  
16 "consider this request for detainer operative only  
17 upon the subject's conviction." Do you see that  
18 check box, sir?

19 A. Correct.

20 Q. In what circumstances would the "consider  
21 this request for detainer operative only upon the  
22 subject's conviction" be used?

23 A. Instances where the individual has some  
24 kind of immigration status and they would only be  
25 subject to removal proceedings if they were

1 convicted of a crime.

2 Q. Would that include legal permanent  
3 residents?

4 A. Generally speaking, yes.

5 Q. So that check box is usually applied only  
6 to legal permanent residents?

7 A. There's lots of different kinds of legal  
8 immigration status, and permanent residency is one  
9 of those.

10 Q. Would you say that the majority of the  
11 time that box is checked is for a detainer issued  
12 against a legal permanent resident?

13 MR. SILVIS: Object to foundation.

14 A. Are you asking me to speculate? I'd say  
15 it's probably more common for non-immigrants, legal  
16 non-immigrants.

17 BY MR. CARR:

18 Q. Is the request to "consider this request  
19 for detainer operative only upon the subject's  
20 conviction" followed by local law enforcement  
21 agencies?

22 MR. SILVIS: Object to foundation.

23 A. To my knowledge, yes.

24 BY MR. CARR:

25 Q. Is there any requirement that the request

1 to "consider this request for a detainer operative  
2 only upon the subject's conviction" be followed by  
3 local law enforcement agencies?

4 A. No.

5 (Miller Exhibit No. 8  
6 was marked for identification.)

7 BY MR. CARR:

8 Q. Mr. Miller, you've been handed what's  
9 been marked as Exhibit No. 8, which is Bates stamped  
10 DHS 000115, entitled Immigration Detainer, Notice of  
11 Action. Please review the document and let me know  
12 when you're ready.

13 A. I'm ready.

14 Q. Do you recognize Exhibit 8, Mr. Miller?

15 A. Yes, I do.

16 Q. What is Exhibit 8?

17 A. It's an older iteration of an immigration  
18 detainer Form I-247.

19 Q. And when did Exhibit 8 first become  
20 effective?

21 A. This document would have been in August  
22 of 2010.

23 Q. And is Exhibit 8 a true and correct copy  
24 of the immigration detainer that became effective in  
25 August of 2010?

1 A. To my knowledge, yes.

2 (Miller Exhibit No. 9  
3 was marked for identification.)

4 BY MR. CARR:

5 Q. Mr. Miller, you've been handed what's  
6 been marked as Exhibit 9. It's been Bates stamped  
7 DHS 000116 through DHS 000118, and it is also  
8 entitled Immigration Detainer, Notice of Action.  
9 Mr. Miller, please take all the time you need to  
10 review the document and let me know when you're  
11 ready.

12 A. I'm ready.

13 Q. Do you recognize Exhibit 9, Mr. Miller?

14 A. Yes.

15 Q. What is Exhibit 9?

16 A. It's the iteration of an immigration  
17 detainer Form I-247 that was issued in December of  
18 2011.

19 Q. And Exhibit 9 would have been effective  
20 as of December 2011. Is that correct?

21 A. Yes, sir.

22 Q. And is Exhibit 9 a true and correct copy  
23 of the immigration detainer that would have been  
24 effective as of December 2011?

25 A. Yes, sir.

1 Q. And was Exhibit 9 in effect until the  
2 most recent revision of the detainer form?

3 A. Correct.

4 Q. I'd like to direct your attention to the  
5 top check box on Exhibit 9. That top check box  
6 reads: Initiated an investigation to determine  
7 whether this person is subject to removal from the  
8 United States.

9 Is that correct?

10 A. Yes, sir.

11 Q. And I'm going to ask you to do a little  
12 comparing. Is that check box the same as the top  
13 check box on Exhibit 8?

14 A. Essentially. They changed the syntax of  
15 the sentence.

16 Q. So the wording is different on the top  
17 check box between Exhibit 8 and Exhibit 9. Correct?

18 A. Correct.

19 Q. Is the substance of the top check box on  
20 Exhibit 8 and Exhibit 9 any different?

21 A. No.

22 Q. At the time the detainers in Exhibit 8  
23 and Exhibit 9 were effective and the top check box  
24 was checked regarding the initiation of an  
25 investigation, was any follow-up ever done after the



1 initiation of an investigation that's indicated in  
2 that box?

3 MR. SILVIS: Objection to the form and  
4 foundation.

5 A. It wasn't required.

6 BY MR. CARR:

7 Q. So following the issuance of a detainer,  
8 either Exhibit 8 or Exhibit 9, an immigration  
9 officer was not required to follow up on the  
10 initiation of an investigation. Correct?

11 A. Correct.

12 Q. Now, the top check box that we're looking  
13 at changed between Exhibit 9 and the current  
14 revision of the detainer form. Correct?

15 A. I'm sorry. Are you referring to Exhibit  
16 7?

17 Q. Exhibit 7, yes.

18 A. Yes.

19 Q. Is there any substantive change between  
20 the top check box in Exhibit 9 and Exhibit 7?

21 A. Yes.

22 Q. What was the substantive change between  
23 Exhibit 9 and Exhibit 7?

24 A. In Exhibit 9 it was generalized that the  
25 investigation has been determined, whereas in

1 Exhibit 7 it's a requirement that there's reason to  
2 believe the person is actually removable from the  
3 United States and another one of the enforcement  
4 criteria apply.

5 Q. Did an immigration officer issuing a  
6 detainer, either Exhibit 8 or Exhibit 9, have to  
7 have a reason to believe that an individual was  
8 removable?

9 A. Yes.

10 Q. So whatever detainer form we're looking  
11 at, whether it be Exhibit 7, 8 or 9, an immigration  
12 officer issuing one of those detainers would have  
13 had to have a reason to believe that the subject of  
14 the detainer was removable. Correct?

15 A. Correct.

16 Q. Did the procedures required to determine  
17 a reason to believe change between Exhibits 7, 8 or  
18 9?

19 A. No.

20 Q. So the same procedures used to determine  
21 whether that top check box should be marked have not  
22 changed between Exhibits 7, 8 and 9. Correct?

23 A. They have not.

24 MR. CARR: Let's go off the record for a  
25 second.

1 (Recess.)

2 MR. CARR: Let's go back on the record.

3 BY MR. CARR:

4 Q. Mr. Miller, welcome back from lunch.

5 A. Thank you.

6 Q. I'd like to move on and talk about some  
7 of the statistics that are kept by ICE regarding  
8 detainers. Does ICE keep national statistics on how  
9 many detainers it issues?

10 A. Yes.

11 Q. Can those statistics be broken down by  
12 area of responsibility?

13 A. Yes, they can.

14 Q. So if you want to obtain statistics on  
15 how many detainers were issued from the Chicago AOR,  
16 that would be possible?

17 A. Yes, sir.

18 Q. Where are the statistics kept by ICE?

19 A. We have a database system, again, through  
20 that division, LESA, and the Statistical Tracking  
21 Unit. They're the ones who manage that information,  
22 and if tasked retrieve that information, they're the  
23 ones who do it.

24 Q. What is the name of that database?

25 A. It's called the EID, and I believe that

1 stands for the electronic information database.

2 Q. What does ICE use the statistics it  
3 collects on detainers for?

4 A. Largely to respond to inquiries.

5 Q. What do you mean by "respond to  
6 inquiries?"

7 A. We get several inquiries from firms like  
8 yours or other groups that want to look at kind of  
9 aggregate measures of the detainers. At times we  
10 get requests from members of Congress that want to  
11 know whether within their state -- it's very  
12 difficult for us to break it down to their  
13 congressional district because our geographic lines  
14 don't necessarily mirror theirs, but we usually  
15 provide the information at the state level.

16 Q. And when you're talking about those  
17 inquiries, would those inquiries be pursuant to  
18 Freedom of Information Act requests?

19 A. Some, yes.

20 Q. And some would be pursuant to litigation?

21 A. Yes, sir.

22 Q. Besides Freedom of Information Act  
23 requests and litigation, are there any other types  
24 of inquiries you get from non-governmental sources?

25 A. Not usually. They're usually Freedom of

1 Information Act or pursuant to litigation.

2 Q. Does ICE keep statistics on how many  
3 detainers are issued with each particular check box  
4 on the form checked?

5 A. To my knowledge, that's retrievable for  
6 -- I believe it was the 2011 iteration. The 2012  
7 iteration, when it was initially issued the sub  
8 boxes as we're calling them were not active in our  
9 system, so it required the officer to print the form  
10 and then do the sub box by hand. At the high level  
11 I know that change has been made in terms of the  
12 project management. I don't know whether it's been  
13 fielded yet or not. But in terms of culling  
14 statistics for the sub boxes, that wouldn't be  
15 available yet.

16 Q. So ICE has statistics on how many of the  
17 large check boxes are checked but not the sub check  
18 boxes on the current detainer form. Correct?

19 A. I believe so, yes.

20 Q. And the statistics on which check boxes  
21 are checked are kept in that same database, the EID?

22 A. Yes, sir.

23 Q. And is it possible to generate a report  
24 with the details of how many detainers are issued  
25 with each particular check box checked?

1           A.     I believe so, yes.

2           Q.     I want to move on and talk about  
3 performance evaluations and the policies and  
4 procedures for immigration officers. Does ICE  
5 require its agents to reach certain quotas of issued  
6 detainers?

7           A.     No.

8           Q.     Are the numbers of detainers that an ICE  
9 agent issues any part of their job evaluation?

10          A.     No.

11          Q.     Do canceled detainers factor into an  
12 individual ICE agent's job evaluation?

13          A.     No.

14          Q.     Are there any specific national  
15 performance standards for ICE agents related to the  
16 issuance of detainers?

17          A.     No.

18          Q.     So there's no formal grading system for  
19 ICE agents related to detainer issuance?

20          A.     No.

21          Q.     What oversight exists at ICE for  
22 individual immigration officers' detainer issuance  
23 practices?

24          A.     A review of the work that they do would  
25 be accomplished at the local level, and I guess that

1 would vary from supervisor to supervisor, the  
2 discussions they have with their subordinates, if  
3 there seems to be a pattern of detainers that were  
4 either incorrectly issued or incompletely issued.

5 Q. Are there any national policies regarding  
6 oversight of individual officers' issuance of  
7 detainers?

8 A. No, other than to hold them to the  
9 standards laid out in the director's memorandum.

10 Q. And by the director's memorandum you're  
11 referring to what document?

12 A. Exhibit 3.

13 Q. Thank you. You mentioned that the  
14 oversight of individual immigration officers is left  
15 to the local level at ICE.

16 A. Correct.

17 Q. And it would be the individual officers'  
18 direct supervisor who would be overseeing their  
19 issuance of detainers?

20 A. Yes, sir.

21 Q. We talked about training a little bit  
22 earlier -- and counsel, if you want to maintain your  
23 standing objection to the training questions it's  
24 understood; I'd just note that for the record -- but  
25 I want to ask a few more questions regarding

1 training. Is there any training regarding grounds  
2 for removability for ICE agents?

3 MR. SILVIS: I would note, too, at this  
4 point that any answers he would give about training  
5 would be Mr. Miller's recollection based on his own  
6 personal experience versus the official answers.

7 BY MR. CARR:

8 Q. Is there any training for ICE agents who  
9 issue detainers regarding the grounds for  
10 removability?

11 A. Yes.

12 Q. What is that training?

13 A. They receive a basic block of instruction  
14 on what the removability charges are and the kinds  
15 of evidence you would need to substantiate those  
16 removability charges.

17 Q. And that training on the grounds for  
18 removability is done at the beginning of an ICE  
19 agent's employment?

20 A. Yes.

21 Q. And is it done after the beginning of  
22 their employment?

23 A. I'm sorry. Could you rephrase that?

24 Q. Does the training continue after they're  
25 first employed by ICE?



1           A.       Yes.  There's continued on-the-job  
2 training that occurs throughout the individual's  
3 career as a line officer.

4           Q.       And how frequently does an ICE agent  
5 receive further training regarding grounds for  
6 removability?

7           A.       To my knowledge, there's no formal  
8 schedule.  Many offices work on developing training  
9 programs at the local level to work with their  
10 office of chief counsel, especially for any changes  
11 in state law or circuit court law that impacts that  
12 particular AOR or the offices within an AOR.  That  
13 would vary widely across the country.

14          Q.       Does anyone at the national level of ICE  
15 oversee the training of ICE agents?

16          A.       Yes.

17          Q.       Who would that person be?

18          A.       Charles DeVita.  I don't know his actual  
19 title, but he is over ICE training.

20          Q.       Mr. DeVita, does he report to you?

21          A.       I'm not sure within which of the three  
22 programmatic areas his office resides.  Within ICE  
23 there's three programmatic areas.  I'm drawing a  
24 blank on what M&A stands for, but basically  
25 management and administration, the support division.

1 HSI, Homeland Security Investigations is within ERO,  
2 and training is within M&A.

3 Q. And the division or program that Mr.  
4 DeVita leads up, what is the name of that program?

5 A. I believe it's management administration.  
6 I'm sorry. He's in charge of national training. I  
7 believe it's the training development unit.

8 Q. Do ICE agents who issue detainers receive  
9 training regarding determining U.S. citizenship?

10 A. Yes.

11 Q. Is it the same training that we just  
12 discussed regarding grounds for removability?

13 A. There's a separate block on citizenship.

14 Q. To be clear, the training for ICE agents  
15 regarding the determination of U.S. citizenship,  
16 does it take place at the same time as the training  
17 for grounds for removability?

18 A. Yes.

19 Q. Is there any separate training that takes  
20 place at a different time for ICE agents regarding  
21 the determination of U.S. citizenship?

22 A. There are subsequent trainings conducted  
23 by the office of chief counsel, but again, it's  
24 localized across the country.

25 Q. And when you refer to the office of chief

1 counsel, you're referring to counsel offices in each  
2 of the individual field offices?

3 A. Yes, sir.

4 Q. Do ICE agents who issue detainers receive  
5 training regarding legal permanent residents?

6 A. Yes.

7 Q. When do ICE agents receive that training  
8 regarding legal permanent residents?

9 A. During their basic training at the  
10 Federal Law Enforcement Training Center.

11 Q. And after their basic training do they  
12 receive any subsequent training regarding legal  
13 permanent residents?

14 A. To my knowledge, there's no subsequent  
15 block of instruction just on legal permanent  
16 residents.

17 Q. Is there any subsequent block of  
18 instruction regarding legal permanent residents and  
19 conditions for their removability?

20 A. Yes. That would be part of the ongoing  
21 training relating to removability.

22 Q. And regarding the training we just  
23 discussed for removability, determination of legal  
24 citizenship and legal permanent residents, are there  
25 any documents that describe that training?

1           A.       Since that's administered locally I  
2 really can't speak with any certainty that they  
3 exist. That's something that would vary, again,  
4 from field office to field office to chief counsel's  
5 office to chief counsel's office on how they  
6 document their training.

7           Q.       Are there certain written documents  
8 regarding training related to the basic training  
9 that all ICE agents receive?

10          A.       Yes.

11          Q.       So ICE agents when they first start their  
12 employment at ICE receive basic training. Correct?

13          A.       Yes.

14          Q.       And they receive documents related to  
15 grounds of removability at that time. Correct?

16          A.       Yes, sir.

17          Q.       And they receive documents concerning  
18 U.S. citizenship at that time. Correct?

19          A.       Yes, sir.

20          Q.       And they receive documents regarding  
21 training for legal permanent residents at that time.  
22 Correct?

23          A.       Yes, sir.

24          Q.       And after basic training at the beginning  
25 of an ICE agent's employment, all subsequent

1 training takes place at the local level. Is that  
2 correct?

3 A. On those topics, yes.

4 Q. Are there any other topics where training  
5 takes place on a national level related to  
6 detainers?

7 A. No.

8 Q. I'd like to move on and talk about the  
9 notice that's provided to the subject of a detainer  
10 regarding the detainer. Does the current detainer  
11 policy document indicate anywhere that an issuing  
12 agent should request that an LEA provide notice of  
13 the detainer to the subject of the detainer?

14 A. Are you referring to Exhibit 3?

15 Q. If you would like to refer to Exhibit 3  
16 to refresh your recollection, be my guest.

17 A. No. It doesn't require them to indicate  
18 that.

19 Q. So under the current policy an ICE agent  
20 is not required to request that an LEA provide  
21 notice of the detainer to the subject?

22 A. It is not captioned on the policy.

23 Q. Maybe for the sake of ease I'll ask you  
24 to refer back to Exhibit 2, which is the 2010  
25 detainer policy. Does the 2010 detainer policy

1 captured in Exhibit 2 indicate anywhere that an  
2 agent issuing a detainer should request that an LEA  
3 provide notice of the detainer to the subject of the  
4 detainer?

5 A. No, it doesn't.

6 Q. And I apologize for making you flip  
7 through documents, sir, but I'll direct you to  
8 Exhibit 8, which is the detainer form that was  
9 effective as of August 2010. Exhibit 8 does not  
10 have a check box requesting that the LEA provide the  
11 detainer to the subject. Correct?

12 A. Correct.

13 Q. So at the time that this form was in use  
14 neither ICE's policy nor the form discuss notifying  
15 the subject of a detainer. Correct?

16 MR. SILVIS: Object to the form.

17 BY MR. CARR:

18 Q. You may answer.

19 A. Correct.

20 Q. And I'll ask you to pull up Exhibit 9  
21 again. Exhibit 9 does contain a check box that  
22 states "provide a copy to the subject of this  
23 detainer." Correct?

24 A. Yes.

25 Q. And please flip to Exhibit 7, which is

1 the December 2012 current detainer form. Exhibit 7,  
2 the current detainer form, also includes a check box  
3 to provide a copy to the subject of the detainer.

4 Correct?

5 A. Yes, it does.

6 Q. Does ICE always check this box when  
7 issuing a detainer currently?

8 A. To my knowledge, yes.

9 Q. Is that a written policy?

10 A. No. I can say that for Exhibit 9 the  
11 system was auto-populated. Our ENFORCE system from  
12 which the detainer was issued, that field was  
13 auto-populated and could not be unchecked, and I  
14 don't know for certain on Exhibit 7 whether that  
15 still is the case. As I stated previously, we've  
16 had some technology issues with making the  
17 modifications within ENFORCE to issue Exhibit 7.  
18 I'm told at a high level that those have been  
19 corrected.

20 Q. And we discussed earlier the statistics  
21 that ICE keeps. Would it be possible for ICE to  
22 keep track of the number of detainers that have the  
23 "provide a copy" box checked on the current detainer  
24 form?

25 A. I don't know that for certain. I would

1 have to see if that's a field. Again, if it's one  
2 that's being -- I know on this informational only  
3 form it wasn't generated from ENFORCE, so if it's an  
4 auto-populated form it wouldn't be something that's  
5 searchable. If it's something that's left to the  
6 officer's discretion, then yes, it's something that  
7 could be queried. I just don't know enough about  
8 the actual statistical fields that are available for  
9 retrieval.

10 Q. So if the "provide a copy" box was  
11 required to be checked and could not be unchecked by  
12 an agent there would be no way to track  
13 statistically how because they would all be checked.  
14 Right?

15 A. At the time of printing they would all be  
16 checked. Correct.

17 Q. Are ICE agents able to issue detainers  
18 without being able to put them into the ENFORCE  
19 system?

20 A. By policy, no.

21 Q. Do ICE agents ever issue detainers  
22 without putting them into the ENFORCE system?

23 MR. SILVIS: Objection. Foundation.

24 A. To my knowledge, they don't.

25 BY MR. CARR:



1 Q. So ICE agents do not issue handwritten or  
2 hand filled out detainer forms currently.

3 MR. SILVIS: Objection. Foundation.

4 A. ERO officers by policy are not supposed  
5 to issue handwritten.

6 BY MR. CARR:

7 Q. Referring to that check box again that  
8 says "provide a copy to the subject of this  
9 detainer," that check box is only a request to the  
10 LEA. Correct?

11 A. Yes, sir.

12 Q. There's no requirement even with that box  
13 checked for the LEA to provide a copy to the subject  
14 of the detainer. Correct?

15 A. Correct.

16 Q. Does ICE have any policies to ensure that  
17 local jails provide detainees with a copy of their  
18 detainers?

19 A. No.

20 Q. Does ICE have any national policies for  
21 following up with an LEA regarding compliance with  
22 that check box, the request to provide a subject  
23 with a copy of the detainer?

24 A. No.

25 Q. Does ICE have any national policies for

1 following up with the subject of the detainer to  
2 determine if he or she was served with a copy of the  
3 detainer?

4 A. No.

5 Q. Does ICE have any national policies  
6 regarding contacting the subject of a detainer after  
7 the issuance of a detainer but before the 48 hour  
8 detention period starts?

9 A. No.

10 Q. Are there any local policies, to your  
11 knowledge, regarding following up with an LEA about  
12 compliance with the request to provide a copy?

13 A. No.

14 Q. Are there any local policies, to your  
15 knowledge, regarding following up with the subject  
16 of the detainer to determine if they were served?

17 A. No.

18 Q. Are there any local policies, to your  
19 knowledge, regarding contacting the subject of the  
20 detainer after the detainer is issued but before the  
21 48 hour detention period goes into effect?

22 A. No.

23 MR. KISOR: May I ask a question? When  
24 you were referencing local policies my understanding  
25 is you were talking about local ICE policies, not

1 local police policies. Did I get that right?

2 BY MR. CARR:

3 Q. Mr. Miller, did you understand when I was  
4 referring to local policies over the last several  
5 questions that I was referring to local ICE  
6 policies?

7 A. Yes. That was my understanding.

8 MR. CARR: Thank you for the  
9 clarification. I appreciate it.

10 BY MR. CARR:

11 Q. I'd like to discuss the methods for  
12 challenging a detainer by the subject of a detainer.  
13 I'm going to mark Exhibit 10.

14 (Miller Exhibit No. 10  
15 was marked for identification.)

16 BY MR. CARR:

17 Q. Mr. Miller, I've handed you what's been  
18 marked Exhibit 10, and I'll represent these are the  
19 defendants' responses to the plaintiffs' first set  
20 of interrogatories. I'll direct you to specific  
21 sections we're going to discuss and allow you to  
22 review those as we go forward. The first thing I'd  
23 like you to do is please flip through -- it's the  
24 next to last page and it's not numbered. It would  
25 be page 17. It's titled Verification and starts

1 with "I, Philip T. Miller."

2 A. Yes.

3 Q. And you are the Philip T. Miller listed  
4 on this page. Correct?

5 A. Yes.

6 Q. And that is your signature on this page?

7 A. Yes, it is.

8 Q. And you verified interrogatory response  
9 number six. Correct?

10 A. Yes.

11 Q. Let's take a look at interrogatory  
12 response number six. It starts on page 7 of Exhibit  
13 10.

14 MR. SILVIS: Could we go off the record  
15 for one second?

16 MR. CARR: Certainly.

17 (Recess.)

18 BY MR. CARR:

19 Q. I would like you to go ahead and flip  
20 over to page 8 of Exhibit 10, Mr. Miller. Here  
21 there's a list of different methods by which an  
22 individual can challenge the detainer issued against  
23 them. Is it your understanding that this is a list  
24 of the methods by which an individual may challenge  
25 a detainer?

1 A. Yes.

2 Q. Are there any additional methods for  
3 challenging a detainer that are not listed on this  
4 interrogatory response?

5 A. Yes.

6 Q. What are those methods?

7 A. Writing directly to the field office  
8 director.

9 Q. Would writing to the field office  
10 director fall under "individuals may also contact  
11 the ICE ERO field office that issued the detainer  
12 via telephone or mail?"

13 A. You're absolutely correct. I thought it  
14 was on here.

15 Q. Are there any other methods that you're  
16 aware of for challenging the detainer that are not  
17 listed in this interrogatory response?

18 A. No, sir.

19 Q. I want to talk about the first method  
20 listed here. That's towards the top of page 8,  
21 where it says: Individuals may contact the ICE Law  
22 Enforcement Support Center if they believe they have  
23 U.S. citizenship or are the victim of a crime.

24 Do you see that, Mr. Miller?

25 A. Yes, I do.

1 Q. The Law Enforcement Support Center is the  
2 LESC. Correct?

3 A. Yes.

4 Q. And the number listed there is the number  
5 for the ICE LESC. Correct?

6 A. Yes, sir.

7 Q. I don't believe we actually covered this  
8 specifically earlier. What is the ICE Law  
9 Enforcement Support Center?

10 A. It's an office in Burlington, Vermont  
11 that is there to support -- it was originally  
12 conceived of to support law enforcement agencies  
13 that needed assistance with foreign born persons  
14 that were in their custody. It was also used by our  
15 officers to help vet information from suspects, to  
16 either confirm their legal status or see if they  
17 were known to the agency.

18 Since the issuance of the 2011 detainer  
19 guidance, it's also been used as a point of intake  
20 for information from persons against whom we've  
21 lodged detainers or people calling on their behalf  
22 to make us aware of information on whether they're a  
23 victim of a crime or witness to a crime or that they  
24 are a U.S. citizen.

25 Q. And the LESC has only been an intake

1 center for those calls since 2011. Is that correct?

2 A. I believe so, yes.

3 Q. When specifically in 2011 did LESC start  
4 to operate the hotline identified in the  
5 interrogatory response?

6 A. I don't have the specific date, but I  
7 believe it was in basically the same time frame as  
8 the issuance of the 2011 guidance.

9 Q. How many people work for the ICE Law  
10 Enforcement Support Center?

11 A. I don't know.

12 Q. How many people work for the hotline at  
13 the ICE Law Enforcement Support Center?

14 A. I don't know.

15 Q. And when I refer to "the hotline" I'm  
16 referring to the phone number contained in the  
17 interrogatory response. Does that make sense?

18 A. I understand. Yes, sir.

19 Q. Are the employees who work for the LESC  
20 hotline contractors?

21 A. Some are contractors and some are  
22 officers. Correct.

23 Q. And so some of the employees who work for  
24 the hotline are also ICE officers?

25 A. Correct.

1 Q. Do the individuals who work for the  
2 hotline, the LESC hotline, work solely for the  
3 hotline?

4 A. I don't know.

5 Q. Who would know?

6 A. The gentleman who's the director of the  
7 LESC is Corey Price.

8 Q. And is he located in Burlington, Vermont?

9 A. Yes, sir.

10 Q. Is the LESC hotline staffed by anyone who  
11 has the authority to issue or cancel detainers?

12 A. It's my understanding that there are  
13 officers that are available to review. Only the  
14 officers can issue or cancel, and there are officers  
15 on site that get the information provided by the  
16 technicians and make a determination on whether or  
17 not to issue or to cancel or not cancel a detainer.

18 Q. So incoming calls are answered by  
19 technicians. Correct?

20 A. Yes.

21 Q. And those technicians don't have the  
22 authority to issue or cancel detainers. Is that  
23 correct?

24 A. That is correct.

25 Q. Does someone who calls the LESC hotline



1 have the opportunity to speak to someone who has the  
2 authority to issue or cancel detainers?

3 A. I don't know.

4 Q. The phone number in the interrogatory  
5 response is listed on the current detainer form.  
6 Correct?

7 A. Yes.

8 Q. And it's listed on pages 2 and 3 of the  
9 current detainer form. Correct?

10 A. Exhibit 7?

11 Q. Yes, Exhibit 7.

12 A. That's correct.

13 Q. Is there any way for ICE to confirm that  
14 the subject of a detainer receives pages 2 and 3 of  
15 the detainer form?

16 A. No.

17 Q. The LESC hotline number is only for  
18 individuals who believe they're a U.S. citizen or  
19 the victim of a crime. Correct?

20 A. Correct.

21 Q. The number is not intended for legal  
22 permanent residents?

23 A. To my knowledge, no.

24 Q. And the detainer form, Exhibit 7, the  
25 current detainer form does not indicate that someone

1 who is a legal permanent resident may call the LESC  
2 hotline if they believe the detainer was  
3 inappropriately issued?

4 A. It does not say so.

5 Q. How many calls has the LESC detainer  
6 hotline received?

7 A. I don't know.

8 Q. Is there someone who would know how many  
9 calls are received by the LESC hotline?

10 A. I would imagine either Corey Price or --  
11 I don't know if they keep statistics on that within  
12 the Statistical Tracking Unit.

13 Q. So you're not aware if statistics are  
14 kept regarding how many calls the LESC detainer  
15 hotline receives?

16 A. I don't know personally, no.

17 Q. Is it policy for every call received by  
18 the LESC detainer hotline to be documented?

19 A. I'd have to reference the LESC's standard  
20 operating procedures. Those were provided to me by  
21 counsel, but I don't have them memorized.

22 Q. How long does it take to resolve the  
23 status of a detainer after someone calls the LESC  
24 hotline?

25 MR. SILVIS: Objection. Foundation.

1           A.     I don't think there's a standard  
2 timeline. It would depend on what information was  
3 provided and how long the investigation took.

4           Q.     Is the LESC hotline staffed 24 hours a  
5 day?

6           A.     To my knowledge, yes.

7           Q.     Is it staffed by individuals who speak  
8 Spanish?

9           A.     I don't know.

10          Q.     And would that information be known by  
11 Mr. Price?

12          A.     Yes, sir.

13          Q.     Is it staffed by individuals who speak  
14 French?

15          A.     I don't know.

16          Q.     And would that information be known by  
17 Mr. Price?

18          A.     Yes.

19          Q.     Is it staffed by individuals who speak  
20 other languages?

21          A.     I don't know.

22          Q.     And would that information be known by  
23 Mr. Price?

24          A.     Yes, sir.

25          Q.     Does the LESC hotline accept collect

1 calls from jails?

2 A. I don't know.

3 Q. Would Mr. Price have that information?

4 A. Yes.

5 Q. Does the LESC hotline return messages  
6 left by individuals?

7 A. I don't know.

8 Q. And would Mr. Price know that  
9 information?

10 A. Yes.

11 Q. Can the information an individual gives  
12 over the LESC hotline be used against them in  
13 immigration proceedings?

14 A. To my knowledge, no.

15 Q. Is every call to the LESC hotline  
16 recorded?

17 A. I don't know.

18 Q. And would Mr. Price have that  
19 information?

20 A. Yes.

21 Q. ICE cannot require that a local law  
22 enforcement agency provide a copy of the detainer to  
23 a subject. Correct?

24 A. Correct.

25 Q. If the subject does not receive a

1     detrainer how would they know to call the LESC  
2     hotline?

3           A.     I don't know. I think that the elements  
4     that are contained in this interrogatory are very  
5     well publicized by the NGO community, the  
6     non-governmental organization community, through our  
7     outreach programs, and they're all on our website.  
8     I think these are all URLs from our website that are  
9     contained in the interrogatories.

10          Q.     But there's no ICE policy that requires  
11     the subjects of detainers to be informed of the LESC  
12     hotline.

13          A.     No.

14          Q.     You referred a moment ago to the LESC  
15     standard operating procedure, and I'd like to turn  
16     to that quickly. We'll mark this as Exhibit 11.

17                                 (Miller Exhibit No. 11  
18                                 was marked for identification.)

19                                 BY MR. CARR:

20          Q.     Mr. Miller, you've been handed what's  
21     been marked Exhibit No. 11. It's been Bates stamped  
22     DHS 000128 through DHS 000135. It's entitled Law  
23     Enforcement Support Center, Standard Operating  
24     Procedures for Handling Telephonic Inquiries from  
25     Individuals Subject to a Detainer. Please take a

1 moment to review that document. I will direct you  
2 to particular sections as we go through it, but let  
3 me know when you're ready.

4 A. I'm ready.

5 Q. Mr. Miller, do you recognize Exhibit 11?

6 A. Yes.

7 Q. And generally what is Exhibit 11?

8 A. It's a standard operating procedure for  
9 employees at the Law Enforcement Support Center. I  
10 was provided a copy of this by counsel in  
11 preparation for this deposition.

12 Q. So you've reviewed this document prior to  
13 today?

14 A. Yes.

15 Q. Is this a document that is created by the  
16 Law Enforcement Support Center?

17 A. That's my understanding, yes.

18 Q. This isn't a document that's created by  
19 ICE headquarters.

20 A. To my knowledge, no.

21 Q. And this document, Exhibit 11, is  
22 currently in effect. Correct?

23 A. To my knowledge, yes.

24 Q. I'll ask you to flip to page 3 of the  
25 document that's Bates stamped DHS 130. I'll direct

1 you to the very top of the page where it says:  
2 Background for the specialist answering the call.

3 Are all calls at the LESC answered by a  
4 specialist?

5 A. I don't know.

6 Q. Is a specialist a certain type of  
7 employee of ICE?

8 A. Yes. It would be one of the technicians  
9 that work at the LESC.

10 Q. And are technicians contractors?

11 A. I don't know if they're contractors or  
12 full-time employees.

13 Q. Do technicians have the authority to  
14 issue or cancel detainers?

15 A. No.

16 Q. Do specialists have authority to issue or  
17 cancel detainers?

18 A. No.

19 Q. I'll direct you to the indented  
20 paragraph. This is the second full paragraph, but  
21 it's indented. It starts with: The Department of  
22 Homeland Security (DHS) has placed an immigration  
23 detainer on you.

24 A. Yes.

25 Q. This is the same language that appears in

1 the current notice to detainee section of the I-247  
2 form. Is that correct? You could refer to Exhibit  
3 7 if that will help.

4 A. Yes, it is.

5 Q. I'll direct you to the bottom of the  
6 page, where it says: The following script is what  
7 an individual will hear when calling the LESC. Then  
8 there's a voicemail answer script for calls.

9 Do you see that?

10 A. Yes.

11 Q. Is this a voicemail message received by  
12 anyone calling the LESC detainer hotline?

13 A. I don't know.

14 Q. Who would know that information?

15 A. Corey Price.

16 Q. And is this voicemail message provided in  
17 any language other than English?

18 A. I don't know.

19 Q. And Mr. Price would have that  
20 information?

21 A. Yes.

22 Q. Is this standard operating procedure in  
23 Exhibit 11 followed in every instance when an  
24 individual calls the LESC hotline?

25 MR. SILVIS: Objection. Foundation.



1           A.       To my knowledge, yes.

2                   BY MR. CARR:

3           Q.       And so these are the policies and  
4 procedures that the LESC follows when it receives a  
5 call to the LESC hotline listed on the detainer  
6 form. Correct?

7           A.       The procedures, yes.

8           Q.       I'd like to direct you to Section 2.0,  
9 which is on page 4 of the standard operating  
10 procedure, Exhibit 11. In the second bullet point  
11 under 2.0 the first sentence says under that bullet  
12 point: If the detainee does not speak English or  
13 you are unable to understand them due to a language  
14 barrier, you're instructed to call USCIS Language  
15 Services.

16                   Do you see that?

17           A.       Yes.

18           Q.       So if the individual calls the hotline  
19 and is unable to speak English the technician will  
20 call USCIS Language Services. Correct?

21           A.       Yes.

22           Q.       I'd like to direct you a little further  
23 down in that paragraph to the very last sentence  
24 where it says: The USCIS language service line is  
25 not a 24/7 operation. If the detainee is calling

1 after hours indicate they will need to call back  
2 between the hours of seven a.m. to 12 o'clock  
3 midnight EST.

4 Do you see that, Mr. Miller?

5 A. I do.

6 Q. If an individual does not speak English  
7 how can the technician inform them to call back  
8 during the hours of seven a.m. to 12 midnight?

9 MR. SILVIS: Objection. Foundation.

10 A. I don't know.

11 BY MR. CARR:

12 Q. Is there any way for a call received  
13 outside of seven a.m. to midnight to have a  
14 translator available?

15 A. Based on what this document says, no.

16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]

8 Q. If an individual is making a claim to  
9 United States citizenship can another program or  
10 division of ICE issue a detainer against that  
11 individual?

12 MR. SILVIS: Objection. Form and  
13 foundation.

14 A. That would depend on what information is  
15 available to that officer at the time of their  
16 interview or the information they're reviewing.

17 BY MR. CARR:

18 Q. Isn't it true that at the stage that the  
19 standard operating procedure in Exhibit 11 would  
20 come into effect a detainer would have already been  
21 issued?

22 A. Based on the reading we've done so far  
23 today, yes.

24 Q. Would an individual ever have reason to  
25 call the LESC hotline if they did not have a

1     detainer against them?

2                   MR. SILVIS:  Objection.  Foundation.

3           A.     They call every day.

4           Q.     Individuals who not do have detainers  
5 issued against them call every day the LESC supports  
6 the hotline?

7                   MR. SILVIS:  Objection.

8           A.     Yes.

9                   BY MR. CARR:

10          Q.     What happens if an individual who does  
11 not have a detainer issued against them calls the  
12 LESC hotline?

13          A.     They send a referral to the field office  
14 having jurisdiction over that jail, and they follow  
15 up to make sure that we don't have a detainer lodged  
16 against the person.

17          Q.     Is it possible for the LESC to not be  
18 aware that an individual has a detainer lodged  
19 against them?

20          A.     Can you repeat that?

21          Q.     Let me clarify.  If a field office issues  
22 a detainer against an individual is it possible that  
23 the LESC will not know about that detainer?

24          A.     If the field office issues it, no.

25          Q.     Is there any case where the LESC will not

1 know that a detainer has been issued against an  
2 individual?

3 A. Potentially, yes.

4 Q. What would be the circumstances when that  
5 would occur?

6 A. If another DHS component has issued the  
7 detainer.

8 Q. And by "another DHS component" you mean a  
9 component outside of ICE?

10 A. Yes.

11 Q. All issued detainers are recorded in the  
12 ICE database. Correct?

13 A. All the ones that are issued by ERO are,  
14 yes.

15 Q. So to clarify, all detainers issued by  
16 ICE are recorded in ICE's database.

17 A. As I said, all detainers issued by the  
18 ERO are contained in that database.

19 Q. What detainers issued by ICE would not be  
20 contained in the ICE database?

21 A. I don't know how ICE issues their  
22 detainers. They have a separate operating system.

23 Q. Moving back to Exhibit 11, the second  
24 paragraph under 2.1, the first sentence there  
25 states: Law enforcement specialists should closely

1 adhere to the questions below but may ask additional  
2 questions as necessary. However, the conversation  
3 is not meant to be an assessment of the individual  
4 citizenship claim.

5 Do you see that sentence, Mr. Miller?

6 A. Yes.

7 Q. What does that mean, that the  
8 conversation is not meant to be an assessment of the  
9 individual citizenship claim?

10 A. The specialists are part of the LESC to  
11 gather information for an officer's review, and so  
12 they're not supposed to be making an assessment  
13 based on the information they receive. They're  
14 supposed to compile the information and provide that  
15 to an officer for evaluation.

16 Q. So the individual taking the phone call  
17 is just compiling information and not making a  
18 decision?

19 A. Yes, sir.

20 Q. Because they don't have authority to make  
21 that decision. Correct?

22 A. Correct.

23 Q. I'm going to ask you to flip the page to  
24 page 6 marked at DHS 133. We're still in Section  
25 2.1 continued from the follow previous page. I'll

1 direct you to the very top sentence on that page,  
2 where it says: If the caller responds positively to  
3 any of the questions or based on the information the  
4 caller provides you believe they have a viable claim  
5 to U.S. citizenship, immediately refer the call to  
6 an LESC IEA officer to validate the claim.

7 Do you see that, Mr. Miller?

8 A. Yes.

9 Q. I'd specifically like to direct you to  
10 the words "you believe they have a viable claim to  
11 U.S. citizenship." Does that language indicate that  
12 the technician receiving the call should make a  
13 judgment as to whether the caller has a viable claim  
14 to U.S. citizenship?

15 A. I don't know what their operational  
16 definition of "viable" is, but based on the  
17 questions, one of the core questions of claiming  
18 birth in the United States would be taken very  
19 seriously within ICE, and something like that would  
20 certainly require more detailed investigation by an  
21 officer. Since I didn't write this document I don't  
22 know the intent of that specific word "viable."

23 Q. But you just testified that the  
24 technicians who are taking the calls are only  
25 gathering information. Correct?

1 A. Yes.

2 Q. Should the technician gathering the  
3 information be making any judgment as to the quality  
4 of that information?

5 A. No.

6 Q. Should they be making any judgment as to  
7 whether that information is sufficient for a claim  
8 of U.S. citizenship?

9 A. No.

10 Q. Is there discretion, however, for a  
11 technician who receives a call as to whether they  
12 can pass along the claim or not?

13 MR. SILVIS: Objection. Foundation.

14 A. My understanding is that all claims have  
15 to be passed on, that once they have the information  
16 they are to pass it on to an officer for evaluation.

17 BY MR. CARR:

18 Q. So every call received by the LESC  
19 hotline is referred to an immigration officer?

20 A. That's my understanding, yes.

21 Q. Are there any circumstances in which a  
22 call received by the LESC hotline will not be passed  
23 on by a technician?

24 A. I don't know.

25 Q. Who would know?



1 A. Corey Price.

2 Q. Is there any policy requiring every call  
3 received by a technician to be reviewed by an  
4 immigration officer?

5 A. All I know from the operating procedures  
6 at the Law Enforcement Support Center, the LESC, is  
7 this document. In terms of policies, I know of no  
8 policy.

9 Q. Are there any national policies requiring  
10 calls received by the LESC hotline to be reviewed by  
11 an immigration officer?

12 A. No.

13 Q. And just to confirm, a contractor  
14 employed by ICE has no authority to cancel  
15 detainers. Is that correct?

16 A. Correct.

17 Q. And when someone calls the LESC hotline  
18 is there any opportunity for them to speak with  
19 someone who can cancel a detainer?

20 A. I don't know.

21 Q. And who would know that information?

22 A. Mr. Price.

23 Q. Is there any policy requiring an  
24 immigration officer to speak with someone at the  
25 time they call the hotline?

1 A. To my knowledge, no.

2 Q. And I apologize for backtracking a little  
3 bit, but I'd like to direct you to what is labeled  
4 6-A on the previous page, page 5 of Exhibit 11.  
5 There's a list of questions -- actually, all of  
6 number six. Do you see those, Mr. Miller?

7 A. Yes.

8 Q. Referring to those questions that are  
9 under 6-A through D, is there any policy that  
10 requires ICE agents to ask these questions before  
11 issuing a detainer?

12 A. No.

13 Q. And let's flip back to page 6 of Exhibit  
14 11. I'll direct you to the italicized block of  
15 information towards the top that starts with:  
16 Instructions to IEA/Officer.

17 Do you see that, Mr. Miller?

18 A. I do.

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]

6 Q. Are those necessary systems checks  
7 memorialized in a document?

8 A. I don't know.

9 Q. Who would know that information?

10 A. Mr. Price.

11 Q. I'll refer you to the next sentence: If  
12 the claim is substantiated, immediately contact the  
13 detention or state or local facility where the  
14 caller is being held. Lift the detainer and notify  
15 the field office of the action.

16 Do you see that, Mr. Miller?

17 A. I do.

18 Q. Does this language indicate that  
19 detainers are issued to subjects with claims to U.S.  
20 citizenship?

21 A. No, it does not. I'm sorry. Could you  
22 rephrase that?

23 Q. Does this language indicate that  
24 sometimes detainers are issued to subjects who have  
25 claims to U.S. citizenship?

1 MR. SILVIS: Objection to foundation and  
2 the form of the question.

3 A. It would suggest to me that there are  
4 persons that we lodge detainers against based on the  
5 information at the time of encounter, and when  
6 additional information is provided to us we're able  
7 to take the appropriate action to lift the detainer.

8 BY MR. CARR:

9 Q. Is there an ICE policy to determine if  
10 every subject of a detainer has or does not have a  
11 claim to U.S. citizenship?

12 MR. SILVIS: Objection. Asked and  
13 answered.

14 A. No.

15 BY MR. CARR:

16 Q. So ICE does issue detainers against  
17 individuals who do have claims to U.S. citizenship?

18 MR. SILVIS: Objection. Foundation.

19 A. Yes.

20 BY MR. CARR:

21 Q. Is the LESC required to ask where an  
22 individual's parents were born if they say that  
23 their parents were not U.S. citizens?

24 A. I'd have to refer to the script.

25 Q. If you'd like to refer to the script, I

1 guess it's on page 5.

2 A. I guess the script is what they ask.

3 Q. Maybe that's an easier question to  
4 answer. A technician at LESC, are they required to  
5 follow the question script listed on page 5 of  
6 Exhibit 11?

7 A. To my knowledge, they're required to  
8 follow the flow of the script.

9 Q. Does the LESC determine if a detainer  
10 should be canceled after receiving a call on the  
11 hotline?

12 A. An officer may make that determination.

13 Q. So an officer at LESC can investigate a  
14 call to the hotline and cancel a detainer?

15 A. Yes. If sufficient evidence is put  
16 together through their investigation they can cancel  
17 the detainer.

18 Q. Is the LESC the only entity that cancels  
19 detainers pursuant to a call to the hotline?

20 A. No. There may be follow-up investigation  
21 in the field that may be required before a  
22 determination can be made.

23 Q. So the call and the information received  
24 in the call could be referred to a field office.

25 Correct?

1           A.       Correct.

2           Q.       Are there any policies for follow-up  
3 after an individual calls the LESC hotline? In  
4 other words, let's say that an individual calling  
5 the LESC hotline talks to someone there. After  
6 their call do they receive any notification of  
7 whether their claim was denied or granted or whether  
8 the detainer was canceled?

9           A.       To my knowledge, no.

10          Q.       If an individual's detainer is canceled  
11 after they call the hotline is there any requirement  
12 that they're served with a copy of the detainer  
13 cancelling the original detainer?

14          A.       No.

15          Q.       And after receiving a call on the hotline  
16 when the matter is referred to an immigration  
17 officer, is that immigration officer required to  
18 interview the subject who called the hotline?

19          A.       I don't know.

20          Q.       Who would know that information?

21          A.       Mr. Price.

22          Q.       There's one more question I want to ask  
23 about that script that's contained on page 5. On  
24 that script is there any question regarding whether  
25 or not the individual subject to the detainer was

1 born in the United States?

2 A. I'm sorry. Could you ask that again?

3 Q. Is there any question that asks: Were  
4 you born in the United States?

5 A. No, there is not.

6 Q. And is it possible that an individual  
7 subject to a detainer could be a U.S. citizen but  
8 his or her parents were not?

9 A. Yes.

10 MR. CARR: I think we've reached a good  
11 spot for a break. Is that good for defendants?  
12 Let's go off the record and come back in about five  
13 or ten minutes.

14 (Recess.)

15 BY MR. CARR:

16 Q. We're back on the record. I wanted to  
17 look at one more thing in Exhibit 11, Mr. Miller.  
18 In that script of questions that we were looking at  
19 that's under Section 2.1 on page 5, in the  
20 subsection 6-A there's a question that says: Are  
21 either of your parents United States citizens.

22 Correct?

23 A. Yes.

24 Q. If an individual calling the hotline were  
25 to answer "no" to that question the technician would

1 then proceed to question 6-B. Is that correct?

2 A. Yes.

3 Q. And if the individual calling the hotline  
4 were to answer "no" to that question in 6-A, the  
5 technician would never get to the questions under  
6 6-A-1 and 6-A-2. Is that correct?

7 A. That's correct.

8 Q. Let's jump back to Exhibit 10, the list  
9 of methods to challenge a detainer. I want to talk  
10 about some of the other methods that are listed to  
11 challenge a detainer. We talked about the first  
12 one.

13 The second one on page 8 of Exhibit 10 is  
14 that individuals may contact the ICE Joint Intake  
15 Center, and there's a phone number listed, if they  
16 have a complaint regarding the detainer or if they  
17 believe that their civil rights or civil liberties  
18 have been violated.

19 Do you see that provision, Mr. Miller?

20 A. Yes, I do.

21 Q. The phone number listed for the ICE Joint  
22 Intake Center is listed on the detainer form.  
23 Correct? If you need to check Exhibit 7, please do.

24 A. Yes, it is.

25 Q. The number for the ICE Joint Intake



1 Center is for individuals to lodge a complaint about  
2 the detainer or if they believe their civil rights  
3 or liberties have been violated. Correct?

4 A. Yes.

5 Q. And it is only for individuals to lodge a  
6 complaint about the detainer or if they believe that  
7 their civil rights or liberties have been violated.  
8 Is that correct?

9 A. Those are the two areas that are listed  
10 on the detainer form, but it's an open 800 number  
11 that's widely publicized, so I don't think there's  
12 any controls, to my knowledge, of who or when people  
13 can call it.

14 Q. So individuals will call the ICE Joint  
15 Intake Center number for a variety of reasons beyond  
16 those listed on the detainer foam. Correct?

17 A. Yes. It's essentially our internal  
18 affairs hotline.

19 Q. What is the ICE Joint Intake Center?

20 A. It's a function of the ICE Office of  
21 Professional Responsibility, which is essentially  
22 our internal affairs, and anyone at any time can  
23 call and make a report to those special agents about  
24 the actions of ICE or an ICE employee.

25 Q. Where is the ICE Joint Intake Center

1 located?

2 A. I believe it's in the national capital  
3 region. I don't know exactly where the physical  
4 office is.

5 Q. So somewhere in the Washington, D.C.  
6 area?

7 A. Correct.

8 Q. How many people work at the ICE Joint  
9 Intake Center?

10 A. I don't know.

11 Q. Who's in charge of the ICE Joint Intake  
12 Center?

13 A. Timothy Moynihan is the director of the  
14 Office of Professional Responsibility.

15 Q. How long has the ICE Joint Intake Center  
16 hotline been available?

17 A. To my knowledge, either at the inception  
18 of ICE in 2003 or very soon thereafter. ICE was  
19 created in March of 2003.

20 Q. So the ICE Joint Intake Center hotline  
21 has been available since 2010?

22 A. Yes.

23 Q. How many calls does the ICE Joint Intake  
24 Center receive regarding detainers?

25 A. I don't know.

1 Q. Who would know that information?

2 A. Mr. Moynihan.

3 Q. And do you know the average number of  
4 calls that the ICE Joint Intake Center hotline  
5 receives in a week?

6 A. No, I don't.

7 Q. Do you know how many calls it receives in  
8 a month?

9 A. No, sir.

10 Q. Do you know how many calls the ICE Joint  
11 Intake Center hotline receives in a year?

12 A. No, sir, I don't.

13 Q. Would Mr. Moynihan have that information  
14 available?

15 A. Yes, he would.

16 Q. Is there a standard operating procedure  
17 for responding to calls to the ICE Joint Intake  
18 Center regarding detainers?

19 A. I don't know.

20 Q. Have you ever seen a document with the  
21 standard operating procedure for responding to calls  
22 for the ICE Joint Intake Center?

23 A. No, I have not.

24 Q. How long does it typically take to  
25 resolve a call to the ICE Joint Intake Center

1 regarding a detainer?

2 A. I don't know.

3 Q. Would Mr. Moynihan have that information?

4 A. Yes, he would.

5 Q. How is the ICE Joint Intake Center  
6 staffed?

7 A. I'm not sure. I know there are ICE  
8 special agents that take calls, but I don't know the  
9 totality of their staffing model.

10 Q. Are ICE special agents the only  
11 individuals who take calls for the ICE Joint Intake  
12 Center?

13 A. I don't know.

14 Q. Would an ICE special agent have the  
15 authority to cancel a detainer?

16 A. Yes.

17 Q. To your knowledge, do any contractors  
18 work for the ICE Joint Intake Center hotline?

19 A. I don't know.

20 Q. Is it possible that contractors take  
21 calls for the ICE Joint Intake Center hotline?

22 A. I don't know.

23 Q. Is the Joint Intake Center hotline  
24 staffed by individuals who speak Spanish?

25 A. I don't know.

1 Q. Is the ICE Joint Intake Center hotline  
2 staffed by individuals who speak French?

3 A. I don't know.

4 Q. Is the ICE Joint Intake Center hotline  
5 staffed by individuals who speak any other  
6 languages?

7 A. I don't know.

8 Q. Would Mr. Moynihan have that information?

9 A. Yes, he would.

10 Q. Does the ICE Joint Intake Center take  
11 collect calls from jails?

12 A. I don't know.

13 Q. Would Mr. Moynihan have that information?

14 A. Yes, he would.

15 Q. Does the ICE Joint Intake Center return  
16 phone messages left by individuals regarding  
17 detainees?

18 A. I don't know.

19 Q. Would Mr. Moynihan have that information  
20 as well?

21 A. Yes, sir.

22 Q. Can the information an individual gives  
23 over the ICE Joint Intake Center hotline be used  
24 against them in immigration proceedings?

25 A. To my knowledge, no.

1           Q.       How is the ICE Joint Intake Center  
2 hotline different from the LESC hotline we discussed  
3 earlier?

4           A.       To my knowledge, the difference is the  
5 LESC hotline is set up as an additional point of  
6 intake for information from ICE specifically related  
7 to the lodging of the detainers, whereas the Joint  
8 Intake Center has a larger function about possible  
9 criminal or administrative violations by ICE  
10 employees. That's why it's referencing either  
11 violations of civil rights, civil liberties or other  
12 complaints regarding the lodging of the detainer,  
13 more in the performance of that action by an LESC  
14 officer more so than providing us with additional  
15 information that wasn't known at the time the  
16 detainer was lodged by the LESC.

17          Q.       Mr. Miller, is it fair to say that the  
18 ICE Joint Intake Center, at least in regard to  
19 detainers, is more focused on complaints against ICE  
20 agents?

21          A.       That is my understanding, yes.

22          Q.       And the ICE Joint Intake Center hotline  
23 is not intended to gather additional information  
24 from a subject regarding U.S. citizenship?

25          A.       I don't know what their operating

1 procedures are.

2 Q. And who would know what their operating  
3 procedures are?

4 A. Mr. Moynihan.

5 Q. Did you speak with Mr. Moynihan in  
6 preparation for today's deposition?

7 A. No, sir.

8 Q. Did you review any documents from the ICE  
9 Joint Intake Center in preparation for today's  
10 deposition?

11 A. No, I did not.

12 Q. And is there any policy document similar  
13 to Exhibit 11 for the ICE Joint Intake Center that  
14 details how this hotline should handle complaints  
15 about detainers?

16 A. No. To my knowledge, no.

17 Q. The number for the ICE Joint Intake  
18 Center was only added to the detainer form recently.  
19 Correct?

20 A. I'll have to reference the previous  
21 iterations.

22 Q. Let's look at Exhibit 7. Exhibit 7 is  
23 the current detainer form. Correct?

24 A. Yes.

25 Q. And Exhibit 7 includes the number for the

1 ICE Joint Intake Center. Correct?

2 A. Yes.

3 Q. Let's look at Exhibit No. 9. Does  
4 Exhibit No. 9 include the number for the ICE Joint  
5 Intake Center?

6 A. Yes, it does.

7 Q. And let's look at Exhibit No. 8. Exhibit  
8 No. 8, does it contain the number for the ICE Joint  
9 Intake Center?

10 A. No, it does not.

11 Q. So the 2011 revision of the detainer form  
12 is the first form that contains the number for the  
13 ICE Joint Intake Center. Correct?

14 A. Yes, sir.

15 Q. Why was the number for the ICE Joint  
16 Intake Center added to the detainer form in 2011?

17 A. Although I wasn't involved in drafting  
18 that detainer change, in general we try to publicize  
19 that as a point of information intake for the agency  
20 if they believe there's wrongdoing by our employees.  
21 It's on our website, it's on most press releases  
22 that come from the agency, and I think it's  
23 consistent with our effort to be more transparent in  
24 our enforcement of Title 8.

25 Q. Prior to the 2011 revision of the



1     detrainer form could an individual subject to a  
2     detrainer call the ICE Joint Intake Center to  
3     challenge their detrainer?

4           A.     Yes.

5           Q.     The ICE Joint Intake Center hotline is  
6     not specific to detrainers, though.

7           A.     No, it is not.

8           Q.     Other complaints are heard by the ICE  
9     Joint Intake Center hotline.  Correct?

10          A.     Yes.

11          Q.     What percentage of calls to this hotline  
12     concern detrainers?

13          A.     I don't know.

14          Q.     Would Mr. Moynihan have that information?

15          A.     I believe so.

16          Q.     Is the ICE Joint Intake Center used for  
17     lodging complaints against any other agencies or  
18     divisions of the Department of Homeland Security?

19          A.     I don't know the internal workings.  It  
20     is within the department, but in terms of how they  
21     treat information related to other agencies, I can't  
22     really speak to that.

23          Q.     Just taking the title of the center, the  
24     ICE Joint Intake Center, what does "joint" refer to?

25          A.     The components within ICE, HSI, ERO, and

1 OPLA, which is our legal division, Office of  
2 Principal Legal Advisor. Misconduct by any ICE  
3 employee within any division can be reported to that  
4 number.

5 Q. And prior to the addition of the Joint  
6 Intake Center number to the detainer form how would  
7 an individual have known to call the Joint Intake  
8 Center to challenge a detainer specifically?

9 A. The number, as I said, is widely  
10 publicized in our press releases and on our website,  
11 that there is a mechanism to report employees'  
12 conduct, and that would be the most common way.

13 Q. Was it publicized as a method for  
14 challenging detainers specifically?

15 A. Not to my knowledge, no.

16 Q. It was just publicized as a way to  
17 challenge employee misconduct?

18 A. Correct.

19 Q. I'd like to move on to another one of the  
20 methods for challenging a detainer. The third  
21 listed option there is individuals may also -- I'm  
22 sorry. To be clear for the record, we're on Exhibit  
23 10, page 8, the interrogatory response. The third  
24 option is: Individuals may also contact the ICE ERO  
25 field office that issued the detainer via telephone

1 or mail. Contact information can be found on ICE's  
2 website at, and it lists the web address.

3 Do you see that, Mr. Miller?

4 A. Yes.

5 Q. Is this information listed on any current  
6 or past detainer form?

7 A. No, it is not.

8 Q. And to obtain that contact information  
9 listed there it would require access to the  
10 Internet. Right?

11 A. To my knowledge, yes.

12 Q. Does the website identified here with the  
13 ICE ERO field office information say anything  
14 specific about challenging detainers?

15 A. I cannot remember off the top of my head.  
16 I did not review that website before the deposition.

17 Q. Does the ICE website indicate anywhere  
18 that individuals may contact the ICE ERO field  
19 office in order to challenge a detainer?

20 A. I don't know if it specifically says that  
21 or not. It just lists the point of contact for each  
22 of the field offices and the area of responsibility  
23 for those field offices.

24 Q. So this website is just listing address,  
25 phone and e-mail information for each field office?

1           A.       I'm not sure if e-mail was on there or  
2 not. I know address and phone number were.

3           Q.       Is there any form on the ICE website that  
4 an individual could fill out and send to ICE to  
5 challenge a detainer?

6           A.       There's no form. Just regular  
7 correspondence.

8           Q.       Referring specifically to this  
9 interrogatory response, "Individuals may also  
10 contact the ICE ERO field office that issued the  
11 detainer via telephone or mail," does ICE have any  
12 record of anyone challenging a detainer through this  
13 method?

14          A.       I don't know if there's aggregate  
15 records. There's no systematic national repository,  
16 no.

17          Q.       Is there any policy requiring a challenge  
18 via this method to be recorded?

19          A.       No.

20          Q.       Let's go down to the next option, which  
21 is: Individuals may also contact the ICE via the  
22 ICE detainee and community help line, and there's a  
23 phone number listed, or online via the public  
24 advocate contact form at, and then it lists a  
25 website.

1           Is this method for challenging a detainer  
2 listed on any past or current detainer form?

3           A.     No, it is not.

4           Q.     In order to use the public advocate  
5 contact order form the individual would have to have  
6 access to the Internet. Correct?

7           A.     Yes.

8           Q.     Was the public advocate recently  
9 eliminated by Congress?

10          A.     As a separate office, yes.

11          Q.     Does the public advocate exist as any  
12 kind of office within ICE?

13          A.     Yes. There's a Community Relations  
14 Office within the Custody Management Division that  
15 performs the same function, either from detainees or  
16 from the public. They can still reach out through  
17 the same hotline and either provide us with  
18 additional information or make complaints.

19          Q.     Referring to the ICE community and  
20 detainee help line, is that help line still  
21 operational?

22          A.     Yes.

23          Q.     And is that help line number on the  
24 detainer form?

25          A.     No.

1 Q. Does the public advocate contact form say  
2 anything specific about detainers?

3 A. To my knowledge, no.

4 Q. Does ICE have any record of anyone ever  
5 challenging the propriety of a detainer through the  
6 ICE community and detainee help line?

7 A. If they did I know those statistics are  
8 available, but I didn't review the Community  
9 Relations Office's statistics before the deposition.

10 Q. Who would have those statistics?

11 A. Those would be available through the  
12 Statistical Tracking Unit.

13 Q. That's ICE's Statistical Tracking Unit?

14 A. Yes, sir.

15 Q. Does ICE have any record of anyone ever  
16 challenging the propriety of a detainer through the  
17 public advocate contact form?

18 A. Again, I didn't review their statistics.  
19 I know anecdotally that it had been while I was  
20 still in New Orleans, yes.

21 Q. While you were in New Orleans how many  
22 times was the public advocate contact form used to  
23 challenge a detainer anecdotally?

24 A. Anecdotally, probably three or four.

25 Q. And was that over a certain period of

1 time?

2 A. Well, I came up here in January, so I'd  
3 say throughout 2012.

4 Q. So over the course of a year?

5 A. Yes.

6 Q. What is the general purpose of the ICE  
7 community and detainee help line?

8 A. It's another opportunity to provide  
9 information input into our detention system and  
10 provide both detainees and those speaking on behalf  
11 of our detained population to convey information to  
12 a non-law enforcement entity.

13 Q. Was the ICE community and detainee help  
14 line established solely for the purpose of  
15 challenging detainers?

16 A. No, it was not.

17 Q. And what is the general purpose of the  
18 public advocate contact form?

19 A. To convey concerns from the public about  
20 ICE, either ICE detention or ICE operations.

21 Q. And was the public advocate contact form  
22 established specifically for the purpose of  
23 challenging detainers?

24 A. No, it was not.

25 Q. And for both the ICE community and

1 detainee help line and the public advocate contact  
2 form other complaints are received by those methods  
3 besides challenges to detainers. Is that correct?

4 A. Can you repeat that?

5 Q. Let me rephrase to make it clearer.  
6 Other complaints are received by both the ICE  
7 community and detainee help line and the public  
8 advocate contact form that are not detainer  
9 complaints. Correct?

10 A. Yes, sir.

11 Q. Going down to the next method for  
12 challenging a detainer, this section reads:  
13 Individuals who believe a detainer violates their  
14 civil rights or civil liberties may also file a  
15 complaint with the Department of Homeland Security  
16 (DHS) Office of Civil Rights and Civil Liberties at  
17 a web address or contact the DHS Office of Inspector  
18 General by telephone, and a phone number is listed,  
19 or by online allegation form at, and another form is  
20 listed.

21 Do you see that paragraph?

22 A. Yes, I do.

23 Q. Are any of these methods for challenging  
24 a detainer listed on any current or past detainer  
25 form?



1 A. No.

2 Q. Let's break this down. One method listed  
3 is by filing a complaint with the DHS Office of  
4 Civil Rights at a certain website. Does that method  
5 for challenging a detainer require access to the  
6 Internet?

7 A. Yes.

8 Q. There's also an online allegation form.  
9 Does that method require access to the Internet?

10 A. Yes.

11 Q. The number that's provided for the DHS  
12 Office of Inspector General, what is the purpose of  
13 that phone line?

14 A. To report information to the Inspector  
15 General relating to the actions of DHS employees.

16 Q. So that DHS Office of Inspector General  
17 hotline is to be used when there's a complaint  
18 regarding the actions of an ICE employee. Correct?

19 A. That's my understanding, yes.

20 Q. Was the website for filing a complaint  
21 with the DHS Office of Civil Rights established  
22 solely for the purpose of challenging detainers?

23 A. No.

24 Q. Was the DHS Office of Inspector General  
25 telephone line established solely for the purpose

1 challenging detainers?

2 A. No.

3 Q. Was the online allegation form listed  
4 here in the interrogatory response developed solely  
5 for the purpose of challenging detainers?

6 A. No.

7 Q. And those three methods that we just  
8 discussed, do they involve other complaints besides  
9 detainer complaints?

10 A. Yes.

11 Q. And they receive other complaints besides  
12 complaints about detainers?

13 A. Yes.

14 Q. I wanted to ask one more question about  
15 the Office of Inspector General telephone line. Is  
16 that phone number listed on the current detainer  
17 form?

18 A. No.

19 Q. Does ICE have any record of an individual  
20 challenging the propriety of a detainer through any  
21 one of these three methods?

22 A. I do not know of any repository of that  
23 information. Those are echelons above ICE, and I  
24 don't know how they keep or manage their statistics.

25 Q. Is there any requirement that statistics

1 be kept on challenges around any of these methods?

2 A. To my knowledge, no. I should say I  
3 don't have any knowledge of how the department  
4 manages the information they get through those  
5 sources.

6 Q. And the three methods for challenging a  
7 detainer that we just discussed, those all fall  
8 under the responsibility of the Department of  
9 Homeland Security. Correct?

10 A. Yes, sir.

11 Q. They don't fall under the responsibility  
12 of ICE.

13 A. That's correct.

14 Q. So none of these methods, the three  
15 methods we just discussed, would involve contacting  
16 ICE directly.

17 A. That's correct.

18 Q. And would any of these three methods  
19 involve contacting an individual who has the  
20 authority to cancel a detainer?

21 A. I don't have firsthand knowledge of what  
22 they do with the information once they receive it.

23 Q. Do individuals in the Department of  
24 Homeland Security's Office of Civil Rights and Civil  
25 Liberties have the authority to cancel a detainer?

1           A.       No.

2           Q.       Do individuals in the Department of  
3 Homeland Security's Office of Inspector General have  
4 the authority to cancel a detainer?

5           A.       I don't know the individual ICE training  
6 of all the people in that division, if any of them  
7 meet the definition of immigration officer. I can't  
8 speak to all of the OIG employees.

9           Q.       So only someone in the Office of  
10 Inspector General who met the definition of an ICE  
11 official or officer would be able to cancel a  
12 detainer?

13          A.       Correct.

14          Q.       Actually, I did just want to backtrack  
15 briefly to the previous response and methods for  
16 challenging. Do individuals at the ICE community  
17 and detainee help line have authority to cancel a  
18 detainer?

19          A.       The non-officer employees, no. The  
20 officer employees, yes.

21          Q.       So some individuals at the ICE community  
22 and detainee help line have the authority to cancel  
23 detainers and some do not?

24          A.       Correct.

25          Q.       Do individuals who answer the ICE

1 community and detainee help line phone number have  
2 the authority to cancel detainers?

3 A. Possibly. It just depends on which  
4 operator is available depending on their call flow.

5 Q. Do the individuals who receive the public  
6 advocate contact form have the authority to cancel  
7 detainers?

8 A. I'm not sure who receives those forms.

9 Q. Who would know who receives the public  
10 advocate contact forms?

11 A. Andrew Lorenzen-Strait is the deputy  
12 assistant director over community relations and  
13 outreach.

14 Q. And you don't have any knowledge of where  
15 the public advocate contact forms go after they're  
16 submitted?

17 A. No.

18 Q. And I'll ask you to flip the page on  
19 Exhibit 10. The last method for challenging a  
20 detainer listed there is that individuals may also  
21 contact the law enforcement agency or other entity  
22 that is detaining them about any ICE detainers  
23 issued for them. Is that correct?

24 A. Yes.

25 Q. Is that method for challenging a detainer

1 listed on any current or former detainer form?

2 A. No.

3 Q. Does the local law enforcement agency  
4 have any authority to issue or cancel a detainer?

5 A. No.

6 Q. Is there any administrative process by  
7 which an individual may challenge a detainer?

8 A. No.

9 Q. Can an individual subject to a detainer  
10 challenge the detainer in front of an immigration  
11 judge?

12 A. No.

13 Q. I'd like to talk about ICE's revision of  
14 the detainer policy which we've discussed briefly  
15 before, but I have a few more specific questions  
16 about the revisions of the policy and forms. Is ICE  
17 currently in the process of making any further  
18 revisions to its detainer policy?

19 A. To my knowledge, no.

20 Q. Is ICE currently in the process of making  
21 any further revisions to the detainer form?

22 A. To my knowledge, no.

23 Q. Who at ICE is responsible for changing  
24 detainer policy?

25 A. It would generally come from the Office

1 of the Director and through the Office of Policy,  
2 and it would be done in coordination with OPLA, the  
3 Office of Principal Legal Advisor, our attorneys,  
4 and then in consultation with ERO and HSI.

5 Q. Who at ICE is responsible for changing  
6 the detainer form?

7 A. The flow of that request would come the  
8 same way. It would come from the director's request  
9 through policy, then usually led by someone at OPLA  
10 in consultation with ERO and HSI.

11 Q. How is a change in detainer policy  
12 accomplished? What's the procedure?

13 A. The director's office would ask us to  
14 consider information they think would either make  
15 the policy more effective or more transparent and  
16 then look at a way of articulating that and  
17 providing feedback both from counsel and from policy  
18 as to the formulation, and then, with the  
19 enforcement components on the applicability, would  
20 it impact the business function, and, if so, what  
21 would that impact be.

22 Q. When you mention the business function,  
23 what do you mean?

24 A. How the detainees are actually lodged and  
25 managed and to what end they're used.

1 Q. So you're referring to the process of  
2 issuing the detainer?

3 A. Correct.

4 Q. If the detainer policy is changed, is  
5 that change always recorded in written format?

6 A. Do you mean the deliberative process?

7 Q. No. Are new policies always recorded in  
8 written format?

9 A. National policies, yes.

10 Q. Every national policy is required to be  
11 contained in a written document. Correct?

12 A. To my knowledge, yes.

13 Q. There are no unwritten policies at ICE?

14 A. Not that I'm aware of.

15 Q. When policy changes at ICE, how are those  
16 policy changes implemented?

17 A. I think that would vary depending on the  
18 nature and scope of the policy change, but generally  
19 it would be formulated from the headquarters level.  
20 It would be briefed out to the field level managers.  
21 If it was a change that they felt required  
22 supplementary training or some kind of enhanced  
23 training, that would be coordinated through the  
24 training division in consultation with OPLA.

25 Then they would determine, if it was



1 going to be field level or field delivered training,  
2 who at the field level would do it, if they'd be  
3 trained by officers or trained by attorneys or in  
4 consultation, and then there would also have to be  
5 an assessment of whether or not the processing  
6 systems would have to change.

7 Q. And do all of the actions you just  
8 described take place every time a detainer policy is  
9 changed at ICE?

10 A. A detainer policy?

11 Q. Yes.

12 A. I wasn't at the headquarters level when  
13 this particular policy was changed, but so I'm  
14 uncertain specifically what they did. That's more  
15 generally the processes and procedures associated  
16 with policy change.

17 Q. And that's for any policy change,  
18 detainers or otherwise?

19 A. Correct.

20 Q. How are new detainer forms implemented at  
21 ICE?

22 A. Well, I was not here when either of these  
23 two changes were made or when the changes were made  
24 prior to these two iterations. In general, if  
25 there's a perceived need to change a form it's done

1 in consultation with the same components that I  
2 mentioned previously, ICE Policy, the Office of  
3 Principal Legal Advisor with the two operational  
4 components, to kind of come up with a way that is  
5 both efficient and effective and captures all the  
6 information outlined in the new policy.

7 And then once they have a draft form, a  
8 draft template of the new form, they would  
9 determine, in consultation with the Office of the  
10 Chief Information Officer, what changes, if any,  
11 have to be made to our online systems. The two  
12 operational components within ICE use different  
13 operational systems, so the changes that are  
14 required will probably vary depending on who's going  
15 to use the form.

16 Q. When the detainer form is issued are  
17 ICE's computers nationwide updated immediately to  
18 reflect that new form?

19 A. As I said previously, when this one was  
20 issued it was done in such -- the changes were made  
21 in a fairly short period of time, and the sub boxes,  
22 as we're calling them, were not put into the web  
23 based application. The computers aren't changed,  
24 it's a web based application that's changed, and  
25 it's taken time to simply have those changes

1 implemented.

2 Q. But to be clear, when the new form was  
3 created and used in December of 2012, the new form  
4 was available, just not all of the check boxes.

5 A. It was available and it would be produced  
6 with all the check boxes. The sub boxes, as we're  
7 calling them, could not be checked in the  
8 application itself. It had to be done by hand after  
9 the form was printed. The representation once it  
10 was printed would appear as Exhibit 7.

11 Q. Thank you for clarifying. When ICE  
12 changes its detainer policy do all of the areas of  
13 responsibility adopt that new policy at the same  
14 time?

15 A. Yes.

16 Q. When ICE adopts a new detainer form do  
17 all the AORs adopt that new form at the same time?

18 A. Yes.

19 Q. There's no graduate rollout of new  
20 policies and new forms across AORs. Is that  
21 correct?

22 A. In this instance, no. There have been  
23 instances where, based on the available computer  
24 systems, there has been a gradual rollout of changed  
25 forms and changed policies.

1 Q. For the three forms we looked at,  
2 Exhibits 7, 8 and 9, were any of those forms  
3 gradually rolled out to different AORs?

4 A. No.

5 Q. So when you're referring to the gradual  
6 rollout, those gradual rollouts of new detainer  
7 forms would have taken place prior to 2010?

8 A. I wasn't referring to the detainer forms.  
9 There's a myriad of policies and forms associated  
10 with our functions, and some are rolled out  
11 gradually and some changes are effective  
12 immediately, as these were.

13 Q. So gradual rollouts did not affect any  
14 detainer forms, to your knowledge?

15 A. No.

16 Q. I'd like to discuss the basis of ICE's  
17 assertion of authority to issue detainers, and I'm  
18 afraid I'm going to have to ask you to dive back  
19 into a previous exhibit again. If you could pull up  
20 Exhibit 2, which I believe you have in front of you.

21 MR. KISOR: Are these statutory  
22 interpretation questions?

23 MR. CARR: Well, I'll let you be the  
24 judge of that, counsel.

25 MR. KISOR: I'll let Mr. Silvis be the

1 judge of that.

2 MR. CARR: Fair enough.

3 BY MR. CARR:

4 Q. Does ICE derive its authority to issue  
5 detainers at least in part from 8 CFR Section 287.7?

6 A. Yes.

7 Q. I'll direct you to Section 5.2 of Exhibit  
8 2, which is on the second page. Listed there under  
9 Authorities and References, does this list 8 CFR  
10 287.7? Listed under 5.82 as an authoritative  
11 reference, does 8 CFR Section 287.7 appear?

12 A. Yes.

13 Q. Is 8 CFR Section 287.7 still an authority  
14 or preference for ICE's detainer issuance powers?

15 A. Yes.

16 Q. I want to also talk about ICE's policies  
17 for notifying an LEA that it has issued a detainer.  
18 When I use the acronym "LEA" you understand that I  
19 mean a law enforcement agency. Correct?

20 A. Yes.

21 Q. We've been using that term throughout the  
22 deposition and I thought we were on the same page,  
23 but I thought for the sake of the transcript we  
24 should be clear.

25 A. I understand. No problem.

1 Q. Does ICE always notify an LEA that it has  
2 issued a detainer?

3 A. Yes.

4 Q. How does ICE notify an LEA that it has  
5 issued a detainer?

6 A. In writing.

7 Q. And how is that writing conveyed to the  
8 LEA?

9 A. That's generally through the transmittal  
10 of the Form I-247.

11 Q. And how is that I-247 form transmitted?  
12 Via fax, via mail?

13 A. It could be fax, mail, e-mail, in person.  
14 It largely depends on the situation.

15 Q. Is there any requirement that an I-247  
16 form be sent to an LEA in a particular format?

17 A. No.

18 Q. Who at ICE is responsible for notifying  
19 an LEA that it has issued a detainer?

20 A. The officer lodging the detainer.

21 Q. And when is the officer who lodges a  
22 detainer supposed to notify the LEA that the  
23 detainer has been issued?

24 A. Once they make the determination that  
25 they're going to issue the detainer they're supposed

1 to transmit that form and wait for a signed copy to  
2 be returned.

3 Q. Are signed copies of detainers always  
4 returned?

5 A. To my knowledge, yes.

6 Q. When you refer to a signed copy of the  
7 detainer you mean signed by the LEA. Correct?

8 A. Yes.

9 Q. And LEAs always return the detainers  
10 signed?

11 MR. SILVIS: Objection. Foundation.

12 BY MR. CARR:

13 Q. You may answer.

14 A. To my knowledge, yes.

15 Q. How does ICE confirm that an LEA has  
16 received a detainer?

17 A. Usually telephonically.

18 Q. Is there a requirement that ICE confirm  
19 telephonically that an LEA has received the  
20 detainer?

21 A. No. There's not a requirement.

22 Q. And when you say telephonically, do you  
23 mean by the individual officer calling the LEA?

24 A. Correct.

25 Q. And not via fax?

1 A. Correct.

2 Q. Is there any requirement that the LEA  
3 notify the subject of the detainer?

4 A. No.

5 Q. Does ICE follow up with the LEA to  
6 confirm that they complied with the request to serve  
7 the detainer?

8 MR. SILVIS: Objection. Asked and  
9 answered.

10 A. No.

11 BY MR. CARR:

12 Q. Does ICE follow up with an LEA after the  
13 issuance of a detainer to confirm that the LEA will  
14 honor the detainer?

15 A. If we don't receive a signed copy back  
16 we'll make a secondary inquiry.

17 Q. If ICE doesn't receive a signed copy is  
18 it ICE's policy to follow up with the LEA?

19 A. No.

20 Q. There's no requirement for ICE to follow  
21 up with the LEA if the detainer never comes back  
22 with a signed copy?

23 A. Correct.

24 Q. What does ICE do if the LEA notifies ICE  
25 that it will not honor the detainer?



1 A. There's no penalty associated with that.

2 Q. Are there any procedures followed by ICE  
3 if the LEA indicates it will not honor the detainer?

4 A. No.

5 Q. Are there any policies regarding what ICE  
6 is required to do if the LEA will not honor the  
7 retainer?

8 A. No, there's no requirements.

9 Q. It is within the LEA's discretion whether  
10 or not to honor the detainer. Correct?

11 A. Yes.

12 Q. Is there any policy promulgated to LEAs  
13 that describes how they should respond if the  
14 subject of a detainer makes a claim to U.S.  
15 citizenship?

16 A. No.

17 Q. Is there any standard procedure at ICE if  
18 ICE receives a claim of citizenship through an LEA?

19 A. Yes.

20 Q. Is that standard procedure written down?

21 A. It's outlined in one of our previous  
22 exhibits.

23 Q. Could you please identify that exhibit,  
24 Mr. Miller?

25 A. The Superseding Guidance on Reporting and

1 Investigating Claims to United States Citizenship,  
2 2009.

3 Q. So Exhibit 4 would be the policy and  
4 procedure for ICE to follow if an LEA reports a  
5 claim of citizenship. Correct?

6 A. For someone that we file a detainer  
7 against, yes.

8 MR. CARR: Let's go off the record for  
9 just a moment.

10 (Recess.)

11 (Miller Exhibit No. 12  
12 was marked for identification.)

13 BY MR. CARR:

14 Q. Mr. Miller, I'm handing you what's been  
15 marked as Exhibit 12. I'll represent that this is a  
16 copy of 8 USC Section 1357. Section 1357 starts in  
17 the second column about halfway down. Mr. Miller,  
18 are you familiar with 8 USC Section 1357?

19 A. Yes, I am.

20 Q. Are you familiar specifically with 8 USC  
21 Section 1357(a)(2)?

22 A. Yes.

23 Q. Is 8 USC Section 1357(a)(2) a source of  
24 ICE's warrantless arrest authority?

25 MR. SILVIS: Object to the extent that it

1 seeks a legal conclusion.

2 BY MR. CARR:

3 Q. You can answer to the extent you know.

4 A. Let me reread that subparagraph.

5 Q. Please do.

6 A. Yes, it is.

7 Q. And to be clear, is 8 USC Section  
8 1357(a)(2) a source of ICE's warrantless arrest  
9 authority for civil immigration violations?

10 MR. SILVIS: Object to the extent that  
11 the question seeks a legal conclusion.

12 BY MR. CARR:

13 Q. You can answer.

14 A. Yes, it is.

15 Q. Are you aware of any other source of  
16 ICE's warrantless arrest authority for civil  
17 immigration violations, whether in 8 USC Section  
18 1357 or otherwise?

19 A. Section 1357 is the primary basis of it,  
20 yes.

21 Q. And is the primary basis Section  
22 1357(a)(2)?

23 A. Yes.

24 Q. Are there any other sections or parts of  
25 8 USC Section 1357 that are a source of ICE's

1 warrantless arrest authority for civil immigration  
2 violations?

3 MR. SILVIS: Object to the extent the  
4 question calls for a legal conclusion.

5 A. No. Just subparagraph (a).

6 BY MR. CARR:

7 Q. And you're referring to the entire  
8 subparagraph (a). Correct?

9 A. Yes.

10 Q. And just to be clear, are you aware of  
11 any other source besides 8 USC Section 1357(a) that  
12 is a source of ICE's warrantless arrest authority  
13 for civil immigration violations?

14 MR. SILVIS: Object to the extent it  
15 calls for a legal conclusion.

16 A. I think this is the primary section for  
17 the arrest authority. Then Section 236, and I'm not  
18 sure how that's codified under Title 8, but Section  
19 236 of the INA is the section that compels the  
20 immigration officer to make the arrest of persons  
21 who violate the INA.

22 Q. And you're referring to warrantless  
23 arrests. Correct?

24 A. Yes.

25 Q. So it's fair to say that you're unaware

1 of any other source of ICE's warrantless arrest  
2 authority besides those that you've named already.

3 A. Yes, sir.

4 Q. We're going to jump around for just a  
5 moment with a few subject areas. In the context of  
6 an LPR who has been charged but not convicted of a  
7 removable offense, is an immigration officer  
8 required to check the box on the detainer form that  
9 does not allow the detainer to become effective  
10 until the conviction?

11 MR. SILVIS: Objection to form.

12 BY MR. CARR:

13 Q. Perhaps it will be easier if we look at  
14 the form. Let's refer to Exhibit 7. I'll direct  
15 you to the large check box towards the bottom that  
16 reads: Consider this request for detainer operative  
17 only upon a subject's conviction.

18 Do you see that, Mr. Miller?

19 A. Yes.

20 Q. So in the context of an LPR who has been  
21 charged but not convicted of a removable offense, is  
22 an immigration officer required to check that box?

23 A. Yes.

24 Q. Is that requirement recorded in a written  
25 policy at ICE?

1 A. To my knowledge, no.

2 Q. How is that policy promulgated at ICE if  
3 it's not written?

4 A. Through training at the Federal Law  
5 Enforcement Training Center and also through  
6 on-the-job training.

7 Q. Are there other policies at ICE that are  
8 not written but are conveyed through training?

9 A. Yes.

10 Q. So some of the requirements for filling  
11 out a detainer form will not be recorded in the  
12 national policy documents but will be conveyed to  
13 ICE officers through training. Correct?

14 A. Correct.

15 Q. And would those requirements and policies  
16 be recorded in the training materials given to ICE  
17 agents?

18 A. I'd have to review those training  
19 documents. I know when I went through the training  
20 in 1996 they were part of that, but I have not seen  
21 the training documents since 1996. I know they've  
22 undergone several revisions.

23 Q. So in your experience, when you were in a  
24 different position the training materials did  
25 contain that information?

1 A. Yes.

2 Q. Or at least some of that information.

3 A. Yes.

4 Q. And speaking of training, when the new  
5 detainer policy was issued in December 2012 was  
6 there any directive to the ICE field offices  
7 regarding training?

8 MR. SILVIS: Objection to the form of the  
9 question as vague.

10 A. I'm trying to remember the exact  
11 transmittal, and I cannot recall what was associated  
12 with that. I'm sorry. I was on extended leave. As  
13 I told you, I came up here in January for a long  
14 term detail and I took extended leave during the  
15 holidays, so I don't remember all of the information  
16 that was conveyed, and I did not read through all of  
17 those e-mails before the deposition.

18 Q. So if there was a directive to the field  
19 offices regarding training on the new detainer  
20 policy it would have been contained in an e-mail?

21 A. Yes.

22 Q. And that e-mail would have been  
23 transmitted to whom?

24 A. The field office directors.

25 MR. CARR: We'd request the production,

1 and I know we're still working through ESI  
2 production issues, of any e-mails regarding training  
3 on new policies and forms that were promulgated  
4 around the time of the 2012 policy switch.

5 MR. SILVIS: We'll entertain that through  
6 a written request.

7 BY MR. CARR:

8 Q. I'll ask you to flip to one last document  
9 here, and that's back to Exhibit 2. I'll direct you  
10 to page 2, Section 4.6.

11 A. Yes.

12 Q. Under Section 4.6 do you see the sentence  
13 that says: Although in certain instances ICE may  
14 hold LPRs up to 48 hours to make charging  
15 determinations? Do you see that?

16 A. Yes, sir, I do.

17 Q. What are the circumstances under which  
18 ICE may hold LPRs for up to 48 hours to make  
19 charging decisions pursuant to a detainer?

20 A. The circumstances would be if they have  
21 reason to believe that the conviction would render  
22 the permanent resident removable and thus  
23 chargeable, or the government could charge those  
24 allegations, but there was time needed to obtain the  
25 certified copies of the court conviction documents



1 and have those documents reviewed by counsel.

2 Q. So in these certain instances the LPR  
3 would have been convicted of an offense already.  
4 Correct?

5 A. Yes.

6 Q. And there aren't any instances under this  
7 section where the LPR would be charged yet not  
8 convicted and held for 48 hours?

9 A. There may be. I gave you the most common  
10 example of how that's utilized, but I couldn't speak  
11 to the infinite number of possibilities. It would  
12 depend greatly on the individual person's criminal  
13 and immigration history and whether or not a  
14 secondary review of that fact pattern was required  
15 by counsel or in conjunction with counsel before  
16 issuing the charging document.

17 The 48 hours referred to here is before  
18 the actual notice to appear is issued and served on  
19 the individual. Sometimes it requires a higher  
20 level of review. I think one of those two statutes  
21 mentioned or referenced previously is when it  
22 relates to grounds of national security. When  
23 issuing a charging document charging someone with  
24 having violated a grounds of national security it  
25 requires headquarters concurrence, and that

1 generally takes 24 to 48 hours before we charge  
2 somebody with a national security violation.

3 Q. So it's possible for ICE to hold an LPR  
4 for up to 48 hours to make a charging determination  
5 whether that LPR has been charged but not convicted  
6 with a removable offense. Is that correct?

7 A. For the two subparagraphs in Section 237  
8 listed here, yes.

9 Q. And so this 48 hour period mentioned in  
10 Section 4.6 is after the 48 hours that the LEA will  
11 hold an individual pursuant to the detainer.  
12 Correct?

13 A. Yes, sir.

14 Q. So to be clear, essentially in the  
15 certain instances that ICE may hold LPRs for up to  
16 48 hours to make charging determinations, ICE is  
17 detaining the individual to complete an  
18 investigation of that individual. Correct?

19 A. Yes.

20 MR. CARR: For right now we don't have  
21 anything else. Counsel, if you have any questions.

22 (Recess.)

23 EXAMINATION BY COUNSEL FOR DEFENDANTS

24 BY MR. SILVIS:

25 Q. Mr. Miller, refer to Exhibit No. 7. I

1 just wanted to clarify a point. If a person is an  
2 LPR and they've been charged with a crime but not  
3 convicted, is an immigration officer required to  
4 check the box a little bit more than halfway down  
5 the form that says: Consider this request for a  
6 detainer operative only upon the subject's  
7 conviction?

8 A. By policy, no, they're not required.

9 Q. Referring to Exhibit No. 2, on page  
10 number 2 do you see Section 4.6?

11 A. Yes, I do.

12 Q. I believe you testified earlier that  
13 Section 4.6 was superseded by the Morton memorandum,  
14 which is Exhibit No. 3. Do you remember that?

15 A. Yes, I do.

16 Q. Is that correct? Did the Morton  
17 memorandum supersede Section 4.6 on Exhibit 2?

18 A. No, it did not. I incorrectly stated  
19 that. I referenced the Morton memo, which is  
20 Exhibit 3, without having looked at it when we were  
21 talking about Exhibit 2, and that was my error.  
22 Exhibit 3 does not supersede Section 4.6 of Exhibit  
23 2.

24 Q. I wanted to ask you generally about  
25 detainers. In issuing a detainer do ICE officers

1 request that the LEAs provide a copy of the detainer  
2 to the individual who is being detained?

3 A. Yes, they do.

4 Q. And in your experience do you know  
5 whether that's typically done by the LEAs?

6 MR. CARR: Objection to the form.

7 BY MR. SILVIS:

8 Q. You can answer the question.

9 A. From my experience, yes, they do receive  
10 it.

11 Q. And when you say "experience," what  
12 experience are you basing that on?

13 A. My experience as a field office director  
14 over five southern states.

15 Q. And how would you know that LEAs are  
16 providing the forms to the individuals?

17 A. Because of the number of requests for  
18 investigation that we receive from various intake  
19 points from persons who are both foreign born and  
20 who just obtained the form because it was laying  
21 around in their jail cell.

22 Q. So based on the volume that you were  
23 receiving back from individuals who were served with  
24 detainers?

25 A. Well, the feedback to us comes from

1 either the Joint Intake Center, DHS OIG or the LESA,  
2 and periodically from what was called the public  
3 advocate which is now the Community Relations  
4 Office. They would get information, questions,  
5 concerns, and then they would send those back to the  
6 field office for further investigation and to follow  
7 up with the individual.

8 Q. So based on that feedback, you're aware  
9 that the detainer forms are indeed making their way  
10 to the detainees.

11 MR. CARR: Objection to the form.

12 A. Yes, sir.

13 MR. CARR: And foundation.

14 BY MR. SILVIS:

15 Q. I want to direct your attention to  
16 Exhibit 10. If you could turn to page 8 in Exhibit  
17 10. It's actually pages 7 and 8 of Exhibit 10,  
18 which are the defendants' responses to plaintiffs'  
19 first set of interrogatories. In response to  
20 interrogatory six, that is where the defendants  
21 identify the various forms by which individuals can  
22 challenge the validity of detainers.

23 Do you remember Mr. Carr asking you  
24 questions about the response to this interrogatory?

25 A. Yes, I do.

1 Q. And this is one of the interrogatories  
2 which you verified. Is that correct?

3 A. Yes, it is.

4 Q. Mr. Carr was asking you about these  
5 various mechanisms for challenging the validity of  
6 the detainer, but raised an issue as to whether any  
7 of the individuals working at these organizations  
8 could actually effectively cancel the detainer. Do  
9 you remember that?

10 A. Yes, I do.

11 Q. And your testimony was that you weren't  
12 aware whether individuals working at any of these  
13 various mechanisms for challenging the validity of a  
14 detainer could actually cancel the detainer. Is  
15 that right?

16 MR. CARR: Objection to the extent that  
17 that mischaracterizes earlier testimony. Go ahead.

18 A. At all of these locations there's not  
19 actual immigration officers working, but some of  
20 them do have immigration officers working at them.

21 BY MR. SILVIS:

22 Q. I'm trying to be as concise as possible.  
23 For all of the various mechanisms listed under the  
24 response to interrogatory number six for challenging  
25 the validity of a detainer, do those offices have

1 the ability to contact the ERO to investigate  
2 whether a detainer should in fact be canceled?

3 MR. CARR: Object to the form.

4 A. Yes, they do.

5 BY MR. SILVIS:

6 Q. And in your experience, has that indeed  
7 happened? Have these various agencies contacted ERO  
8 and asked to look into whether a detainer should be  
9 canceled?

10 A. Yes. That's commonly what occurs.

11 Q. So if someone contacts the Law  
12 Enforcement Support Center with a claim that they  
13 think they're U.S. citizens or should not be subject  
14 to detainer, the Law Enforcement Support Center  
15 could contact the ERO and have them investigate  
16 whether the detainer should be canceled?

17 MR. CARR: Object to the form.

18 A. Yes. If they can't reach a conclusion  
19 they'll send it to a field office for investigation.

20 BY MR. SILVIS:

21 Q. And the field office at that point could  
22 cancel the detainer?

23 A. Yes.

24 Q. Is that also true of the Joint Intake  
25 Center?

1 MR. CARR: Object to the form.

2 A. It's been my experience that the Joint  
3 Intake Center sends them directly to the field for  
4 investigation and conclusion and then reports back  
5 to the Joint Intake Center.

6 BY MR. SILVIS:

7 Q. But a complaint made to the Joint Intake  
8 Center could be referred back to the field where a  
9 detainer could be cancelled?

10 A. Yes.

11 MR. CARR: Object to the form.

12 BY MR. SILVIS:

13 Q. And if an individual contacted an ERO  
14 field office with a complaint about the detainer,  
15 could the field office at that point investigate and  
16 determine whether a detainer should be canceled?

17 MR. CARR: Object to the form. You can  
18 answer.

19 A. Yes.

20 BY MR. SILVIS:

21 Q. How about if someone makes a complaint  
22 via the public advocate contact form? Could that  
23 complaint eventually reach a field office or ERO  
24 where the detainer can be canceled?

25 A. Yes. It would in fact be sent from the



1 community relations folks to the field office for  
2 investigation.

3 Q. And if someone contacts the Department of  
4 Homeland Security's Office of Civil Rights and Civil  
5 Liberties, could again that complaint reach a field  
6 office or ERO where the detainer could be canceled?

7 MR. CARR: Objection to foundation based  
8 on his previous testimony.

9 A. Yes. They would forward it to us for  
10 investigation.

11 BY MR. SILVIS:

12 Q. And the results of that investigation  
13 could be that the detainer is canceled?

14 A. It could be, yes.

15 Q. And how about if someone contacts the DHS  
16 Office of the Inspector General by telephone? Could  
17 the result of that be that a field office is  
18 contacted and a detainer is canceled?

19 A. Yes.

20 MR. CARR: I'll object to the form on  
21 that last question.

22 BY MR. SILVIS:

23 Q. And if an individual contacts the law  
24 enforcement agency that is actually holding them and  
25 complains that they should not be subject to a

1     detainer, can that law enforcement agency then  
2     contact the field office or ERO and have the field  
3     office or ERO investigate whether the detainer  
4     should be canceled?

5             MR. CARR:  Objection.  Foundation.

6             A.     Yes.

7             BY MR. SILVIS:

8             Q.     In your experience, has that ever  
9     happened?

10            A.     Yes.

11            Q.     In your experience, are there people who  
12     are United States citizens that don't know that they  
13     are United States citizens?

14            A.     Yes.

15            Q.     And in that circumstance how would ICE  
16     know if those individuals are indeed United States  
17     citizens?

18            A.     Most commonly it's at the time of arrest  
19     and processing.  Our arrest intake form, the I-213,  
20     contains questions that are designed to elicit  
21     information that will provide the arresting officer  
22     with enough initial information to ensure that the  
23     person hasn't acquired or isn't some kind of  
24     derivative citizen.

25            Q.     So in that instance the individual may

1 not even know they're a United States citizen, but  
2 your ICE investigation will determine whether they  
3 are a U.S. citizen?

4 MR. CARR: Object to the form.

5 A. That's correct.

6 BY MR. SILVIS:

7 Q. Is there a database with people who are  
8 born abroad but have never taken any administrative  
9 steps to establish that they are a citizen?

10 A. No.

11 Q. I just want to ask you a couple of  
12 questions about detainers. If an ERO officer or any  
13 immigration officer issues a detainer on a form that  
14 is no longer in use is that detainer still  
15 considered operative by ICE?

16 A. Yes.

17 Q. If someone has a detainer lodged against  
18 them and a new detainer form comes out, is the old  
19 detainer form considered operative by ICE?

20 A. Yes.

21 Q. And that's true even if ICE does not  
22 reissue a new detainer form to replace the old one  
23 against that individual?

24 A. Yes.

25 Q. Under current ICE policy may an officer

1 issue a detainer against a person if the officer is  
2 aware that the individual has made a claim to United  
3 States citizenship without first conducting an  
4 investigation?

5 A. No.

6 MR. CARR: Objection to the form.  
7 "Investigation" is vague.

8 BY MR. SILVIS:

9 Q. In response to my question what is your  
10 understanding of the term "investigation?"

11 A. If someone that they're intending to  
12 lodge a detainer against is claiming U.S.  
13 citizenship they would need to obtain enough  
14 information from the person to either substantiate  
15 or dispute that claim before lodging the detainer.

16 Q. But that investigation that you've just  
17 defined, that would take place before the detainer  
18 is issued in the instance where someone has made a  
19 claim to United States citizenship?

20 A. If that claim was made prior to the  
21 filing, the lodging of the detainer with a law  
22 enforcement agency, yes.

23 MR. SILVIS: I don't have anything unless  
24 you have redirect.

25 EXAMINATION BY COUNSEL FOR PLAINTIFFS

1 BY MR. CARR:

2 Q. I have just a few follow-ups. You're  
3 familiar with the I-213 form. Correct?

4 A. Yes.

5 Q. Are ICE officers required to use the  
6 I-213 script before issuing a detainer?

7 A. No.

8 Q. You testified a few minutes ago that  
9 you're aware that individuals subject to detainer  
10 were served with a detainer based on your personal  
11 experience. Correct?

12 A. Yes.

13 Q. That evidence is only anecdotal.  
14 Correct?

15 A. Yes.

16 Q. Does ICE generate any specific statistics  
17 regarding how many individuals receive the detainers  
18 that are lodged against them?

19 A. No.

20 Q. Is there any way for ICE to track the  
21 number of detainers that are served on the  
22 individuals that are subject to the detainer?

23 A. No.

24 Q. Is there any requirement that an LEA  
25 inform ICE when the subject is served with a

1     detainer?

2             A.     No.

3             MR. CARR:  Unless you have any further  
4     questions --

5             MR. SILVIS:  We don't have any further  
6     questions.

7             MR. CARR:  Then we're off the record  
8     unless there's anything further from the defense.

9             MR. SILVIS:  We'd just like to put on the  
10    record that the witness will read and sign.

11            (Whereupon, at 4:28 p.m. the taking of  
12    the deposition was concluded.)

13                            (Signature not waived.)

14                            - - -

15

16

17

18

19

20

21

22

23

24

25

1 District of Columbia,

2 To wit:

3 I, Keith A. Wilkerson, a Notary Public of  
4 the District of Columbia, do hereby certify that the  
5 within-named witness personally appeared before me  
6 at the time and place herein set out, and after  
7 having been duly sworn by me, according to law, was  
8 examined by Counsel. I further certify that the  
9 examination was recorded stenographically by me and  
10 this transcript is a true record of the proceedings.

11 I further certify that I am not of  
12 Counsel to any of the parties, nor an employee of  
13 Counsel, nor related to any of the parties, nor in  
14 any way interested in the outcome of this action.

15 As witness my hand and Notarial Seal this  
16 \_\_\_ of \_\_\_\_\_ 2013.

17

18 Keith A. Wilkerson,

19 Notary Public

20 My commission expires:

21 November 12, 2014

22

23

24

25

<b>&amp;</b>	215:21	<b>2003</b> 162:18,19	<b>287</b> 29:23 90:21
<b>&amp;</b> 1:19 2:3	<b>12/21/12</b> 4:12	<b>20044</b> 2:21	<b>287.7</b> 108:12 189:5
<b>0</b>	<b>130</b> 142:25	<b>2009</b> 21:14,15 79:8	189:10,11,13
<b>000036</b> 32:10	<b>131</b> 4:19	194:2	<b>287.7.</b> 108:8
<b>000038</b> 32:11	<b>132</b> 146:17	<b>2010</b> 21:11,15 32:21	<b>2nd</b> 33:1 34:7
<b>000074</b> 83:17	<b>133</b> 150:24	33:1 34:7 53:18,25	<b>3</b>
<b>000109</b> 83:17	<b>1357</b> 194:16,16,18	55:14 56:3 95:19	<b>3</b> 4:12 51:16,20 52:1
<b>000112</b> 51:21	194:21,23 195:8,18	110:22,25 125:24	52:7,10,13,16,19,22
<b>000113</b> 99:9	195:19,22,25	125:25 126:9	53:1,4,7,15 54:3,6
<b>000114</b> 51:21	196:11	162:21 188:7	54:20 55:7,13,18
<b>000115</b> 110:10	<b>141</b> 4:20	<b>2011</b> 29:14 33:4,7	56:20,21 57:6 58:21
<b>000116</b> 111:7	<b>162</b> 94:20	56:16 97:25 111:18	59:18 60:5,25 61:12
<b>000118</b> 111:7	<b>17</b> 131:25	111:20,24 117:6	61:17 62:14,19
<b>000119</b> 96:6	<b>1700</b> 1:19	134:18 135:1,3,8	63:10,20 64:10
<b>000121</b> 96:6	<b>1818</b> 2:10	168:11,16,25	65:25 67:2,11 74:15
<b>000128</b> 141:22	<b>194</b> 4:21	<b>2012</b> 29:14 31:17	74:16,22,23 76:1
<b>000135</b> 141:22	<b>1993</b> 85:21 86:8,13	32:1 38:6,7,10	77:12,23 78:5,9,22
<b>000161</b> 93:6	86:21 88:15,18	51:25 53:12 55:16	87:4,4 88:10 91:15
<b>000171</b> 93:6	<b>1996</b> 84:12 86:11	55:22 74:19 75:9	97:3,11,15 99:9,12
<b>005-09</b> 33:11,14	198:20,21	86:20,23 96:19 97:8	100:15 101:12
<b>05452</b> 1:8	<b>19th</b> 79:8	101:3 117:6 127:1	103:4,5 119:12
<b>1</b>	<b>1:11</b> 1:8	175:3 187:3 199:5	125:14,15 137:8,14
<b>1</b> 4:10 9:11,15,23,25	<b>1st</b> 33:4	200:4	142:24 203:14,20
10:2,11 85:9 160:6	<b>2</b>	<b>2013</b> 1:14 77:3	203:22
<b>10</b> 4:19 131:13,14	<b>2</b> 4:11 32:6,10,16,18	215:16	<b>30</b> 10:3 42:9 44:25
131:18 132:13,20	32:22 33:9 34:3,10	<b>2014</b> 215:21	<b>307-4693</b> 2:22
160:8,13 170:23	34:15,22 37:13,23	<b>202</b> 2:22 3:7 4:5	<b>312</b> 2:6,12
181:19 205:16,17	38:1 49:4,4 54:1,4,7	<b>20536</b> 3:6	<b>32</b> 4:11
205:17	54:17,18,21 55:4,14	<b>208</b> 2:10	<b>35</b> 2:4
<b>10074.1</b> 32:12 53:19	55:19 61:3,24 62:12	<b>21</b> 51:25	<b>37</b> 34:22 49:5
<b>11</b> 4:20 141:16,17	64:9 85:7 87:9 88:6	<b>213</b> 4:6 210:19	<b>4</b>
141:21 142:5,7,21	88:12 90:4,21 91:16	213:3,6	<b>4</b> 4:13 65:25 79:3,7
144:23 145:10	91:17,25 95:17	<b>21st</b> 53:12	79:15,16,18,23 80:1
147:19 149:23	125:24 126:1 137:8	<b>22nd</b> 33:7	80:5,7 82:13 83:2
154:4,14 157:6	137:14 160:6	<b>236</b> 196:17,19	83:10 99:9 100:9,15
159:17 167:13	188:20 189:8	<b>237</b> 202:7	103:1 145:9 194:3
<b>11/19/09</b> 4:13	194:21,23 195:8,22	<b>24</b> 12:12 14:24	<b>4.2</b> 53:17 54:4,16,21
<b>110</b> 4:17	200:9,10 203:9,10	30:19 97:21 139:4	55:2
<b>111</b> 4:18	203:17,21,23	202:1	<b>4.2.</b> 55:11
<b>113</b> 103:2,5	<b>2.0</b> 145:8,11	<b>24/7</b> 145:25	<b>4.3</b> 91:17,25
<b>114</b> 74:17	<b>2.1</b> 146:17 149:24	<b>242.2.</b> 85:23	<b>4.4</b> 34:24 53:18
<b>12</b> 4:21 12:14,15	150:25 159:19	<b>247</b> 74:19 76:23	<b>4.4.</b> 34:23
146:2,8 194:11,15	<b>200</b> 88:16	96:14 110:18	<b>4.5</b> 54:4,16 55:14,18
		111:17 144:1	55:20
		190:10,11,15	



<p><b>4.5.</b> 55:16  <b>4.6</b> 37:22 38:1,9,12  49:6 200:12 202:10  203:10,13,17,22  <b>4.6.</b> 37:14 200:10  <b>43</b> 4:15 93:7  <b>48</b> 36:2,4,8 105:23  130:7,21 200:14,18  201:8,17 202:1,4,9  202:10,16  <b>4:28</b> 214:11</p>	<p>132:12 137:10,11  137:24 144:3  160:23 167:22,22  167:25 187:10  188:2 197:14  202:25 205:17  <b>732-3352</b> 3:7  <b>79</b> 4:13</p>	<p><b>ability</b> 107:13 207:1  <b>able</b> 78:14 86:8  95:22 107:7,9  128:17,18 156:6  180:11  <b>abroad</b> 211:8  <b>abscond</b> 90:19  <b>absent</b> 64:13 65:2  <b>absolutely</b> 16:2  63:18 133:13  <b>academy</b> 84:11,12  84:14,18  <b>accept</b> 139:25  <b>access</b> 171:9 173:6  177:5,9  <b>accomplished</b>  118:25 183:12  <b>accurate</b> 66:9  <b>acquired</b> 155:3  210:23  <b>acronym</b> 13:10  58:11 189:18  <b>acronyms</b> 13:9  <b>act</b> 16:8 86:11 90:22  116:18,22 117:1  <b>acting</b> 72:4,13,16,22  73:11,14 74:11  <b>action</b> 14:7 94:23,25  95:4 96:5 98:8  110:11 111:8  155:15 156:7  166:13 215:14  <b>actionable</b> 15:16  <b>actions</b> 33:25  161:24 177:15,18  185:7  <b>activated</b> 105:15  106:1  <b>active</b> 117:8  <b>actual</b> 36:16 40:14  41:16 106:19  121:18 128:8  201:18 206:19  <b>added</b> 167:18  168:16</p>	<p><b>addition</b> 61:18  103:11 170:5  <b>additional</b> 72:5  133:2 150:1 156:6  166:5,14,23 173:18  <b>address</b> 171:2,24  172:2 176:17  <b>addressed</b> 85:1  <b>adhere</b> 150:1  <b>administered</b> 124:1  <b>administration</b>  121:25 122:5  <b>administrative</b> 71:9  71:18 106:13 107:1  107:8,14,23 166:9  182:6 211:8  <b>admitted</b> 41:17  <b>adopt</b> 187:13,17  <b>adopted</b> 85:3  <b>adopts</b> 187:16  <b>advice</b> 49:9  <b>advisor</b> 12:3,20,22  15:13 40:18 170:2  183:3 186:3  <b>advocate</b> 36:13  172:24 173:4,8,11  174:1,17,22 175:18  175:21 176:1,8  181:6,10,15 205:3  208:22  <b>affairs</b> 161:18,22  <b>affect</b> 188:13  <b>afraid</b> 188:18  <b>agencies</b> 10:24 85:2  109:21 110:3  134:12 169:17,21  207:7  <b>agency</b> 24:19 134:17  140:22 168:19,22  181:21 182:3  189:19 209:24  210:1 212:22  <b>agency's</b> 56:1,4  <b>agent</b> 18:15,16,16  19:7,7 70:25 71:4</p>
<p><b>5</b></p>	<p><b>8</b></p>	<p><b>8</b> 4:17,21 29:23  85:22,23 107:24  108:7,11 110:5,9,14  110:16,19,23  112:13,17,20,22  113:8 114:6,11,17  114:22 126:8,9  132:20 133:20  160:13 168:7,8,24  170:23 188:2 189:5  189:9,11,13 194:16  194:18,20,23 195:7  195:17,25 196:11  196:18 205:16,17</p>	<p><b>8</b> 4:17,21 29:23  85:22,23 107:24  108:7,11 110:5,9,14  110:16,19,23  112:13,17,20,22  113:8 114:6,11,17  114:22 126:8,9  132:20 133:20  160:13 168:7,8,24  170:23 188:2 189:5  189:9,11,13 194:16  194:18,20,23 195:7  195:17,25 196:11  196:18 205:16,17</p>
<p><b>5</b> 4:4,14 83:12,16  84:2,4,8,20,23 86:3  86:17,24 87:5,5,7  88:6 92:4 146:17  154:4 157:1,5  158:23 159:19  <b>5.2</b> 189:7  <b>5.82</b> 189:10  <b>500</b> 3:5  <b>51</b> 4:12  <b>558-3735</b> 2:6</p>	<p><b>800</b> 161:10  <b>83</b> 4:14  <b>868</b> 2:19</p>	<p><b>9</b></p>	<p><b>9</b> 4:10,18 111:2,6,13  111:15,19,22 112:1  112:5,17,20,23  113:8,13,20,23,24  114:6,11,18,22  126:20,21 127:10  168:3,4 188:2</p>
<p><b>6</b></p>	<p><b>93</b> 4:15</p>	<p><b>9</b></p>	<p><b>93</b> 4:15</p>
<p><b>6</b> 1:14 4:15 10:3  42:9 44:25 93:1,5  93:12,15,17,20 94:4  94:7,10,16,20 95:3  95:13,17 150:24  154:4,9,13 159:20  160:1,4,6,6  <b>60601</b> 2:5  <b>60604</b> 2:11  <b>660-1626</b> 2:12</p>	<p><b>96</b> 4:16 85:24  <b>97</b> 85:10  <b>98</b> 85:8 87:9  <b>9:06</b> 1:18</p>	<p><b>9</b> 4:10,18 111:2,6,13  111:15,19,22 112:1  112:5,17,20,23  113:8,13,20,23,24  114:6,11,18,22  126:20,21 127:10  168:3,4 188:2</p>	<p><b>96</b> 4:16 85:24  <b>97</b> 85:10  <b>98</b> 85:8 87:9  <b>9:06</b> 1:18</p>
<p><b>7</b></p>	<p><b>a</b></p>	<p><b>a</b></p>	<p><b>a</b></p>
<p><b>7</b> 4:16 95:24,25 96:4  96:10,12,15,22 98:6  101:19 103:6  104:15,21 105:5,10  106:8 108:1,11  113:16,17,20,23  114:1,11,17,22  126:25 127:1,14,17</p>	<p><b>a.m.</b> 1:18 146:2,8,13  <b>abbreviated</b> 81:11</p>	<p><b>a</b></p>	<p><b>a</b></p>

<p>93:16,18,24 94:1 104:20 106:10 118:9 121:4 125:12 125:19 126:2 128:12 164:14 <b>agent's</b> 118:12 120:19 124:25 <b>agents</b> 56:7,14 64:14 76:5 79:20 118:5,15 118:19 120:2,8 121:15 122:8,14,20 123:4,7 124:9,11 128:17,21 129:1 154:10 161:23 164:8,10 166:20 198:17 <b>aggregate</b> 116:9 172:14 <b>ago</b> 141:14 213:8 <b>agree</b> 13:10 <b>agreed</b> 9:10 <b>agreements</b> 16:25 <b>ahead</b> 132:19 206:17 <b>al</b> 1:11 <b>alien</b> 20:22,25 21:4 21:7,10,19 22:1,3,7 22:12,17,18,22 23:13,15,23 25:15 25:18,21 26:1,6,8 26:15 27:16 28:10 35:1,6,14,25 64:17 77:19 90:23 91:2 92:6 101:14 <b>aliens</b> 55:22 90:19 <b>allegation</b> 176:19 177:8 178:3 <b>allegations</b> 200:24 <b>allow</b> 9:20 65:8 131:21 197:9 <b>ambiguous</b> 104:25 <b>analysis</b> 56:9 <b>andrea</b> 12:23 <b>andrew</b> 181:11</p>	<p><b>anecdotal</b> 213:13 <b>anecdotally</b> 174:19 174:23,24 <b>angeles</b> 17:5 <b>annual</b> 42:23 43:1 46:4,6,8 47:12,25 <b>answer</b> 6:2,3,3,22 27:7,9 34:19 35:10 35:19 39:18 45:9 54:13 57:4 59:24 60:12 69:25 81:23 85:19,24 86:7 88:14 89:5,16 95:8 105:2 126:18 144:8 157:4 159:25 160:4 180:25 191:13 195:3,13 204:8 208:18 <b>answered</b> 19:24 29:21 38:4 48:13 60:10 91:6 92:24 136:18 143:3 156:13 192:9 <b>answering</b> 6:15 143:2 <b>answers</b> 4:19 6:1 42:2 120:4,6 <b>aor</b> 52:20,23,25 115:15 121:12,12 <b>aors</b> 187:17,20 188:3 <b>apologize</b> 60:20 85:8,10 126:6 154:2 <b>appeal</b> 28:22 <b>appeals</b> 28:23 <b>appear</b> 71:13,23 90:14 92:14,21 187:10 189:11 201:18 <b>appeared</b> 215:5 <b>appears</b> 16:19 143:25 <b>applicability</b> 183:19 <b>applicable</b> 80:2</p>	<p><b>application</b> 16:23 41:16 186:23,24 187:8 <b>applied</b> 15:10 17:14 33:25 34:10,16 41:19 75:21 109:5 <b>applies</b> 56:2 88:12 <b>apply</b> 13:20 15:5 53:3 64:19 81:15 83:2,10 87:17 88:7 95:13 114:4 <b>appreciate</b> 68:25 86:15 131:9 <b>appropriate</b> 156:7 <b>area</b> 115:12 162:6 171:22 <b>areas</b> 23:20 121:22 121:23 161:9 187:12 197:5 <b>arrest</b> 4:14 28:6 60:8,16,23 65:21 68:7 81:10 83:18 87:15 88:21 90:21 90:22 91:2,9,19 92:1,5,8,14,21 106:17,18,19 107:20 194:24 195:8,16 196:1,12 196:17,20 197:1 210:18,19 <b>arresting</b> 25:4 210:21 <b>arrests</b> 196:23 <b>articulating</b> 183:16 <b>asked</b> 19:23 29:20 38:3 42:11 48:13 59:5 60:9 91:5 92:23 156:12 192:8 207:8 <b>asking</b> 10:15 109:14 205:23 206:4 <b>asks</b> 159:3 <b>aspects</b> 15:24 <b>assert</b> 81:9</p>	<p><b>assertion</b> 188:17 <b>assess</b> 82:20 <b>assessment</b> 150:3,8 150:12 185:5 <b>assigned</b> 24:5 <b>assistance</b> 28:3 134:13 <b>assistant</b> 10:17 12:3 12:5 13:1,2 14:4 18:17,19 19:9 181:12 <b>assisting</b> 24:19 28:5 <b>assists</b> 13:16 <b>associate</b> 11:13,16 12:2 <b>associated</b> 7:10,11 38:22 41:5 89:24 185:15 188:9 193:1 199:11 <b>assume</b> 35:1,6,14,24 55:21 <b>assumed</b> 20:24 <b>assuming</b> 71:10,14 71:19,23 85:23 <b>attach</b> 91:18 <b>attempt</b> 72:15 <b>attention</b> 37:14 105:14,22 112:4 205:15 <b>attestation</b> 73:15 <b>attorney</b> 7:7 <b>attorney's</b> 70:11 <b>attorneys</b> 2:2,15 3:2 7:6 8:19,20 40:12 56:14 183:3 185:3 <b>august</b> 32:21,25 34:7 53:18,24 55:14 95:19 110:21,25 126:9 <b>authoritative</b> 189:10 <b>authorities</b> 189:9 <b>authority</b> 7:12 26:22 29:19 49:8 75:19 81:10 106:17</p>
--	---	--	---

107:20 136:11,22 137:2 143:13,16 150:20 153:14 164:15 179:20,25 180:4,17,22 181:2,6 182:4 188:17 189:4 189:13 194:24 195:9,16 196:1,12 196:17 197:2 <b>auto</b> 127:11,13 128:4 <b>available</b> 7:20 13:17 14:10 68:25 79:12 80:13,15,18 104:3 117:15 128:8 136:13 146:14 147:15 162:16,21 163:14 174:8,11 181:4 187:4,5,23 <b>average</b> 163:3 <b>avoid</b> 37:5 <b>await</b> 43:23 46:1 <b>aware</b> 77:15,16 84:10 85:21 94:5,6 95:9,11 97:20 133:16 134:22 138:13 148:18 184:14 195:15 196:10 205:8 206:12 212:2 213:9	154:13 159:12,16 160:8 188:18 192:15,21 200:9 204:23 205:5 208:4 208:8 <b>background</b> 10:14 55:25 143:2 <b>backtrack</b> 180:14 <b>backtracking</b> 154:2 <b>bargaining</b> 16:22 <b>barrier</b> 145:14 <b>based</b> 15:14 16:9 30:20 36:22 50:8,10 56:15 76:9 77:2 78:13 88:9 89:17,22 97:24 103:22 106:24 120:5 146:15 147:22 150:13 151:3,16 156:4 186:23,24 187:23 204:22 205:8 209:7 213:10 <b>basic</b> 5:23 39:6 41:11,14 84:19,21 120:13 123:9,11 124:8,12,24 <b>basically</b> 12:13 13:23 14:17,23 121:24 135:7 <b>basing</b> 104:2 204:12 <b>basis</b> 35:22 74:3 188:16 195:19,21 <b>bates</b> 32:10 51:20 83:17 87:9 93:5 96:5 110:9 111:6 141:21 142:25 <b>beginning</b> 42:13,17 44:1 55:23 120:18 120:21 124:24 <b>behalf</b> 1:6 8:23 72:4 72:14,16,22 73:11 73:15 74:11 134:21 175:10 <b>believe</b> 9:7 16:7 19:20 21:11,14	29:14 33:5 38:12 42:7,8 43:12 44:5 56:23 57:8,22 61:2 61:18 64:7,17 65:6 69:8 71:1,5 75:14 77:19 79:11 89:7,9 89:12,17 96:23 98:4 98:25 101:13,21 103:10,24 106:11 106:24 107:6 114:2 114:7,13,17 115:25 117:6,19 118:1 122:5,7 133:22 134:7 135:2,7 137:18 138:2 151:4 151:10 160:17 161:2,6 162:2 168:20 169:15 176:13 188:20 200:21 203:12 <b>believes</b> 49:19 154:20 <b>ben</b> 2:20 5:11 <b>benjamin</b> 2:7 <b>bennett</b> 12:6,10 <b>best</b> 29:13 32:24 40:9,11 41:1 52:12 52:21 83:1 100:21 <b>beyond</b> 161:15 <b>birth</b> 151:18 <b>bit</b> 7:3 10:14 17:22 19:13 25:5 48:2 62:3 74:21 95:1,3 104:25 119:21 154:3 203:4 <b>blank</b> 121:24 <b>block</b> 41:15 120:13 122:13 123:15,17 154:14 <b>blocks</b> 94:23,24 95:4,4 <b>board</b> 28:22 <b>book</b> 13:24 <b>booked</b> 24:21	<b>booking</b> 22:10 <b>born</b> 89:21 134:13 156:22 159:1,4 204:19 211:8 <b>boston</b> 100:6 <b>bottom</b> 108:2 144:5 197:15 <b>bound</b> 17:2,3 <b>boundaries</b> 30:22 <b>boundary</b> 12:16 <b>bowman</b> 13:4,21 <b>box</b> 2:19 98:21 99:1 99:2,6,7,17,24 100:13 101:7,8,11 101:12,15,20,24,25 102:7,8,14 108:2,6 108:18 109:5,11 112:5,5,12,13,17,19 112:23 113:2,12,20 114:21 117:3,10,25 126:10,21 127:2,6 127:23 128:10 129:7,9,12,22 197:8 197:15,22 203:4 <b>boxes</b> 95:5 98:10,15 98:18,21,24 101:22 103:7,9,11,18 108:15 117:8,14,17 117:18,20 186:21 187:4,6,6 <b>break</b> 6:22 69:9,11 116:12 159:11 177:2 <b>breaks</b> 6:18,20 <b>brief</b> 14:13 <b>briefed</b> 184:20 <b>briefing</b> 13:23 <b>briefly</b> 180:15 182:14 <b>bring</b> 7:22,25 95:2 <b>broad</b> 15:4 41:20 <b>brodsky</b> 3:8 <b>broken</b> 115:11 <b>brought</b> 8:11
<b>b</b>			
<b>b</b> 4:8 10:3 42:9 44:25 160:1 <b>back</b> 19:8 27:12 37:13 39:20 42:10 43:25 48:2 49:3 54:24 57:15 61:7 62:5 63:2 69:6 74:15 85:9 87:3,7 88:19 91:13,21 95:2 100:17 103:6 105:17 108:1 115:2 115:4 125:24 146:1 146:7 149:23			

<b>brunswick</b> 44:18,21 45:6,13,23 84:17 <b>bullet</b> 66:6,8,13,16 66:22 94:21,22 145:10,11 <b>burlington</b> 134:10 136:8 <b>business</b> 183:20,22	<b>cancel</b> 26:6,9,11,16 26:18,19,22 27:1,4 136:11,14,17,17,22 137:2 143:14,17 153:14,19 157:14 157:16 164:15 179:20,25 180:4,11 180:17,22 181:2,6 182:4 206:8,14 207:22 <b>canceled</b> 37:6 118:11 157:10 158:8,10 207:2,9,16 208:16,24 209:6,13 209:18 210:4 <b>cancellation</b> 26:2 37:9 <b>cancelled</b> 208:9 <b>cancelling</b> 72:2,12 73:12,18 158:13 <b>cancels</b> 157:18 <b>capital</b> 162:2 <b>caption</b> 55:25 <b>captioned</b> 37:12 43:5 55:10 56:11 86:8 87:1 99:11,14 125:22 <b>captured</b> 37:11 126:1 <b>captures</b> 186:5 <b>care</b> 37:17 38:16,23 39:15 <b>career</b> 42:24 121:3 <b>carr</b> 2:7 4:4,6 5:8,11 8:10,17 9:4,13 17:20,21 19:25 26:4 27:6,11,15 29:25 32:8 34:14,18 35:9 35:18 38:8 39:17,20 39:24 42:5,15,25 43:7,13,18,24 44:7 44:12 45:3,8,21 46:3,13,23 48:17 50:12,21,24 51:18 54:12,23 55:3,12	57:3,14,18 59:23 60:11 61:6,10 62:5 62:9 63:1,5,16 65:10,13 68:22 69:4 69:6,10,12,24 75:15 78:25 79:5 81:22 82:22 83:14 86:1,22 87:22 89:4,15 91:7 91:12,21,24 92:12 92:18 93:3 94:14 96:2 99:22 100:17 100:20 101:17 102:6,19 104:5 105:1,17,20 106:5 106:22 107:25 109:17,24 110:7 111:4 113:6 114:24 115:2,3 120:7 126:17 128:25 129:6 131:2,8,10,16 132:16,18 141:19 145:2 146:11 147:17 148:9 152:17 156:8,15,20 159:10,15 188:23 189:2,3 191:12 192:11 194:8,13 195:2,12 196:6 197:12 199:25 200:7 202:20 204:6 205:11,13,23 206:4 206:16 207:3,17 208:1,11,17 209:7 209:20 210:5 211:4 212:6 213:1 214:3,7 <b>case</b> 1:8 5:12 28:24 36:17 56:13,15 66:17 68:25 70:12 94:25 127:15 148:25 <b>cases</b> 14:14 15:18 74:25 75:5 <b>categories</b> 30:12 65:24 100:5,9,14,25	<b>category</b> 63:13 101:16 <b>cause</b> 87:15 88:22 89:1,9,12,25 90:6 90:10,14 106:10 <b>caveat</b> 30:14 <b>cba</b> 16:23,24 <b>cell</b> 204:21 <b>center</b> 2:9 8:6 23:5,8 33:15 44:15,17 84:17 123:10 133:22 134:1,9 135:1,10,13 141:23 142:9,16 146:25 147:6 153:6 160:15 160:22 161:1,15,19 161:25 162:9,12,15 162:20,24 163:4,11 163:18,22,25 164:5 164:12,18,21,23 165:1,4,10,15,23 166:1,8,18,22 167:9 167:13,18 168:1,5,9 168:13,16 169:2,5,9 169:16,23,24 170:6 170:8 198:5 205:1 207:12,14,25 208:3 208:5,8 <b>central</b> 155:1 <b>certain</b> 12:11 55:22 70:3 118:5 124:7 127:14,25 143:6 174:25 177:4 200:13 201:2 202:15 <b>certainly</b> 24:1 100:2 102:7 132:16 151:20 <b>certainty</b> 103:7 124:2 <b>certified</b> 200:25 <b>certify</b> 215:4,8,11 <b>cfr</b> 29:23 85:20,20 85:22,23 86:5,8,15 88:15,17 108:7,12
<b>c</b>			
<b>c</b> 2:1,1,23 3:1,1 5:1 <b>call</b> 98:21 138:1,17 140:15 141:1 143:2 145:5,14,20 146:1,7 146:12 147:25 148:3,5 150:16 151:5,12 152:11,18 152:22 153:2,25 157:10,14,19,23,24 158:6,11,15 161:13 161:14,23 163:25 169:2 170:7 181:4 <b>called</b> 5:4 14:12 19:7 115:25 158:18 205:2 <b>caller</b> 151:2,4,13 155:14 <b>calling</b> 117:8 134:21 144:7,12 145:25 158:4 159:24 160:3 186:22 187:7 191:23 <b>calls</b> 81:21 101:10 102:3 103:20 104:24 107:22 135:1 136:18,25 138:5,9,14,23 140:1 143:3 144:8,24 145:18 148:11 151:24 153:10,17 158:3 162:23 163:4 163:7,10,17,21 164:8,11,21 165:11 169:11 196:4,15			

<p>189:5,9,11,13  <b>challenge</b> 132:22,24  160:9,11 169:3  170:8,17 171:19  172:5,17 174:23  182:7,10 205:22  <b>challenges</b> 67:13,17  68:1,9,17 176:3  179:1  <b>challenging</b> 131:12  133:3,16 170:14,20  171:14 172:12  173:1 174:5,16  175:15,23 176:12  176:23 177:5,22  178:1,5,20 179:6  180:16 181:19,25  206:5,13,24  <b>change</b> 29:6 60:25  97:6 113:19,22  114:17 117:11  168:18 183:11  184:5,18,21 185:6  185:16,17,25  <b>changed</b> 29:7 61:13  61:16 77:25 78:4  86:11,16 112:14  113:13 114:22  184:4 185:9,13  186:23,24 187:24  187:25  <b>changes</b> 13:20 56:6  97:10,14,19 121:10  184:15,16 185:23  185:23 186:10,13  186:20,25 187:12  188:11  <b>changing</b> 182:23  183:5  <b>chapter</b> 4:15 85:11  85:14 86:2,24 87:8  93:7,18  <b>charge</b> 16:12 19:8  28:6 29:8,9 38:18  38:22,23,24 39:1,5</p>	<p>39:12,14 41:16 47:5  49:19 50:11 76:5  79:21 89:24 106:19  122:6 162:11  200:23 202:1  <b>chargeable</b> 200:23  <b>charged</b> 24:16 40:16  49:13,18,23 50:5,14  51:4,10 66:21,24  70:5 89:23 197:6,21  201:7 202:5 203:2  <b>charges</b> 24:18,21  36:22 41:20 102:25  120:14,16  <b>charging</b> 16:7  200:14,19 201:16  201:23,23 202:4,16  <b>charlene</b> 13:4  <b>charles</b> 47:7 121:18  <b>check</b> 69:9 94:23  95:5 98:10,14,17,24  99:1,2,5,7,17,23  100:13 101:11,15  101:20,22 102:7,8  102:13 103:7,14,18  108:2,6,14,18 109:5  112:5,5,12,13,17,19  112:23 113:12,20  114:21 117:3,17,17  117:20,25 126:10  126:21 127:2,6  129:7,9,22 160:23  187:4,6 197:8,15,22  203:4  <b>checked</b> 101:8,24  102:8,9 109:11  112:24 117:4,17,21  117:25 127:23  128:11,13,16  129:13 187:7  <b>checking</b> 103:8  <b>checklist</b> 48:18  <b>checklists</b> 58:1,6,17  <b>checks</b> 22:9,14  48:14 154:21,23</p>	<p>155:6  <b>chicago</b> 2:5,11 52:20  52:23,25 115:15  <b>chief</b> 39:10 40:17  41:5 47:20,23,24  73:6 76:4 79:21  121:10 122:23,25  124:4,5 186:10  <b>choose</b> 41:1  <b>chooses</b> 59:7  <b>chose</b> 105:25  <b>circuit</b> 15:8,15,15  15:17 121:11  <b>circuits</b> 15:21  <b>circumstance</b> 70:14  70:23 102:11  210:15  <b>circumstances</b>  24:13 64:13 65:2,4  65:15,17,18 66:2,15  68:3,11 70:3 72:1  73:21,25 99:10,16  99:25 100:22  108:20 149:4  152:21 200:17,20  <b>citizen</b> 58:3 62:16  62:21 63:8 80:20  81:4,10,18 82:5,8,9  82:16,24 83:5,8  134:24 137:18  146:18 154:20  159:7 210:24 211:1  211:3,9  <b>citizens</b> 156:23  159:21 207:13  210:12,13,17  <b>citizenship</b> 47:14,18  67:22,25 68:4,12,16  68:20,24 73:5,8,16  73:19 79:10,22  122:9,13,15,21  123:24 124:18  133:23 146:22  147:2,4,9 150:4,9  151:5,11,14 152:8</p>	<p>155:4,20,25 156:11  156:17 166:24  193:15,18 194:1,5  212:3,13,19  <b>city</b> 5:17 17:4,9  24:17  <b>civil</b> 2:17 51:22  64:12 81:9 160:17  160:17 161:2,7  166:11,11 176:14  176:14,16,16 177:4  177:21 179:24,24  195:9,16 196:1,13  209:4,4  <b>claim</b> 72:23 73:1,5,8  73:19 74:7,10 82:21  146:18,21 147:2,3,8  150:4,9 151:4,6,10  151:13 152:7,12  155:12 156:11  158:7 193:14,18  194:5 207:12 212:2  212:15,19,20  <b>claim's</b> 154:22  <b>claiming</b> 151:17  212:12  <b>claims</b> 67:22,25 68:4  68:12,16,20,24  79:10,21 152:14  155:19,25 156:17  194:1  <b>clarification</b> 39:11  40:19 86:14 131:9  <b>clarify</b> 17:22 26:5  30:17 46:7 50:2  58:10 101:18 102:5  148:21 149:15  203:1  <b>clarifying</b> 187:11  <b>classes</b> 55:22  <b>clean</b> 50:2  <b>clear</b> 6:11 21:3  25:21 40:20 50:3  58:16 60:20 70:20  76:19 92:4 93:20</p>
--	---	--	---

<p>95:11,22 122:14 170:22 187:2 189:24 195:7 196:10 202:14 <b>clearer</b> 176:5 <b>clearing</b> 13:7,16,16 <b>clearly</b> 100:10 <b>closely</b> 76:5 149:25 <b>codified</b> 196:18 <b>colin</b> 2:24 <b>collect</b> 139:25 165:11 <b>collects</b> 116:3 <b>columbia</b> 1:21 215:1 215:4 <b>column</b> 194:17 <b>come</b> 14:25 21:13 147:20 159:12 168:22 182:25 183:7,8 186:4 <b>comes</b> 17:12 28:2 68:12 192:21 204:25 211:18 <b>commencing</b> 1:18 <b>commission</b> 215:20 <b>common</b> 74:1 109:15 170:12 201:9 <b>commonly</b> 22:9 38:19 40:16 72:3 84:17 99:20 100:11 155:1 207:10 210:18 <b>communications</b> 78:21 <b>communities</b> 20:23 21:3,6,9,12,16,18,20 22:2,16 25:22 26:15 <b>community</b> 141:5,6 172:22 173:13,19 174:6,8 175:7,13,25 176:7 180:16,21 181:1,12 205:3 209:1</p>	<p><b>comparing</b> 112:12 <b>compels</b> 196:19 <b>compile</b> 150:14 <b>compiling</b> 150:17 <b>complains</b> 209:25 <b>complaint</b> 160:16 161:1,6 176:15 177:3,17,20 208:7 208:14,21,23 209:5 <b>complaints</b> 166:12 166:19 167:14 169:8,17 173:18 176:2,6,9 178:8,9 178:11,12 <b>complete</b> 7:1 77:1 154:21 202:17 <b>completed</b> 56:10 <b>completely</b> 34:3 <b>compliance</b> 129:21 130:12 <b>complicated</b> 60:19 <b>complied</b> 192:6 <b>component</b> 85:2 149:6,8,9 <b>components</b> 55:15 55:18 75:18 169:25 183:19 186:1,4,12 <b>comports</b> 102:16 <b>computer</b> 187:23 <b>computers</b> 186:17 186:23 <b>conceived</b> 134:12 <b>concept</b> 15:14 <b>concern</b> 169:12 <b>concerning</b> 124:17 <b>concerns</b> 175:19 205:5 <b>concise</b> 206:22 <b>concluded</b> 214:12 <b>conclusion</b> 73:9 81:21 82:4 87:19 89:3,14,19 101:10 102:4 103:20,23 104:24 107:22 195:1,11 196:4,15</p>	<p>207:18 208:4 <b>conclusions</b> 104:2 <b>concurrence</b> 201:25 <b>conditions</b> 64:19,22 65:1 103:14 123:19 <b>conduct</b> 170:12 <b>conducted</b> 70:8 122:22 <b>conducting</b> 76:14 80:23 82:2,7 212:3 <b>conducts</b> 47:24 <b>confer</b> 69:10 <b>confirm</b> 71:1,5 103:13 134:16 137:13 153:13 191:15,18 192:6,13 <b>confused</b> 63:19 <b>confusing</b> 6:10 <b>confusion</b> 85:10 <b>congress</b> 116:10 173:9 <b>congressional</b> 13:14 116:13 <b>conjunction</b> 201:15 <b>consider</b> 61:25 62:11 76:10 108:16 108:20 109:18 110:1 183:14 197:16 203:5 <b>consideration</b> 17:24 46:20 80:11 81:2 <b>considerations</b> 17:7 <b>considered</b> 211:15 211:19 <b>considering</b> 80:17 <b>consist</b> 41:14 <b>consistent</b> 56:3 64:12 168:23 <b>consists</b> 41:15 <b>consult</b> 39:10 40:7 40:21 41:1,7 <b>consultation</b> 15:12 39:3 40:4 183:4,10 184:24 185:4 186:1 186:9</p>	<p><b>contact</b> 41:2 70:11 133:10,21 155:12 160:14 170:24 171:1,8,18,21 172:10,21,24 173:5 174:1,17,22 175:18 175:21 176:1,8,17 181:6,10,15,21 207:1,15 208:22 210:2 <b>contacted</b> 72:4,13 72:15,18,21 207:7 208:13 209:18 <b>contacting</b> 36:14 37:2 130:6,19 179:15,19 <b>contacts</b> 207:11 209:3,15,23 <b>contain</b> 62:20 63:10 63:20 68:16 126:21 168:8 198:25 <b>contained</b> 10:10 43:15 55:9 85:1,5 135:16 141:4,9 149:18,20 158:23 184:11 199:20 <b>contains</b> 31:14 168:12 210:20 <b>content</b> 44:20 46:6,8 77:11 <b>context</b> 20:9 68:1 80:2 95:2 197:5,20 <b>continuance</b> 36:15 <b>continue</b> 36:17 56:15 70:3 120:24 <b>continued</b> 121:1 150:25 <b>continuing</b> 36:7 70:14 <b>contractor</b> 153:13 <b>contractors</b> 135:20 135:21 143:10,11 164:17,20 <b>controls</b> 161:12</p>
---	--	--	---

<p><b>conversation</b> 150:2 150:8</p> <p><b>convey</b> 175:11,19</p> <p><b>conveyed</b> 190:7 198:8,12 199:16</p> <p><b>convicted</b> 16:18 38:24 49:10,12,17 49:20,24 50:5,15 51:4,11 66:18,20 70:5 109:1 197:6,21 201:3,8 202:5 203:3</p> <p><b>conviction</b> 16:15,20 36:17,18,22 37:19 38:20,20 48:23 49:24 58:19 63:12 89:23,23 108:17,22 109:20 110:2 197:10,17 200:21 200:25 203:7</p> <p><b>convictions</b> 41:19</p> <p><b>coordinated</b> 184:23</p> <p><b>coordination</b> 183:2</p> <p><b>copies</b> 191:3 200:25</p> <p><b>copy</b> 32:22 52:10 68:23 72:8 79:23 93:13,15 98:2 110:23 111:22 126:22 127:3,23 128:10 129:8,13,17 129:23 130:2,12 140:22 142:10 158:12 191:1,6 192:15,17,22 194:16 204:1</p> <p><b>core</b> 30:6 86:10 151:17</p> <p><b>corey</b> 136:7 138:10 144:15 153:1</p> <p><b>corner</b> 87:10</p> <p><b>correct</b> 10:4,22,23 10:25 15:23 21:5 25:25 28:16 30:21 30:22 32:5,22 33:1 33:2,8 34:1,4,7,16 36:23 38:11,13</p>	<p>40:23,24 41:8,9,12 50:1 52:10,14,15,20 53:8,12 54:5,8 62:8 62:13,17,18,22 63:4 64:23 65:25 66:6 68:13 70:6,7,18,19 70:24 72:9,10 75:6 75:23,24 76:12 79:23 80:8,9 81:18 81:19 86:5 90:15,16 92:2,3,6 93:22 96:16,19 97:4 99:25 101:6,23 106:2,8 107:17 108:8,19 110:23 111:20,22 112:3,9,17,18 113:10,11,14 114:14,15,22 117:18 119:16 124:12,15,18,22 125:2 126:11,12,15 126:19,23 127:4 128:16 129:10,14 129:15 132:4,9 133:13 134:2,5 135:1,22,25 136:19 136:23,24 137:6,9 137:12,19,20 140:23,24 142:22 144:2 145:6,20 149:12 150:21,22 151:25 153:15,16 157:25 158:1 159:22 160:1,6,7,23 161:3,8,16 162:7 167:19,23 168:1,13 169:9 170:18 173:6 176:3,9 177:18 179:9,13,17 180:13 180:24 181:23 184:3,11 185:19 187:21 189:19 191:7,24 192:1,23 193:10 194:5 196:8 196:23 198:13,14</p>	<p>201:4 202:6,12,18 203:16 206:2 211:5 213:3,11,14</p> <p><b>corrected</b> 127:19</p> <p><b>correctly</b> 76:21 90:7</p> <p><b>correspondence</b> 13:8,13 172:7</p> <p><b>counsel</b> 5:4,7 8:10 9:5,6 10:7 13:18 39:3,10 40:4,7,22 41:2,2,6,8 43:18 45:22 47:20,23,24 49:9 68:22 73:6 76:5 93:13,15 97:22 119:22 121:10 122:23 123:1,1 138:21 142:10 183:17 188:24 201:1,15,15 202:21 202:23 212:25 215:8,12,13</p> <p><b>counsel's</b> 40:17 124:4,5</p> <p><b>counsels</b> 79:21</p> <p><b>countless</b> 16:2</p> <p><b>country</b> 12:11 23:22 25:12 47:10 51:9 52:17 121:13 122:24</p> <p><b>county</b> 24:17</p> <p><b>couple</b> 108:14 211:11</p> <p><b>course</b> 15:6 45:19 68:9 175:4</p> <p><b>court</b> 1:1 6:4,8 15:7 15:8,17,18 16:19 28:22 36:18 121:11 200:25</p> <p><b>cover</b> 12:11</p> <p><b>covered</b> 37:24 100:14 107:3 134:7</p> <p><b>crafting</b> 18:1</p> <p><b>create</b> 66:16</p> <p><b>created</b> 142:15,18 162:19 187:3</p>	<p><b>creates</b> 46:21,25 78:14</p> <p><b>creation</b> 18:15 19:6 46:18</p> <p><b>crime</b> 38:21 49:23 51:10 109:1 133:23 134:23,23 137:19 203:2</p> <p><b>crimes</b> 39:7</p> <p><b>criminal</b> 16:10,14 16:15,20 20:22,24 21:4,7,10,19 22:1,3 22:7,12,17,18,22 23:12,15,23 24:21 25:15,18,21 26:1,5 26:8,15 27:16 28:6 28:6,10 36:16 38:20 41:19 49:13 50:10 50:14 51:24 56:1 64:15 65:23 102:25 166:9 201:12</p> <p><b>criminality</b> 100:3</p> <p><b>criminally</b> 24:17</p> <p><b>criteria</b> 61:21 62:1 62:11 102:17,20 103:1 104:1 114:4</p> <p><b>cullen</b> 29:11</p> <p><b>culling</b> 117:13</p> <p><b>cumbersome</b> 13:11</p> <p><b>current</b> 10:15,16 14:22 18:19,22 20:12,14 40:14 44:5 52:8,13 67:1 76:23 85:20 86:20 87:17 88:7,12 89:6 90:10 90:13 91:1,8 96:13 101:18 104:11,15 108:10 113:13 117:18 125:10,19 127:1,2,23 137:5,9 137:25 144:1 167:23 171:5 173:2 176:24 178:16 182:1 211:25</p>
--	---	--	---

<p><b>currently</b> 5:17 12:7 16:17 25:24 37:22 52:16,19 53:3 85:15 89:22 90:9 92:8 94:7,10,16 96:16 98:9 104:18 127:7 129:2 142:22 182:17,20 <b>custody</b> 35:1,6,14 35:24 55:21 71:10 71:14,19,24 98:10 134:14 173:14 <b>customs</b> 3:4 <b>cv</b> 1:8</p>	<p><b>decisions</b> 15:7,8 40:15 200:19 <b>decrease</b> 78:22 <b>defendants</b> 1:12 2:15 3:2 9:5 131:19 159:11 202:23 205:18,20 <b>defense</b> 214:8 <b>defensive</b> 45:2 <b>defer</b> 40:17 <b>defined</b> 212:17 <b>definition</b> 151:16 180:7,10 <b>definitively</b> 100:4 <b>degree</b> 103:7 <b>deliberative</b> 184:6 <b>delivered</b> 185:1 <b>denied</b> 158:7 <b>depart</b> 25:12 <b>department</b> 2:16 3:3 75:19 84:5 98:7 143:21 169:18,20 176:15 179:3,8,23 180:2 209:3 <b>depend</b> 72:17,23 139:2 147:14 201:12 <b>depending</b> 74:3 181:4 184:17 186:14 <b>depends</b> 181:3 190:14 <b>deployed</b> 21:21,24 <b>deployment</b> 21:23 <b>deportation</b> 18:14 30:4 107:16 <b>deposed</b> 5:20 <b>deposition</b> 1:17 4:10 5:24 7:4,5,23 8:12 8:18,20 9:7 10:3,4 30:2 142:11 167:6 167:10 171:16 174:9 189:22 199:17 214:12</p>	<p><b>deputy</b> 11:13,19 12:1,4 14:4 18:17 181:11 <b>derivative</b> 210:24 <b>derive</b> 108:11 189:4 <b>derived</b> 104:1 <b>derives</b> 108:7 <b>describe</b> 16:1,3 45:4 45:12 63:7 64:1 123:25 <b>described</b> 30:13 79:24 80:1,4 97:14 99:25 185:8 <b>describes</b> 193:13 <b>describing</b> 43:19 48:10 59:5 69:17 <b>description</b> 4:9 107:13 <b>designated</b> 9:1,8 12:10 41:25 <b>designed</b> 210:20 <b>detail</b> 14:3 199:14 <b>detailed</b> 12:7 151:20 <b>details</b> 117:24 167:14 <b>detain</b> 81:10 <b>detained</b> 27:24 28:15,18,20 175:11 204:2 <b>detainee</b> 144:1 145:12,25 172:22 173:20 174:6 175:7 175:13 176:1,7 180:17,22 181:1 <b>detainees</b> 129:17 173:15 175:10 205:10 <b>detainer</b> 4:16,17,18 7:9 24:20 27:19,23 28:7,9,11,13 29:1 29:19 31:6,17 34:11 34:25 35:1,7,15,25 36:7,12,13,16,21 37:1,1,5,6,9,17 38:16 40:2,6,7,22</p>	<p>49:12,16,22 50:4,10 50:14 51:2 53:4 55:10 56:6,10,13 58:23 59:2,8,12,16 59:19,20 60:2,3,6 60:15,17,22 61:12 61:16,20,22 62:17 63:14 64:7,10,14,25 65:22 67:3,4,8,9,13 67:18 69:15,21 70:4 70:22 71:2,2,6,6,9 71:13,20,24 72:2,4 72:6,8,8,12 73:13 73:18,24 74:2,4,8 74:11,18,24,24 75:5 75:8,11,17 77:21 80:12,18,25 81:3,18 82:8,9,25 83:9 86:20 87:14 88:20 88:25 91:3,10,18 92:2,9,15,22 94:17 95:6,7,10,12 96:5 96:14,16,18 97:8,14 97:24 98:14 99:13 100:13,23 101:7,18 101:25 102:9 103:23 104:8,15,18 104:20,22 105:4,14 106:1,6,7,18,24 107:7 108:10,16,21 109:11,19 110:1,10 110:18,24 111:8,17 111:23 112:2 113:7 113:14 114:6,10,14 117:18 118:19,22 125:9,10,10,13,13 125:21,25,25 126:2 126:3,4,8,11,15,23 127:1,2,3,7,12,23 129:2,9,14,23 130:1 130:3,6,7,16,20,20 131:12,12 132:22 132:25 133:3,11,16 134:18 136:17 137:5,9,14,15,24,25</p>
<b>d</b>			
<p><b>d</b> 4:1,8 5:1,15,15 154:9 <b>d.c.</b> 1:15,20 2:21 3:6 11:23 162:5 <b>daily</b> 35:22 <b>dan</b> 11:6 <b>data</b> 78:19 94:24 95:4 104:4 <b>database</b> 48:14 115:19,24 116:1 117:21 149:12,16 149:18,20 211:7 <b>databases</b> 104:1 <b>date</b> 53:10 76:8 135:6 <b>dated</b> 51:25 79:7 <b>day</b> 13:24 14:5,5 17:11 139:5 148:3,5 <b>days</b> 84:7 <b>deal</b> 17:11,17 <b>dealing</b> 15:7 25:16 <b>deals</b> 25:23 <b>dealt</b> 21:23 <b>december</b> 51:25 53:11 74:19 96:19 97:8 111:17,20,24 127:1 187:3 199:5 <b>decision</b> 150:18,21</p>			



<p>138:2,5,14,18,23                  140:22 141:1,25                  143:23 144:12                  145:5 146:20 147:4                  147:10,20 148:1,11                  148:15,18,22,23                  149:1,7 153:19                  154:11 155:14                  156:7,10 157:9,14                  157:17 158:8,10,12                  158:13,25 159:7                  160:9,11,16,22                  161:2,6,10,16 164:1                  164:15 166:12,16                  167:18,23 168:11                  168:16,18 169:1,2,3                  170:6,8,20,25 171:6                  171:19 172:5,11,12                  173:1,2,24 174:5,16                  174:23 176:8,12,13                  176:24,24 177:5                  178:9,16,20 179:7                  179:20,25 180:4,12                  180:18 181:20,25                  182:1,4,7,9,10,14,18                  182:21,24 183:6,11                  184:2,4 185:8,10,20                  186:16 187:12,16                  188:6,8,14 189:14                  189:17 190:2,5,19                  190:20,22,23,25                  191:7,16,20 192:3,7                  192:13,14,21,25                  193:3,10,14 194:6                  197:8,9,16 198:11                  199:5,19 200:19                  202:11 203:6,25                  204:1 205:9 206:6,8                  206:14,14,25 207:2                  207:8,14,16,22                  208:9,14,16,24                  209:6,13,18 210:1,3                  211:13,14,17,18,19                  211:22 212:1,12,15                  212:17,21 213:6,9</p>	<p>213:10,22 214:1  <b>detainer's</b> 105:23  <b>detainers</b> 7:12 8:1,4                  19:16,19,21,22 20:3                  20:10,20 23:18,21                  23:25 24:9,14 26:2                  26:6,9,12,16,18,20                  26:23 27:2,4 30:24                  31:4,10,18,20,23                  32:12,20 34:16 48:3                  51:23 52:9,14 53:8                  53:19,25 56:1 68:1                  68:9,17,20 75:22                  77:24 78:4,8,14,22                  80:2 81:15 85:11,15                  86:3 87:17 88:8,13                  90:5,9 93:7 95:19                  97:7 100:7 105:8                  112:22 114:12                  115:8,9,15 116:3,9                  117:3,24 118:6,8,11                  118:16 119:3,7,19                  120:9 122:8 123:4                  125:6 127:22                  128:17,21 129:18                  134:21 136:11,22                  137:2 141:11                  143:14,17 147:1                  148:4 149:11,15,17                  149:19,22 153:15                  155:19,24 156:4,16                  157:19 162:24                  163:18 165:17                  166:7,19 167:15                  169:6,12 170:14                  171:14 174:2                  175:15,23 176:3                  177:22 178:1,5,12                  180:23 181:2,7,22                  183:24 185:18                  188:17 189:5 191:3                  191:9 203:25                  204:24 205:22                  211:12 213:17,21</p>	<p><b>detaining</b> 181:22                  202:17  <b>detention</b> 25:24                  28:21 36:4,9 56:24                  57:9,23 68:7 107:16                  130:8,21 155:13                  175:9,20  <b>determination</b>                  35:24 36:3 83:3,7                  106:19 122:15,21                  123:23 136:16                  157:12,22 190:24                  202:4  <b>determinations</b>                  200:15 202:16  <b>determine</b> 35:5,13                  48:7,11,15,22 50:9                  58:2,7,18 62:15,21                  63:7,12,22 64:2                  82:15,24 98:25                  101:13,20 112:6                  114:16,20 130:2,16                  154:21 156:9 157:9                  184:25 186:9                  208:16 211:2  <b>determined</b> 104:7                  105:12 113:25  <b>determines</b> 34:25  <b>determining</b> 41:19                  48:5,19 122:9  <b>develop</b> 24:25  <b>developed</b> 70:17                  178:4  <b>developing</b> 121:8  <b>development</b> 46:16                  46:17 47:1,2,6                  122:7  <b>devita</b> 47:7 121:18                  121:20 122:4  <b>dhs</b> 32:10,11 34:22                  49:5 51:20,21 74:16                  83:17,17 85:2,8,10                  87:9 93:6,6 94:20                  96:6,6 99:9 110:10                  111:7,7 141:22,22</p>	<p>142:25 143:22                  146:17 149:6,8                  150:24 176:16,17                  177:3,11,15,16,21                  177:24 205:1                  209:15  <b>diego</b> 17:5  <b>difference</b> 25:14                  89:11 166:4  <b>different</b> 15:7,8                  17:8,17 29:7 30:15                  55:15,17 62:4 68:10                  85:22,22 89:9 109:7                  112:16,20 122:20                  132:21 166:2                  186:12 188:3                  198:24  <b>difficult</b> 88:14 90:18                  116:12  <b>direct</b> 9:19 33:9                  34:21,22,23 37:14                  38:22 49:3,5 53:14                  55:21 64:9 74:15,17                  75:25 81:6 85:7                  90:3,17 94:22 98:20                  99:1 108:1 112:4                  119:18 126:7                  131:20 142:1,25                  143:19 144:5 145:8                  145:22 146:18                  151:1,9 154:3,14                  189:7 197:14 200:9                  205:15  <b>directed</b> 101:12  <b>directing</b> 49:1  <b>directive</b> 52:8 67:21                  67:24 68:4,11,15,19                  68:23 199:6,18  <b>directives</b> 7:10 8:3                  32:1  <b>directly</b> 133:7                  179:16 208:3  <b>director</b> 10:17 11:8                  11:9,14,16,19,21                  17:6 18:17,18,18,19</p>
--	--	---	---

<p>19:1,9 31:17 32:20 52:9 65:19 79:19 96:25 97:3 100:2 101:2 133:8,10 136:6 162:13 181:12 183:1 204:13 <b>director's</b> 37:25 65:7 102:17,21 119:9,10 183:8,13 <b>directors</b> 12:2,5 13:19 14:4,6,15,24 22:24 76:4,16 79:20 199:24 <b>directs</b> 55:22 91:17 <b>discretion</b> 8:3 56:9 56:12 101:5 104:10 104:11 105:15 128:6 152:10 193:9 <b>discuss</b> 8:19 31:2 126:14 131:11,21 188:16 <b>discussed</b> 39:8 44:1 46:4 99:8 122:12 123:23 127:20 166:2 178:8 179:7 179:15 182:14 <b>discussing</b> 8:18 49:6 95:23 <b>discussion</b> 15:11 65:12 69:5 79:2 <b>discussions</b> 119:2 <b>dispute</b> 212:15 <b>disregard</b> 53:1 <b>dissect</b> 40:13 <b>disseminates</b> 58:1,6 <b>district</b> 1:1,2,21 15:7,18 19:6 70:11 116:13 215:1,4 <b>dive</b> 188:18 <b>divide</b> 12:14 <b>divisible</b> 16:11 39:9 <b>division</b> 1:3 2:17 20:7 21:1,2,22 22:25 23:6 28:11</p>	<p>46:21,24 78:10,16 115:20 121:25 122:3 147:10 170:1 170:3 173:14 180:6 184:24 <b>divisional</b> 21:23 <b>divisions</b> 12:17 19:15,18 20:2 23:24 24:2 26:21,25 27:3 27:17,21 169:18 <b>docket</b> 27:24 28:15 28:19,20 <b>document</b> 9:16,18 31:14 32:13 33:22 43:10,14 52:5 53:25 54:1 55:2,7 56:8 57:1,7,11,21 59:21 60:10 62:2,23 66:11 69:1 74:16 79:7,11 79:24 80:8 83:16,18 83:20,22 84:1,5 85:18,25 90:11 92:7 93:5,9,21,23 95:3 95:15 96:7 98:4,5 110:11,21 111:10 119:11 124:6 125:11 142:1,12,15 142:18,21,25 146:15 151:21 153:7 155:7 163:20 167:12 184:11 200:8 201:16,23 <b>documentation</b> 37:9 59:11 <b>documented</b> 59:16 138:18 <b>documents</b> 7:7,14 7:14,22,25 8:7,11 13:25 31:3,15 43:19 45:4,11,16,19 48:10 57:19 63:6 67:6,7 67:15,20 77:4,7 84:11 86:12 95:16 97:13 123:25 124:7 124:14,17,20 126:7</p>	<p>167:8 198:12,19,21 200:25 201:1 <b>doing</b> 14:25 29:6 35:22 <b>dos</b> 30:9 <b>draft</b> 186:7,8 <b>drafting</b> 168:17 <b>drawing</b> 121:23 <b>drive</b> 2:4 <b>due</b> 145:13 <b>duly</b> 5:5 215:7 <b>duties</b> 24:5</p> <hr/> <p style="text-align: center;"><b>e</b></p> <hr/> <p><b>e</b> 2:1,1,1 3:1,1,1 4:1 4:1,8,8 5:1,1 171:25 172:1 190:13 199:17,20,22 200:2 <b>earlier</b> 10:8 70:2 73:5 88:20 97:4 119:22 127:20 134:8 166:3 203:12 206:17 <b>ease</b> 125:23 <b>easier</b> 30:2 157:3 197:13 <b>east</b> 12:6,10,14 <b>eastern</b> 1:3 <b>easy</b> 17:4 56:7 <b>echelons</b> 178:23 <b>effect</b> 32:4 37:22 38:2,13 54:18 76:6 77:24 78:5,9,23 80:5 84:24 85:15 86:4,9,17 112:1 130:21 142:22 147:20 <b>effected</b> 75:6 <b>effective</b> 32:25 33:3 33:6 34:7,10 52:16 52:19,23 53:10,11 94:7 104:22,25 105:6,23 110:20,24 111:19,24 112:23 126:9 183:15 186:5</p>	<p>188:11 197:9 <b>effectively</b> 76:21 206:8 <b>efficient</b> 186:5 <b>effort</b> 168:23 <b>eid</b> 115:25 117:21 <b>eight</b> 9:9 <b>either</b> 14:14 24:18 25:11,19 89:22 91:18 113:8 114:6 119:4 134:16 138:10 159:21 162:17 166:10 173:15,17 175:20 183:14 185:22 205:1 212:14 <b>electronic</b> 104:1 116:1 <b>element</b> 103:11 <b>elements</b> 14:25 15:3 103:3 141:3 <b>eleven</b> 9:9 44:6 <b>elicit</b> 210:20 <b>eliminated</b> 173:9 <b>employed</b> 120:25 153:14 <b>employee</b> 143:7 161:24 170:3,17 177:18 215:12 <b>employees</b> 16:22 135:19,23 142:9 143:12 166:10 168:20 170:11 177:15 180:8,19,20 <b>employment</b> 42:14 42:17,21 44:2 120:19,22 124:12 124:25 <b>encounter</b> 24:16,22 156:5 <b>ends</b> 24:16 <b>enforce</b> 127:11,17 128:3,18,22 <b>enforceable</b> 102:1</p>
---	---	--	---

<p><b>enforcement</b> 3:4 8:2 8:6 11:17 12:13 13:9 23:5,8 24:6,8 28:2 33:15 44:14,16 51:22 56:4,8 61:22 64:12 65:7 66:9,10 78:11,13 81:9 84:16 104:8 109:20 110:3 114:3 123:10 133:22 134:1,9,12 135:10,13 140:22 141:23 142:9,16 146:25 147:6 149:25 153:6 168:24 175:12 181:21 182:3 183:19 189:19 198:5 207:12,14 209:24 210:1 212:22</p> <p><b>english</b> 144:17 145:12,19 146:6</p> <p><b>enhanced</b> 184:22</p> <p><b>enhances</b> 54:15</p> <p><b>ensure</b> 36:18 38:23 39:1,14 55:23 56:1 67:3,8 76:19 129:16 210:22</p> <p><b>ensuring</b> 39:4</p> <p><b>entered</b> 25:10 104:3</p> <p><b>entertain</b> 200:5</p> <p><b>entire</b> 23:22 47:10 52:17 78:10 87:20 196:7</p> <p><b>entirety</b> 56:20</p> <p><b>entities</b> 67:12</p> <p><b>entitled</b> 74:17 76:2 110:10 111:8 141:22</p> <p><b>entity</b> 67:17 157:18 175:12 181:21</p> <p><b>environment</b> 17:13</p> <p><b>equivalent</b> 30:7</p> <p><b>er</b> 5:16</p>	<p><b>ero</b> 7:7 13:8,11,15 16:21 19:9,11 20:5 20:17,19 24:11 30:5 30:15 73:6 75:14,16 75:21,22 76:15 104:16 105:12 122:1 129:4 133:11 149:13,18 169:25 170:24 171:13,18 172:10 183:4,10 207:1,7,15 208:13 208:23 209:6 210:2 210:3 211:12</p> <p><b>error</b> 203:21</p> <p><b>escape</b> 60:7,15,22</p> <p><b>esi</b> 200:1</p> <p><b>especially</b> 40:16 56:12 121:10</p> <p><b>esq</b> 2:7,13,23,24,25 3:8</p> <p><b>essentially</b> 12:18,18 21:20 22:15 70:10 112:14 161:17,21 202:14</p> <p><b>est</b> 146:3</p> <p><b>establish</b> 56:23 61:1 64:6 90:19 211:9</p> <p><b>established</b> 57:8 175:14,22 177:21 177:25</p> <p><b>establishes</b> 57:21</p> <p><b>et</b> 1:11</p> <p><b>evaluate</b> 56:15 76:6</p> <p><b>evaluation</b> 76:10 118:9,12 150:15 152:16</p> <p><b>evaluations</b> 118:3</p> <p><b>eventually</b> 208:23</p> <p><b>evidence</b> 73:7 120:15 157:15 213:13</p> <p><b>evidentiary</b> 69:14</p> <p><b>exact</b> 91:16 199:10</p> <p><b>exactly</b> 37:11 43:4 162:3</p>	<p><b>examination</b> 5:4,7 202:23 212:25 215:9</p> <p><b>examined</b> 5:6 215:8</p> <p><b>example</b> 66:20 100:5 201:10</p> <p><b>exception</b> 18:22</p> <p><b>excerpt</b> 4:21</p> <p><b>exculpatory</b> 90:2</p> <p><b>executive</b> 11:13,16 14:13</p> <p><b>exercise</b> 49:8</p> <p><b>exhibit</b> 9:11,15,22 9:25 10:2,10 32:6 32:10,16,18,22 33:9 34:3,10,15,22 37:13 37:23 38:1 49:3,4 51:16,20 52:1,7,10 52:13,16,19,22 53:1 53:4,7,15 54:1,3,4,6 54:7,17,17,20,21 55:4,7,13,14,18,19 56:20,21 57:6 58:21 59:18 60:5,25 61:3 61:12,17,24 62:12 62:14,19 63:10,20 64:10 65:25 67:2,11 74:15,22,23 76:1 77:11,23 78:5,9,22 79:3,7,15,16,18,23 80:1,4,7 82:13 83:2 83:10,12,16 84:2,4 84:8,20,23 86:3,17 86:24 87:4,4,5,5,7 88:6,10 91:15,16,17 91:25 92:4 93:1,5 93:12,15,17,20 94:4 94:7,10,16,20 95:3 95:13,23,24,25 96:4 96:10,12,15,22 97:3 97:11,15 98:6 99:9 99:11 100:15 101:12,19 103:4,5,6 104:15,21 105:5,10 106:8 108:1,11</p>	<p>110:5,9,14,16,19,23 111:2,6,13,15,19,22 112:1,5,13,17,17,20 112:20,22,23 113:8 113:8,13,15,17,20 113:20,23,23,24 114:1,6,6,11 119:12 125:14,15,24 126:1 126:8,9,20,21,25 127:1,10,14,17 131:13,14,18 132:12,20 137:10 137:11,24 141:16 141:17,21 142:5,7 142:21 144:2,23 145:10 147:19 149:23 154:4,13 157:6 159:17 160:8 160:13,23 167:13 167:22,22,25 168:3 168:4,7,7 170:22 181:19 187:10 188:19,20 189:7 193:23 194:3,11,15 197:14 200:9 202:25 203:9,14,17 203:20,21,22,22 205:16,16,17</p> <p><b>exhibits</b> 95:17 114:17,22 188:2 193:22</p> <p><b>exist</b> 124:3 173:11</p> <p><b>existed</b> 86:12 103:25</p> <p><b>existence</b> 21:13 101:1</p> <p><b>exists</b> 103:12 118:21</p> <p><b>expedience's</b> 28:8</p> <p><b>experience</b> 93:14 120:6 198:23 204:4 204:9,11,12,13 207:6 208:2 210:8 210:11 213:11</p> <p><b>expiration</b> 36:1</p> <p><b>expires</b> 215:20</p>
--	---	---	--

<p><b>explain</b> 5:23 65:16  <b>explaining</b> 65:14  <b>extended</b> 199:12,14  <b>extent</b> 8:10 42:1  55:6 81:20 85:17  86:15 87:18 89:2,13  101:9 102:3 103:19  104:23 107:21  194:25 195:3,10  196:3,14 206:16  <b>extraordinary</b> 64:13  65:2,3,15,16,18  66:2 99:10,15,24</p>	<p><b>feel</b> 74:2  <b>felony</b> 65:21,23  <b>felt</b> 184:21  <b>field</b> 10:17 12:2,12  13:18 14:6,15,24  15:5,6,20,21,25  16:24 17:1,2,5,16  17:23 18:17,17,18  18:21,24 19:1,4,9  19:10,11 22:19,21  22:24 24:15 30:17  30:20,23 41:5,8  67:12,16,22 68:7  70:17 76:4,15 79:20  93:19,24 94:1 97:19  97:21 123:2 124:4,4  127:12 128:1 133:7  133:9,11 148:13,21  148:24 155:15  157:21,24 170:25  171:13,18,22,23,25  172:10 184:20  185:1,1,2 199:6,18  199:24 204:13  205:6 207:19,21  208:3,8,14,15,23  209:1,5,17 210:2,2</p>	<p><b>firms</b> 116:7  <b>first</b> 6:22 18:11  21:12 33:10 37:15  53:14 55:24 64:11  107:15 108:6  110:19 120:25  124:11 131:19,22  133:19 145:11  146:18 149:24  160:11 168:12  205:19 212:3  <b>firsthand</b> 179:21  <b>fit</b> 16:12  <b>five</b> 9:9 17:6,8 50:20  159:12 204:14  <b>fleming</b> 2:13  <b>flete</b> 84:16,18  <b>flight</b> 59:19 60:2  <b>flip</b> 85:8 87:8 94:19  126:6,25 131:23  132:19 142:24  146:16 150:23  154:13 181:18  200:8  <b>flow</b> 157:8 181:4  183:7  <b>foam</b> 161:16  <b>focused</b> 166:19  <b>focusing</b> 25:18  <b>folks</b> 209:1  <b>follow</b> 28:9 31:4  41:1 56:22 70:21  112:25 113:9  148:14 150:25  157:5,8,20 158:2  192:5,12,18,20  194:4 205:6 213:2  <b>followed</b> 31:19 42:8  48:21 90:5,10  109:20 110:2  144:23 193:2  <b>following</b> 42:20  64:19 71:9,13 94:24  95:4 98:8 113:7  129:21 130:1,11,15</p>	<p>144:6  <b>follows</b> 5:6 69:21  145:4  <b>footnote</b> 65:7,9,25  88:16 99:9 100:9,15  103:1  <b>force</b> 95:19 96:16  <b>foreign</b> 25:9 89:21  134:13 204:19  <b>form</b> 7:9 17:19 26:3  27:5 35:16 39:16  50:7 56:6,7 61:4  62:7 63:15 69:22  74:18,19,24,25 75:5  75:8 76:19,22,23  82:18 85:16 86:18  92:10,16 94:12 95:6  95:7,12 96:14,16,18  96:22,25 97:1,8,15  101:19 102:15  103:21 104:15,18  104:21 106:3,6,7,14  108:11 110:18  111:17 112:2 113:3  113:14 114:10  117:4,9,18 126:8,13  126:14,16 127:1,2  127:24 128:3,4  137:5,9,15,24,25  144:2 145:6 147:12  156:2 160:22  161:10 167:18,23  168:11,12,16 169:1  170:6 171:6 172:3,6  172:24 173:2,5,24  174:1,17,22 175:18  175:21 176:2,8,19  176:19,25 177:8  178:3,17 181:6  182:1,21 183:6  185:25 186:7,8,15  186:16,18 187:2,3,9  187:16,17 190:10  190:11,16 191:1  197:8,11,14 198:11</p>
<p><b>f</b></p>			
<p><b>f</b> 2:1 3:1 4:1,8  <b>face</b> 22:8,8,14,14  <b>facilitate</b> 14:5  <b>facility</b> 22:10 155:13  <b>fact</b> 80:19 201:14  207:2 208:25  <b>factor</b> 118:11  <b>failed</b> 25:11,12  <b>fair</b> 17:16,23 63:19  166:17 189:2  196:25  <b>fairly</b> 186:21  <b>fall</b> 133:10 179:7,11  <b>falls</b> 63:13  <b>familiar</b> 9:22 22:25  84:1 194:18,20  213:3  <b>far</b> 95:17 147:22  <b>fax</b> 190:12,13  191:25  <b>features</b> 16:4,5  <b>february</b> 33:4  <b>federal</b> 16:9 24:17  39:11 44:14,16  51:23 64:15 84:16  108:7,11 123:10  198:4  <b>feedback</b> 183:17  204:25 205:8</p>			

<p>199:8 203:5 204:6 204:20 205:11 207:3,17 208:1,11 208:17,22 209:20 210:19 211:4,13,18 211:19,22 212:6 213:3 <b>formal</b> 28:4 118:18 121:7 <b>format</b> 6:2 14:16 184:5,8 190:16 <b>former</b> 182:1 <b>forming</b> 17:24 <b>forms</b> 7:11 75:11,17 75:23 105:4,9 106:1 129:2 181:8,10,15 182:16 185:20 187:20,25 188:1,2,7 188:8,9,14 200:3 204:16 205:9,21 <b>formulated</b> 184:19 <b>formulation</b> 183:18 <b>forth</b> 56:3 59:18 <b>forward</b> 10:13 88:1 131:22 209:9</p>	<p><b>free</b> 6:18 52:25 <b>freedom</b> 116:18,22 116:25 <b>french</b> 139:14 165:2 <b>frequently</b> 42:19 121:4 <b>front</b> 55:4 182:10 188:20 <b>fugitive</b> 20:23 24:3 24:12,13,14,22 25:6 25:6,15,16 26:11 27:17 <b>full</b> 5:13 7:1 64:11 81:6 143:12,20 <b>fully</b> 21:21,24 <b>function</b> 161:20 166:8 173:15 183:20,22 <b>functions</b> 188:10 <b>further</b> 36:11,25 121:5 145:22 182:17,21 205:6 214:3,5,8 215:8,11 <b>furtherance</b> 65:22 <b>furthermore</b> 56:5</p>	<p>142:7 146:20 182:25 184:18 185:15 190:9 202:1 203:24 <b>generate</b> 117:23 213:16 <b>generated</b> 128:3 <b>gentleman</b> 12:7 136:6 <b>geographic</b> 17:25 30:21,22,25 47:19 116:13 <b>geographical</b> 12:16 23:20 <b>geography</b> 17:3,4 <b>georgia</b> 44:18,21 45:6,13,24 84:17 <b>give</b> 120:4 <b>given</b> 48:4 198:16 <b>gives</b> 140:11 165:22 <b>go</b> 5:25 9:18 28:1 44:9 45:6 48:2 58:18 65:10 69:2,6 78:25 83:22 85:4 114:24 115:2 131:22 132:14,19 142:2 159:12 172:20 181:15 194:8 206:17 <b>goes</b> 130:21 <b>going</b> 5:23 9:7,18 13:20 28:21 34:21 43:25 44:22 82:17 85:7 87:25 95:15 98:21 99:12 112:11 131:13,21 150:23 176:11 185:1 186:14 188:18 190:25 197:4 <b>good</b> 5:9,10 50:22 159:10,11 <b>governing</b> 46:8 <b>government</b> 10:24 200:23</p>	<p><b>governmental</b> 116:24 141:6 <b>grading</b> 118:18 <b>gradual</b> 187:24 188:5,6,13 <b>gradually</b> 188:3,11 <b>graduate</b> 187:19 <b>granted</b> 158:7 <b>greatly</b> 201:12 <b>ground</b> 5:24 58:19 <b>grounds</b> 37:18 49:21 66:16 89:21 120:1,9,17 121:5 122:12,17 124:15 201:22,24 <b>group</b> 30:16 <b>groups</b> 116:8 <b>guess</b> 23:17 99:19 118:25 157:1,2 <b>guest</b> 125:16 <b>guidance</b> 17:12 31:16 33:19 49:9 51:23 53:17,18,21 53:25 55:10,16,25 64:11 72:25 73:3 75:4,20 76:7 77:10 79:9,19 82:20 83:10 86:21,21 89:6 97:2 100:2,8 101:1 134:19 135:8 193:25 <b>guidelines</b> 65:8 104:11 <b>guys</b> 85:20</p>
<p><b>found</b> 171:1 <b>foundation</b> 27:9 34:12,17 35:8,17 42:22 43:3 44:4,10 44:23,23 45:7 54:11 65:5 75:13 86:19 99:18 102:2 105:11 109:13,22 113:4 128:23 129:3 138:25 144:25 146:9 147:13 148:2 152:13 156:1,18 191:11 205:13 209:7 210:5 <b>four</b> 9:8 94:23 95:4 98:10,15,18 174:24 <b>fourth</b> 12:24 <b>frame</b> 135:7 <b>franklin</b> 2:20</p>	<p style="text-align: center;"><b>g</b></p> <p><b>g</b> 5:1 <b>gainesville</b> 5:19 <b>gang</b> 65:20 <b>gather</b> 150:11 166:23 <b>gathering</b> 151:25 152:2 <b>general</b> 17:12 19:14 45:14 82:20 100:9 100:25 168:18 175:6,17 176:18 177:12,15,16,24 178:15 180:3,10 185:24 209:16 <b>generalized</b> 113:24 <b>generally</b> 19:10 27:25 37:3 42:13 66:24 106:17 109:4</p>	<p style="text-align: center;"><b>g</b></p> <p><b>g</b> 5:1 <b>gainesville</b> 5:19 <b>gang</b> 65:20 <b>gather</b> 150:11 166:23 <b>gathering</b> 151:25 152:2 <b>general</b> 17:12 19:14 45:14 82:20 100:9 100:25 168:18 175:6,17 176:18 177:12,15,16,24 178:15 180:3,10 185:24 209:16 <b>generalized</b> 113:24 <b>generally</b> 19:10 27:25 37:3 42:13 66:24 106:17 109:4</p>	<p style="text-align: center;"><b>h</b></p> <p><b>h</b> 4:8 5:15 <b>halfway</b> 81:7 87:13 194:17 203:4 <b>hand</b> 87:10 117:10 129:2 187:8 215:15 <b>handed</b> 9:14 32:9 51:19 83:15 93:4 96:3 110:8 111:5 131:17 141:20</p>

<p><b>handing</b> 79:6 194:14</p> <p><b>handle</b> 67:13,17 79:21 167:14</p> <p><b>handles</b> 46:17</p> <p><b>handling</b> 24:18 67:22,25 68:4,12,15 68:19,24 141:24</p> <p><b>handwritten</b> 129:1 129:5</p> <p><b>happen</b> 28:14 36:3</p> <p><b>happened</b> 97:20 207:7 210:9</p> <p><b>happens</b> 148:10</p> <p><b>hard</b> 17:10,14 100:4 100:7</p> <p><b>head</b> 6:5 29:3 171:15</p> <p><b>heading</b> 53:15</p> <p><b>headquarters</b> 40:19 142:19 184:19 185:12 201:25</p> <p><b>hear</b> 6:7 144:7</p> <p><b>heard</b> 169:8</p> <p><b>held</b> 1:18 18:4,7 25:24 155:14 201:8</p> <p><b>help</b> 18:11 134:15 144:3 172:22 173:20,20,23 174:6 175:7,13 176:1,7 180:17,22 181:1</p> <p><b>helps</b> 13:6,23,24</p> <p><b>hereon</b> 99:14</p> <p><b>high</b> 117:10 127:18</p> <p><b>higher</b> 90:1 201:19</p> <p><b>highest</b> 11:9</p> <p><b>hinge</b> 37:19</p> <p><b>history</b> 48:8,16 201:13</p> <p><b>hold</b> 119:8 200:14 200:18 202:3,11,15</p> <p><b>holding</b> 209:24</p> <p><b>holidays</b> 199:15</p> <p><b>homan</b> 11:4,5,22</p>	<p><b>homan's</b> 11:15</p> <p><b>homeland</b> 3:3 19:12 20:4,6,9,14 98:7 122:1 143:22 169:18 176:15 179:9,24 180:3 209:4</p> <p><b>honor</b> 192:14,25 193:3,6,10</p> <p><b>hopefully</b> 6:11</p> <p><b>hotline</b> 135:4,12,15 135:20,24 136:2,2,3 136:10,25 137:17 138:2,6,9,15,18,24 139:4,25 140:5,12 140:15 141:2,12 144:12,24 145:5,18 147:25 148:6,12 152:19,22 153:10 153:17,25 157:11 157:14,19 158:3,5 158:11,15,18 159:24 160:3 161:18 162:16,20 163:4,11 164:18,21 164:23 165:1,4,23 166:2,2,5,22 167:14 169:5,9,11 173:17 177:17</p> <p><b>hour</b> 36:4,8 50:19 105:23 130:7,21 202:9</p> <p><b>hours</b> 36:2 139:4 146:1,2,8 200:14,18 201:8,17 202:1,4,10 202:16</p> <p><b>house</b> 13:18</p> <p><b>hsi</b> 20:5 30:15 122:1 169:25 183:4,10</p>	<p>19:6,14,15,18,22 20:1,2,7 21:16,19 22:7,19,25 23:10,25 24:9 25:7,11 26:21 27:3,18 28:25 29:2 29:3,9,18 30:18 31:4,4,9 34:25 35:5 35:13,23,24 36:14 37:2,5,8 39:1,25 40:1 42:2,8,14 47:3 51:2 53:3,8 55:21 55:22 56:14,24 57:9 57:23 58:1,6,17 60:7,14,16,21,22 63:6,25 64:5,14 67:7,12,12,16,17 69:21 70:3,21,25 71:4,10,14,18,23 72:1,11,14,20 73:10 74:6,10,12 76:4,10 77:10,18 78:21 79:12 80:5 81:8,17 84:9 85:3 91:1,8 92:13 94:10 95:19 97:6 98:13 104:6,14 104:17,20 105:4,8 105:25 106:6,10 107:14 115:7,8,18 116:2 117:2,16 118:4,8,12,15,19,21 119:15 120:2,8,18 120:25 121:4,14,15 121:19,22 122:8,14 122:20 123:4,7 124:9,11,12,25 125:19 127:6,21,21 128:17,21 129:1,16 129:20,25 130:5,25 131:5 133:11,21 134:5,8 135:9,13,24 137:13 140:21 141:10 142:19 143:7 147:10 149:9 149:12,16,19,20,21 151:19 153:14</p>	<p>154:10 156:9,16 160:14,21,25 161:14,19,20,24,24 161:25 162:8,11,15 162:18,18,20,23 163:4,10,17,22,25 164:5,7,10,11,14,18 164:21 165:1,4,10 165:15,23 166:1,6,9 166:18,19,22 167:8 167:13,17 168:1,4,8 168:13,15 169:2,5,8 169:16,24,25 170:2 170:24 171:13,17 171:18 172:3,4,10 172:11,21,22 173:12,19 174:4,6 174:15 175:6,13,20 175:20,20,25 176:6 177:18 178:19,23 179:12,16 180:5,10 180:16,21,25 181:22 182:16,20 182:23 183:5 184:13,15 185:9,21 186:2,12 187:11,16 189:4 190:1,4,18 191:15,18 192:5,12 192:17,20,24,24 193:2,5,17,18 194:4 197:25 198:2,7,13 198:16 199:6 200:13,18 202:3,15 202:16 203:25 210:15 211:2,15,19 211:21,25 213:5,16 213:20,25</p> <p><b>ice's</b> 29:16 64:12 107:19 126:14 149:16 171:1 174:13 182:13 186:17 188:16 189:14,16 192:18 194:24 195:8,16,25 196:12 197:1</p>
<p><b>i</b></p>			
	<p><b>ice</b> 8:23 10:16,19,21 11:10,19,21,25 13:8 14:20,22 15:12 17:16,23 18:5,9,15</p>		

<p><b>identification</b> 9:12 32:7 51:17 79:4 83:13 93:2 96:1 110:6 111:3 131:15 141:18 194:12</p> <p><b>identified</b> 98:9 135:4 171:12</p> <p><b>identify</b> 25:8 55:17 193:23 205:21</p> <p><b>iea</b> 151:6 154:16</p> <p><b>ieas</b> 30:3,4,9</p> <p><b>illinois</b> 1:2 2:5,11</p> <p><b>imagine</b> 138:10</p> <p><b>immediate</b> 11:2 12:1 14:7</p> <p><b>immediately</b> 151:5 155:12 186:17 188:12</p> <p><b>immigrants</b> 109:15 109:16</p> <p><b>immigration</b> 2:9,18 3:4 4:16,17,18 16:8 16:19 18:13 24:4 25:9,13 27:1 28:12 28:22,23 29:22 30:1 30:11 37:16 40:6,21 40:25 41:7,21 42:16 42:19 43:9 44:1,9 44:20 45:1,5 46:5 47:13,14,18 48:4,8 48:11,15,22 49:7,11 49:15 50:4,13 51:22 56:8,22 57:7,20 58:2,7,17 59:6 61:1 61:25 62:10,15 63:7 63:21 64:2,6 69:14 71:17,22 80:10,12 80:25 81:1,3,9 82:6 82:15,23 83:3,19 84:6,9 86:10,11 92:20 94:11,15 96:4 96:14 98:13,17 99:16,23 100:12,23 101:5,19 103:8,16 104:17 106:23</p>	<p>107:5 108:24 109:8 110:10,17,24 111:8 111:16,23 113:8 114:5,11 118:4,22 119:14 140:13 143:22 152:19 153:4,11,24 158:16 158:17 165:24 180:7 182:10 195:9 195:17 196:1,13,20 197:7,22 201:13 203:3 206:19,20 211:13</p> <p><b>impact</b> 40:15 183:20 183:21</p> <p><b>impacts</b> 121:11</p> <p><b>implementation</b> 21:24 76:6</p> <p><b>implemented</b> 184:16 185:20 187:1</p> <p><b>impractical</b> 91:20</p> <p><b>improperly</b> 74:8,12</p> <p><b>ina</b> 16:9 40:14,15 196:19,21</p> <p><b>inaccurate</b> 24:7</p> <p><b>inappropriately</b> 138:3</p> <p><b>incarcerated</b> 25:24</p> <p><b>inception</b> 162:17</p> <p><b>include</b> 65:19 109:2 168:4</p> <p><b>included</b> 43:9 97:11</p> <p><b>includes</b> 127:2 167:25</p> <p><b>including</b> 10:3 25:22 45:24</p> <p><b>incoming</b> 136:18</p> <p><b>incompletely</b> 119:4</p> <p><b>incorrectly</b> 119:4 203:18</p> <p><b>increase</b> 78:21</p> <p><b>indented</b> 143:19,21</p> <p><b>index</b> 155:1</p>	<p><b>indicate</b> 61:20 125:11,17 126:1 137:25 146:1 151:11 155:18,23 171:17</p> <p><b>indicated</b> 25:12 113:1</p> <p><b>indicates</b> 75:4 193:3</p> <p><b>indicating</b> 94:24</p> <p><b>indication</b> 81:4</p> <p><b>individual</b> 15:25 17:1 22:19,21 24:23 25:4 36:21 48:5,12 48:15 53:5 56:23 57:9,22 58:3,8 61:2 61:19 62:16,21 63:8 64:16,17 65:19 66:17,20,22 67:4,9 73:14,18 76:15 77:19 82:6,16,24 83:8 89:18 101:14 106:20,21,25 108:23 114:7 118:12,22 119:6,14 119:17 123:2 132:22,24 140:11 144:7,24 145:18 146:6,21 147:3,8,11 147:24 148:10,18 148:22 149:2 150:3 150:9,16 158:3,4,25 159:6,24 160:3 165:22 169:1 170:7 172:4 173:5 178:19 179:19 180:5 182:7 182:9 191:23 201:12,19 202:11 202:17,18 204:2 205:7 208:13 209:23 210:25 211:23 212:2</p> <p><b>individual's</b> 48:8 106:11 107:6 121:2 156:22 158:10</p>	<p><b>individuals</b> 14:20 25:23 27:19,22 29:18 30:24 31:6 40:15 133:10,21 136:1 137:18 139:7 139:13,19 140:6 141:25 148:4 156:17 160:14 161:1,5,14 164:11 164:24 165:2,5,16 170:21,24 171:18 172:9,21 176:13 179:23 180:2,16,21 180:25 181:5,20 204:16,23 205:21 206:7,12 210:16 213:9,17,22</p> <p><b>infinite</b> 99:19 201:11</p> <p><b>inform</b> 146:7 213:25</p> <p><b>information</b> 14:10 14:16 24:24,25 25:1 72:5,14,20 73:10 78:3,7,12,13,15 80:13,14,15,16,18 81:24,25 82:10 89:18 90:2 103:22 104:3 106:20 115:21,22 116:1,15 116:18,22 117:1 134:15,20,22 136:15 139:2,10,16 139:22 140:3,9,11 140:19 144:14,20 147:14,16 150:11 150:13,14,17 151:3 151:25 152:3,4,7,15 153:21 154:15 155:9 156:5,6 157:23 158:20 163:1,13 164:3 165:8,13,19,22 166:6,15,23 168:19 169:14,21 171:1,5,8 171:13,25 173:18</p>
--	--	--	---

<p>175:9,11 177:14  178:23 179:4,22  183:14 186:6,10  198:25 199:2,15  205:4 210:21,22  212:14  <b>informational</b> 128:2  <b>informed</b> 141:11  <b>informing</b> 28:9  <b>initial</b> 43:25 44:2  101:11,12 210:22  <b>initially</b> 117:7  <b>initiate</b> 104:6  <b>initiated</b> 98:1 112:6  <b>initiation</b> 102:12  112:24 113:1,10  <b>input</b> 175:9  <b>inquiries</b> 116:4,6,7  116:17,17,24  141:24  <b>inquiry</b> 13:15  192:16  <b>ins</b> 18:8,10,12,13,25  19:5 84:7,21 85:3  93:16,18,24 94:1  <b>inspector</b> 18:14  176:17 177:12,14  177:16,24 178:15  180:3,10 209:16  <b>instance</b> 16:6 36:24  51:12 73:16 74:6  144:23 187:22  210:25 212:18  <b>instances</b> 28:13  49:15 75:9 108:23  187:23 200:13  201:2,6 202:15  <b>institution</b> 25:17,19  <b>instructed</b> 61:1  98:14 145:14  <b>instruction</b> 41:15  57:6,20 58:21 67:7  67:11,16 82:13,14  120:13 123:15,18</p>	<p><b>instructions</b> 55:9  56:21 62:20 67:2  72:20 82:20 83:9  154:16  <b>intake</b> 134:19,25  160:14,22,25  161:15,19,25 162:9  162:11,15,20,23  163:4,11,17,22,25  164:5,11,18,21,23  165:1,4,10,15,23  166:1,6,8,18,22  167:9,13,17 168:1,5  168:9,13,16,19  169:2,5,9,16,24  170:6,7 204:18  205:1 207:24 208:3  208:5,7 210:19  <b>intended</b> 137:21  166:23  <b>intending</b> 212:11  <b>intent</b> 151:22  <b>interact</b> 100:11  <b>interested</b> 215:14  <b>interferes</b> 6:14  <b>interim</b> 4:11 32:11  32:19 53:18,25  <b>internal</b> 78:21  161:17,22 169:19  <b>internally</b> 21:2  <b>international</b> 100:3  <b>internet</b> 171:10  173:6 177:6,9  <b>interpretation</b>  188:22  <b>interrogatories</b> 4:19  131:20 141:9  205:19 206:1  <b>interrogatory</b> 132:8  132:11 133:4,17  135:5,17 137:4  141:4 170:23 172:9  178:4 205:20,24  206:24</p>	<p><b>interrupt</b> 87:23  <b>interview</b> 40:1 59:6  59:7,11 147:16  158:18  <b>interviewed</b> 58:22  59:1  <b>interviews</b> 22:8,14  <b>investigate</b> 19:19,20  36:7 70:4,14 77:17  157:13 207:1,15  208:15 210:3  <b>investigates</b> 19:22  <b>investigating</b> 40:5  79:9 194:1  <b>investigation</b> 19:16  27:18,22 28:5 31:5  36:12,25 59:15  65:23 70:8 72:2,12  73:12,17,22 74:7,13  80:24 82:3,7,21  102:12,16 103:2  112:6,25 113:1,10  113:25 139:3  151:20 157:16,20  202:18 204:18  205:6 207:19 208:4  209:2,10,12 211:2  212:4,7,10,16  <b>investigations</b> 19:12  20:4,6,10,14 122:1  <b>involve</b> 178:8  179:15,19  <b>involved</b> 27:18,21  28:4 168:17  <b>issuance</b> 7:10 8:4  31:10,16,18,20,23  32:19 36:8 52:9  56:10 58:23 59:1,15  60:3 61:11,16 69:15  69:21 70:4,22 77:2  80:24 81:15 85:24  87:17 88:7,13 95:18  97:7 99:12 113:7  118:16,19,22 119:6  119:19 130:7</p>	<p>134:18 135:8  189:14 192:13  <b>issue</b> 7:12 20:10,19  23:18,21,25 24:9,14  29:19 30:23 35:20  49:11,16 50:4,13  64:14 71:2,6,18,23  75:19 80:17 81:17  82:9 92:13,14,20  95:10 100:12,23  103:23 106:12  107:1,7,8,9,10,13  120:9 122:8 123:4  127:17 128:17,21  129:1,5 136:11,14  136:17,22 137:2  143:14,16 147:10  156:16 182:4  188:17 189:4  190:25 206:6 212:1  <b>issued</b> 32:20 33:19  34:11,25 36:21  49:22 51:2 53:8  64:25 65:22 72:6,9  74:8,12 75:1,8  77:10,24 78:4,8  84:13 85:21 88:25  90:22 91:2,10 92:1  92:5,9 94:2,4 96:24  97:2,24 100:7 101:3  105:5,9 106:7,18  109:11 111:17  115:15 117:3,7,24  118:5 119:4,4  127:12 130:20  132:22 133:11  138:3 146:20 147:5  147:21 148:5,11  149:1,6,11,13,15,17  149:19 155:19,24  170:25 172:10  181:23 186:16,20  189:17 190:2,5,19  190:23 199:5  201:18 212:18</p>
--	--	--	---



<p><b>issues</b> 13:24 17:7 20:2 75:22 98:13 101:4 104:20 106:23 115:9 118:9 127:16 148:21,24 149:21 200:2 211:13</p> <p><b>issuing</b> 20:3 27:19 27:22 31:6 37:5,17 38:16 40:1,5,7,22 48:3 53:4 59:7,11 59:20 60:17 61:12 61:15,20 62:17 63:14 77:20 80:11 81:3 82:25 83:9 91:17 94:17 114:5 114:12 125:11 126:2 127:7 147:1 154:11 184:2 201:16,23 203:25 213:6</p> <p><b>italicized</b> 154:14</p> <p><b>item</b> 85:4,4</p> <p><b>iteration</b> 96:13 98:1 110:17 111:16 117:6,7</p> <p><b>iterations</b> 7:8,9 167:21 185:24</p>	<p>162:11,15,20,23 163:4,10,17,22,25 164:5,11,18,21,23 165:1,4,10,15,23 166:1,7,18,22 167:9 167:13,17 168:1,4,8 168:13,15 169:2,5,9 169:16,24,24 170:5 170:7 205:1 207:24 208:2,5,7</p> <p><b>jose</b> 1:5,6</p> <p><b>judge</b> 25:13 182:11 188:24 189:1</p> <p><b>judges</b> 25:10</p> <p><b>judgment</b> 151:13 152:3,6</p> <p><b>judiciously</b> 49:8</p> <p><b>jump</b> 160:8 197:4</p> <p><b>june</b> 1:14 56:3,16 77:3</p> <p><b>jurisdiction</b> 148:14</p> <p><b>jurisdictions</b> 76:7</p> <p><b>justice</b> 2:9,16 51:24 56:2 64:15 84:5</p>	<p><b>know</b> 6:10,19 9:16 13:10 14:14 15:13 16:13 17:4 20:11 32:13 49:2 52:1 58:14,15 77:6,9,22 78:1 79:15 82:7 83:24 84:10 85:4 86:10 87:24 93:9 94:3 95:1,7 96:7 97:25 106:16 107:4 110:11 111:10 116:11 117:11,12 121:18 127:14,25 128:2,7 135:11,14 136:4,5 137:3 138:7 138:8,11,16 139:9 139:15,21 140:2,7,8 140:17 141:1,3 142:3 143:5,11 144:13,14,18 146:10 148:23 149:1,21 151:15,22 152:24,25 153:5,7 153:20,21 154:25 155:8,9 158:19,20 162:3,10,25 163:1,3 163:7,10,19 164:2,7 164:8,13,19,22,25 165:3,7,12,18 166:25 167:2 169:13,19 171:20 172:2,14 174:7,19 178:22,24 180:5 181:9 195:3 198:19 198:21 200:1 204:4 204:15 210:12,16 211:1</p> <p><b>knowledge</b> 7:14,17 8:8 9:1 27:14 29:13 31:21 32:24 34:13 34:20 36:10,11 37:7 38:5 39:23 44:19 45:11 47:6,13 48:20 48:25 52:12,21 74:9 74:14 75:10 77:13</p>	<p>78:20,24 83:1 94:8 94:13,18 97:17 100:21 109:23 111:1 117:5 121:7 123:14 127:8 128:24 130:11,15 130:19 137:23 139:6 140:14 142:20,23 145:1 154:1 157:7 158:9 161:12 162:17 164:17 165:25 166:4 167:16 170:15 171:11 174:3 179:2,3,21 181:14 182:19,22 184:12 188:14 191:5,14 198:1</p> <p><b>known</b> 23:1 65:20 72:5 81:24 82:1 101:2 106:21 134:17 139:10,16 139:22 155:3 166:15 170:7</p> <p><b>knows</b> 82:3</p>
<p><b>j</b></p>	<p><b>k</b></p> <p><b>k</b> 1:19</p> <p><b>keep</b> 40:14 74:22 115:8 117:2 127:22 138:11 178:24</p> <p><b>keeps</b> 127:21</p> <p><b>keith</b> 1:20 215:3,18</p> <p><b>kept</b> 115:7,18 117:21 138:14 179:1</p> <p><b>kind</b> 14:5,8 15:8 16:14 17:14 46:20 72:14 108:24 116:8 173:12 184:22 186:4 210:23</p> <p><b>kinds</b> 39:7 72:20 109:7 120:14</p> <p><b>kisor</b> 2:24 130:23 188:21,25</p>	<p><b>l</b></p>	<p><b>l</b> 2:1,25 3:1 5:15,16 5:16</p> <p><b>labeled</b> 154:3</p> <p><b>laid</b> 102:17,20 119:9</p> <p><b>lana</b> 2:25</p> <p><b>language</b> 37:15 143:25 144:17 145:13,14,20,24 151:11 155:18,23</p> <p><b>languages</b> 139:20 165:6</p> <p><b>large</b> 15:14 25:17 98:10,25 101:20 102:7 117:17 197:15</p> <p><b>largely</b> 116:4 190:14</p> <p><b>larger</b> 93:21 166:8</p>
<p><b>jack</b> 12:6</p> <p><b>jail</b> 22:9,14 73:25 148:14 204:21</p> <p><b>jails</b> 129:17 140:1 165:11</p> <p><b>janet</b> 1:11</p> <p><b>january</b> 175:2 199:13</p> <p><b>jargon</b> 58:14</p> <p><b>jeffrey</b> 12:8</p> <p><b>jimenez</b> 1:5</p> <p><b>job</b> 107:12 118:9,12 121:1 198:6</p> <p><b>joint</b> 160:14,21,25 161:14,19,25 162:8</p>			

<p><b>lasalle</b> 2:10</p> <p><b>law</b> 4:14 8:5 23:5,8 28:2 33:15 44:14,16 45:1 47:14,18 48:1 78:10 81:8,17 83:18 84:16 86:10 109:20 110:3 121:11,11 123:10 133:21 134:1,8,12 135:9,13 140:21 141:22 142:9,16 146:25 147:6 149:25 153:6 175:12 181:21 182:3 189:19 198:4 207:11,14 209:23 210:1 212:21 215:7</p> <p><b>lawful</b> 37:17</p> <p><b>laws</b> 15:21 17:17</p> <p><b>laying</b> 204:20</p> <p><b>lea</b> 35:2 125:12,20 126:2,10 129:10,13 129:21 130:11 189:17,18 190:1,4,8 190:16,19,22 191:7 191:15,19,23 192:2 192:5,12,13,18,21 192:24 193:3,6,18 194:4 202:10 213:24</p> <p><b>lea's</b> 193:9</p> <p><b>lead</b> 28:7</p> <p><b>leading</b> 56:10</p> <p><b>leads</b> 15:25 122:4</p> <p><b>learning</b> 154:19</p> <p><b>leas</b> 191:9 193:12 204:1,5,15</p> <p><b>leave</b> 29:12 199:12 199:14</p> <p><b>led</b> 183:9</p> <p><b>left</b> 87:10 119:14 128:5 140:6 165:16</p> <p><b>legal</b> 15:13 38:17 40:18 48:3,6,9,12 48:19,24 51:1 58:11 81:21 87:19 89:3,14</p>	<p>101:10 102:3 103:20 104:24 107:22 109:2,6,7,12 109:15 123:5,8,12 123:15,18,23,24 124:21 134:16 137:21 138:1 170:1 170:2 183:3 186:3 195:1,11 196:4,15</p> <p><b>lengthy</b> 83:21</p> <p><b>lesa</b> 78:17,17 115:20 205:1</p> <p><b>lesc</b> 23:1,2,4,9,12,15 23:18,20,24 26:18 26:19 33:11,14,17 33:20,21,22 34:1,4 34:6 97:23 134:2,5 134:25 135:3,19 136:2,7,10,25 137:17 138:1,5,9,14 138:18,23 139:4,25 140:5,12,15 141:1 141:11,14 143:3,9 144:7,12,24 145:4,5 147:25 148:5,12,17 148:23,25 150:10 151:6 152:18,22 153:6,10,17 154:25 156:21 157:4,9,13 157:18 158:3,5 166:2,5,13,16</p> <p><b>lesc's</b> 138:19</p> <p><b>letter</b> 40:14</p> <p><b>level</b> 15:18 35:21 40:17,19 70:17 90:1 97:16,18,19 116:15 117:10 118:25 119:15 121:9,14 125:1,5 127:18 184:19,20 185:1,2 185:12 201:20</p> <p><b>levied</b> 89:24</p> <p><b>liberties</b> 160:17 161:3,7 166:11 176:14,16 179:25</p>	<p>209:5</p> <p><b>lift</b> 155:14 156:7</p> <p><b>lifted</b> 74:5</p> <p><b>limitation</b> 107:24</p> <p><b>limitations</b> 30:21 107:19</p> <p><b>limited</b> 24:6 48:8,16</p> <p><b>line</b> 16:21 51:22 107:15 121:3 145:24 172:22 173:20,20,23 174:6 175:7,14 176:1,7 177:13,25 178:15 180:17,22 181:1</p> <p><b>lines</b> 116:13</p> <p><b>list</b> 17:10 29:23,24 132:21,23 154:5 160:8 189:9</p> <p><b>listed</b> 18:21 56:16 65:25 66:15 100:14 132:3 133:3,17,20 134:4 137:5,8 145:5 157:5 160:10,15,21 160:22 161:9,16 170:21 171:5,9 172:23 173:2 176:18,20,24 177:2 178:3,16 181:20 182:1 189:8,10 202:8 206:23</p> <p><b>listing</b> 171:24</p> <p><b>lists</b> 171:2,21 172:24</p> <p><b>litigation</b> 2:18 7:16 8:8 79:12 116:20,23 117:1</p> <p><b>little</b> 7:3 10:13 14:2 17:22 19:13 25:5 48:2 50:19 62:3 74:21 82:18 95:1,2 112:11 119:21 145:22 154:2 203:4</p> <p><b>live</b> 5:17</p> <p><b>local</b> 16:25 18:2 24:19 28:11 33:15 33:17 35:21 40:17</p>	<p>41:8 51:24 64:15 70:17 73:6 109:20 110:3 118:25 119:15 121:9 125:1 129:17 130:10,14 130:18,24,25 131:1 131:4,5 140:21 155:13 182:3</p> <p><b>localized</b> 16:25 122:24</p> <p><b>locally</b> 124:1</p> <p><b>located</b> 11:23 15:22 18:21,24 22:18 30:24 44:17 136:8 162:1</p> <p><b>locating</b> 25:3</p> <p><b>location</b> 17:25 44:8 44:13 47:21,23,24</p> <p><b>locations</b> 206:18</p> <p><b>lodge</b> 24:20 28:13 50:10 156:4 161:1,5 212:12</p> <p><b>lodged</b> 28:12 74:2 134:21 148:15,18 166:16 183:24 211:17 213:18</p> <p><b>lodges</b> 190:21</p> <p><b>lodging</b> 166:7,12 169:17 190:20 212:15,21</p> <p><b>logic</b> 37:24 38:12</p> <p><b>logs</b> 22:10</p> <p><b>long</b> 44:2 138:22 139:3 162:15 163:24 199:13</p> <p><b>longer</b> 21:2 32:3 75:22 86:4 211:14</p> <p><b>look</b> 8:15 16:10 73:24 74:21 85:6 86:7 91:16 98:4 116:8 132:11 159:17 167:22 168:3,7 183:16 197:13 207:8</p>
--	---	--	---

<p><b>looked</b> 54:1 95:17 97:4 188:1 203:20</p> <p><b>looking</b> 56:20 74:22 86:2 113:12 114:10 159:18</p> <p><b>lop</b> 33:11,14,22 34:4 34:6</p> <p><b>lopez</b> 1:6</p> <p><b>lorenzen</b> 181:11</p> <p><b>los</b> 17:5</p> <p><b>lot</b> 13:17 15:11</p> <p><b>lots</b> 109:7</p> <p><b>lpr</b> 37:18 39:2,5,14 40:1,5,8,23 49:9,12 49:16,21,23 50:5,14 51:3,8,12 58:8,11 63:12,22 64:2 66:21 197:6,20 201:2,7 202:3,5 203:2</p> <p><b>lpr's</b> 58:18</p> <p><b>lprs</b> 40:16 41:11,17 200:14,18 202:15</p> <p><b>lunch</b> 115:4</p> <p><b>lynch</b> 12:8,9</p>	<p>117:12 121:25 122:5 173:14</p> <p><b>managers</b> 184:20</p> <p><b>manages</b> 28:24 179:4</p> <p><b>mandatory</b> 43:5,8</p> <p><b>manual</b> 93:19,24 94:2</p> <p><b>march</b> 33:7 162:19</p> <p><b>maria</b> 1:5</p> <p><b>mark</b> 2:13 95:24 131:13 141:16</p> <p><b>marked</b> 9:12,15 32:7,10 34:22 49:5 51:17,20 74:16 79:4 79:7 83:13,16 93:2 93:5 94:20 96:1,4 99:2 100:13 110:6,9 111:3,6 114:21 131:15,18 141:18 141:21 150:24 194:12,15</p> <p><b>marry</b> 40:13</p> <p><b>materials</b> 45:23 198:16,24</p> <p><b>matrix</b> 16:12</p> <p><b>matter</b> 81:8,17 158:16</p> <p><b>matters</b> 48:1</p> <p><b>mean</b> 15:2 17:10 24:4 28:18 38:16 40:11 51:6 54:10,14 81:25 84:25 116:5 146:23,24 149:8 150:7 183:23 184:6 189:19 191:7,23</p> <p><b>means</b> 38:23 44:24</p> <p><b>meant</b> 150:3,8</p> <p><b>measures</b> 116:9</p> <p><b>mechanism</b> 28:4 170:11</p> <p><b>mechanisms</b> 206:5 206:13,23</p> <p><b>meet</b> 104:8 180:7</p>	<p><b>meeting</b> 77:18</p> <p><b>meets</b> 25:2 61:22</p> <p><b>member</b> 65:20</p> <p><b>members</b> 116:10</p> <p><b>memo</b> 4:12,13 37:12 67:1,2 86:23 203:19</p> <p><b>memorandum</b> 8:2,3 37:11,25 38:5,6,10 51:21 52:11 56:3,16 73:4 76:9 79:8 80:11 81:2 83:2 102:18,21 119:9,10 203:13,17</p> <p><b>memorialized</b> 155:7</p> <p><b>memorized</b> 29:24 138:21</p> <p><b>mention</b> 9:17 15:19 31:24 68:20 183:22</p> <p><b>mentioned</b> 6:1 7:13 7:18 8:18 10:7 12:9 12:20,24 14:1 24:10 24:12 28:15 30:1 34:4,6 40:4 41:10 47:22 62:1 70:2 88:20 119:13 186:2 201:21 202:9</p> <p><b>merely</b> 21:25</p> <p><b>merits</b> 56:15</p> <p><b>message</b> 144:11,16</p> <p><b>messages</b> 140:5 165:16</p> <p><b>met</b> 7:6,6 65:1 103:14,18 180:10</p> <p><b>method</b> 133:19 170:13 172:13,18 173:1 176:11 177:2 177:4,9 181:19,25</p> <p><b>methodologies</b> 22:6 22:11</p> <p><b>methodology</b> 20:24 21:21,25 22:3,13</p> <p><b>methods</b> 39:4 131:11 132:21,24 133:2,6,15 160:9,10 170:20 176:2,23</p>	<p>178:7,21 179:1,6,14 179:15,18 180:15</p> <p><b>midnight</b> 146:3,8,13</p> <p><b>millar</b> 1:17 4:3 5:3,9 5:14,15,20 9:8,11 9:14,17,22 32:6,9 32:16 33:12 41:24 51:16,19 52:1,4,7 53:22 55:5 64:20 65:14 79:3,6,14,16 83:12,15,20 84:2 85:12 87:11,23 88:4 88:23 90:24 91:25 93:1,4,10,12 95:25 96:3,10 110:5,8,14 111:2,5,9,13 115:4 131:3,14,17 132:1,3 132:20 133:24 141:17,20 142:5 146:4 150:5 151:7 154:6,17 155:16 159:17 160:19 166:17 171:3 193:24 194:11,14 194:17 197:18 202:25</p> <p><b>millar's</b> 120:5</p> <p><b>mind</b> 50:19</p> <p><b>minute</b> 87:2</p> <p><b>minutes</b> 50:20 159:13 213:8</p> <p><b>mirror</b> 116:14</p> <p><b>mischaracterizes</b> 206:17</p> <p><b>misconduct</b> 170:2 170:17</p> <p><b>misdemeanor</b> 66:21 66:24</p> <p><b>mississippi</b> 12:14,17</p> <p><b>model</b> 164:9</p> <p><b>modification</b> 15:12</p> <p><b>modifications</b> 76:10 127:17</p> <p><b>modified</b> 46:19</p>
<b>m</b>			
<p><b>m</b> 3:8 4:1 5:16</p> <p><b>m&amp;a</b> 121:24 122:2</p> <p><b>mail</b> 133:12 171:1 171:25 172:1,11 190:12,13,13 199:20,22</p> <p><b>mails</b> 199:17 200:2</p> <p><b>maintain</b> 119:22</p> <p><b>majority</b> 109:10</p> <p><b>making</b> 83:7 126:6 127:16 146:21 147:2,8 150:12,17 152:3,6 182:17,20 205:9</p> <p><b>manage</b> 13:20 17:9 115:21 178:24</p> <p><b>managed</b> 183:25</p> <p><b>management</b> 14:9 14:14,23 35:20</p>	<p>117:12 121:25 122:5 173:14</p> <p><b>managers</b> 184:20</p> <p><b>manages</b> 28:24 179:4</p> <p><b>mandatory</b> 43:5,8</p> <p><b>manual</b> 93:19,24 94:2</p> <p><b>march</b> 33:7 162:19</p> <p><b>maria</b> 1:5</p> <p><b>mark</b> 2:13 95:24 131:13 141:16</p> <p><b>marked</b> 9:12,15 32:7,10 34:22 49:5 51:17,20 74:16 79:4 79:7 83:13,16 93:2 93:5 94:20 96:1,4 99:2 100:13 110:6,9 111:3,6 114:21 131:15,18 141:18 141:21 150:24 194:12,15</p> <p><b>marry</b> 40:13</p> <p><b>materials</b> 45:23 198:16,24</p> <p><b>matrix</b> 16:12</p> <p><b>matter</b> 81:8,17 158:16</p> <p><b>matters</b> 48:1</p> <p><b>mean</b> 15:2 17:10 24:4 28:18 38:16 40:11 51:6 54:10,14 81:25 84:25 116:5 146:23,24 149:8 150:7 183:23 184:6 189:19 191:7,23</p> <p><b>means</b> 38:23 44:24</p> <p><b>meant</b> 150:3,8</p> <p><b>measures</b> 116:9</p> <p><b>mechanism</b> 28:4 170:11</p> <p><b>mechanisms</b> 206:5 206:13,23</p> <p><b>meet</b> 104:8 180:7</p>	<p><b>meeting</b> 77:18</p> <p><b>meets</b> 25:2 61:22</p> <p><b>member</b> 65:20</p> <p><b>members</b> 116:10</p> <p><b>memo</b> 4:12,13 37:12 67:1,2 86:23 203:19</p> <p><b>memorandum</b> 8:2,3 37:11,25 38:5,6,10 51:21 52:11 56:3,16 73:4 76:9 79:8 80:11 81:2 83:2 102:18,21 119:9,10 203:13,17</p> <p><b>memorialized</b> 155:7</p> <p><b>memorized</b> 29:24 138:21</p> <p><b>mention</b> 9:17 15:19 31:24 68:20 183:22</p> <p><b>mentioned</b> 6:1 7:13 7:18 8:18 10:7 12:9 12:20,24 14:1 24:10 24:12 28:15 30:1 34:4,6 40:4 41:10 47:22 62:1 70:2 88:20 119:13 186:2 201:21 202:9</p> <p><b>merely</b> 21:25</p> <p><b>merits</b> 56:15</p> <p><b>message</b> 144:11,16</p> <p><b>messages</b> 140:5 165:16</p> <p><b>met</b> 7:6,6 65:1 103:14,18 180:10</p> <p><b>method</b> 133:19 170:13 172:13,18 173:1 176:11 177:2 177:4,9 181:19,25</p> <p><b>methodologies</b> 22:6 22:11</p> <p><b>methodology</b> 20:24 21:21,25 22:3,13</p> <p><b>methods</b> 39:4 131:11 132:21,24 133:2,6,15 160:9,10 170:20 176:2,23</p>	<p>178:7,21 179:1,6,14 179:15,18 180:15</p> <p><b>midnight</b> 146:3,8,13</p> <p><b>millar</b> 1:17 4:3 5:3,9 5:14,15,20 9:8,11 9:14,17,22 32:6,9 32:16 33:12 41:24 51:16,19 52:1,4,7 53:22 55:5 64:20 65:14 79:3,6,14,16 83:12,15,20 84:2 85:12 87:11,23 88:4 88:23 90:24 91:25 93:1,4,10,12 95:25 96:3,10 110:5,8,14 111:2,5,9,13 115:4 131:3,14,17 132:1,3 132:20 133:24 141:17,20 142:5 146:4 150:5 151:7 154:6,17 155:16 159:17 160:19 166:17 171:3 193:24 194:11,14 194:17 197:18 202:25</p> <p><b>millar's</b> 120:5</p> <p><b>mind</b> 50:19</p> <p><b>minute</b> 87:2</p> <p><b>minutes</b> 50:20 159:13 213:8</p> <p><b>mirror</b> 116:14</p> <p><b>mischaracterizes</b> 206:17</p> <p><b>misconduct</b> 170:2 170:17</p> <p><b>misdemeanor</b> 66:21 66:24</p> <p><b>mississippi</b> 12:14,17</p> <p><b>model</b> 164:9</p> <p><b>modification</b> 15:12</p> <p><b>modifications</b> 76:10 127:17</p> <p><b>modified</b> 46:19</p>

<p><b>modify</b> 15:16  <b>moment</b> 9:15 32:12  51:25 79:14 80:19  80:21 83:20 93:8  96:6 141:14 142:1  194:9 197:5  <b>monitor</b> 36:17  <b>month</b> 76:2,14,17  76:25 77:8,11,15,17  163:8  <b>months</b> 76:8  <b>moreno</b> 1:5  <b>morning</b> 5:9,10  <b>morton</b> 11:8,9,23  29:15 31:17 52:9  79:19 203:13,16,19  <b>morton's</b> 11:20  <b>move</b> 10:13 31:2  51:1 108:14 115:6  118:2 125:8 170:19  <b>moving</b> 149:23  <b>moynihan</b> 162:13  163:2,13 164:3  165:8,13,19 167:4,5  169:14  <b>myriad</b> 188:9</p>	<p>121:14 122:6 125:5  129:20,25 130:5  153:9 162:2 172:15  184:9,10 198:12  201:22,24 202:2  <b>nationality</b> 16:8  86:11  <b>nationalization</b>  155:5  <b>nationally</b> 77:25  78:4,8  <b>nationwide</b> 31:5,20  43:2,20 47:9 57:25  58:5 186:17  <b>nature</b> 17:25 184:18  <b>necessarily</b> 116:14  <b>necessary</b> 39:9  150:2 154:21,23  155:6  <b>need</b> 6:21 14:11  15:15 21:22 83:23  85:19,25 102:24  111:9 120:15 146:1  160:23 185:25  212:13  <b>needed</b> 76:11  134:13 200:24  <b>needs</b> 14:15  <b>neither</b> 126:14  <b>never</b> 160:5 192:21  211:8  <b>nevertheless</b> 28:23  100:7  <b>new</b> 13:20 17:6 19:2  19:3,5,8,10 37:25  61:11 77:23 97:14  174:20,21 184:7  185:20 186:6,8,18  187:2,3,13,16,17,19  187:20 188:6 199:4  199:19 200:3  211:18,22  <b>ngo</b> 141:5  <b>nine</b> 9:9</p>	<p><b>ninth</b> 15:15  <b>nods</b> 6:4  <b>non</b> 27:24 28:15,18  28:20 109:15,16  116:24 141:6  175:12 180:19  <b>northern</b> 1:2  <b>notarial</b> 215:15  <b>notary</b> 1:20 5:5  215:3,19  <b>note</b> 41:23 42:3  44:23 45:22 46:10  50:18 69:7 87:4  119:24 120:3  <b>noted</b> 42:5 46:13  <b>notice</b> 4:10 10:2  42:9 71:13,23 90:14  92:13,20 96:5  110:10 111:8 125:9  125:12,21 126:3  144:1 201:18  <b>notification</b> 158:6  <b>notified</b> 35:2  <b>notifies</b> 192:24  <b>notify</b> 155:14 190:1  190:4,22 192:3  <b>notifying</b> 126:14  189:17 190:18  <b>november</b> 79:7  215:21  <b>nuances</b> 70:10  <b>number</b> 14:12 77:24  78:3,8 99:20 127:22  132:9,12 134:4,4  135:16 137:4,17,21  154:6 160:15,21,25  161:10,15 163:3  167:17,25 168:4,8  168:12,15 170:4,6,9  172:2,23 173:23  176:18 177:11  178:16 181:1  201:11 203:10  204:17 206:24  213:21</p>	<p><b>numbered</b> 64:22  131:24  <b>numbers</b> 78:22  118:8</p> <hr/> <p style="text-align: center;"><b>o</b></p> <p><b>o</b> 2:1,1 3:1,1 4:1,1,8  5:1,15  <b>o'clock</b> 146:2  <b>object</b> 17:19 26:3  27:5 39:16 42:22  43:3 44:4,10,22  45:7 48:13 50:7  54:11 55:6 61:4  62:7 63:15 65:5  69:22 75:13 81:20  82:17 85:16 86:18  87:18 89:2 92:10,16  94:12 101:9 102:3  102:15 103:19,20  105:11 107:21  109:13,22 126:16  194:25 195:10  196:3,14 207:3,17  208:1,11,17 209:20  211:4  <b>objection</b> 19:23 27:8  29:20 34:12,17 35:8  35:16 38:3 41:24  42:4,5,11 43:11,16  44:24 46:11,13 57:1  57:11 59:21 60:9  62:23 89:13 91:5  92:23 99:18 102:2  104:23 106:3,14  113:3 119:23  128:23 129:3  138:25 144:25  146:9 147:12 148:2  148:7 152:13 156:1  156:12,18 191:11  192:8 197:11 199:8  204:6 205:11  206:16 209:7 210:5  212:6</p>
<p style="text-align: center;"><b>n</b></p> <p><b>n</b> 2:1,1 3:1,1 4:1,1,1  4:8 5:1  <b>n.w.</b> 1:19 3:5  <b>name</b> 5:11,13,14  12:21 13:2 46:24  78:16 115:24 122:4  <b>named</b> 197:2 215:5  <b>names</b> 12:4  <b>napolitano</b> 1:11  <b>national</b> 2:9 15:4,14  16:24 31:9 33:23  36:6 48:21 55:10  57:19 58:25 59:4,10  64:10 65:23 70:13  92:19 97:16,18  104:14 115:8  118:14 119:5</p>			

<p><b>obtain</b> 60:8,16,23 72:15,21 78:2,7 115:14 171:8 200:24 212:13 <b>obtained</b> 36:19 90:20 204:20 <b>occur</b> 35:25 36:12 36:25 73:18 149:5 <b>occurs</b> 121:2 207:10 <b>offense</b> 48:23 49:10 49:13,17 50:6,9,15 51:5,6,7,7 66:21 197:7,21 201:3 202:6 <b>offenses</b> 51:3,13 <b>offered</b> 100:25 <b>office</b> 2:18 12:19 13:18 14:6,15,24 15:6,12 16:24 17:2 17:5,17,23 18:17,17 18:18,21,24 19:1,4 19:6,9,10,11 22:24 23:7,9 28:1,11 29:2 29:3,10 35:22 39:10 40:17,18 41:5,5,8,8 47:21,22,23 70:9,9 70:11,17 76:4,15 97:19 121:10,22 122:23,25 124:4,4,5 124:5 133:7,9,11 134:10 148:13,21 148:24 155:15 157:24 161:20 162:4,14 170:1,25 171:13,19,25 172:10 173:10,12 173:14 176:16,17 177:3,12,16,21,24 178:15 179:24 180:3,9 182:25 183:1,3,13 186:2,9 199:24 204:13 205:4,6 207:19,21 208:14,15,23 209:1 209:4,6,16,17 210:2</p>	<p>210:3 <b>office's</b> 174:9 <b>officer</b> 18:14 24:4 27:1 28:12,24 30:6 40:1,6,21,25 41:7 41:21 42:16,20 48:11,22 49:11,16 50:4,13 56:22 57:7 57:21 58:2,7,18 59:6 60:7,16,23 61:1,19,25 62:10,15 62:20 63:7,11,21 64:2,6 69:14 71:17 71:22 79:20 80:10 81:1 82:6,15,23 83:3 89:18 92:20 94:16 98:13,17 99:17,23 100:12,23 101:5,19 103:8,16 104:17 106:23 107:5,9,16 113:9 114:5,12 117:9 121:3 147:15 150:15 151:6,21 152:16,19 153:4,11 153:24 154:16 157:12,13 158:17 158:17 166:14 180:7,11,19,20 186:10 190:20,21 191:23 196:20 197:7,22 203:3 210:21 211:12,13 211:25 212:1 <b>officer's</b> 28:5 44:2 128:6 150:11 <b>officers</b> 16:21 26:7,8 26:11,14,19 27:24 29:22 30:1,3,4,11 33:20 37:16 39:6,13 41:10 42:3 43:6,9 44:9,21 45:5 46:5 47:13 48:5 49:7 55:21,23 56:7,14 64:14 75:14,16,17</p>	<p>76:20 77:18 83:19 84:6,9 92:13 94:11 118:4,22 119:6,14 119:17 129:4 134:15 135:22,24 136:13,14,14 154:25 185:3 198:13 203:25 206:19,20 213:5 <b>offices</b> 1:18 12:12 15:6,20,22,25 17:1 17:2 22:19,22,23 30:17,20,23 67:12 67:16,23 97:21 104:14 121:8,12 123:1,2 171:22,23 199:6,19 206:25 <b>official</b> 11:10 120:6 180:11 <b>oig</b> 180:8 205:1 <b>okay</b> 9:21 52:3 66:14 93:11 <b>old</b> 104:21,21 105:4 105:9,25 106:7 211:18,22 <b>older</b> 75:11,17,23 86:5 110:17 <b>once</b> 21:21,24 24:25 38:24 74:25 75:6 106:20 152:15 179:22 186:7 187:9 190:24 <b>ones</b> 8:15 27:25 100:1 115:21,23 149:13 <b>ongoing</b> 65:22 123:20 <b>online</b> 172:23 176:19 177:8 178:3 186:11 <b>open</b> 161:10 <b>operate</b> 135:4 <b>operating</b> 4:20 8:5 15:9 18:1,2 20:12 21:25 22:3,7 33:16</p>	<p>33:17 97:22,25 138:20 141:15,23 142:8 144:22 145:9 147:19 149:22 153:5 154:24 163:16,21 166:25 167:2 <b>operation</b> 145:25 <b>operational</b> 14:25 15:2 46:19 151:15 173:21 186:3,12,13 <b>operations</b> 10:18 11:17 12:2,6,13 13:9,15 14:6 20:23 24:3,12 25:16 175:20 <b>operative</b> 108:16,21 109:19 110:1 197:16 203:6 211:15,19 <b>operator</b> 181:4 <b>opla</b> 7:6 170:1 183:2 183:9 184:24 <b>opportunity</b> 137:1 153:18 175:8 <b>opposed</b> 89:25 <b>ops</b> 24:13,14,22 25:6 25:6,15 26:11 27:17 <b>option</b> 170:21,24 172:20 <b>oral</b> 73:15 <b>order</b> 25:10 48:22 73:11 85:19,24 86:7 90:5,10,13 91:19 171:19 173:4,5 <b>organization</b> 19:14 141:6 <b>organizations</b> 206:7 <b>original</b> 84:21 158:13 <b>originally</b> 134:11 <b>orleans</b> 17:6 19:2,4 19:5,8,10 174:20,21 <b>outcome</b> 48:16 215:14</p>
--	--	---	--

<p><b>outlined</b> 45:14 53:1 65:6,19 66:11 94:9 103:1 186:6 193:21 <b>outlines</b> 73:6 <b>outreach</b> 141:7 181:13 <b>outside</b> 13:7,13 21:1 30:24 44:24 146:13 149:9 <b>outstanding</b> 65:21 <b>oversee</b> 20:13,17 121:15 <b>overseeing</b> 119:18 <b>oversees</b> 22:22 <b>oversight</b> 14:23 29:1 118:21 119:6,14</p>	<p><b>paragraph</b> 53:15,16 64:11,20 66:5 76:3 81:7,7 87:10,13,20 87:25 88:3,6,9,11 90:4 143:20,20 145:23 149:24 176:21 <b>paragraphs</b> 76:1 <b>parallels</b> 61:21 <b>parents</b> 155:4 156:22,23 159:8,21 <b>part</b> 17:11,14 21:3,6 21:9,18 23:15 25:22 26:15 37:15 42:7 47:3,15,19 48:14 49:7 54:20 55:13 77:8 84:20 87:5 88:11 93:20 118:9 123:20 150:10 189:5 198:20 <b>partial</b> 75:2 <b>particular</b> 19:15 37:16 38:16,23 39:15 44:8 47:18 65:24 72:25 107:12 117:3,25 121:12 142:2 185:13 190:16 <b>particularly</b> 38:21 <b>parties</b> 69:10 215:12 215:13 <b>parts</b> 195:24 <b>pass</b> 152:12,16 <b>passed</b> 152:15,22 <b>pattern</b> 119:3 201:14 <b>penalty</b> 193:1 <b>pending</b> 6:21 38:24 94:25 102:25 <b>people</b> 25:18 30:16 74:1 84:18 134:21 135:9,12 147:1 155:2 161:12 162:8 180:6 210:11 211:7</p>	<p><b>perceived</b> 185:25 <b>percentage</b> 169:11 <b>perform</b> 82:21 <b>performance</b> 118:3 118:15 166:13 <b>performs</b> 173:15 <b>period</b> 36:4,9 76:8 105:23 130:8,21 174:25 186:21 202:9 <b>periodically</b> 205:2 <b>permanent</b> 37:18 38:17,19 39:7 48:3 48:6,9,12,19,24 51:1 58:11 109:2,6 109:8,12 123:5,8,13 123:15,18,24 124:21 137:22 138:1 200:22 <b>person</b> 12:24 16:7 16:13,17,18 24:16 24:21 38:25 66:18 66:19 80:17,19 82:2 82:3,4,11 89:20 91:17 98:9 112:7 114:2 121:17 147:5 148:16 190:13 203:1 210:23 212:1 212:14 <b>person's</b> 48:15 201:12 <b>personal</b> 120:6 213:10 <b>personally</b> 138:16 215:5 <b>personnel</b> 147:7 <b>persons</b> 25:9,17 28:20 41:17 68:6,7 100:10 134:13,20 156:4 196:20 204:19 <b>philip</b> 1:17 4:3 5:3 5:14,14 132:1,3 <b>phone</b> 135:16 137:4 150:16 160:15,21</p>	<p>165:16 171:25 172:2,23 176:18 177:13 178:16 181:1 <b>phrase</b> 38:15 <b>physical</b> 45:2 71:10 71:14,19,24 162:3 <b>place</b> 16:20 37:5 69:18 74:5 122:16 122:20 125:1,5 185:8 188:7 212:17 215:6 <b>placed</b> 87:14 88:21 143:22 <b>plaintiffs</b> 1:9 2:2 5:4 5:7,12 9:6 131:19 205:18 212:25 <b>play</b> 14:25 68:12 <b>plays</b> 25:7 <b>please</b> 6:3,3,5 9:15 18:10 27:12 32:12 42:10 51:25 55:17 57:15 61:7 62:5 63:1 65:16 79:14 83:19,24 85:8 87:24 91:12 93:8 96:6 110:11 111:9 126:25 131:23 141:25 160:23 193:23 195:5 <b>point</b> 50:22 66:22 69:1 83:23 94:22 120:4 134:19 145:10,12 166:5 168:19 171:21 203:1 207:21 208:15 <b>points</b> 66:6,8,13,16 94:21 204:19 <b>police</b> 131:1 <b>policies</b> 7:9 17:24 29:16 31:3,5,12,14 31:19,22,25 32:3 36:6 37:4,8 42:7 46:8 47:9 48:21</p>
<p><b>p</b></p>			
<p><b>p</b> 2:1,1,7 3:1,1 5:1 5:15,15 <b>p.m.</b> 214:11 <b>p.o.</b> 2:19 <b>pack</b> 24:25 <b>page</b> 4:2,9 5:25 9:18 9:18 30:10 33:10 34:22 49:4,4 55:24 64:9 74:16 76:1 83:23 85:7,9,9 87:8 87:9 88:6,12 90:4 94:19,20,21 99:9 103:2,5 131:24,25 132:4,6,12,20 133:20 142:24 143:1 144:6 145:9 146:16,16 150:23 150:24,25 151:1 154:4,4,13 157:1,5 158:23 159:19 160:13 170:23 181:18 189:8,22 200:10 203:9 205:16 <b>pages</b> 137:8,14 205:17</p>			

<p>53:1,3 56:4 58:25 59:10,14,18 60:1,14 60:21 63:21,25 64:1 69:17,20 70:16 71:8 71:12 80:1,4,7 84:23 85:14 86:17 91:8 94:9 95:12,18 96:21 118:3 119:5 129:16,20,25 130:5 130:10,14,18,24,25 131:1,4,6 145:3 153:7,9 158:2 184:7 184:9,13 187:20,25 188:9 189:16 193:5 198:7,15 200:3</p> <p><b>policy</b> 4:11 8:3 13:20 15:5 29:1,2,4 29:10 31:3,9,17 32:2,11,19,23,25 33:3,6,23 34:9,15 35:23 38:6,7,10 39:25 40:21 41:2,4 43:2,4 48:4,7,10,25 49:16 51:2 52:8,13 53:7,11,11,19 54:17 54:21 55:14 57:19 60:5,25 61:3,11,16 61:24 62:12,14,19 63:6,10,20 64:5 67:1,1,6,7,15,21,24 68:3,11,15,19,23 70:13,21 77:23 85:18 86:20,23 91:1 92:19 96:23,24 104:14,19 105:3 106:9,12 107:4 125:11,19,22,25,25 126:14 127:9 128:20 129:4 138:17 141:10 153:2,8,23 154:9 156:9 167:12 172:17 182:14,16 182:18,24 183:1,9 183:11,15,17 184:4</p>	<p>184:10,15,16,18 185:8,10,13,16,17 186:2,6 187:12,13 192:18 193:12 194:3 197:25 198:2 198:12 199:5,20 200:4 203:8 211:25</p> <p><b>populated</b> 127:11 127:13 128:4</p> <p><b>population</b> 175:11</p> <p><b>portions</b> 83:22 86:3</p> <p><b>pose</b> 100:10</p> <p><b>position</b> 10:16 14:22 18:19,23 29:7,12 198:24</p> <p><b>positions</b> 18:4,7,20 30:6</p> <p><b>positively</b> 151:2</p> <p><b>possibilities</b> 99:20 201:11</p> <p><b>possible</b> 78:2 115:16 117:23 127:21 148:17,22 159:6 164:20 166:8 202:3 206:22</p> <p><b>possibly</b> 181:3</p> <p><b>potentially</b> 149:3</p> <p><b>powers</b> 189:14</p> <p><b>practice</b> 40:10,11 41:1</p> <p><b>practices</b> 118:23</p> <p><b>pre</b> 25:19</p> <p><b>precedent</b> 15:17</p> <p><b>preclude</b> 101:1</p> <p><b>predates</b> 85:20</p> <p><b>predicate</b> 16:14 99:12</p> <p><b>predicated</b> 36:16 38:19</p> <p><b>preference</b> 189:14</p> <p><b>preparation</b> 13:25 14:8 97:21 142:11 167:6,9</p> <p><b>prepare</b> 7:4,5 13:23 14:13,17</p>	<p><b>prepared</b> 10:6</p> <p><b>present</b> 14:9 18:12 95:20</p> <p><b>press</b> 168:21 170:10</p> <p><b>prevent</b> 6:25</p> <p><b>previous</b> 150:25 154:4 167:20 180:15 188:19 193:21 209:8</p> <p><b>previously</b> 29:9 37:6 39:8 49:6 69:8 99:8 100:24 127:15 186:2,19 201:21</p> <p><b>price</b> 136:7 138:10 139:11,17,23 140:3 140:8,18 144:15,19 153:1,22 155:10 158:21</p> <p><b>primarily</b> 26:1</p> <p><b>primary</b> 20:21 30:5 195:19,21 196:16</p> <p><b>principal</b> 15:13 40:18 170:2 183:3 186:3</p> <p><b>principles</b> 56:2</p> <p><b>print</b> 117:9</p> <p><b>printed</b> 187:9,10</p> <p><b>printing</b> 128:15</p> <p><b>prior</b> 27:19,22 31:6 36:1,8 40:1,5,7,22 42:11 51:3,13 54:17 54:21 55:2 58:22 59:1,11,15,20 60:2 61:3,24 62:12,16 63:14 69:14 71:10 71:14,18,23 80:11 80:24 81:2 85:23 93:14 104:18 105:5 106:7,18 142:12 168:25 170:5 185:24 188:7 212:20</p> <p><b>priorities</b> 8:2 25:3 61:23 64:13 65:7 66:9,10 104:9</p>	<p><b>priority</b> 56:8</p> <p><b>probable</b> 87:15 88:22 89:1,9,12,25 106:10</p> <p><b>probably</b> 109:15 174:24 186:14</p> <p><b>problem</b> 13:12 189:25</p> <p><b>procedure</b> 33:16,18 41:3,4 97:6,10,23 98:1 141:15 142:8 144:22 145:10 147:19 163:16,21 183:12 193:17,20 194:4</p> <p><b>procedures</b> 4:20 8:5 15:9 18:2,2 20:12 29:16 34:1 37:4 42:8 43:20,21 47:10 56:22 61:12,15 63:11,21 64:1 69:20 70:16,21 94:9 95:12 97:14 114:16,20 118:4 138:20 141:24 145:4,7 153:5 154:24 167:1 167:3 185:15 193:2</p> <p><b>proceed</b> 25:3 160:1</p> <p><b>proceedings</b> 56:25 57:10,23 68:8 104:6 108:25 140:13 165:24 215:10</p> <p><b>process</b> 182:6,17,20 184:1,6</p> <p><b>processes</b> 185:15</p> <p><b>processing</b> 185:5 210:19</p> <p><b>produced</b> 7:15 8:8 8:12,13,15 69:8 77:4,7 79:11 187:5</p> <p><b>production</b> 43:19 45:22 199:25 200:2</p> <p><b>professional</b> 161:21 162:14</p>
--	--	--	---

<p><b>program</b> 20:22,25 21:4,7,10,16,19,24 22:1,4,7,12,17,18,22 23:13,16,23 24:3,6 25:15,18,22,23 26:1 26:6,9,16 27:16 28:10 122:3,4 147:9 <b>programmatic</b> 25:8 121:22,23 <b>programs</b> 20:19 23:24 24:2,8 26:22 26:25 27:3,18,21 121:9 141:7 <b>project</b> 117:12 <b>promoted</b> 29:7 <b>promulgated</b> 31:4 193:12 198:2 200:3 <b>properly</b> 67:3,8 <b>propriety</b> 174:5,16 178:20 <b>prosecution</b> 24:18 24:20 <b>prosecutorial</b> 8:2 56:9,12 104:11 105:15 <b>provide</b> 8:23 13:17 47:9 56:21 57:6,20 67:7,11 78:15 82:13 82:14 97:22 116:15 125:12,20 126:3,10 126:22 127:3,23 128:10 129:8,13,17 129:22 130:12 140:22 150:14 173:17 175:8,10 204:1 210:21 <b>provided</b> 7:8 84:6,8 93:13 100:1,9 102:16 125:9 136:15 138:20 139:3 142:10 144:16 156:6 177:11 <b>provides</b> 151:4</p>	<p><b>providing</b> 67:16 166:14 183:17 204:16 <b>provision</b> 160:19 <b>provisions</b> 86:5,16 <b>public</b> 1:20 5:6 28:1 28:3 99:11 100:10 172:23 173:4,8,11 173:16 174:1,17,22 175:18,19,21 176:1 176:7 181:5,9,15 205:2 208:22 215:3 215:19 <b>publicize</b> 168:18 <b>publicized</b> 141:5 161:11 170:10,13 170:16 <b>publicly</b> 7:20 68:25 79:12 <b>pull</b> 14:10,16 126:20 188:19 <b>pulling</b> 78:12 <b>pulls</b> 78:19 <b>purpose</b> 53:15 76:17 99:5,7 175:6,14,17 175:22 177:12,22 177:25 178:5 <b>purposes</b> 30:2 <b>pursuant</b> 107:7 116:17,20 117:1 157:19 200:19 202:11 <b>put</b> 59:18 95:15 128:18 157:15 186:22 214:9 <b>putting</b> 128:22</p> <p style="text-align: center;"><b>q</b></p> <p><b>qualify</b> 102:13 <b>quality</b> 152:3 <b>queried</b> 128:7 <b>question</b> 6:1,2,5,6,7 6:8,9,9,11,15,21 13:19 17:20 19:17 27:11 39:21 42:11</p>	<p>46:7 50:3,25 54:23 57:13,14 61:6 62:3 63:2 73:23 85:17 86:7 87:25 95:8,9 106:15 130:23 156:2 157:3,5 158:22,24 159:3,20 159:25 160:1,4 178:14 195:11 196:4 199:9 204:8 209:21 212:9 <b>questions</b> 5:25 10:15 14:7 46:11 119:23,25 131:5 150:1,2 151:3,17,17 154:5,8,10 159:18 160:5 182:15 188:22 202:21 205:4,24 210:20 211:12 214:4,6 <b>quickly</b> 141:16 <b>quotas</b> 118:5</p> <p style="text-align: center;"><b>r</b></p> <p><b>r</b> 2:1 3:1 5:1 <b>ragsdale</b> 11:6,7,22 <b>ragsdale's</b> 11:18 <b>raised</b> 206:6 <b>ranking</b> 11:9 <b>rare</b> 66:3 <b>reach</b> 73:9 118:5 173:16 207:18 208:23 209:5 <b>reached</b> 82:4 159:10 <b>reaching</b> 89:19 103:23 <b>read</b> 27:11,13 29:23 39:20,22 42:10,12 54:14,23,25 55:1 57:14,16 61:6,8 62:5,6 63:1,3 65:9 66:5 87:16,20 90:7 91:12,14,21,23 100:17,18 102:23 102:24 105:17,19</p>	<p>146:24 199:16 214:10 <b>reading</b> 87:24 88:9 88:10 147:22 <b>reads</b> 34:24 53:17 64:11 76:3 112:6 154:19 176:12 197:16 <b>ready</b> 9:16 32:14,15 52:2 79:15 93:9 96:8,9 110:12,13 111:11,12 142:3,4 <b>really</b> 13:14 35:11 75:20 84:12 98:3 124:2 169:22 <b>reason</b> 52:22 56:23 57:8,22 61:2,18 64:6,17 71:1,5 72:17 77:18 89:6,8 89:11,17 94:15 98:25 99:16,24 100:14 101:13,21 103:10,24 106:24 107:6 114:1,7,13,17 147:24 200:21 <b>reasonable</b> 103:17 <b>reasons</b> 99:21 161:15 <b>recall</b> 45:17 199:11 <b>receive</b> 24:24 39:6 41:11,21 42:3,16,20 44:21 45:1,5,12 47:13,17 68:23 72:8 73:10 120:13 121:5 122:8 123:4,7,12 124:9,12,14,17,20 140:25 150:13 158:6 162:24 178:11 179:22 181:5 192:15,17 204:9,18 213:17 <b>received</b> 46:5 84:20 138:6,9,17 144:11 146:12 152:18,22 153:3,10 157:23</p>
--	---	--	--



<p>176:2,6 191:16,19  <b>receives</b> 13:8 74:10  137:14 138:15  145:4 152:11 163:5  163:7,11 181:8,9  193:18  <b>receiving</b> 74:7 93:15  151:12 157:10  158:15 204:23  <b>recess</b> 50:23 115:1  132:17 159:14  194:10 202:22  <b>recognize</b> 32:16  52:4 79:16 84:2  93:12 96:10 110:14  111:13 142:5  <b>recollection</b> 120:5  125:16  <b>recommending</b> 91:9  <b>record</b> 5:13 9:5 10:8  27:13 39:22 41:24  42:6,12 43:18 45:21  51:13 54:25 57:16  61:8 62:6 63:3  65:10,12 69:2,5,6  78:25 79:2 91:14,23  100:18 105:19  114:24 115:2  119:24 132:14  159:12,16 170:22  172:12 174:4,15  178:19 194:8 214:7  214:10 215:10  <b>recorded</b> 140:16  149:11,16 172:18  184:5,7 197:24  198:11,16 215:9  <b>records</b> 172:15  <b>redirect</b> 212:24  <b>refer</b> 23:9 30:3  37:13 66:8,12 76:22  83:21 84:14 87:3  88:19 94:16 97:2  99:8 122:25 125:15  125:24 135:15</p>	<p>144:2 151:5 155:1  155:11 156:24,25  169:24 191:6  197:14 202:25  <b>reference</b> 29:23  37:10 65:8 68:17  86:5 138:19 167:20  189:11  <b>referenced</b> 201:21  203:19  <b>references</b> 85:23  189:9  <b>referencing</b> 88:15  102:25 130:24  166:10  <b>referral</b> 148:13  <b>referred</b> 19:3 22:9  84:18 93:23 141:14  152:19 157:24  158:16 201:17  208:8  <b>referring</b> 58:11  74:18 76:23 80:15  80:22 84:15 87:7,11  88:17 95:5,8 97:3  98:22 102:21 103:4  103:6 105:22  113:15 119:11  123:1 125:14 129:7  131:4,5 135:16  154:8 172:8 173:19  184:1 188:5,8 196:7  196:22 203:9  <b>refers</b> 53:24 95:3  <b>reflect</b> 186:18  <b>refresh</b> 125:16  <b>regard</b> 166:18  <b>regarding</b> 36:25  37:8 41:11 47:14  51:1 52:9 53:10  58:1,6 59:10,14  63:11 67:24 71:8,12  77:10 78:21 95:18  96:21 97:7 112:24  115:7 119:5,25</p>	<p>120:1,9 121:5 122:9  122:12,15,20 123:5  123:8,12,18,22  124:8,20 125:10  129:21 130:6,11,15  130:19 138:14  158:24 160:16  162:24 163:18  164:1 165:16  166:12,24 177:18  193:5 199:7,19  200:2 213:17  <b>regardless</b> 24:4  <b>regards</b> 47:12  <b>region</b> 30:25 47:19  162:3  <b>regions</b> 12:11  <b>regular</b> 172:6  <b>regulation</b> 108:7,11  <b>regulations</b> 17:18  <b>reissue</b> 211:22  <b>relate</b> 55:16,18  <b>related</b> 8:4 13:15  15:20 31:3,23 36:12  45:19,25 48:1 96:24  98:8 118:15,19  124:8,14 125:5  166:6 169:21  215:13  <b>relates</b> 16:23 201:22  <b>relating</b> 7:8 85:11  107:23 123:21  177:15  <b>relations</b> 173:13  174:9 181:12 205:3  209:1  <b>releases</b> 168:21  170:10  <b>relevant</b> 42:9  <b>remain</b> 74:5  <b>remainder</b> 54:17  <b>remaining</b> 53:20  54:7  <b>remains</b> 86:9</p>	<p><b>remember</b> 171:15  199:10,15 203:14  205:23 206:9  <b>removability</b> 16:14  37:19 38:18,22  41:12,16,20 49:21  49:25 50:9 89:21  102:13 103:12  120:2,10,14,16,18  121:6 122:12,17  123:19,21,23  124:15  <b>removable</b> 16:7  38:25 39:2,5,8,15  48:23 49:10,17 50:6  50:16 51:3,4,6,7,11  51:14 64:7 71:2,6  82:11 106:11,25  107:6 114:2,8,14  197:7,21 200:22  202:6  <b>removal</b> 11:17  12:13 13:9 25:10  56:24,24 57:9,10,23  57:23 58:19 61:3,19  63:14,23 64:3,18  66:16,23 68:8 77:20  91:19,19 101:14  104:6 108:25 112:7  <b>remove</b> 25:9 51:8  <b>render</b> 38:25 39:7  50:15 51:11,13  200:21  <b>renders</b> 39:2,5,15  <b>reoccurring</b> 42:24  <b>repeat</b> 6:8,9 27:10  39:19 57:13 60:18  61:5 100:16 148:20  176:4  <b>rephrase</b> 6:6,10  19:18 20:1 31:8  60:20 63:17 87:25  102:5 120:23  155:22 176:5</p>
---	--	---	--

<b>replace</b> 55:10 211:22 <b>replaces</b> 53:17 54:4 <b>report</b> 11:1,3,5,7 12:5 14:4 117:23 121:20 161:23 170:11 177:14 <b>reported</b> 170:3 <b>reporter</b> 6:4,8 27:13 39:22 42:12 54:25 57:16 61:8 62:6 63:3 91:14,23 100:18 105:19 <b>reporting</b> 79:9 193:25 <b>reports</b> 11:25 12:1 12:21,25 13:3 194:4 208:4 <b>repository</b> 78:11 155:2 172:15 178:22 <b>represent</b> 5:11 131:18 194:15 <b>representation</b> 187:9 <b>request</b> 8:13 43:19 43:21,23 45:22 46:2 68:22 108:7,16,21 109:18,18,25 110:1 125:12,20 126:2 129:9,22 130:12 183:7,8 192:6 197:16 199:25 200:6 203:5 204:1 <b>requested</b> 108:3 <b>requesting</b> 126:10 <b>requests</b> 14:7 116:10,18,23 204:17 <b>require</b> 14:8 56:13 60:6,14,21 90:1 91:1 118:5 125:17 140:21 151:20 171:9 177:5,9	<b>required</b> 40:6 61:25 62:2,11,15 69:16 71:17,22 77:7 81:1 82:23 88:25 90:9 92:20 101:19,21 113:5,9 114:16 117:9 125:20 128:11 156:21 157:4,7,21 158:17 184:10,21 186:14 193:6 197:8,22 201:14 203:3,8 213:5 <b>requirement</b> 39:25 40:9 72:7 106:25 107:2 109:25 114:1 129:12 158:11 178:25 190:15 191:18,21 192:2,20 197:24 213:24 <b>requirements</b> 42:23 43:1,6,8,15 60:6 63:11 193:8 198:10 198:15 <b>requires</b> 15:11 141:10 154:10 201:19,25 <b>requiring</b> 40:21 59:19 60:1 106:12 153:2,9,23 172:17 <b>reread</b> 195:4 <b>rescinded</b> 35:2 <b>residency</b> 48:19 109:8 <b>resident</b> 37:18 38:17 38:19 39:8 48:6,12 48:24 58:12 109:12 138:1 200:22 <b>residents</b> 48:4,9 51:1 109:3,6 123:5 123:8,13,16,18,24 124:21 137:22 <b>resides</b> 121:22 <b>residing</b> 16:17	<b>resolve</b> 138:22 163:25 <b>resource</b> 35:20 <b>resources</b> 104:12 <b>respective</b> 76:7 <b>respond</b> 116:4,5 193:13 <b>responding</b> 163:17 163:21 <b>responds</b> 151:2 <b>response</b> 91:22 105:18 132:8,12 133:4,17 135:5,17 137:5 170:23 172:9 178:4 180:15 205:19,24 206:24 212:9 <b>responses</b> 131:19 205:18 <b>responsibilities</b> 13:5 13:22 14:3,20,21 <b>responsibility</b> 115:12 161:21 162:14 171:22 179:8,11 187:13 <b>responsible</b> 13:6,15 19:15 20:3,13 26:2 28:25 29:15 182:23 183:5 190:18 <b>result</b> 28:6 49:20,24 209:17 <b>results</b> 76:9 77:14 209:12 <b>retainer</b> 193:7 <b>retrievable</b> 117:5 <b>retrieval</b> 128:9 <b>retrieve</b> 115:22 <b>return</b> 140:5 165:15 191:9 <b>returned</b> 191:2,4 <b>review</b> 9:15,20 14:18 32:13 52:1 69:13,18 73:7 74:4 76:2,14,18,25 77:5 77:8,11,15,17 79:15	83:20,23,25 85:25 86:25 90:1 91:15 93:8 96:7 105:16 106:6 110:11 111:10 118:24 131:22 136:13 142:1 150:11 167:8 171:16 174:8,18 198:18 201:14,20 <b>reviewed</b> 7:7,13,15 7:18,19 9:25 88:3 88:16 103:22 105:8 142:12 153:3,10 201:1 <b>reviewing</b> 22:10 106:1 147:16 <b>revised</b> 56:5 74:18 74:23,24 75:5,8 96:18,22 <b>revision</b> 74:19 97:8 105:9 106:7 112:2 113:14 168:11,25 182:13 <b>revisions</b> 182:16,18 182:21 198:22 <b>right</b> 98:6 128:14 131:1 171:10 202:20 206:15 <b>rights</b> 160:17 161:2 161:7 166:11 176:14,16 177:4,21 179:24 209:4 <b>risk</b> 59:20 60:2 100:10 <b>river</b> 12:17 <b>robbins</b> 11:2,3,12 11:22 <b>rogers</b> 12:23 <b>rogers's</b> 13:5 <b>role</b> 20:15 25:6,8,15 <b>rolled</b> 188:3,10 <b>rollout</b> 187:19,24 188:6 <b>rollouts</b> 188:6,13
--	--	--	---

<b>rule</b> 10:2 <b>rules</b> 5:24 <b>rulings</b> 15:17  <b>s</b>  <b>s</b> 2:1,1 3:1,1 4:1,8 5:1 <b>sac</b> 19:7,11 <b>safety</b> 99:11 100:10 <b>sake</b> 28:8 125:23 189:23 <b>san</b> 17:5 <b>satisfies</b> 58:19 <b>saw</b> 100:6 <b>says</b> 33:10,11 37:16 49:7 54:6 55:25 56:6,12 88:20 90:4 92:7 94:23 98:7 101:12 129:8 133:21 143:1 144:6 145:11,24 146:15 146:19 151:2 159:20 171:20 200:13 203:5 <b>schedule</b> 45:20 121:8 <b>scheduling</b> 13:24 <b>scope</b> 44:24 184:18 <b>script</b> 144:6,8 156:24,25 157:2,5,8 158:23,24 159:18 213:6 <b>scripts</b> 59:4 <b>sddo</b> 107:17 <b>seal</b> 215:15 <b>search</b> 83:18 <b>searchable</b> 128:5 <b>second</b> 34:21 65:11 69:3 74:23 79:1 81:6 87:8 94:20,22 114:25 132:15 143:20 145:10 149:23 160:13 189:8 194:17	<b>secondary</b> 61:21 62:1,11 192:16 201:14 <b>section</b> 34:23,24 37:14,15,22 38:1,9 46:16 49:5 54:20 55:1,9,11,13,16 56:5,11 74:17,18,24 85:6 90:21 91:17,25 108:3,8,12 144:1 145:8 146:17,19 150:24 154:19 159:19 176:12 189:5,7,11,13 194:16,16,18,21,23 195:7,17,19,21,25 196:11,16,17,18,19 200:10,12 201:7 202:7,10 203:10,13 203:17,22 <b>sections</b> 53:17,20 54:4,7,15,16 131:21 142:2 195:24 <b>secure</b> 20:23 21:3,6 21:9,12,15,18,20 22:2,15 25:22 26:14 <b>security</b> 3:3 19:12 20:4,6,9,14 65:23 98:8 122:1 143:22 169:18 176:15 179:9 201:22,24 202:2 <b>security's</b> 179:24 180:3 209:4 <b>see</b> 33:12 35:3 37:11 37:20 53:22 64:20 64:22 69:9 75:2 81:12 85:11,19 86:25 87:11 88:22 90:24 98:11 99:2 108:4,17 128:1 133:24 134:16 144:9 145:16 146:4 150:5 151:7 154:6 154:17 155:16	160:19 171:3 176:21 197:18 200:12,15 203:10 <b>seek</b> 49:8 <b>seeking</b> 42:1 <b>seeks</b> 28:3 87:19 89:3,14 195:1,11 <b>seen</b> 21:1 163:20 198:20 <b>seizure</b> 83:19 <b>send</b> 148:13 172:4 205:5 207:19 <b>sends</b> 208:3 <b>senior</b> 12:3,20,21 14:9 18:16 <b>sense</b> 17:13 41:20 135:17 <b>sent</b> 190:16 208:25 <b>sentence</b> 25:20 34:24 35:3 37:20 49:7 53:16,17,22,24 55:24 74:23 75:2 81:8 87:16,21 88:19 88:23 90:3,18 112:15 145:11,23 146:19,23 149:24 150:5 151:1 155:11 200:12 <b>separate</b> 21:1,2,16 21:22 23:12 46:16 46:21 66:11 122:13 122:19 149:22 173:10 <b>separately</b> 85:2 <b>series</b> 66:6 <b>serious</b> 38:21 <b>seriously</b> 151:19 <b>serve</b> 43:21 192:6 <b>served</b> 67:3,8 90:23 91:2,10 92:2,5,9 130:2,16 158:12 201:18 204:23 213:10,21,25 <b>service</b> 94:25 145:24	<b>services</b> 145:15,20 <b>serving</b> 25:19 <b>set</b> 56:2 85:22 131:19 166:5 205:19 215:6 <b>setting</b> 28:1 <b>seven</b> 9:9 146:2,8,13 <b>shakes</b> 6:4 <b>short</b> 186:21 <b>show</b> 90:6,10,14 <b>sign</b> 214:10 <b>signature</b> 13:25 132:6 214:13 <b>signed</b> 191:1,3,6,7 191:10 192:15,17 192:22 <b>silvis</b> 2:23 4:5 8:14 9:10 17:19 19:23 26:3 27:5,8 29:20 34:12,17 35:8,16 38:3 39:16 41:23 42:22 43:3,11,16,23 44:4,10,22 45:7 46:1,10 48:13 50:7 50:18 54:11 55:6 57:1,11 59:21 60:9 61:4 62:7,23 63:15 65:5 69:2,7,22 75:13 81:20 82:17 85:16 86:18 87:18 89:2,13 91:5 92:10 92:16,23 94:12 99:18 101:9 102:2 102:15 103:19 104:23 105:11 106:3,14 107:21 109:13,22 113:3 120:3 126:16 128:23 129:3 132:14 138:25 144:25 146:9 147:12 148:2,7 152:13 156:1,12,18 188:25 191:11 192:8 194:25
--	---	--	--

<p>195:10 196:3,14 197:11 199:8 200:5 202:24 204:7 205:14 206:21 207:5,20 208:6,12 208:20 209:11,22 210:7 211:6 212:8 212:23 214:5,9 <b>similar</b> 167:12 <b>similarly</b> 1:8 <b>simplify</b> 46:12 <b>simply</b> 17:4 28:2 186:25 <b>single</b> 35:21 83:23 <b>sir</b> 6:13 10:1,5 11:24 34:2,8 36:5 41:13 52:18 54:9 58:13 66:1,7 68:14 76:24 93:25 96:17 97:5 99:4 107:18 108:5 108:18 111:21,25 112:10 115:17 116:21 117:22 119:20 123:3 124:16,19,23 126:7 129:11 133:18 134:6 135:18 136:9 139:12,24 150:19 163:9,12 165:21 167:7 168:14 174:14 176:10 179:10 197:3 200:16 202:13 205:12 <b>site</b> 136:15 <b>sits</b> 12:19 <b>situated</b> 1:8 <b>situation</b> 36:20 190:14 <b>six</b> 9:9 76:2,8,14,17 76:25 77:8,11,15,17 132:9,12 154:6 205:20 206:24 <b>solely</b> 67:25 136:2 175:14 177:22,25</p>	<p>178:4 <b>somebody</b> 202:2 <b>soon</b> 6:2 162:18 <b>sorry</b> 13:8 27:10 55:23 71:3 87:23 95:8 100:16 113:15 120:23 122:6 155:21 159:2 170:22 199:12 <b>source</b> 194:23 195:8 195:15,25 196:11 196:12 197:1 <b>sources</b> 116:24 179:5 <b>south</b> 2:10 <b>southern</b> 204:14 <b>spanish</b> 139:8 164:24 <b>speak</b> 35:21 46:15 47:20 73:25 75:18 75:20 84:12 99:19 124:2 137:1 139:7 139:13,19 145:12 145:19 146:6 153:18,24 164:24 165:2,5 167:5 169:22 180:8 201:10 <b>speaking</b> 19:11 30:12 66:25 106:17 109:4 175:10 199:4 <b>speaks</b> 55:7,8 57:2 57:12 59:22 60:10 62:24 <b>special</b> 12:3 13:1,2 18:15,16,16 19:7,7 76:5 79:20 93:16,18 93:24 94:1 161:23 164:8,10,14 <b>specialist</b> 143:2,4,6 <b>specialists</b> 143:16 149:25 150:10 <b>specific</b> 9:2,19 14:14 24:6 39:11 42:2 45:16 48:18 68:16</p>	<p>72:19 83:21 85:6 118:14 131:20 135:6 151:22 169:6 171:14 174:2 182:15 213:16 <b>specifically</b> 41:25 87:1,4 99:1 134:8 135:3 151:9 166:6 170:8,14 171:20 172:8 175:22 185:14 194:20 <b>specified</b> 99:2 <b>specify</b> 100:22 101:16 <b>speculate</b> 109:14 <b>speculation</b> 107:3 <b>spelled</b> 5:15 <b>spelling</b> 5:13 <b>spent</b> 14:19 <b>spoke</b> 73:4 <b>spot</b> 159:11 <b>staff</b> 16:22 <b>staffed</b> 136:10 139:4 139:7,13,19 164:6 164:24 165:2,5 <b>staffing</b> 164:9 <b>stage</b> 147:18 <b>stamped</b> 32:10 51:20 83:17 87:9 93:6 96:5 110:9 111:6 141:21 142:25 <b>standard</b> 4:20 8:5 15:9 77:20 97:22 138:19 139:1 141:15,23 142:8 144:22 145:9 147:19 163:16,21 193:17,20 <b>standardized</b> 14:17 <b>standards</b> 118:15 119:9 <b>standing</b> 46:11 119:23</p>	<p><b>stands</b> 116:1 121:24 <b>start</b> 5:12 10:14 18:8,10 42:20 72:1 73:12,22 74:7,12 85:9 124:11 135:3 <b>started</b> 18:11,13,25 <b>starts</b> 72:11 81:8 90:18 130:8 131:25 132:12 143:21 154:15 194:16 <b>state</b> 5:18 9:4 16:5 16:10,16,18,20 39:11 42:6 51:24 64:15 91:11 92:1 116:11,15 121:11 155:13 <b>stated</b> 127:15 203:18 <b>statement</b> 81:14 <b>states</b> 1:1 2:16 17:6 17:8 64:18 74:1,24 75:12 77:20 79:10 82:12 83:8 87:14 89:22 92:4 101:15 101:20 108:6,15 112:8 114:3 126:22 146:18,21 147:2,4,9 149:25 151:18 159:1,4,21 194:1 204:14 210:12,13 210:16 211:1 212:3 212:19 <b>stating</b> 5:13 <b>station</b> 2:20 <b>statistical</b> 78:12,18 115:20 128:8 138:12 174:12,13 <b>statistically</b> 128:13 <b>statistics</b> 35:11 78:11 115:7,8,11,14 115:18 116:2 117:2 117:14,16,20 127:20 138:11,13 174:7,9,10,18 178:24,25 213:16</p>
---	--	---	--

<p><b>status</b> 48:19 108:24 109:8 134:16 138:23 <b>statute</b> 40:13 <b>statutes</b> 7:11,19,19 16:11 39:9 201:20 <b>statutory</b> 188:21 <b>staying</b> 70:10 <b>stenographically</b> 215:9 <b>step</b> 82:14,14,19,19 <b>steps</b> 211:9 <b>steven</b> 3:8 <b>stick</b> 98:5 <b>stipulate</b> 9:7 <b>stipulated</b> 10:7 <b>stopping</b> 50:22 <b>strait</b> 181:11 <b>strawn</b> 1:19 2:3 <b>strayed</b> 49:2 <b>street</b> 1:19 2:10 3:5 <b>strike</b> 17:20 20:2 22:17 46:6 <b>structure</b> 21:23 44:5 <b>structured</b> 16:9 <b>stu</b> 78:18 <b>sub</b> 20:19 98:21,24 101:22,24,25 102:8 102:13 103:6,11,18 117:7,10,14,17 186:21 187:6 <b>subcategories</b> 103:18 <b>subgroup</b> 41:18 <b>subject</b> 36:13 37:1 51:22 56:24 57:9,22 58:22 59:1,6,7,19 60:2,6,15,21 61:2 61:19,21 63:13,22 64:3,7,18 65:21 66:22 67:4,9 68:6 71:1,5,15,19,24 72:3,8,13,16,21 73:7,11 74:10 77:19 79:8 81:4 82:8 83:4</p>	<p>91:3,10 92:2,9,15 92:21 101:4,14 104:7 108:25 112:7 114:13 125:9,13,21 126:3,11,15,22 127:3 129:8,13,22 130:1,6,15,19 131:12 137:14 140:23,25 141:25 154:20 156:10 158:18,25 159:7 166:24 169:1 182:9 192:3 193:14 197:5 207:13 209:25 213:9,22,25 <b>subject's</b> 102:12 108:17,22 109:19 110:2 197:17 203:6 <b>subjects</b> 141:11 155:19,24 <b>submitted</b> 73:7 181:16 <b>subordinates</b> 119:2 <b>subparagraph</b> 195:4 196:5,8 <b>subparagraphs</b> 202:7 <b>subpoenas</b> 93:7 <b>subsection</b> 64:10 76:2 87:14 88:21 159:20 <b>subsequent</b> 122:22 123:12,14,17 124:25 <b>substance</b> 86:16 112:19 <b>substantiate</b> 120:15 212:14 <b>substantiated</b> 155:12 <b>substantiating</b> 49:20 <b>substantive</b> 113:19 113:22</p>	<p><b>sufficiency</b> 106:2 <b>sufficient</b> 51:8 152:7 157:15 <b>suggest</b> 55:20 80:16 104:12 156:3 <b>suggesting</b> 85:17 <b>suggests</b> 82:11 <b>suite</b> 2:10 <b>summaries</b> 14:13 <b>supersede</b> 86:23 87:6 203:17,22 <b>superseded</b> 32:1 33:11 34:3 38:6,7 38:10 80:8 203:13 <b>supersedes</b> 54:20 55:13 87:5 <b>superseding</b> 55:20 79:9 87:1 193:25 <b>supervisor</b> 11:2 25:1 28:10 107:10 107:15 119:1,1,18 <b>supervisory</b> 30:6 69:13,18 107:16 <b>supplementary</b> 184:22 <b>supplements</b> 53:20 54:7,10 <b>support</b> 8:6 16:22 23:5,8 33:15 90:20 121:25 133:22 134:1,9,11,12 135:10,13 141:23 142:9,16 146:25 147:6 153:6 207:12 207:14 <b>supported</b> 87:15 88:22 89:1 <b>supports</b> 148:5 <b>supposed</b> 129:4 150:12,14 190:22 190:25 <b>sure</b> 20:11 29:5,8 30:14 43:4,17 58:16 97:23 121:21 148:15 164:7 172:1</p>	<p>181:8 196:18 <b>surrender</b> 25:11 <b>susan</b> 29:11 <b>suspected</b> 65:20 <b>suspects</b> 134:15 <b>suspicion</b> 103:17 <b>switch</b> 200:4 <b>sworn</b> 5:5 215:7 <b>syllabi</b> 45:24 <b>syllabus</b> 45:19 <b>syntax</b> 112:14 <b>system</b> 56:2 78:13 104:4 115:19 117:9 118:18 127:11,11 128:19,22 149:22 155:2 175:9 <b>systematic</b> 172:15 <b>systems</b> 51:24 64:16 154:21,23 155:6 185:6 186:11,13 187:24</p>
			<b>t</b>
			<p><b>t</b> 1:17 4:1,3,8 5:3,15 132:1,3 <b>tactics</b> 45:2 <b>take</b> 6:4,18,20 9:15 15:4 17:23 32:12 37:16 38:15 50:20 51:25 69:18 79:14 80:10 81:2 83:19 87:2 93:8 96:6 111:9 122:16 132:11 138:22 141:25 156:7 163:24 164:8,11,20 165:10 185:8 212:17 <b>taken</b> 98:8 151:18 186:25 188:7 211:8 <b>takes</b> 122:19 125:1,5 202:1 <b>talk</b> 7:3 10:13 19:13 30:11 48:2 115:6 118:2 125:8 133:19</p>

160:9 182:13 189:16 <b>talked</b> 9:6 119:21 160:11 <b>talking</b> 14:19 86:12 116:16 130:25 203:21 <b>talks</b> 158:5 <b>target</b> 24:25 25:2 <b>tasked</b> 115:22 <b>technician</b> 145:19 146:7 151:12 152:2 152:11,23 153:3 157:4 159:25 160:5 <b>technicians</b> 33:20 136:16,19,21 143:8 143:10,13 146:25 151:24 <b>technology</b> 127:16 <b>telephone</b> 133:12 170:25 172:11 176:18 177:25 178:15 209:16 <b>telephonic</b> 141:24 <b>telephonically</b> 191:17,19,22 <b>tell</b> 6:6,7,16 <b>template</b> 186:8 <b>ten</b> 159:13 <b>term</b> 104:24 189:21 199:14 212:10 <b>terms</b> 13:19 22:13 46:17 96:25 105:14 117:11,13 153:7 154:24 169:20 <b>terrorism</b> 100:3 <b>terrorist</b> 65:20 <b>testified</b> 5:6 72:11 151:23 203:12 213:8 <b>testimony</b> 7:1 8:23 38:9 206:11,17 209:8 <b>text</b> 88:17	<b>thank</b> 56:18 86:14 115:5 119:13 131:8 187:11 <b>theirs</b> 116:14 <b>theoretical</b> 106:15 107:3 <b>theoretically</b> 106:16 <b>thereon</b> 56:17 <b>thing</b> 6:19 131:22 159:17 <b>things</b> 17:12 22:15 46:12 101:2 103:25 <b>think</b> 14:1 20:25 63:19 66:10 82:19 89:17 90:1 139:1 141:3,8 159:10 161:11 168:22 183:14 184:17 196:16 201:20 207:13 <b>third</b> 170:20,23 <b>thought</b> 133:13 189:22,23 <b>threats</b> 99:11 <b>three</b> 7:9 66:22 121:21,23 174:24 178:7,21 179:6,14 179:18 188:1 <b>thursday</b> 1:14 <b>tied</b> 103:2 <b>tim</b> 11:2 <b>time</b> 6:18 9:20 14:19 18:25,25 28:24 34:9 34:10,24 36:1 72:6 73:23 83:24,25 89:19 95:16 101:3 105:13,16,21,22 109:11 111:9 112:22 122:16,20 124:15,18,21 126:13 128:15 135:7 143:12 147:15 153:25 156:5 161:22 166:15 175:1 185:8	186:21,25 187:14 187:17 200:4,24 210:18 215:6 <b>timeline</b> 139:2 <b>timely</b> 55:21 <b>times</b> 15:11 116:9 174:22 <b>timothy</b> 162:13 <b>title</b> 4:21 10:16 11:12,15,18,20 12:25 56:16 83:18 85:22 107:12,24 121:19 168:24 169:23 196:18 <b>titled</b> 32:11 85:14 93:7 96:4 131:25 146:17 <b>titles</b> 10:19 <b>today</b> 7:1,4,23,25 8:12,22 10:4 84:13 86:9 88:25 95:17 104:20 142:13 147:23 <b>today's</b> 7:5 167:6,9 <b>todd</b> 5:14,15 <b>told</b> 127:18 199:13 <b>tom</b> 11:4 <b>top</b> 33:10 87:10 94:21 95:5 98:6,21 102:7 112:5,5,12,16 112:19,23 113:12 113:20 114:21 133:20 143:1 151:1 154:15 171:15 <b>topic</b> 41:25 42:9 <b>topics</b> 9:2,8 10:3,6 10:10 125:3,4 <b>total</b> 78:3 <b>totality</b> 164:9 <b>track</b> 70:11 127:22 128:12 213:20 <b>tracking</b> 78:18 115:20 138:12 174:12,13	<b>trail</b> 25:19 <b>trained</b> 40:12 154:25 185:3,3 <b>training</b> 39:6 41:11 41:14,22 42:1,2,3,7 42:17,20,23 43:1,6 43:8,14,20,25 44:3 44:9,14,17,20 45:1 45:2,5,12,14,17,18 45:19,23,25 46:5,6 46:9,11,15,17,18,18 46:22,25 47:1,2,5,8 47:9,12,15,19,25 84:17,19,21 96:22 96:24 119:21,23 120:1,1,4,8,12,17,24 121:2,5,8,15,19 122:2,6,7,9,11,14,16 122:19 123:5,7,9,10 123:11,12,21,22,25 124:6,8,8,12,21,24 125:1,4 180:5 184:22,23,24 185:1 198:4,5,6,8,13,16,18 198:19,21,24 199:4 199:7,19 200:2 <b>trainings</b> 122:22 <b>transcript</b> 58:16 189:23 215:10 <b>translator</b> 146:14 <b>transmit</b> 191:1 <b>transmittal</b> 190:9 199:11 <b>transmitted</b> 190:11 199:23 <b>transparent</b> 168:23 183:15 <b>treat</b> 105:4 169:21 <b>treated</b> 21:2 <b>tribal</b> 51:24 64:15 <b>triggered</b> 36:4 <b>triggering</b> 36:8 <b>true</b> 32:22 52:10 54:3 79:23 110:23 111:22 147:18
--	--	---	---

<p>207:24 211:21 215:10 <b>try</b> 168:18 <b>trying</b> 16:13 199:10 206:22 <b>tune</b> 15:9 17:13 <b>turn</b> 141:15 205:16 <b>twelfth</b> 3:5 <b>twelve</b> 9:9 <b>two</b> 12:1,4,17 14:3 64:18,22,23 65:1 75:25 98:2 161:9 185:23,24 186:3,11 201:20 202:7 <b>type</b> 73:1 94:24 143:6 <b>types</b> 116:23 <b>typically</b> 24:9,22 27:4 35:13 92:13 163:24 204:5</p>	<p><b>undergone</b> 198:22 <b>underneath</b> 98:6 <b>understand</b> 6:5,12 6:23 8:22,25 19:17 30:11 58:12,15 81:14 98:22 131:3 135:18 145:13 189:18,25 <b>understanding</b> 89:8 89:10 130:24 131:7 132:23 136:12 142:17 152:14,20 166:21 177:19 212:10 <b>understood</b> 119:24 <b>unfolds</b> 100:8 <b>unforeseen</b> 100:6 <b>uniform</b> 31:5,9 53:7 70:13 <b>uniformly</b> 34:15 56:2 <b>unique</b> 16:3 17:12 17:25 <b>uniqueness</b> 15:5,19 15:20 16:1 <b>unit</b> 16:22 47:1,2,6 47:8,9 78:18 115:21 122:7 138:12 174:12,13 <b>united</b> 1:1 2:16 64:18 74:1 75:12 77:20 79:10 82:12 83:8 89:22 101:15 112:8 114:3 146:17 146:21 147:2,4,9 151:18 159:1,4,21 194:1 210:12,13,16 211:1 212:2,19 <b>unwritten</b> 31:19 184:13 <b>updated</b> 186:17 <b>updates</b> 47:14,17 <b>upper</b> 14:14 <b>ups</b> 213:2</p>	<p><b>urls</b> 141:8 <b>usc</b> 81:11 194:16,18 194:20,23 195:7,17 195:25 196:11 <b>uscis</b> 145:14,20,24 <b>use</b> 13:9 16:13 51:23 56:1 58:10 75:17 94:10 104:15,17 116:2 126:13 173:4 186:12,15 189:18 211:14 213:5 <b>user</b> 46:20 <b>usually</b> 39:9 109:5 116:14,25,25 183:9 191:17 <b>utilization</b> 96:25 <b>utilize</b> 97:1 <b>utilized</b> 201:10</p>	<p><b>verified</b> 132:8 206:2 <b>vermont</b> 134:10 136:8 <b>version</b> 76:23 90:11 90:13 96:15 105:5 108:10 <b>versus</b> 120:6 <b>vet</b> 134:15 <b>vetted</b> 25:1 <b>vetting</b> 13:7 <b>viable</b> 25:2 151:4,10 151:13,16,22 <b>victim</b> 133:23 134:23 137:19 <b>vii</b> 85:7,9,11,14 86:2 86:24 87:8,9 88:6 88:12 90:4 <b>violate</b> 196:21</p>
<p style="text-align: center;"><b>u</b></p>		<p style="text-align: center;"><b>v</b></p>	
<p><b>u</b> 2:1 3:1 <b>u.s.</b> 3:3,4 58:3 62:16 62:21 63:8 67:22,25 68:4,12,16,20,24 73:5,19 79:22 80:19 81:4,10,18 82:4,8,9 82:16,24 83:4 98:7 122:9,15,21 124:18 133:23 134:24 137:18 151:5,11,14 152:8 154:20 155:19,25 156:11 156:17,23 159:7 166:24 193:14 207:13 211:3 212:12 <b>ultimately</b> 29:15,17 <b>unable</b> 145:13,19 <b>unaware</b> 196:25 <b>uncertain</b> 185:14 <b>unchecked</b> 127:13 128:11</p>	<p>56:2 <b>unique</b> 16:3 17:12 17:25 <b>uniqueness</b> 15:5,19 15:20 16:1 <b>unit</b> 16:22 47:1,2,6 47:8,9 78:18 115:21 122:7 138:12 174:12,13 <b>united</b> 1:1 2:16 64:18 74:1 75:12 77:20 79:10 82:12 83:8 89:22 101:15 112:8 114:3 146:17 146:21 147:2,4,9 151:18 159:1,4,21 194:1 210:12,13,16 211:1 212:2,19 <b>unwritten</b> 31:19 184:13 <b>updated</b> 186:17 <b>updates</b> 47:14,17 <b>upper</b> 14:14 <b>ups</b> 213:2</p>	<p><b>v</b> 1:10 <b>vague</b> 35:17 69:23 82:18 104:25 199:9 212:7 <b>vahab</b> 2:25 <b>valid</b> 101:7 102:9 <b>validate</b> 151:6 <b>validity</b> 73:23 154:22 205:22 206:5,13,25 <b>varies</b> 16:16 <b>variety</b> 68:10 161:15 <b>various</b> 7:8 8:19 15:20,21 30:12,23 204:18 205:21 206:5,13,23 207:7 <b>vary</b> 70:9 119:1 121:13 124:3 184:17 186:14 <b>verbally</b> 6:3 <b>verbatim</b> 85:5 <b>verbiage</b> 91:16 <b>verification</b> 131:25</p>	<p><b>violated</b> 160:18 161:3,7 201:24 <b>violates</b> 176:13 <b>violation</b> 16:15 202:2 <b>violations</b> 16:10 107:23 166:9,11 195:9,17 196:2,13 <b>virginia</b> 5:19 <b>voicemail</b> 144:8,11 144:16 <b>volume</b> 204:22</p>
			<p style="text-align: center;"><b>w</b></p>
			<p><b>wacker</b> 2:4 <b>wait</b> 105:25 191:1 <b>waived</b> 214:13 <b>want</b> 6:19 10:13 18:8 33:9 34:23 41:23 48:2 50:18 58:15 69:7 74:22 87:2 102:23 115:14 116:8,10 118:2 119:22,25 133:19 158:22 160:9 180:14 189:16 205:15 211:11</p>

<p><b>wanted</b> 14:2,21 50:25 95:2 159:16 178:14 203:1,24 <b>warrant</b> 60:8,17,23 65:21 71:10,18 90:20,21,22 91:1,9 91:18,18,19 92:1,5 92:8,14,21 106:13 107:1,8,10,11,14 <b>warrantless</b> 106:16 107:20 194:24 195:8,16 196:1,12 196:22 197:1 <b>warrants</b> 93:8 <b>washington</b> 1:15,19 2:21 3:6 11:23 162:5 <b>way</b> 6:15 14:17 16:8 128:12 137:13 146:12 170:12,16 183:8,16 186:4 205:9 213:20 215:14 <b>ways</b> 39:13 <b>we've</b> 49:2 95:16 127:15 134:20 147:22 159:10 182:14 189:21 <b>web</b> 78:13 171:2 176:17 186:22,24 <b>website</b> 45:15 79:13 141:7,8 168:21 170:10 171:2,12,16 171:17,24 172:3,25 177:4,20 <b>week</b> 163:5 <b>weeks</b> 44:6 <b>weigh</b> 73:8 <b>welcome</b> 56:19 115:4 <b>went</b> 78:5 84:11,19 198:19 <b>west</b> 2:4 12:7,10,15 <b>widely</b> 121:13 161:11 170:9</p>	<p><b>wilkerson</b> 1:20 215:3,18 <b>william</b> 2:23 <b>window</b> 28:2,3 <b>winston</b> 1:19 2:3 <b>wit</b> 215:2 <b>withdraw</b> 35:6,14 35:25 <b>withdrawn</b> 35:2 <b>witness</b> 4:2 9:1 27:14 39:23 42:13 55:1 57:17 61:9 63:4 91:15 100:19 134:23 214:10 215:5,15 <b>woman</b> 29:6 <b>word</b> 151:22 <b>wording</b> 112:16 <b>words</b> 151:10 158:4 <b>work</b> 10:21 17:7 18:11 24:24 26:14 118:24 121:8,9 135:9,12,19,23 136:1,2 143:9 162:8 164:18 <b>working</b> 24:15 27:24 28:1 33:20 200:1 206:7,12,19 206:20 <b>workings</b> 169:19 <b>worksheets</b> 45:24 57:25 58:5,17 59:5 <b>world</b> 100:3 <b>write</b> 151:21 <b>writing</b> 133:7,9 190:6,7 <b>written</b> 31:12,22 40:20 43:9,21 46:1 70:20 72:19,25 73:3 124:7 127:9 184:5,8 184:11 193:20 197:24 198:3,8 200:6 <b>wrongdoing</b> 168:20</p>	<b>x</b>
		<b>x</b> 1:4,13 4:1,1,8,8
		<b>y</b>
		<b>year</b> 46:19,19 163:11 175:4
		<b>z</b>
<b>zoom</b> 25:5		