

The Honorable Robert J. Bryan

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

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UGOCHUKWU GOODLUCK  
NWAUZOR, FERNANDO AGUIRRE-  
URBINA, individually and on behalf of all  
those similarly situated,

Plaintiffs,

v.

THE GEO GROUP, INC., a Florida  
corporation,

Defendant.

No. 17-cv-05769-RJB

DEPOSITION DESIGNATIONS  
OF BRUCE A. SCOTT, JR.

Plaintiffs' hereby present (1) Plaintiffs' designations of the Deposition of Bruce A. Scott, Jr., and (2) Defendant's counter-designations and objections. The designated pages are attached, with Plaintiffs' designations highlighted in yellow and Defendant's counter-designations highlighted in green.

DATED this 24th day of April, 2020.

SCHROETER GOLDMARK & BENDER

*s/ Jamal N. Whitehead*

Adam J. Berger, WSBA #20714  
Lindsay L. Halm, WSBA #37141  
Jamal N. Whitehead, WSBA #39818

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

810 Third Avenue, Suite 500  
Seattle, WA 98104  
Tel: (206) 622-8000 ~ Fax: (206) 682-2305  
berger@sgb-law.com  
halm@sgb-law.com  
whitehead@sgb-law.com

THE LAW OFFICE OF R. ANDREW FREE  
Andrew Free (*Pro Hac Vice*)  
P.O. Box 90568  
Nashville, TN 37209  
Tel: (844) 321-3221 ~ Fax: (615) 829-8959  
andrew@immigrantcivilrights.com

OPEN SKY LAW, PLLC  
Devin T. Theriot-Orr, WSBA # 33995  
20415 – 72nd Avenue S, Suite 110  
Kent, WA 98032  
Tel: (206) 962-5052  
devin@opensky.law

MENTER IMMIGRATION LAW, PLLC  
Meena Menter, WSBA #31870  
8201 164<sup>th</sup> Ave NE, Suite 200  
Redmond, WA 98052  
Tel: (206) 419-7332  
meena@meenamenter.com

*Class Counsel*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 24, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Devin T. Theriot-Orr  
OPEN SKY LAW, PLLC  
20415 – 72<sup>nd</sup> Avenue South, Suite 110  
Kent, WA 98032  
devin@opensky.law  
*Attorney for Plaintiff*

R. Andrew Free  
THE LAW OFFICE OF R. ANDREW FREE  
PO Box 90568  
Nashville, TN 37209  
andrew@immigrantcivilrights.com  
*Attorney for Plaintiff*

Meena Menter  
MENTER IMMIGRATION LAW PLLC  
8201 – 164<sup>th</sup> Avenue NE, Suite 200  
Redmond, WA 98052  
meena@meenamenter.com  
*Attorney for Plaintiff*

Joan K. Mell  
III BRANCHES LAW, PLLC  
1019 Regents Boulevard, Suite 204  
Fircrest, WA 98466  
joan@3brancheslaw.com  
*Attorney for Defendant*

Colin L. Barnacle  
Ashley E. Calhoun  
Christopher J. Eby  
Adrienne Scheffey  
AKERMAN LLP  
1900 Sixteenth Street, Suite 1700  
Denver, CO 80202  
colin.barnacle@akerman.com  
ashley.calhoun@akerman.com  
christopher.eby@akerman.com  
adrienne.scheffey@akerman.com  
*Attorneys for Defendant*

DATED at Seattle, Washington this 24<sup>th</sup> day of April, 2020.

*s/ Virginia Mendoza*  
\_\_\_\_\_  
VIRGINIA MENDOZA, Legal Assistant  
Schroeter Goldmark & Bender  
810 Third Avenue, Suite 500  
Seattle, WA 98104  
Tel: (206) 622-8000  
mendoza@sgb-law.com

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

-----

UGOCHUKWU GOODLUCK NWAUZOR, )  
 FERNANDO AGUIRRE-URBINA, )  
 individually and on behalf of all )  
 those similarly situated, )  
 Plaintiffs, )  
 vs. ) No. 17-cv-05769-RJB  
 THE GEO GROUP, INC., a Florida )  
 corporation, )  
 Defendant. )

-----

Videotaped  
Deposition Upon Oral Examination of  
BRUCE A. SCOTT JR.

-----

9:39 a.m.  
Monday, December 9, 2019  
1019 Regents Blvd., Suite 204  
Fircrest, Washington

REPORTED BY: Keri A. Aspelund, RPR, CCR No. 2661

1 APPEARANCES:

2 For the Plaintiff: JAMAL N. WHITEHEAD, ESQ.  
3 Schroeter Goldmark & Bender  
4 810 Third Avenue, Suite 500  
5 Seattle, WA 98104  
6 206-622-8000  
7 whitehead@sgb-law.com

8 For the Defendant: JOAN K. MELL, ESQ.  
9 III Branches Law  
10 1019 Regents Blvd., Suite 204  
11 Fircrest, WA 98466  
12 253-566-2510  
13 joan@3brancheslaw.com

14 Also Present: LINDSAY, HITCHCOCK, VIDEOGRAPHER  
15  
16 MARSHA CHIEN, ESQ.  
17 Assistant Attorney General  
18 800 Fifth Avenue, Suite 2000  
19 Seattle, WA 98104  
20 marshac@atg.wa.gov  
21 206-287-4182

22  
23  
24  
25

## 1 E X H I B I T S

2	No.	Description	Page/Line
3	345	Bruce A. Scott information document	13 8
4	346	September 8-10, 2014, Welcome Book ACA	38 12
5		Re-Accreditation Audit - GEO-Nwauzor	
6		022874-022940	
7	347	Commission on Accreditation for	46 13
8		Corrections Standards Compliance	
9		Reaccreditations Audit, September 8-10,	
10		2014 - GEO-Nwauzor 028201-028239	
11	348	September 25-27, 2017, Welcome Book ACA	50 13
12		Audit - GEO-Nwauzor 044051-044127	
13	349	Commission on Accreditation for	51 12
14		Corrections Standards Compliance	
15		Reaccreditations Audit, September 25-27,	
16		2017 - GEO-Nwauzor 026329-026373	
17	350	Letter dated January 20, 2017, from	54 12
18		Bruce A. Scott Jr. to American	
19		Correctional Association - GEO-Nwauzor	
20		096706-096719	
21	351	Email exchange, the first of which is	56 3
22		dated February 13, 2013 - GEO-Nwauzor	
23		003715-003721	

24

25

Continued ...

1 352 Policy and Procedure Manual, Chapter: 71 2  
 2 Detainee Rules and Discipline, Title:  
 3 Infractions and Disciplinary Sanctions -  
 4 GEO-Nwauzor 060333-060351  
 5

E X A M I N A T I O N

7 BY Page/Line  
 8 MR. WHITEHEAD 6 4  
 9

10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

(Note: \* Denotes phonetic spelling.)

1 Fircrest, Washington; Monday, December 9, 2019

2 9:39 a.m.

3 -----

4 THE VIDEOGRAPHER: We are going on the record at  
5 9:39 a.m. on December 9th, 2019.

6 This is media unit one, volume one, of the video  
7 deposition of Bruce Scott taken by the plaintiff, case  
8 number 17-cv-05769-RJB in the matter of Nwauzor vs. The GEO  
9 Group, filed in the U.S. District Court, Western District  
10 of Washington, at Tacoma.

11 This deposition is taking place at 1019 Regents  
12 Boulevard, Suite 204, in Fircrest Washington.

13 The videographer is Lindsay Hitchcock for  
14 Seattle Deposition Reporters, 600 University Street,  
15 Seattle, Washington 98101. The court reporter is Keri  
16 Aspelund for Seattle Deposition Reporters.

17 Counsel, at this time please identify yourselves  
18 for the record, and the witness may be sworn in.

19 MR. WHITEHEAD: Good morning. Jamal Whitehead  
20 on behalf of Mr. Nwauzor and the certified class.

21 MS. MELL: Joan Mell on behalf of GEO, and the  
22 witness is Bruce Scott.

23

24

25



1

2 BRUCE A. SCOTT JR.: Witness herein, having been

3 duly sworn, testified as follows:

4

E-X-A-M-I-N-A-T-I-O-N

5

BY MR. WHITEHEAD:

6

Q. Mr. Scott, we met a moment ago off the record.

7

I'll introduce myself for benefit of the record. I'm Jamal

8

Whitehead, I represent Mr. Nwauzor and Mr. Aguirre-Urbina

9

in their class action lawsuit against The GEO Group.

10

Sir, could you state and spell your name for the

11

record, please.

12

A. Bruce A. Scott Jr., B-R-U-C-E, A., Scott,

13

S-C-O-T-T, J-R.

14

Q. And the A, what does that stand for?

15

A. Arnold, A-R-N-O-L-D.

16

Q. And your date of birth, Mr. Scott?

17

A. [REDACTED] 1971.

18

Q. What's your current address?

19

MS. MELL: You don't have to give your personal

20

address.

21

I'll accept.

22

Q. Okay. With that understanding, that Counsel

23

accepts service on your behalf, who is your current

24

employer?

25

A. The GEO Group.

1 Q. And your current job title?

2 A. Assistant facility administrator.

3 Q. Mr. Scott, have you ever given testimony under  
4 oath before?

5 A. Yes.

6 Q. In what context?

7 A. Under deposition, similar to this.

8 Q. What was the nature of the lawsuit?

9 A. The State's wage an hour lawsuit against GEO.

10 Q. Anything else?

11 A. There's been others. I can't specifically  
12 remember all the others at this time.

13 Q. Can you give me an overview of the subject  
14 matter of those other depositions?

15 A. There was some depositions for detainee Chavez  
16 Flores, and the rest escape me for right now.

17 Q. And the one involving Mr. Chavez Flores, what  
18 was that about?

19 A. That was Mr. Chavez Flores had claimed that he  
20 was hit by an officer during a use of force, which did not  
21 occur.

22 Q. And what was your role in that incident?

23 A. I was not actively involved in the incident. I  
24 was the assistant. I was the chief of security at the  
25 time.

1 Q. All right, and other than what you've just told  
2 me, do you have any other memories of deposition testimony  
3 that you've given?

4 A. No.

5 Q. Well, I know you've gone over the rules with  
6 your attorney. I stress three things at the outset. I'm  
7 sure your attorney has probably told you what I stress at  
8 the outset, but the first thing that I want you to remember  
9 is that this is not a practice. What you say now is just  
10 as important as if the judge and the jury were here to make  
11 a decision today.

12 Do you understand that?

13 MS. MELL: Object to the form.

14 A. Yes.

15 Q. And that with the help of the written transcript  
16 and the video, they will assess your cooperation and your  
17 credibility.

18 Do you understand that?

19 A. Yes.

20 Q. The second thing that I want to stress is that I  
21 am not a mind reader. If there is something that prevents  
22 you from giving full and accurate testimony, will you let  
23 me know?

24 A. Yes.

25 Q. And that goes for if you don't understand a

1 question I ask. If I ask a question, and it doesn't make  
2 sense to you, will you let me know that?

3 A. Yes.

4 Q. And the final thing that I'd like to stress is  
5 that I'm looking for your full cooperation today. I'd like  
6 your -- your full, most accurate, most truthful testimony  
7 that you can give.

8 Do you understand that?

9 A. Yes.

10 Q. We've got a full day ahead of us, and I'm going  
11 to do my best to work efficiently, and to that end, I will  
12 ask many yes or no questions. If I ask you a yes or no  
13 question, will you give me a yes or no answer?

14 MS. MELL: Object to the form.

15 A. I'll do my best. If I don't understand the  
16 question, I will ask you to restate.

17 Q. And you're represented by counsel today?

18 A. Yes.

19 Q. Did you have any role in selecting your  
20 attorney?

21 A. No.

22 Q. Are you paying your attorney?

23 A. I personally am not paying her.

24 Q. Are you being paid today?

25 In terms of your -- I don't know if you're

1       salaried or hourly, but are you on the clock, so to speak?

2             A.    I am salary.

3             Q.    So in that way, are you being paid today?

4             MS. MELL:  Object to the form.

5             A.    Yes.

6             Q.    What did you do to prepare for your deposition  
7       today?

8             A.    Oh, no big preparation for the deposition.

9             Q.    Well, without revealing any conversations that  
10       you may have had with your attorney, did you speak with  
11       anyone to prepare for today?

12            A.    No.

13            Q.    Did you speak to the warden, for example?

14            A.    No.

15            Q.    Did you review any documents to prepare for your  
16       testimony today?

17            A.    No.

18            Q.    Did you speak with any ICE personnel?

19            A.    No.

20            Q.    ICE employees?

21            A.    No.

22            Q.    ICE attorneys?

23            A.    No.

24            Q.    Can you give me a high level overview of your  
25       educational background, please.

1           A.    I have a Bachelor's in Science from Southern  
2   Illinois University, I have an Associate's Degree in Fire  
3   Science from the Community College of the Air Force, and I  
4   also have an Associate's Degree in Human Resources from the  
5   Community College of the Air Force.

6           Q.    What did you do before GEO?

7           A.    I was a United States Air Force member.

8           Q.    For how long?

9           A.    Twenty years.

10          Q.    And the highest rank achieved?

11          A.    Master sergeant.

12          Q.    And the status of your -- your discharge?

13          A.    Honorable.

14          Q.    Why come to work for GEO?

15          A.    GEO had a fire safety manager position open that  
16   best suited me at the time, and they saw -- they liked what  
17   I had in my qualifications, so they hired me.

18          Q.    How did you learn about the opening?

19          A.    It was CareerBuilder.com.

20          Q.    And the fact that it would be you working in a  
21   detention center, what were your thoughts on that?

22          A.    Interesting but nothing I had done before.

23          Q.    Who does GEO house?

24                MS. MELL: Object to the form of the question.

25          A.    GEO houses individuals sent to us by

1 Immigrations and Customs Enforcement.

2 Q. And to your knowledge, is this part of criminal  
3 punishment?

4 MS. MELL: Object to the form of the question.

5 A. I have no knowledge of that.

6 Q. Well, what is your understanding of the -- the  
7 status of the people that are housed at the Northwest  
8 Detention Center?

9 MS. MELL: Object to the form of the question.

10 A. I don't get involved in any of the status. If  
11 ICE gives us an individual and the proper documentation in  
12 accordance with the contract and the standards, we house  
13 that individual.

14 Q. So I just want to make sure I understand your  
15 testimony. You have no knowledge of whether or not people  
16 that are being housed at the Northwest Detention Center are  
17 there as part of criminal confinement?

18 MS. MELL: Object to the form of the question.

19 A. I have no idea or information about that.

20 Q. What is LinkedIn?

21 A. LinkedIn? LinkedIn is a online business type of  
22 social media web site.

23 Q. And do you have a LinkedIn plat -- profile?

24 A. I do.

25 Q. Did you create it yourself?

1 A. Yes.

2 Q. Does anyone else have access to your LinkedIn  
3 profile?

4 A. No.

5 Q. And the information on your profile, is it  
6 accurate and truthful?

7 A. Yes.

8 (Exhibit-345 marked.)

9 THE COURT REPORTER: This is Exhibit-345.

10 Q. Mr. Scott, you've just been handed Exhibit-345.  
11 Is this your LinkedIn profile?

12 MS. MELL: Object to the form of the question.

13 A. Well, I don't see any web addresses or other key  
14 indicators that -- that show it's printed from my LinkedIn  
15 profile.

16 Q. Well, take a moment to review the document, and  
17 then my question to you will be, is this a fair and  
18 accurate representation of your LinkedIn profile?

19 A. The information looks correct.

20 Q. In that way, are you agreeing with me that this  
21 appears to be a fair and accurate representation of your  
22 LinkedIn profile?

23 MS. MELL: Object to the form of the question.

24 A. Yes.

25 Q. I want to take a look at the position heading



1 there Regional Director, Contract Compliance.

2 Do you see that?

3 A. Yes.

4 Q. And according to your profile, this was the  
5 position that you held from February 2016 to June 2016.

6 Did I get that right?

7 A. Yes.

8 Q. If you look at the description that you have  
9 there, it begins, "Directed auditing, contract compliance."

10 What are you referring to there when you write  
11 "contract compliance"?

12 A. Contract compliance is -- is reviewing  
13 information of internal audits with GEO on many -- at the  
14 regional level at many different contracts that GEO holds.

15 Q. How many contracts are we talking about?

16 A. I have no idea how many contracts that there  
17 are.

18 Q. Well, during your time as the regional director,  
19 contract compliance, how many contracts did you direct the  
20 auditing and contract compliance of?

21 MS. MELL: Object to the form of the question.

22 A. I don't know specifically how many contracts.  
23 There are multiple different types of contracts in the  
24 Western Region.

25 Q. Well, let's talk about at the Northwest

1 Detention Center. I mean, certainly we're talking about  
2 the ICE contract; right?

3 A. The Northwest ICE Processing Center has an ICE  
4 contract, yes.

5 Q. Okay. All right, so there's the ICE contract;  
6 what else?

7 A. What else as far as contracts?

8 Q. Yes.

9 A. I'm not understanding your question.

10 Q. Sure.

11 I'm trying to get a sense of what you did as  
12 regional director, contract compliance.

13 Are you with me so far on that?

14 A. Yes.

15 Q. Okay. So I'm just trying to get a sense of  
16 which contracts it was that you directed the auditing of.

17 MS. MELL: Object to the form of the question.

18 A. Well, I'm still confused.

19 At the Northwest ICE Processing Center, there is  
20 an ICE contract --

21 Q. Okay.

22 A. -- and that is one of them, yes.

23 Q. All right, well can you give me a list of your  
24 responsibilities as it relates -- related to the ICE  
25 contract.

Bruce Scott, Jr.

GEO Objections Foundation, FRE  
402, 701, 802.

December 9, 2019

Page 16

1 A. As the regional director?

2 Q. Yes, please.

3 A. As the regional director, if the government sent  
4 in any communications related to questions on the contract,  
5 whether we were meeting the intent of the contract, those  
6 type of communications would go through me.

7 Q. Anything else?

8 A. We would -- I would oversee the internal  
9 auditing for The GEO Group say at the Northwest ICE  
10 Processing Center.

11 Q. Anything else?

12 A. Related to contract compliance, that's -- that's  
13 really about it.

14 Q. All right, so taking that first one, you said  
15 government communications, and you said that was handling  
16 communications from the government about whether or not GEO  
17 was meeting the intent of the contract.

18 Did I get that right?

19 A. Yes.

20 Q. Now, was that just one way, meaning that you  
21 were receiving communications from ICE?

22 MS. MELL: Object to the form of the question.

23 A. We -- not directly. I would get sometimes  
24 communications from the facility administrators, from their  
25 facilities that their -- their clients had sent to them.

1 Q. Would you ever contact ICE on your own accord  
2 about contract compliance issues?

3 A. No.

4 Q. All right, so this was always ICE contacting you  
5 to make sure that GEO was in compliance?

6 MS. MELL: Object to the form.

7 A. ICE never contacted me directly. I would get  
8 communications through the facility administrators.

9 Q. And who are the facility administrators?

10 A. There are lots of facilities. For example,  
11 Stephen Langford is the facility administrator at the  
12 Northwest ICE Processing Center.

13 Q. And I hear you saying the Northwest ICE  
14 Processing Center; is that the term that you're using?

15 A. Yes.

16 Q. Okay. And that refers to what was previously  
17 known as the Northwest Detention Center?

18 A. Previously known as Northwest Detention Center.

19 Q. When was the name change made?

20 A. Name change was made, I don't remember the exact  
21 date, but sometime late last year --

22 Q. Do you know what prompted the change?

23 A. -- or this year. This is December.

24 I don't know what prompted the change.

25 Q. And tell me, how do you know that the name

1 changed?

2 A. We received notice from the -- corporate through  
3 our region of the name change and to start putting that on  
4 all our documentation.

5 Q. All right, so that was my next question.

6 So that -- the name, has the signage changed at  
7 the facility?

8 A. Yes.

9 Q. And you said your corporate documents make  
10 reference to the new name as well?

11 A. Yes.

12 Q. All right, so if I slip up and say the Northwest  
13 Detention Center at some point today, like I know I will,  
14 will you understand me to be referring to the Northwest ICE  
15 Processing Center?

16 A. Yes.

17 Q. All right, so I want to go back to that list  
18 then.

19 You said that Stephen Langford is -- I don't  
20 know if is or was the facility administrator at the  
21 Northwest Detention Center; what is his title?

22 A. Facility administrator.

23 Q. And is that a position that was previously  
24 called warden?

25 A. Yes.

GEO Objections Foundation, FRE  
402, 701, 802.

Bruce Scott, Jr.

December 9, 2019

Page 19

1 Q. So in the -- your role as regional director,  
2 contract compliance, it was the facility administrator that  
3 would have the direct communications with ICE?

4 A. Yes.

5 Q. I want to know specifically about your  
6 involvement or work with ICE.

7 Did you have any direct work with ICE as the  
8 regional director, contract compliance?

9 A. No.

10 Q. And then you talked about internal auditing at  
11 Northwest Detention Center; what -- can you give me a list  
12 of what you did with respect to internal auditing at the  
13 Northwest Detention Center?

14 A. Now, we're still talking about as the regional  
15 director?

16 Q. Yes.

17 A. Well, during the time I was the regional  
18 director, the only thing I would have done with the  
19 Northwest ICE Processing Center was do the annual schedule,  
20 because we did not have an internal audit during my time  
21 as -- as the regional director.

22 Q. When you say annual schedule, what do you mean?

23 A. So part of the regional director's  
24 responsibility was to ensure that the annual scheduled  
25 audits for all facilities within the Western Region was

1 scheduled so the facility administrators knew about what  
2 time their annual audit would occur.

3 Q. And was there a document or directive you  
4 received mandating internal audits?

5 A. There's a GEO policy on -- on auditing.

6 Q. Do you know the policy number for that?

7 A. I do not recall the policy number off the top of  
8 my head.

9 Q. All right. Looking at your LinkedIn profile,  
10 Exhibit-345, there's a statement there about ACA  
11 accreditation.

12 What is that?

13 A. ACA is the -- excuse me, American Correctional  
14 Association.

15 Q. And tell me what you did with respect to  
16 securing or maintaining ACA accreditation as the regional  
17 director, contract compliance?

18 A. That was -- ACA operates audits on a three-year  
19 cycle for those that have existing ACA contracts. If it's  
20 a new facility seeking ACA accreditation, it's a one-year  
21 audit. So as a -- as a director, I would ensure just the  
22 annual schedule of those facilities that were due an audit  
23 that year by ACA, it was on a schedule, and work with the  
24 contract -- the compliance administrators at those  
25 facilities to ensure that they are ready for those audits.

1 Q. And then I see a statement PREA, P-R-E-A; what  
2 is that?

3 A. PREA is the Prison Rape Elimination Act.

4 Q. And your role as far as PREA goes during that  
5 time when you were regional director, contract compliance?

6 A. PREA also has an auditing cycle, and just  
7 ensuring that the audits that were due for the -- those  
8 years for any particular facility that had an audit in that  
9 cycle knew about their upcoming audits, and again, that the  
10 PREA compliance managers knew that and were preparing for  
11 their audits and their annual requirements under that  
12 standard.

13 Q. And then \*SAPPI, I don't know if I'm saying that  
14 correctly, S-A-P-P-I; what is that?

15 A. \*SAPPI is Department of Homeland Security  
16 equivalent to PREA. It is the Sexual Assault and Abuse  
17 Prevention Intervention standard.

18 Q. Now, looking at your LinkedIn profile,  
19 Exhibit-345, I see also in your list of experience,  
20 compliance administrator from April 2012 through April  
21 2017.

22 Do you see that?

23 A. Yes.

24 Q. And I take it this was compliance administrator  
25 at the Northwest Detention Center?



1 A. Yes.

2 Q. Can you give me a list of your role and your  
3 duties and responsibilities while you were compliance  
4 administrator.

5 A. While I was compliance administrator at the  
6 Northwest Detention Center at the time, I was responsible  
7 for policies and programs, the audit program, which  
8 included ACA, the American Correctional Association, any  
9 PREA or SAAPI-related audits and information, internal  
10 audits in prep for the corporate annual audit, and then  
11 other duties as designed by the facility administrator.

12 Q. Anything else?

13 A. No, that's a good overview. There's -- but  
14 that's the primary duties of a compliance administrator.

15 Q. So policies and programs and internal audits; is  
16 that right?

17 A. Yes, and working with the -- the third-party  
18 auditors when they came to the facility on the real audits,  
19 the actual certification audits.

20 Q. Now, in this role as compliance administrator,  
21 did you have to work with ICE to fulfill your job duties?

22 A. No.

23 Q. Did you interface with ICE directly at all in  
24 that role as compliance administrator?

25 A. No.

1                   Typically the facility administrators do the  
2                   direct interface -- interaction with -- with ICE.

3                   Q.     What about with regards to the Voluntary Work  
4                   Program, did you have any involvement, if any, as  
5                   compliance administrator with the Voluntary Work Program?

6                   A.     As compliance administrator, when it came to  
7                   policies and the ICE standards or the ACA standards, yes.

8                   Q.     So it's fair to say then that your involvement  
9                   came in making sure that standards were met?

10                  MS. MELL:   Object to the form of the question.

11                  A.     One of the primary duties is to ensure that we  
12                  best meet policy and standards through our actions, yes.

13                  Q.     So give me an example of how you would do that  
14                  with respect to the Voluntary Work Program.

15                  A.     So with the Voluntary Work Program, or the GEO  
16                  policies, the ICE standards themselves, or the ACA  
17                  standards, had a -- a bit of what ICE calls expected  
18                  outcomes, what they would like to see.  The compliance  
19                  administrator would just collect documentation to show that  
20                  we were in compliance with those expected practices, and  
21                  would engage with staff to make sure when -- they knew  
22                  which questions the auditors would ask or the documentation  
23                  the auditors would like to see when they came to the  
24                  facility, just making sure that everything was ready and  
25                  completed in accordance with the ICE standards.

1 Q. And chief of security, looking again at your  
2 LinkedIn profile, I see that you were chief of security  
3 from April 2017 to September 2018.

4 Did I get that right?

5 A. Yes.

6 Q. Now, moving from compliance administrator to  
7 chief of security, is that a promotion?

8 A. Yes.

9 Q. Can you give me a list of your duties and  
10 responsibilities as chief of security.

11 A. As chief of security, I was in charge of the  
12 entire security department under the, at the time,  
13 assistant warden of security. It involved all policies,  
14 procedures, post orders, and just running the security  
15 department from day to day.

16 Q. In this role, did you work directly with ICE?

17 A. No.

18 Q. What role, if any, did the chief of security  
19 play at administering the Voluntary Work Program?

20 A. As chief of security, I had the policies and the  
21 ICE standards that outline the Voluntary Work Program and  
22 those employees that worked under me that may interact with  
23 the Voluntary Work Program just to ensure policies and  
24 procedures were followed in accordance with the ICE  
25 contract and standards.

1 Q. And assistant warden, moving from chief of  
2 security to assistant warden, again, I take it that was a  
3 promotion?

4 A. Yes.

5 Q. And can you give me a list of your job duties  
6 and responsibilities as assistant warden?

7 A. The assistant warden of security at the time,  
8 which is now the assistant facility administrator, jobs  
9 was -- I had the chief of security now under me. So  
10 overall had more responsibility of the entire security  
11 department in accordance with the ICE standards and the ICE  
12 contract. And also the assistant facility administrator, I  
13 have food service, the religious department, maintenance  
14 departments, records department, classification department,  
15 GTI department, the recreation department. All those fall  
16 under the assistant facility administrator.

17 Q. And as the assistant facility administrator, you  
18 report directly to the facility administrator?

19 A. Yes.

20 Q. Who reports to you?

21 A. The department heads of all those  
22 previously-listed departments that I -- I listed.

23 Q. Do you conduct performance evaluations for the  
24 department heads?

25 A. Yes.

GEO Objections Foundation, FRE 402,  
701, 802.

Page 26

1 Q. Have you conducted a performance evaluation for  
2 Michael Heye?

3 A. Michael Heye in the classification department is  
4 under me. I think last year I had a lieutenant do his  
5 performance evaluation.

6 Q. Do you have any insights into Michael Heye's  
7 performance?

8 MS. MELL: Object to the form.

9 A. Yes.

10 Q. Can you tell me about his performance.

11 MS. MELL: Object to the form.

12 A. Michael Heye is one of my better staff members,  
13 very knowledgeable in the ICE contract and the ICE  
14 standards, and does a very good job managing all the  
15 programs, like the Voluntary Work Program or  
16 classification, in accordance with those ICE standards.

17 Q. And Ms. Singleton, do you know who she is?

18 A. Yes.

19 Q. I'm referring to Alisha Singleton.

20 Is it your understanding that Alisha Singleton  
21 and Michael Heye carry the same job title?

22 A. Yes, as a classification officer.

23 Q. And as the classifications officers, is it the  
24 case that they manage the Voluntary Work Program?

25 MS. MELL: Object to the form of the question.

1           A.    They have portions of the Voluntary Work Program  
2    which -- which they are responsible for.  I'd say nobody  
3    manages the entire Voluntary Work Program.  There's many  
4    standards in the ICE contract, and the ICE standards, and  
5    the Performance-Based National Detention Standards that  
6    must be accomplished within the Voluntary Work Program.

7           Q.    And do you draw a distinction between  
8    responsibilities for versus managing the Voluntary Work  
9    Program?

10          A.    I -- I do.  Many people manage it in accordance  
11   with what the client directs for the Voluntary Work  
12   Program.

13          Q.    The client being ICE?

14          A.    Yes.

15          Q.    On the GEO side of things, who carries primary  
16   responsibility for managing the Voluntary Work Program?

17                MS. MELL:  Object to the form of the question.

18          A.    I would say the primary facility administrator  
19   down through the assistant facility administrator and the  
20   department heads for those areas.

21          Q.    And do they share equally in this  
22   responsibility?

23                MS. MELL:  Object to the form of the question.

24          A.    I don't think they would share equally.

25   Everybody has certain parts of the Voluntary Work Program

1 that are required to be accomplished. There's several  
2 parts in the Performance-Based National Detention Standard,  
3 which several expected practices, I -- we operate in  
4 compliance with the ICE standards under the contract, which  
5 is monitored by ICE.

6 Q. And I -- I understand your testimony that ICE  
7 and the performance-based national detention center -- the  
8 Performance-Based National Detention Standards are  
9 overarching for the facility, but I'm just trying to get a  
10 sense of the day-to-day work, who carries the primary  
11 laboring order when it comes to the Voluntary Work Program  
12 on the GEO side of things?

13 MS. MELL: Object to the form of the question.

14 A. There's -- there's several applicable steps of  
15 the standard. I -- and we could put that on -- there's not  
16 one person that manages the entire program. It takes a  
17 collected effort of the team to complete the Voluntary Work  
18 Program and all the requirements of the ICE standard.

19 Q. Well, if you had a question say about a policy  
20 or standard about the Voluntary Work Program, who would you  
21 direct that question to?

22 A. Primarily the question would be directed to the  
23 compliance administrator, but there could be subset  
24 questions that I would ask Mr. Heye in -- in  
25 classifications.

1 Q. Such as?

2 A. Well, I can't think of a such as. There's --  
3 again, there's many different expectations and expected  
4 practices in that standard.

5 Q. Tell me about your job performance at the  
6 Northwest Detention Center; have you ever been disciplined  
7 or counseled on your job performance?

8 A. I received one I believe it was a counseling  
9 from the facility administrator for my job performance.

10 Q. And who was the facility administrator at the  
11 time?

12 A. Stephen Langford.

13 Q. Who is the current facility administrator?

14 A. Stephen Langford.

15 Q. And when did Mr. Langford step into that role?

16 A. Around July of last year, 2018.

17 Q. And the counseling that you received from Mr.  
18 Langford, what was it about?

19 A. It had to do with managing the lieutenants' and  
20 sergeants' labor control expectations.

21 Q. What do you mean when you say "labor control  
22 expectations"?

23 A. Maintaining the staffing roster to ensure that  
24 they -- they are effectively using overtime to fill needed  
25 positions under the ICE contract.



1 Q. Now, during your time as compliance  
2 administrator, were there any documents that you consulted  
3 regularly to do your job?

4 A. I regular would consult the Performance-Based  
5 National Detention Standards, the ACA manual, GEO policies,  
6 and the ICE contract.

7 Q. Anything else?

8 A. Those are my most go to documents.

9 Q. Were there any aspects of the Performance-Based  
10 National Detention Standard that you would reference more  
11 than others?

12 A. Well, whatever audit tool that we're working on  
13 at the time, or internal audit, or documentation, it really  
14 just depends on what you're working on. The -- the  
15 national performance-based detention standards are a large  
16 document with many different things inside of it.

17 Q. As the compliance administrator, was the idea  
18 that you were the person most knowledgeable about complying  
19 with the Performance-Based National Detention Standards?

20 A. As compliance administrator, my responsibilities  
21 were to do internal audits, and to be there for the  
22 external audits, whether it was GEO, ICE, or ACA, in  
23 accordance with those standards.

24 Q. In that way, did you view yourself as a subject  
25 matter expert?

1 MS. MELL: Object to the form of the question.

2 A. I think I would refer to myself as a subject  
3 matter expert when it comes to the standards.

4 Q. And as the compliance administrator, the idea  
5 was that you made sure that GEO complied with the  
6 Performance-Based National Detention Standards and other  
7 accreditation standards; correct?

8 MS. MELL: Object to the form of the question.

9 A. As the compliance administrator, I wouldn't say  
10 I made anybody comply with it. I would do audits  
11 internally and pass that information up to -- through the  
12 facility administrator to the region. We don't make  
13 anybody really do anything.

14 Q. Well, was it your job to ensure that people met  
15 the standards?

16 MS. MELL: Object to the form of the question.

17 A. My job was to accurately portray the facts that  
18 I found through the compliance program and send that  
19 information back to the department heads or who had those  
20 people in those departments.

21 Q. So to assess whether or not GEO was in  
22 compliance with the ICE contract or their Performance-Based  
23 National Detention Standard?

24 MS. MELL: Object to the form.

25 A. I would assess to our information. You make it

1 kind of sound like that I would assess for ICE. I -- no,  
2 we would just assess our position as compliance  
3 administrator what we felt we were at in the standards.  
4 The auditing bodies made the final assessment on whether  
5 they thought the standards were being met or not.

6 Q. I understand, but I mean, the title would  
7 suggest that your -- your role was assessing for GEO and  
8 then notifying perhaps whoever needed to be notified if  
9 there was an issue; is that a fair way of characterizing  
10 what you did?

11 MS. MELL: Object to the form of the question.

12 A. Again, we would do audits, and I would relay  
13 that information up through the policies and procedures to  
14 who needed to know about that, which typically the facility  
15 administrator, the regional director of contract  
16 compliance, internal audits to the department heads within  
17 those departments.

18 Q. Now, the Performance-Based National Detention  
19 Standards, the ICE contract, the ACA manual, the GEO  
20 policies that you mentioned, did those operate as the  
21 baseline for what GEO must do in terms of carrying out its  
22 operations?

23 MS. MELL: Object to the form of the question.

24 A. The standards and policies and procedures are  
25 there to give the guidelines that defines what the expected

1 practice is. We would do our jobs and duties, and we would  
2 be audited by ICE and other external agencies to figure out  
3 if they felt we were meeting those expected practices.

4 Q. Well, how the detainee workers carried out their  
5 jobs, that could affect whether or not GEO was found in  
6 compliance by whoever the auditing body is?

7 MS. MELL: Object to the form of the question.

8 A. I'm not understanding your question.

9 Can you restate that?

10 Q. Sure.

11 Let's take the Performance-Based National  
12 Detention Standards; could the workers and the way that --  
13 detainee workers -- well, let me try again.

14 Let's take the Performance-Based National  
15 Detention Standards; how the detainee workers perform their  
16 jobs, could that affect whether or not GEO was complying  
17 with the Performance-Based National Detention Standards?

18 MS. MELL: Object to the form of the question.

19 A. I don't -- I don't think so. I mean, there's  
20 many expected practices. I don't -- I don't recall that  
21 being one of the expected practices, but there's various  
22 things inside the standard for engaging in what you would  
23 do on the performance of the detainee worker. I don't  
24 necessarily equate that to failing a standard.

25 Q. Well, let's get more specific.

1                   Are you aware that there are standards for  
2 hygiene and sanitation in the kitchen?

3                   MS. MELL: Object to the form of the question.

4                   A. Yes.

5                   Q. And are there GEO policies about hygiene and  
6 sanitation in the kitchen?

7                   A. Yes.

8                   Q. Are there ACA standards about hygiene and  
9 sanitation in the kitchen?

10                  A. Yes.

11                  Q. Are there standards within the Performance-Based  
12 National Detention Standards about hygiene and sanitation  
13 in the kitchen?

14                  A. Yes.

15                  Q. So, in that way, could the detainee workers  
16 impact whether or not GEO was found to be in compliance  
17 with those standards?

18                  MS. MELL: Object to the form of the question.

19                  A. That's such a broad question to answer. Could  
20 we get into some specifics? I mean, lots of people are  
21 responsible for hygiene, not just detainees, but staff  
22 members as well in the kitchen. It's really too broad to  
23 answer.

24                  Q. Well, I'm trying to narrow it down. I mean,  
25 let's focus on the kitchen.

1                   If I understood you correctly, there are PBD --  
2                   PBNDS standards related to hygiene and sanitation in the  
3                   kitchen; correct?

4                   A.     Yes.

5                   Q.     You said there were ACA standards for hygiene  
6                   and sanitation in the kitchen; correct?

7                   A.     Yes.

8                   MS. MELL:   Object.

9                   THE WITNESS:  Oh, Sorry.

10                  MS. MELL:   Object.  These are all asked and  
11                  answered.  You can't go back and ask him all the same  
12                  things you just asked him.

13                  MR. WHITEHEAD:  I'm just asking the list to  
14                  orient him again.

15                  Q.     You said there were GEO policies --

16                  MS. MELL:   No, no, we're not going to waste time  
17                  doing this today.  Come on.  It's argumentative, it's asked  
18                  and answered.  I don't even know where you're going with  
19                  this, but you're wasting a lot of time.

20                  Q.     You said there are GEO policies in the kitchen  
21                  related to hygiene and sanitation; correct?

22                  MS. MELL:   Object to the form.

23                  A.     Yes.

24                  Q.     Now, you expect -- GEO expects its kitchen  
25                  personnel to make sure that detainee workers are meeting

1 those standards; correct?

2 A. Most of the standards that you're relating to  
3 are outside the Voluntary Work Program, so those -- those  
4 standards are -- are -- yes, there's hygiene and -- and  
5 sanitation standards that are not only in the Voluntary  
6 Work Program but outside the Voluntary Work Program as  
7 requirements of more than just detainees to do kitchen  
8 staff, clean in the kitchen as well, and that's why it's  
9 such a broad -- there's so many standards that we're --  
10 we're talking about within the PBNDS, I'm trying to -- I'm  
11 doing my best to answer you specifically.

12 Q. Well, if GEO allowed detainee workers to work in  
13 the kitchen with open sores on their hands, could that be  
14 the basis for finding that GEO was not in compliance with  
15 hygiene and sanitation standards?

16 MS. MELL: Object to the form.

17 A. Not necessarily. There is a -- a standard  
18 within the food service standard that we check detainees  
19 for open sores, wounds, colds, things like that. If the  
20 detainee needs to go to sick call before they start work,  
21 then we send them to sick call before they start work.  
22 Whether that violates an entire standard, that's -- no,  
23 there are just lots of portions to standards, there's lots  
24 of writing in that PBNDS. But we do check detainees for  
25 open sores and stuff before they start work.

1 Q. And you check them for open stores before they  
2 start work to make sure that you're in compliance with  
3 sanitation and hygiene standards; is that right?

4 A. Well, that part is -- there's food service  
5 standards outside of the PBNDS that -- that require that as  
6 well. There's many different things that require that, not  
7 just the Voluntary Work Program.

8 Q. Well, let's take a look at some of those  
9 standards.

10 You said that ACA refers to American corrections  
11 associations?

12 A. Yes.

13 Q. What does ACA do?

14 A. ACA is an external auditing body that audits on  
15 a set of standards that they adopt and ratify. And then  
16 agencies that want to be accredited with ACA seek  
17 accreditation through their rules, their standards, and  
18 apply for accreditation to which ACA sends out auditors.  
19 They gauge the -- the level of -- of compliance with their  
20 standards.

21 Q. What's your understanding of why GEO sought ACA  
22 accreditation?

23 A. It's a --

24 MS. MELL: Object to the form.

25 A. **It's required in the ICE contract to be ACA**



1 certified.

2 Q. And how often would the Northwest Detention  
3 Center undergo an ACA audit?

4 A. Now that we're existing contract with the ACA,  
5 it would be every three years.

6 Q. What is a -- a Welcome Book?

7 A. A Welcome Book is -- is kind of a -- a general  
8 information overview of the facility for different auditing  
9 bodies. Just kind of gives you a sense of what you're  
10 walking into, who the people are, and it's really just an  
11 overview.

12 (Exhibit-346 marked.)

13 THE COURT REPORTER: This is Exhibit-346.

14 THE WITNESS: Thank you.

15 Q. You've just been handed Exhibit-346, and the  
16 title of the document is Welcome Book ACA Re-Accreditation  
17 Audit.

18 Do you see that?

19 A. Yes.

20 Q. On the face of the document, it says it's dated  
21 September 8th through 10th, 2014.

22 Do you see that?

23 A. Yes.

24 Q. Sir, what are we looking at here at Exhibit-346?

25 A. We're looking at the Welcome Book for the ACA

1 reaccreditation audit.

2 Q. Did you have any role in putting this document  
3 together?

4 A. I believe I remember the role I would have is  
5 just overview. The administrative assistant at the time  
6 primarily put this together. I think my bio's in here. I  
7 probably would have given information for my -- my bio.

8 Q. Have you seen this document before?

9 A. Yes.

10 Q. And this Welcome Book, was it something that GEO  
11 put together as a matter of ordinary course before an  
12 audit?

13 A. Yes.

14 Q. And this particular Welcome Book, Exhibit-346,  
15 was it made at or near the time of the audit?

16 A. Since I did not create this in entirety, I don't  
17 know exactly when it was made. It's typically prepared and  
18 finalized very close to an audit.

19 Q. Do you have any reason to believe that this book  
20 and its creation deviated from that practice of making the  
21 Welcome Book at or near the time of the audit?

22 A. Give me some time to review.

23 I think it would have been prepared around the  
24 time of the audit.

25 Q. And this book is put together by GEO personnel

1 that is knowledgeable with GEO's operations; is that safe  
2 to assume?

3 MS. MELL: Object to the form of the question.

4 A. Yes.

5 Q. I want to take a look at what's marked as page 2  
6 of Exhibit-346, and I'm looking at the page numbers for the  
7 document, with the heading there is Introduction, and I'm  
8 looking specifically at the subheading Major Renovation.

9 Are you with me?

10 A. I see that spot on the page.

11 Q. That last sentence there of that paragraph  
12 reads, "Space was added to accommodate additional housing  
13 units and the third Courtroom, as well as an extended  
14 office space for the Administration areas for ICE and GEO."

15 Did I read that correctly?

16 A. Yes.

17 Q. Where are the ICE offices situated at the  
18 Northwest Detention Center?

19 A. The ICE offices are situated in the  
20 administrative building on the second floor.

21 Q. And how many offices does ICE have on the second  
22 floor of the administrative wing of the building?

23 A. It runs the entire length of the building. I --  
24 there's lots of offices up there. I don't know how many  
25 there are.

1 Q. Do you know how many ICE personnel are stationed  
2 in the office?

3 A. I know there's lots of people up there. I don't  
4 know the ICE staffing. I would ask ICE for that  
5 information.

6 Q. Well, can you name for me the ICE personnel that  
7 you typically see on the second floor of the administrative  
8 building?

9 MS. MELL: Object to the form of the question.

10 A. There's lots of ICE staff upstairs, sir.

11 Q. I'm trying to get a sense of how many, because  
12 lots doesn't really give me an answer on how many people it  
13 is that we're talking about.

14 MS. MELL: But he doesn't have any obligation to  
15 know how many ICE people are on the second floor.

16 A. I -- I -- I do not control their staffing, sir.  
17 I do not know how many people they have upstairs.

18 Q. Are there ICE offices anywhere else in the  
19 building?

20 A. And then when you say ICE, define ICE. There's  
21 several layers of ICE, sir, to try to answer your question,  
22 but I -- I don't know their -- their staffing or how they  
23 deploy their people, sir.

24 Q. All right, let's take a look at page 6.

25 And you can rely on your experience in any of

1 the positions that you've held with GEO.

2 Is this a fair and accurate depiction of the  
3 facility layout?

4 MS. MELL: Object to the form of the question.

5 A. It's fair and accurate. There's some areas that  
6 have two stories that we don't put a different set of  
7 stories on the overview map for the auditors.

8 Q. So the answer is yes?

9 MS. MELL: Object to the form of the question.

10 A. Minus the second story, yes.

11 Q. Now, can you tell me where on this map, if at  
12 all, ICE personnel are stationed?

13 A. So on the -- on the bottom right of the map,  
14 where it says "Administration," the length of that building  
15 from the right edge to the left edge of the Lobby, the  
16 second floor of that entire building is ICE.

17 Q. Anywhere else?

18 A. And again, we'd have to define ICE a little  
19 better. There's court staff and -- and other type of staff  
20 that -- that work with ICE under different contracts and  
21 different government people. I'm not sure if you're  
22 referring to those as well, but that's why I'm trying to  
23 define -- ICE is a very large agency. I'm trying to answer  
24 your questions the best I can, sir.

25 Q. Well, however you would define ICE. I mean,

1 give me the -- your broadest definition of ICE, and then I  
2 would like to know where on this facility layout map ICE  
3 personnel are stationed as a matter of course.

4 MS. MELL: Object to the form of the question.

5 A. There's other government folks that I may  
6 broadly associate with ICE that work on the first floor of  
7 the administration building, and other court and ICE staff  
8 that work in -- in the main building, which we would call  
9 Building E, it's not designated on the map that way, that  
10 occupy some front office space in that off of the  
11 courtrooms, and we have five courtrooms in the center as  
12 well where their staff work as well. So there's quite a  
13 lot of staff there, sir.

14 Q. I understand that, that part of your testimony,  
15 but I -- I just want you to focus in on my question.

16 Looking at page 6, other than the administration  
17 building, is ICE staff or personnel stationed anywhere else  
18 on the map that's depicted, as a matter of course?

19 MS. MELL: Object to the form of the question.

20 And Counsel, your suggestion that he hasn't  
21 completely and thoroughly answered your question should be  
22 stricken from the record.

23 A. If you look at the map where it's marked Courts,  
24 those are the federal courtrooms. Come down, make a left,  
25 all of -- all of that area are government office space

1 that's required by the ICE contract, and many government  
2 folks occupy those areas.

3 Q. Anywhere else?

4 A. The ICE Immigration Health Services Corps  
5 occupies the entire area that's listed as Medical.

6 Q. Anywhere else?

7 A. That's it as far as ICE or government staff.

8 Q. I think I'd like for you to -- actually, no, I  
9 don't want to.

10 All right, so let's take each of the three areas  
11 that you mentioned then.

12 So Courts, what is your understanding of the  
13 business that ICE carries out in the unit labeled as  
14 Courts?

15 MS. MELL: Object to the form of the question.

16 A. Sir, I have no idea what they carry out. I -- I  
17 do not work for them, I do not audit the court or  
18 government personnel or have anything to do with their  
19 personnel. I -- I do not know the specifics of what they  
20 do.

21 Q. Do you know whether it has anything to do with  
22 immigration proceedings?

23 A. Sir, I really don't know exactly what they do.  
24 I -- I work for GEO. I -- we're responsible for our areas.  
25 I have no oversight over any of their areas to even begin

1 to think of what they do.

2 Q. All right. This will just -- just last time.

3 Is it your testimony that you have no sense of  
4 the business that ICE conducts out in the courtroom section  
5 of GEO's Northwest Detention Center?

6 MS. MELL: Object to the form of the question.

7 A. I don't want to speak for an agency that I don't  
8 work for, sir.

9 Q. All right, what about medical, do you know what  
10 business ICE carries out in the medical unit?

11 MS. MELL: Object to the form of the question.

12 A. Other than from the word "medical," they do  
13 medical stuff, sir, but they are -- they are another  
14 government agency that have their own staff and their own  
15 requirements.

16 Q. Let's take a look at page 7 of Exhibit-346.  
17 It's labeled there Activity Schedules.

18 What are we looking at here?

19 A. That's just a very broad sense of the daily  
20 facility schedule listed for some of the things that  
21 auditors usually like to know about.

22 Q. What about on the next page, page 8? It says  
23 72-Hour Activity Schedule, and it continues on for several  
24 pages.

25 What are we looking at here?



1           A.    Again, just a broad overview.  During audits,  
2           there's many different standards that auditors like to see.  
3           This kind of helps guide them to areas that they may want  
4           to see and help plan their auditing schedule for their  
5           three days while they're there.

6           Q.    Is this a fairly typical schedule for the  
7           detention population at GEO?

8                   MS. MELL:  Object to form of the question.

9           A.    Well, the schedule is listed as of September  
10           8th, 2014, so for that audit, sir, I would say it would be  
11           very typical.

12                   THE COURT REPORTER:  This is Exhibit-347.

13                           (Exhibit-347 marked.)

14           Q.    You've just been handed Exhibit-347.

15                   What are we looking at here?

16           A.    The title on the page is Commission on  
17           Accreditation for Corrections Standards Compliance  
18           Reaccreditation Audit for September 8th through 10, 2014.

19           Q.    Have you seen this document before?

20           A.    2014 is some time ago, but I believe I have seen  
21           this document before.

22           Q.    Well, the ACA audits, is this the ACA's report  
23           or findings for its September 2014 visit to the Northwest  
24           Detention Center?

25           A.    Let me review the document, sir.

1           So this is the Visiting Committee's report to  
2           the ACA board for the audit of 8-10 -- September 8 through  
3           10, 2014.

4           Q.    Were there any aspects of this report that GEO  
5           objected to?

6           MS. MELL: Object to the form of the question.

7           A.    I don't know, sir, since this report, it goes to  
8           the regional directors, the -- the heads of corporate  
9           contract compliance, if they -- I -- I don't know if GEO  
10          specifically objected to anything in this report or not.

11          Q.    So to your knowledge then, GEO did not object to  
12          the ACA's report to the ACA board?

13          A.    I don't have any knowledge of that, sir.

14          Q.    Do you know whether GEO appealed any of the  
15          ACA's findings?

16          A.    I do not know.

17          Q.    How, if at all, does GEO incorporate this ACA  
18          report that's Exhibit-347 into its work in operating the  
19          facility?

20          A.    I don't understand the question, sir.

21          Q.    Well, I guess what I'm trying to figure out is  
22          you said this Exhibit-347 is a report from the people  
23          that -- the ACA people that visited the facility to the ACA  
24          board; did I get that right?

25          A.    Yes.

1 Q. So this report that's Exhibit-347, does GEO do  
2 anything at all with it?

3 A. In my time as a compliance administrator, I only  
4 know what I did with this form. I -- I don't know what GEO  
5 did with the form.

6 Q. Fair enough.

7 Tell me, what did you do, if anything, with this  
8 ACA report?

9 A. I would review the ACA report for any anomalies  
10 that I remember from the auditing process, and would inform  
11 the regional compliance director or the facility  
12 administrator of any concerns. I don't recall  
13 specifically, with the 2014 audit, any concerns.

14 Q. So you would use the report to spot any issues,  
15 if there were any, and to fix them; is that a fair  
16 summarization of what you would do with this ACA report?

17 A. Should ACA give any concerns or if any concerns  
18 were identified, I would report those findings to the  
19 facility administrator and the regional director of  
20 contract compliance.

21 Q. So you'd rely on the report to ensure that GEO  
22 is meeting the accreditation standards; is that a fair  
23 characterization?

24 MS. MELL: Object to the form of the question.

25 A. As the compliance administrator, in auditing, we

1 just do fact-based auditing. Whether or not we meet the  
2 standards, again, with this, the visiting committee members  
3 and the ACA board are making that determination.

4 Q. Let's go to page 20 of Exhibit-347.

5 If you look towards the top there, it says  
6 "Visiting Committee Findings."

7 Do you see that?

8 A. Yes.

9 Q. What is your understanding of what is meant when  
10 they write "Visiting Committee Findings"?

11 A. These were the findings of the nonmandatory  
12 standards that were marked not applicable for the facility.

13 Q. And these bold headings, let's take the first  
14 one for example, it says "Standard #4-ALDF-1A-09, what is  
15 that?

16 Not so much that particular standard, but just  
17 are these ACA standards that those bolded numbers refer to?

18 A. Yes, those are standards in the adult local  
19 detention facility, Standard -- or Standard IE -- 1A-09.

20 Q. And I'm sorry, the ALDF stands for again?

21 A. Adult local detention facility.

22 Q. And is there a book or a manual that contains  
23 all of the adult local detention facility standards?

24 A. There is a ACA manual that you can purchase  
25 through ACA, and then an annual update book that updates

1 any of the standards year to year.

2 Q. Let's take a look at page 31 of Exhibit-347.  
3 There's a table here that continues on for several pages.  
4 What does that table represent?

5 A. This table is typically what's called the  
6 outcome measures. It's just a series of data points that  
7 ACA requests to be collected during the year prior to a  
8 reaccreditation audit.

9 Q. This is a table then depicting what?

10 A. In the ACA manual, there is a table that is  
11 exactly like this which just asks for a number of data  
12 points to be input for and prior to an ACA audit.

13 (Exhibit-348 marked.)

14 THE COURT REPORTER: This is Exhibit-348.

15 Q. You've just been handed Exhibit-348.  
16 What are we looking at here?

17 A. 348 -- Exhibit-348 identifies -- it's a Welcome  
18 Book for the ACA audit dated September 25 through 27 of  
19 2017.

20 Q. Have you seen this document before?

21 A. Let me review.

22 I believe I remember looking at this one for  
23 this audit, yes.

24 Q. Is this another Welcome Book that GEO put  
25 together for the ACA auditors?

1 A. Yes.

2 Q. In terms of how this document was created, is  
3 there anything different that you're aware of as -- as it  
4 relates to this document versus the earlier document that  
5 we saw, the 2014 ACA Welcome Book at Exhibit-346?

6 A. Different how, sir?

7 Q. In terms of how the document came to be, and the  
8 purpose for creating it, is there anything different that  
9 you -- you would like to tell me about?

10 A. I can't think of any differences. It would be  
11 a standard Welcome Book created prior to an audit.

12 (Exhibit-349 marked.)

13 THE COURT REPORTER: This is Exhibit-349.

14 THE WITNESS: Thank you.

15 Q. You've just been handed Exhibit-349. You're  
16 welcome to take a look at the document.

17 My question to you will be, what is it that we  
18 are looking at?

19 A. This is the Commission on Accreditation for  
20 Corrections Standards Compliance Reaccreditation Audit,  
21 September 25 through 27, 2017, the Visiting Committee  
22 report to the ACA board for that particular ACA  
23 reaccreditation audit.

24 Q. So, similar to Exhibit-347, this is simply the  
25 updated report for the updated audit?

1 A. For the audit dated 25 through 27, 2017, yes.

2 Q. Now, with this particular audit, did GEO object  
3 to any of the ACA's findings?

4 A. I don't know if GEO objected to any -- I -- any  
5 findings on these reports. It says our -- our tally that  
6 they submitted to the -- to the ACA board is 100 percent  
7 compliance in both mandatory and nonmandatory standards.

8 Q. Do you know whether GEO appealed any of the  
9 ACA's findings related to its September 2017 audit?

10 A. I don't know if GEO did.

11 Q. Take a look at page 9 of the report. In the  
12 middle of the page there you'll see a heading Offender Work  
13 Programs.

14 Are you with me?

15 A. I found it.

16 Q. If you look to the second to the last sentence  
17 of that paragraph, it reads, "Detainees work very hard to  
18 ensure a clean and sanitary facility, as noted by the audit  
19 team."

20 Did I read that correctly?

21 A. Those are the words on the page, sir, yes.

22 Q. Do you agree that detainees work very hard to  
23 ensure a clean and sanitary facility?

24 MS. MELL: Object to the form of the question.

25 A. I think in the context of the audit, what

1 they're saying is detainees take very much pride in --  
2 in -- in working hard to ensure a clean and sanitary  
3 facility.

4 These are comments made by the visiting  
5 committee members of what they saw detainees doing and the  
6 condition of the facility when they arrived and during  
7 their audit.

8 Q. Well, do you agree that detainees work hard in  
9 the worker program?

10 MS. MELL: Object to the form of the question.

11 A. I know a lot of detainees take pride in their  
12 work. I would have to define what the definition of hard  
13 is there. I -- I know they -- detainees that I've talked  
14 to like to work and they take pride in what they do.

15 Q. Could you go back to Exhibit-347, it's the 2014  
16 ACA report, and if you could look at page 11 for me,  
17 please.

18 At the bottom of the page, there's a heading  
19 that says Offender Work Programs.

20 Do you see that?

21 A. I see that area, yes.

22 Q. Feel free to read the whole paragraph, but my  
23 question is about the last sentence. It reads, "With such  
24 an extensive jobs program it helps to explain the high  
25 level of sanitation throughout the facility."



1 Do you see that?

2 A. I see that.

3 Q. Do you agree that the offender work program  
4 helps maintain a high level of sanitation throughout the  
5 Northwest Detention Center?

6 MS. MELL: Object to the form of the question.

7 A. I think there again, it just showcases the  
8 detainees' pride in what they do in the facility, and we do  
9 offer a lot of Voluntary Work Programs that allow detainees  
10 to participate in that Voluntary Work Program in accordance  
11 with the ACA standards.

12 (Exhibit-350 marked.)

13 THE COURT REPORTER: This is Exhibit-350.

14 THE WITNESS: Thank you.

15 Q. You've just been handed Exhibit-350.

16 What are we looking at here?

17 A. May I review the document for a moment?

18 Q. Of course.

19 A. This is a letter that reference ACA  
20 Accreditation Annual Report for the Northwest Detention  
21 Center sent to ACA on or around January 20th, 2017.

22 Q. Is this a letter that you drafted?

23 A. Yes, I drafted this letter.

24 Q. And the letter is addressed to Major Samuel  
25 Meyer.

1           Who is Major Samuel Meyer?

2           A.   Major Samuel Meyer is, from my knowledge, an ACA  
3 member that just oversees the annual accreditation reports  
4 sent from facilities.

5           Q.   Why did you send in this letter to Mr. Meyer --  
6 or Major Meyer, excuse me.

7           A.   The ACA accreditation manual requires an annual  
8 report be sent to ACA documenting our status for the year,  
9 where we feel we are with our compliance in between the  
10 actual reaccreditation audits.

11          Q.   So this is GEO's internal assessment then of  
12 whether or not it's meeting the ACA standards?

13          A.   I want to say this is not the assessment, this  
14 is the annual report that we send to ACA with the  
15 information that they request and require, as in the  
16 outcome measures for the year and other information  
17 contained here within.

18          Q.   Who gathers the -- or who measures the outcomes?

19          A.   There's no measurement. ACA provides the  
20 formulas that they want inside the table, we just provide  
21 the -- the detailed stats. Very similar to during the  
22 accreditation audit that we saw earlier, it's just a series  
23 of data points that are collected.

24          Q.   In that way then GEO completes this form and  
25 then sends it off to ACA in between the audit cycles?

1 Did I get that right?

2 A. Yes.

3 (Exhibit-351 marked.)

4 THE COURT REPORTER: This is Exhibit-351.

5 THE WITNESS: Thank you.

6 Q. You've just been handed Exhibit-351.

7 What are we looking at here?

8 A. Let me review.

9 So this is an email that I sent. The subject is  
10 Policy Updates.

11 Q. Who did you send this email to?

12 I see many names there, but is there some  
13 unifying characteristic of the people that you emailed?

14 A. No, no characteristics.

15 Q. Are these department heads?

16 A. Not all department heads.

17 Q. You write on the second sentence of your email,  
18 "I need you to review the policies assigned to you and make  
19 sure they updated with current practice."

20 Did I read that correctly?

21 A. Yes.

22 Q. So what was the purpose of this email?

23 A. So every year there is a policy update period  
24 that goes for many different accreditations, ACA requires  
25 an annual policy review, an update, as do the PBNDS

1 standards. This begins our annual policy update for the  
2 year 2013, which is typically completed in the April time  
3 frame of each year.

4 Q. And you emailed these various people asking for  
5 their help in updating various policies; is that correct?

6 A. Yes, the standards and accreditations request  
7 that everybody have a hand in updating policies and  
8 procedures. This begins that process.

9 Q. And then there's a multipage table, it has three  
10 columns, Chapter, Title, and Assigned.

11 Do you see that?

12 A. Yes.

13 Q. Did you create this table?

14 A. I can't recall specifically if I created the  
15 table. I attached it to the email and updated any owners  
16 of policies that we wanted to review particular policies  
17 for that -- that year's policy review.

18 Q. Do you have any reason to believe that someone  
19 else created this table?

20 A. I don't. I -- but this is 2013, and I am not  
21 the only compliance administrator, or it's not the only  
22 time we've done annual policy reviews. I honestly can't  
23 remember if this table -- table of contents was created,  
24 who created it. I know I attached it, and I would have  
25 been the one that updated the assigned to for that

1 particular year.

2 Q. And the assigned, do you know how personnel was  
3 assigned with policies to update?

4 A. Typically the department heads or the -- the  
5 staff that work in those areas were listed here as being  
6 the owners of that -- of that policy and just responsible  
7 for collecting inputs from various staff members within  
8 their departments, collecting all that information, and  
9 sending it up for the annual policy review.

10 MR. WHITEHEAD: All right, let's take a break.  
11 We've been going for about an hour and a half.

12 THE VIDEOGRAPHER: This is the end of media one.  
13 The deposition will continue on media two. The time is  
14 11:09. Going off the record.

15 (Recess at 11:09 a.m.)

16 (Reconvened at 11:33 a.m.)

17 THE VIDEOGRAPHER: Back on the record. This is  
18 the beginning of media two to the deposition of Bruce  
19 Scott. The time is approximately 11:33.

20 Q. Mr. Scott, can you give me a list of your  
21 various duties, specifically as it relates to the Voluntary  
22 Work Program, in your present role.

23 A. My present role as the assistant facility  
24 administrator, duties related to the Voluntary Work  
25 Program, and have an oversight over the standards, the ICE

1 Performance-Based National Detention Standards, any  
2 applicable GEO policies, ACA accreditations, and having  
3 oversight of the staff that review and update those  
4 policies, and audit the areas therein to make sure that  
5 we're doing good fact-based audits on our internal audits,  
6 and maintaining the standards in accordance with the ICE  
7 standards and the ICE contract.

8 Q. So is it fair to summarize then as making sure  
9 that the facilities and its personnel are in compliance  
10 with whatever the standard may be, whether it be the PBNDS,  
11 or GEO's policy, or ACA?

12 A. All staff -- we strive to -- to meet the  
13 standards at 100 percent compliance level, yes.

14 Q. What about more hands-on work? I mean, do you,  
15 for example, create job descriptions for the detainee  
16 workers?

17 MS. MELL: Object to the form of the question.

18 A. I do not create job descriptions for detainee  
19 workers.

20 Q. In any of your various roles with GEO, have you  
21 ever created detainee worker job descriptions?

22 A. The only one I can recall having a hand in is  
23 when ICE requested some additional cleaning in the medical  
24 area, ICE wanted some more cleaning in the med iso area,  
25 other than the females that already do the Voluntary Work

1 Program. We did list some -- some items out for the -- the  
2 COR of what we would add that to the Voluntary Work  
3 Program.

4 Q. COR, what is that?

5 A. That is the contracting officer's  
6 representative.

7 Q. And how is it that you came to be involved with  
8 the job description and ICE's request for more cleaning in  
9 the medical area of the facility?

10 A. From my recollection, medical asked ICE for some  
11 additional Voluntary Work Program assignment that then came  
12 back down through -- from ICE to the facility administrator  
13 down, and we put together some information for the COR to  
14 approve of that position because it adds to the ICE  
15 contract, and we got her permission, and we -- we had  
16 another work crew volunteer in the medical isolation area.

17 Q. And as it relates to the job description, did  
18 you create a new one or modify an existing?

19 A. Well, we just -- the job description is just a  
20 list of duties that we'll have those detainees volunteer  
21 for in that area.

22 Q. Who else, if anyone, helped in the creation of  
23 the job description that you're mentioning now?

24 A. I don't know who in particular. The GEO policy  
25 and the standards helped outline some of the things that

Bruce Scott, Jr.

402, 701, 802.

December 9, 2019

Page 61

1 should be in those job descriptions, and there's --

2 Q. Do -- I'm sorry, I almost cut you off there.

3 A. -- there's a lot of it things that -- that go  
4 into that. It's an amalgam of information that -- that we  
5 put together to meet all the standards.

6 Q. Do you know the name of the position created?

7 A. It was just a medical isolation cleaner.

8 Q. And when was this?

9 A. I can't recall. It was last year, late last  
10 year, early this year sometime.

11 Q. Other than detainee workers, does GEO use anyone  
12 else to help with the cleaning of the Northwest Detention  
13 Center?

14 A. We do have three staff janitors positions and  
15 one contract janitor position that also help clean  
16 administrative areas where detainees are not authorized to  
17 go.

18 Q. So is that the division of labor then, the  
19 janitors clean the areas that the detainee workers are not  
20 permitted to go?

21 A. Typically janitors are cleaning in those areas  
22 where detainees are not authorized to go. There is some  
23 shared cleaning in the medical area where the janitors will  
24 also touch on some floors that detainees may -- may work on  
25 during the day, and janitors may touch up on some floor



1 areas in the afternoon.

2 Q. Let's take the pods for example; do the janitors  
3 play any role in cleaning the pods?

4 A. No.

5 Q. Do the janitors play any role in cleaning the  
6 barbershop?

7 A. No.

8 Q. Do the janitors play any role in cleaning the  
9 laundry area?

10 A. No.

11 Q. Do the janitors play any role in cleaning the  
12 kitchen?

13 A. No.

14 Q. Do the janitors play any role in cleaning  
15 recreation areas?

16 A. No.

17 Q. What about the gray mile?

18 A. Typically not, but I can't say we've never had a  
19 janitor touch up floor areas before, but typically what you  
20 refer to as the gray mile, the main hallway in the  
21 facility, janitors do not typically clean that area.

22 Q. So I want to orient us again. We're talking  
23 about any direct responsibilities you may have had outside  
24 of your compliance work when it comes to the Voluntary Work  
25 Program.

1 Are you with me?

2 MS. MELL: Object to the form. I don't even  
3 know what you're saying.

4 MR. WHITEHEAD: Well, I'm trying to go back up  
5 my outline.

6 Q. But Mr. Scott, right now I'd like to continue  
7 talking about your direct work, if any, when it comes to  
8 the Voluntary Work Program.

9 Did you have any role in assigning detainee  
10 workers to various job details?

11 A. No.

12 Q. And I'm talking about at any point in your  
13 career with GEO at the Northwest Detention Center?

14 A. No.

15 Q. What about detainee worker schedules?

16 A. As far as setting detainee work schedules?

17 Q. Yes.

18 A. Typically like in the -- an aspect of the  
19 medical, medical dedicated the hours that they would like  
20 to see people work based on their needs. Those are really  
21 set by either needs of the facility or working around the  
22 facility schedule, when is the best time to have those  
23 voluntary activities completed.

24 Q. Outside of the medical unit, have you played any  
25 direct role in scheduling detainee workers?

1 A. No.

2 Q. What about as it relates to detainee worker pay,  
3 have you had any direct involvement in paying detainee  
4 workers or setting pay levels?

5 A. No.

6 Q. What about staffing levels, have you played any  
7 direct role in creating detainee worker staffing levels?

8 A. No.

9 Q. If we were to take detainee workers out of the  
10 equation for cleaning at the Northwest Detention Center,  
11 who would clean the pods, for example?

12 A. We have policy/procedures in place should there  
13 be a -- a work stoppage, detainees cease to volunteer to  
14 clean stuff, we would -- we would go through an emergency  
15 plan and determine the best method to accomplish the  
16 requirements.

17 Q. What if it -- well, let's back up.

18 That emergency plan, in the scenario of a work  
19 stoppage in cleaning the pods, what is the plan?

20 MS. MELL: Object to the form of the question.

21 A. The plan is a confidential plan and depending on  
22 many different facets. I mean, it's a plan. How it's  
23 actually going to be enacted depends on the situation, how  
24 many workers there are that are not volunteering, what --  
25 what requires to be cleaned. Obviously some have higher

Bruce Scott, Jr.

December 9, 2019

Page 65

1 priority than others. If it's just going to be three days,  
2 maybe nobody does it for three days. It's hard to  
3 speculate on exactly how you're going to impact an  
4 emergency plan based on the emergency scenario that  
5 unfolds.

6 Q. Well, assume for me a month-long work stoppage  
7 in the pods; how would you cope with that scenario?

8 MS. MELL: Object to the form of the question.

9 A. I -- I -- I don't know how we would do that. We  
10 would open the plan, follow the plan. I don't want to  
11 suspect or formulate something when we don't have all the  
12 ins and outs of the details.

13 Q. Would you agree with me that detainee workers  
14 are an important part of cleaning the Northwest Detention  
15 Center?

16 MS. MELL: Object to the form of the question.

17 A. The -- the ICE contract requires a Voluntary  
18 Work Program, ACA has standards that require a Voluntary  
19 Work Program, they're nonmandatory standards, and the ICE  
20 PBNDS standards have -- have standards, so we just operate  
21 the best we can to meet the standards that are required of  
22 us to meet.

23 Q. I understand that, but my question's a little  
24 bit different.

25 And my question is simply, do the detainee

1 workers play an important role in keeping the facility  
2 clean?

3 MS. MELL: Object to the form of the question,  
4 asked and answered, improper opinion.

5 A. We operate a Voluntary Work Program. Whether  
6 detainees choose to participate or not, that's up to them.

7 Q. Do the detainee workers have the ability to  
8 deviate from their job duties listed on their job  
9 description?

10 A. Again, as a Voluntary Work Program assignment,  
11 we list out what we would like detainees to do, what they  
12 volunteer for. It's their choice whether they want to  
13 deviate or not.

14 Q. And if a detainee worker deviates from their job  
15 duties, is that cause potentially for termination from  
16 their job assignment?

17 A. Well, the -- the standard doesn't, to my  
18 recollection, anything about terminating a job assignment,  
19 but if a -- if a detainee does not meet the expectation of  
20 the cleanliness, and there's another person in the  
21 Voluntary Work Program that wants to, that detainee may opt  
22 out of the Voluntary Work Program, and then based on the  
23 standards, another person would step into that voluntary  
24 work activity.

25 Q. Does GEO provide the detainee workers with the

1 training they need to do their jobs?

2 A. There is a training sheet that each detainee  
3 reads and signs that goes part of their -- their file.

4 Q. And this is provided by GEO; correct?

5 A. The training form is -- is provided by GEO in  
6 accordance with the ICE standards and any applicable ACA  
7 standards.

8 Q. And it's the GEO officers that discuss the form  
9 and any relevant training with the detainee workers;  
10 correct?

11 A. Yes.

12 Q. GEO provides the detainee workers with the  
13 equipment they need to do their jobs; is that correct?

14 A. Any equipment or protective -- personal  
15 protective equipment that is needed, GEO would provide that  
16 for the detainee.

17 Q. And detainees must work in the areas designated  
18 by GEO; correct?

19 A. Well, the -- the areas are listed out in  
20 accordance with the Voluntary Work Program, and standards  
21 like the PBNS require certain, as we mentioned before,  
22 hygiene and sanitation, you know, whatever the standard  
23 says, the areas would be kind of laid out in accordance  
24 with meeting the -- the expected outcomes of the standard.

25 Q. Well, for example, the laundry workers don't

1 have discretion to fold clothes in the rec yard; is that  
2 right?

3 MS. MELL: Object to the form.

4 A. It would not make sense to fold clothes in the  
5 rec yard, but as part of -- part of the laundry duties and  
6 other various -- and outside laundry, but there's other  
7 workers that fold clothes in the Voluntary Work Program.  
8 Those that volunteer for those activities would do them  
9 either in laundry or potentially the housing unit.

10 Q. Do you know whether detained persons at the  
11 Northwest Detention Center may seek employment outside the  
12 Northwest Detention Center?

13 A. That would be something you'd have to ask ICE.  
14 I -- we don't have any policies, or procedures, or  
15 standards that I know about that.

16 Q. In your time with GEO, are you aware of any  
17 detained person working outside the Northwest Detention  
18 Center?

19 A. I don't have any knowledge of that.

20 Q. Do you play any role in discipline of detained  
21 persons at the Northwest Detention Center?

22 A. The only role that I -- I play is reviewing  
23 documentation after the Institutional Disciplinary Panel  
24 Committee before it goes to the file.

25 Q. Have you ever worked as a corrections officer

1 within the facility?

2 A. No.

3 Q. All right, and you mentioned a panel as it  
4 relates to discipline; what panel are you referring to?

5 A. The ICE standard requires, the PBNDS standard  
6 requires one of two panels, a Unit Disciplinary Panel or an  
7 IDP, which is Institutional Disciplinary Panel, to be held,  
8 if there is a rule infraction, in accordance with the  
9 standards.

10 Q. And which panel proceedings have you been a part  
11 of?

12 A. I've not been a part of any of the panel  
13 proceedings.

14 Q. But you review them; did I get that right?

15 A. I review the forms after the panels have -- have  
16 held their hearings.

17 Q. And the form, what form is it that you're --  
18 you're referencing?

19 A. It's the -- just we call it the -- the IDP form,  
20 the Institution -- Institution Disciplinary Panel form,  
21 which covers various information related to the hearing.

22 Q. Is part of the information covered a  
23 recommendation or finding about discipline to be meted out?

24 A. Restate the question, please.

25 Q. Sure.



1           On the form, does it include a recommendation or  
2 a finding from the panel about the discipline to be issued,  
3 if at all?

4           A.    Yes.

5           Q.    And then your review of the form, what is the  
6 purpose of that?

7           A.    The form requires a facility administrator  
8 signature in accordance with the standards, the ICE  
9 standards.  If the facility administrator is not available  
10 or off, I, as the assistant facility administrator, would  
11 review the form and -- and sign that the disciplinary, and  
12 the hearing, and all that information looks like it has  
13 been followed correctly.

14          Q.    Has there ever been a time where you've withheld  
15 your signature?

16          A.    No, but you -- the facility -- on the form, in  
17 accordance with the standards, the facility administrator  
18 could concur or not concur with the panel finding based on  
19 the information.

20          Q.    Can you tell me about a time, if any, where you  
21 did not concur with the panel finding?

22          A.    I can't recall any off the top of my head.  
23 There's -- may be some where we did not concur with the --  
24 the panel finding, but I -- I can't recall specifically.  
25 Over the years, there's -- those forms come across the

1 desk. I can't pull out one specifically.

2 (Exhibit-352 marked.)

3 THE COURT REPORTER: This is Exhibit-352.

4 THE WITNESS: Thank you.

5 Q. Just been handed Exhibit-352. Please take a  
6 moment to review the document.

7 My question to you will be, what are we looking  
8 at?

9 MS. MELL: Counsel, did you -- when you pulled  
10 these, did you look for the ones that were actually signed?

11 MR. WHITEHEAD: I think we've got 200,000 pages.

12 MS. MELL: Because I know that -- I know that  
13 they were in there to be produced. It would be better to  
14 be using the actual executed copy.

15 MR. WHITEHEAD: Yeah, I would prefer that. So  
16 if you can direct me to the signed copy, I would -- I would  
17 love to see it --

18 MS. MELL: Okay.

19 MR. WHITEHEAD: -- but if -- in the 200,000 or  
20 so pages that I've reviewed, I may have missed the executed  
21 copy.

22 MS. MELL: Okay. Yeah, some of these have  
23 highlights. Okay.

24 MR. WHITEHEAD: Yeah, and those -- for the  
25 record, those are not my highlights. I don't know where

1 they came from.

2 MS. MELL: No, I'm assuming they're -- this  
3 looks like a draft copy of some sort.

4 A. Okay, what we're looking at, the title of the  
5 form says it's a GEO Northwest, at the time, Detention  
6 Center policy for Infractions and Disciplinary Sanctions,  
7 policy number 3.3.1, shows an effective date 11-7-2017.  
8 And it is not a -- there's typically signatures on the last  
9 page showing when the annual review was -- was completed  
10 for -- for this document.

11 Q. Have you seen policy 3.3.1 before, titled  
12 Infractions and Disciplinary Sanctions?

13 A. Yes.

14 Q. I want to take a look at page 5 of Exhibit-352.  
15 It says "Sanctions Options for Category II Offenses."

16 Do you see that?

17 A. Yes.

18 Q. Now, I understand there are questions about  
19 whether or not Exhibit-352 is in fact the final enacted  
20 policy dealing with infractions and disciplinary sanctions,  
21 but my question to you, as it relates to page 5, is loss of  
22 job, is that a sanction, to your knowledge, for committing  
23 a Category II offense by a detainee worker?

24 A. Loss of job is one of the possible sanctions  
25 listed by the ICE Performance-Based National Detention

1 Standard, which is where this list comes from, yes.

2 Q. And looking at page 7, again with the same  
3 caveat about whether this is in fact the final policy, I'm  
4 just asking for your understanding, is it your  
5 understanding that loss of job can result if a detainee  
6 worker commits a Category III offense?

7 A. It is one of the potential sanctions on this  
8 list, which, again, comes from the Performance-Based  
9 National Detention Standards just iterated in this policy.

10 Q. And looking at page 9, would you agree that loss  
11 of job is a possible sanction for a Category IV offense?

12 A. Yes, it's listed here as a potential sanction  
13 for a Category IV. And again, this list, though iterated  
14 in 3.3.1, is a requirement of the Performance-Based  
15 National Detention Standards.

16 Q. Has a detainee worker ever asked you for a  
17 raise?

18 A. Detainees from time to time during rounds have  
19 always said we'd like more money in the Voluntary Work  
20 Program.

21 Q. Do you have any understanding of why?

22 MS. MELL: Object to the form of the question.

23 A. I have no idea what detainees think.

24 Q. Well, tell me as best you can remember a  
25 conversation in which a detainee expressed some

1 dissatisfaction with the dollar a day rate.

2 MS. MELL: Object to the form of the question.

3 A. I've heard detainees ask for a minimum wage,  
4 I've heard detainees ask for just more money.

5 Q. Are you aware of any detainee workers receiving  
6 more than a dollar a day?

7 A. The barbershop detainees, because their manner  
8 of work is -- is infrequent, to my recollection, were  
9 enabled to have more than one voluntary assignment.  
10 Whether that or not gave them more than a dollar a day here  
11 or there, I mean, that could be a possibility, but  
12 typically the standard requires compensation at a dollar a  
13 day with not more than one detail in a day.

14 Q. And the compensation standard refers to at least  
15 a dollar a day; isn't that right?

16 MS. MELL: Object to the form of the question.

17 A. The current standard says at least one dollar a  
18 day.

19 Q. And that phrase "at least," what does that mean  
20 to you?

21 MS. MELL: Object to the form of the question.

22 A. That's what the standard says.

23 There's also language in the contract about  
24 compensation for the Voluntary Work Program that the -- the  
25 government authorizes. I don't want to speculate on the

1 writer's intent of the standard. I did not write the  
2 standard.

3 Q. I'm asking for your understanding of what the  
4 importance of that phrase "at least" means.

5 MS. MELL: Object to the form of the question.

6 A. The standard says at least a dollar a day  
7 compensation, so the bare minimum to meet the requirement  
8 of the standard, one dollar a day can be the compensation  
9 for the Voluntary Work Program.

10 Q. Now, as you read that phrase, "at least one  
11 dollar a day," do you read that as prohibiting GEO from  
12 paying more than a dollar a day?

13 MS. MELL: Object to the form of the question.

14 A. Again, the -- the framers of that contract, I  
15 don't want to speculate on their thoughts or  
16 interpretations. That's why we have a contracting officer  
17 that looks at those kind of things and makes those kind of  
18 determinations.

19 Q. Again, though, I'm asking for your  
20 interpretation. That phrase "at least a dollar a day," do  
21 you read that as prohibiting GEO from paying detainee  
22 workers more than a dollar a day?

23 MS. MELL: Object to the form of the question.

24 A. There's other areas of the standard that -- that  
25 relate to your question. The at least a dollar a day, my

1 understanding is the bare minimum, we have to provide at  
2 least one dollar a day for compensation in the Voluntary  
3 Work Program.

4 Q. Are there other areas of the PBNDS that you're  
5 thinking of that mandate only a dollar day?

6 A. The only other area that I'm recalling off the  
7 top of my head, there's an area that says a detainee -- a  
8 detainee in the Voluntary Work Program can only do one  
9 assignment a day.

10 Q. And you said that it's the contracting officer  
11 that has better insight into the meaning of the contract;  
12 did I get that right?

13 A. Well, I don't know if I said those words. I  
14 don't think I did.

15 Q. How would you phrase it?

16 I certainly don't want to put words in your  
17 mouth; that's not my intention.

18 MS. MELL: Object to the form of the question.

19 A. What is the question?

20 Q. You said something about the contracting officer  
21 playing some role in understanding the meaning of the  
22 contract, and my question was, did I get that right?

23 Sounds like from Counsel's objection, no, so I'm  
24 asking you to help me explain.

25 A. Okay, I'm still not hearing a question, sir;

1 what is the question?

2 Q. Who is the contracting officer?

3 A. The contracting officer is Jack and -- Jackie  
4 Duncan-Murray.

5 Q. What does Jackie Duncan-Murray do as the  
6 contracting officer?

7 A. I know she's an ICE employee. I don't know her  
8 job description or what she does.

9 Q. And from the GEO side of things, who interfaces  
10 with Jackie Marie -- or Jackie Duncan about the meaning of  
11 the ICE contract?

12 A. Jackie Duncan-Murray typically associates and  
13 refers to the facility administrator on contracting issues.

14 Q. Is there anyone else that works directly with  
15 Jackie Duncan-Murray -- Murray?

16 A. I've talked with her from time to time, but  
17 typically her communications go directly to the facility  
18 administrator.

19 Q. And your conversations with her, what have they  
20 been about?

21 A. Just needing -- give -- give these papers -- can  
22 you walk these down to the facility administrator? When's  
23 the next audit? When -- you know, just business stuff  
24 really. Have you seen this documentation? You know, just  
25 normal day-to-day business type stuff.



1 Q. Have there been periods, that you're aware of,  
2 where there's been a facilitywide strike by detainee  
3 workers?

4 A. Not a facilitywide one, no.

5 Q. Are there specific units or jobs that -- that  
6 you're thinking of where a strike may have occurred?

7 A. We have had at times where detainees have chosen  
8 not to participate in the Voluntary Work Program over a  
9 weekend, maybe two or three days sometimes, maybe four  
10 days.

11 Q. Are you aware of any period where there's been a  
12 month long strike facilitywide?

13 A. No.

14 Q. And as best you can remember, there have been  
15 strikes here or there maybe lasting two or three days, but  
16 none that you remember lasting longer than that?

17 A. Yeah, none lasting or -- or not facilitywide.  
18 It's intermittent detainees that choose not to participate  
19 in the Voluntary Work Program.

20 Q. Can you tell me the last time that you're aware  
21 of a strike occurring?

22 A. I can't recall any specific dates. The last one  
23 I remember, in food service we didn't have all -- all of  
24 the workers come down, we had some workers come down, but  
25 not -- not the normal group of workers that come down for

1 the -- the voluntary work in the kitchen.

2 MR. WHITEHEAD: All right, let's take a quick  
3 break.

4 THE VIDEOGRAPHER: Going off the record. The  
5 time is 12:08.

6 (Recess at 12:08 p.m.)

7 (Reconvened at 12:11 p.m.)

8 THE VIDEOGRAPHER: Back on the record. The time  
9 is 12:11.

10 Q. Mr. Scott, I know some of my questions may have  
11 been pointed today, but have I been fair with you?

12 MS. MELL: Object to the form.

13 And you don't need to answer that.

14 We're done. Let's go.

15 MR. WHITEHEAD: I'm done.

16 THE VIDEOGRAPHER: This is the end of media two  
17 and adjourns this deposition. The time is 12:11.

18 MR. WHITEHEAD: We'll order. I'm sure they'll  
19 reserve.

20 THE COURT REPORTER: Copy for you?

21 MS. MELL: Yes.

22 (Deposition adjourned at 12:11 p.m.)

23 (Signature reserved.)

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

S-I-G-N-A-T-U-R-E

I declare under penalty of perjury under the laws of the State of Washington that I have read my within deposition, and the same is true and accurate, same and except for changes and/or corrections, if any, as indicated by me on the CHANGE SHEET flyleaf page hereof. Signed in....., WA, on the.....day of....., 2019.

.....

BRUCE A. SCOTT JR.

Taken: Monday, December 9, 2019

Keri A. Aspelund

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

C-E-R-T-I-F-I-C-A-T-E

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF THURSTON )

I, the undersigned Registered Professional Reporter and Certified Court Reporter, hereby certify that the foregoing deposition upon oral examination was taken stenographically before me and transcribed under my direction;

That the witness was duly sworn by me, pursuant to RCW 5.28.010, to testify truthfully; that the transcript of the deposition is a full, true, and correct transcript to the best of my ability; that I am neither attorney for, nor a relative or employee of, any of the parties to the action or any attorney or counsel employed by the parties hereto, nor financially interested in its outcome.

I further certify that in accordance with CR 30(e), the witness was given the opportunity to examine, read, and sign the deposition, within 30 days, upon its completion and submission, unless waiver of signature was indicated in the record.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of December, 2019.



NCRA Registered Professional Reporter  
Washington Certified Court Reporter No. 2661

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

SEATTLE DEPOSITION REPORTERS, LLC  
600 UNIVERSITY STREET, SUITE 320  
SEATTLE, WA 98101  
(206) 622-6661

C-H-A-N-G-E S-H-E-E-T

PLEASE MAKE ALL CHANGES OR CORRECTIONS ON THIS SHEET,  
SHOWING PAGE, LINE AND REASON.

-----  
PAGE LINE CORRECTION AND REASON

\_\_\_\_\_  
BRUCE A. SCOTT JR.  
TAKEN: Monday, December 9, 2019