

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

ALEJANDRO MENOCA,
MARCOS BRAMBILA,
GRISEL XAHUENTITLA,
HUGO HERNANDEZ,
LOURDES ARGUETA,
JESUS GAYTAN,
OLGA ALEXAKLINA,
DAGOBERTO VIZGUERRA, and
DEMETRIO VALERGA
on their own behalf and on behalf of all others
similarly situated,

Plaintiffs,

Civil No. 1:14-cv-02887-JLK

v.

THE GEO GROUP, INC.,

Defendant.

**DECLARATION OF MICHAEL J. SCIMONE IN SUPPORT OF PLAINTIFFS’
REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT ON
DEFENDANT’S AFFIRMATIVE DEFENSE**

I, Michael J. Scimone, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am a Partner with the law firm Outten & Golden LLP, which, together with Towards Justice, the Law Office of R. Andrew Free, Milstein Law Office, The Kelman Buescher Firm, P.C., and Meyer Law Office, P.C., are Class Counsel in this action. I am an attorney in good standing admitted to practice before this Court.

2. I have been one of the lawyers primarily responsible for the prosecution of Plaintiffs’ and the Class’s claims in this case.

3. I make the statements in this Declaration based on my personal knowledge and would so testify if called as a witness at trial.

4. Plaintiffs have sought discovery from ICE by way of a subpoena. ICE produced approximately 5,000 pages of documents in response to that subpoena on June 5, 2020. The documents ICE produced are so heavily redacted that it is unclear whether or not this letter is among the documents produced. Plaintiffs intend to challenge ICE's redactions and seek the unredacted production of this letter.

5. Attached hereto as **Reply Exhibit 1** is a true and correct copy the 2011 Contract, bates stamped GEO_MEN 00019613-20037. This exhibit has been filed as a restricted document in accordance with D. Colo. L. Civ. R. 7.2.

6. Attached hereto as **Reply Exhibit 2** is a true and correct copy of excerpts from the June 10, 2020 deposition of Brian Evans.

7. Attached hereto as **Reply Exhibit 3** is a true and correct copy of correspondence from GEO to ICE dated February 14, 2018, labeled 2018-ICLI-00052 2751-2755.

8. Attached hereto as **Reply Exhibit 4** is a true and correct copy of correspondence from ICE to GEO dated June 21, 2018, labeled 2018-ICLI-00052 6054-55.

9. Attached hereto as **Reply Exhibit 5** is a true and correct copy of excerpts from the March 29, 2016 Rule 30(b)(6) deposition of Dawn Ceja.

10. Attached hereto as **Reply Exhibit 6** is a true and correct copy of excerpts from the October 9, 2019 deposition of Amber Martin.

11. Attached hereto as **Reply Exhibit 7** is a true and correct copy of excerpts from the November 11, 2019 deposition of Kevin Martin.

12. Attached hereto as **Reply Exhibit 8** is a true and correct copy of the ICE Fiscal Year 2017 Report to Congress entitled Progress in Implementing 2011 PBNDS Standards and DHS PREA Requirements at Detention Facilities, available at https://www.dhs.gov/sites/default/files/publications/ICE%20-%20Progress%20in%20Implementing%202011%20PBNDS%20Standards%20and%20DHS%20PREA%20Requirements_0.pdf (last visited June 25, 2020).

13. Attached hereto as **Reply Exhibit 9** is a true and correct copy of excerpts from the February 28, 2020 Rule 30(b)(6) deposition of Amber Martin.

14. Attached hereto as **Reply Exhibit 10** is a true and correct copy of excerpts from the October 26, 2017 deposition of Plaintiff Grisel Xahuentitla-Flores.

15. Attached hereto as **Reply Exhibit 11** is a true and correct copy of excerpts from the June 24, 2020 of Plaintiff Hugo Hernandez-Ceren.

16. Attached hereto as **Reply Exhibit 12** is a true and correct copy of excerpts from the February 27, 2020 Rule 30(b)(6) deposition of Daniel Ragsdale.

17. Attached hereto as **Reply Exhibit 13** is a true and correct copy of the Declaration of Jamal N. Whitehead in Support of Respondents' Answer in Opposition to Petition for Permission to Appeal Class Certification and its exhibits, dated September 13, 2018 and filed as ECF No. 5-2 in *Nwauzor et al. v. The Geo Group, Inc.*, No. 18-80095 (9th Cir.).

18. Attached hereto as **Reply Exhibit 14** is a true and correct copy of Plaintiff

Alejandro Menocal Lepe's Objections and Responses to Defendant the GEO Group, Inc.'s Second Set of Written Discovery Requests, dated January 19, 2018.

19. Attached hereto as **Reply Exhibit 15** is a true and correct copy of Plaintiff Grisel Xahuentitla-Flores' Objections and Responses to Defendant the GEO Group, Inc.'s Second Set of Written Discovery Requests, dated January 22, 2018.

20. Attached hereto as **Reply Exhibit 16** is a true and correct copy of Plaintiff Lourdes Argueta's Objections and Responses to Defendant the GEO Group, Inc.'s Second Set of Written Discovery Requests, dated March 6, 2018.

21. Attached hereto as **Reply Exhibit 17** is a true and correct copy of the Department of Homeland Security Office of Inspector General Report entitled Management Alert on Issues Requiring Immediate Action at the Theo Lacy Facility in Orange, California, dated March 6, 2017 and available at <http://www.endisolation.org/blog/wp-content/uploads/2017/05/Management-Alert-on-Issues-Requiring-Immediate.pdf> (last visited June 26, 2020).

Dated: New York, NY
June 26, 2020

Respectfully submitted,

By: /s/ Michael J. Scimone
Michael J. Scimone
OUTTEN & GOLDEN LLP
685 Third Avenue, 25th Floor
New York, NY 10017
Telephone: (212) 245-1000
Facsimile: (646) 509-2060
mscimone@outtengolden.com

Class Counsel

Menocal, et al. v. The Geo Group,
1:14-cv-02887-JLK

<u>Index of Exhibits to Declaration of Michael J. Scimone in Support of Plaintiffs' Reply in Support of Motion for Summary Judgment as to Defendant's Affirmative Defense</u>		
<u>Exhibit</u>	<u>Restricted</u>	<u>Description</u>
1	Yes	2011 Contract, GEO_MEN 00019613-20037
2		Excerpts from the June 10, 2020 deposition of Brian Evans.
3		Correspondence from GEO to ICE dated February 14, 2018, 2018-ICLI-00052 2751-2755
4		Correspondence from ICE to GEO dated June 21, 2018, 2018-ICLI-00052 6054-55
5		Excerpts from the March 29, 2016 Rule 30(b)(6) deposition of Dawn Ceja
6		Excerpts from the October 9, 2019 deposition of Amber Martin
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9		Excerpts from the February 28, 2020 Rule 30(b)(6) deposition of Amber Martin
10		Excerpts from the October 26, 2017 deposition of Plaintiff Grisel Xahuentitla-Flores
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Exhibit 2

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IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLORADO

CIVIL ACTION NO.: 1:14-CV-02887-JLK

ALEJANDRO MENOCA, et al.,
Plaintiffs,

-vs-

THE GEO GROUP, INC.,
Defendant.

_____ /

DEPOSITION OF BRIAN EVANS

Thursday, June 10, 2020
11:04 a.m. - 2:56 p.m.

ALL PARTIES APPEARED REMOTELY

Stenographically Reported By:
JULIE BRUENS, FPR
Florida Professional Reporter

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APPEARANCES

On behalf of the Plaintiffs:
OUTTEN & GOLDEN, LLP
685 Third Avenue
New York, New York 10017
212-245-1000
mscimone@outtengolden.com
BY: MICHAEL J. SCIMONE, ESQUIRE

OUTTEN & GOLDEN, LLP
One California Street, 12th Floor
San Francisco, California 94111
415-638-8800
akoshkin@outtengolden.com
BY: ADAM KOSHKIN, ESQUIRE

On behalf of the Defendant:
AKERMAN
1900 Sixteenth Street, Suite 1700
Denver, Colorado 80202
303-260-7712
adrienne.scheffey@akerman.com
BY: ADRIENNE SCHEFFEY, ESQUIRE

THE GEO GROUP, INC.
4955 Technology Way
Boca Raton, Florida 33431
561-443-1786
cwilke@geogroup.com
BY: CHERYL WILKE, ESQUIRE

ALSO PRESENT:

MICKEY LEY

- - -

1 A. Why --

2 MS. SCHEFFEY: Objection to form.

3 THE WITNESS: You know, I don't have specific
4 expertise on all of those reasons. I just know
5 that that was the case. And if -- I think another
6 sort of intangible factor is if you think about the
7 Aurora facility or any of our other detention
8 facilities, a significant amount of ICE operations
9 is housed there.

10 So their staff worked there, they carry out
11 their functions as it relates to the immigration
12 operations. The courts operate out of those
13 facilities, so we have oftentimes virtual and
14 actual courtrooms that re in the locations, and the
15 jails didn't have those or didn't have the
16 capacity. The recreational requirements were often
17 different, the square footage requirements for
18 personnel space. They may have had different
19 nutritional requirements that a jail wasn't
20 necessarily going to meet.

21 So there's just a lot of different reasons.
22 There were significant differences in the
23 requirements around health care, so there's expend
24 ed health care facilities as well as health care
25 staffing. So just a lot of different reasons.

1 BY MR. KOSHKIN:

2 Q. So why then is GEO -- so if ICE isn't running
3 facilities per your testimony, and it was really local
4 jails and sheriff's departments and stuff that were
5 housing detainees, why is GEO comparing its price, its
6 per diem price to the per diem price of an ICE run
7 facility?

8 MS. SCHEFFEY: Object to form.

9 THE WITNESS: As I said generally -- go ahead.
10 I'm sorry.

11 MS. SCHEFFEY: Just object to form. You may
12 answer.

13 THE WITNESS: So as I said, generally, ICE
14 does not operate their own facilities, but they
15 have a couple that they operate. But even those
16 now -- I don't know back at this time. I'm not
17 familiar at this time.

18 But even those facilities that ICE owns and
19 technically operates, they outsource most of the
20 security and the institutional operation of the
21 facilities.

22 For instance, like the Chrome Detention
23 Facility here in South Florida is one of the more
24 well-known ICE facilities in the country. I think
25 a lot of people have heard of Chrome. And that's a

1 government-owned facility, but they outsource the
2 operations to -- another company does the, you
3 know, day to day security operations in the
4 facility, the same kind of stuff we do in our
5 facilities, the food service and all that sort of
6 stuff.

7 BY MR. KOSHKIN:

8 Q. So --

9 A. I really don't know in this case what the
10 letter was specifically referring to. I don't -- I'm
11 not familiar with the analysis that they used to
12 calculate that amount.

13 Q. Okay. But it's fair to say that this analysis
14 is showing that GEO can offer the service at a lower
15 cost than ICE could offer the service; correct?

16 A. That's the --

17 MS. SCHEFFEY: Objection to form.

18 THE WITNESS: That's the intent.

19 BY MR. KOSHKIN:

20 Q. Can you say a little bit about why GEO is able
21 to provide this service for less than the government
22 can?

23 A. Not without knowing exactly what was on the
24 other side of the government cost, but typically, a
25 newer facility like what we're proposing here is going

1 to be much more efficiently designed, so it's going to
2 be much more efficient from a staffing perspective. You
3 have better lines of sight in the facility.

4 So that's going to effect the amount of staff
5 that you need to run the facility. Depending on where
6 our facility is located, in this case, this facility in
7 Colorado versus the average for their facilities, the
8 cost of labor could be less.

9 So just, you know, those types of things. I
10 think that generally speaking, a privately run facility
11 is going to be more efficiently operated, and it's
12 newer. So like I said, there's efficiencies because of
13 that.

14 Q. And then earlier this morning, you said that
15 GEO theoretically competes with the government. When
16 you said that, were you -- what government entities were
17 you referring to?

18 A. Just in general. You know, our business is
19 based on the fact that we can deliver as good or better
20 quality services at the same price or lower cost than
21 the government can, especially in the state side of our
22 business.

23 Many of the states have requirements that our
24 contract, our per diem, if you will, be less than what
25 their average per diem is, or they may target a specific

1 action down to the regional level business teams?

2 A. I would say it was more the reverse. If we
3 felt that a facility was -- had some issue that needed
4 to be addressed, we would ask them to provide a
5 corrective action plan or a plan for improvement, and we
6 would eval -- you know, we would review that memo or
7 whatever to see if it seemed sufficient and if they were
8 on the right track to correct an issue if there was one
9 that was more enduring in nature.

10 Q. Okay. If you could turn to page four of the
11 PDF, which is bates labeled GEO MEN 00044629. You may
12 need to rotate the --

13 A. Yeah. I'm doing that.

14 Q. So these are sort of the totals that you were
15 describing before. That's what this page shows?

16 A. Yes.

17 Q. Okay. And so you said that you would review
18 these totals to look at the variance and to see if you
19 needed to further review the facility's performance.
20 What's the variance?

21 A. It's a column that's labeled variance.

22 Q. But what does that mean?

23 A. That's the difference between the column
24 that's labeled pretax profits actual versus the budget,
25 so the difference between your actual results and your

1 projected or estimated results, what they would be.

2 Q. Okay. And then on the column on the left --
3 so the column -- sorry, the set of columns on the right
4 that you were describing, that's the difference --
5 variance in the difference between the pretax profits
6 actual and the pretax profits assumed, the columns on
7 the left, the it variance is -- what's the variance for
8 the columns on the left?

9 MS. SCHEFFEY: Objection.

10 THE WITNESS: That the variance between -- I'm
11 sorry.

12 MS. SCHEFFEY: You're fine. Object to form.
13 You may answer.

14 THE WITNESS: That's the variance in the
15 revenue, so just the top line revenue, actual
16 revenue versus, again, the budget, what we
17 projected or expected the revenue might be.

18 BY MR. KOSHKIN:

19 Q. Okay. And in this chart that we're looking
20 at, this specific one, shows that the Aurora facility
21 for the month of -- for March 2014 turned a 20.21
22 percent profit. Am I reading that correctly?

23 MS. SCHEFFEY: Object to form.

24 THE WITNESS: Percentage margin.

25 BY MR. KOSHKIN:

1 Q. Can you describe what that means?

2 A. So the margin is going to be what -- as we
3 talked about, the pricing of the contracts, it's going
4 to be the revenue less all the direct operating costs
5 and less the depreciation. But it doesn't include any
6 of the indirect operating costs or any allocation of the
7 cost to capital to build the facility.

8 Q. Okay. Let's turn to page 45 of the PDF, which
9 is labeled GEO MEN 00044670. It's pretty small type.
10 One advantage of these remote depositions is you can
11 zoom in on the documents. When we used these in person
12 before, the type was very small.

13 A. Page 45?

14 Q. Yes. It should be the page before that, the
15 Aurora facility's specific page.

16 A. Yes.

17 Q. And so when you were saying earlier when you
18 had a question about a specific -- about a specific
19 facility's performance, this is the part of the
20 document that -- so say you had a question about
21 Aurora's performance, this is where you would look to
22 gather more information; correct?

23 A. Yes.

24 Q. Okay. And so I just want to -- I just want to
25 ask you a couple questions to help understand what I'm

1 looking at. And so the row halfway down the page, it
2 says total labor and related taxes. That's
3 describing -- what is that describing?

4 A. That's the -- all of the labor costs to
5 operate the facility that was incurred at the facility
6 for the month of March.

7 Q. Okay.

8 A. Our employees' labor costs.

9 Q. Okay. And this is showing that for this
10 month, GEO spent less on labor than it was budgeted for?

11 A. Yes.

12 Q. Okay. But it's -- and on the top, it says
13 earned revenue. What is that column showing?

14 A. That's showing our revenue for the month at
15 the facility.

16 Q. Okay. And that's -- okay. And then the row
17 that says op margin?

18 MS. SCHEFFEY: Object to form.

19 THE WITNESS: Op margin. Yes. What about op
20 margin?

21 BY MR. KOSHKIN:

22 Q. What is that row showing?

23 A. That's showing what I described before.

24 That's the same number that ties to the pretax profit.

25 It's also referred to as the pretax profit up in the

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CERTIFICATE OF REPORTER

THE STATE OF FLORIDA,
COUNTY OF PALM BEACH.

I, Julie Bruens, Florida Professional Reporter, certify that I was authorized to and did stenographically report the deposition of BRIAN EVANS; pages 1 through 109; that a review of the transcript was requested; and that the transcript is a true record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

Dated this 18th day of June, 2020.



Julie Bruens, FPR
Florida Professional Reporter

Brian Evans
June 10, 2020

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WITNESS NOTIFICATION LETTER

June 18th, 2020

BRIAN EVANS
C/O
CHERYL WILKE, ESQUIRE
THE GEO GROUP, INC.
4955 Technology Way
Boca Raton, Florida 33431
561-443-1786
cwilke@geogroup.com

IN RE: ALEJANDRO MENOCA, et al. Vs. THE GEO GROUP,
INC.

Deposition, taken on June 10, 2020
U.S. Legal Support Job No. 2181235

The transcript of the above proceeding is now available
for your review.

Please call to schedule an appointment between the hours
of 9:00 a.m. and 4:00 p.m., Monday through Friday, at a
U.S. Legal Support office located nearest you.

We respectfully request that the witness complete their
review within a reasonable time, and return the errata
sheet to our
office. You need not return the entire transcript.

Sincerely,



Julie Bruens, FPR
U.S. Legal Support, Inc.
444 West Railroad Avenue, Suite 300
West Palm Beach, Florida 33401
561.835.0220

Exhibit 3

February 14, 2018



VIA FEDERAL EXPRESS

The Honorable Thomas D. Homan, Acting Director
U. S. Immigration and Customs Enforcement
Department of Homeland Security
500 12th Street NW
Washington, DC 20536

Corporate Headquarters
One Park Place, Suite 700
621 Northwest 53rd Street
Boca Raton, Florida 33487

TEL: 561 893 (b)(6)
866 301 (b)(6)

www.geogroup.com
dventurella@geogroup.com

**Subject: Request for Equitable Adjustment in the Amount of \$2,057,000
and Legal Assistance from ICE/DOJ**

Dear Acting Director Homan:

I write to you to address recent lawsuits that have put GEO in a burdensome and costly position defending the agency’s legal framework and the policies to which GEO is bound as a federal contractor. There is an urgent need for the federal government to participate in the current and anticipated future litigation, as well as, to justify and defend the programs and policies that ICE requires of its detention contractors. GEO cannot bear the costs of this defense on its own, and will need to seek an equitable adjustment of its contracts for costs of litigation already incurred, and for the costs of future litigation expenses and liability for monetary awards against GEO.

State of Colorado Lawsuit

Menocal et al. v. the GEO Group,¹ a class action suit by former detainees at the Aurora, Colorado ICE Processing Facility, has been pending since 2014 and represents the first lawsuit claiming that GEO, by having detainees at the Aurora facility perform basic housekeeping chores for no pay under the alleged threat of solitary confinement, has engaged in forced labor in violation of the Trafficking Victims Protection Act (TVPA), 18 U. S. C. § 1589. The suit also alleges that GEO’s payment of \$1 per day to detainees who work in the Voluntary Work Program (VWP), as authorized and mandated by ICE’s PBNDS and GEO’s contract, violates Colorado’s minimum wage law (a claim dismissed by the district court, but that could be revisited on appeal). The suit also alleges that detainees are entitled to disgorgement of money under a theory of unjust enrichment for work performed by detainees. The district court certified classes on the TVPA and unjust enrichment claims. GEO obtained an interlocutory appeal of the district court’s class certification, but on February 9, 2018, the U.S. Court of Appeals for the Tenth Circuit affirmed the ruling, enabling a class of 60,000 detainees to seek damages for TVPA

¹ *Alejandro Menocal, Marcos Brambila, Grisel Xahuentitla, Hugo Hernandez, Lourdes Argueta, Jesus Gaytan, Olga Alexaklina, Dagoberto Vizguerra and Demetrio Valegra, on their own behalf and on behalf of all others similarly situated, v. The GEO Group, Inc.*, No. 1:14-cv-02887 (D. Colo.), on appeal, *GEO Group, Inc. v. Menocal*, No. 17-1125 (10th Cir.).



violations and disgorgement of money for unjust enrichment based on alleged underpayment for VWP participation.

The legal discovery costs could total several millions of dollars and potential damages could be in the tens of millions. Understandably, GEO would need to be reimbursed for all of the cost through an equitable adjustment request to ICE. To date, GEO has expended approximately \$1,615,000 in legal costs for which we seek an equitable adjustment.

State of Washington Lawsuits

Two recent lawsuits, *State of Washington v. The GEO Group, Inc.* and *Chen v. The GEO Group, Inc.*,² claim that GEO is subject to Washington state minimum wage laws for detainee work at the Northwest Detention Center (NWDC) in Tacoma. The State of Washington's suit is pursued by Washington's Attorney General, who has publicly boasted of his victories over the current Administration, including several regarding immigration. He seeks a declaration that the detainees in ICE's custody are GEO's "employees" that are entitled to a minimum wage for VWP participation, as well as injunctive relief and "disgorgement" of allegedly unpaid wages under a theory of unjust enrichment. Plaintiff Chen, a former NWDC detainee, seeks to certify a class action based on similar minimum wage claims.

The declaratory, injunctive and monetary relief requested would judicially alter the ICE-GEO contract by creating an employer-employee relationship between GEO and detainees in federal government custody. Although GEO argued that the cases should be dismissed because the state laws are preempted by federal law, a district court judge recently denied motions to dismiss in both cases. GEO has filed a counterclaim for an offset in the form of unjust enrichment and has pled affirmative defense, including that ICE and/or DHS is a necessary party to the proceedings. The cases are currently set for trial in January and March 2019. To date, GEO has expended approximately \$442,000 in legal costs for which we seek an equitable adjustment.

State of California Lawsuit and Legislation

On December 19, 2017 Raul Novoa filed a class action complaint in United States District Court for the Central District of California, Eastern Division. Novoa, a former detainee at the Adelanto Detention Center, alleges that GEO maintains a corporate policy and uniform practice of withholding sufficient food, water, and hygiene products from detainees at Adelanto. As a result, detainees are forced to either purchase these daily necessities from the Facility's commissary, or go without. Novoa further alleges that "by maintaining these harsh conditions and purposely withholding basic necessities from detainees, GEO ensures an available labor pool of detainees will work for only \$1 per

² *State of Washington v. The GEO Group, Inc.*, Case No. 3:17-cv-05806 RJB, (W.D. Wash.); *Chao Chen v. The GEO Group, Inc.*, Case No. 3:17-cv-05769 RJB (W.D. Wash.).



day.” Finally, Novoa alleges that the VWP is not “voluntary” because detainees that refuse to participate in the VWP are placed into solitary confinement.

The legal claims include violations of California’s Minimum Wage law, unjust enrichment, violations of California’s unfair competition law, violations of the federal TVPA and attempted forced labor.

Unfortunately, this pending lawsuit is not the only issue facing ICE and its contractors in California. In 2017, the California legislature enacted two laws that will create significant obstacles to ICE’s ability to contract with local governments to obtain detention facility services through Intergovernmental Service Agreements (IGSAs).

The first law, AB 103, was enacted through an appropriations bill and prohibits a California city, city and county or local law enforcement from entering into a new contract with the federal government or a federal agency, “to house or detain in a locked detention facility noncitizens for purposes of civil immigration custody.” Cal. Gov’t Code § 7310(a). It also prevents these state and local entities from renewing or modifying existing contracts “in such a way to expand the maximum number of contract beds” that may be utilized to house or detain noncitizens for the purpose of civil immigration proceedings. Cal. Gov’t Code § 7310(b). AB 103 also adds coordinate provisions relating to facilities that house minors. Cal. Gov’t Code § 7311. Another law, SB 29, will further prohibit a city, city and county, or local law enforcement agency from entering into a contract with the federal government or a private corporation to house or detain in a locked detention facility noncitizens for purposes of civil immigration custody. Cal. Civ. Code § 1670. 9(a), (b). Another provision of SB 29 also restricts certain conveyances of land or permits for detention facility buildings. Cal. Civ. Code § 1670. 9(d). Taken together, AB 103 and SB 29 appear to be aimed at eventually eliminating all the contracting relationships that enable ICE to use IGSAs to obtain bedspace.

The legislation also provides tools for state government to interfere with the operations of ICE facilities. AB 103 purports to authorize the California Attorney General, through the year 2027, to conduct inspections of “county, local, or private locked detention facilities.” This includes broad and ill-defined review of “conditions of confinement,” “standard of care and due process” to detainees, and “the circumstances around their apprehension and transfer to the facility.” Cal. Gov’t Code § 12532(b). The law requires the Attorney General to be provided “all necessary access for the observations necessary to effectuate reviews required pursuant to this section.” Cal. Gov’t Code § 12532(c). Information for these reviews will be reported to the state Legislature and Governor, and made publicly available through the Attorney General’s website. Cal. Gov’t Code § 12532. SB 29 also makes these facilities subject to the California Public Records Act. Cal. Civ. Code § 1670. 9(c). The City of Adelanto has recently received multiple broad requests for information about the Adelanto facility under this provision from the news agency BuzzFeed and one individual.



On November 16, 2017 the City of Adelanto also received a letter from the California Department of Justice requesting a visit and tour of the Adelanto Detention Center pursuant to California Government Code Section 12532, which was enacted as part of California Assembly Bill 103 (AB 103) on June 27, 2017. On November 27, 2017 ICE Contracting Officer Roberta Halls sent a letter to Gabriel Elliot, the Adelanto City Manager, reminding him of the City's obligations under the IGSA with ICE which requires procedures for requested facility tours and relevant tour restrictions.

These new California laws present clear obstacles to ICE's ability to contract with state and local authorities and with private corporations in order to obtain detention facility bedspace and services. The laws are also clearly invasive, jeopardizing facility security and giving access to detainees and to federal information in a manner that creates great potential for state interference with ICE's ability to carry out its federal mandates and policies. The California Attorney General's request for a tour is in all likelihood an exploratory initiative directed at compiling information for litigation against the facility service provider The GEO Group.

Concerted Challenges to ICE Authority and to Federal Law

These lawsuits have placed GEO's operation of ICE facilities at odds with Congressional direction, as well as our contractual terms. Obviously, GEO does not engage in forced labor that violates the TVPA, a statute that federal agencies, including the Department of Homeland Security, are charged with enforcing. To the extent that plaintiffs allege that disciplinary segregation is an unlawful threat for refusal to work, this sanction comes directly from ICE policies, which ICE should assist in defending.

Likewise, the demand that GEO pay a state-mandated minimum wage is directly contrary to federal law and the terms of ICE and GEO's contracts. Congress has expressly provided that pay for detainee work is an "allowance," 8 U.S.C. §1555(d), and has never directed that detainees should be paid a minimum wage as employees. Decades of precedents under the Federal Labor Standards Act have upheld the \$1 per day allowance for detainee work, holding that detainees are not the "employees" of detention facilities and that minimum wage standards are inapplicable to detainees. GEO's contracts with ICE require that GEO administer the VWP at the Aurora and Tacoma facilities, and set the reimbursable rate for that participation at \$1 per detainee per day, an amount that cannot be increased without ICE's authorization. Yet, GEO finds itself defending the agency and its policies against allegations of state minimum wage violations. GEO should not shoulder the burdens and costs of defending agency policy, when GEO, as a government contractor, must carry out its contractual obligations to ICE, including administering the VWP as ICE specifies, at the contract reimbursement rate for the allowances to detainees of \$1 per day.



Request for ICE/DOJ Legal Intervention

We believe that if ICE/DOJ continues to abstain from intervention in these cases, and laws such as California’s go unchallenged, other parties and states will consider similar litigation and legislation, thereby multiplying the impediments to ICE’s administration of the immigration detention system. GEO believes that the course of the litigation in Colorado, Washington, and California (and similar lawsuits that are likely to follow) could be significantly changed by ICE/DOJ intervention. The federal government needs to defend its Congressional mandates and its policies against these suits, which are designed to force changes in federal immigration policy by targeting the federal government’s private contractors.

GEO views its defense of these lawsuits and its potential liability as a cost of performance of its contracts with ICE. The potential costs are significant. Thus far, GEO’s legal fees and costs in *Menocal* exceed \$1.6 million, which will increase sharply now that the Tenth Circuit has affirmed the class-certification. In the Washington litigation, the defense fees and costs are already approximately \$440,000, and could quickly exceed \$1 million once discovery begins, or increase exponentially if class-certification is granted in each lawsuit. Even more concerning is that there is the potential for damages under the TVPA reaching as many as 60,000 detainees at the Aurora facility over 10 years, and claims for disgorgement of unpaid wages to VWP participants stemming back multiple years.

Monetary damages in each of the Colorado, Washington, and California cases could reach several millions of dollars. Were GEO to receive an adverse judgment in any of these cases, GEO would have no alternative but to seek an equitable adjustment to cover the cost for past and future damages. The impact is even more problematic given the reasonably foreseeable likelihood that this litigation would be repeated in other jurisdictions with antagonistic public officials seeking to target private federal contractors as a means of changing federal detention policy that DHS and ICE are in the best position to defend.

We respectfully request a meeting on this matter for next Thursday morning, February 22, 2018. If you have any questions or need any additional information, please don’t hesitate to contact me via email at [REDACTED] or by telephone at [REDACTED]. In my absence, please contact [REDACTED] or via telephone at [REDACTED].

Very truly yours,

[REDACTED]
(b)(6);(b)(7)(C)

Senior Vice President
Business Development

Exhibit 4

Office of Acquisition Management
U.S. Department of Homeland Security
801 I Street NW 9th Floor
Washington, DC 20536



U.S. Immigration
and Customs
Enforcement

June 21, 2018

The GEO Group, Inc.

(b)(6);(b)(7)(C) Executive VP, Contract Admin

One Park Place, Suite 700

621 Northwest 53rd Street

Boca Raton, Florida 33487

Subject: Denial of Request for Equitable Adjustment for Contract No. HSCEDM-11-D-00003 Aurora Contract Detention Facility, CO dated April 18, 2018

Dear (b)(6);(b)(7)(C)

(b)(5)

(b)(5)

Based on the above, GEO's REA is denied in its entirety. As a threshold matter, GEO has failed to show its entitlement to such a modification under the contract terms or applicable laws and regulations. Additionally, GEO has failed to address the reasonableness or provide adequate supporting data for the quantum sought. While the government denies this REA in its entirety, please note that disputes under this contract are governed by the FAR 52.233-1 - Disputes and the Contract Disputes Act (41 U.S.C. §§ 7101-7109).

If you have any questions regarding this matter, please contact me at (202) 732-(b)(6);(b)(7)(C) by email at (b)(6);(b)(7)(C)

Very Respectfully,

(b)(6);(b)(7)(C)

Contracting Officer

Exhibit 5

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:14-cv-02887-JLK

RULE 30(b)(6) DEPOSITION OF:
DAWN CEJA - March 29, 2016
The GEO Group, Inc.

ALEJANDRO MENOCA, et al.,

Plaintiffs,

v.

THE GEO GROUP, INC.,

Defendant.

PURSUANT TO NOTICE, the Rule 30(b)(6) deposition of DAWN CEJA, THE GEO GROUP, INC., was taken on behalf of the Plaintiffs at 600 Grant Street, Suite 450, Denver, Colorado 80203, on March 29, 2016, at 9:34 a.m., before Darcy Curtis, Registered Professional Reporter and Notary Public within Colorado.

A P P E A R A N C E S

For the Plaintiffs:

ANDREW FREE, ESQ.
Law Office of R. Andrew Free
1212 7th Avenue North
Nashville, Tennessee 37208

ALEXANDER HOOD, ESQ.
Towards Justice
1535 High Street
Suite 300
Denver, Colorado 80218

ANDREW H. TURNER, ESQ.
Buescher, Kelman, Perera & Turner, P.C.
600 Grant Street
Suite 450
Denver, Colorado 80203

BRANDT P. MILSTEIN, ESQ.
Milstein Law Office
595 Canyon Boulevard
Boulder, Colorado 80302

For the Defendant:

SHELBY A. FELTON, ESQ.
Vaughan & DeMuro
720 South Colorado Boulevard
Penthouse, North Tower
Denver, Colorado 80246

1 A. My warden.

2 Q. That's it?

3 A. Yes.

4 Q. All right. What employment documents, if
5 any, have you signed with Immigration and Customs
6 Enforcement?

7 A. None.

8 Q. Okay. Now, during your time in all of
9 these positions, have you had direct participation in
10 the execution of the housing unit sanitation policy at
11 the Aurora Detention Facility?

12 A. I'm not sure what you mean by direct
13 execution.

14 Q. Have you been responsible for ensuring
15 that the policy was followed?

16 A. Yes.

17 Q. Have you ensured the detainees were
18 abiding by the policy?

19 A. Yes.

20 Q. Have you played any role in the
21 formulation of the policies as the years went on?

22 A. At times.

23 Q. What was that role?

24 A. Policy review.

25 Q. Okay. Anything else?

1 A. No.

2 **Q. What does policy review entail?**

3 A. Going over the policy and ensuring all
4 aspects are covered.

5 **Q. So the next set of questions is going to**
6 **be all about topic 2, the housing unit sanitation**
7 **policy. So if you would like to have that in front of**
8 **you, it's at page 2 of Exhibit 1. First of all, can**
9 **you briefly describe what work GEO requires detainees**
10 **to perform under its housing unit sanitation policy,**
11 **please.**

12 A. The policy discusses ensuring that
13 detainees keep their living areas clean.

14 **Q. What's a living area?**

15 A. The place where they're staying while
16 they are being detained. So I would consider that the
17 housing unit, the cell, the common area.

18 **Q. Anything else?**

19 A. Not in the housing unit.

20 **Q. And by keeping their living area clean,**
21 **what tasks do you understand that to entail?**

22 A. Ensuring their beds are made, there's no
23 extra food laying around, their clothes are folded
24 neatly or kept in their assigned locker, no pictures
25 hanging on the walls.

1 Q. Anything else?

2 A. No.

3 Q. So by keeping their living area clean,
4 you're discussing making their beds, avoiding any food
5 from laying around, making sure their clothes are
6 folded neatly in their lockers, perhaps, and then not
7 hanging any pictures on the walls. You can't think of
8 anything else that cleaning up their living area
9 entails under the housing unit sanitation policy?

10 A. Any personal items should be kept in
11 their foot locker, no trash or debris should be laying
12 around.

13 Q. Anything else?

14 A. No.

15 Q. How many different living areas are there
16 at the Aurora Detention Facility?

17 A. Do you mean how many like housing --
18 separate housing units?

19 Q. I guess I don't know what you mean by
20 living area, so I'm just trying to understand what you
21 mean when you say keeping your living area clean. It
22 sounds like you're discussing the bed and your
23 personal items around your bed. So maybe we're
24 talking about beds, but maybe you mean something else.
25 I'm just trying to understand.

1 A. In the cell or outside in recreation.
2 They still get recreation time.

3 Q. How much time of recreation do you get?

4 A. Up to two hours.

5 Q. Is that overlapping with social time, or
6 is that separate from it?

7 A. Separate.

8 Q. Out of a 24-hour day, you're talking
9 about 20 hours in the cell; is that right?

10 A. Correct.

11 Q. And you're physically restrained in the
12 cell?

13 MS. FELTON: Object to form.

14 Q. (BY MR. FREE) Let me rephrase. Is the
15 door shut?

16 A. Yes.

17 Q. Is the cell door locked?

18 A. Yes.

19 Q. You're physically not able to get out of
20 the cell for that 20 hours?

21 A. Correct.

22 Q. Do the detainees understand you're going
23 to be physically restrained in the cell when you go to
24 administrative segregation? Is that something that's
25 explained to them?

1 MS. FELTON: Object to form.

2 A. They're not physically restrained inside
3 the cell, but the door is closed, yes.

4 Q. (BY MR. FREE) The door physically
5 prevents them from going out of the cell like they
6 would in their pod; is that right?

7 A. Correct.

8 Q. And is that part of the explanation that
9 you're giving to detainees about the consequences of
10 violating the disciplinary rules?

11 MS. FELTON: Object to form.

12 A. I don't understand.

13 Q. (BY MR. FREE) Do the detainees know what
14 administrative segregation is or seg, whatever you're
15 calling it, solitary, is this something that is
16 explained to a detainee when he or she enters the
17 facility?

18 A. Yes.

19 Q. Okay. It's fair to say that when looking
20 at all of these policies, including the housing unit
21 sanitation policy, the detainee is on notice that if
22 he or she doesn't comply, he or she could be taken to
23 administrative segregation; is that right?

24 A. Correct. And that's clearly set forth in
25 the detainee handbook.

1 Q. Nobody is springing this on them at the
2 last minute as a surprise?

3 A. Correct.

4 MS. FELTON: Object to form.

5 Q. (BY MR. FREE) And they know they're
6 going to be limited in their movement in
7 administrative segregation?

8 A. Yes.

9 MS. FELTON: Object to form.

10 A. Yes.

11 Q. (BY MR. FREE) Okay. At least that is
12 the information that you're providing to detainees so
13 they can comply with the policies; is that right?

14 A. Yes.

15 Q. Okay. By that, I mean, that their
16 movement is going to be limited and they're going to
17 be limited in their amount of social time, rec time;
18 is that right?

19 A. Yes.

20 Q. Okay. Now, the detainee handbook puts
21 detainees on notice that they could actually be put in
22 disciplinary segregation for up to 72 hours if they
23 violate the requirement that they clean up; is that
24 right?

25 A. Yes.

REPORTER'S CERTIFICATE

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

I, Darcy Curtis, Registered Professional Reporter and Notary Public ID 20064016972, State of Colorado, do hereby certify that previous to the commencement of the examination, the said DAWN CEJA was duly sworn by me to testify to the truth in relation to the matters in controversy between the parties hereto; that the said deposition was taken in machine shorthand by me at the time and place aforesaid and was thereafter reduced to typewritten form; that the foregoing is a true transcript of the questions asked, testimony given, and proceedings had.

I further certify that I am not employed by, related to, nor of counsel for any of the parties herein, nor otherwise interested in the outcome of this litigation.

IN WITNESS WHEREOF, I have affixed my signature this 12th day of April, 2016.

My commission expires May 2, 2018.

 X Reading and Signing was requested.

 Reading and Signing was waived.

 Reading and Signing is not required.

Exhibit 6

Amber Martin
October 09, 2019

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IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLORADO

CASE NO. 1:14-cv-02887-JLK

ALEJANDRO MENOCA, et al.,
Plaintiffs,

-vs-

THE GEO GROUP, INC.,
Defendant.

_____ /

DEPOSITION OF AMBER MARTIN
Pages 1 Through 209

Wednesday, October 9, 2019
8:58 a.m. - 3:21 p.m.

951 Yamato Road
Suite 285
Boca Raton, Florida 33431

Stenographically Reported By:
Nancy Cannizzaro, RMR
Registered Merit Reporter

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APPEARANCES

On Behalf of the Plaintiffs:
OUTTEN & GOLDEN, LLP
685 Third Avenue
25th Floor
New York, New York 10017
212.245.1000
mscimone@outtengolden.com
BY: MICHAEL J. SCIMONE, ESQUIRE

On Behalf of the Defendant:
AKERMAN, LLP
1900 Sixteenth Street
Suite 1700
Denver, Colorado 80202
303.260.7712
colin.barnacle@akerman.com
BY: COLIN L. BARNACLE, ESQUIRE

1 done. I know the policies are signed off by ICE or they
2 could have been e-mailed. I'm not sure what the...

3 Q. In your communications with the contracting
4 officer, are those typically by e-mail?

5 A. By e-mail or by formal letter usually.

6 Q. And so those formal letters, do they get
7 stored anywhere or saved as a record?

8 A. Yes.

9 Q. Okay.

10 A. Anything that is a communication about
11 modifications or anything like that is in the contract
12 database.

13 Q. Okay. So it gets stored in the contract
14 database?

15 A. Uh-huh.

16 Q. That's really what I was just trying to --

17 A. Anything having to do with contracts.

18 Q. Understood.

19 Okay. And you said that database Determine
20 has been in use since 2011; is that right?

21 A. A form of it. It's now expanded
22 considerably. And it wasn't Determine back then. It was
23 kind of our own database-type thing. So we've expanded
24 to where it is now.

25 Q. Was it a different database prior to 2011

1 that was used?

2 A. Just internal files. I mean, just -- not
3 really.

4 Q. Okay.

5 A. It was -- you know, we were trying to get
6 up to gear.

7 Q. So were those files saved on just a hard
8 drive or a share drive or something like that?

9 A. They wouldn't have been shared on a share
10 drive. Most of it would have been paper at that time.

11 Q. Okay. Is that the case going back to 2004?

12 A. Oh, definitely.

13 Q. If you'll look back at the declaration --
14 and I'm turning to your statement on the last page, in
15 the back.

16 So you write here that the policies and
17 procedures were reviewed. Who was conducting that
18 review?

19 A. We had a policy and procedure committee. I
20 was the head of the committee. And then there were
21 representatives from each of the departments, such as
22 operations, legal, human resources.

23 Q. Any other departments?

24 A. Back in 2013, I believe we had -- not sure
25 what company we had. Maybe -- it would have been health

1 services also. I'm sure there may have been more, but
2 that's all I can recollect back then.

3 Q. You referred to a company --

4 A. Well, any time we acquire a company, we
5 would have representatives from that company.

6 Q. I see. And so that was in 2013?

7 A. Yes.

8 Q. Has the general composition of that --
9 well, withdrawn.

10 Has there been a policy and procedure
11 committee in existence throughout the 2004 to 2014 time
12 frame?

13 A. Yes.

14 Q. And has the composition of that committee
15 been approximately the same as what you just described?

16 A. I would say approximately. Maybe even less
17 than that. It's grown, like I said.

18 Q. Approximately how many people in total are
19 on that committee?

20 A. In 2013?

21 Q. Yes.

22 A. Probably -- what did I give you there?

23 Q. Yourself and you mentioned three
24 departments: legal, HR, and health services.

25 A. I would say probably six people, because

1 A. Yes.

2 Q. "CO" refers to contracting officer?

3 A. Yes.

4 Q. What does "NTP" refer to?

5 A. Notice to proceed.

6 Q. Okay. Is that an accurate statement about
7 how plans, policies and procedures are developed for the
8 Aurora facility?

9 A. For new contract, yes.

10 Q. And what about a renewed contract?

11 A. They're all new contracts.

12 Q. Okay. So new in the sense of this being a
13 new document?

14 A. Uh-huh.

15 Q. Even though it's a continuation of the
16 prior contract?

17 A. It's not a continuation. It's a brand new
18 contract.

19 Q. Continuation of services provided?

20 It's okay. We don't need to go down that.

21 On the following page -- well, before we go
22 on to the next page, I guess the continuation that I sort
23 of have in mind and the reason I do think it's a little
24 bit relevant is we talked about how, when there's a
25 facility where, there's a new contract, but it's one

1 that's been previously operated by Aurora, some of those
2 policies are carried over and modified in certain
3 respects.

4 A. However, those policies, just like this
5 says, would be also given to the contracting officer for
6 review as a brand new contract, whether they went -- what
7 I'm saying is, they would probably not be rewritten all
8 the way through because we were already doing it, these
9 are the policies in place. We've changed the policies in
10 accordance with RFP. But they would still be considered
11 part of a new contract, so they still have to be reviewed
12 by ICE.

13 Q. So that's the relevant point you're making,
14 is that ICE has -- at the time of contract, initiation in
15 2006 here, that's when ICE has a review process?

16 A. Yes.

17 Q. Or there is a review process at that time?

18 A. Yes.

19 Q. Okay. Fair enough.

20 A. And throughout. If anything has changed
21 policy-wise, they have a review process also.

22 Q. Does ICE have a review process outside of
23 changes?

24 A. As far as?

25 Q. Yeah. So you say they -- well, they review

1 it at the time that the contract is signed and then they
2 would review again, you said, if there's a modification.
3 I'm wondering if there's any sort of periodic review by
4 ICE of the policies that happens just in the normal
5 course of business or oversight?

6 A. Definitely.

7 Q. Definitely?

8 A. Definitely.

9 Q. How is that -- who conducts that oversight?

10 A. Most -- most of the time, the COTR.

11 Q. That's the person at the facility level?

12 A. Yes. The contracting officer technical
13 representative.

14 Q. And is -- so is that a review of the
15 policies themselves or the implementation of the
16 policies?

17 A. It could be either-or.

18 Q. Okay.

19 A. It could be not one policy, two policies.
20 They have full access. And it happens quite a bit.

21 Q. Okay. On the next page, 644, I'm looking
22 at the, I guess, fourth paragraph up from the bottom. It
23 says: "The contractor is responsible for a
24 quality-control program." Do you see that?

25 A. Yes.

1 Q. All right. What does that quality-control
2 program consist of or what does it refer to?

3 A. It's -- we have to establish a
4 quality-control program that oversees all aspects of the
5 facility, the policies and procedures, to make sure we're
6 in compliance with the contract. Like I said, there's a
7 quality -- a compliance division that oversees that
8 program for every facility, and there's -- it includes
9 self-audits at the facility level and includes regional
10 audits and it includes corporate audits and follow-ups.

11 Q. Okay. Are audits the primary mechanism for
12 ensuring contract compliance?

13 A. Yes.

14 Q. Are there other mechanisms?

15 A. Well, reviews or -- that would be the
16 primary source. You wouldn't know unless you weren't
17 audited. Unless there's an outside audit as well. Then,
18 you know, that would be another source.

19 Q. Okay. Who deals with outside audits? In
20 other words, who at GEO Group is the point of contact for
21 outside auditors?

22 A. We're not appointed contact for outside
23 auditors.

24 Q. Okay. So GEO doesn't receive the results
25 of those audits?

Amber Martin
October 09, 2019

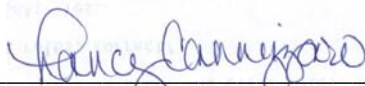
CERTIFICATE OF OATH

THE STATE OF FLORIDA)

COUNTY OF PALM BEACH)

I, the undersigned authority, certify that
AMBER MARTIN personally appeared before me and was duly
sworn on the 9th day of October, 2019.

Signed this 23rd day of October, 2019.



Nancy Cannizzaro, RMR
Notary Public - State of Florida
My Commission No. FF988509
My Commission Expires: May 16, 2020

CERTIFICATE OF REPORTER

THE STATE OF FLORIDA)
COUNTY OF PALM BEACH)

I, Nancy Cannizzaro, Registered Merit Reporter, certify that I was authorized to and did stenographically report the foregoing deposition of AMBER MARTIN, pages 1 through 207; that a review of the transcript was requested; and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED this 23rd day of October, 2019.



Nancy Cannizzaro, RMR

Exhibit 7

Kevin Martin
November 19, 2019

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

ALEJANDRO MENOCA, et al.,)	
)	
)	
Plaintiffs,)	Case No.
)	
vs.)	1:14-cv-
)	02887-JLK
THE GEO GROUP, INC.,)	
)	
)	
Defendant.)	
)	

VIDEOTAPED DEPOSITION OF KEVIN MARTIN
November 19, 2019
9:31 a.m.
205 North First Street
La Conner, Washington

Reported by:
Connie Recob, CCR, RMR, CRR
CCR No. 2631
Job No. 854755 - NE 288153

1 APPEARANCES:

2

3 For the Plaintiffs:

4 ELIZABETH STORK
5 MICHAEL J. SCIMONE
6 OUTTEN & GOLDEN LLP
7 685 Third Avenue, 25th Floor
8 New York, New York 10017
9 (212) 245-1000
10 estork@outtengolden.com
11 mscimone@outtengolden.com

8

9 For the Defendant:

10 ALLISON ANGEL
11 AKERMAN LLP
12 1900 Sixteenth Street, Suite 1700
13 Denver, Colorado 80202
14 (303) 640-2511
15 allison.angel@akerman.com

13

14 Also Present:

15 Danielle Greene - Videographer

16

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1 A. So they -- basically, they would take their
2 trays, put them back on a cart. They would wipe off
3 the tables, sweep the day area, mop and be done with
4 it, and that would be -- that would be it.

5 Q. And do you recall whether all the detainees
6 who were eating at the time would participate or
7 whether it was a -- a group of detainees assigned?

8 A. There was a group that was assigned, but
9 there were a lot of other detainees that just
10 volunteered to do it because, again, the quicker it
11 was done, the quicker they could start watching TV.

12 Q. And how was the group who was -- who were
13 designated to clean assigned?

14 A. A list was generated based off of the
15 detainees that were housed in that unit. If they
16 were -- if they were trustees, they weren't placed on
17 the list because they were -- they might have been
18 already working somewhere else. So it was, I want to
19 say a change from the old building to the new
20 building, the -- the number of detainees, because the
21 old building, we had smaller housing units. So I want
22 to say there was three people assigned; in the new
23 building, there was five people assigned.

24 And they would post this list on the front of
25 the officer station, and the detainees all knew

1 basically who -- who was going to be that day or even
2 the next day unless somebody got out and it might
3 shift by one or two people. But basically those --
4 those five people, or three depending on which unit it
5 was in, would be -- would clean up.

6 Now, in the old -- in the new facility in
7 2010, there were also two paid dorm trustees that also
8 cleaned the whole area, the -- in addition to -- their
9 responsibility was cleaning the entire day area --
10 excuse me, day area, but -- and they would also help
11 after meal service.

12 Q. And when you say "trustees," you're referring
13 to detainees who participated in the Voluntary Work
14 Program, correct?

15 A. Correct.

16 Q. And the people who -- but the group that was
17 assigned to clean, apart from the two dorm trustees
18 you mentioned in the new building, the group assigned
19 to clean after meal service were not -- they were not
20 enlisted in the Voluntary Work Program, correct?

21 A. Correct, unless they just happened to
22 volunteer, I mean, because there was people -- other
23 than the five people, there were other guys, like I
24 said, that they just, Get it over with, bam, so we can
25 watch TV. But those five people that were on the list

1 were not on the Voluntary Work Program.

2 Q. Right. And they -- they had to clean?

3 A. Correct.

4 MS. ANGEL: Objection.

5 THE WITNESS: Yeah.

6 BY MS. STORK:

7 Q. What is -- at 0- -- well, actually, I'm not
8 sure what time is signified here: 0001 at the very
9 top of the schedule?

10 A. Facility cleanup?

11 Q. Yes. What is that referring to?

12 A. What that refers to is we had a group of
13 detainees who were in the volun- -- trustees that
14 would go around and clean medical unit, empty trash.
15 They would sweep hallways. They would clean common
16 areas. They would go to intake, clean hold cells.
17 Even though that was done after large releases and
18 stuff, they would do deeper cleanings, sometimes
19 buffing floors in the middle of the night just -- you
20 know, when there's no traffic around the facility.

21 Q. So the 0001, is that like...

22 A. Midnight.

23 Q. Oh, midnight, okay. I see. I see.

24 So starting at midnight, certain trustees
25 would do a deeper clean of the facility?

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REPORTER'S CERTIFICATE

I, CONNIE A. RECOB, the undersigned Certified Court Reporter, pursuant to RCW 5.28.010 authorized to administer oaths and affirmations in and for the State of Washington, do hereby certify that the sworn testimony and/or proceedings, a transcript of which is attached, was given before me at the time and place stated therein; that any and/or all witness(es) were duly sworn to testify to the truth; that the sworn testimony and/or proceedings were by me stenographically recorded and transcribed under my supervision, to the best of my ability; that the foregoing transcript contains a full, true, and accurate record of all the sworn testimony and/or proceedings given and occurring at the time and place stated in the transcript; that a review of which was requested; that I am in no way related to any party to the matter, nor to any counsel, nor do I have any financial interest in the event of the cause.

WITNESS MY HAND and SIGNATURE this 3rd day of

December, 2019.



CONNIE A. RECOB, RMR, CRR
Washington Certified Court Reporter, CCR 2631
c.recob@gmail.com

Exhibit 8



Progress in Implementing 2011 PBNDS Standards and DHS PREA Requirements at Detention Facilities

March 19, 2018

Fiscal Year 2017 Report to Congress



**Homeland
Security**

U.S. Immigration and Customs Enforcement

Message from the Deputy Director and Senior Official Performing the Duties of the Director

March 19, 2018

I am pleased to present the following report, "Progress in Implementing 2011 PBNDS Standards and DHS PREA Requirements at Detention Facilities," which has been prepared by U.S. Immigration and Customs Enforcement (ICE).

This report was compiled pursuant to requirements in the Joint Explanatory Statement and House Report 114-668, which accompany the Fiscal Year 2017 Department of Homeland Security (DHS) Appropriations Act (P.L. 115-31).

Pursuant to congressional guidelines, this report is being provided to the following Members of Congress:



The Honorable John R. Carter
Chairman, House Appropriations Subcommittee on Homeland Security

The Honorable Lucille Roybal-Allard
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable John Boozman
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable John Tester
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries related to this report may be directed to me at (202) 732-3000 or to the Department's Acting Chief Financial Officer, Stacy Marcott, at (202) 447-5751.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Homan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Thomas D. Homan
Deputy Director and Senior Official Performing the Duties
of the Director
U.S. Immigration and Customs Enforcement



Progress in Implementing 2011 PBNDS Standards and DHS PREA Requirements at Detention Facilities Fiscal Year 2017

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I. Legislative Requirement

This report was compiled in response to the Joint Explanatory Statement and House Report 114-668, which accompany the Fiscal Year (FY) 2017 Department of Homeland Security (DHS) Appropriations Act (P.L. 115-31).

The Joint Explanatory Statement says:

Within 45 days after the enactment of this Act, ICE shall report on its progress in implementing the 2011 Performance Based National Detention Standards, including the 2016 revisions, and requirements related to the Prison Rape Elimination Act, as detailed in the House report.

House Report 114-668 states:

Within 45 days after the date of enactment of this Act, ICE shall report on its progress in implementing the 2011 PBNDS and requirements related to PREA, including a list of facilities that are not yet in compliance; a schedule for bringing facilities into compliance; and current year and estimated future year costs associated with compliance.

II. Background

U.S. Immigration and Customs Enforcement (ICE) enforces federal laws governing border control, customs, trade, and immigration to promote homeland security and public safety. Through its Enforcement and Removal Operations (ERO), ICE identifies and apprehends removable aliens, detains them, and effectuates their removal from the United States.

Detention is a necessary tool that ICE uses to accomplish its important mission. Over the last 20 years, the Nation's immigration detention system has changed significantly—growing from an average daily population (ADP) of fewer than 7,500 detainees in FY 1995 to an ADP of 38,106 detainees for FY 2017.

Currently, ICE uses three sets of adult detention standards, as detailed below, to govern conditions of detention in its facilities. These standards specify the living conditions appropriate for detainees and ensure that detainees are treated with respect and dignity, and are provided the best possible care while in ICE custody.

The detention standards for a given facility are determined by considerations such as the facility's size, type, capacity to adhere to certain requirements, staffing, and actual or potential associated costs of executing physical or operational changes. Detention standards apply to a facility through the contract period, following negotiation between ICE and the contractor or locality operating the facility. The majority of ICE facilities receive an annual inspection to ensure compliance with the relevant detention standards.

The National Detention Standards (NDS) issued in 2000 established consistent conditions of confinement, program operations, and management expectations within ICE's detention system. Today, NDS most frequently is applicable at county or city jails used by ICE pursuant to an intergovernmental service agreement (IGSA) or U.S. Marshals Service (USMS) Intergovernmental Agreement (IGA).

In 2008, ICE revised the NDS by creating the Performance-Based National Detention Standards (PBNDS) 2008. These updated standards, which were developed by a multidisciplinary ICE working group that also included other departmental stakeholders such as the DHS Office for Civil Rights and Civil Liberties (CRCL), delineate the results or outcomes to be achieved and enhanced safety, security, and conditions of confinement for detainees. The PBNDS 2008 prescribe both the expected outcomes of each detention standard and the expected practices required to achieve them.

In October 2009, DHS and ICE announced a series of detention reform initiatives as part of an ongoing effort to enhance the security and efficiency of the immigration detention system while prioritizing the health, safety, and well-being of detainees. These reforms—which were outlined in the October 2009 report to Congress, *Immigration Detention Overview and Recommendations*, and updated in the July 2012 report to Congress, *Detention Process Improvement and Reform*—included the following recommendation, which has become a key agency initiative:

In coordination with stakeholders, ICE should develop a new set of standards, assessments, and classification tools to inform care, custody restrictions, privileges, programs, and delivery of services consistent with risk level and medical care needs of the population. ICE should expand access to legal materials and counsel, visitation, and religious practice.

On February 27, 2012, ICE issued PBNDS 2011. ICE tailored these revised standards—developed in collaboration with ICE personnel, numerous agency stakeholders, and DHS CRCL—to meet the needs of its diverse detention population. Since that time, ICE has implemented PBNDS 2011 successfully at 31 facilities, representing almost 60 percent of ICE’s FY 2017 ADP.

On January 11, 2017, ICE issued a revised version of PBNDS 2011. The revisions were developed in coordination with the agency stakeholders and CRCL, incorporate legal and regulatory requirements, and update text to match existing ICE and ERO policies. The major revisions covered: full implementation of the DHS standards, disability accommodation, language access and communication assistance, disciplinary system and special management units, suicide prevention, detainees with serious mental illness, tracking and reporting assaults, identification and monitoring of pregnant detainees, religious meals, and use of force at detention facilities.

ICE requested adoption of the revisions for detention facilities covered by PBNDS 2011 through a bilateral contract modification of the facility’s contract. All PBNDS 2011 facilities also were informed that they would be inspected against the new requirements by June 30, 2017.

As of November 29, 2017, 26 of the 30¹ applicable detention facility contracts requiring the revised version of PBNDS 2011 have been modified to incorporate the revisions. ICE is working with the remaining facilities on adoption and expects the final modifications to be complete by the end of FY 2018.

On March 7, 2014, DHS issued Final Rule, 6 CFR Part 115, Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities, also known as the DHS (Prison Rape Elimination Act of 2003 (PREA) Standards. The DHS PREA Standards establish robust safeguards against sexual abuse and assault of individuals in DHS custody. Meeting a commitment made in the preamble to the DHS PREA Standards, ICE implemented the standards through contract modifications at all ICE-dedicated detention facilities.² The DHS PREA Standards are binding at 38 facilities. These facilities house 67 percent of FY 2017 ICE ADP,

¹ Two additional facilities were contacted but are no longer in use by ICE, so the modification was not pursued for these two. One additional facility signed onto PBNDS 2011 following the issuance of the revisions so a modification was not necessary; this new facility is included in other areas of this report, which lists a total of 31 facilities operating under the PBNDS 2011.

² Dedicated detention facilities are those that exclusively house ICE detainees.

and 85 percent of the ICE ADP when excluding detainees held in USMS-contracted facilities (which are covered by the U.S. Department of Justice (DOJ) PREA regulation).³

This report provides an update on ICE's progress in implementing PBNDS 2011 and the DHS PREA Standards at ICE detention facilities.

³ The preamble to the DHS PREA Standards states that the standards “do not apply to facilities used by ICE pursuant to an agreement with a DOJ entity (e.g., BOP facilities) or between a DOJ entity (e.g., USMS) and a state or local government or private entity . . . because they are not ‘operated by or pursuant to contract with U.S. Immigration and Customs Enforcement.’”

III. Implementation of 2011 Performance-Based National Detention Standards and DHS Prison Rape Elimination Act Standards

ICE operates the largest civil detention system in the Nation, and detention remains an important and necessary part of immigration enforcement. In FY 2017, ICE maintained an ADP of 38,106 detainees and booked more than 320,000 individuals into ICE custody. The average length of stay in ICE custody was 44 days. Fifty percent of the ICE-detained population was removed or released within 16 days, 75 percent was removed or released within 48 days, and 90 percent was removed or released within 109 days. ICE is committed to ensuring that detainees in ICE custody reside in safe, secure, and humane environments and under appropriate conditions of confinement. ICE detention standards and DHS PREA safeguards are among the important mechanisms that ICE utilizes for meeting this commitment.

A. PBNDS 2011

Overview

On February 27, 2012, ICE issued PBNDS 2011 to address the unique needs of ICE's detainee population. ICE designed the revised standards to improve medical and mental health services, implement stronger protections against sexual assault, increase access to legal services and religious opportunities, improve communication for detainees with limited English proficiency, improve the process for reporting and responding to complaints, and increase recreation and visitation.

More specifically, the PBNDS 2011:

- Improves medical and mental health care services by: requiring the expanded availability of mental health care staff; requiring faster response times for sick call requests and evaluations of detainees with identified health needs; and ensuring closer monitoring of detainees with serious medical and mental health conditions.
- Reinforces protections against sexual abuse and assault in facilities by: strengthening requirements for screening, staff training, and detainee education; establishing procedures to ensure the protection and appropriate housing of victims; establishing protocols for conducting prompt and thorough investigations in coordination with criminal law enforcement entities; and putting in place requirements for tracking and monitoring data relating to sexual abuse and assault incidents.
- Broadens detainee access to communications with family, friends, and legal representatives with extended visitation time and enhanced access to telephones.

- Enhances detainee access to legal resources through increasing availability of staff assistance and enabling detainees to attend legal rights group presentations.
- Enhances procedures for reviewing and responding to detainee grievances by: providing for additional levels of review and decreased facility response times; encouraging direct detainee communication with ICE regarding grievances or facility responses; and specifying measures for addressing any indications of retaliation against detainees who have filed grievances.
- Improves communication assistance services for detainees with limited English proficiency or disabilities by mandating more-specific interpretation and translation services.
- Augments religious opportunities by authorizing a greater number of religious practices and implementing a process for recruiting external religious service providers.

PBNDS 2011 also introduced the concept of “optimal” compliance through the development of 18 optimal provisions across nine detention standards. Optimal provisions are adopted through contract negotiation between ICE and the service provider, and are in addition to the mandatory requirements to which a facility is bound when it adopts PBNDS 2011. Examples include increased recreation and visitation hours, increased access to law libraries, and enhanced programming.

On January 11, 2017, ICE issued revisions to the PBNDS 2011. The 2016 revisions updated the detention standards to incorporate applicable regulations, including the DHS PREA Standards, Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended (Section 504), and updated ICE policy. The updates to the PBNDS 2011 included:

- DHS PREA Standards. The most significant PBNDS 2011 revisions are to PBNDS 2011 Standard 2.11: “Sexual Abuse and Assault Prevention and Intervention.” The revised 2.11 standard includes requirements of ICE Directive 11062.2, *Sexual Abuse and Assault Prevention and Intervention (SAAPI)*, and implements all the requirements in the DHS PREA Standards that are applicable to ICE detention facilities and facility personnel. Additionally, these requirements affect numerous aspects of detention facility policies and procedures, requiring revisions to 11 other standards including but not limited to custody classifications, facility security and control, hold rooms, detainee searches, medical care, grievance procedures, and visitation.
- Section 504. ICE detention facilities are required to comply with Section 504, which prohibits discrimination based on disability and requires facilities to provide detainees with disabilities equal access to its programs and activities through the provision of appropriate accommodations, modifications, and services. The PBNDS revisions include a new detention standard, “4.8 Disability Identification, Assessment, and Accommodation,” which establishes processes to ensure compliance by detention facilities with the requirements of Section 504.

- Use of Special Management Units. Standard 2.12 “Special Management Units” was revised to incorporate requirements from ICE Directive 11065.1, *Review of the Use of Segregation for ICE Detainees*, including the requirement that the facility notify the appropriate ICE field office of detainees held in special management units (SMU) for 14 days, and as soon as possible but no later than 72 hours for detainees who have a mental illness or a serious medical illness or serious physical disability. Additional changes were made to Standard 2.12 and to Standard 3.1 Disciplinary System to incorporate a number of the recommendations related to the care of detainees with mental illness and the length of disciplinary sanctions made by DOJ in its “Report and Recommendations Concerning the Use of Restrictive Housing,” pursuant to a presidential memorandum directing all agencies using restrictive housing to review the DOJ report and implement corresponding changes. 81 Fed. Reg. 11995 (March 7, 2016).
- Suicide Prevention and Intervention. Standard 4.6 “Significant Self-harm and Suicide Prevention and Intervention” was revised to incorporate best practices to reduce the frequency of suicide attempts in ICE detention facilities and to ensure the appropriate placement and supervision of detainees on suicide precautions, including requirements that facilities establish a multidisciplinary suicide prevention committee and that staff only house suicidal detainees in the SMU as a last resort.
- Incorporation of requirements from other ICE and ERO policies. These include:
 - ICE Policy No. 11067.1: *Identification of Detainees with Serious Mental Disorders or Conditions* (May 7, 2014) (requiring facilities to notify ICE field offices of detainees with specified serious mental disorders) – this notification requirement has been expanded in Standard 4.3 Medical Care to include detainees with specified serious physical illnesses;
 - ERO Memorandum, *Protocol on Reporting and Tracking of Assaults* (June 8, 2006) (requiring the reporting of sexual and physical assaults);
 - ERO Memorandum, *Identification and Monitoring of Pregnant Detainees* (August 2016) (requiring the reporting of detainees determined to be pregnant)⁴;
 - ERO Bulletin 14-ERO0001, *Accommodation of Kosher Meals* (April 2014) (explaining facility and ICE obligations to accommodate detainees’ religious dietary requirements); and
 - ERO broadcast, *Use of Force at ICE Detention Facilities* (October 19, 2016) (clarifying the types of staff uses of force that detention facilities must report to ICE field offices).

PBNDS 2011 Implementation

The application of new detention standards at any given detention facility requires negotiation with the contractor or locality operating the facility, and execution of a separate contract modification incorporating the standards into the facility’s agreement with ICE. The initial rollout of PBNDS required extensive discussions with detention facility operators regarding the

⁴ This memorandum has been replaced by a new ICE directive of the same name issued in December 2017. The new directive is consistent with the PBNDS 2011 revisions.

new provisions prior to the contract modifications being finalized. Accordingly, ICE focused its initial efforts on dedicated facilities, which house the greatest numbers of detainees.

As of the end of FY 2017, ICE implemented PBNDS 2011 at all ICE-dedicated adult detention facilities, which consist of five government-owned service processing centers (SPC), seven privately operated contract detention facilities (CDF), and 12 dedicated intergovernmental service agreement facilities (IGSA). Seven nondedicated IGSA facilities also have adopted PBNDS 2011.⁵ ICE has implemented PBNDS 2011 at 31 facilities, housing nearly 60 percent of ICE's ADP in FY 2017.⁶

ICE continues to pursue implementation of these standards at any new dedicated detention facility, meaning any facility used for exclusively ICE or federal detainees. ICE does not anticipate deploying PBNDS 2011 to smaller nondedicated detention facilities; the PBNDS 2011 has extensive requirements related to all aspects of detention operations that are not appropriate to require for facilities managing mixed populations including state or local inmate populations.

B. DHS PREA Standards

Overview

On March 7, 2014, DHS promulgated a regulation under PREA (P.L. 108-79), to prevent, detect, and respond to sexual abuse and assault in detention facilities, *Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities* (DHS PREA Standards). The DHS PREA Standards followed the President's May 17, 2012, memorandum, "Implementing the Prison Rape Elimination Act," which directed all federal agencies with confinement facilities to work with the Attorney General to create rules or procedures setting standards to prevent, detect, and respond to sexual abuse in confinement facilities. The DHS PREA Standards also followed the Violence Against Women Reauthorization Act of 2013, which directed DHS to publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of U.S. immigration laws. The DHS PREA Standards require extensive planning and training for officers and others who work in detention facilities, and establish standards for audits and compliance reviews. The DHS PREA Standards include two sets of standards tailored to the types of confinement facilities used by ICE and U.S. Customs and Border Protection (CBP):

⁵ ICE discontinued its use of the Rolling Plains Detention Center in the second half of FY 2017. Rolling Plains was an IGSA facility covered under PBNDS 2011; therefore, it is not included in the total number of PBNDS 2011 facilities, but its ADP is included in the total PBNDS 2011 ADP. Additionally, ICE signed a contract modification with the Johnson County Jail in January 2017, which included the adoption of PBNDS 2011.

⁶ The first set of detention standards, known as NDS, was issued in 2000 and most frequently is applicable at county or city jails used by ICE pursuant to an IGSA or USMS IGA. In FY 2017, NDS covered 24 percent of the ICE ADP. ICE's 2008 PBNDS (PBNDS 2008) subsequently revised these standards to delineate more clearly the results or outcomes to be achieved, and to improve safety, security, and conditions of confinement for detainees. In FY 2017, PBNDS 2008 covered 11 percent of the ICE ADP. ICE Family Residential Standards (FRS) were developed in 2007 to bolster best practices in family detention and are applicable to ICE's three family residential facilities, as well as to one adult detention facility that exclusively houses female detainees. In FY 2017, FRS covered 5 percent of the ICE ADP.

- Immigration detention facilities (Subpart A): facilities overseen by ICE and used for longer term detention of individuals in immigration proceedings or awaiting removal from the United States; and
- Holding facilities (Subpart B): facilities used by ICE and CBP for temporary administrative detention of individuals pending release from custody or transfer to a court, jail, prison, other agency, or other unit of the facility or agency.

The DHS PREA Standards cover prevention and responsive planning, hiring procedures, the training and education of both employees and detained individuals, assessment for risk of sexual victimization and abusiveness, reporting requirements, the agency's official response following an allegation of sexual abuse or assault, procedures for both criminal and administrative investigations, the provision of medical and mental health care, and audits for compliance procedures, among other areas.

The DHS PREA Standards include requirements related to:

- Development of a zero-tolerance policy
- Designation of an ICE prevention of sexual assault (PSA) coordinator
- Training of security staff and all employees who may have contact with detainees in proper procedures
- Specialized training for agency and facility investigators and for medical or mental health practitioners in detention facilities
- Consideration of the effect of design or modification of facilities on the ability to protect detainees from sexual abuse
- Development of policies and procedures to ensure that detainees have multiple ways to report sexual abuse, retaliation for reporting sexual abuse, or staff neglect or violations of responsibilities that may have contributed to such incidents
- Development of investigation and evidence protocols to ensure that each allegation of sexual abuse or sexual assault is investigated or referred to an appropriate investigative authority
- Assurance of effective disciplinary sanctions for staff misconduct, neglect, or violations
- Detainee access to medical and mental health assessments, counseling, and support
- Establishment of effective data collection and review procedures
- Requirements for an audit every 3 years of each immigration detention facility that has adopted the DHS PREA Standards, and of every holding facility that houses detainees overnight

Implementation of Sexual Abuse and Assault Safeguards

Prior to the issuance of the DHS PREA Standards, ICE had developed strong safeguards against sexual abuse or assault of its detainees in both agency policies and the ICE detention standards.

ICE built on the foundation established by these policies as it proceeded with its implementation of the DHS PREA requirements.

Both PBNDS 2008 and PBNDS 2011 contain sexual abuse and assault prevention and intervention standards that outline responsibilities for facility detention staff. These standards include requirements for screening, training, timely reporting and notification, protection of victims, provision of medical and mental health care, and the investigation and tracking of incidents. In May 2012, ICE sent a letter to all detention facilities with an ADP of greater than 10 detainees and with which ICE had an IGSA or a contract, requesting that they implement PBNDS 2011 Standard 2.11 “Sexual Abuse and Assault Prevention and Intervention.” As a result, 57 detention facilities not otherwise covered by PBNDS 2011 agreed to sign contract modifications adopting Standard 2.11.

In May 2012, ICE issued the agencywide Directive 11062.1, *Sexual Abuse and Assault Prevention and Intervention* (SAAPI), which established a zero-tolerance policy for sexual abuse and assault of all individuals in ICE custody, and outlined duties of agency employees for timely reporting, coordinating response and investigation, and effective monitoring of all incidents of sexual abuse or assault. ICE revised and reissued the ICE SAAPI Directive in May 2014 to incorporate the additional agency requirements established under the DHS PREA Standards. SAAPI requires ICE to ensure thorough responses to and investigations of all allegations, even when the allegation occurred at a detention facility not covered by the DHS PREA Standards.

In September 2014, ICE also promulgated a new ERO directive, *Operations of ERO Holding Facilities*, which incorporates DHS PREA Subpart B requirements specifically applicable to ERO hold rooms and staging facilities. ICE holding facilities exclusively are owned and operated by ICE and are used for the short-term detention of individuals, typically 24 or fewer hours. This ERO policy complements SAAPI by outlining requirements for screening for risk, conducting appropriate searches, and ensuring an immediate response to allegations.

The DHS PREA Standards require the appointment of an agencywide PSA coordinator to lead in the development, implementation, and oversight of agency efforts to comply with the DHS PREA Standards. SAAPI further requires the designation of specially trained coordinators at each ICE field office as well as personnel from relevant ICE Headquarters divisions to collaborate in compliance with and implementation of the standards. The ICE agency PSA coordinator provides regular guidance and technical assistance to the field and works closely with the designated PSA coordinators for ERO and the ICE Office of Professional Responsibility (OPR).

In May 2015, ICE developed and deployed a new interactive database to track all allegations of sexual abuse and assault and to record information about responsive actions and investigative results. OPR and ERO collaborate daily to review ICE’s response to every new allegation of sexual abuse and assault. As required by SAAPI, the ICE PSA coordinator submits quarterly reports to the ICE Detention Monitoring Council (DMC), along with monthly reports to a subcommittee of the DMC. The DMC is an ICE intra-agency council that ensures that senior leadership from all ICE programs with detention responsibility jointly examines serious issues, incidents, findings, and allegations related to conditions of detention.

PREA Implementation

The DHS PREA Standards require that all new, renewed, or substantively modified detention facility contracts incorporate the standards. By the end of FY 2017, the DHS PREA Standards were binding contractually at 38 detention facilities. These facilities house 67 percent of FY 2017 ICE ADP, and 85 percent of the ICE ADP when excluding detainees held in USMS-contracted facilities (which are covered by the DOJ PREA regulation). Further, in the same period, SAAPI standards contained in either the DHS PREA Standards or PBNDS were binding contractually at facilities housing approximately 83 percent of the ICE ADP, covering 97 percent of ICE's ADP when excluding USMS-contracted facilities. Pursuant to a commitment made in the preamble to the DHS PREA Standards, ICE successfully implemented the DHS PREA Standards at all 28 dedicated ICE facilities within 18 months of the regulation's effective date of May 6, 2014. ICE also has implemented the DHS PREA Standards at 11 nondedicated facilities.

PREA Audits

Immigration detention facilities covered by the DHS PREA Standards must be audited within 3 years of adopting the standards and at least once every 3 years thereafter. Certain ICE holding facilities also must be audited by July 6, 2018. Holding facilities deemed by this initial audit to be "low risk" subsequently must be audited at least once every 5 years; holding facilities deemed not to be "low risk" during the initial audit must be audited at least once every 3 years.

To facilitate DHS PREA audits of ICE facilities, OPR, in coordination with other agency programs, solicited and secured a contract vendor to perform the audits. To promote a consistent and unified approach to conducting the audits required under the DHS PREA Standards, ICE and CBP partnered to award a joint audit contract, although ICE and CBP manage implementation of their respective DHS PREA audits independently. ICE OPR is responsible for managing the DHS PREA contract and the ICE PREA audit program.

DHS PREA audits of ICE immigration detention and holding facilities began in February 2017, and ICE OPR has established an aggressive audit schedule to facilitate the completion of initial audits of all applicable immigration detention and holding facilities within the regulatory deadline.

IV. Cost of PBNDS 2011 and PREA Implementation

A. Cost of PBNDS 2011 Implementation

When issued, the mandatory provisions of PBNDS 2011 were implemented at no cost for all but one of the 20 ICE-dedicated adult detention facilities.⁷ Many service providers submitted requests for both per diem increases and one-time upfront funds; however, these expenses are not tied directly to the implementation of PBNDS 2011 and the additional cost to the Federal Government was accepted only after close scrutiny.

A much smaller number of nondedicated detention facilities has adopted PBNDS 2011 at no additional cost to ICE, although in several cases, the adoption of the new detention standards corresponded with ICE agreements to increase per diem payments for other reasons, typically to reimburse localities for their increased labor or other operating costs. This means that, although some facility costs were increased, they were not related directly to the standards. Separately, some upgrades at nondedicated facilities also included the hiring of additional medical staff, although the request for increased medical staffing may not have been directly tied to specific PBNDS 2011 requirements, but to a need for more medical staff generally. When contracts are revised, a number of areas are reviewed to ensure that they represent optimal performance.

However, to date, a very limited number of nondedicated facilities have been asked to convert to PBNDS 2011. The nondedicated facilities that operate under PBNDS 2011 are primarily new facilities or those with a larger ICE population and a historic or operational understanding of ICE's earlier standards. ICE believes that pursuing adoption of PBNDS 2011 at a majority of existing NDS facilities would be cost-prohibitive and have a negative impact on operations through the extensive negotiations required and the likelihood of losing facilities that would not comply with the standards or where an agreement on cost could not be reached. Informally, some facilities approached by ICE to consider housing ICE detainees have refused to accept ICE detainees on the basis of ICE's standards and inspections. Additionally, a few smaller facilities that adopted PBNDS 2011 have had difficulty meeting the mandates of the stricter standards. ICE believes that a full rollout of PBNDS 2011 to all nondedicated facilities would lead to many facilities refusing to take ICE detainees, drastically hindering ICE operations.

ICE does not have the ability to predict accurately the cost of PBNDS 2011 expansion to all nondedicated facilities, given the very limited historical evidence. Additionally, each facility has very different staffing and physical infrastructure leading to very site-specific requirements and costs.

⁷ Implementation of PBNDS 2011 at the Eloy Federal Contract Facility required additional annual expenditures of approximately \$44,000 and a one-time cost of approximately \$122,000 (for the cost of one additional guard and the physical expansion of the recreation space, respectively). These additional costs arose from the requirement to provide 1 hour of recreation daily to detainees in administrative segregation; PBNDS 2008 required 1 hour of recreation for 5 days each week.

B. Cost of PREA Implementation

All 38 of the facilities that implemented the DHS PREA Standards by the end of FY 2017 did so without requesting any increases in per diem or one-time payments. ICE estimates that further adoption of the DHS PREA Standards at additional facilities also will result in no additional cost to the government.

Although not requested by detention facilities as a condition of adopting the DHS PREA Standards, in FY 2015, ICE agreed to fund the hiring of 14 additional detention facility staff to assist in compliance with the standards. DHS PREA § 115.11(d) states, “Each facility shall employ or designate a Prevention of Sexual Assault Compliance Manager (PSA Compliance Manager) who shall serve as the facility point of contact for the agency PSA Coordinator and who has sufficient time and authority to oversee facility efforts to comply with facility sexual abuse prevention and intervention policies and procedures.” Additionally, the DHS PREA Standards contain detailed requirements related to detention facility administrative investigations of sexual assault allegations by specially trained investigators, and facilities may require additional staff to review and investigate allegations of sexual abuse or assault appropriately. Although the facility PSA compliance manager or investigator positions can be collateral duties, having a full-time staff member is helpful in ensuring compliance with the standards. Accordingly, ICE offered to pay for one or two additional full-time positions at certain detention facilities. The anticipated total cost of these additional positions was approximately \$325,000 in one-time costs and \$900,000 annually thereafter.

As noted, ICE and CBP procured a contract vendor to perform the audits required by the DHS PREA Standards. ICE initiated DHS PREA audits of ICE immigration detention and holding facilities during the second quarter of FY 2017. Twenty-seven audits were completed by November 14, 2017, and ICE anticipates approximately 25 audits will be completed during FY 2018. Because of the vendor declining to pursue a second option year, OPR recompeted the contract and made an award to a new vendor with audits to commence in FY 2018. Estimated contract-related costs for FY 2018 audits have been adjusted on the basis of experience with the initial year of audits and have been revised and increased in the resolicitation.

V. Appendices

Appendix A: Facilities under PBNDS 2011, as of end of Fiscal Year (FY) 2017

Facility Name	State	Facility Type
ADELANTO ICE PROCESSING CENTER	CA	IGSA
ALLEN PARISH PUBLIC SAFETY COMPLEX	LA	IGSA
BROWARD TRANSITIONAL CENTER	FL	CDF
BUFFALO (BATAVIA) SERVICE PROCESSING CENTER	NY	SPC
CIBOLA COUNTY CORRECTIONAL CENTER	NM	IGSA
DENVER CONTRACT DETENTION FACILITY	CO	CDF
EL PASO SERVICE PROCESSING CENTER	TX	SPC
ELIZABETH CONTRACT DETENTION FACILITY	NJ	CDF
ELOY FEDERAL CONTRACT FACILITY	AZ	IGSA
ESSEX COUNTY CORRECTIONAL FACILITY	NJ	IGSA
FLORENCE SERVICE PROCESSING CENTER	AZ	SPC
FOLKSTON ICE PROCESSING CENTER (D. RAY JAMES)	GA	IGSA
HOUSTON CONTRACT DETENTION FACILITY	TX	CDF
HOWARD COUNTY DETENTION CENTER	MD	IGSA
IMMIGRATION CENTERS OF AMERICA FARMVILLE	VA	IGSA
IMPERIAL REGIONAL DETENTION FACILITY	CA	IGSA
JENA/LASALLE DETENTION FACILITY	LA	IGSA
JOE CORLEY DETENTION FACILITY	TX	IGSA
JOHNSON COUNTY CORRECTIONS CENTER	TX	IGSA
KROME NORTH SERVICE PROCESSING CENTER	FL	SPC
MESA VERDE DETENTION FACILITY	CA	IGSA
NORTHEAST OHIO CORRECTIONAL CTR (YOUNGSTOWN CDF)	OH	CDF
NORTHWEST DETENTION CENTER	WA	CDF
OTAY MESA DETENTION CENTER (SAN DIEGO CDF)	CA	CDF
OTERO COUNTY PROCESSING CENTER	NM	IGSA
PINE PRAIRIE CORRECTIONAL CENTER	LA	IGSA
PORT ISABEL	TX	SPC
PRAIRIELAND DETENTION FACILITY	TX	IGSA
PULASKI COUNTY JAIL	IL	IGSA
SOUTH TEXAS DETENTION COMPLEX	TX	CDF
STEWART DETENTION CENTER	GA	IGSA

Source: FY 2017 data: ICE Integrated Decision Support (IIDS) as of 10/02/2017; Enforcement Integrated Database (EID) data through 09/30/2017

Appendix B: Facilities under PBNDS 2008, as of end of FY 2017

Facility Name	State	Facility Type
BRISTOL COUNTY DETENTION CENTER	MA	IGSA
CCA CENTRAL ARIZONA DETENTION CENTER	AZ	USMS IGA
CCA FLORENCE CORRECTIONAL CENTER	AZ	USMS IGA
DOUGLAS COUNTY DEPARTMENT OF CORRECTIONS	NE	IGSA
HUDSON COUNTY CORRECTIONAL CENTER	NJ	IGSA
JAMES A. MUSICK FACILITY	CA	IGSA
MONROE COUNTY DETENTION CENTER	FL	IGSA
ORANGE COUNTY INTAKE RELEASE FACILITY	CA	IGSA
PIKE COUNTY CORRECTIONAL FACILITY	PA	IGSA
RIO GRANDE DETENTION CENTER	TX	USMS IGA
SAINT CLAIR COUNTY JAIL	MI	IGSA
STRAFFORD COUNTY CORRECTIONS	NH	IGSA
THEO LACY FACILITY	CA	IGSA
WESTERN TENNESSEE DETENTION FACILITY	TN	USMS IGA
YORK COUNTY PRISON	PA	IGSA
BRISTOL COUNTY DETENTION CENTER	MA	IGSA

Source: FY 2017 data: IIDS as of 10/02/2017; EID data through 09/30/2017

Appendix C: Facilities under NDS 2000, as of end of FY 2017

Facility Name	State	Facility Type
ALBANY COUNTY JAIL	NY	USMS IGA
ALEXANDRIA CITY JAIL	VA	USMS IGA
ALLEGANY COUNTY JAIL	NY	IGSA
ANCHORAGE CORRECTIONAL COMPLEX	AK	USMS IGA
ATLANTA CITY DETENTION CENTER	GA	USMS IGA
BAKER COUNTY SHERIFF'S OFFICE	FL	IGSA
BALDWIN COUNTY CORRECTIONAL CENTER	AL	IGSA
BEAVER COUNTY JAIL	PA	USMS IGA
BEDFORD MUNICIPAL DETENTION CENTER	TX	IGSA
BENTON COUNTY DETENTION CENTER	AR	USMS IGA
BERGEN COUNTY JAIL	NJ	USMS IGA
BOONE COUNTY JAIL	KY	USMS IGA
BREMER COUNTY JAIL	IA	USMS IGA
BROOKS COUNTY DETENTION CENTER	TX	USMS IGA
BURNET COUNTY JAIL	TX	IGSA
BUTLER COUNTY JAIL	OH	IGSA
BUTLER COUNTY JAIL	KS	USMS IGA
CABARRUS COUNTY JAIL	NC	IGSA
CALDWELL COUNTY DETENTION CENTER	MO	IGSA
CALHOUN COUNTY CORRECTIONAL CENTER	MI	IGSA
CAMBRIA COUNTY JAIL	PA	USMS IGA
CARVER COUNTY JAIL	MN	IGSA
CASCADE COUNTY JAIL (MONTANA)	MT	USMS IGA
CASS COUNTY JAIL	NE	USMS IGA
CENTRAL TEXAS DETENTION FACILITY	TX	USMS IGA
CHARLESTON COUNTY DETENTION CENTER	SC	USMS IGA
CHASE COUNTY DETENTION FACILITY	KS	IGSA
CHAUTAUQUA COUNTY JAIL	NY	IGSA
CHIPPEWA COUNTY SSM	MI	IGSA
CHRISTIAN COUNTY JAIL	MO	IGSA
CLINTON COUNTY CORRECTIONAL FACILITY	PA	USMS IGA
CLINTON COUNTY JAIL	NY	USMS IGA
COBB COUNTY JAIL	GA	IGSA
COCONINO COUNTY DETENTION FACILITY	AZ	USMS IGA
COLLIER COUNTY NAPLES JAIL CENTER	FL	IGSA
CONTRA COSTA COUNTY JAIL WEST	CA	USMS IGA
CUMBERLAND COUNTY JAIL	ME	USMS IGA
DAKOTA COUNTY JAIL	NE	USMS IGA

Facility Name	State	Facility Type
DALE G. HAILE DETENTION CENTER	ID	IGSA
DAVIDSON COUNTY SHERIFF	TN	IGSA
DEARBORN POLICE DEPARTMENT	MI	IGSA
DEKALB COUNTY DETENTION CENTER	AL	USMS IGA
DELAWARE CO JAIL (GEORGE W. HILL)	PA	USMS IGA
DODGE COUNTY JAIL	WI	USMS IGA
EAST HIDALGO DETENTION CENTER	TX	USMS IGA
EL PASO COUNTY CRIMINAL JUSTICE CENTER	CO	IGSA
ELGIN POLICE DEPARTMENT	IL	IGSA
ELMORE COUNTY JAIL	ID	USMS IGA
ERIE COUNTY JAIL	PA	USMS IGA
ETOWAH COUNTY JAIL (ALABAMA)	AL	USMS IGA
EULESS CITY JAIL	TX	IGSA
FAIRFAX COUNTY ADULT DETENTION CENTER	VA	IGSA
FAIRFAX COUNTY JAIL	VA	USMS IGA
FAYETTE COUNTY DETENTION CENTER	KY	USMS IGA
FORSYTH COUNTY JAIL	NC	USMS IGA
FRANKLIN COUNTY HOUSE OF CORRECTION	MA	USMS IGA
FREDERICK COUNTY DETENTION CENTER	MD	IGSA
FREEBORN COUNTY ADULT DETENTION CENTER	MN	IGSA
GARVIN COUNTY DETENTION CENTER	OK	IGSA
GASTON COUNTY JAIL	NC	IGSA
GEAUGA COUNTY JAIL	OH	USMS IGA
GLADES COUNTY DETENTION CENTER	FL	IGSA
GLENDALE POLICE DEPARTMENT	CA	IGSA
GRAND FORKS COUNTY CORRECTIONAL FACILITY	ND	IGSA
GRAYSON COUNTY JAIL	KY	USMS IGA
HALL COUNTY DEPARTMENT OF CORRECTIONS	NE	IGSA
HALL COUNTY JAIL	GA	USMS IGA
HARDIN COUNTY JAIL	IA	IGSA
HENDERSON DETENTION CENTER	NV	USMS IGA
JACK HARWELL DETENTION CENTER	TX	USMS IGA
JEFFERSON COUNTY JAIL	ID	IGSA
JOSEPHINE COUNTY JAIL	OR	USMS IGA
KANKAKEE COUNTY JAIL (JEROME COMBS DET CTR)	IL	USMS IGA
KARNES COUNTY CORRECTIONAL CENTER	TX	USMS IGA
KENOSHA COUNTY DETENTION CENTER	WI	USMS IGA
KENT COUNTY JAIL	MI	IGSA
LA PAZ COUNTY ADULT DETENTION FACILITY	AZ	USMS IGA
LA PLATA COUNTY JAIL	CO	USMS IGA
LA SALLE COUNTY REGIONAL DETENTION CENTER	TX	USMS IGA

Facility Name	State	Facility Type
LAREDO PROCESSING CENTER	TX	USMS IGA
LEXINGTON COUNTY JAIL	SC	USMS IGA
LINCOLN COUNTY DETENTION CENTER	MO	IGSA
LINN COUNTY JAIL	IA	USMS IGA
LONOKE POLICE DEPARTMENT	AR	IGSA
LUBBOCK COUNTY DETENTION CENTER	TX	USMS IGA
MARION COUNTY JAIL	IN	USMS IGA
MARSHALL COUNTY JAIL	IA	USMS IGA
MCHENRY COUNTY CORRECTIONAL FACILITY	IL	USMS IGA
MECKLENBURG COUNTY DETENTION CENTER NORTH	NC	USMS IGA
MILLER COUNTY JAIL	AR	USMS IGA
MINICASSIA DETENTION CENTER	ID	IGSA
MOFFAT COUNTY JAIL	CO	IGSA
MONROE COUNTY DETENTION-DORM	MI	IGSA
MONTGOMERY CITY JAIL	AL	IGSA
MONTGOMERY COUNTY JAIL	MO	IGSA
MORGAN COUNTY ADULT DETENTION CENTER	MO	IGSA
MORROW COUNTY CORRECTIONAL FACILITY	OH	IGSA
NATRONA COUNTY JAIL	WY	USMS IGA
NAVAJO COUNTY SHERIFF	AZ	IGSA
NEW HANOVER COUNTY JAIL	NC	IGSA
NOBLES COUNTY JAIL	MN	IGSA
NORFOLK COUNTY JAIL	MA	USMS IGA
NORTHERN OREGON CORRECTIONAL FACILITY	OR	IGSA
NORTHERN REGIONAL JAIL	WV	USMS IGA
NORTHWEST STATE CORRECTIONAL CENTER	VT	USMS IGA
OLDHAM COUNTY JAIL	KY	IGSA
ORANGE COUNTY INTAKE RELEASE FACILITY	CA	IGSA
ORANGE COUNTY JAIL	NY	IGSA
ORANGE COUNTY JAIL	FL	USMS IGA
OTERO COUNTY PRISON FACILITY	NM	USMS IGA
PENNINGTON COUNTY JAIL (SOUTH DAKOTA)	SD	USMS IGA
PHELPS COUNTY JAIL	NE	USMS IGA
PINELLAS COUNTY JAIL	FL	USMS IGA
PLATTE COUNTY DETENTION CENTER	MO	IGSA
PLATTE COUNTY JAIL	WY	USMS IGA
PLYMOUTH COUNTY CORRECTIONAL FACILITY	MA	IGSA
POLK COUNTY ADULT DETENTION FACILITY	TX	IGSA
POLK COUNTY JAIL	IA	USMS IGA
POTTAWATTAMIE COUNTY JAIL	IA	USMS IGA

Facility Name	State	Facility Type
PRINCE WILLIAM COUNTY CORRECTIONAL FACILITY	VA	USMS IGA
RAMSEY COUNTY ADULT DETENTION CENTER	MN	USMS IGA
RANDALL COUNTY JAIL	TX	USMS IGA
RIO COSUMNES CORR. CENTER	CA	IGSA
RIO GRANDE COUNTY JAIL	CO	IGSA
ROANOKE CITY JAIL	VA	IGSA
ROCK ISLAND COUNTY CORRECTIONAL CENTER	IL	USMS IGA
ROCKINGHAM COUNTY JAIL	VA	USMS IGA
SAINT TAMMANY PARISH JAIL	LA	IGSA
SAN LUIS REGIONAL DETENTION CENTER	AZ	USMS IGA
SANGAMON COUNTY JAIL	IL	USMS IGA
SANTA CRUZ COUNTY JAIL	AZ	USMS IGA
SEBASTIAN COUNTY DETENTION CENTER	AR	USMS IGA
SENECA COUNTY JAIL	OH	IGSA
SHAWNEE COUNTY DEPARTMENT OF CORRECTIONS	KS	IGSA
SHERBURNE COUNTY JAIL	MN	USMS IGA
SOUTH CENTRAL REGIONAL JAIL	WV	USMS IGA
SUFFOLK COUNTY HOUSE OF CORRECTIONS	MA	IGSA
TAYLOR COUNTY ADULT DETENTION FACILITY	TX	IGSA
TELLER COUNTY JAIL	CO	IGSA
TITUS COUNTY JAIL	TX	USMS IGA
TOM GREEN COUNTY JAIL	TX	USMS IGA
TORRANCE COUNTY DETENTION FACILITY	NM	USMS IGA
TULSA COUNTY JAIL (DAVID L. MOSS JUSTICE CTR)	OK	IGSA
VAL VERDE CORRECTIONAL FACILITY	TX	USMS IGA
VIRGINIA PENINSULA REGIONAL JAIL	VA	USMS IGA
WAKE COUNTY SHERIFF DEPARTMENT	NC	IGSA
WAKULLA COUNTY JAIL	FL	IGSA
WASHINGTON COUNTY DETENTION CENTER	AR	USMS IGA
WASHINGTON COUNTY JAIL (PURGATORY CORRECTIONAL FAC)	UT	USMS IGA
WASHOE COUNTY JAIL	NV	USMS IGA
WAYNE COUNTY JAIL	NY	USMS IGA
WEBB COUNTY DETENTION CENTER (CCA)	TX	USMS IGA
WEST TEXAS DETENTION FACILITY	TX	USMS IGA
WHITFIELD COUNTY JAIL	GA	IGSA
WILLACY CO REGIONAL DETENTION FACILITY	TX	USMS IGA
WORCESTER COUNTY JAIL	MD	IGSA
YAKIMA COUNTY DEPARTMENT OF CORRECTIONS	WA	USMS IGA
YANKTON COUNTY JAIL	SD	USMS IGA
YAVAPAI COUNTY DETENTION CENTER	AZ	IGSA

Facility Name	State	Facility Type
YORK COUNTY DETENTION CENTER	SC	USMS IGA
YUBA COUNTY JAIL	CA	IGSA

Source: FY 2017 data: IIDS as of 10/02/2017; EID data through 09/30/2017

Note: These include authorized facilities with the last inspection standard "NDS" and exclude the Department of Health and Human Services Office of Refugee Resettlement and the Mexican Interior Repatriation Program as well as Family and the Federal Bureau of Prisons.

Appendix D: Facilities under Family Residential Standards, as of end of FY 2017

Facility Name	State	Facility Type
BERKS COUNTY FAMILY SHELTER	PA	FAMILY
HUTTO CCA	TX	FAMILY
KARNES COUNTY RESIDENTIAL CENTER	TX	FAMILY
SOUTH TEXAS FAMILY RESIDENTIAL CENTER	TX	FAMILY

Source: FY 2017 data: IIDS as of 10/02/2017; EID data through 09/30/2017

Appendix E: Facilities under DHS PREA Standards, as of end of FY
2017

Facility Name	State	Facility Type
ADELANTO ICE PROCESSING CENTER	CA	IGSA
ALLEN PARISH PUBLIC SAFETY COMPLEX	LA	IGSA
BERKS COUNTY FAMILY SHELTER	PA	IGSA
BROWARD TRANSITIONAL CENTER	FL	CDF
BUFFALO (BATAVIA) SERVICE PROCESSING CENTER	NY	SPC
CIBOLA COUNTY CORRECTIONAL CENTER	NM	IGSA
DENVER CONTRACT DETENTION FACILITY	CO	CDF
EL PASO SERVICE PROCESSING CENTER	TX	SPC
ELIZABETH CONTRACT DETENTION FACILITY	NJ	CDF
ELOY FEDERAL CONTRACT FACILITY	AZ	IGSA
ESSEX COUNTY CORRECTIONAL FACILITY	NJ	IGSA
FLORENCE SERVICE PROCESSING CENTER	AZ	SPC
FOLKSTON ICE PROCESSING CENTER (D. RAY JAMES)	GA	IGSA
HOUSTON CONTRACT DETENTION FACILITY	TX	CDF
HOWARD COUNTY DETENTION CENTER	MD	IGSA
HUTTO CCA	TX	IGSA
IMMIGRATION CENTERS OF AMERICA FARMVILLE	VA	IGSA
IMPERIAL REGIONAL DETENTION FACILITY	CA	IGSA
JAMES A. MUSICK FACILITY	CA	IGSA
JENA/LASALLE DETENTION FACILITY	LA	IGSA
JOE CORLEY DETENTION FACILITY	TX	IGSA
JOHNSON COUNTY CORRECTIONS CENTER	TX	IGSA
KARNES COUNTY RESIDENTIAL CENTER	TX	IGSA
KROME NORTH SERVICE PROCESSING CENTER	FL	SPC
MESA VERDE DETENTION FACILITY	CA	IGSA
NORTHEAST OHIO CORRECTIONAL CTR (YOUNGSTOWN CDF)	OH	CDF
NORTHWEST DETENTION CENTER	WA	CDF
OTERO COUNTY PROCESSING CENTER	NM	IGSA
PINE PRAIRIE CORRECTIONAL CENTER	LA	IGSA
POLK COUNTY ADULT DETENTION FACILITY	TX	IGSA
PORT ISABEL	TX	SPC
PRAIRIELAND DETENTION FACILITY	TX	IGSA
PULASKI COUNTY JAIL	IL	IGSA
SOUTH TEXAS DETENTION COMPLEX	TX	CDF
SOUTH TEXAS FAMILY RESIDENTIAL CENTER	TX	IGSA
STEWART DETENTION CENTER	GA	IGSA

THEO LACY FACILITY	CA	IGSA
YORK COUNTY PRISON	PA	IGSA

Source: FY 2017 data: IIDS as of 10/02/2017; EID data through 09/30/2017

Appendix F: Authorized Detention Management Control Program
 IGSA Facilities that have not adopted DHS PREA Standards, as of
 end of FY 2017

Facility Name	State	Facility Type
ABRAXAS ACADEMY DETENTION CENTER	PA	IGSA
ALLEGANY COUNTY JAIL	NY	IGSA
BAKER COUNTY SHERIFF'S OFFICE	FL	IGSA
BALDWIN COUNTY CORRECTIONAL CENTER	AL	IGSA
BEDFORD MUNICIPAL DETENTION CENTER	TX	IGSA
BRISTOL COUNTY DETENTION CENTER	MA	IGSA
BURNET COUNTY JAIL	TX	IGSA
BUTLER COUNTY JAIL	OH	IGSA
CABARRUS COUNTY JAIL	NC	IGSA
CALDWELL COUNTY DETENTION CENTER	MO	IGSA
CALHOUN COUNTY CORRECTIONAL CENTER	MI	IGSA
CARVER COUNTY JAIL	MN	IGSA
CARVER COUNTY JUVENILE DETENTION CENTER	MN	IGSA
CHASE COUNTY DETENTION FACILITY	KS	IGSA
CHAUTAUQUA COUNTY JAIL	NY	IGSA
CHIPPEWA COUNTY SSM	MI	IGSA
CHRISTIAN COUNTY JAIL	MO	IGSA
COBB COUNTY JAIL	GA	IGSA
COLLIER COUNTY NAPLES JAIL CENTER	FL	IGSA
COMPASS HOUSE SHELTER	NY	IGSA
COWLITZ COUNTY JUVENILE	WA	IGSA
DALE G. HAILE DETENTION CENTER	ID	IGSA
DAVIDSON COUNTY SHERIFF	TN	IGSA
DEARBORN POLICE DEPARTMENT	MI	IGSA
DOUGLAS COUNTY DEPARTMENT OF CORRECTIONS	NE	IGSA
EL PASO COUNTY CRIMINAL JUSTICE CENTER	CO	IGSA
ELGIN POLICE DEPARTMENT	IL	IGSA
EULESS CITY JAIL	TX	IGSA
FAIRFAX COUNTY ADULT DETENTION CENTER	VA	IGSA
FREDERICK COUNTY DETENTION CENTER	MD	IGSA
FREEBORN COUNTY ADULT DETENTION CENTER	MN	IGSA
GARVIN COUNTY DETENTION CENTER	OK	IGSA
GASTON COUNTY JAIL	NC	IGSA
GLADES COUNTY DETENTION CENTER	FL	IGSA
GLENDALE POLICE DEPARTMENT	CA	IGSA
GRAND FORKS COUNTY	ND	IGSA

GRAND FORKS COUNTY CORRECTIONAL FACILITY	ND	IGSA
HALL COUNTY DEPARTMENT OF CORRECTIONS	NE	IGSA
HARDIN COUNTY JAIL	IA	IGSA
HUDSON COUNTY CORRECTIONAL CENTER	NJ	IGSA
JEFFERSON COUNTY JAIL	ID	IGSA
KENT COUNTY JAIL	MI	IGSA
LINCOLN COUNTY DETENTION CENTER	MO	IGSA
LONOKE POLICE DEPARTMENT	AR	IGSA
MAINE YOUTH CENTER - LONG CREEK	ME	IGSA
MINICASSIA DETENTION CENTER	ID	IGSA
MOFFAT COUNTY JAIL	CO	IGSA
MONROE COUNTY DETENTION CENTER	FL	IGSA
MONROE COUNTY DETENTION-DORM	MI	IGSA
MONTGOMERY CITY JAIL	AL	IGSA
MONTGOMERY COUNTY JAIL	MO	IGSA
MORGAN COUNTY ADULT DETENTION CENTER	MO	IGSA
MORROW COUNTY CORRECTIONAL FACILITY	OH	IGSA
NAVAJO COUNTY SHERIFF	AZ	IGSA
NEW HANOVER COUNTY JAIL	NC	IGSA
NOBLES COUNTY JAIL	MN	IGSA
NORTHERN OREGON CORRECTIONAL FACILITY	OR	IGSA
NORTHERN OREGON JUVENILE DETENTION	OR	IGSA
NORTHERN VIRGINIA JUVENILE DETENTION CENTER	VA	IGSA
OLDHAM COUNTY JAIL	KY	IGSA
ORANGE COUNTY INTAKE RELEASE FACILITY	CA	IGSA
ORANGE COUNTY JAIL	NY	IGSA
PIKE COUNTY CORRECTIONAL FACILITY	PA	IGSA
PLATTE COUNTY DETENTION CENTER	MO	IGSA
PLYMOUTH COUNTY CORRECTIONAL FACILITY	MA	IGSA
RIO COSUMNES CORR. CENTER	CA	IGSA
RIO GRANDE COUNTY JAIL	CO	IGSA
ROANOKE CITY JAIL	VA	IGSA
ROLLING PLAINS DETENTION CENTER	TX	IGSA
SAINT CLAIR COUNTY JAIL	MI	IGSA
SAINT TAMMANY PARISH JAIL	LA	IGSA
SENECA COUNTY JAIL	OH	IGSA
SHAWNEE COUNTY DEPARTMENT OF CORRECTIONS	KS	IGSA
SHAWNEE COUNTY JUVENILE DETENTION CENTER	KS	IGSA
STRAFFORD COUNTY CORRECTIONS	NH	IGSA
SUFFOLK COUNTY HOUSE OF CORRECTIONS	MA	IGSA
TAYLOR COUNTY ADULT DETENTION FACILITY	TX	IGSA
TELLER COUNTY JAIL	CO	IGSA

TULSA COUNTY JAIL (DAVID L. MOSS JUSTICE CTR)	OK	IGSA
WAKE COUNTY SHERIFF DEPARTMENT	NC	IGSA
WAKULLA COUNTY JAIL	FL	IGSA
WHITFIELD COUNTY JAIL	GA	IGSA
WORCESTER COUNTY JAIL	MD	IGSA
YAVAPAI COUNTY DETENTION CENTER	AZ	IGSA
YUBA COUNTY JAIL	CA	IGSA

Source: FY 2017 data: IIDS as of 10/02/2017; EID data through 09/30/2017

Exhibit 9

Amber Martin
February 28, 2020

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLORADO

CIVIL ACTION NO.: 1:14-CV-02887-JLK

ALEJANDRO MENOCA, et al.,

Plaintiffs,

-vs-

THE GEO GROUP, INC.,

Defendant.

DEPOSITION OF AMBER MARTIN

Friday, February 28, 2020
9:23 a.m. - 11:40 a.m.

SHAVITZ LAW GROUP, PA
951 Yamato Road, Suite 285
Boca Raton, Florida

Stenographically Reported By:
JULIE BRUENS, FPR
Florida Professional Reporter

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APPEARANCES

On behalf of the Plaintiffs:
TOWARDS JUSTICE
1410 High Street, Suite 300
Denver, Colorado 80218
720-441-2236
juno@towardsjustice.org
BY: JUNO TURNER, ESQUIRE

OUTTEN & GOLDEN, LLP
One California Street, 12th Floor
San Francisco, California 94111
415-638-8800
akoshkin@outtengolden.com
BY: ADAM KOSHKIN, ESQUIRE

On behalf of the Defendant:
AKERMAN
1900 Sixteenth Street, Suite 1700
Denver, Colorado 80202
303-260-7712
colin.barnacle@akerman.com
adrienne.scheffey@akerman.com
BY: COLIN BARNACLE, ESQUIRE
ADRIENNE SCHEFFEY, ESQUIRE

THE GEO GROUP, INC.
4955 Technology Way
Boca Raton, Florida 33431
561-443-1786
cwilke@geogroup.com
BY: CHERYL WILKE, ESQUIRE

- - -

1 Q. You mentioned a couple of times in your
2 testimony this morning the GEO detainee handbook. Do
3 you recall that testimony?

4 A. Yes.

5 Q. Okay. Do you know the process by which GEO
6 drafts that handbook?

7 A. Yes.

8 Q. Can you describe it?

9 A. When the facility first opens, all the
10 policies, procedures, post orders, handbooks, etc., they
11 are all drafted during an activation phase, and they are
12 submitted to ICE for ICE's approval. Any time there's a
13 change in any of those regulations, policies, etc., they
14 are again drafted and submitted to ICE for their
15 approval.

16 Q. Okay. And who on the GEO side handles that
17 process?

18 A. It's handled at a local level.

19 Q. Okay. With the Aurora facility, are you aware
20 who is in charge of the detainee handbook?

21 A. I don't know specifically who would be in
22 charge. It would be a facility administrator's designee
23 most likely.

24 Q. I'm sorry, a facility --

25 A. The facility administrator's designee.

1 Probably the compliance person.

2 Q. Is the facility administrator like the warden?

3 A. Yes.

4 Q. Okay. Let's take a quick bathroom break, if
5 it that's okay.

6 (Off the record.)

7 BY MS. TURNER:

8 Q. So we're back on the record. I think earlier,
9 Ms. Martin, you testified that the PBNDS -- strike that.

10 You testified that ICE has revised the PBNDS
11 on a couple of occasions during the period covered by
12 this lawsuit; correct?

13 A. Correct.

14 Q. Okay. And there was a change from 2000 --
15 strike that.

16 There was a revised PBNDS issued by ICE in
17 2011; correct?

18 A. Yes.

19 Q. And then again in 2016; correct?

20 A. Yes.

21 Q. Okay. So I've handed you a document that has
22 been marked as Exhibit 9. It is an e-mail and an
23 attachment with bates numbering GEO-Men5496 through 636.

24 My first questions are just going to be about
25 who the folks are that are on the e-mail, but feel free

1 to take a moment and let me know when you're ready.

2 (Thereupon, the document was marked as
3 Plaintiff's Exhibit 9 for identification.)

4 A. I'm ready.

5 Q. Do you know who Kevin Martin is?

6 A. It appears he's the quality control
7 administrator for the facility.

8 Q. For the Aurora facility?

9 A. Yes.

10 Q. Okay. And it appears from this cover e-mail
11 he says attachment is a breakdown of the major changes
12 within the new ICE standards. Do you see that?

13 A. Yes.

14 Q. And this e-mail was sent on April 4th, 2012;
15 correct?

16 A. Yes.

17 Q. Okay. And if you take a look on page 54597,
18 the title of the attachment is summary of major changes
19 between the 2008 and 2011 performance-based national
20 detention standards. Do you see that?

21 A. Yes.

22 Q. Okay. And so is it fair to say that it
23 appears that Mr. Martin is sending out this information
24 to facility staff?

25 A. It appears.

1 Q. Okay. And I want to direct your attention to
2 page 54629. Actually, let's start with 54628.

3 A. Okay.

4 Q. And so at the bottom of 54628, it makes
5 reference to the Voluntary Work Program; correct?

6 A. Correct.

7 Q. And GEO has operated a Voluntary Work Program
8 at the Aurora facility since at least 2008; correct?

9 A. Correct.

10 Q. And detainees who participate in the Voluntary
11 Work Program are paid a dollar per day; correct?

12 A. Yes.

13 Q. Okay. And that was true for the duration of
14 the period covered by this lawsuit; correct?

15 A. I believe so, yes.

16 Q. Okay. So if you take a look underneath where
17 it says 5.8, Voluntary Work Program, it says the
18 following are the major changes made to the Voluntary
19 Work Program detention standard.

20 So is it fair to conclude from this that Mr.
21 Martin is summarizing changes in the Voluntary Work
22 Program standard from the 2008 to the 2011 PBNDS?

23 A. Yes.

24 Q. Okay. And at the top of page 629, it says
25 compensation, the required compensation for work was

1 increased from one dollar per day to "at least one
2 dollar per day". Do you see that?

3 A. Yes.

4 Q. Okay. Was GEO aware of this change to the
5 PBNDS?

6 A. Yes.

7 Q. And did GEO make any changes to the
8 compensation it pays to detainees as a result of this
9 change to the PBNDS?

10 A. Not at Aurora, no.

11 Q. What about at other facilities?

12 A. I don't believe there was any changes made.
13 There are different compensations at different
14 facilities, but there's no changes made, no.

15 Q. So to the extent that the compensation was
16 more at other facilities, it wasn't because of this
17 change to the PBNDS?

18 A. Correct.

19 Q. When, as in this document, ICE has made
20 changes to the PBNDS that effects GEO's operations, how
21 does that -- how does GEO sort of account for those
22 changes in operating the Aurora facility?

23 A. Well, this change here had several different
24 layers. There was optimal standards, and there was
25 standards, and we had a negotiation back and forth with

1 ICE on which standards they wanted us to use. When
2 those standards were memorialized, we changed any
3 handbooks, policies, and procedures that were
4 applicable.

5 Q. Okay. So ICE rolls out this new set of
6 standards, and GEO and ICE have a conversation about the
7 degree to which GEO's operations need to adjust to
8 reflect those new standards; is that correct?

9 A. Correct. There were several standards that
10 had financial impact, and so there was discussions
11 whether, you know, those standards wanted to be changed
12 by ICE. That's why they sub-categorized them.

13 Q. And you say whether those standards wanted to
14 be changed by ICE. What does that mean?

15 A. Like I said, there's optimal standards, and
16 then I can't remember the other word, but there were
17 provisional standards, and any time there was a
18 financial impact that was significant to the government,
19 then we decided -- you know, we had discussions on
20 whether or not to -- ICE would enforce those standards.
21 That's why they had two categories of standards.

22 Q. And the two categories again were --

23 A. Optimal, and I can't remember the other word.

24 Q. Was one of them mandatory?

25 A. It may have been.

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CERTIFICATE OF OATH

THE STATE OF FLORIDA,
COUNTY OF PALM BEACH.

I, Julie Bruens, Florida Professional
Reporter, Notary Public, State of Florida, certify that
AMBER MARTIN personally appeared before me on the
28th of February, 2020 and was duly sworn.

Signed this 4th day of March, 2020.



Julie Bruens, FPR
Notary Public, State of Florida
Commission No.: #GG186376
Commission Expires: April 13, 2022

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CERTIFICATE OF REPORTER

THE STATE OF FLORIDA,
COUNTY OF PALM BEACH.

I, Julie Bruens, Florida Professional Reporter, certify that I was authorized to and did stenographically report the deposition of AMBER MARTIN; pages 1 through 77; that a review of the transcript was requested; and that the transcript is a true record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

Dated this 4th day of March, 2020.



Julie Bruens, FPR
Florida Professional Reporter

Exhibit 10

MENOCAL

VS.

THE GEO GROUP

Deposition

GRISEL XAHUENTITLA

10/26/2017

AB Court Reporting & Video

216 16th Street, Suite 600

Denver Colorado, 80202

303-296-0017

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-CV-02887-JLK

VIDEO DEPOSITION OF GRISEL XAHUENTITLA
October 26, 2017

ALEJANDRO MENOCA,
MARCOS BRAMBILA,
GRISEL XAHUENTITLA,
HUGO HERNANDEZ,
LOURDES ARGUETA,
JESUS GAYTAN,
OLGA ALEXAKLINA,
DAGOBERTO VIZGUERRA, and
DEMETRIO VALERGA,
on their own behalf and on behalf of all others
similarly situated,

Plaintiffs,

vs.

THE GEO GROUP, INC.,

Defendant.

APPEARANCES:

TOWARDS JUSTICE-DENVER

By Alexander N. Hood, Esq.
1535 High Street, Suite 300
Denver, Colorado 80218
and

THE MEYER LAW OFFICE, P.C.

By Hans C. Meyer, Esq.
1029 Santa Fe
Denver, Colorado 80204
and

THE KELMAN BUESCHER FIRM

By Andrew H. Turner, Esq.
600 Grant Street, Suite 450
Denver, Colorado 80203
Appearing on behalf of Plaintiffs

1 APPEARANCES (Continued):

2 NORTON ROSE FULBRIGHT US, LLP
3 By Charles A. Deacon, Esq.
300 Convent Street, Suite 2100
San Antonio, Texas 78205
4 and
5 BURNS, FIGA & WILL, P.C.
By Dana L. Eismeier, Esq.
6400 S. Fiddlers Green Circle
Suite 1000
Greenwood Village, Colorado 80111
7 Appearing on behalf of Defendant

8 Also Present: Monika Cary, videographer

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1 you ever know anybody who was placed in the hole?

2 A No.

3 Q Okay. So you don't have any -- I
4 can't ask you any information about what it
5 consisted of or what was inside there --

6 A What it looked like, no.

7 Q All right. What guard pointed out the
8 hole to you?

9 A I don't remember the names of the
10 guards.

11 Q Okay. Was it male? Was it female?

12 A We always got females.

13 Q Okay. So you only had female guards?

14 A Yes, sir.

15 Q Okay. And do you recall any guard ever
16 threatening to put somebody in the hole?

17 A About three times.

18 Q And who was -- When was that?

19 A One time this lady was sick -- well, a
20 girl, not a lady -- this girl was sick, and her
21 name was on the board to clean -- to clean the --
22 I -- I -- I don't remember if it was sweeping or
23 mopping. And so she had a really bad abdominal
24 pain, and -- and so another girl and I volunteered
25 to do the work for her. And the guard said -- she

1 said "No." She said that we had to go back to our
2 beds and she had to do the job, because her name
3 was on the board. She was in real bad pain.

4 And so that's when -- that's when the
5 guard said that if she didn't do the work, she was
6 going to be sent to the hole. And so she was
7 pointing at it like (indicating) -- like it was
8 right next to our dorm. And -- And she said that
9 it wasn't going to be any pleasant.

10 That's all I know.

11 Q Do you know if there's any -- where the
12 medical facilities are at Aurora?

13 A Who is the what?

14 Q Medical -- Where you receive medical
15 care, do you know where that's located at Aurora?

16 A In the same -- In the same Geo
17 detention.

18 Q Yes. But in terms of where the guard
19 was pointing, do you know where the medical center
20 is in relationship to what you called the hole?

21 A Oh, yes. So you get out of the dorms,
22 and you walked to your -- to your left, and then
23 you walked to your right, and then I think you
24 again walked to the right, and then you wait for
25 the medical.

1 Q Okay.

2 A And she was pointing just at the right,
3 that there was a -- like a single dorm.

4 Q Okay. Well, a dorm that you never saw?

5 A No.

6 Q All right. Who -- Who was the
7 detainee that had this stomachache that you were
8 describing?

9 A I don't know her name. She was either
10 from Honduras or El Salvador.

11 Q How do you know that?

12 A Because I -- I don't really remember
13 her name right now, but she -- she, in fact, ended
14 having a stone in her kidney.

15 Q A kidney stone?

16 A Yes, sir.

17 Q How do you know she had a kidney stone?

18 A Because she -- she got extremely sick
19 the next day.

20 Q Okay.

21 A And she -- So she was -- They took
22 her to the hospital.

23 Q Outside of Aurora?

24 A Yes, sir.

25 Q Okay. Do you remember if that was at

1 the beginning of your stay, toward the end of your
2 stay, in the middle of your stay, or do you
3 recall?

4 A No.

5 Q Okay. Describe for me the guard that
6 allegedly said that if she didn't work, she'd be
7 sent to the hole?

8 MR. HOOD: Objection.

9 A She was tall. She only spoke English.
10 Short hair. And she had -- She was, like, your
11 skin color.

12 Q Do you know what approximate age she
13 would be?

14 A Between her 20s and 30s, like late 20s.

15 Q Late 20s or early 30s?

16 A Yes.

17 Q Do you know what color her hair was?

18 A She called it red.

19 Q So it was -- It was colored red?

20 A Barely.

21 Q A lighter --

22 A Kind of --

23 Q A lighter --

24 A Kind of brownish-red.

25 Q Brownish-red, okay. And was she a

1 Q Okay. Let's talk about the second
2 time. Describe for me the second time that
3 somebody mentioned that you could be sent to
4 administrative segregation or disciplinary
5 segregation?

6 MR. HOOD: Objection.

7 A Just simply -- The guards simply
8 telling us, like, we had to follow the rules. We
9 had to clean the pod. There were three different
10 names on the board daily to -- without including
11 the \$1 say day pay -- that you had to clean the
12 dorms. You either cleaned the tables, swept or
13 mopped the floors.

14 And so she was kind of being clear on
15 what the rules were. "You have to do" -- "You
16 have to do the work" -- "the part of the work that
17 it says on the board no matter" -- "no matter
18 what. And if you don't do it, you're going to be
19 sent to the hole."

20 Q (By Mr. Deacon) And do you remember
21 the name of this person?

22 A No, sir.

23 Q And I apologize. Did you remember the
24 name of the lieutenant that you described for me?

25 A No.

1 Q And when I say "name," even if -- the
2 first name, nickname; anything like that?

3 A No. She had a Spanish last name.

4 Q The lieutenant?

5 A The lieutenant. They mostly went by
6 their -- by their last names.

7 Q And going to the second incident, this
8 person -- this guard, do you remember what she
9 looked like?

10 A I don't remember.

11 Q Okay. You don't remember if she's
12 tall, short, medium? You don't remember the color
13 of her hair?

14 A I just remember she was speaking
15 English.

16 Q Okay. Do you know if she was able to
17 speak Spanish?

18 A I do remember that she did not spoke
19 (sic) Spanish.

20 Q Was she one of the regular guards
21 there, to your knowledge?

22 A Yes, sir.

23 Q Okay. And she referred to a list of
24 what -- what needed to be done to clean the pods
25 and told you that you had to do those -- that list

1 that was posted on the board, correct?

2 MR. HOOD: Objection.

3 Q (By Mr. Deacon) Is that --

4 A Can you repeat that again?

5 Q I thought I was repeating what you
6 said. You said she referred to a list that was
7 posted on the board and said that you need to do
8 all of those things that are listed on the board;
9 is that correct?

10 A Yes. She called everybody in the pod.

11 Q She called it the what?

12 A Everybody in the dorm.

13 Q Is required to do that?

14 A Yes.

15 Q Okay. And that was to clean up your
16 living area, correct?

17 MR. HOOD: Objection.

18 A Yes.

19 Q (By Mr. Deacon) Okay. And do you know
20 if that was required by Immigration, customs
21 enforcement, ICE?

22 MR. HOOD: Objection

23 A We were kind of going through
24 earlier --

25 Q (By Mr. Deacon) Yes.

1 I, GRISEL XAHUENTITLA, do hereby certify
2 that I have read the foregoing transcript
3 and that the same and accompanying amendment
4 sheets, if any, constitute a true and complete
5 record of my testimony.

6
7 _____
8 Signature of Deponent

9
10 () No amendments
11 () Amendments attached

12
13 Subscribed and sworn to before me
14 this _____ day of _____, 2017.

15
16 My commission expires _____

17 Seal:

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23 TLH

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1 STATE OF COLORADO)

2)ss. REPORTER'S CERTIFICATE

3 COUNTY OF DENVER)

4 I, Tracy L. Harris, do hereby certify that I
5 am a Certified Realtime Reporter, Registered Merit
6 Reporter, and Notary Public within the State of
7 Colorado; that previous to the commencement of the
8 examination, the deponent was duly sworn to
9 testify to the truth.

10 I further certify that this deposition was
11 taken in shorthand by me at the time and place
12 herein set forth, that it was thereafter reduced
13 to typewritten form, and that the foregoing
14 constitutes a true and correct transcript.

15 I further certify that I am not related to,
16 employed by, nor of counsel for any of the parties
17 or attorneys herein, nor otherwise interested in
18 the result of the within action.

19 In witness whereof, I have affixed my
20 signature this 6th day of November, 2017.

21 My commission expires July 30, 2021.

22

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25

Tracy L. Harris, CRR, RMR, RPR
216 - 16th Street, Suite 600
Denver, Colorado 80202

1 AGREN BLANDO COURT REPORTING & VIDEO, INC.
216 - 16th Street, Suite 600
2 Denver, Colorado 80202
3 4450 Arapahoe Avenue, Suite 100
4 Boulder, Colorado 80303

4 November 6, 2017

5 Juno Turner, Esq.
6 OUTTEN & GOLDEN, LLP
7 685 Third Avenue, 25th Floor
8 New York, New York 10017

9 Re: Video Deposition of GRISEL XAHUENTITLA
10 Menocal vs. The Geo Group, Inc.
11 Civil Action No. 14-CV-02887-JLK

12 The aforementioned deposition is ready for
13 reading and signing. Please attend to this
14 matter by following BOTH of the items indicated
15 below:

16 _____ Call 303-296-0017 and arrange with us
17 to read and sign the deposition in our
18 office

19 XXX Have the deponent read your copy and sign
20 the signature page and amendment sheets, if
21 applicable; the signature page is attached

22 _____ Read the enclosed copy of the deposition
23 and sign the signature page and amendment
24 sheets, if applicable; the signature page
25 is attached

_____ XXX WITHIN 30 DAYS OF THE DATE OF THIS LETTER

_____ By _____ due to a trial date of _____

26 Please be sure the original signature page and
27 amendment sheets, if any, are SIGNED BEFORE A
28 NOTARY PUBLIC and returned to Agren Blando for
29 filing with the original deposition. A copy of
30 these changes should also be forwarded to counsel
31 of record. Thank you.

32 AGREN BLANDO COURT REPORTING & VIDEO, INC.

33 cc: All Counsel

1 AGREN BLANDO COURT REPORTING & VIDEO, INC.
216 - 16th Street, Suite 600
2 Denver, Colorado 80202
4450 Arapahoe Avenue, Suite 100
3 Boulder, Colorado 80303

4

5 GRISEL XAHUENTITLA
October 26, 2017
6 Menocal vs. The Geo Group, Inc.
Civil Action No. 14-CV-02887-JLK

7

8

The original video deposition was filed with
9 Charles A. Deacon, Esq., on
10 approximately the 6th day of November, 2017.

11

_____ Signature waived

12

_____ Unsigned; signed signature page and
13 amendment sheets, if any, to be filed at
trial

14

_____ Reading and signing not requested pursuant
15 to C.R.C.P. Rule 30(e)

16

XXX Unsigned; original amendment sheets and/or
17 signature pages should be forwarded to
Agren Blando to be filed in the envelope
18 attached to the sealed original.

19

Thank you.

20

AGREN BLANDO COURT REPORTING & VIDEO, INC.

21

cc: All Counsel

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Exhibit 11

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UNCERTIFIED ROUGH DRAFT TRANSCRIPT

DEPOSITION OF: HUGO ALEXANDER HERNANDEZ-CEREN

DATE: June 24, 2020

DISCLAIMER: This uncertified rough draft transcript is unedited and uncertified and may contain untranslated words, a note made by the reporter, a misspelled proper name, and/or word combinations that do not make sense. All such entries will be corrected on the final certified transcript which we will deliver to you in accordance with your requested delivery arrangements.

Due to the need to correct entries prior to certification, this rough draft transcript can be used only for the purposes of annotating counsel's notes and cannot be used or cited in any court proceedings or to distribute to other parties to the case who have not purchased a transcript copy.

CONSENT: By opting for this realtime rough draft transcript, you have agreed: (1) To purchase the final transcript at the agreed-upon rate; (2) Not to furnish this rough draft transcript, either in whole or in part, on disk or hard copy, via modem or computer, or by any other means, to any party or counsel to the case.

1 Q. That's fine.

2 A. That's fine.

3 Q. Yep.

4 A. Yes.

5 Q. Okay. So is this your signature?

6 A. Yes.

7 Q. And have you seen this document before?

8 A. Yes.

9 Q. Okay. And your understanding -- what is

10 your understanding of your signature on this

11 verification?

12 A. That I agree.

13 Q. Okay. And are the representations in

14 this document accurate to the best of your knowledge?

15 A. Yes.

16 Q. Okay. I want to go to a specific one.

17 So I'm going to go to Interrogatory No. 27, which you

18 should be able to see on your screen this.

19 Interrogatory asks you to describe with as much

20 specificity as possible each circumstance in which a

21 GEO employee threatened you with did administrative or

22 disciplinary segregation for failing to clean any area

23 of the Aurora detention facility. Did I read that

24 correctly?

25 A. Yes.

1 Q. You responded, plaintiff does not recall
2 specific dates but recalls one instance in which a GEO
3 flow threatened plaintiff with solitary confinement
4 for failure to clean. Did I read that correctly?

5 A. Yes.

6 Q. Can you describe that one instance?

7 A. One detainee refused to clean, and told
8 the GEO guard that he was going to not clean because
9 he was no janitor, and that he was not being paid for
10 that type of job, and that they had to hire someone to
11 do that, and the GEO guard took out a bag, a trash
12 bag, and shown it to him and wrote rolled it out the
13 roll and stretched it out and said, well, let's make
14 it easier. Here's your bags. Try to give it to him,
15 said pack your stuff because you're going to go to the
16 hole. Because this is on the handbook. This is on
17 the handbook. So it's not and that you can fight for.
18 Just here's your bag and go to the hole.

19 And --

20 Q. What was the name of the detainee?

21 MR. FREE: Counsel, I don't think he was
22 finished with his answer.

23 MS. SCHEFFEY: Okay. I'm sorry.

24 A. And there was actually a second time
25 where --

1 Q. (BY MS. SCHEFFEY) Can you -- can we
2 table the second time so we can just go through the
3 first one and then we'll go to the second one?

4 A. Okay.

5 Q. Because I want to just talk about this
6 one instance here where it says there's one instance.
7 So what was the name of the detainee at that one
8 instance?

9 A. I don't remember.

10 Q. Was it Mr. Valerga?

11 A. No.

12 Q. Was it Mr. Menocal?

13 A. No.

14 Q. Was it Mr. Brambila?

15 A. No.

16 Q. Okay. And do you know the name of the
17 guard or officer?

18 A. Yeah. The name of the guard is Officer
19 Sanchez.

20 Q. Okay. Is that the same Mr. Sanchez you
21 mentioned earlier?

22 A. Yes.

23 Q. Do you know his first name?

24 A. No. They only carry their last names.

25 We don't know their first names.

1 Q. Could you describe him to me?

2 A. He's Mexican. He's like about
3 five four, light-skinned, kind of chunky.

4 Q. Okay.

5 A. Yeah.

6 Q. Were there any other Officer Sanchezes
7 that you remember?

8 A. No.

9 Q. I asked just because that's a, you know,
10 maybe a common last name.

11 A. Yeah.

12 Q. So it was Mr. Sanchez. Was the detainee
13 sent to segregation?

14 A. No, because he started cleaning right
15 away.

16 Q. Okay. And did Mr. Sanchez threaten to
17 turn off the TV before or any other threatened
18 punishment before threatening segregation?

19 A. Yes. I mean, the TVs don't go on if the
20 detainee doesn't start cleaning or doesn't -- they
21 refuse to clean, the TVs and the phones don't go on.

22 Q. Okay. So after everyone finishes
23 cleaning, then they turn on the TVs and you can watch?

24 A. Yes, correct.

25 Q. Were there certain shows that you liked

1 to watch?

2 MR. FREE: Objection, relevance.

3 A. No, just any random thing on TV.

4 Q. (BY MS. SCHEFFEY) Okay. So was there a
5 rush to get, you know, I don't know, Judge Judy on at
6 9:00 and everyone wants to get in. No?

7 A. No, not like that, no. But --

8 Q. Okay. Would other detainees volunteer
9 to clean if somebody reviewed in order to get the TVs
10 turned on?

11 MR. FREE: Objection, form.

12 A. To the best of my knowledge, yeah,
13 sometimes there will -- somebody will jump in just so
14 we can get the TVs on and phones and, you know,
15 take -- take care of it.

16 Q. (BY MS. SCHEFFEY) Okay. So then I know
17 you wanted to tell me about a second instance. Can
18 you tell me what happened on that instance and if
19 possible, tell me the name of the detainee, if you
20 remember, and the name of any officers.

21 A. Well, there was this other incident with
22 this detainee where he was refusing, and then everyone
23 got involved, and it was like, well, well, nobody
24 really wants to clean, and the GEO guard felt like
25 he -- he didn't know what to do, so he called a

1 sergeant, and this is a GEO sergeant, and the sergeant
2 came in and called a meeting for everyone and got
3 everybody together, and stated that, okay, if you
4 refuse to clean, you will be sent to the hole. If you
5 refuse to listen to the guard, you will be sent to the
6 hole. And that's not a place where you want to be at
7 because it's cold in there, you're going to lose your
8 privileges. No commissary, no visitation, no rec
9 yard, you're not going to get enough showers in there,
10 you're going to be lonely. It's pretty cold. But the
11 most important thing about is that I'm going to make
12 sure GEO sends their documents to the court and you're
13 fighting your cases, so you do not to want look bad.
14 Already you look bad with the red uniform on. And now
15 you're going to look even worse because you're coming
16 from the hole. And we're going to make sure that
17 those documents get there to the judge and the judge
18 is going to see if she wants to leave you here in the
19 country so you can go back to your family or they can
20 remove you. But you're not going to look good when
21 this gets to the judge.

22 Q. And I don't want to cut you off. Is
23 that it? I have a few follow-ups.

24 A. Yeah, that's it.

25 Q. What was the name of the officer in that

1 instance, do you recall?

2 A. That's a -- that's a sergeant. I don't
3 remember --

4 Q. Well, you described an officer first who
5 called the sergeant. Do you remember that name?

6 A. Yeah, that was Sanchez.

7 Q. Okay. So that was Sanchez again?

8 A. Yeah.

9 Q. And do you know the name of the sergeant
10 who was called?

11 A. No, I don't remember his name.

12 Q. And do you know the name of any of the
13 detainees who were refusing to clean?

14 A. Well, it was mostly everyone, everyone
15 just felt that they didn't want to clean.

16 Q. Was Mr. Menocal refusing to clean?

17 A. Yes.

18 Q. Was Mr. Brambila refusing to clean?

19 A. Yes.

20 Q. Was Mr. Valerga refusing to clean?

21 A. Yes.

22 Q. Were you refusing to clean?

23 A. Yes.

24 Q. Okay. And that was a time when you guys
25 were all housed together in the A Pod; is that

1 entire floor, and then -- then you've got to mop it,
2 and then since it's dry and that type of floor doesn't
3 dry that fast, because it's full of wax so it won't
4 dry fast so then you have to squeegee the water to one
5 of the drains, and then let it -- let it dry.

6 Q. You also mentioned cleaning the showers.
7 Can you describe what that process was like?

8 A. The showers, the showers have curtains.
9 You have to spray the showers to disinfect the
10 curtains, and you have to spray the showerheads, the
11 buttons, the little space where you put your soap, and
12 then you've got to -- you've also got to sweep it,
13 pick up all the empty shampoo bottles, tooth brushes,
14 stuff like that.

15 Q. Were these all messes that you made?

16 MS. SCHEFFEY: Object to form.

17 A. No.

18 Q. (BY MR. KOSHKIN) Were they messes that
19 other detainees in the dorm made?

20 A. Yes.

21 Q. How long did all this cleaning take?

22 A. About an hour, about an hour to an hour
23 30 minutes sometimes.

24 Q. Were you able to use the common area if
25 you weren't cleaning, during the cleanup time?

1 A. No.

2 Q. And how often did you participate in the
3 cleanup?

4 A. About twice a week, depending on the --
5 on the -- on the size of the dorm. If it was full,
6 maybe once. If it's not full, twice.

7 Q. Why did you do this cleaning?

8 A. Because I was afraid about my
9 immigration case. I was afraid about my immigration
10 case so I wouldn't -- you know, I believe that I had
11 to because of my immigration case.

12 Q. What was the connection between your
13 immigration case and the cleaning?

14 A. Well, like the sergeant said, if you go
15 to the hole, that's going to follow you to the
16 immigration judge, so I was avoiding going to the hole
17 or getting new write-ups or, you know, getting in
18 trouble.

19 Q. Were you ever sent to the hole?

20 A. No, no.

21 Q. Were you aware of what the hole was?

22 A. No.

23 Q. You weren't aware of what the hole was?

24 Is that what you said?

25 MS. SCHEFFEY: Object to form, and asked

1 and answered.

2 A. What was the question?

3 Q. (BY MR. KOSHKIN) Were you aware of what
4 the hole was?

5 A. Yes.

6 Q. How did you know what the hole was?

7 A. By other detainees and GEO guards.

8 Q. What did the guards tell you about the
9 hole?

10 A. They would tell you how you don't want
11 to be in there because it's cold. You're going to be
12 lonely. You're going to lose commissary. You're
13 going to lose rec yard. You were going to lose
14 visitations, and you were not going to be able to
15 sleep. You were not going to be able to talk to
16 others, sort of thing, yeah. And that it was a
17 terrible place to go to.

18 Q. What was your reaction to the guards
19 telling you this?

20 A. It was -- it was a place where I'm -- I
21 wasn't going to try to go to, you know.

22 Q. Why not?

23 A. Well, because it was going to damage my
24 immigration case if -- if I went to the hole, it was
25 just going to damage my immigration case and that's

Exhibit 12

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CIVIL ACTION NO.: 1:14-cv-02887-JLK

ALEJANDRO MENOCA, et al.,

Plaintiffs,

-vs-

THE GEO GROUP, INC.,

Defendant.

_____ /

DEPOSITION OF DANIEL RAGSDALE

Thursday, February 27, 2020
9:20 a.m. - 3:14 p.m.

Shavitz Law Group, P.A.
951 Yamato Road, #285
Boca Raton, Florida 33431

Stenographically Reported By:
JOYCE L. BLUTEAU, RPR, FPR
Registered Professional Reporter
Florida Professional Reporter

1 APPEARANCES:

2

On behalf of the Plaintiffs:

3

4 TOWARDS JUSTICE
1410 High Street
5 Suite 300
Denver, Colorado 80218
6 720.441.2236
juno@towardsjustice.org
7 BY: JUNO TURNER, ESQUIRE

8

9 OUTTEN & GOLDEN, LLP
685 Third Avenue
10 25th Floor
New York, New York 10017
11 212.245.1000
akoshkin@outtengolden.com
12 BY: ADAM L. KOSHKIN, ESQUIRE

13

14 On behalf of the Defendant:
AKERMAN, LLP
15 1900 Sixteenth Street
Suite 1700
16 Denver, Colorado 80202
303.260.7712
17 colin.barnacle@akerman.com
adrienne.scheffey@akerman.com
18 BY: COLIN L. BARNACLE, ESQUIRE and
ADRIENNE SCHEFFEY, ESQUIRE

19

20 THE GEO GROUP, INC.
21 4955 Technology Way
Boca Raton, Florida 33431
22 561.443.1786
cwilke@geogroup.com
23 BY: CHERYL L. WILKE, ESQUIRE, VP CORPORATE COUNSEL

24

- - -

25

1 what I just tried to say is the agency will audit the
2 facility on some regular basis. And then on an ad hoc
3 basis they will obviously do spot checks or reviews, if
4 you will, on how the contractor's performing the
5 services.

6 Q. Okay. And then sort of moving along, under
7 Item 4 there it says, "The facility will be reviewed at
8 least once every 12 months."

9 Is that consistent with your understanding?

10 A. I would say, you know, I couldn't again speak
11 for the agency in terms of whether they're like clockwork
12 in getting everything done in 12 months. I think that's
13 what -- aspirationally, that's what this seems to
14 require.

15 Q. Okay. And if you look under Item 5, review
16 process, it lists five phases, the pre-review
17 preparation, on-site review, report production, review of
18 conclusions, and follow-up review.

19 Is that consistent with your understanding of
20 what this review entails?

21 A. Again, this is the regime the agency uses. I
22 can't speak for the agency, but I do know that they do
23 audits. There's a prep process and, you know, this is
24 consistent with what my understanding is.

25 Q. Okay. If you could turn to page 59675.

1 So there under Item 9, it lists the performance
2 requirements summary and schedule of reductions. And
3 then it says, "This performance requirement summary or
4 PRS serves to communicate what the government intends to
5 qualitatively inspect." And then below that there's a
6 chart.

7 Is your understanding that these are the areas
8 that the government intends to inspect as part of the
9 PRS?

10 A. Yes. I mean, I've seen this document, these
11 types of things in documents that ICE uses, so, yes, I
12 believe these are areas that are listed in functional
13 areas that are areas they do inspect, yes.

14 Q. Okay. And then if you could just take a look
15 at the chart itself and let me know what portions of this
16 list of functional areas that the government intends to
17 inspect GEO contends relate to detainee labor in the
18 Aurora facility.

19 A. I would say policy development and monitoring.
20 I would say detainee records.

21 Q. Let's take them one at a time. So what aspects
22 of policy development and monitoring would implicate
23 detainee labor?

24 A. Well, so, in other words, as I said to you
25 earlier, there's a detention standard on the Detainee

1 Work Program. There is, as we talked about today, HUSP
2 or Housing Unit Sanitation Policy. There's a sanitation
3 policy.

4 So to the extent this is the overarching policy
5 development and monitoring, those things, in my mind,
6 would be subsumed into that area.

7 Q. Okay. Got it.

8 What about detainee records?

9 A. Again, as part of the Voluntary Work Program as
10 a detainee work plan, it is a document that the detainee
11 signs. They obviously get some level of training
12 depending on what they're doing. Those are maintained in
13 the detainee's file, so we would expect to see those
14 types of things in detainee records.

15 Q. Okay. What else?

16 A. Again, like personal property, if a person had,
17 you know, again excess property that is related to the
18 housing unit, the HUSP, you know, that could be something
19 that relates to personal property that could be
20 implicated in the Housing Unit Sanitation plan.

21 Quality control, again, as we talked about,
22 those are policies I think would be subsumed in there.

23 It could -- again, personal property could
24 relate to functional areas in security, security
25 inspections, control of contraband, detainee searches.

1 Q. So when you say "personal property" there,
2 you're referring to the requirement that the detainees
3 keep their personal property packed away and in their
4 bunk, for example, they don't hang loose papers, those
5 types of requirements?

6 A. Right. In other words -- yes.

7 Q. Okay. Not relating to the requirement that
8 they clean the common areas; correct?

9 A. I guess only to the extent depends where their
10 personal property is.

11 Q. Right. Don't leave their personal property
12 lying around the facility.

13 A. Correct.

14 Q. Okay.

15 A. So, again, that could go down to detainee
16 discipline, as we talked about earlier.

17 Then on page ending with 676, sanitation
18 requirements obviously could be implicated. It could be
19 staff detainee communication, depending on, you know,
20 whether there's issues, detainees want to appeal some,
21 you know, obviously, finding or ruling. Grievances
22 obviously could be also implicated. Volunteer work
23 assignments are obviously there, work assignments and
24 security. I think that's it.

25 Q. Okay. Was it your understanding that GEO would

1 develop policies relating to these functional areas and
2 submit them to the government?

3 A. Yes. So it's my understanding that the
4 facilities develop policies to implement the standards
5 and those are reviewed and cleared, essentially, or
6 cosigned by ICE.

7 Q. Okay. This one is really big. We'll mark
8 this, please. I hand you a document marked Exhibit 14 --
9 Exhibit 5.

10 (Exhibit 5, E-mail with Attached 2011 Contract
11 for operation of the Aurora Facility, was marked for
12 identification.)

13 BY MS. TURNER:

14 Q. This is an e-mail followed by what I believe is
15 the contract starting in 2011 for operation of the Aurora
16 facility, but you can take a look and let me know if you
17 agree.

18 A. So I see this is mailed under Item 11 to ICE's
19 office in Centennial, so at least there's a reference to
20 Colorado on the first page. Let me just flip through.

21 There's a --

22 Q. If you take a look at the e-mail cover as well,
23 the attachment is named "Aurora."

24 A. Okay. I see that, "Aurora Agreement with Job
25 Descriptions," yes.

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CERTIFICATE OF OATH

THE STATE OF FLORIDA,)
COUNTY OF PALM BEACH.)

I, Joyce L. Bluteau, Registered Professional Reporter, Florida Professional Reporter and Notary Public, State of Florida, certify that DANIEL RAGSDALE personally appeared before me on the 27th day of February, 2020, and was duly sworn.

Signed this 3rd day of March, 2020.



Joyce L. Bluteau, RPR, FPR
Notary Public - State of Florida
Commission No.: FF 947453
Commission Expires: March 26, 2020

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CERTIFICATE OF REPORTER

THE STATE OF FLORIDA,)
COUNTY OF PALM BEACH.)

I, Joyce L. Bluteau, Registered Professional Reporter, Florida Professional Reporter, certify that I was authorized to and did stenographically report the deposition of DANIEL RAGSDALE; pages 1 through 183; that a review of the transcript was requested; and that the transcript is a true record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED this 3rd day of March, 2020.



Joyce L. Bluteau,
Registered Professional Reporter
Florida Professional Reporter

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WITNESS NOTIFICATION LETTER

March 3, 2020

DANIEL RAGSDALE
c/o: COLIN L. BARNACLE, ESQUIRE.
AKERMAN, LLP
1900 Sixteenth Street
Suite 1700
Denver, Colorado 80202

IN RE: ALEJANDRO MENOCA, et al. vs. THE GEO GROUP, INC.
Deposition, taken on February 27, 2020
U.S. Legal Support (WPB) Job No. 2107998
U.S. Legal Support (NY) Job No. 301680

The transcript of the above proceeding is now available for your review.

Please call (561) 835-0220 to schedule an appointment between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, at a U.S. Legal Support office located nearest you.

Please complete your review within 30 days.

Sincerely,



Joyce L. Bluteau, RPR, FPR
U.S. Legal Support, Inc.
700 East Dania Beach Boulevard
First Floor
Dania Beach, Florida 33004
561.835.0220

CC via transcript:

ADAM KOSHKIN, ESQUIRE

Exhibit 13

No. 18-80095

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

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

Plaintiffs-Respondents,

v.

THE GEO GROUP, INC.,

Defendant-Petitioner.

On Petition for Permission to Appeal from the U.S. District Court for the
Western District of Washington, Civil Action No. 3:17 –cv-05769-RJB,
Judge Robert J. Bryan, Presiding

**DECLARATION OF JAMAL N. WHITEHEAD IN SUPPORT OF
RESPONDENTS' ANSWER IN OPPOSITION TO PETITION FOR
PERMISSION TO APPEAL CLASS CERTIFICATION**

Adam J. Berger, WSBA #20714
Lindsay L. Halm, WSBA #37141
Jamal N. Whitehead, WSBA #39818
SCHROETER GOLDMARK & BENDER
810 Third Avenue, Suite 500
Seattle, WA 98104

R. Andrew Free
THE LAW OFFICE OF R. ANDREW FREE
P.O. Box 90568
Nashville, TN 37209

Devin T. Theriot-Orr, WSBA # 33995
SUNBIRD LAW, PLLC
1001 Fourth Avenue, Suite 3200
Seattle, WA 98154-1003

Meena Menter, WSBA # 31870
MENTER IMMIGRATION LAW, PLLC
8201 164th Ave NE, Suite 200
Redmond, WA 98052

Attorneys for Plaintiffs-Respondents

I, JAMAL N. WHITEHEAD, declare as follows:

1. I am one of the attorneys of record for Plaintiffs-Respondents Ugochukwu Goodluck Nwauzor and Fernando Aguirre-Urbina in the above-captioned matter. I am over the age of eighteen, competent to testify in this matter, and do so based on personal knowledge.

2. Attached to my declaration as **Exhibit 1** are true and correct copies of excerpts from ICE's Performance-Based National Detention Standards 2011, as produced by GEO in this case [previously filed in the underlying litigation under Dkt. #87-3]. The complete document is available at <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf> (last visited Jun. 21, 2018).

3. Attached to my declaration as **Exhibit 2** is a true and correct copy of GEO's Second Supplemental Response to Plaintiffs' Request for Admission No. 2 in *Menocal v. The GEO Group, Inc.*, No. 1:14-cv-02887-JLK (D. Colo.), provided by GEO on July 21, 2017 [previously filed in the underlying litigation under Dkt. #101-1].

4. Attached to my declaration as **Exhibit 3** are true and correct copies of agency records provided by U.S. Immigration and Customs Enforcement in response to a Freedom of Information Act request, assigned tracking number ICDE 2013FOIA32547, which were disclosed during litigation in *Stevens v. U.S. Dep't of*

Homeland Security, No. 1:14-cv-3305 (N.D. Ill., filed May 6, 2014) [previously filed in the underlying litigation under Dkt. #101-2].

5. Attached to my declaration as **Exhibit 4** is a true and correct copy of the Detainee Handbook that Defendant GEO provided to detained immigrants at its LaSalle Detention Facility in Jena, Louisiana in 2014 or 2015 [previously filed in the underlying litigation under Dkt. #101-3].

6. Attached to my declaration as **Exhibit 5** is a true and correct copy of GEO's responses to Plaintiff's First Interrogatories and Requests for Production of Documents in this case [previously filed in the underlying litigation under Dkt. #87-4].

7. Attached to my declaration as **Exhibit 6** is a true and correct copy of an excel spreadsheet transmitted by ICE to Mr. Free on June 27, 2016, per the cover letter attached to this declaration as Exhibit 1 [previously filed in the underlying litigation under Dkt. #87-5]. The spreadsheet is titled "ICE SPC/CDF Volunteer Detainee Wage Payments for Contract Years (CYs) 2009-2014."

8. Attached to my declaration as **Exhibit 7** is a true and correct copy of Fed. R. Civ. P. 26(a)(1) Initial Disclosures, dated December 20, 2017 [previously filed in the underlying litigation under Dkt. #87-6].

9. Exhibit 6 reveals that GEO received reimbursement for over 127,000 detainee shifts—nearly 350 per day—in the 2013 and 2014 contract years alone.

According to GEO's Initial Disclosures, Exhibit 7, ICE's reimbursement to GEO increased to \$157,913.00 in FY 2016, representing an average of 432 detainee VWP shifts each day.

10. Attached to my declaration as Exhibit 8 is a true and correct copy of the Order Denying Motion to Dismiss [from the underlying litigation under Dkt. #113], *Nwauzor et al. v. GEO Grp., Inc.*, 3:17-CV-05769-RJB (W.D. Wash. Aug. 6, 2018).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and based on my personal knowledge.

DATED at Seattle, Washington this 13th day of September, 2018.

s/ Jamal N. Whitehead

Jamal N. Whitehead

EXHIBIT 3



August 10, 2009
Invoice # 213090703
Client # 26906

DHS/ICE/BFC
SEP 14 2009

South Texas Detention Complex
566 Veterans Drive
Pearsall, Texas 78061

MAIN TEL: 830 (b)(7)(c)
FAX: 830 334 9192
www.thegeogroupinc.com

DHS ICE
Burlington Finance Center
P.O. Box 1620
Williston, VT 05495-1620
Attn: ICE DRO FOD San Antonio Invoice

Contract # ACD-4-C-0001
HSCEDM-09-F-00001

Detainee Work: July 1, 2009 - July 31, 2009

<u>Item Code</u>	<u>Amount Due</u>
CLIN 4021	\$6,722.00
Total Amount Due	\$6,722.00

I certify that services/supplies have been rendered.

(b)(6), (b)(7)(c)

8-10-09
Date

(b)(6), (b)(7)(c) COIR

Date

Payment Terms: Net (b)(4)
Tax ID: 65-0043078

Send Payment to:
South Texas Detention Complex
566 Veterans Drive
Attn: Detainee Trust Fund Account
Pearsall, Texas 78061

Case 3:17-cv-05769-RJB Document 101-2 Filed 07/16/18 Page 3 of 8

September 4, 2009
Invoice # 213090803
Client # 26906

DHS/ICE/BFC
SEP 14 2009



South Texas Detention Complex
566 Veterans Drive
Pearsall, Texas 78061
MAIN TEL: 830 (b)(6), (b)(7)(C)
FAX: 830 334 9192
www.thegeogroupinc.com

DHS ICE
Burlington Finance Center
P.O. Box 1620
Williston, VT 05495-1620
Attn: ICE DRO FOD San Antonio Invoice

Contract # ACD-4-C-0001
HSCEDM-09-F-00001

Detainee Work: August 1, 2009 – August 31, 2009

<u>Item Code</u>	<u>Amount Due</u>
CLIN 4021	\$6,488.00
Total Amount Due	\$6,488.00

Justify that services/commodities have been rendered.

(b)(6), (b)(7)(c)

9-4-09
Date

(b)(6), (b)(7)(c) COTR

Date

Payment Terms: Net (b)(4)
Tax ID: 65-0043078

Send Payment to:
South Texas Detention Complex
566 Veterans Drive
Attn: Detainee Trust Fund Account
Pearsall, Texas 78061

**SOUTH TEXAS DETENTION COMPLEX
AUGUST DETAINEE PAY REPORT
Dates Worked: 08/01/09 to 08/31/09**

ICE BILLABLE COST:	\$6,488.00
GEO BILLABLE COST:	<u>\$7,619.00</u>
TOTAL:	\$14,107.00

**SOUTH TEXAS DETENTION COMPLEX
JUNE DETAINEE PAY REPORT
Dates Worked: 06/01/09 to 06/30/09**

ICE BILLABLE COST:	\$6,121.00
GEO BILLABLE COST:	<u>\$7,258.00</u>
TOTAL:	\$13,379.00

Case 3:17-cv-05769-RJB Document 101-2 Filed 07/16/18 Page 6 of 8

**GEO SOUTH TEXAS DETENTION COMPLEX
 DETAINEE PAY FOR JUNE
 WORK DATES: 6/1/09-6/30/09**

Detainee Name	Date Worked	Entry Date	Receipt #	ICE Pay	GEO Pay	Total
	6/11/2009	06/12/2009		\$1.00	\$0.00	\$1.00
	6/18/2009	06/19/2009		\$1.00	\$2.00	\$3.00
	6/19/2009	06/20/2009		\$1.00	\$2.00	\$3.00
	6/20/2009	06/21/2009		\$1.00	\$2.00	\$3.00
	6/22/2009	06/23/2009		\$1.00	\$2.00	\$3.00
	06/24/2009	06/25/2009		\$1.00	\$2.00	\$3.00
	6/25/2009	06/26/2009		\$1.00	\$2.00	\$3.00
	06/26/2009	06/27/2009		\$1.00	\$2.00	\$3.00
	6/28/2009	06/29/2009		\$1.00	\$2.00	\$3.00
	6/29/2009	06/30/2009		\$1.00	\$2.00	\$3.00
	6/30/2009	07/01/2009		\$1.00	\$2.00	\$3.00
	6/9/2009	06/10/2009		\$1.00	\$2.00	\$3.00
	6/10/2009	06/11/2009		\$1.00	\$2.00	\$3.00
	6/11/2009	06/12/2009		\$1.00	\$2.00	\$3.00
	06/12/2009	06/13/2009		\$1.00	\$2.00	\$3.00
	06/13/2009	06/14/2009		\$1.00	\$2.00	\$3.00
	6/15/2009	06/16/2009		\$1.00	\$2.00	\$3.00
	6/23/2009	06/24/2009		\$1.00	\$2.00	\$3.00
	06/26/2009	06/27/2009		\$1.00	\$2.00	\$3.00
	6/23/2009	06/24/2009		\$1.00	\$0.00	\$1.00
	6/24/2009	06/24/2009		\$1.00	\$0.00	\$1.00
	6/25/2009	06/26/2009		\$1.00	\$0.00	\$1.00
	06/27/2009	06/28/2009		\$1.00	\$0.00	\$1.00
	6/29/2009	06/29/2009		\$1.00	\$0.00	\$1.00
	6/5/2009	06/08/2009		\$1.00	\$0.00	\$1.00
	6/6/2009	06/07/2009		\$1.00	\$0.00	\$1.00
	6/7/2009	06/08/2009		\$1.00	\$0.00	\$1.00
	6/8/2009	06/09/2009		\$1.00	\$0.00	\$1.00
	6/4/2009	06/05/2009		\$1.00	\$2.00	\$3.00
	6/8/2009	06/09/2009		\$1.00	\$2.00	\$3.00
	6/9/2009	06/10/2009		\$1.00	\$2.00	\$3.00
	6/10/2009	06/11/2009		\$1.00	\$2.00	\$3.00
	06/12/2009	06/13/2009		\$1.00	\$2.00	\$3.00
	06/16/2009	06/17/2009		\$1.00	\$2.00	\$3.00
	6/17/2009	06/18/2009		\$1.00	\$2.00	\$3.00
	6/23/2009	06/24/2009		\$1.00	\$2.00	\$3.00
	06/24/2009	06/25/2009		\$1.00	\$2.00	\$3.00
	6/25/2009	06/26/2009		\$1.00	\$2.00	\$3.00
	06/26/2009	06/27/2009		\$1.00	\$2.00	\$3.00
	6/29/2009	06/30/2009		\$1.00	\$2.00	\$3.00
	6/17/2009	06/18/2009		\$1.00	\$0.00	\$1.00
	6/18/2009	06/19/2009		\$1.00	\$0.00	\$1.00
	6/19/2009	06/20/2009		\$1.00	\$0.00	\$1.00

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

Case 3:17-cv-05769-RJB Document 101-2 Filed 07/16/18 Page 7 of 8

**GEO SOUTH TEXAS DETENTION COMPLEX
 DETAINEE PAY FOR JUNE
 WORK DATES: 6/1/09-6/30/09**

Detainee Name	Date Worked	Entry Date	Receipt #	ICE Pay	GEO Pay	Total
(b)(6), (b)(7)(c)	6/14/2009	06/15/2009	(b)(6), (b)(7)(c)	\$1.00	\$2.00	\$3.00
	6/15/2009	06/16/2009		\$1.00	\$2.00	\$3.00
	6/23/2009	06/24/2009		\$1.00	\$2.00	\$3.00
	06/24/2009	06/25/2009		\$1.00	\$2.00	\$3.00
	6/25/2009	06/26/2009		\$1.00	\$2.00	\$3.00
	06/27/2009	06/28/2009		\$1.00	\$2.00	\$3.00
	6/28/2009	06/29/2009		\$1.00	\$2.00	\$3.00
	6/29/2009	06/30/2009		\$1.00	\$2.00	\$3.00
	6/30/2009	07/01/2009		\$1.00	\$2.00	\$3.00
	6/23/2009	06/24/2009		\$1.00	\$0.00	\$1.00
	6/5/2009	06/07/2009		\$1.00	\$2.00	\$3.00
	6/07/2009	06/11/2009		\$1.00	\$2.00	\$3.00
	6/11/2009	06/12/2009		\$1.00	\$2.00	\$3.00
	6/15/2009	06/24/2009		\$1.00	\$2.00	\$3.00
	06/16/2009	06/17/2009		\$1.00	\$2.00	\$3.00
						\$6,121.00
				ICE TOTAL	GEO TOTAL	TOTAL PAY

Case 3:17-cv-05769-RJB Document 101-2 Filed 07/16/18 Page 8 of 8

GEO SOUTH TEXAS DETENTION COMPLEX

DETAINEE PAY FOR JULY

WORK DATES: 7/1/09~7/31/09

(b)(6), (b)(7)(c)	7/18/2009	07/19/2009	(b)(6), (b)(7)(c)	\$0.00	\$1.00	\$1.00
	7/19/2009	07/20/2009		\$1.00	\$0.00	\$1.00
	7/20/2009	07/21/2009		\$1.00	\$0.00	\$1.00
	7/21/2009	07/22/2009		\$1.00	\$0.00	\$1.00
	7/22/2009	07/23/2009		\$1.00	\$0.00	\$1.00
	7/23/2009	07/24/2009		\$1.00	\$0.00	\$1.00
	07/24/2009	07/25/2009		\$1.00	\$0.00	\$1.00
	07/25/2009	07/26/2009		\$1.00	\$0.00	\$1.00
	7/26/2009	07/27/2009		\$1.00	\$0.00	\$1.00
	7/27/2009	07/28/2009		\$1.00	\$0.00	\$1.00
	7/28/2009	07/29/2009		\$1.00	\$0.00	\$1.00
	7/29/2009	07/30/2009		\$1.00	\$0.00	\$1.00
	7/30/2009	07/31/2009		\$1.00	\$0.00	\$1.00
	07/31/2009	08/01/2009		\$1.00	\$0.00	\$1.00
					ICE TOTAL	GEO TOTAL
				\$6,722.00	\$8,007.00	\$14,729.00



From: 8303349192 Page: 2/2 Date: 8/10/2009 7:16:48 PM

Exhibit 14

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No.: 1:14-cv-02887-JLK

ALEJANDRO MENOCA, *et al.*

Plaintiffs,

v.

THE GEO GROUP, INC.,

Defendant.

**PLAINTIFF ALEJANDRO MENOCA LEPE'S OBJECTIONS AND RESPONSES TO
DEFENDANT THE GEO GROUP, INC.'S SECOND SET OF WRITTEN DISCOVERY
REQUESTS TO PLAINTIFFS**

Pursuant to Rules 33 and 34 of the Federal Rules of Civil Procedure, Plaintiff Alejandro Menocal Lepe ("Plaintiff"), by Plaintiffs' attorneys, makes the following objections and responses to The GEO Group, Inc.'s ("Defendant" or "GEO") Second Set of Written Discovery Requests to Plaintiffs.

PRELIMINARY STATEMENT

All responses to the following Interrogatories are based on information currently known to Plaintiff and are provided without prejudice to Plaintiff's right to submit evidence of any subsequently discovered facts and information, should such become known. Plaintiff anticipates that as investigation and trial preparation continue, it is possible that additional facts may become known, which may in turn warrant additions to or changes in the responses provided herein. These responses are made in a good faith effort to supply such information as is

presently known to Plaintiff. These responses and objections are made without prejudice to, and are not a waiver of, Plaintiff's right to rely on other facts or documents at trial.

The production of information pursuant to these responses is made without waiving, or intending to waive, but on the contrary reserving and intending to reserve: (a) the right to object on any grounds to the use of information provided pursuant to these responses in this or any other action or proceeding; (b) the right to object on any and all grounds, at any time, to other requests for production or other discovery mechanisms or proceedings; and (c) the right at any time to revise, correct, or supplement these responses. Plaintiff reserves all objections to the competence, relevance, materiality, or admissibility at trial of any information or documents requested or identified by any party. The inadvertent disclosure of any privileged information shall not be deemed to be a waiver of any applicable privilege with respect to such information or any other information.

Unless otherwise noted below, Plaintiff has no responsive documents.

This Preliminary Statement is incorporated into each response by this reference.

OBJECTIONS AND RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 26:

Other than your attorneys, identify each person, including friends, family, and co-workers, with whom you have spoken or communicated concerning the allegations in this lawsuit.

RESPONSE TO INTERROGATORY NO. 26:

Plaintiff objects to this interrogatory as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks the identity of every single individual, other than his attorneys, with whom Plaintiff has spoken or communicated about the allegations in this lawsuit.

Plaintiff also objects to this interrogatory insofar as it seeks information that is not relevant to this action and not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every person Plaintiff might have communicated with about the case would have on the issues in this litigation.

Plaintiff also objects to this interrogatory as overly broad to the extent that it relates to information outside the period from October 22, 2004 through the present for all interrogatories related to Plaintiffs’ TVPA claims and October 22, 2012 through the present for all requests related to Plaintiffs’ unjust enrichment claims (the “Relevant Periods”).

Moreover, to the extent the interrogatory requests the names of other GEO detainees who are named Plaintiffs or part of the certified classes, Plaintiff objects on the ground of privilege with respect to any communications between Plaintiff and those detainees concerning the allegations in the lawsuit.

Plaintiff further objects to this Interrogatory to the extent that it seeks information for the illegitimate purposes of harassing, annoying, or embarrassing Plaintiff.

Plaintiff also objects to this Interrogatory to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for information about Plaintiffs’ counsel’s communications concerning this lawsuit seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege and objections, Plaintiff responds as follows. To the best of his recollection, Plaintiff recalls that he has communicated with his daughter, Alexis Menocal, his wife, Constance Thrasher, his sons Anthony and Andrew Menocal,

his friend, Mark Trujillo, and his friend, Dean Knowll, and with reporters whose names Plaintiff cannot recall concerning the allegations in the lawsuit.

INTERROGATORY NO. 27:

Identify with as much specificity as possible each circumstance in which a GEO employee threatened you with administrative or disciplinary segregation for failing to clean any area of the Aurora Detention Facility.

RESPONSE TO INTERROGATORY NO. 27:

Plaintiff objects to this interrogatory insofar as it requests information within GEO's custody and control. Plaintiff also objects to this interrogatory as overly broad to the extent that it relates to information outside the Relevant Periods. Plaintiff also objects to the phrase "with as much specificity as possible" as vague.

Notwithstanding these objections, Plaintiff responds as follows. Plaintiff does not recall receiving direct threats from any GEO employee regarding administrative or disciplinary segregation for failing to clean. Plaintiff observed other detainees who had been sent to solitary and was told by a guard that the other detainees had been sent to solitary for failing to clean.

INTERROGATORY NO. 28:

Identify with as much specificity as possible each circumstance in which a DHS/ICE official threatened you with administrative or disciplinary segregation for failing to clean any area of the Aurora Detention Facility.

RESPONSE TO INTERROGATORY NO. 28:

Plaintiff objects to this interrogatory insofar as it requests information within GEO's custody and control. Plaintiff also objects to this interrogatory as overly broad to the extent that it

relates to information outside the Relevant Periods. Plaintiff also objects to the phrase “with as much specificity as possible” as vague.

Notwithstanding these objections, Plaintiff responds as follows. Plaintiff does not recall receiving threats from any DHS or ICE official regarding administrative or disciplinary segregation for failing to clean.

INTERROGATORY NO. 29:

Identify how many times you were assigned post-meal-service cleaning responsibilities during your time in the Aurora Detention Facility.

RESPONSE TO INTERROGATORY NO. 29:

Plaintiff objects to the terms “were assigned” and “post-meal-service cleaning responsibilities” as vague. Plaintiff also objects to this interrogatory as overly broad to the extent that it relates to information outside the Relevant Periods. Plaintiff also objects to this interrogatory to the extent that it requests information within GEO’s custody and control.

Without waiving these objection, Plaintiff responds as follows. Plaintiff cannot recall the precise number of times Plaintiff was assigned to or otherwise required to clean following meal service. Notwithstanding this, to the best of his recollection, Plaintiff estimates that he was assigned post-meal-service cleaning responsibilities pursuant to the Housing Unit Sanitation Policy at least one day per week for the approximately three months Plaintiff was detained in the Aurora facility. Plaintiff recalls that post-meal-service cleaning assignments pursuant to the Housing Unit Sanitation Policy rotated between him and other members of his pod, so the frequency of assignments to clean depended on the number of detainees in the pod at any given

time. When assigned to post-meal-service cleaning pursuant to the Housing Unit Sanitation Policy, Plaintiff was required to clean after each meal, or three times per day.

INTERROGATORY NO. 30:

For each instance identified in response to Interrogatory Number 29, provide as many details as you can, including the approximate date, your best estimate of how many hours you worked and what type of work you performed.

RESPONSE TO INTERROGATORY NO. 30:

Plaintiff objects to the terms “as many details as you can” as vague. Plaintiff also objects to this interrogatory to the extent that it requests information within GEO’s custody and control.

Without waiving these objections, Plaintiff responds as follows. Plaintiff cannot recall specific dates, but Plaintiff refers Defendant to his response to Interrogatory No. 29 above with respect to frequency of post-meal-service cleaning work performed pursuant to the Housing Unit Sanitation Policy. Plaintiff cannot recall specific details for each and every instance identified above. Notwithstanding this, to the best of his recollection, Plaintiff estimates that he cleaned for approximately one hour after each of three meals, or approximately three hours per day, on the days he was assigned post-meal-service cleaning pursuant to the Housing Unit Sanitation Policy. During such cleaning, Plaintiff’s responsibilities typically included sweeping floors, mopping floors, wiping down tables, and clearing dishes.

INTERROGATORY NO. 31:

Identify the number of hours of work for which you seek compensatory damages under your unjust enrichment claim.

RESPONSE TO INTERROGATORY NO. 31:

Plaintiff objects to this interrogatory to the extent that it requests information within GEO's custody and control.

Notwithstanding this objection, Plaintiff seeks compensatory damages for all hours worked under the Voluntary Work Program and the Housing Unit Sanitation Policy. Plaintiff estimates that Plaintiff worked at least four weeks in the Voluntary Work Program, and that Plaintiff worked approximately seven days each week that he worked in the Voluntary Work Program. Plaintiff estimates that Plaintiff worked for approximately three months under the Housing Unit Sanitation Policy, and that Plaintiff worked at least one day each week that he performed post-meal-service cleaning under the Housing Unit Sanitation Policy.

Plaintiff estimates that Plaintiff worked at least 6 hours per day in the Voluntary Work Program on the days that Plaintiff worked in the Voluntary Work Program. On the days that Plaintiff performed post-meal-service cleaning pursuant to the Housing Unit Sanitation Policy, he estimates that he performed that work for at least three hours per day.

INTERROGATORY NO. 32:

Identify the number of hours of work for which you seek compensatory damages under your TVPA claim.

RESPONSE TO INTERROGATORY NO. 32:

Plaintiff objects to this interrogatory to the extent that it requests information within GEO's custody and control.

Notwithstanding this objection, Plaintiff claims compensatory damages for all hours worked under the Housing Unit Sanitation Policy. Plaintiff estimates that Plaintiff worked approximately three months under the Housing Unit Sanitation Policy, and that Plaintiff worked

at least one day each week that he worked under the Housing Unit Sanitation Policy. On the days that Plaintiff performed post-meal-service cleaning pursuant to the Housing Unit Sanitation Policy, he estimates that he performed that work for at least three hours per day.

INTERROGATORY NO. 33:

Have you communicated orally or in writing with any current or former Aurora Detention Facility detainee who expressed disagreement with the allegations asserted in the Complaint? If so, identify each such detainee.

RESPONSE TO INTERROGATORY NO. 33:

Plaintiff objects to this interrogatory insofar as it seeks information that is not relevant to this action and not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance or relevance that others’ disagreement with the allegations in the Complaint would have to any party’s claim or defense.

Plaintiff objects on the ground of privilege to the extent the interrogatory requests the names of other GEO detainees who are named Plaintiffs or part of the certified classes.

Plaintiff further objects to this Interrogatory to the extent that it seeks information for the illegitimate purposes of harassing, annoying, or embarrassing Plaintiff.

Plaintiff also objects to this Interrogatory to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for information about Plaintiffs’ counsel’s communications concerning this lawsuit seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege or objections, Plaintiff responds as follows. Plaintiff has not communicated with any current or former Aurora Detention Facility detainee who expressed disagreement with the allegations asserted in the Complaint.

INTERROGATORY NO. 34:

Since your release from the Aurora Detention Facility, have you communicated orally or in writing with any current or former GEO employee? If so, identify with as much specificity as possible each communication, including the identity of the GEO employee, the time and place of the communication, the purpose of the communication, what you communicated, and what the GEO employee communicated.

RESPONSE TO INTERROGATORY NO. 34:

Plaintiff objects to this interrogatory as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks the identity of every current or former GEO employee, with whom Plaintiff has spoken or communicated, regardless of whether such communication related to this lawsuit. Plaintiff also objects to this interrogatory insofar as it seeks information that is not relevant to this action and not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every GEO employee with whom Plaintiff communicated would have on the issues in this litigation.

Plaintiff also objects to this Interrogatory to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for information about Plaintiffs’ counsel’s communications seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Notwithstanding this objection, Plaintiff responds as follows. Since his release from the Aurora Detention Facility, Plaintiff has not communicated with any current or former GEO employee, except for one instance during which Plaintiff visited the Aurora facility and asked to enter the facility to use the bathroom, and a GEO employee told Plaintiff he could not enter the facility.

OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 26:

Since 2014, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) between you and any other named Plaintiff in this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 26:

Plaintiff objects to this request for production as overly broad, unduly burdensome, and seeking irrelevant information. Plaintiff objects to this request on ground of privilege because this request for production seeks communications between Plaintiff and other named Plaintiffs.

Plaintiff also objects to this request insofar as it seeks material that is not relevant to this action and not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because the request covers any communication, regardless of whether the communication relates to this lawsuit.

Plaintiff also objects to this Request to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for communications made or received solely by Plaintiffs’ counsel seeks information that is protected by the attorney-client privilege and/or attorney work product

doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege and objections, Plaintiff responds as follows. Plaintiff has no responsive documents. To the extent this request covers communications made or received solely by Plaintiffs' counsel, Plaintiff will not produce documents.

REQUEST FOR PRODUCTION NO. 27:

Since 2014, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) concerning this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 27:

Plaintiff objects to this request as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks every message that Plaintiff possesses concerning this lawsuit. This request therefore seeks material that is not relevant to this action and not "proportional to the need of the case" under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every single written or electronic communication Plaintiff might have had about this lawsuit would have on the issues in this litigation.

Plaintiff objects that this request calls for production of documents protected by the attorney-client privilege and the work product doctrine.

Plaintiff also objects to this Request to the extent that the definition of "you" includes Plaintiffs' counsel, as calling for communications made or received solely by Plaintiffs' counsel seeks information that is protected by the attorney-client privilege and/or attorney work product

doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege and objections, Plaintiff responds as follows. Plaintiff has no responsive documents. To the extent this request covers communications made or received solely by Plaintiffs' counsel, Plaintiff will not produce documents.

REQUEST FOR PRODUCTION NO. 28:

Since 2014, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) between you and any other former Aurora Detention Facility detainee concerning the allegations in this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 28:

Plaintiff objects to this request as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks every message between Plaintiff and any other former Aurora Detention Facility detainee concerning the allegations in this lawsuit. This request therefore seeks material that is not relevant to this action and not "proportional to the need of the case" under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every written or electronic communication Plaintiff might have had about this lawsuit with another detainee would have on the issues in this litigation. Plaintiff further objects to the phrase "concerning the allegations" as vague.

Plaintiff objects that this request calls for production of documents protected by the attorney-client privilege and the work product doctrine.

Plaintiff also objects to this Request to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for communications made or received solely by Plaintiffs’ counsel seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege and objections, Plaintiff responds as follows. Plaintiff has no responsive documents. To the extent this request covers communications made or received solely by Plaintiffs’ counsel, Plaintiff will not produce documents.

REQUEST FOR PRODUCTION NO. 29:

Since 2014, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) between you and any member of the media related to the allegations in this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 29:

Plaintiff objects to the phrase “any member of the media” as vague. Plaintiff further objects to the extent this request calls for production of documents protected by the attorney-client privilege and the work product doctrine.

Plaintiff also objects to this Request to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for communications made or received solely by Plaintiffs’ counsel seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above objections, Plaintiff responds as follows. Plaintiff has no responsive documents. To the extent this request covers communications made or received solely by Plaintiffs' counsel, Plaintiff will only produce responsive documents in which Plaintiffs' counsel relayed statement(s) attributed to Plaintiff. Plaintiffs will produce such documents, if any, by February 19, 2018.

REQUEST FOR PRODUCTION NO. 30:

Since your release from the Aurora Detention Facility, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) between you and any current or former GEO employee.

RESPONSE TO REQUEST FOR PRODUCTION NO. 30:

Plaintiff objects to this request as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks the all communications between Plaintiff and any current or former GEO employee, regardless of whether such communication related to this lawsuit. Plaintiff also objects to this interrogatory insofar as it seeks information that is not relevant to this action and not "proportional to the need of the case" under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every communication with a GEO employee would have on the issues in this litigation.

Plaintiff also objects to this Request to the extent that the definition of "you" includes Plaintiffs' counsel, as calling for communications made or received solely by Plaintiffs' counsel seeks information that is protected by the attorney-client privilege and/or attorney work product

doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege and objections, Plaintiff responds as follows. Plaintiff has no responsive documents. To the extent this request covers communications made or received solely by Plaintiffs' counsel, Plaintiff will not produce documents.

REQUEST FOR PRODUCTION NO. 31:

If you are making a claim for mental anguish, emotional distress, or other similar or related conditions, produce all medical records related to your mental and emotional condition.

RESPONSE TO REQUEST FOR PRODUCTION NO. 31:

Plaintiff does not make a claim for mental anguish, emotional distress, or other similar or related conditions.

REQUEST FOR PRODUCTION NO. 32:

If you are making a claim for mental anguish, emotional distress, or other similar or related conditions, execute and return the attached Medical Authorization and Release for each medical provider or therapist from whom you have received treatment for mental anguish, emotional distress, or other similar or related conditions.

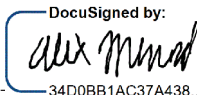
RESPONSE TO REQUEST FOR PRODUCTION NO. 32:

Plaintiff does not make a claim for mental anguish, emotional distress, or other similar or related conditions.

VERIFICATION

I, Alejandro Menocal Lepe, verify subject to the penalty of perjury that the foregoing
OBJECTIONS AND RESPONSES TO DEFENDANT THE GEO GROUP, INC.'S SECOND
SET OF WRITTEN DISCOVERY REQUESTS TO PLAINTIFFS are true and correct to the
best of my knowledge and belief.

Dated: January 19, 2018

By:  _____
34D0BB1AC37A438...
Alejandro Menocal Lepe

Dated: January 19, 2018

By: /s/ Juno Turner

Juno Turner
Juno Turner
Ossai Miazad
Elizabeth Stork
OUTTEN & GOLDEN LLP
685 Third Avenue, 25th Floor
New York, New York 10017
Telephone: (212) 245-1000
Facsimile: (212) 977-4005
E-Mail: jturner@outtengolden.com
E-Mail: om@outtengolden.com
E-Mail: estork@outtengolden.com

David Lopez
OUTTEN & GOLDEN LLP
601 Massachusetts Avenue NW
Second Floor West Suite
Washington, D.C. 20001
Telephone: (202) 847-4400
Facsimile: (202) 847-4410
E-Mail: pdl@outtengolden.com

Alexander Hood
David Seligman
Andrew Schmidt
TOWARDS JUSTICE
1535 High St., Suite 300
Denver, CO 80218
(720) 441-2236
alex@towardsjustice.org
david@towardsjustice.org
andy@towardsjustice.org

R. Andrew Free
LAW OFFICE OF R. ANDREW FREE
P.O. Box 90568
Nashville, TN 37209
T: (844) 321-3221
Andrew@ImmigrantCivilRights.com

Brandt Milstein
MILSTEIN LAW OFFICE

595 Canyon Boulevard
Boulder, CO 80302
(303) 440-8780
brandt@milsteinlawoffice.com

Andrew Turner
THE KELMAN BEUSCHER FIRM
600 Grant St., Suite 450
Denver, CO 80203
(303) 333-7751
aturner@laborlawdenver.com

Hans Meyer
MEYER LAW OFFICE, P.C.
P.O. Box 40394
Denver, CO 80204
(303) 831-0817
hans@themeyerlawoffice.com

Class Counsel

Exhibit 15

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No.: 1:14-cv-02887-JLK

ALEJANDRO MENOCA, *et al.*

Plaintiffs,

v.

THE GEO GROUP, INC.,

Defendant.

**PLAINTIFF GRISEL XAHUENTITLA FLORES’S OBJECTIONS AND RESPONSES
TO DEFENDANT THE GEO GROUP, INC.’S SECOND SET OF WRITTEN
DISCOVERY REQUESTS TO PLAINTIFFS**

Pursuant to Rules 33 and 34 of the Federal Rules of Civil Procedure, Plaintiff Grisel Xahuentitla Flores (“Plaintiff”), by Plaintiffs’ attorneys, makes the following objections and responses to The GEO Group, Inc.’s (“Defendant” or “GEO”) Second Set of Written Discovery Requests to Plaintiffs.

PRELIMINARY STATEMENT

All responses to the following Interrogatories are based on information currently known to Plaintiff and are provided without prejudice to Plaintiff’s right to submit evidence of any subsequently discovered facts and information, should such become known. Plaintiff anticipates that as investigation and trial preparation continue, it is possible that additional facts may become known, which may in turn warrant additions to or changes in the responses provided herein. These responses are made in a good faith effort to supply such information as is

presently known to Plaintiff. These responses and objections are made without prejudice to, and are not a waiver of, Plaintiff's right to rely on other facts or documents at trial.

The production of information pursuant to these responses is made without waiving, or intending to waive, but on the contrary reserving and intending to reserve: (a) the right to object on any grounds to the use of information provided pursuant to these responses in this or any other action or proceeding; (b) the right to object on any and all grounds, at any time, to other requests for production or other discovery mechanisms or proceedings; and (c) the right at any time to revise, correct, or supplement these responses. Plaintiff reserves all objections to the competence, relevance, materiality, or admissibility at trial of any information or documents requested or identified by any party. The inadvertent disclosure of any privileged information shall not be deemed to be a waiver of any applicable privilege with respect to such information or any other information.

Unless otherwise noted below, Plaintiff has no responsive documents.

This Preliminary Statement is incorporated into each response by this reference.

OBJECTIONS AND RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 26:

Other than your attorneys, identify each person, including friends, family, and co-workers, with whom you have spoken or communicated concerning the allegations in this lawsuit.

RESPONSE TO INTERROGATORY NO. 26:

Plaintiff objects to this interrogatory as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks the identity of every single individual, other than her attorneys, with whom Plaintiff has spoken or communicated about the allegations in this lawsuit.

Plaintiff also objects to this interrogatory insofar as it seeks information that is not relevant to this action and not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every person Plaintiff might have communicated with about the case would have on the issues in this litigation.

Plaintiff also objects to this interrogatory as overly broad to the extent that it relates to information outside the period from October 22, 2004 through the present for all interrogatories related to Plaintiffs’ TVPA claims and October 22, 2012 through the present for all requests related to Plaintiffs’ unjust enrichment claims (the “Relevant Periods”).

Moreover, to the extent the interrogatory requests the names of other GEO detainees who are named Plaintiffs or part of the certified classes, Plaintiff objects on the ground of privilege with respect to any communications between Plaintiff and those detainees concerning the allegations in the lawsuit.

Plaintiff further objects to this Interrogatory to the extent that it seeks information for the illegitimate purposes of harassing, annoying, or embarrassing Plaintiff.

Plaintiff also objects to this Interrogatory to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for information about Plaintiffs’ counsel’s communications concerning this lawsuit seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege and objections, Plaintiff responds as follows. To the best of her recollection, Plaintiff recalls that she has communicated with her

mother, Maria del Socorro Sandoval, her father, Marcelino Xahuentitla Vasquez, and with reporters whose names she cannot recall concerning the allegations in the lawsuit.

INTERROGATORY NO. 27:

Identify with as much specificity as possible each circumstance in which a GEO employee threatened you with administrative or disciplinary segregation for failing to clean any area of the Aurora Detention Facility.

RESPONSE TO INTERROGATORY NO. 27:

Plaintiff objects to this interrogatory insofar as it requests information within GEO's custody and control. Plaintiff also objects to this interrogatory as overly broad to the extent that it relates to information outside the Relevant Periods. Plaintiff also objects to the phrase "with as much specificity as possible" as vague.

Notwithstanding these objections, Plaintiff responds as follows. Plaintiff recalls receiving or observing threats from approximately three GEO guards that solitary confinement was a punishment for failing to clean. One threat was made directly by a GEO guard to Plaintiff, and the other two were made to women in Plaintiff's pod. Plaintiff does not recall when exactly each threat occurred.

INTERROGATORY NO. 28:

Identify with as much specificity as possible each circumstance in which a DHS/ICE official threatened you with administrative or disciplinary segregation for failing to clean any area of the Aurora Detention Facility.

RESPONSE TO INTERROGATORY NO. 28:

Plaintiff objects to this interrogatory insofar as it requests information within GEO's custody and control. Plaintiff also objects to this interrogatory as overly broad to the extent that it relates to information outside the Relevant Periods. Plaintiff also objects to the phrase "with as much specificity as possible" as vague.

Notwithstanding these objections, Plaintiff responds as follows. Plaintiff does not recall receiving threats from any DHS or ICE official regarding administrative or disciplinary segregation for failing to clean.

INTERROGATORY NO. 29:

Identify how many times you were assigned post-meal-service cleaning responsibilities during your time in the Aurora Detention Facility.

RESPONSE TO INTERROGATORY NO. 29:

Plaintiff objects to the terms "were assigned" and "post-meal-service cleaning responsibilities" as vague. Plaintiff also objects to this interrogatory as overly broad to the extent that it relates to information outside the Relevant Periods. Plaintiff also objects to this interrogatory to the extent that it requests information within GEO's custody and control.

Without waiving these objection, Plaintiff responds as follows. Plaintiff cannot recall the precise number of times Plaintiff was assigned to or otherwise required to clean following meal service. Notwithstanding this, to the best of her recollection, Plaintiff estimates that she was assigned post-meal-service cleaning responsibilities pursuant to the Housing Unit Sanitation Policy at least two to three days per week for the approximately four months Plaintiff was detained in the Aurora facility. Plaintiff recalls that post-meal-service cleaning assignments pursuant to the

Housing Unit Sanitation Policy rotated between her and other members of her pod, so the frequency of assignments to clean depended on the number of detainees in the pod at any given time. When assigned to post-meal-service cleaning pursuant to the Housing Unit Sanitation Policy, Plaintiff was required to clean after each meal, or three times per day.

INTERROGATORY NO. 30:

For each instance identified in response to Interrogatory Number 29, provide as many details as you can, including the approximate date, your best estimate of how many hours you worked and what type of work you performed.

RESPONSE TO INTERROGATORY NO. 30:

Plaintiff objects to the terms “as many details as you can” as vague. Plaintiff also objects to this interrogatory to the extent that it requests information within GEO’s custody and control.

Without waiving these objections, Plaintiff responds as follows. Plaintiff cannot recall specific dates, but Plaintiff refers Defendant to her response to Interrogatory No. 29 above with respect to frequency of post-meal-service cleaning work performed pursuant to the Housing Unit Sanitation Policy. Plaintiff cannot recall specific details for each and every instance identified above. Notwithstanding this, to the best of her recollection, Plaintiff estimates that she cleaned for approximately one hour after each of three meals, or approximately three hours per day, on the days she was assigned post-meal-service cleaning pursuant to the Housing Unit Sanitation Policy. During such cleaning, Plaintiff’s responsibilities typically included sweeping floors, mopping floors, wiping down tables, and clearing dishes.

INTERROGATORY NO. 31:

Identify the number of hours of work for which you seek compensatory damages under your unjust enrichment claim.

RESPONSE TO INTERROGATORY NO. 31:

Plaintiff objects to this interrogatory to the extent that it requests information within GEO's custody and control.

Notwithstanding this objection, Plaintiff seeks compensatory damages for all hours worked under the Voluntary Work Program and the Housing Unit Sanitation Policy. Plaintiff estimates that Plaintiff worked approximately four weeks in the Voluntary Work Program, until Plaintiff became sick from the cleaning products she was required to use in her VWP job, and that Plaintiff worked at least seven days each week that she worked in the Voluntary Work Program. Plaintiff estimates that Plaintiff worked approximately four months under the Housing Unit Sanitation Policy, and that Plaintiff worked at least two days each week that she performed post-meal-service cleaning under the Housing Unit Sanitation Policy. Plaintiff estimates that Plaintiff worked at least 6 hours per day in the Voluntary Work Program on the days that Plaintiff worked in the Voluntary Work Program. On the days that Plaintiff performed post-meal-service cleaning pursuant to the Housing Unit Sanitation Policy, she performed that work for at least 3 hours per day.

INTERROGATORY NO. 32:

Identify the number of hours of work for which you seek compensatory damages under your TVPA claim.

RESPONSE TO INTERROGATORY NO. 32:

Plaintiff objects to this interrogatory to the extent that it requests information within GEO's custody and control.

Notwithstanding this objection, Plaintiff claims compensatory damages for all hours worked under the Housing Unit Sanitation Policy. Plaintiff estimates that Plaintiff worked approximately four months under the Housing Unit Sanitation Policy, and that Plaintiff worked at least two days each week that she worked under the Housing Unit Sanitation Policy. On the days that Plaintiff performed post-meal-service cleaning pursuant to the Housing Unit Sanitation Policy, she performed that work for at least 3 hours per day.

INTERROGATORY NO. 33:

Have you communicated orally or in writing with any current or former Aurora Detention Facility detainee who expressed disagreement with the allegations asserted in the Complaint? If so, identify each such detainee.

RESPONSE TO INTERROGATORY NO. 33:

Plaintiff objects to this interrogatory insofar as it seeks information that is not relevant to this action and not "proportional to the need of the case" under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance or relevance that others' disagreement with the allegations in the Complaint would have to any party's claim or defense.

Plaintiff objects on the ground of privilege to the extent the interrogatory requests the names of other GEO detainees who are named Plaintiffs or part of the certified classes.

Plaintiff further objects to this Interrogatory to the extent that it seeks information for the illegitimate purposes of harassing, annoying, or embarrassing Plaintiff.

Plaintiff also objects to this Interrogatory to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for information about Plaintiffs’ counsel’s communications concerning this lawsuit seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege or objections, Plaintiff responds as follows. Plaintiff has not communicated with any current or former Aurora Detention Facility detainee who expressed disagreement with the allegations asserted in the Complaint.

INTERROGATORY NO. 34:

Since your release from the Aurora Detention Facility, have you communicated orally or in writing with any current or former GEO employee? If so, identify with as much specificity as possible each communication, including the identity of the GEO employee, the time and place of the communication, the purpose of the communication, what you communicated, and what the GEO employee communicated.

RESPONSE TO INTERROGATORY NO. 34:

Plaintiff objects to this interrogatory as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks the identity of every current or former GEO employee, with whom Plaintiff has spoken or communicated, regardless of whether such communication related to this lawsuit. Plaintiff also objects to this interrogatory insofar as it seeks information that is not relevant to this action and not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every GEO employee with whom Plaintiff communicated would have on the issues in this litigation.

Plaintiff also objects to this Interrogatory to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for information about Plaintiffs’ counsel’s communications seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Notwithstanding this objection, Plaintiff responds as follows. Since her release from the Aurora Detention Facility, Plaintiff has not communicated with any current or former GEO employee.

OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 26:

Since 2014, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) between you and any other named Plaintiff in this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 26:

Plaintiff objects to this request for production as overly broad, unduly burdensome, and seeking irrelevant information. Plaintiff objects to this request on ground of privilege because this request for production seeks communications between Plaintiff and other named Plaintiffs.

Plaintiff also objects to this request insofar as it seeks material that is not relevant to this action and not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because the request covers any communication, regardless of whether the communication relates to this lawsuit.

Plaintiff also objects to this Request to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for communications made or received solely by Plaintiffs’ counsel seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege and objections, Plaintiff responds as follows. Plaintiff has no responsive documents. To the extent this request covers communications made or received solely by Plaintiffs’ counsel, Plaintiff will not produce documents.

REQUEST FOR PRODUCTION NO. 27:

Since 2014, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) concerning this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 27:

Plaintiff objects to this request as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks every message that Plaintiff possesses concerning this lawsuit. This request therefore seeks material that is not relevant to this action and not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every single written or electronic communication Plaintiff might have had about this lawsuit would have on the issues in this litigation.

Plaintiff objects that this request calls for production of documents protected by the attorney-client privilege and the work product doctrine.

Plaintiff also objects to this Request to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for communications made or received solely by Plaintiffs’ counsel seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege and objections, Plaintiff responds as follows. Plaintiff has no responsive documents. To the extent this request covers communications made or received solely by Plaintiffs’ counsel, Plaintiff will not produce documents.

REQUEST FOR PRODUCTION NO. 28:

Since 2014, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) between you and any other former Aurora Detention Facility detainee concerning the allegations in this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 28:

Plaintiff objects to this request as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks every message between Plaintiff and any other former Aurora Detention Facility detainee concerning the allegations in this lawsuit. This request therefore seeks material that is not relevant to this action and not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every written or electronic communication Plaintiff might have had about this lawsuit with another detainee would have on the issues in this litigation. Plaintiff further objects to the phrase “concerning the allegations” as vague.

Plaintiff objects that this request calls for production of documents protected by the attorney-client privilege and the work product doctrine.

Plaintiff also objects to this Request to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for communications made or received solely by Plaintiffs’ counsel seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege and objections, Plaintiff responds as follows. Plaintiff has no responsive documents. To the extent this request covers communications made or received solely by Plaintiffs’ counsel, Plaintiff will not produce documents.

REQUEST FOR PRODUCTION NO. 29:

Since 2014, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) between you and any member of the media related to the allegations in this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 29:

Plaintiff objects to the phrase “any member of the media” as vague. Plaintiff further objects to the extent this request calls for production of documents protected by the attorney-client privilege and the work product doctrine.

Plaintiff also objects to this Request to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for communications made or received solely by Plaintiffs’ counsel seeks information that is protected by the attorney-client privilege and/or attorney work product

doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above objections, Plaintiff responds as follows. Plaintiff has no responsive documents. To the extent this request covers communications made or received solely by Plaintiffs' counsel, Plaintiff will only produce responsive documents in which Plaintiffs' counsel relayed statement(s) attributed to Plaintiff. Plaintiffs will produce such documents, if any, by February 19, 2018.

REQUEST FOR PRODUCTION NO. 30:

Since your release from the Aurora Detention Facility, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) between you and any current or former GEO employee.

RESPONSE TO REQUEST FOR PRODUCTION NO. 30:

Plaintiff objects to this request as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks the all communications between Plaintiff and any current or former GEO employee, regardless of whether such communication related to this lawsuit. Plaintiff also objects to this interrogatory insofar as it seeks information that is not relevant to this action and not "proportional to the need of the case" under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every communication with a GEO employee would have on the issues in this litigation.

Plaintiff also objects to this Request to the extent that the definition of "you" includes Plaintiffs' counsel, as calling for communications made or received solely by Plaintiffs' counsel

seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above objections, Plaintiff responds as follows. Plaintiff has no responsive documents. To the extent this request covers communications made or received solely by Plaintiffs' counsel, Plaintiff will not produce documents.

REQUEST FOR PRODUCTION NO. 31:

If you are making a claim for mental anguish, emotional distress, or other similar or related conditions, produce all medical records related to your mental and emotional condition.

RESPONSE TO REQUEST FOR PRODUCTION NO. 31:

Plaintiff does not make a claim for mental anguish, emotional distress, or other similar or related conditions.

REQUEST FOR PRODUCTION NO. 32:

If you are making a claim for mental anguish, emotional distress, or other similar or related conditions, execute and return the attached Medical Authorization and Release for each medical provider or therapist from whom you have received treatment for mental anguish, emotional distress, or other similar or related conditions.

RESPONSE TO REQUEST FOR PRODUCTION NO. 32:

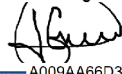
Plaintiff does not make a claim for mental anguish, emotional distress, or other similar or related conditions.

VERIFICATION

I, Grisel Xahuentitla Flores, verify subject to the penalty of perjury that the foregoing OBJECTIONS AND RESPONSES TO DEFENDANT THE GEO GROUP, INC.'S SECOND SET OF WRITTEN DISCOVERY REQUESTS TO PLAINTIFFS are true and correct to the best of my knowledge and belief.

Dated: January 22, 2018

By: _____
Grisel Xahuentitla Flores

DocuSigned by:

A009AA66D34A408...

Dated: February 2, 2018

By: /s/ Juno Turner

Juno Turner
Juno Turner
Ossai Miazad
Elizabeth Stork
OUTTEN & GOLDEN LLP
685 Third Avenue, 25th Floor
New York, New York 10017
Telephone: (212) 245-1000
Facsimile: (212) 977-4005
E-Mail: jturner@outtengolden.com
E-Mail: om@outtengolden.com
E-Mail: estork@outtengolden.com

David Lopez
OUTTEN & GOLDEN LLP
601 Massachusetts Avenue NW
Second Floor West Suite
Washington, D.C. 20001
Telephone: (202) 847-4400
Facsimile: (202) 847-4410
E-Mail: pdl@outtengolden.com

Alexander Hood
David Seligman
Andrew Schmidt
TOWARDS JUSTICE
1535 High St., Suite 300
Denver, CO 80218
(720) 441-2236
alex@towardsjustice.org
david@towardsjustice.org
andy@towardsjustice.org

R. Andrew Free
LAW OFFICE OF R. ANDREW FREE
P.O. Box 90568
Nashville, TN 37209
T: (844) 321-3221
Andrew@ImmigrantCivilRights.com

Brandt Milstein
MILSTEIN LAW OFFICE

595 Canyon Boulevard
Boulder, CO 80302
(303) 440-8780
brandt@milsteinlawoffice.com

Andrew Turner
THE KELMAN BEUSCHER FIRM
600 Grant St., Suite 450
Denver, CO 80203
(303) 333-7751
aturner@laborlawdenver.com

Hans Meyer
MEYER LAW OFFICE, P.C.
P.O. Box 40394
Denver, CO 80204
(303) 831-0817
hans@themeyerlawoffice.com

Class Counsel

Exhibit 16

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No.: 1:14-cv-02887-JLK

ALEJANDRO MENOCA, *et al.*

Plaintiffs,

v.

THE GEO GROUP, INC.,

Defendant.

**PLAINTIFF LOURDES ARGUETA’S OBJECTIONS AND RESPONSES TO
DEFENDANT THE GEO GROUP, INC.’S SECOND SET OF WRITTEN DISCOVERY
REQUESTS TO PLAINTIFFS**

Pursuant to Rules 33 and 34 of the Federal Rules of Civil Procedure, Plaintiff Lourdes Argueta (“Plaintiff”), by Plaintiffs’ attorneys, makes the following objections and responses to The GEO Group, Inc.’s (“Defendant” or “GEO”) Second Set of Written Discovery Requests to Plaintiffs.

PRELIMINARY STATEMENT

All responses to the following Interrogatories are based on information currently known to Plaintiff and are provided without prejudice to Plaintiff’s right to submit evidence of any subsequently discovered facts and information, should such become known. Plaintiff anticipates that as investigation and trial preparation continue, it is possible that additional facts may become known, which may in turn warrant additions to or changes in the responses provided herein. These responses are made in a good faith effort to supply such information as is

presently known to Plaintiff. These responses and objections are made without prejudice to, and are not a waiver of, Plaintiff's right to rely on other facts or documents at trial.

The production of information pursuant to these responses is made without waiving, or intending to waive, but on the contrary reserving and intending to reserve: (a) the right to object on any grounds to the use of information provided pursuant to these responses in this or any other action or proceeding; (b) the right to object on any and all grounds, at any time, to other requests for production or other discovery mechanisms or proceedings; and (c) the right at any time to revise, correct, or supplement these responses. Plaintiff reserves all objections to the competence, relevance, materiality, or admissibility at trial of any information or documents requested or identified by any party. The inadvertent disclosure of any privileged information shall not be deemed to be a waiver of any applicable privilege with respect to such information or any other information.

Unless otherwise noted below, Plaintiff has no responsive documents.

This Preliminary Statement is incorporated into each response by this reference.

OBJECTIONS AND RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 26:

Other than your attorneys, identify each person, including friends, family, and co-workers, with whom you have spoken or communicated concerning the allegations in this lawsuit.

RESPONSE TO INTERROGATORY NO. 26:

Plaintiff objects to this interrogatory as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks the identity of every single individual, other than her attorneys, with whom Plaintiff has spoken or communicated about the allegations in this lawsuit.

Plaintiff also objects to this interrogatory insofar as it seeks information that is not relevant to this action and not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every person Plaintiff might have communicated with about the case would have on the issues in this litigation.

Plaintiff also objects to this interrogatory as overly broad to the extent that it relates to information outside the period from October 22, 2004 through the present for all interrogatories related to Plaintiffs’ TVPA claims and October 22, 2012 through the present for all requests related to Plaintiffs’ unjust enrichment claims (the “Relevant Periods”).

Moreover, to the extent the interrogatory requests the names of other GEO detainees who are named Plaintiffs or part of the certified classes, Plaintiff objects on the ground of privilege with respect to any communications between Plaintiff and those detainees concerning the allegations in the lawsuit.

Plaintiff further objects to this Interrogatory to the extent that it seeks information for the illegitimate purposes of harassing, annoying, or embarrassing Plaintiff.

Plaintiff also objects to this Interrogatory to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for information about Plaintiffs’ counsel’s communications concerning this lawsuit seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege and objections, Plaintiff responds as follows. To the best of her recollection, Plaintiff recalls that she has communicated with Nestor Romero, her co-worker; Susanna Enriquez, Adriana Rice, Lemu Oreyana, and Hayde Nuñez, who

were detained with her at the Aurora Detention Facility; Patrick Rápalo, her supervisor; Justin Edwards, her brother-in-law; Karen Argueta, her sister; Carlos Avelar, her cousin; and her mother, Maria Avelar, about the allegations in this lawsuit.

INTERROGATORY NO. 27:

Identify with as much specificity as possible each circumstance in which a GEO employee threatened you with administrative or disciplinary segregation for failing to clean any area of the Aurora Detention Facility.

RESPONSE TO INTERROGATORY NO. 27:

Plaintiff objects to this interrogatory insofar as it requests information within GEO's custody and control. Plaintiff also objects to this interrogatory as overly broad to the extent that it relates to information outside the Relevant Periods. Plaintiff also objects to the phrase "with as much specificity as possible" as vague.

Notwithstanding these objections, Plaintiff responds as follows. Plaintiff observed guards threatening detainees with solitary confinement for refusing to clean on several occasions. Plaintiff was specifically told by GEO guards that detainees would be put in solitary confinement if they refused to clean.

INTERROGATORY NO. 28:

Identify with as much specificity as possible each circumstance in which a DHS/ICE official threatened you with administrative or disciplinary segregation for failing to clean any area of the Aurora Detention Facility.

RESPONSE TO INTERROGATORY NO. 28:

Plaintiff objects to this interrogatory insofar as it requests information within GEO's custody and control. Plaintiff also objects to this interrogatory as overly broad to the extent that it relates to information outside the Relevant Periods. Plaintiff also objects to the phrase "with as much specificity as possible" as vague.

Notwithstanding these objections, Plaintiff responds as follows. Plaintiff does not recall directly receiving threats from any DHS or ICE official regarding administrative or disciplinary segregation for failing to clean.

INTERROGATORY NO. 29:

Identify how many times you were assigned post-meal-service cleaning responsibilities during your time in the Aurora Detention Facility.

RESPONSE TO INTERROGATORY NO. 29:

Plaintiff objects to the terms "were assigned" and "post-meal-service cleaning responsibilities" as vague. Plaintiff also objects to this interrogatory as overly broad to the extent that it relates to information outside the Relevant Periods. Plaintiff also objects to this interrogatory to the extent that it requests information within GEO's custody and control.

Without waiving these objections, Plaintiff responds as follows. Plaintiff cannot recall the precise number of times Plaintiff was assigned to or otherwise required to clean following meal service. Notwithstanding this, to the best of her recollection, Plaintiff estimates that she was assigned cleaning responsibilities pursuant to the Housing Unit Sanitation Policy between two days and several days per week for approximately the first two months Plaintiff was detained in the Aurora facility. The number of assignments per week varied in part based on the number of detainees in the facility at any given time. Plaintiff also estimates that after the first two months

she was detained in the Aurora facility, she was assigned cleaning responsibilities pursuant to the Housing Unit Sanitation Policy occasionally.

INTERROGATORY NO. 30:

For each instance identified in response to Interrogatory Number 29, provide as many details as you can, including the approximate date, your best estimate of how many hours you worked and what type of work you performed.

RESPONSE TO INTERROGATORY NO. 30:

Plaintiff objects to the terms “as many details as you can” as vague. Plaintiff also objects to this interrogatory to the extent that it requests information within GEO’s custody and control.

Without waiving these objections, Plaintiff responds as follows. Plaintiff cannot recall the precise dates or number of times Plaintiff was assigned to or otherwise required to clean pursuant to the Housing Unit Sanitation Policy, but Plaintiff refers Defendant to her response to Interrogatory No. 29 above with respect to frequency of work performed pursuant to the Housing Unit Sanitation Policy. Plaintiff cannot recall specific details for each and every instance identified above. Notwithstanding this, to the best of her recollection, Plaintiff estimates that she worked approximately one hour in the morning and one hour in the afternoon on each day that she was assigned to clean pursuant to the Housing Unit Sanitation Policy. When she was assigned to clean pursuant to the Housing Unit Sanitation Policy, her tasks involved cleaning, sweeping, and mopping the common spaces in the pod, such as bathrooms and showers, cleaning the eating area, washing windows, cleaning tables and the patio, and removing trash from the pods.

INTERROGATORY NO. 31:

Identify the number of hours of work for which you seek compensatory damages under your unjust enrichment claim.

RESPONSE TO INTERROGATORY NO. 31:

Plaintiff objects to this interrogatory to the extent that it requests information within GEO's custody and control.

Notwithstanding this objection, Plaintiff seeks compensatory damages for all hours worked under the Voluntary Work Program and the Housing Unit Sanitation Policy. To the best of her recollection, Plaintiff estimates that Plaintiff worked at least 28 weeks in the Voluntary Work Program, and that Plaintiff worked seven days each week that she worked in the Voluntary Work Program. Plaintiff estimates that Plaintiff worked approximately eight weeks under the Housing Unit Sanitation Policy, and that Plaintiff worked at least one or two days each week that she worked under the Housing Unit Sanitation Policy.

To the best of her recollection, Plaintiff estimates that she worked at least four to eight hours per day in the Voluntary Work Program on the days that Plaintiff worked in the Voluntary Work Program, and at least two hours per day on the days that she worked pursuant to the Housing Unit Sanitation Policy.

INTERROGATORY NO. 32:

Identify the number of hours of work for which you seek compensatory damages under your TVPA claim.

RESPONSE TO INTERROGATORY NO. 32:

Plaintiff objects to this interrogatory to the extent that it requests information within GEO's custody and control.

Notwithstanding this objection, Plaintiff claims compensatory damages for all hours worked under the Housing Unit Sanitation Policy. To the best of her recollection, Plaintiff estimates that Plaintiff worked at least eight weeks under the Housing Unit Sanitation Policy, and that Plaintiff worked at least one or two days each week that she worked under the Housing Unit Sanitation Policy. Plaintiff estimates that Plaintiff worked at least two hours per day under the Housing Unit Sanitation Policy on the days that Plaintiff worked pursuant to the Housing Unit Sanitation Policy.

INTERROGATORY NO. 33:

Have you communicated orally or in writing with any current or former Aurora Detention Facility detainee who expressed disagreement with the allegations asserted in the Complaint? If so, identify each such detainee.

RESPONSE TO INTERROGATORY NO. 33:

Plaintiff objects to this interrogatory insofar as it seeks information that is not relevant to this action and not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance or relevance that others’ disagreement with the allegations in the Complaint would have to any party’s claim or defense.

Plaintiff objects on the ground of privilege to the extent the interrogatory requests the names of other GEO detainees who are named Plaintiffs or part of the certified classes.

Plaintiff further objects to this Interrogatory to the extent that it seeks information for the illegitimate purposes of harassing, annoying, or embarrassing Plaintiff.

Plaintiff also objects to this Interrogatory to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for information about Plaintiffs’ counsel’s communications

concerning this lawsuit seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege or objections, Plaintiff responds as follows: Plaintiff has not communicated with any current or former Aurora Detention Facility detainee who expressed disagreement with the allegations asserted in the Complaint.

INTERROGATORY NO. 34:

Since your release from the Aurora Detention Facility, have you communicated orally or in writing with any current or former GEO employee? If so, identify with as much specificity as possible each communication, including the identity of the GEO employee, the time and place of the communication, the purpose of the communication, what you communicated, and what the GEO employee communicated.

RESPONSE TO INTERROGATORY NO. 34:

Plaintiff objects to this interrogatory as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks the identity of every current or former GEO employee, with whom Plaintiff has spoken or communicated, regardless of whether such communication related to this lawsuit. Plaintiff also objects to this interrogatory insofar as it seeks information that is not relevant to this action and not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every GEO employee with whom Plaintiff communicated would have on the issues in this litigation.

Plaintiff also objects to this Interrogatory to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for information about Plaintiffs’ counsel’s communications seeks

information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Notwithstanding these objections, Plaintiff responds as follows: Plaintiff has not communicated with any current or former GEO employee since her release from the Aurora Detention Facility.

OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 26:

Since 2014, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) between you and any other named Plaintiff in this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 26:

Plaintiff objects to this request for production as overly broad, unduly burdensome, and seeking irrelevant information. Plaintiff objects to this request on ground of privilege because this request for production seeks communications between Plaintiff and other named Plaintiffs.

Plaintiff also objects to this request insofar as it seeks material that is not relevant to this action and not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because the request covers any communication, regardless of whether the communication relates to this lawsuit.

Plaintiff also objects to this request to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for communications made or received solely by Plaintiffs’ counsel seeks information that is protected by the attorney-client privilege and/or attorney work product

doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege and objections, Plaintiff responds as follows: Plaintiff has no responsive documents. To the extent this request covers communications made or received solely by Plaintiffs' counsel, Plaintiff will not produce documents.

REQUEST FOR PRODUCTION NO. 27:

Since 2014, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) concerning this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 27:

Plaintiff objects to this request as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks every message that Plaintiff possesses concerning this lawsuit. This request therefore seeks material that is not relevant to this action and not "proportional to the need of the case" under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every single written or electronic communication Plaintiff might have had about this lawsuit would have on the issues in this litigation.

Plaintiff objects that this request calls for production of documents protected by the attorney-client privilege and the work product doctrine.

Moreover, to the extent the request seeks correspondence with other GEO detainees who are named Plaintiffs or part of the certified classes, Plaintiff objects on the ground of privilege with respect to any communications between Plaintiff and those detainees concerning the allegations in the lawsuit.

Plaintiff also objects to this Request to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for communications made or received solely by Plaintiffs’ counsel seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege and objections, Plaintiff responds as follows: Plaintiff is withholding responsive documents based on privilege. Plaintiff will produce any non-privileged responsive documents in her possession on or before March 19, 2018.

REQUEST FOR PRODUCTION NO. 28:

Since 2014, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) between you and any other former Aurora Detention Facility detainee concerning the allegations in this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 28:

Plaintiff objects to this request as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks every message between Plaintiff and any other former Aurora Detention Facility detainee concerning the allegations in this lawsuit. This request therefore seeks material that is not relevant to this action and not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every written or electronic communication Plaintiff might have had about this lawsuit with another detainee would have on the issues in this litigation. Plaintiff further objects to the phrase “concerning the allegations” as vague.

Plaintiff objects that this request calls for production of documents protected by the attorney-client privilege and the work product doctrine.

Moreover, to the extent the interrogatory requests the names of other GEO detainees who are named Plaintiffs or part of the certified classes, Plaintiff objects on the ground of privilege with respect to any communications between Plaintiff and those detainees concerning the allegations in the lawsuit.

Plaintiff also objects to this Request to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for communications made or received solely by Plaintiffs’ counsel seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above assertions of privilege and objections, Plaintiff responds as follows: Plaintiff does not have non-privileged documents in her possession. Plaintiff is withholding responsive documents based on privilege.

REQUEST FOR PRODUCTION NO. 29:

Since 2014, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) between you and any member of the media related to the allegations in this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 29:

Plaintiff objects to the phrase “any member of the media” as vague. Plaintiff further objects to the extent this request calls for production of documents protected by the attorney-client privilege and the work product doctrine.

Plaintiff also objects to this Request to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for communications made or received solely by Plaintiffs’ counsel seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above objections, Plaintiff responds as follows. She has no responsive documents. To the extent this request covers communications made or received solely by Plaintiffs’ counsel, Plaintiff produced any responsive documents in which Plaintiffs’ counsel relayed statement(s) attributed to Plaintiffs on February 19, 2018. *See* P00000001-04.

REQUEST FOR PRODUCTION NO. 30:

Since your release from the Aurora Detention Facility, produce all written and electronic communications (including emails, voice messages, text messages, Facebook messages and any other messages sent via social media or other messaging services) between you and any current or former GEO employee.

RESPONSE TO REQUEST FOR PRODUCTION NO. 30:

Plaintiff objects to this request as overly broad, unduly burdensome, and seeking irrelevant information, in that it seeks the all communications between Plaintiff and any current or former GEO employee, regardless of whether such communication related to this lawsuit. Plaintiff also objects to this interrogatory insofar as it seeks information that is not relevant to this action and

not “proportional to the need of the case” under Federal Rule of Civil Procedure 26(b)(1), because of the minimal importance that disclosure of every communication with a GEO employee would have on the issues in this litigation.

Plaintiff also objects to this Request to the extent that the definition of “you” includes Plaintiffs’ counsel, as calling for communications made or received solely by Plaintiffs’ counsel seeks information that is protected by the attorney-client privilege and/or attorney work product doctrine, and is otherwise not relevant and proportional to the needs of the case under Federal Rule of Civil Procedure 26(b)(1).

Without waiving the above objections, Plaintiff responds as follows: Plaintiff has no responsive documents. To the extent this request covers communications made or received solely by Plaintiffs’ counsel, Plaintiff will not produce documents.

REQUEST FOR PRODUCTION NO. 31:

If you are making a claim for mental anguish, emotional distress, or other similar or related conditions, produce all medical records related to your mental and emotional condition.

RESPONSE TO REQUEST FOR PRODUCTION NO. 31:

Plaintiff does not make a claim for mental anguish, emotional distress, or other similar or related conditions.

REQUEST FOR PRODUCTION NO. 32:

If you are making a claim for mental anguish, emotional distress, or other similar or related conditions, execute and return the attached Medical Authorization and Release for each medical provider or therapist from whom you have received treatment for mental anguish, emotional distress, or other similar or related conditions.

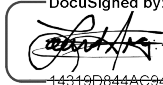
RESPONSE TO REQUEST FOR PRODUCTION NO. 32:

Plaintiff does not make a claim for mental anguish, emotional distress, or other similar or related conditions.

VERIFICATION

I, Lourdes Argueta, verify subject to the penalty of perjury that the foregoing
OBJECTIONS AND RESPONSES TO DEFENDANT THE GEO GROUP, INC.'S SECOND
SET OF WRITTEN DISCOVERY REQUESTS TO PLAINTIFFS are true and correct to the
best of my knowledge and belief.

Dated: March 6, 2018

DocuSigned by:

By: _____
Lourdes Argueta
14219D844AC9498...

Dated: March 6, 2018

By: /s/ Juno Turner

Juno Turner
Juno Turner
Ossai Miazad
OUTTEN & GOLDEN LLP
685 Third Avenue, 25th Floor
New York, New York 10017
Telephone: (212) 245-1000
Facsimile: (212) 977-4005
E-Mail: jturner@outtengolden.com
E-Mail: om@outtengolden.com
E-Mail: estork@outtengolden.com

David Lopez
OUTTEN & GOLDEN LLP
601 Massachusetts Avenue NW
Second Floor West Suite
Washington, D.C. 20001
Telephone: (202) 847-4400
Facsimile: (202) 847-4410
E-Mail: pdl@outtengolden.com

Rachel Dempsey
OUTTEN & GOLDEN LLP
One Embarcadero Center, 38th Floor
San Francisco, CA 94111
Telephone: (415) 638-8800
Facsimile: (415) 638-8810
E-Mail: jturner@outtengolden.com
E-Mail: om@outtengolden.com
E-Mail: estork@outtengolden.com

Alexander Hood
David Seligman
Andrew Schmidt
TOWARDS JUSTICE
1535 High St., Suite 300
Denver, CO 80218
(720) 441-2236
alex@towardsjustice.org
david@towardsjustice.org
andy@towardsjustice.org

R. Andrew Free
LAW OFFICE OF R. ANDREW FREE
P.O. Box 90568
Nashville, TN 37209
T: (844) 321-3221
Andrew@ImmigrantCivilRights.com

Brandt Milstein
MILSTEIN LAW OFFICE
595 Canyon Boulevard
Boulder, CO 80302
(303) 440-8780
brandt@milsteinlawoffice.com

Andrew Turner
THE KELMAN BEUSCHER FIRM
600 Grant St., Suite 450
Denver, CO 80203
(303) 333-7751
aturner@laborlawdenver.com

Hans Meyer
MEYER LAW OFFICE, P.C.
P.O. Box 40394
Denver, CO 80204
(303) 831-0817
hans@themeyerlawoffice.com

Class Counsel

CERTIFICATE OF SERVICE

I hereby certify that on March 6, 2018 a copy of the foregoing PLAINTIFF'S
OBJECTIONS AND RESPONSES TO DEFENDANT THE GEO GROUP, INC.'S
SECOND SET OF WRITTEN DISCOVERY REQUESTS TO PLAINTIFFS was sent by
email and U.S. Mail to the following counsel of record:

Dana L. Eismeier
Michael York Ley
Burns, Figa & Will, P.C.
deismeier@bfwlaw.com
mley@bfwlaw.com

Charles A. Deacon
Mark Thomas Emery
Norton Rose Fulbright US LLP
charlie.deacon@nortonrosefulbright.com
mark.emery@nortonrosefulbright.com

By: /s/ Christopher Truong
Christopher Truong
Paralegal

Exhibit 17

OFFICE OF INSPECTOR GENERAL

**Management Alert on
Issues Requiring
Immediate Action at the
Theo Lacy Facility in
Orange, California**



Homeland
Security

**March 6, 2017
OIG-17-43-MA**



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

March 6, 2017

MEMORANDUM FOR: Thomas D. Homan
Acting Assistant Secretary
U.S. Immigration and Customs Enforcement

FROM: John Roth *John Roth*
Inspector General

SUBJECT: *Management Alert on Issues Requiring Immediate Action at the Theo Lacy Facility in Orange, California*

A November 16, 2016 unannounced Office of Inspector General (OIG) inspection of the Theo Lacy Facility (TLF) in Orange, California, raised serious concerns, some that pose health risks and others that violate U.S. Immigration and Customs Enforcement's (ICE) 2008 *Performance-Based National Detention Standards* (PBNDS) and result in potentially unsafe conditions at the facility. Because of concerns raised during the inspection, we recommended that ICE take immediate action to ensure compliance with the 2008 PBNDS and strengthen its oversight of TLF. Specifically, we expressed the following concerns about:

- Food handling at TLF poses health risks. Detainees were being served, and reported being regularly served, meat that appeared to be spoiled. Orange County Sheriff's Department (OCSD) staff members are not handling meat safely, including meat being sent to other ICE detention facilities.
- Unsatisfactory conditions and services at the facility, including moldy and mildewed shower stalls, refuse in cells, and inoperable phones.
- Some "high-risk" detainees are in less restrictive barracks-style housing and some "low-risk" detainees are in more restrictive housing modules; the basis for housing decisions is not adequately documented.
- Contrary to ICE detention standards, inspectors observed high-risk detainees and low-risk detainees together in parts of TLF. Although detainees were purportedly identified by classification level, this was not apparent to the inspectors.
- Moves from less restrictive barracks to more restrictive housing modules are not explained to detainees, nor are detainees given the opportunity to appeal changes, as required by ICE detention standards.



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- OCSD's more restrictive disciplinary segregation violates ICE detention standards.
- Neither ICE nor OCSD properly documents grievances from detainees to ensure resolution, notification of resolution, and opportunities to appeal.

After inspecting this facility on November 16, 2016, the OIG team briefed local OCSD and ICE management on these concerns. To address the concerns detailed in the alert, we recommended that, as soon as possible, ICE prevent further health risks by ensuring that OCSD follow U.S. Department of Agriculture guidelines for safe food handling. We also recommended that ICE undertake a full review of TLF and OCSD's management of the facility to ensure its compliance with ICE's 2008 PBNDS. Finally, we recommended that ICE develop a comprehensive oversight plan for TLF to ensure OCSD's future compliance with ICE's 2008 PBNDS.

We provided a draft of this alert to ICE for management comments and corrective actions. ICE concurred with the intent of all three recommendations and is implementing corrective actions to address our concerns. All three recommendations are resolved and open. We have included ICE's comments, proposed corrective actions, and our analysis in the alert, and we have attached a copy of the ICE response.

Consistent with our responsibility under the *Inspector General Act*, we will provide copies of this alert to appropriate congressional committees with oversight and appropriation responsibility over the Department of Homeland Security. We will post a version of the alert on our website.

You may call me with questions, or your staff may contact Laurel Loomis Rimón, Acting Assistant Inspector General for Inspections and Evaluations, at (202) 254-4100.

Attachment



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Management Alert

The Theo Lacy Facility (TLF), operated by the Orange County Sheriff's Department (OCSD), houses U.S. Immigration and Customs Enforcement (ICE) detainees through an Intergovernmental Service Agreement. TLF has the capacity to house 3,442 males, all with some degree of criminal history. Some detainees have been convicted of crimes, served their prison sentence, and have been transferred to TLF to await deportation by ICE or an immigration court hearing. Other detainees have violated immigration laws and are also awaiting either deportation or an immigration court hearing. At the end of October, 478 detainees were housed at Theo Lacy. That detainee count typically changes daily as new detainees enter the facility and others are released.



Figure 1. Entrance to Theo Lacy Facility
Source: OCSD

Prior to detention, ICE reviews each detainee's criminal record and assigns a risk level of high, medium/high, medium/low, or low. ICE bases its risk levels on the severity of past criminal charges and convictions, including immigration violations and other security risks, such as gang affiliation or a history of substance abuse. For example, individuals convicted of major drug offenses, national security crimes, and violent crimes such as murder, manslaughter, rape, robbery, or kidnapping are assessed as having a higher risk level than those convicted of minor drug and property offenses such as burglary, larceny, fraud, and money laundering.

Facilities such as TLF that are maintained for ICE through an Intergovernmental Service Agreement are to comply with ICE's 2008 *Performance-Based National Detention Standards* (ICE detention standards).

Poor Conditions at the Theo Lacy Facility

Problems with Food Handling

In the TLF kitchen, we identified a host of potential food safety problems, which could endanger the health of detainees at TLF and in other facilities serviced by the TLF kitchen. Of deepest concern, when inspecting the refrigeration units, we observed slimy, foul-smelling lunch meat that appeared to be spoiled.



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According to kitchen staff, this meat was slated to be served to detainees for lunch the day of our site visit. Detainees reported being repeatedly served lunch meat that smelled and tasted bad, which they rinsed with water before eating.

We also observed careless and potentially unsafe handling of food:

- Meat that was marked as “keep frozen” on the manufacturing label was stored in a refrigerator with no indication of how long it had been thawing.
- Lunch meat and ground beef was stored uncovered in large walk-in refrigerators.
- Different types of unwrapped, sliced lunch meat were mingled in containers and not identified; for example, a container labeled as bologna contained bologna and sliced turkey.
- Unwrapped lunch meat was stored in unlabeled, uncovered containers with no information describing contents, processing dates, or expiration dates.



Figure 2. Thawing meat with no dates; different lunch meats stored together with no labels; label from bologna in refrigerator for 7 days past the prepared date; all observed by the Office of Inspector General (OIG) at TLF on November 17, 2016

Source: OIG

Further, ICE staff informed us:

- Loaves of lunch meat were delivered frozen, thawed in the refrigerator for several days, sliced, refrozen, and sent to other detention facilities in the area.
- Loaves of lunch meat were delivered frozen, thawed in the refrigerator for several days, then sliced and refrigerated for more than a week before being served.

According to the U.S. Department of Agriculture (USDA), the safe storage time in a refrigerator for opened packages of lunch meat is 3-5 days. The practice of thawing, slicing, then refreezing meat for transport would make it difficult for TLF kitchen staff to adhere to those food safety recommendations. Further, by



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not labeling the sliced, open lunch meat in the refrigeration unit, the kitchen staff has no way of knowing how long the portion packs have been in the containers. These practices could lead to detainee illness from ingesting spoiled meat.

Recommendation 1: We recommend that, as soon as possible, ICE ensure that the Orange County Sheriff's Department is following U.S. Department of Agriculture safe food handling guidelines to prevent health risks to detainees at the Theo Lacy Facility and other detention facilities that receive food from the Theo Lacy Facility.

ICE Response: ICE concurs. OCSD reported that it follows the California Code of Regulations, Title 15 for Local Detention Facilities. Although ICE indicated that Theo Lacy kitchen facilities, sanitation, and food preparation, service, and storage must comply with standards set forth in the California Health and Safety and Retail Food Codes, it also acknowledged that it must have safe food handling practices to prevent health risks to detainees as outlined in the reporting of spoiled food slated for service to detainees. ICE reported that Theo Lacy food handling guidelines follow USDA methods or protocols for safe food handling. TLF has been using these food service handling guidelines prior to the contract with ICE (for over 5 years). Although, USDA's methods or protocols for safe food handling are not a requirement of ICE's 2008 PBNDS, ICE concurs that OCSD must have safe food handling practices and guidelines to prevent health risks to detainees or other individuals in their custody.

The standard from the 2008 PBNDS on *Food Service* requires, in part, that each facility has a food service program under the direct supervision of an experienced food service administrator (FSA) who is responsible for:

- planning, controlling, directing, and evaluating food service;
- establishing standards of sanitation, safety and security; and
- developing specifications for the procurement of food, equipment, and supplies.

According to ICE, TLF has a certified FSA (as well as two food service managers) and, in addition to ICE detention standards, follows the Orange County, California's *Health Care Agency's Environmental Health Services* guidelines for food safety. County health inspectors routinely inspect OCSD facilities, including TLF.

ICE also reported that OCSD is in the process of re-competing its pre-packaged lunch meat vendor, which was expected to be posted for bids before the end of January 2017. The procurement process is projected to take approximately 4



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months. Although the contract re-compete is part of OCSD's routine procurement process, the sack lunches that are currently being prepared at TLF will be replaced with pre-packaged box lunches with set expiration dates that will be brought in from an outside vendor. Estimated completion date: May 2017.

Although ICE reported that TLF does not provide food to any other detention facility, this was reported in error. ICE revised its statement and indicated that it still provides food to other detention facilities; it is addressing its food handling issues by moving to a vendor that will provide pre-sliced and individually packaged lunch meat, which will address concerns at all affected facilities.

OIG Analysis: ICE's response to this recommendation addresses the intent of the recommendation. This recommendation is resolved and will remain open until ICE provides evidence that current food handling complies with USDA standards or similar standards that prevent health risks to detainees. Once completed, ICE should also provide a copy of the new pre-packaged box lunch contract that shows requirements ensuring set expiration dates are documented and followed.

Lack of Cleanliness in Common Showers and Individual Cells

In two modules housing detainees, common area showers were not clean. We found trash, mildew, and mold in the shower stalls. According to OCSD staff, detainees are required to clean their showers daily; however, detainees are only given a scrub brush and an all-purpose cleaner, which does not combat mold and mildew. Additionally, requiring detainees to clean common areas used by all detainees is in violation of ICE standards, as detainees are only required to clean their immediate living area.



Figure 3. Moldy, mildewed shower stalls observed by OIG at TLF on November 16, 2016 *Source:* OIG



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Also, in two of the modular housing units, we observed individual detainee cells that did not appear to be well-maintained or clean. In two cases, detainees had large collections of empty food containers and newspapers. According to ICE detention standards, garbage and refuse are to be collected and removed as often as necessary to maintain sanitary conditions and to avoid creating health hazards. Collections of items in individual cells could potentially attract vermin and present a health hazard for detainees.

Unusable Telephones

An ICE Office of Professional Responsibility, Office of Detention Oversight report from a 2013 inspection of TLF identified telephone problems, including low volume and inoperable phones. In three modules we visited, the telephones were not operable. Detainees interviewed also confirmed that some phones did not work and the low volume on others prevented them from using the phones.



Figure 4. Broken plug on phone observed by OIG at TLF on November 16, 2016 *Source: OIG*

Failure to Properly Document Detainee Classification Decisions and Comply with ICE Detention Standards

Inadequate Documentation of Decisions on Detainee Classification

ICE detention standards require detention facilities to implement a system to classify detainees based on past criminal convictions, including immigration violations, and other security risk factors. Facilities must physically house detainees according to their classification level. Through our observations and interviews with OCSD staff, we determined that OCSD is not properly documenting its detainee classification process, and its housing reclassifications do not comply with ICE detention standards.

Before in-processing at TLF, ICE gives OCSD a classification form for each detainee that contains ICE's classification risk assessment of high, medium/high, medium low, or low. Facilities are permitted to develop local classification systems, as long as the classification criteria are objective and uniformly applied and procedures meet ICE requirements. OCSD staff informed us that they do not change ICE's initial classification level, but they consider



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the ICE's classification along with their own detainee classification interview to determine the level of "criminal sophistication"¹ and assign housing.

Although OCSD personnel showed us examples of completed questionnaires from classification interviews, OCSD does not document these interviews in the detainee's file. Through our review of detainee files, we found detainees identified by ICE as high risk who were housed in the least restrictive barracks and detainees identified by ICE as medium/low risk housed in more restrictive modular housing. Even though OCSD officials said they use ICE's initial classification, we found no detainee file documentation showing they took this classification into consideration when determining initial housing assignments. Additionally, we found no correlation between ICE's initial classification and OCSD's assessment.

High-risk and Low-risk Detainees Are Allowed to Mix

ICE detention standards also specify that facilities may not mingle low-risk detainees with high-risk detainees. During the facility tour, we observed that detainees of all risk levels were housed in the barracks. OCSD staff explained that detainees of different classification levels do not "program" together, meaning they do not eat or attend religious services or recreation activities at the same time. Fundamentally, this setup satisfies the ICE detention standards' prohibition against mingling high-risk detainees and low-risk detainees. However, while touring the barracks area, we noted that detainees of all risk levels were able to roam the entire area, accessing the phones, law library, and outdoor space, and entering and exiting the housing bays freely. Although OCSD personnel said each detainee is issued an armband and identification card indicating risk classification, these were not readily apparent to the OIG team. Some detainees were not wearing an armband at all. This type of mingling may allow a less restrictive living environment for detainees, but it skirts the ICE detention standards' prohibition, which is designed to "protect the community, staff, contractors, volunteers, and detainees from harm."

Changes to Detainee Housing Do Not Comply with ICE Detention Standards

During our review of detainee files, we determined that OCSD staff were not informing detainees of their reasons for moving detainees from barracks to more restrictive modules. There was also no evidence of a process for detainees to formally appeal such a move. OCSD staff told the OIG team that detainees

¹ OCSD staff referred to criminal sophistication as an overall assessment of a detainee's criminal background, including gang affiliation, past incarceration record, and types of violations on criminal history.



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housed in the modules were there because they needed closer supervision than the barracks allowed, but we determined the reasons behind the need were not properly documented in detainee files. OCSD also does not review detainees' classifications before moving them from barracks to modules.

According to ICE detention standards, facility classification systems must include procedures for detainees to appeal their classification levels, but OCSD staff said they never, for any reason, change ICE's initial classification of detainees. Because they do not change classification levels, OIG concluded that OCSD is able to avoid the requirement for allowing detainees to appeal housing decisions. We also concluded that, as a result, OCSD staff can move detainees at will without technically violating ICE detention standards, and detainees are stripped of their right to appeal housing decisions, which should be based on their classification level.

OCSD's More Restrictive Disciplinary Segregation Violates ICE Detention Standards

OCSD is violating ICE detention standards for disciplinary segregation. Detainees at TLF are placed in disciplinary segregation in a special management unit as punishment for violations of facility rules. According to OCSD staff and the OCSD-provided detainee handbook, disciplinary segregation at TLF means a person is isolated for 24 hours a day in a cell with no access to visitors, recreation, or group religious services. The detainees are released briefly every other day to shower. In contrast, ICE detention standards require that detainees placed in disciplinary segregation receive a minimum of 1 hour of recreation five times per week, opportunities for general visitation, religious guidance, and limited access to telephones and reading material. However, through observation and interviews, we determined that detainees are not allowed any recreation time, visitation, religious guidance, or telephone access. They were permitted to access one book from the library for the duration of their stay in solitary, lasting up to 30 days.

ICE Does Not Track Detainee Grievances

We identified problems with processes for filing both written and oral grievances with ICE and OCSD. Detention standards require facilities to have a procedure for formal grievances to ensure detainees are being treated fairly. Detainees may file grievances related to the conditions of confinement, including medical care, staff misconduct, food, telephones, visiting procedures, and disability discrimination. TLF has two grievance processes, one overseen by ICE and one by OCSD. Detainees wishing to file a written grievance with ICE fill out an ICE form and place it in ICE's box in their living area, which is picked up by a contractor daily. Detainees wishing to file a written grievance



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with OCSD fill out a different form, which is placed in a different box and is picked up by supervising deputies after each shift.

Through interviews with the ICE Grievance Officer we identified the following problems with the ICE grievance process:

- ICE does not track written grievances from detainees in the facility to ensure the grievances are received, resolved, and that detainees receive a response. Grievances are maintained in a database owned by a private contractor, and the ICE Grievance Officer said ICE does not have access to this database.
- ICE personnel do not document or track oral grievances from detainees, and detainees do not receive a documented response.
- Detainees said they were not given the opportunity to appeal their grievances with ICE.
- When ICE receives a written grievance that OCSD must address, ICE forwards the grievance to OCSD or the medical staff for response. However, after forwarding these grievances, ICE does not track them to ensure they are resolved and that detainees receive a response.

Through interviews with OCSD officials and detainees, as well as document review, we identified the following problems with the OCSD grievance process:

- ICE does not track these grievances or have visibility into these grievances filed with OCSD to ensure they are resolved and detainees receive a response.
- OCSD sends ICE an email summarizing the grievance received and the resolution, but ICE personnel have no assurance they have been notified of all grievances or that all grievances have been fully resolved. We reviewed some of these emails and confirmed they did not include full details of detainees' grievances, a description of the resolution, or confirmation that the detainee had been notified about the resolution.
- Detainees said they were not given the opportunity to appeal grievances. We reviewed all 46 detainee grievances filed with OCSD in 2016, and found that there were no documented appeals.

Recommendation 2: We recommend that ICE undertake a full review and inspection of the Theo Lacy Facility and the Orange County Sheriff's Department's management of the facility to ensure compliance with ICE's 2008 *Performance-Based National Detention Standards*.

ICE Response: ICE concurs. ICE reported to us that the TLF is inspected yearly by ICE's contract inspector, the Nakamoto Group, and is scheduled for



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its next full inspection to ensure compliance with the 2008 PBNDS during the week of October 23, 2017. In the interim, TLF will undergo an inspection by the ICE Office of Detention Oversight within the Office of Professional Responsibility, beginning February 7, 2017. At the end of the inspection, the Office of Detention Oversight will conduct an onsite out-briefing of facility staff and local field office management regarding any deficiencies identified during the review, followed by an official report of findings to ICE leadership. The Los Angeles Field Office (LAFO) will work with the facility to put in place any necessary corrective action plans, should deficiencies be identified. Estimated completion date: November 2017

OIG Analysis: ICE's response to this recommendation addresses the intent of the recommendation. In ICE's corrective actions, we will look specifically at the handling and management of grievances and at the segregation processes used at TLF. This recommendation is resolved and will remain open until ICE provides evidence that it is in full compliance with the 2008 PBNDS, based on the results of an independent contractor's full inspection and Office of Detention Oversight inspection. Once completed, ICE should provide a copy of the completed inspections identifying compliance with the standards.

Recommendation 3: We recommend that ICE develop a comprehensive oversight plan for the Theo Lacy Facility to ensure the Orange County Sheriff's Department's future compliance with both the intent and the implementation of ICE's 2008 *Performance-Based National Detention Standards*.

ICE Response: ICE concurs. ICE reported that it recently instituted a group meeting at TLF for onsite ICE staff and facility leadership, including food service managers, for the purpose of discussing facility compliance issues and other areas of concern. In addition, the group has developed a facility-specific form that will be used to document routine and recurring inspections of the food service areas and food-related processes at the facility.

According to ICE, its Detention Standards Compliance Officer is onsite at TLF 3 weeks per month to work with facility staff and other onsite ICE supervisory personnel to monitor facility compliance and implement any necessary corrective action. ICE will continue to monitor and evaluate whether additional oversight staff should be deployed to TLF for additional coverage.

LAFO will continue to engage with OCSD and monitor any developing issues to expeditiously remedy and correct any compliance deficiencies. In addition, LAFO management has continued to conduct independent onsite spot inspections of any notable problematic areas or areas of concern. The results of the spot inspections are immediately addressed with OCSD for any necessary



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corrective action in order to ensure compliance with the 2008 PBNDS.
Estimated completion date: November 2017

OIG Analysis: ICE's response to this recommendation addresses the intent of the recommendation. This recommendation is resolved and will remain open until ICE provides evidence it has modified its oversight of the facility to ensure the intent of the 2008 PBNDS is being met and the standards are being implemented. We will look specifically for changes in handling grievances and segregation at TLF. Corrective actions completed must include all areas of concern identified in the report, not just proper food handling. Once completed, ICE should provide a copy of its revised oversight plan to ensure ongoing monitoring of compliance at TLF.

Scope and Methodology

During our inspection, we interviewed the following ICE staff members: ICE Supervisory Detention and Deportation Officer, Orange County Detainee Program; ICE Assistant Field Office Director, Detention Management and Compliance; and Medical Oversight at Theo Lacy facility. We interviewed three employees of the Orange County Sheriff's Office: Orange County Administrative Manager, ICE Detention Custody Division; OCSD Classification Deputy, ICE Compliance; and Lieutenant, ICE Compliance. We also interviewed five detainees.

As part of our inspection we toured the following areas of the facility:

- General medical unit for detainees housed in barracks-style housing
- Medical modular housing detainees who require more frequent medical assistance
- Kitchen, including food preparation, food storage, and equipment cleaning areas, intake/out-processing area
- Special Management Unit (commonly known as solitary confinement)
- Modular housing units, including individual cells, common showers, and medical units within modules
- Barracks-style housing
- Control room

During the unannounced inspection, we interviewed ICE and OCSD staff from the facility and five detainees. We reviewed documentation from a previous ICE inspection and documentation of grievances.

We used ICE's 2008 PBNDS to conduct our inspection, as these are the standards the facility reported currently operating under. These standards, which were developed in coordination with component stakeholders, prescribe



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the expected outcomes of each standard and the expected practices required to achieve them. ICE detention standards were also designed to improve safety, security, and conditions of confinement for detainees.



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Department of Homeland Security

Office of the Chief Financial Officer

U.S. Department of Homeland Security
500 12th Street, SW
Washington, D.C. 20536



U.S. Immigration
and Customs
Enforcement

January 13, 2017

MEMORANDUM FOR: John Roth
Inspector General
Office of the Inspector General

FROM: Jonathan Carver 
Chief Financial Officer

SUBJECT: Management Response for "Management Alert on Issues Requiring Immediate Action at the Theo Lacy Facility in Orange California", dated January 6, 2017.

U.S. Immigration and Customs Enforcement's (ICE) wishes to express our appreciation for your staff's work on the referenced Management Alert.

On January 6, 2017, the Department of Homeland Security, Office of Inspector General (OIG), issued a draft management alert titled "*Management Alert on Issues Requiring Immediate Action at the Theo Lacy Facility in Orange, California*", OIG Report 17-XX-MA. Following an unannounced inspection, OIG concluded that conditions at the Theo Lacy Facility (TLF) posed health risks and violated ICE's 2008 Performance Based National Detention Standards (PBNDS).

Specifically, OIG's concerns centered on conditions such as food handling, serving potentially spoiled meat at TLF, and other unsatisfactory conditions. The inspectors found some "high-risk" detainees were housed in less restrictive barracks-style housing while some "low-risk" detainees were in more restrictive housing modules. The inspectors determined that there was no adequate documentation for housing decisions.

Finally, the report emphasized the fact that Orange County Sheriff's Department's (OCSD) more restrictive disciplinary segregation violates ICE's detention standards. Also, neither ICE nor OCSD properly documents grievances from detainees to ensure resolution, notification of resolution, and opportunities to appeal.

ICE concurs with each of the three recommendations made in the Management Alert.

www.ice.gov



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Management Response "Management Alert on Issues Requiring Immediate Action at the Theo Lacy Facility in Orange California"

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Recommendation 1: Ensure OCSD follows U.S. Department of Agriculture's safe food handling guidelines to prevent health risks to detainees at TLF and other detention facilities that receive food from TLF.

Response 1: ICE concurs. OCSD follows the California Department of Corrections and Rehabilitation (CDCR) Title 15 for Local Detention Facilities, Section 1254, (Kitchen Facilities, Sanitation, and Food Storage. (a) Kitchen facilities, sanitation, and food preparation, service, and storage shall comply with standards set forth in Health and Safety Code, Division 104, Part 7, Chapters 1-13, Sections 113700 et seq. California Retail Food Code.) CDCR food handling guidelines follow U.S. Department of Agriculture's (USDA) methods or protocols for safe food handling. TLF has been using CDCR Title 15 food service handling guidelines prior to the contract with ICE (for over 5 years). However, USDA's methods or protocols for safe food handling are not a requirement of the ICE 2008 performance based national detention standards (PBNDS). ICE concurs that OCSD must have safe food handling practices and guidelines to prevent health risks to detainees or other individuals in their custody.

The 2008 standard on *Food Service* requires, in part, that each facility has a food service program under the direct supervision of an experienced food service administrator (FSA) who is responsible for:

Planning, controlling, directing and evaluating food service

Establishing standards of sanitation, safety and security; and

Developing specifications for the procurement of food, equipment and supplies.

TLF has a certified FSA (as well as two food service managers) and, in addition to the ICE detention standards, follows the County of Orange, California's "Health Care Agency Environmental Health Services" guidelines for food safety. OCSD facilities, including TLF, are routinely inspected by county health inspectors.

OCSD is in the process of re-competing its pre-packaged lunch meat vendor, which is expected to be posted for bids before the end of January 2017. The procurement process is projected to take approximately four months. Although the contract re-compete is part of OCSD's routine procurement process, the sack lunches that are currently being prepared at TLF will be replaced with pre-packaged box lunches with set expiration dates that will be brought in from an outside vendor.

TLF does not provide food to any other detention facility.

Estimated Completion Date: May 2017

Recommendation 2: Undertake a full review and inspection of TLF and OCSD's management of TLF to ensure compliance with ICE's 2008 PBNDS.



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Management Response "Management Alert on Issues Requiring Immediate Action at the Theo Lacy Facility in Orange California"

Page 3

Response 2: ICE concurs. TLF is inspected yearly by the ICE's contract inspector, the Nakamoto Group, and is scheduled for its next full inspection to ensure compliance with the PBNDS 2008 standards during the week of October 23, 2017. In the interim, the TLF will undergo an inspection by the ICE Office of Detention Oversight (ODO), within the Office of Professional Responsibility (OPR), beginning February 7, 2017. At the end of the inspection, ODO will conduct an on-site out-briefing of facility staff and local field office management regarding any deficiencies identified during the review, followed by an official report of findings to ICE leadership. The Los Angeles Field Office (LAFO) will work with the facility to put in place any necessary corrective action plans, should deficiencies be identified. Estimated Completion Date: November 2017

Recommendation 3: *Develop a comprehensive oversight plan for TLF to ensure OCSD's future compliance with both the intent and the implementation of ICE's 2008 PBNDS.*

Response: ICE concurs. Beginning recently, a group meeting has been instituted at TLF for on-site ICE staff and facility leadership, to include food service managers, for the purpose of discussing facility compliance issues and other areas of concern. In addition, the group has developed a facility-specific form that will be used to document routine and recurring inspections of the food service areas and food-related processes at the facility. ICE's Detention Standards Compliance Officer is on site at TLF three weeks per month to work with facility staff and other on-site ICE supervisory personnel to monitor facility compliance and implement any necessary corrective action. ICE will continue to monitor and evaluate whether additional oversight staff should be deployed to the TLF for additional coverage.

LAFO will continue to engage with OCSD and monitor any developing issues to expeditiously remedy and correct any compliance deficiencies. In addition, LAFO management has continued to conduct independent onsite spot-inspections of any notable problematic or areas of concern. The results of the spot-inspections are immediately addressed with OCSD for any necessary corrective action in order to ensure compliance of ICE's 2008 PBNDS. Estimated Completion Date: November 2017

Should you have any questions, please contact Michael Moy, Senior Portfolio Manager, at (202) 732-6263.

cc: DHS GAO/OIG Liaison Office

ADDITIONAL INFORMATION AND COPIES

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Attention: Hotline
245 Murray Drive, SW
Washington, DC 20528-0305