

EXHIBIT A

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION

RAUL NOVA, et al.,)
individually and on behalf)
of all others similarly) Civil Action No.
situated,) 5:17-cv-02514-JBG-SHKx
)
Plaintiff,)
)
vs.)
)
THE GEO GROUP, INC.,)
)
Defendant.)
_____)

VIDEOTAPED DEPOSITION OF JAMES JANECKA (PMQ)
LOS ANGELES, CALIFORNIA
WEDNESDAY, DECEMBER 11, 2019
VOLUME I

REPORTED BY:
KATHLEEN M. ALONA
CSR NO: 14219
JOB NO: 3789116
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Videotaped deposition of JAMES JANECKA
(PMQ), taken on behalf of Plaintiff, RAUL
NOVOA, at Veritext, located at 316 West 2nd
Street, Suite 200, Los Angeles, California,
beginning at 11:35 a.m., on Wednesday, December
11, 2019, before Kathleen M. Alona, Certified
Shorthand Reporter No. 14219.

1 that they felt that it was in the best interest of
2 the City.

3 Q Why?

4 A I don't know why. I wasn't given a reason
5 why that I'm aware of.

6 Q Have you ever read the public statements of
7 Jessie Flores about the consolation of the
8 contract?

9 A Not that I recall.

10 Q Any other reasons that GEO was provided, by
11 the City of Adelanto, for canceling the
12 Intergovernmental Services Agreement in March of
13 2019?

14 A Not that I recall.

15 Q Were you in -- were you personally involved
16 in any discussions regarding the cancelation of the
17 contract, the IGSA?

18 A I personally didn't have discussions with
19 them.

20 Q That wasn't my question. Were you
21 personally involved in any discussions regarding the
22 cancellation of the IGSA, by the City of Adelanto,
23 in 2019?

24 A I was in a couple meetings.

25 Q Okay. Which meetings are you thinking

1 of?

2 A There was a, that I can think of, a meeting
3 maybe in the January or February of 2019, when there
4 was a meeting with some City officials and some
5 other corporate executive Staff.

6 Q Who were the City officials?

7 A If I recall Jessie Flores.

8 Q That's the City manager; correct?

9 A Correct. Gabriel Reyes.

10 Q And what's Gabriel's title?

11 A The mayor.

12 Q Okay. Was Ray Carmago in that meeting?

13 A Not that I can recall.

14 Q Who from GEO corporate was in this
15 meeting?

16 A Dave Venturella, Kyle Schiller, gentleman
17 by the name of Phil Mosciski.

18 Q I'm going to have you spell that for the
19 court reporter later, but we'll get back to it.

20 A I can try. I don't know if I can spell
21 it.

22 Q All right. Who's Mr. Mosciski?

23 A He's with -- he's with our design
24 department I believe.

25 Q Design of what?

1 A I -- it's -- the design department. I'm
2 not sure what his role or title, I really don't
3 know.

4 Q Do they design signs, or do they design new
5 jails?

6 A He's an engineer --

7 Q Okay. Is he --

8 A -- to my understanding.

9 Q Is he an electrical engineer or structural
10 engineer?

11 A He's in construction.

12 Q It's okay. You can tell us --

13 A Well, I --

14 Q -- during the meeting, you talked about the
15 bigger facility. It's okay. It's all right.

16 MR. BARNACLE: Object to the form.

17 BY MR. FREE:

18 Q The engineer talked about what during this
19 meeting?

20 A He didn't say a word that I recall.

21 Q Well, what was his role at the meeting, why
22 was he there?

23 A He was part of the group that came into
24 town.

25 Q What did they come to town for?

1 A To meet with the City.

2 Q About what?

3 A I don't recall the just of it.

4 Q You were in the meeting, and you recall --
5 you do not recall the topic of it?

6 A There were discussions.

7 Q What were they?

8 A It ranged from our Continuum of Care
9 Program to some things that the City would like to
10 have done -- have done in their community, things to
11 improve it. There was discussions about the
12 contract. I don't recall the exact meeting. It's
13 been almost a year ago.

14 Q So Continuum of Care --

15 A Uh-huh.

16 Q -- community improvement, and the contract;
17 anything else?

18 A Not that I can recall.

19 Q What is the Continuum of Care Program?

20 A It's -- it's a program that the company
21 runs in its correctional facilities with inmates.
22 It's educations, vocations, trades. It's a
23 educational/vocational program.

24 Q And what about that was discussed during
25 the meeting, if you can recall?

1 A Just that the company provides the program,
2 the number of GEDs, the number of certificates --

3 Q Right.

4 A In general that was the just of it.

5 Q Okay. But it doesn't provide that at the
6 Adelanto Facility does it?

7 A No.

8 Q You can't get a GED if you're at Adelanto;
9 right?

10 A No.

11 Q Why not?

12 A Because we have detain -- detainees and the
13 average length of stay is approximately 75 days, so
14 there's no education requirement by ICE to provide
15 the programs.

16 Q Do other contracting partners require you
17 to provide a GED detained or convicts or inmates?

18 A There are State agencies and other Federal
19 agencies.

20 Q What did Adelanto convey to GEO about
21 improvements in the community during this January or
22 February meeting of 2019?

23 A It was just general conversation regarding
24 different needs in the community where the City
25 would -- was thinking about building a rec center or

1 a youth-type center. There was nothing real
2 specific that I recall.

3 Q Any funding requests come up?

4 A Not that I can recall.

5 Q Possible?

6 MR. BARNACLE: Object to the form.

7 THE WITNESS: I mean, may have. I don't
8 know. I don't recall.

9 BY MR. FREE:

10 Q Okay. And why was the City talking to GEO
11 about this, GEO doesn't build rec centers; does
12 it?

13 MR. BARNACLE: Object to the form.

14 THE WITNESS: GEO doesn't what?

15 MR. FREE: Build rec centers.

16 THE WITNESS: No. I can't speak for the
17 City. They just brought it up.

18 BY MR. FREE:

19 Q Well, what was GEO's response?

20 A It was a general response.

21 Q Generally what was it?

22 A Generally understand your needs, we
23 understand. There was no -- that I can recall, any
24 agreements made. It was conversation.

25 Q So does the rec center include like

1 there --

2 Q Ballpark, 100s, 1,000s?

3 A Maybe 5,000.

4 Q Okay. Do you know if the funding needs --
5 if GEO has, in fact, made payments to the City to
6 help with the community development projects
7 discussed during this meeting?

8 A No.

9 Q Okay. What did you talk about this
10 January, February 2019, about the contract?

11 A The -- it was talked in -- about the
12 differences between the IGSA and the developmental
13 agreement, there was discussions about that.

14 Q And what were those discussions?

15 A I don't recall. I wasn't in the actual
16 conversation.

17 Q What were you doing then?

18 A I was just -- I actually picked the
19 gentleman up from the corporate office that flew in
20 and drove him to City Hall.

21 Q What are the differences between the IGSA
22 and development agreement?

23 A The IGSA speaks to the operation of the
24 facility.

25 Q Uh-huh.

1 to.

2 Q Sure. You can take a look at it.

3 So the big bridge contract that you've got
4 maybe over here. Or I can show you mine if you
5 want.

6 A Okay.

7 Q You got it? Because it's already --

8 A That's the authorized staffing plan.

9 Q Okay. So if I wanted to know, for
10 instance, how many janitors -- or excuse me -- like
11 laundry workers, I could look at the specific
12 sections of the staffing plan and determine that;
13 right?

14 A Yes.

15 Q Okay. With the exception of janitors, are
16 you aware of any other deviations from this staffing
17 plan from Adelanto, the one that's in 35212?

18 A No.

19 MR. FREE: Okay. So that's going to finish
20 up 16 E. Thank you. Finally.

21 You were telling me before lunch -- we're
22 done with documents.

23 BY MR. FREE:

24 Q You were telling me before lunch about one
25 or two meetings you could recall, at which you were

1 present, with the City of Adelanto discussing the
2 future of its contract and its IGSA.

3 What was the second meeting that you were
4 talking about?

5 MR. BARNACLE: Object to the form.

6 THE WITNESS: I don't recall a second
7 meeting. I just know that I was part of contacting
8 the City manager to see if he could set up a meeting
9 with the company, but I don't recall if I was in
10 that meeting.

11 BY MR. FREE:

12 Q Okay. Would that have been the meeting
13 with Dr. Zoley and Mr. Flores?

14 A The first meeting?

15 Q No. The one that you just described.

16 Is that the -- when you say the "company,"
17 I'm just trying to understand.

18 During the first meeting, I think you
19 testified -- you did not tell me that Dr. Zoley was
20 there, was he there?

21 A Yes.

22 Q He was in the first meeting?

23 A Yes.

24 Q Is there anybody that you forgot to mention
25 who was at the first meeting?

1 A Can you refresh my memory as to who I
2 mentioned?

3 Q You said Venturella.

4 A Correct.

5 Q You said the guy with the funny name --

6 A Mosciski.

7 Q Yeah. Why don't we try just fresh. Do you
8 remember -- so it was Mr. Zoley, Mr. Venturella,
9 Mosciski, you, the architect -- I mean, the
10 engineer. Excuse me.

11 A That's Mosciski.

12 Q Okay. And then there was --

13 A Paul Laird.

14 Q Paul Laird.

15 A And Kyle Schiller.

16 Q Kyle Schiller. That's right.

17 Anybody else?

18 A Not that I can think of.

19 Q And then the second meeting where you were
20 going to set up -- that you reached out to Jessie
21 Flores to set up a meeting, was that another meeting
22 with Mr. Zoley or someone else?

23 A It was with Dr. Zoley and Mr. Flores, and I
24 don't remember if there was anybody else in that
25 meeting.

1 Q Do you recall what month that meeting
2 occurred?

3 A I don't.

4 Q Okay. Do you recall if it occurred in
5 2019?

6 A Yes.

7 Q It did?

8 A I'm pretty sure it would have been in
9 2019.

10 Q All right. It would have been before the
11 bridge contract; right, in June 2019?

12 A Yes.

13 Q And It also probably would have been before
14 the March announcement by the City of Adelanto that
15 they were canceling the contract; correct?

16 A I don't know that.

17 Q Okay.

18 A I do not remember.

19 Q All right. Now, you told me that you
20 understood from Mr. Flores that the City of Adelanto
21 is canceling it's contract with ICE, and therefor
22 canceling the Intergovernmental Services Agreement
23 with GEO, because it wasn't in the best interest of
24 the City to continue; did I understand that answer
25 correctly?

1 That's your understanding why Adelanto
2 pulled out?

3 A That's what I understood.

4 Q Okay. As you sit here today, do you have
5 any information regarding -- no.

6 Did GEO influence the decision by the City
7 of Adelanto to cancel the contract?

8 A Not to my knowledge.

9 Q You're testifying for GEO now.

10 Okay?

11 You're testifying about the role that the
12 City of Adelanto played.

13 Okay?

14 MR. BARNACLE: Object to the form.

15 He's testifying to the -- under the topic,
16 the operation facility, not some contract.

17 So you're misrepresenting the scope of the
18 topic.

19 THE WITNESS: And --

20 MR. FREE: "GEO's understanding of what
21 role, if any, the City of Adelanto played
22 in the contracts to operate."

23 MR. BARNACLE: Uh-huh.

24 MR. FREE: So not playing the operation,
25 but the contracts to operate the Adelanto Facility,