

**KENTUCKIANA**  
— COURT REPORTERS —

**NO. 25-CV-12173**

**CHICAGO HEADLINE CLUB, BLOCK CLUB CHICAGO, CHICAGO  
NEWSPAPER GUILD LOCAL 34071, NABET-CWA LOCAL 54041,  
RAVEN GEARY, CHARLES THRUSH, STEPHEN HELD, DAVID BLACK,  
WILLIAM PAULSON, AUTUMN REIDY-HAMER, and LEIGH KUNKEL,**

**on behalf of themselves and others similarly situated**

**V.**

**KRISTI NOEM, Secretary, ET AL.**

[REDACTED]

**DEPONENT: DANIEL PARRA**

**DATE: October 31, 2025**



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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION  
HONORABLE SARA L. ELLIS, DISTRICT JUDGE  
NO. 25-CV-12173

CHICAGO HEADLINE CLUB, BLOCK CLUB CHICAGO, CHICAGO  
NEWSPAPER GUILD LOCAL 34071, NABET-CWA LOCAL 54041,  
RAVEN GEARY, CHARLES THRUSH, STEPHEN HELD, DAVID BLACK,  
WILLIAM PAULSON, AUTUMN REIDY-HAMER, and LEIGH KUNKEL,  
on behalf of themselves and others similarly situated,  
Plaintiffs

V.

KRISTI NOEM, Secretary, U.S. Department of Homeland  
Security (DHS); TODD LYONS, Acting Director, U.S.  
Immigration and Customs Enforcement (ICE); MARCOS  
CHARLES, Acting Executive Associate Director,  
Enforcement and Removal Operations, ICE; RUSSELL HOTT,  
Chicago Field Office Director, ICE; RODNEY S. SCOTT,  
Commissioner, U.S. Customs and Border Protection (CBP);  
GREGORY BOVINO, Chief Border Patrol Agent, CBP; DANIEL  
DRISCOLL, Director of the Bureau of Alcohol, Tobacco,  
Firearms and Explosives (ATF); WILLIAM K. MARSHALL III,  
Director of the Federal Bureau of Prisons (BOP); PAMELA  
BONDI, Attorney General of the United States; U.S.  
DEPARTMENT OF HOMELAND SECURITY; U.S. DEPARTMENT OF  
JUSTICE; UNIDENTIFIED FEDERAL OFFICER DEFENDANTS;  
UNIDENTIFIED FEDERAL AGENCY DEFENDANTS; and DONALD J.  
TRUMP, President of the United States,  
Defendants

DEPONENT: DANIEL PARRA

DATE: OCTOBER 31, 2025

REPORTER: MEGAN WEINER

## APPEARANCES (CONTINUED)

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on behalf of themselves and others similarly situated:

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Theresa Kleinhaus, Esquire  
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Associate Director, Enforcement and Removal Operations,  
ICE; RUSSELL HOTT, Chicago Field Office Director, ICE;  
RODNEY S. SCOTT, Commissioner, U.S. Customs and Border  
Protection (CBP); GREGORY BOVINO, Chief Border Patrol  
Agent, CBP; DANIEL DRISCOLL, Director of the Bureau of  
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K. MARSHALL III, Director of the Federal Bureau of  
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United States; U.S. DEPARTMENT OF HOMELAND SECURITY;  
U.S. DEPARTMENT OF JUSTICE; UNIDENTIFIED FEDERAL OFFICER  
DEFENDANTS; UNIDENTIFIED FEDERAL AGENCY DEFENDANTS; and  
DONALD J. TRUMP, President of the United States:  
Elizabeth Hedges, Esquire  
U.S. Department of Justice

AND

Brooke Danielle Jenkins, Esquire  
Office of the General Counsel  
U.S. Department of Homeland Security

(Appeared via videoconference)

ON BEHALF OF THE DEFENDANT, CUSTOMS AND BORDER  
PROTECTION:

Nicole Kalupa, Esquire  
U.S. Customs and Border Protection

Also Present: Sydney Little, Videographer, Stephany  
Janssen, Loevy & Loevy Paralegal; Sarah F. Terman



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STIPULATION

The VIDEO deposition of DANIEL PARRA was taken at the

CHICAGO, ILLINOIS

60604 on FRIDAY the 31ST day of OCTOBER, 2025 at  
approximately 10:03 a.m. (CT); said VIDEO deposition was  
taken pursuant to the FEDERAL Rules of Civil Procedure.

It is agreed that MEGAN WEINER, being a Notary Public  
and Digital Reporter for the State of ILLINOIS, may  
swear the witness.

## PROCEEDINGS

THE VIDEOGRAPHER: We are now on the record.

My name is Sydney Little. I'm the videographer today, and Megan Weiner is the court reporter. Today is the 31st day of October, 2025, and the time is 10:03 a.m. Central. We are at

[REDACTED] Chicago, Illinois to take the deposition of Daniel Parra in the matter of Chicago Headline Club, et al. v. Kristi Noem, et al., Case number 25-CV-12173, pending in the United States District Court for the Northern District of Illinois, Eastern Division. Will the counsel please identify themselves for the record?

MS. THOMPSON: Good morning, sir.

MR. PARRA: Good morning.

MS. THOMPSON: My name is Tara Thompson.

I'm one of the attorneys for the plaintiffs.

MR. HILKE: Good morning. Wally Hilke for the plaintiffs.

MS. KLEINHAUS: Theresa Kleinhaus for the plaintiffs.

MR. GAFFNEY: Conor Gaffney for the plaintiffs.

1 MS. HEDGES: Elizabeth Hedges for the  
2 defendants.

3 MS. KALUPA: Nicole Kalupa, Agency Counsel.

4 THE VIDEOGRAPHER: And Counsel on Zoom?

5 MS. JENKINS: Brooke Jenkins for Defendants.

6 MR. HILL: Justin Hill for the plaintiffs.

7 MS. WOLFSON: Alexandra Wolfson for the  
8 plaintiffs.

9 MS. GILBERT: Dominique Gilbert for the  
10 plaintiffs.

11 MR. BOWMAN: Locke Bowman for Plaintiffs.

12 MS. HAGY: Lindsay Hagy for Plaintiffs.

13 THE VIDEOGRAPHER: Okay. Mr. Parra, can you  
14 please raise your right hand for the court reporter  
15 to swear you in?

16 THE REPORTER: Do you solemnly swear or affirm  
17 that the testimony you're about to give will be the  
18 truth, the whole truth, and nothing but the truth?

19 THE WITNESS: I do.

20 THE REPORTER: Counsel, you may begin.

21 MS. THOMPSON: Thank you.

22 DIRECT EXAMINATION

23 BY MS. THOMPSON:

24 Q. Sir, before we begin, I want to make sure that  
25 I'm using the right professional title to address you in

1 this deposition this morning. So what is the  
2 professional title I should use to refer to you, sir?

3 A. The incident commander.

4 Q. Incident Commander Parra?

5 A. Yes, ma'am.

6 Q. All right. Thank you, sir.

7 MS. THOMPSON: One thing I should have done  
8 before we began, but maybe it's best to just do it  
9 now. I think there was some discussion yesterday  
10 about the fact that we have a paralegal here with  
11 us, Stephanie Janssen, who may have to, just for  
12 technical purposes, access some videos that are  
13 marked as attorneys' eyes only. And I think there  
14 was agreement yesterday it was fine for a paralegal  
15 to do that, but I want to make sure that's fine for  
16 today.

17 MS. HEDGES: Yes. So she works for your law  
18 firm?

19 MS. THOMPSON: Yes. Ms. Janssen's a paralegal  
20 with Loevy & Loevy.

21 MS. HEDGES: Right. So I'm fine with that.  
22 Just to confirm everyone else in the room is  
23 Counsel of record; is that right?

24 MS. THOMPSON: That's correct. And from the  
25 folks that identified themselves on Zoom, I think I

only heard attorneys of record identify themselves.

MS. HEDGES: Okay. Then I'm fine. Thank you.

MS. THOMPSON: Right.

MS. HEDGES: Thank you.

MS. THOMPSON: Confirming.

BY MS. THOMPSON:

Q. Incident Commander Parra, have you been  
deposed before, sir?

A. Yes, ma'am.

Q. All right. Let me just give you a couple of  
instructions to try to move through this more quickly  
this morning. They may be things that you've heard  
before, sir. The first thing is that if you need to  
take any breaks this morning, that's fine. We're going  
to try to move through things as quickly as we can. But  
if at any point you need to take a break, that's fine.  
I would just ask that if there's a question that I've  
asked that's pending, that you answer it before we  
break, all right?

A. Yes.

Q. I'm going to try to make sure that I speak up  
and speak clearly, but if there's anything that I ask  
you that you don't hear or anything that I ask you that  
you don't understand, please just let me know, all  
right, sir?

A. Yes. That's fine.

Q. I think you and I are going to be able to do this without talking over one another. I'm going to try as best I can to make sure that I wait until you're finished talking before I ask you a question, but I'd ask the same: that even if you feel like you know where I'm going, that you wait until I've finished asking the question before you answer, all right, sir?

A. Yes, ma'am.

Q. I'm going to show you some documents during this deposition and they may be documents that you're familiar with. If at any point you need to look at the document that I've shown you before you answer the question, just let me know. I'm happy to give you time to review the materials before answering a question, okay?

A. Okay.

Q. Did you do anything to prepare for this deposition?

A. Yes.

Q. Did you review any documents to prepare for this deposition?

A. Yes.

Q. What did you review?

A. I reviewed our CBP Use of Force Policy.



1 I reviewed the judge's temporary restraining order.  
2 I think those were the two main documents I reviewed in  
3 preparation for this -- for this -- for today's  
4 appointment.

5 Q. Did you complete a declaration in this case?

6 A. I did.

7 Q. Is that a declaration that you signed  
8 yesterday?

9 A. I did, yes.

10 Q. All right. And did you look at that  
11 declaration to prepare for this deposition?

12 A. Yes, I did.

13 Q. Anything else -- any other documents that you  
14 looked at to prepare for this deposition?

15 A. Nothing that comes to mind at the moment.

16 Q. All right. Now you told me that your title is  
17 incident commander, sir. Are you part of Customs and  
18 Border Protection, also known by the acronym CBP?

19 A. Yes.

20 Q. CBP is part of the Division [sic] of Homeland  
21 Security; is that correct?

22 A. Yes.

23 Q. And the Immigration and Customs Enforcement  
24 are ICE. That's also part of the Division of Homeland  
25 Security, correct?

A. Yes.

**Q. Your career with CBP has primarily been on the United States border; is that right?**

MS. HEDGES: I object to the form of the question. You can answer.

THE WITNESS: Yes.

BY MS. THOMPSON:

**Q. Most of your career has been in the El Centro Sector?**

A. Yes.

**Q. And the El Centro Sector is principally desert with some mountain ranges and agricultural areas; is that right?**

MS. HEDGES: Object to the form. You can answer.

THE WITNESS: Yes.

BY MS. THOMPSON:

**Q. Customs and Border Protection officers typically do not work in dense urban areas; is that right?**

MS. HEDGES: I object to the form of the question.

BY MS. THOMPSON:

**Q. You can answer.**

A. Yes.

THE REPORTER: Sorry to interrupt. Could you just speak a little bit louder?

THE WITNESS: Sorry. Okay. Yes.

BY MS. THOMPSON:

**Q. Yeah? And customs and Border Protection officers typically do not operate in situations where they are encountering protesters; is that right?**

MS. HEDGES: Object to form.

THE WITNESS: Can you repeat that question again, please?

BY MS. THOMPSON:

**Q. Sure. Customs and Border Protection officers typically do not work in situations where they encounter protesters?**

MS. HEDGES: Same objection.

THE WITNESS: I typically do not.

BY MS. THOMPSON:

**Q. That's been true in your career, sir; is that right?**

A. Correct.

**Q. Customs and Border Protection officers have been assigned to Operation Midway Blitz, correct?**

MS. HEDGES: Object to foundation. Lack of foundation. You can answer.

THE WITNESS: Yes.

BY MS. THOMPSON:

Q. And the Customs and Border Protection officers that have been working as part of Operation Midway Blitz are encountering situations that are different from what they typically encounter in their work?

MS. HEDGES: Object to form and foundation.

You can answer.

THE WITNESS: Yes.

BY MS. THOMPSON:

Q. And that's true for you, too, sir?

A. Yes.

Q. You are the incident commander for Operation Midway Blitz; is that correct?

MS. HEDGES: Object to foundation. You can answer.

THE WITNESS: Yes.

BY MS. THOMPSON:

Q. As part of your responsibilities as incident commander, you have operational oversight, right?

MS. HEDGES: Object to form and foundation.

THE WITNESS: Yes.

BY MS. THOMPSON:

Q. Can you tell me what it means that you have operational oversight for Operation Midway Blitz?

MS. HEDGES: Object to form.

THE WITNESS: So what that means is there's different levels of an operation, how it's divided. You have a strategic level, an operational level, and a tactical level. My role as an incident commander is to ensure operational oversight at the operational level, ensure that the tactical objectives match the overall strategic objective.

BY MS. THOMPSON:

**Q. So am I correct that you're not responsible for the strategy?**

MS. HEDGES: Object to form.

THE WITNESS: That is correct.

BY MS. THOMPSON:

**Q. You're responsible for carrying out the operation?**

MS. HEDGES: Object to form.

THE WITNESS: Correct.

BY MS. THOMPSON:

**Q. You are responsible for all U.S. Border Patrol assets and operations in the Chicago area as part of Operation Midway Blitz?**

MS. HEDGES: Object to form.

THE WITNESS: Yes.

BY MS. THOMPSON:

**Q. Are you responsible for all CBP personnel that**

are assigned to Operation Midway Blitz?

A. Yes, operationally, but there are different elements remain -- maintain tactical control over those specific agencies.

**Q. Can you explain what you mean by that?**

A. So I oversee the entire operation, so I have operational oversight over Operation Midway Blitz. However, we do have elements within CBP that support this operation. So those specific elements have their own specific chain of command. And so those tactical decisions are reserved for that leadership.

**Q. You are responsible for making sure that CBP personnel that are assigned to Operation Midway Blitz have the necessary training to operate as part of that operation, correct?**

MS. HEDGES: Object to form.

THE WITNESS: Yes.

BY MS. THOMPSON:

**Q. You also oversee logistics; is that right?**

MS. HEDGES: Same objection.

THE WITNESS: Yes.

BY MS. THOMPSON:

**Q. Can you tell me what that means?**

A. Sure. So part of our organizational structure mirrors a loose incident command system where I have

various section chiefs that are responsible for -- for specific responsibilities. In one case, logistics encompasses ensuring that I -- that the folks underneath my command have the necessary supplies and equipment to conduct their operations.

**Q. Is there a section chief underneath you that works on logistics as part of this operation?**

A. Yes.

**Q. Your responsibilities also include overseeing use of force events; is that right?**

MS. HEDGES: Object to form.

THE WITNESS: Yes.

BY MS. THOMPSON:

**Q. And can you tell me what that means?**

A. Much like our logistics is, we have a use of force branch that has -- that oversees -- ensures that policies and procedures are followed per our Use of Force Policy to ensure that any -- any use of force is recorded in our use of force system and ensure that, more primarily, that everything falls within our CBP Use of Force Policy.

**Q. Does your oversight over use of force events for Operation Midway Blitz include responsibility for initiating appropriate investigations into use of force?**

MS. HEDGES: Object to form and foundation.



THE WITNESS: The answer is no.

BY MS. THOMPSON:

**Q. Whose responsibility, if anyone's, is that for Operation Midway Blitz?**

MS. HEDGES: Object to form and foundation.

THE WITNESS: So part of Operation Midway Blitz, kind of, like I mentioned, we have supporting agencies. In this operation we have the Office of Professional Responsibility, also commonly known in most police departments as internal affairs. So internal affairs, in this case Office of Professional Responsibility, OPR, is attached to this mission and they are the ones that are responsible for investigating any reports of misconduct. U.S. Border Patrol does not have an investigative authority to investigate our own.

BY MS. THOMPSON:

**Q. As part of your operational oversight -- let me start that question again. Does your oversight over CBP personnel for Operation Midway Blitz include any responsibility for authorizing uses of force in advance?**

MS. HEDGES: I object to the form of the question.

THE WITNESS: Can you repeat the question?

BY MS. THOMPSON:

Q. Sure. Let me ask that question in a different way. Do your responsibilities with Operation Midway Blitz include any responsibility for authorizing uses of force?

MS. HEDGES: Same objection.

THE WITNESS: No, that is that is delegated down to the agent's or officer's immediate supervisor.

BY MS. THOMPSON:

Q. During Operation Midway Blitz, have immediate supervisors gone up the chain of command to seek authorization for uses of force?

MS. HEDGES: Object to the form of the question and foundation.

THE WITNESS: Not that I recall.

BY MS. THOMPSON:

Q. You talked about internal affairs having responsibility for investigations. Does your oversight authority for Operation Midway Blitz include any responsibility for discipline if there is some determination by internal affairs that a use of force was improper?

MS. HEDGES: Object to form and characterization of his testimony. You can answer.

THE WITNESS: No.

BY MS. THOMPSON:

**Q. Is that responsibility for discipline also with internal affairs?**

MS. HEDGES: Object to form and foundation.

THE WITNESS: It doesn't fall on the -- on -- on the Office of Professional Responsibility. No, it does not.

BY MS. THOMPSON:

**Q. Where does that responsibility fall for this --**

MS. HEDGES: Object --

MS. THOMPSON: -- for Operation Midway Blitz?

MS. HEDGES: Objection to form and foundation.

THE WITNESS: If there is any -- if there is any misconduct that is to be found, that falls back on the respective agency or home office for that -- for that particular employee or employees.

BY MS. THOMPSON:

**Q. For Customs and Border Protection officers that are assigned to Operation Midway Blitz, does that home office refer to the sector for Customs and Border Protection to which those officers are assigned?**

MS. HEDGES: Object to the form.

THE WITNESS: Yes. It would be the U.S. virtual sectors.

1 BY MS. THOMPSON:

2 Q. As part of your responsibilities with  
3 Operation Midway Blitz, do you oversee intelligence?

4 MS. HEDGES: Object to form.

5 THE WITNESS: Yes, through my intelligence  
6 section chief.

7 BY MS. THOMPSON:

8 Q. All right. And I'm not asking you questions  
9 about any specific intelligence that you've received,  
10 but just generally, what does it mean that you  
11 have -- that you oversee intelligence?

12 MS. HEDGES: Object to form.

13 THE WITNESS: In general terms, I have  
14 oversight of over any intelligence briefings,  
15 or threats, or warnings that are brought to our  
16 attention.

17 BY MS. THOMPSON:

18 Q. Do you have any other professional  
19 responsibilities as part of Operation Midway Blitz that  
20 we haven't discussed so far in this deposition?

21 A. Other than the safety and security of my men  
22 and women under my command.

23 Q. Is the safety and security of the men and  
24 women under your command always your responsibility in  
25 any of your duties with Customs and Border Protection?

1 A. Yes.

2 Q. How do your responsibilities over Operation  
3 Midway Blitz differ from Gregory Bovino's?

4 MS. HEDGES: Object to form and foundation.

5 THE WITNESS: So like I mentioned, Chief  
6 Bovino, he has strategic oversight of the -- over  
7 the operation. I have operational oversight of the  
8 operation.

9 BY MS. THOMPSON:

10 Q. How are those two things different?

11 A. Best way I can describe it right is you --  
12 you do have strategic objectives, set the end state,  
13 paint -- paint the -- kind of, basically, dictate what  
14 the vision is, deliver what the end state is when you're  
15 looking at strategy. Strategy development is -- is much  
16 broader and broader objectives. Operational piece is  
17 actually the execution of those strategic objectives.

18 Q. Am I correct, then, that Chief Bovino sets the  
19 strategy for how objectives are going to be accomplished  
20 as part of Operation Midway Blitz?

21 MS. HEDGES: I'm going to object to form and  
22 foundation. And to the extent that your answer  
23 might include anything that's law enforcement  
24 privileged or classified, I would instruct you not  
25 to answer to that extent. But if you can answer

otherwise, you can answer.

THE WITNESS: I'm not -- I'm not aware if -- if it's Chief Bovino that sets those strategic objectives. I'm not privy to those conversations.

BY MS. THOMPSON:

**Q. You are not the one setting strategy?**

MS. HEDGES: Object to form.

THE WITNESS: I am not.

BY MS. THOMPSON:

**Q. With your operational authority -- well, let me ask you a different question. Who supervises you in Operation Midway Blitz?**

MS. HEDGES: Object to form and foundation.

THE WITNESS: My immediate supervisor is Chief Bovino.

BY MS. THOMPSON:

**Q. And who is in the chain of command for Operation Midway Blitz above -- directly above Chief Bovino?**

MS. HEDGES: Same objections.

THE WITNESS: Not sure. I know Chief Michael Banks from the United States Board Patrol is Chief Bovino's reining supervisor.

BY MS. THOMPSON:

1 Q. Who is above that?

2 MS. HEDGES: Object to form and foundation.

3 THE WITNESS: It's Commissioner Rodney Scott.

4 BY MS. THOMPSON:

5 Q. And who is above Commissioner Scott?

6 MS. HEDGES: Same objections.

7 THE WITNESS: I believe Commissioner Scott  
8 reports directly to Secretary of Homeland Security,  
9 Kristi Noem.

10 BY MS. THOMPSON:

11 Q. In your role with Operation Midway Blitz, have  
12 you received any orders or guidance from Secretary Noem,  
13 you yourself?

14 MS. HEDGES: Object to the form. And, again,  
15 if there's anything in an answer that would reveal  
16 either executive privilege or law enforcement  
17 privilege or classified information, I would  
18 instruct you not to answer, but you can answer  
19 other than that.

20 THE WITNESS: And the answer is no.

21 BY MS. THOMPSON:

22 Q. And is there information in response to that  
23 question that you've declined to give me following the  
24 advice of your counsel about -- to follow -- to withhold  
25 some information on the basis of executive privilege or



1 law enforcement privilege?

2 MS. HEDGES: Object to form.

3 THE WITNESS: No.

4 BY MS. THOMPSON:

5 Q. In your role with Operation Midway Blitz,  
6 have you received any orders or guidance from anyone in  
7 the White House?

8 MS. HEDGES: Object to form and foundation.

9 And I would instruct you not to answer with the  
10 same qualifications, which is if your answer would  
11 reveal anything that's executive privilege, law  
12 enforcement privilege, or classified information,  
13 exclude that from your answer. But otherwise, you  
14 can answer.

15 THE WITNESS: The answer is no.

16 BY MS. THOMPSON:

17 Q. Is there any information that you've excluded  
18 from your answer following the advice of your Counsel to  
19 exclude information that's covered under the privileges  
20 that she identified?

21 A. The answer is no.

22 Q. In your role with Operation Midway Blitz, have  
23 you been physically present at the Immigration and  
24 Customs Enforcement facility in Broadview, Illinois?

25 MS. HEDGES: Object to form.

THE WITNESS: Yes.

BY MS. THOMPSON:

**Q. When have you been at the Broadview ICE facility as part of Operation Midway Blitz?**

A. I think I was there as recent as this past Tuesday. I can't recall the exact date. I think I've been there a handful of times. I can't -- I can't recall the exact dates. A couple dates in September. Maybe a couple times in October at most.

**Q. Do you have any records that reflect specifically what dates you've been at Broadview during Operation Midway Blitz?**

MS. HEDGES: Object to the form.

THE WITNESS: Yes.

BY MS. THOMPSON:

**Q. What records are those?**

MS. HEDGES: Object to the form.

THE WITNESS: I believe --

MS. HEDGES: And let me just say again, to the extent anything that you would disclose would be involving either law enforcement privileged information or classified information, don't answer. But otherwise, you can answer.

THE WITNESS: No, I -- I touch on the -- I touch on one of the events that I was there in my

1 declaration. And I can't recall if it was  
2 September 25th or 27th.

3 BY MS. THOMPSON:

4 Q. Other than your declaration, are there any  
5 records that reflect when exactly you've been at  
6 Broadview as part of Operation Midway Blitz?

7 MS. HEDGES: Same objection. Same  
8 instruction.

9 THE WITNESS: No.

10 BY MS. THOMPSON:

11 Q. And when I say -- can we agree for this  
12 deposition that when I say "Broadview," I'm talking  
13 about the ICE facility in Broadview?

14 A. Yes.

15 Q. You understood that's what I meant?

16 A. Yes, ma'am.

17 Q. Okay. Are there any records that you have not  
18 identified for me in response to those questions  
19 following the advice of your counsel about privileges  
20 that she's instructed you to preserve?

21 MS. HEDGES: Object to form.

22 THE WITNESS: None that I can think of at the  
23 moment.

24 BY MS. THOMPSON:

25 Q. When you were at Broadview this past Tuesday,

1    **how long were you there for?**

2           MS. HEDGES:  Object to form.

3           THE WITNESS:  At most, maybe an hour.

4    BY MS. THOMPSON:

5           **Q.    The couple dates in September that you were at**  
6    **Broadview, how long were you there for on those dates?**

7           MS. HEDGES:  Same objection.

8           THE WITNESS:  I think the -- the time frame  
9           that I referenced in my declaration, I think it was  
10          September 27th.  If I'm not mistaken, I was there  
11          from approximately 8:00 p.m. until 1:00 a.m.

12          MS. HEDGES:  And Counsel, sorry to interrupt,  
13          but just if you are going to ask him about his  
14          declaration, I would ask that he be allowed to have  
15          a copy for reference.  I don't know if that's where  
16          you're going.

17          MS. THOMPSON:  Understood.

18    BY MS. THOMPSON:

19          **Q.    We'll definitely look at your declaration as**  
20    **part of this deposition.  Do you recall the amount of**  
21    **time you were at Broadview for any other days in**  
22    **September?**

23          MS. HEDGES:  Object to foundation.

24          THE WITNESS:  Not the exact time, no.

25    BY MS. THOMPSON:

1 Q. For any other days you were there in  
2 September, were you there during the day?

3 MS. HEDGES: Same objection.

4 THE WITNESS: I believe so.

5 BY MS. THOMPSON:

6 Q. Do you remember what parts of the day?

7 MS. HEDGES: Same objection.

8 THE WITNESS: I do not recall, no.

9 BY MS. THOMPSON:

10 Q. Were you there at night any other dates in  
11 September other than the date you already told us about?

12 MS. HEDGES: Same objection. Foundation.

13 THE WITNESS: Not that I can recall.

14 BY MS. THOMPSON:

15 Q. For any dates that you were at Broadview in  
16 October, how long were you there for?

17 MS. HEDGES: Same objection.

18 THE WITNESS: I would estimate, again,  
19 probably about an hour to two hours.

20 BY MS. THOMPSON:

21 Q. And for any dates you were at Broadview in  
22 October, was that hour or two hours during the day or at  
23 night?

24 A. Both, day and nighttime.

25 Q. As part of Operation Midway Blitz, have you

1 been present in the field with Customs and Border  
2 Protection personnel, undertaking immigration  
3 enforcement activities?

4 MS. HEDGES: Object to form and foundation.

5 THE WITNESS: Yes.

6 BY MS. THOMPSON:

7 Q. How many times during Operation Midway Blitz  
8 have you been out in the field with Customs and Border  
9 Protection personnel?

10 A. Maybe about a handful of times, four to five.

11 Q. And where specifically were you in the field  
12 those four to five times?

13 MS. HEDGES: Object to form.

14 THE WITNESS: Not too familiar with the City  
15 of Chicago, but we're out operating in -- I can't  
16 recall the exact location. I'm sorry.

17 BY MS. THOMPSON:

18 Q. Were these locations all within the City of  
19 Chicago?

20 MS. HEDGES: Object to foundation.

21 THE WITNESS: In -- in the greater area of  
22 Chicago, yes. Again, I said I'm not familiar with  
23 the City of Chicago.

24 BY MS. THOMPSON:

25 Q. Do you have records that reflect when you've

1 been, meaning specifically what days you have been in  
2 the field with Customs and Border Protection personnel  
3 as part of Operation Midway Blitz?

4 MS. HEDGES: Object to form. Vague as to  
5 "records."

6 THE WITNESS: None that comes to mind.

7 BY MS. THOMPSON:

8 Q. Are there any reports that document  
9 specifically what enforcement activities you've been in  
10 the field with Customs and Border Protection personnel  
11 for?

12 MS. HEDGES: Same objection and foundation.

13 THE WITNESS: I don't believe so.

14 BY MS. THOMPSON:

15 Q. Can you tell me -- well, let me ask you this:  
16 For the four to five times that you've been in the field  
17 with Customs and Border Protection officers as part of  
18 Operation Midway Blitz, were any of those days in  
19 September?

20 A. I believe at least in one occasion, yes.

21 Q. And so the rest were in October?

22 MS. HEDGES: Object to form.

23 THE WITNESS: I -- I can't recall, ma'am.

24 My -- my days get blurred, I can't give you a  
25 definitive if -- if they were all in October.



1 I -- I just can't recall.

2 BY MS. THOMPSON:

3 Q. When was the last time that you were in the  
4 field with Customs and Border Protection personnel as  
5 part of this operation?

6 MS. HEDGES: Same objection.

7 THE WITNESS: This Tuesday.

8 BY MS. THOMPSON:

9 Q. How long were you out in the field with  
10 Customs and Border Protection personnel this past  
11 Tuesday?

12 MS. HEDGES: Object to form. Asked and  
13 answered.

14 THE WITNESS: Approximately eight hours.

15 BY MS. THOMPSON:

16 Q. I know you said you're not too familiar with  
17 the city, but do you know -- do you have any description  
18 of where exactly you were with them for those eight  
19 hours?

20 A. I believe we were -- I think the one city that  
21 comes to mind is the City of Cicero. And I -- I can't  
22 recall any -- there's no specific landmarks that come to  
23 mind.

24 Q. Were you in Cicero the entire time, or did you  
25 go somewhere else?

MS. HEDGES: Object to form and foundation.

THE WITNESS: No, ma'am. We -- we traveled quite a bit, but I cannot recall where other locations we -- we were -- we were out that day.

BY MS. THOMPSON:

Q. For -- in your responsibilities for Operation Midway Blitz, do you have any supervisory responsibilities for any of the personnel that are assigned to Operation Midway Blitz who are not part of Customs and Border Protection?

MS. HEDGES: Objection. Foundation.

THE WITNESS: Can you repeat the question?

BY MS. THOMPSON:

Q. Sure. In your role with Operation Midway Blitz, do you have any supervisory responsibility for any of the personnel assigned to Operation Midway Blitz who are not part of Customs and Border Protection?

MS. HEDGES: Same objection.

THE WITNESS: None that I can think of.

BY MS. THOMPSON:

Q. Is it true that your responsibilities for Operation Midway Blitz are solely over officers with Customs and Border Protection?

MS. HEDGES: Object to form.

THE WITNESS: Yes.

1 BY MS. THOMPSON:

2 Q. I want to talk to you a little bit about  
3 training now. What are your responsibilities with  
4 respect to the training of Customs and Border Protection  
5 personnel that are assigned to Operation Midway Blitz?

6 MS. HEDGES: Object to form and foundation.  
7 You can answer.

8 THE WITNESS: The first -- the first piece  
9 that I'm responsible for, and I'm sure that  
10 we -- we provide this training to anybody that  
11 comes on mission, is First and Fourth Amendment  
12 legal refreshers, that is provided by our Office of  
13 Chief Counsel.

14 MS. HEDGES: And I'm just sorry. I need to  
15 pause you.

16 THE WITNESS: Sorry.

17 MS. HEDGES: Not to interrupt, but to the  
18 extent your answer would reveal any communications  
19 with Counsel, the -- that's attorney-client  
20 privilege, and I'm instructing you not to include  
21 communications with them. If you exclude that, you  
22 can answer.

23 THE WITNESS: Understood.

24 BY MS. THOMPSON:

25 Q. Are you -- I think you said that the first

1 thing that you're responsible for is training about the  
2 First and Fourth -- First and Fourth Amendment; is that  
3 right?

4 A. Correct.

5 Q. What other training responsibilities do you  
6 have for personnel that are assigned to Operation Midway  
7 Blitz?

8 MS. HEDGES: Object to form.

9 THE WITNESS: The other piece of training that  
10 we conduct is use of force refresher training.

11 BY MS. THOMPSON:

12 Q. All right. Any other training besides First  
13 and Force -- First and Fourth Amendment and use of force  
14 refresher?

15 A. I believe we've also done report writing  
16 refreshers. And the other training that we did, which  
17 also falls within use of force, is mobile field force  
18 refreshers.

19 Q. Any other training that's in your  
20 responsibilities as part of Operation Midway Blitz?

21 MS. HEDGES: Object to form.

22 THE WITNESS: None that come to mind at the  
23 moment.

24 BY MS. THOMPSON:

25 Q. The training that you just described, the

1 First and Fourth Amendment, use of force refresher,  
2 report writing refresher, mobile field refresher, is  
3 that training that CBP personnel assigned to Operation  
4 Midway Blitz have received since Operation Midway Blitz  
5 began?

6 MS. HEDGES: Object to form.

7 THE WITNESS: Yes.

8 BY MS. THOMPSON:

9 Q. When was the First and Fourth Amendment  
10 training given to CBP personnel assigned to Operation  
11 Midway Blitz?

12 MS. HEDGES: Object to form.

13 THE WITNESS: So that has been a reoccurring  
14 training, but the first time it was delivered was -  
15 - I can't recall. It was that first week in  
16 September when we got here. It was the week, I'm  
17 assuming, of September 8th. Whatever that Monday  
18 was, that week is when we conducted our first  
19 refresher training. I can't recall the exact date  
20 that -- that actually you all conducted.

21 BY MS. THOMPSON:

22 Q. Did that refresher training cover all of the  
23 topics that you just described? The constitutional law,  
24 use of force, report writing, and the mobile field  
25 refresher?

MS. HEDGES: Object to form.

THE WITNESS: Those are -- those are separate instructions or refreshers.

BY MS. THOMPSON:

**Q. So the training you're describing that happened in the first week, was that just about the First and Fourth Amendment?**

A. No. We conducted those various trainings -- I -- I misunderstood your question. I thought you were asking if that one training encompassed all that. What I was trying to explain is, we had a series of trainings throughout that week, to include First and Fourth Amendment training.

**Q. Did that -- did those trainings over that first week include the other topics that you listed? The use of force, report writing, and the mobile field refresher?**

MS. HEDGES: Object to form.

THE WITNESS: I don't recall the report writing was in that first week, but the use of force, mobile field force, legal refreshers were included in that first week.

BY MS. THOMPSON:

**Q. When was the report writing refresher?**

A. I can't recall exactly when we incorporated

that into our training cycle.

**Q. Was that in September?**

MS. HEDGES: Object to form. Asked and answered.

THE WITNESS: I can't recall.

BY MS. THOMPSON:

**Q. And when you say incorporated into your training cycle, what do you mean?**

A. So every time we have new recruits, or not -- sorry, not new recruits. Anytime we have new agents coming onto mission, they get -- we set a -- we set a date apart for them to get various in-briefings, to include a series of trainings. So that is when we include that part of the training portion.

**Q. Have any of the training that officers have had since Operation Midway Blitz started included training on crowd control?**

MS. HEDGES: Object to form and foundation.

THE WITNESS: Yes.

BY MS. THOMPSON:

**Q. What training, since Operation Midway Blitz began, have CBP personnel assigned to Operation Midway Blitz had on crowd control?**

MS. HEDGES: Same objections.

THE WITNESS: That was covered under our

mobile field force training.

BY MS. THOMPSON:

**Q. How long is the mobile field force training refresher that CBP personnel have had since Operation Midway Blitz started?**

A. If not mistaken, it was a two-day -- two-day training course, refresher training course that we conducted.

**Q. What was covered over those two days?**

MS. HEDGES: And just because I don't know exactly what you're going to say, to the extent anything might touch on law enforcement privileged information, or classified information, exclude that from your answer, but you can answer.

THE WITNESS: Okay. So I did not attend that training myself, but from my -- from what I'm aware of that training, you cover -- it also includes, there's a legal refresher portion in that training. There is tactics in that training, and then it covers deployments of less lethal munition in that training.

BY MS. THOMPSON:

**Q. Any other topics that were covered over those two days?**

A. I -- I can't. I -- again, I -- I did not



attend that training, so I can't -- I'd be speculating as to what other topics were covered, but those are the basis of the -- of the training.

**Q. Did you have any role in deciding what topics would be covered at that training?**

MS. HEDGES: Object to form.

THE WITNESS: No, ma'am. That is -- that mobile field force is -- is a prescribed set of training by CBP.

BY MS. THOMPSON:

**Q. Mobile field force is a separate training that Customs and Border Protection officers take as part of their work assigned in other areas in the United States, correct?**

MS. HEDGES: Object to form and foundation.

THE WITNESS: Can you clarify?

BY MS. THOMPSON:

**Q. Sure. I mean, even for CBP officers that are not assigned to Operation Midway Blitz, mobile field force training is a training that CBP officers otherwise take as part of their work, right?**

MS. HEDGES: Same objections.

THE WITNESS: I -- I don't think I'm quite -- quite understanding the point that you're trying to get to. I'm sorry.

BY MS. THOMPSON:

Q. Sure. I mean, separate and apart from  
Operation Midway Blitz --

A. Okay.

Q. -- a training course that CBP officers can  
take is this mobile field training, correct?

MS. HEDGES: Same objections.

THE WITNESS: Yes.

BY MS. THOMPSON:

Q. And that's actually divided into two courses;  
is that right? There's Mobile Field Force and Mobile  
Field Force II?

MS. HEDGES: Object to form and foundation.

THE WITNESS: Yes.

BY MS. THOMPSON:

Q. Did the training that you described a minute  
ago, that happened as part of Operation Midway Blitz,  
did that cover the topics in both of those courses?

MS. HEDGES: Same objection. Form.

Foundation.

THE WITNESS: My understanding is it did.

Again, I was not present in that training.

BY MS. THOMPSON:

Q. Did officers attending that training get the  
mobile field force certification --

MS. HEDGES: Objection to form.

MS. THOMPSON: that CBP offers as part of that course?

MS. HEDGES: Sorry, Counsel. He did say several times he wasn't there, and I think he's answered to the best of his ability with the qualification that he wasn't there. And so I'm not sure that new questions be -- are being asked on this.

BY MS. THOMPSON:

**Q. You can answer the question.**

A. Can you repeat that question again, please?

MS. THOMPSON: Can you read it back, please?

(The requested question was read back.)

THE WITNESS: I'm not aware of any certifications being issued, how the completion of that training go.

BY MS. THOMPSON:

**Q. Since Operation Midway Blitz started, have CBP officers assigned to Operation Midway Blitz gotten any other training on less lethal weapons other than whatever they got during that two-day refresher course?**

MS. HEDGES: Object to form and foundation, including to the extent that he said he wasn't at the training.

THE WITNESS: Not that I -- not that I can think of at the moment, no.

BY MS. THOMPSON:

**Q. And as your counsel just said, am I right that you don't know exactly what was covered at that training?**

MS. HEDGES: Object to form.

THE WITNESS: I wasn't present at that training, so I can't -- I can't speak to exactly what was delivered or not delivered.

BY MS. THOMPSON:

**Q. Have you yourself taken the Mobile Field Force I or Mobile Field Force II courses with CBP?**

A. I have taken Mobile Field Force I certification, not II.

**Q. As part of CBP policy for less lethal musician -- less lethal munitions, excuse me, there are different courses offered to certify CBP personnel on different types of munitions; is that right?**

MS. HEDGES: Object to form and foundation.

THE WITNESS: I'm not a -- that's not my expertise, ma'am, but I'm sorry. Can you repeat the question one more time? I just want to make sure I answer it correctly.

BY MS. THOMPSON:

Q. Sure. And let me break this down a little bit. There are different kinds of less lethal munitions that CBP personnel can use; is that right?

MS. HEDGES: Object to form and foundation.

THE WITNESS: Correct.

BY MS. THOMPSON:

Q. And there are different certification courses for different less lethal munitions that CBP offers; is that right?

MS. HEDGES: Same objections.

THE WITNESS: I don't know if there's different courses for the different types of munitions, no.

BY MS. THOMPSON:

Q. People have to be certified on a specific type of less lethal munition in order to use it as part of their work with CBP; is that right?

MS. HEDGES: Objection to form. Objection to foundation.

THE WITNESS: Correct.

BY MS. THOMPSON:

Q. Like, I can be -- a CBP officer can be certified on a PepperBall launcher, but not certified to use CS gas canisters or something like that, correct?

MS. HEDGES: Same objections.

1 THE WITNESS: Correct.

2 BY MS. THOMPSON:

3 Q. Are you yourself certified to use any less  
4 lethal munitions?

5 A. Yes.

6 MS. HEDGES: Objection to form and foundation.

7 If you could just --

8 THE WITNESS: Sorry.

9 MS. HEDGES: -- give me a chance to -- thank  
10 you.

11 BY MS. THOMPSON:

12 Q. What less lethal munitions are you yourself  
13 certified to use as part of CBP?

14 MS. HEDGES: Same objections.

15 THE WITNESS: So I am certified to use our OC  
16 spray, which is also known as pepper spray. I'm  
17 also certified in the use of our PepperBall  
18 launching system, PR -- PLS.

19 BY MS. THOMPSON:

20 Q. Anything else?

21 A. Not that I can think of at the moment, no.

22 MS. THOMPSON: I think this is a good time for  
23 a brief break. Can you --

24 MS. HEDGES: Okay. Are you sure? I think  
25 we've been going for 42 minutes.

MS. THOMPSON: I'm aware.

MS. HEDGES: Okay. We can take a break.

THE VIDEOGRAPHER: All right. With that,  
we'll go off the record, and the time is 10:45.

(A recess was taken.)

THE VIDEOGRAPHER: We're back on the record.

The time is 10:59.

BY MS. THOMPSON:

Q. Sir, I had one question to follow up on something I asked you earlier, and then I want to move on to something else. We talked at the beginning about documents that you reviewed to prepare for your deposition. Did you watch any videos or listen to any audio to prepare for this deposition?

MS. HEDGES: Object to form. Compound.

THE WITNESS: Not that I can remember.

MS. THOMPSON: I want to show you some documents that we're going to mark as exhibits right now. So this will be one. This will be two.

(Exhibit 1 was marked for  
identification.)

(Exhibit 2 was marked for  
identification.)

THE REPORTER: Okay.

MS. THOMPSON: Thank you.

THE REPORTER: Do you have another copy?

MS. THOMPSON: Yeah. There's some here for you folks.

THE REPORTER: Thank you. Do you want me to put this? Yeah. Do you or -- have you been marking them or do you want me to do it?

MS. THOMPSON: I can do it. Sorry. I didn't know who did it.

THE REPORTER: Okay. So this is one?

MS. THOMPSON: Yeah. Are you ready? Are you good?

THE REPORTER: Yeah. Yeah.

BY MS. THOMPSON:

**Q. Okay. Sir, one of the -- one of the topics about which Customs and Border Protection has policies is the topic of use of force; is that right?**

MS. HEDGES: Object to form.

THE WITNESS: Yes.

BY MS. THOMPSON:

**Q. Understanding in what circumstances officers can use what types of force is an important topic for CBP personnel assigned to operation Midway Blitz to understand; is that right?**

MS. HEDGES: Same objection.

THE WITNESS: Yes.



1 BY MS. THOMPSON:

2 Q. I'm going to show you what has been marked as  
3 Exhibit 1 for this deposition. This is a document that  
4 is Bates stamped CBP 482 through CBP 545. And it looks  
5 like it is 63 pages. There are 63 numeric pages and  
6 then a couple of Roman Numeral pages at the beginning.  
7 I'm going to show you Exhibit 1, sir. And my question  
8 for you -- and if you need to look at this document to  
9 answer this question, you can, is, is Exhibit 1 a true  
10 and accurate copy of Customs and Border Protections Use  
11 of Force Policy as it exists today?

12 MS. HEDGES: Object to form. And you can  
13 answer to the extent you're able to ascertain based  
14 on your review today.

15 THE WITNESS: Sure. I'm sorry. And the  
16 question was?

17 BY MS. THOMPSON:

18 Q. Is Exhibit 1 a true and accurate copy of  
19 Custom and Border Protections Use of Force Policy that  
20 is in effect today?

21 MS. HEDGES: Object to form.

22 THE WITNESS: It appears to be the same.

23 BY MS. THOMPSON:

24 Q. Are you familiar with this written policy,  
25 sir?

1 A. I have a working knowledge of this policy.

2 Q. Are you familiar with it?

3 MS. HEDGES: Objection to form. Asked and  
4 answered. You can answer.

5 THE WITNESS: Again, I -- I do have a working  
6 knowledge of this policy.

7 BY MS. THOMPSON:

8 Q. Is Exhibit 1 the Use of Force Policy that  
9 applies for Customs and Border Protection personnel that  
10 are working as part of Operation Midway Blitz?

11 MS. HEDGES: Object to form.

12 THE WITNESS: Yes.

13 BY MS. THOMPSON:

14 Q. I'm also going to show you what's been marked  
15 as Exhibit 2. This is a document that is Bates stamped  
16 CBP 469 through CBP 481. And this document is 13 pages.  
17 I am going to ask you -- and if you need to look at the  
18 document to answer this question, please do, whether you  
19 have seen Exhibit 2 before today?

20 A. And the question was, again, ma'am?

21 Q. Sure. My question is whether you've seen  
22 Exhibit 2 before today?

23 A. I believe I have.

24 Q. Does Exhibit 2 contain additional aspects of  
25 the Department of Homeland Security's Use of Force

1 policies that govern Customs and Border Protection?

2 MS. HEDGES: Object to form and foundation.

3 THE WITNESS: Can you please repeat that?

4 BY MS. THOMPSON:

5 Q. Sure. Does Exhibit 2 contain additional  
6 Department of Homeland Security policies on the use of  
7 force that apply to Customs and Border Protection  
8 personnel?

9 MS. HEDGES: Same objections.

10 THE WITNESS: I can't recall if it -- if it  
11 contains additional, no.

12 BY MS. THOMPSON:

13 Q. Is it your understanding that Exhibit 2  
14 contains information that's already covered by Exhibit  
15 1?

16 MS. HEDGES: Objection to form. Vague.

17 THE WITNESS: Can you repeat that question  
18 again?

19 BY MS. THOMPSON:

20 Q. Well, let me ask you a -- maybe a better  
21 question. Is there anything about Exhibit 2 that  
22 changes the policies on use of force that are outlined  
23 in Exhibit 1?

24 MS. HEDGES: Objection to form.

25 THE WITNESS: Not that I'm aware of.

BY MS. THOMPSON:

Q. Are there -- other than Exhibit 1 and Exhibit 2, given the testimony you've given about it, are there any other written documents that provide any other aspects of the Customs and Border Protection Use of Force Policy that applies to Customs and Border Protection officers working as part of Operation Midway Blitz?

MS. HEDGES: Object to form and foundation.

THE WITNESS: Not that I can recall.

BY MS. THOMPSON:

Q. So am I right that Exhibit 1 is the policy in effect that governs Customs and Border Protection Use of Force for Operation Midway Blitz?

MS. HEDGES: Same objection and asked and answered.

THE WITNESS: Yes.

BY MS. THOMPSON:

Q. Are there any other documents or oral instructions to Customs and Border Protection officers that provide any other direction about use of force policy for Operation Midway Blitz?

MS. HEDGES: Objection to form. Compound, vague. You can answer.

THE WITNESS: Not that I recall.

1 BY MS. THOMPSON:

2 Q. Okay. Thank you. I'm done with those  
3 exhibits, so I'll take those back from you. Thank you.  
4 We talked earlier about a declaration that you signed  
5 yesterday, and I want to ask you some questions about  
6 that.

7 MS. THOMPSON: Do you guys need copies?

8 MS. HEDGES: Yes, please.

9 THE REPORTER: Another, yeah.

10 MS. HEDGES: Thank you very much.

11 THE REPORTER: Exhibit 3?

12 BY MS. THOMPSON:

13 Q. Thank you. Sir, I've shown you a copy of  
14 what's been marked as Exhibit 3. This document does not  
15 have page numbers and it does not have Bates numbers,  
16 but is Exhibit 3 a true and accurate copy of a  
17 declaration that you have submitted as part of this  
18 litigation?

19 (Exhibit 3 was marked for  
20 identification.)

21 A. Yes, ma'am. It appears to be accurate.

22 BY MS. THOMPSON:

23 Q. What was your purpose in preparing this  
24 declaration?

25 MS. HEDGES: Object to the form. And given

that this is a document produced, prepared during the litigation, I would just instruct you not to say anything about any communications you've had with Counsel in this case. But excluding any communications with Counsel, any legally privileged information, you can answer the question.

THE WITNESS: It's my belief its purpose for this declaration is to prepare for a upcoming preliminary injunction.

BY MS. THOMPSON:

**Q. Was your purpose in preparing this declaration to give the Court information that -- well, let me ask this question a better way. Was your purpose in preparing this declaration to give the Court information that you thought was relevant to whether the Court should enter a preliminary injunction in this case?**

MS. HEDGES: Objection to form. Asked and answered. Calls for a legal conclusion.

THE WITNESS: So I believe that, in my opinion, this doc -- declaration provides some color to the situation that my agents are encountering here in the field.

BY MS. THOMPSON:

**Q. And when you say it "provides some color," what do you mean?**

1           A.     It provides some background as to some of the  
2 experiences that my men and women are encountering here  
3 in Chicago in its relation to the temporary restraining  
4 order.

5           Q.     You also completed a declaration that was  
6 submitted in the litigation involving the State of  
7 Illinois v. Donald Trump; is that right?

8           MS. HEDGES:   Objection to form and foundation.  
9 And I would just ask if you're going to ask him  
10 questions about that document, that he be provided  
11 a copy, but you can answer the question.

12           THE WITNESS:   Ma'am, I -- I've provided  
13 several declarations since I've been here, so I  
14 can't recall exactly the title for the declaration  
15 that I provided, but this is not the only  
16 declaration I provided since I've been here.

17 BY MS. THOMPSON:

18           Q.     And that was going to be my next question,  
19 which is: Other than Exhibit 3 in front of you, have you  
20 completed any other declarations describing any other  
21 aspect of Operation Midway Blitz?

22           MS. HEDGES:   Object to form.

23           THE WITNESS:   I believe I provided at least  
24 one additional declaration.

25 BY MS. THOMPSON:

1 Q. You said you'd completed several while you  
2 were here. Has it been more than one other?

3 MS. HEDGES: Object to form.

4 THE WITNESS: At least one additional -- one  
5 additional declaration, at least. I can't recall  
6 exactly how many I've -- I've provided.

7 BY MS. THOMPSON:

8 Q. Other than the at least one other declaration  
9 that you just testified about, have you completed any  
10 other declarations in 2025 about Customs and Border  
11 Protection deployments away from the United States  
12 border?

13 MS. HEDGES: Objection to form.

14 THE WITNESS: Yes.

15 BY MS. THOMPSON:

16 Q. What other declarations on that topic have you  
17 done this year?

18 A. I can't recall, ma'am. There's been several  
19 declarations I've had to provide this year so --

20 Q. Did you complete a declaration about  
21 operations in Portland, Oregon?

22 MS. HEDGES: Object to form. Also, vague.

23 THE WITNESS: I -- I don't recall ever  
24 providing a declaration specifically for Portland,  
25 if that was your question.



1 BY MS. THOMPSON:

2 Q. Did you complete a declaration about  
3 operations in Los Angeles?

4 MS. HEDGES: Object to form. Vague.

5 MS. HEDGES: Yes.

6 BY MS. THOMPSON:

7 Q. Are there any other declarations that you can  
8 remember submitting other than one in LA and the two  
9 we've talked about with respect to Operation Midway  
10 Blitz?

11 MS. HEDGES: Object to form. Asked and  
12 answered.

13 THE WITNESS: I -- I don't recall if I've  
14 submitted any other declarations for LA or for  
15 Operation Midway Blitz.

16 BY MS. THOMPSON:

17 Q. I have some questions about the declaration  
18 that's in front of you. I'm going to try to keep us  
19 moving through this. But as I said, if there's portions  
20 of this you need to read to answer my questions, then  
21 just let me know. I want to start by directing you to  
22 Paragraph 13. Let me, actually, before we get to  
23 Paragraph 13, direct you to Paragraph 9. So let me know  
24 when you're there. In Paragraph 9, you say that, "The  
25 statements contained in this declaration are based upon

1 my personal knowledge and information made available to  
2 me in the course of my official duties." What portions  
3 of this declaration are based on your personal  
4 knowledge?

5 MS. HEDGES: Object to form.

6 THE WITNESS: I believe there's one event that  
7 I was specifically involved in, and if you could  
8 give me a second, I can -- I was specifically  
9 involved in the event that starts in Paragraph 25.

10 BY MS. THOMPSON:

11 Q. We'll get to that in a minute. But it's your  
12 testimony that you were personally involved in events on  
13 September 27th, 2025 that you've described in Paragraph  
14 25 as "starting at approximately 8:30 p.m."?

15 MS. HEDGES: Object to form. The document  
16 speaks for itself.

17 THE WITNESS: Yes.

18 BY MS. THOMPSON:

19 Q. You agree with me that there's other incidents  
20 that are described in your declaration, correct?

21 A. Yes.

22 Q. Were you personally present for any of the  
23 other incidents that are described in your declaration?

24 MS. HEDGES: And just to interject, if you  
25 need to review to answer, feel free to do so.

THE WITNESS: No, ma'am. I believe the only event that I was personally involved in physically there was the event that I referenced in Paragraph 25.

BY MS. THOMPSON:

Q. All right. And so to go back to Paragraph 9, am I correct that for these other incidents, other than the one you just identified, to prepare this declaration, you relied on information that was made available to you in the course of your official duties?

MS. HEDGES: Object to form.

THE WITNESS: Yes.

BY MS. THOMPSON:

Q. How was that information made available to you in the course of your official duties to be able to complete this declaration?

MS. HEDGES: Object to form. And exclude from your answer any communications you had with lawyers in this case.

THE WITNESS: Some of the -- some of the information I contain in this document that I referenced, were communicated to me, at times, verbally or I observed through our aerial footage that we received from our air support.

BY MS. THOMPSON:

1           Q.   Any other sources of information you relied on  
2 for this declaration other than your personal knowledge,  
3 information you got verbally, and information you  
4 observed through aerial footage?

5           MS. HEDGES: Same instruction.

6           THE WITNESS: Yes, I was --

7           MS. HEDGES: Same objection. Go ahead.

8           THE WITNESS: -- was -- also reviewed several  
9 reports associated with the use of force described  
10 in these events.

11 BY MS. THOMPSON:

12          Q.   Any other sources of information?

13          MS. HEDGES: Same objection. Same  
14 instruction.

15          THE WITNESS: Not that I can recall at the  
16 moment.

17 BY MS. THOMPSON:

18          Q.   When you're talking about information you  
19 observed through aerial footage, is this footage that  
20 was recorded from a helicopter that's had a view of some  
21 events that have occurred in the Northern District of  
22 Illinois during Operation Midway Blitz?

23          MS. HEDGES: Object to form and foundation.

24          THE WITNESS: Yes.

25 BY MS. THOMPSON:

Q. Okay. Let's go to Paragraph 13, then. The second sentence of Paragraph 13 says, in part, that, "Demonstrations outside the BSSA and other facilities have devolved into violent riots." Do you see that?

A. Sorry. Which line are you referring to now?

Q. Sure. It's Paragraph 13, Line 2.

A. Okay.

Q. You see that line?

A. Yes.

Q. Explain to me what you mean by the term "violent riots" in that line of Paragraph 13.

A. Sure. So what I mean by that is during these demonstrations, when there's been large groups in these events, my agents are attacked through various projectiles that are thrown in their direction. There has also have been made attempts to damage government property.

Q. What qualifies as a violent riot to you? Is it the behavior that you've just described and answered to that previous question?

MS. HEDGES: Object to form. Asked and answered.

THE WITNESS: I think that what I just spelled out, ma'am, is when there is force or a threat of force being made towards my agents, I would

1 classify that as a violent riot.

2 BY MS. THOMPSON:

3 Q. How many people need to be engaged in a force  
4 or a threat of force towards your officers for that to  
5 constitute a violent riot?

6 MS. HEDGES: Object to the form.

7 THE WITNESS: If not mistaken, I believe two  
8 or more individuals engaged in.

9 BY MS. THOMPSON:

10 Q. So in your definition of violent riot, that  
11 could be anywhere from two people to 100 people or more?

12 A. It could be.

13 Q. In this sentence, you also say that you are  
14 referring to demonstrations outside the BSSA and other  
15 facilities. What other facilities are you talking about  
16 in Paragraph 13?

17 A. Can you point me to the line again?

18 Q. Sure. It's Line 2.

19 A. I can't think of the other facilities that  
20 come to mind at the moment.

21 Q. If you think of those facilities during this  
22 deposition, will you tell me?

23 A. Yes.

24 Q. I'm going to turn you to Paragraph 14, which  
25 is the next page there. The first sentence there of

Paragraph 14 says, "In my personal observations of the crowds at the BSSA, it is not easy to distinguish between religious observers and the rest of the crowd."

Do you see that sentence?

A. Yes.

Q. And I think you told us earlier that you'd been at -- well, let me stop for a second. When you're talking about BSSA in this declaration, that's the Broadview facility we've been talking about in this deposition, correct?

A. Correct.

Q. Okay. In the times that you have been at Broadview, the time -- the number of times, as we talked about earlier in this deposition, have you seen anyone in the crowd outside Broadview that you have identified as clergy?

MS. HEDGES: Object to form.

THE WITNESS: I have not.

BY MS. THOMPSON:

Q. Have you seen anyone in the times that you were at Broadview praying?

MS. HEDGES: Object to form --

THE WITNESS: I have --

MS. HEDGES: -- and foundation.

THE WITNESS: I don't think I have seen

anybody praying. No.

BY MS. THOMPSON:

**Q. Have you seen anyone outside of Broadview that has been holding prayer beads?**

MS. HEDGES: Object to form.

THE WITNESS: I do not recall seeing anybody holding prayer beads.

BY MS. THOMPSON:

**Q. Have you seen anyone wearing a white clergy collar?**

MS. HEDGES: Same objection.

THE WITNESS: I do not recall seeing anybody wearing a clergy collar.

BY MS. THOMPSON:

**Q. And I don't mean -- I don't mean this to be an offensive question. I genuinely am trying to understand. Do you know what a clergy collar is?**

A. Yes.

**Q. Okay. Have you seen anyone wearing what's called a clergy stole, S-T-O-L-E?**

MS. HEDGES: Object to form.

THE WITNESS: I don't know what that is. No.

BY MS. THOMPSON:

**Q. Have you -- are you familiar with an item of clothing that the clergy sometimes wear that is a piece**



1 of material that hangs over their neck that sometimes  
2 has religious symbols on it?

3 MS. HEDGES: Object to form. Object to  
4 foundation. You can answer.

5 THE WITNESS: Yeah, I've seen -- I've seen  
6 that garment before. Yes.

7 BY MS. THOMPSON:

8 Q. Have you seen anyone outside of Broadview  
9 during protests wearing that garment?

10 MS. HEDGES: Object to form.

11 THE WITNESS: No. I have not.

12 BY MS. THOMPSON:

13 Q. In the times that you were at Broadview during  
14 Operation Midway Blitz, did you hear any people calling  
15 on officers to repent?

16 A. I do not recall hearing that.

17 Q. In Paragraph 14 -- well, let me show you what  
18 we're going to mark as Exhibit 4.

19 (Exhibit 4 was marked for  
20 identification.)

21 MS. HEDGES: Thank you. Sorry.

22 THE WITNESS: Thank you.

23 BY MS. THOMPSON:

24 Q. I'm showing you what's been marked as Exhibit  
25 4. This is a five-page document that's titled

1 Declaration of David Black. Have you seen this document  
2 before, sir?

3 A. I believe I have.

4 Q. I'm going to turn you to Page 3.

5 A. Okay.

6 Q. There's a person that's depicted in a  
7 photograph on Page 3; is that right?

8 A. Yes.

9 Q. This person is dressed like a member of the  
10 clergy?

11 MS. HEDGES: Object to form. And the  
12 photograph speaks for itself.

13 THE WITNESS: Yes.

14 BY MS. THOMPSON:

15 Q. Had -- did you see this person that's dressed  
16 like a member of the clergy, in the photograph on  
17 Paragraph 3, at any of the times that you were at  
18 Broadview?

19 MS. HEDGES: Same objections.

20 THE WITNESS: I do not recall seeing this  
21 individual, no.

22 BY MS. THOMPSON:

23 Q. Did you see any people dressed like the person  
24 in the photograph on Page 3 is dressed any of the times  
25 you were at Broadview?

1 A. I do not recall seeing anybody addressed in  
2 the same fashion.

3 Q. Thank you. I'm done with that exhibit, sir.  
4 To go back, then, to Paragraph 14.

5 MS. HEDGES: I'm sorry. Which document?

6 MS. THOMPSON: Sure. We're talking about your  
7 declaration, so that's Exhibit 3, correct?

8 BY MS. THOMPSON:

9 Q. So going back to Exhibit 3, Paragraph 14, the  
10 third sentence there says, "I have not seen any  
11 reporting, which would lead -- cause me to believe that  
12 CBP personnel have directly targeted religious observers  
13 for enforcement actions." When you're talk - - when  
14 you're using the term "reporting" in Paragraph 14, are  
15 you talking about the use of force reports that you  
16 reviewed in order to complete this declaration?

17 MS. HEDGES: Object to form.

18 THE WITNESS: Yes.

19 BY MS. THOMPSON:

20 Q. Is there any other reporting that you  
21 review -- that you relied on to complete this  
22 declaration?

23 MS. HEDGES: Object to form.

24 THE WITNESS: I'm trying to think of what  
25 other reports. We do have an event. There's a

significant event that is also reporting, but I don't recall if that was -- if I used that for this specific report as well.

BY MS. THOMPSON:

Q. Any other reporting that you were relying on to complete this declaration?

MS. HEDGES: Object to form. Asked and answered.

THE WITNESS: I don't -- I don't recall.

BY MS. THOMPSON:

Q. So when you're saying in Paragraph 14 that you haven't seen any reporting, "Which would cause me to believe that CBP personnel have directly targeted religious observers for enforcement actions," are you saying that when you looked at the use of force reports and the significant event reports that -- the significant event reports you may have looked at, that those reports didn't cause you to believe that CBP personnel have directly targeted religious observers for enforcement actions?

MS. HEDGES: Object to form. The document speaks for itself.

THE WITNESS: Correct.

BY MS. THOMPSON:

Q. Have you seen any reports that document CBP

1 personnel interacting with religious observers at all at  
2 Broadview?

3 MS. HEDGES: Object to form.

4 THE WITNESS: Not that I can recall.

5 BY MS. THOMPSON:

6 Q. Have you seen any reports that document  
7 religious observers being detained at Broadview?

8 MS. HEDGES: Same objection.

9 THE WITNESS: Not that I can recall.

10 BY MS. THOMPSON:

11 Q. Have you seen any reports that document  
12 religious observers being shot with PepperBall guns  
13 anywhere in the Northern District of Illinois as part of  
14 Operation Midway Blitz?

15 MS. HEDGES: Object to form and foundation.

16 THE WITNESS: Can you repeat the question?

17 BY MS. THOMPSON:

18 Q. Sure. Have you -- I'm going to try to repeat  
19 it, but I might restate it. Have you seen any reports  
20 that document religious observers being shot with  
21 PepperBall launchers anywhere in the Northern District  
22 of Illinois as part of Operation Midway Blitz?

23 MS. HEDGES: Same objections.

24 THE WITNESS: I -- I don't recall seeing any  
25 official CBP reports indicating that. No.

BY MS. THOMPSON:

**Q. Have you any unofficial reports?**

A. The only -- the only report that I can think of is that one declaration that just showed me, where it shows a number of clergy.

**Q. Have you seen any reports that document religious observers being shot with rubber bullets as part of Operation Midway Blitz?**

MS. HEDGES: Same objections. Form and foundation.

THE WITNESS: I do not recall.

BY MS. THOMPSON:

**Q. Have you seen any reports that document religious observers being subjected to CS gas?**

MS. HEDGES: Same --

THE WITNESS: Can you repeat the question?

Sorry.

BY MS. THOMPSON:

**Q. Sure. Have you seen any reports that document religious observers being subjected to CS gas as part of Operation Midway Blitz?**

MS. HEDGES: Same objections.

THE WITNESS: Not that I recall, no.

BY MS. THOMPSON:

**Q. I want to direct your attention to Paragraph**

1 15 of Exhibit 3. Let me have you read Paragraph 15 and  
2 just let me know when you've read it.

3 A. Okay.

4 Q. So in Paragraph 15 when you say, in part, that  
5 you haven't seen any reporting that would cause you to  
6 believe that CBP personnel have directly targeted  
7 journalists or members of the press, are you again  
8 referring to the use of force reports and the  
9 significant event reports that you testified about a  
10 moment ago?

11 MS. HEDGES: Same objection. Form.

12 THE WITNESS: Correct.

13 BY MS. THOMPSON:

14 Q. Are you referring to any other report --  
15 reporting that you relied on to prepare this declaration  
16 other than those two things in Paragraph  
17 15?

18 MS. HEDGES: Object to form. Asked and  
19 answered.

20 THE WITNESS: Not that I can recall.

21 BY MS. THOMPSON:

22 Q. In the times that you've been at Broadview and  
23 out in the field in the Northern District of Illinois as  
24 part of Operation Midway Blitz, have you seen anyone  
25 that you identify as a member of the press?

MS. HEDGES: Object to form.

THE WITNESS: I believe I have seen some individuals that were probably members of the press.

BY MS. THOMPSON:

**Q. Where? Where did you see them?**

A. I'm sorry. Can you --

**Q. Sure. I think it's your testimony that you have seen members of the press as part of your work, either at Broadview or in the field as part of Operation Midway Blitz; is that right?**

MS. HEDGES: Object to characterization of his testimony.

THE WITNESS: So I have seen members of the press at the Broadview facility.

BY MS. THOMPSON:

**Q. Have you seen members of the press the four to five times that you were out in the field in the Northern District of Illinois as part of Operation Midway Blitz?**

MS. HEDGES: Object to form.

THE WITNESS: Not that I can recall.

BY MS. THOMPSON:

**Q. When have you seen members of the press at Broadview?**



1 A. As recently as this Tuesday.

2 Q. What about before this Tuesday?

3 A. I believe I remember seeing members of the  
4 press on -- give me a second. On September 27th.

5 Q. And when you saw them on September 27th, how  
6 did you identify them as members of the press?

7 A. If I can recall, I think what was  
8 distinguishing them was the commercial-grade cameras  
9 that you would attempt to see whenever you see media  
10 out -- out in the field. I don't recall if they had any  
11 identifiers, but it was just based on the equipment that  
12 they carried, led me to believe that they were members  
13 of the press.

14 Q. The situation that you're describing, were you  
15 inside the Broadview facility looking out at protesters  
16 outside?

17 MS. HEDGES: Object to form and foundation.

18 THE WITNESS: No, ma'am. I was out in the  
19 field.

20 BY MS. THOMPSON:

21 Q. You were -- were you outside Broadview?

22 A. Yes.

23 Q. Like, out in the -- were you out in front of a  
24 crowd of people that were there?

25 A. Yes.

1 Q. And standing there, you were able to see  
2 people with commercial-grade cameras that you identified  
3 as members of the press?

4 MS. HEDGES: Object to form.

5 THE WITNESS: At different times, yes.

6 BY MS. THOMPSON:

7 Q. Any of the times that you've been at  
8 Broadview, have you seen people wearing helmets with the  
9 word, press, on them?

10 A. I don't recall.

11 Q. Have you seen any reporting that documents  
12 members of the press being arrested as part of Operation  
13 Midway Blitz?

14 MS. HEDGES: Object to form.

15 THE WITNESS: None that come to mind, no.

16 BY MS. THOMPSON:

17 Q. Have you seen any reportings that document  
18 members of the press being subjected to CS gas as part  
19 of Operation Midway Blitz?

20 MS. HEDGES: Same objection and to foundation.

21 THE WITNESS: Can you repeat the question?

22 BY MS. THOMPSON:

23 Q. Sure. Have you seen any reports that document  
24 members of the press being subjected to CS gas as part  
25 of Operation Midway Blitz?

MS. HEDGES: Same objections.

THE WITNESS: I don't recall.

BY MS. THOMPSON:

Q. Have you seen any reports that document members of the press having tear gas canisters thrown at them as part of Operation Midway Blitz?

MS. HEDGES: Same objections.

THE WITNESS: I don't recall.

BY MS. THOMPSON:

Q. All right. I want to direct you to Paragraph 16 of your declaration. I have some questions about 16, so if you want to read this Paragraph and let me know when you're done, I'll follow up with you about it.

A. Okay.

Q. Paragraph 16 describes some events that your declaration is indicating occurred on September 12th of 2025, at Broadview; is that right?

A. To the best of my knowledge, yes.

Q. Were you personally at Broadview to witness the events that you described in Paragraph 16?

A. No.

Q. Do you have any personal knowledge of the events that you're describing in Paragraph 16?

MS. HEDGES: Object to form.

THE WITNESS: Can you please define personal

knowledge?

BY MS. THOMPSON:

Q. Well, that's a good question. And let me ask you this: Have you reviewed any reports about events that occurred at Broadview on September 12th of 2025?

MS. HEDGES: Same objection.

THE WITNESS: Yes.

BY MS. THOMPSON:

Q. What reports have you reviewed?

A. I think for this specific event, I reviewed a use of force -- use of force event -- event report.

Q. Any other reports that you reviewed that document any events at Broadview on September 12th of 2025?

MS. HEDGES: Object to form.

THE WITNESS: I don't recall if there were any other reports.

BY MS. THOMPSON:

Q. Have you reviewed any video, or photographs, or audio about anything that happened at Broadview on September 12th of 2025?

MS. HEDGES: Object to form. Compound.

THE WITNESS: I don't recall specifically. No.

BY MS. THOMPSON:

Q. Paragraph 16 is describing a PepperBall

1 launching system being deployed in the direction of the  
2 driveway at Broadview on September 12th, 2025, correct?

3 MS. HEDGES: Objection, because the document  
4 speaks for itself.

5 THE WITNESS: Correct.

6 BY MS. THOMPSON:

7 Q. And is it your opinion that the use of force  
8 that's described in Paragraph 16 was justified?

9 MS. HEDGES: Object to form.

10 THE WITNESS: Yes.

11 BY MS. THOMPSON:

12 Q. Do you have any information about why this use  
13 of force was justified other than what you've set out in  
14 Paragraph 16?

15 MS. HEDGES: Object to form. Vague.

16 THE WITNESS: Yeah. Can you repeat that  
17 question?

18 BY MS. THOMPSON:

19 Q. Sure. Do you have any information that  
20 justifies the use of force that's described in Paragraph  
21 16, other than what you've set out in Paragraph 16?

22 MS. HEDGES: Same objection.

23 THE WITNESS: Other than the use of force  
24 report that I reviewed to compile this, is that the  
25 -- is that what you're asking?

BY MS. THOMPSON:

Q. Well, and I appreciate that clarification.  
So is it your testimony that your opinion that the use  
of force that you've described in Paragraph 16 was  
justified, is based in part on the report you looked at?

MS. HEDGES: Object to form.

THE WITNESS: Yes.

BY MS. THOMPSON:

Q. Is it based on anything else?

A. Not that I can recall.

Q. And is it your opinion that the use of force  
you're describing in Paragraph 16 was justified under  
Customs and Border Protection policies?

MS. HEDGES: Object to form.

THE WITNESS: I have not received any reports  
indicating that it was not.

BY MS. THOMPSON:

Q. In Paragraph 16, you state in part that SRT  
operators verbally instructed the crowd to clear the  
vehicle path for safety. That is about Line 9. Do you  
see that?

MS. HEDGES: Object to form, because it says  
officer safety. I just wanted to clarify.

MS. THOMPSON: I appreciate that  
clarification.

THE WITNESS: Yes --

MS. THOMPSON: -- that's correct.

THE WITNESS: I do see that line.

BY MS. THOMPSON:

Q. Okay. It says after the line that we just looked at, that several individuals refused to comply. Do you see that?

A. Yes.

Q. How many people is several?

A. More than one.

Q. After that line, you have a line here that says that a PLS is not a precision tool and it cannot be meaningfully used to target an individual's person. Do you see that?

A. Yes.

Q. What does it mean? That it cannot be meaningfully used to target an individual's person?

A. The PLS does not have the same nomenclature as a firearm, where the precise marksmanship, it's not -- it's not a one for one comparison. So that was my explanation of it. It's not -- it's not a precise tool, like a firearm would be.

Q. Does that mean that if I am trying to shoot someone with a firearm, I can aim at them, but a PepperBall launcher is not as precise?

MS. HEDGES: Objective to form. Compound.

THE WITNESS: That's not on -- what I'm referring to, ma'am. So firearms have a rifling in the -- in the barrel that help -- that help with the direction of a bullet. My understanding that a PLS does not have the same rifle -- rifling because a PLS -- a PLS device is actually plastic with no grooves that -- that -- when it gets expended.

BY MS. THOMPSON:

**Q. Right. And so the rifling in a firearm that you just described is so that you can accurately aim the firearm at the target, correct?**

MS. HEDGES: Object to form.

THE WITNESS: Correct.

BY MS. THOMPSON:

**Q. But as you say in Paragraph 16, a PepperBall launching system cannot be meaningfully used to target a person, correct?**

A. Correct.

**Q. So if someone is trying to use a PepperBall launching system to disperse people that are at a distance, the PepperBall launching system may not go where the shooter intends, correct?**

MS. HEDGES: Objective form and foundation as to what some hypothetical person intends.



THE WITNESS: That is a possibility.

BY MS. THOMPSON:

Q. And is it possible for the person in Paragraph 16 who fired the PepperBall launching system, but didn't -- did not observe any kinetic impact, that they did not observe kinetic impact because they didn't know where the PepperBalls had gone?

MS. HEDGES: Object to form. Object to foundation.

THE WITNESS: I would be speculating at that point, ma'am. Or can you -- can you repeat the question? I don't want to speculate on --

BY MS. THOMPSON:

Q. Well, let me ask you this question. Did -- do you know why the person who shot the PepperBall launching system in Paragraph 16 did not observe any kinetic impact on members of the crowd from the deployment?

MS. HEDGES: Object to lack of foundation.

THE WITNESS: Yeah. I -- I can't speak to that. No.

BY MS. THOMPSON:

Q. Are you saying you -- you don't know?

A. No. I -- I -- I -- I don't know why -- I -- I can't speak for that individual operator that

1 deployed the PLS.

2 Q. For the events that you're describing in  
3 Paragraph 16, would you be notified if the Office of  
4 Professional Responsibility were investigating this  
5 incident?

6 MS. HEDGES: Object to form.

7 THE WITNESS: Not necessarily.

8 BY MS. THOMPSON:

9 Q. Have you been notified whether the Office of  
10 Professional Responsibility is investigating this  
11 incident?

12 A. I have not been made aware.

13 Q. All right. I want to direct you to Paragraph  
14 17 now. If you need to read it first, let me know when  
15 you've done that.

16 A. Okay.

17 Q. Were you at Broadview for the events that you  
18 described on September 19th, 2025, in Paragraph 17?

19 A. No.

20 Q. And do you have personal knowledge of what  
21 happened at Broadview on September 19th of 2025, that  
22 you've discussed in Paragraph 17?

23 MS. HEDGES: Objection to form.

24 THE WITNESS: Can you please clarify once  
25 again on personal knowledge?

1 BY MS. THOMPSON:

2 Q. Well, what information did you rely on to  
3 describe the events that you've described in Paragraph  
4 17?

5 A. If not mistaken, I believe it was in an  
6 evolving event report that I -- that I read.

7 Q. Have you seen any video, or audio, or  
8 photographs of anything that happened at Broadview on  
9 September 19th, 2025?

10 MS. HEDGES: Object to form.

11 THE WITNESS: I don't remember specifically.

12 BY MS. THOMPSON:

13 Q. Have you talked directly to any CBP personnel  
14 who were present for the events that you've described in  
15 Paragraph 17?

16 A. I personally have not.

17 Q. In Paragraph 17, you describe Border Patrol  
18 agents discharging less lethal munitions.  
19 That's a -- or -- Line 6 and 7. Do you see that?

20 A. Yes.

21 Q. What less lethal munitions did they discharge?

22 MS. HEDGES: Object to form and foundations.  
23 You can answer if you know.

24 THE WITNESS: Yeah -- no, I -- I don't recall  
25 exactly which -- which type of less lethal

munitions were deployed.

BY MS. THOMPSON:

**Q. Where did they deploy them?**

MS. HEDGES: Again object to foundation.

You can answer if you know.

THE WITNESS: I -- I don't recall.

BY MS. THOMPSON:

**Q. Do you know how they were deployed?**

A. I don't recall the various methods that the -- that were used to deploy the less lethal, no.

**Q. Was the use of force that is described in Paragraph 17 justified?**

MS. HEDGES: Object to form. Object to foundation.

THE WITNESS: I believe so. Yes.

BY MS. THOMPSON:

**Q. And what factors justify the use of force that's described in Paragraph 17?**

MS. HEDGES: Same objections.

THE WITNESS: So for example in this one particular case, I think it's on the third line says, "Several individuals obstructed the vehicle's movement and began hitting and pushing the vehicle."

BY MS. THOMPSON:

1 Q. Are -- do you have any justification for the  
2 use of force that's described in Paragraph 17 other than  
3 what you laid out in Paragraph 17?

4 MS. HEDGES: Object to form.

5 THE WITNESS: Not that I can recall, no.

6 BY MS. THOMPSON:

7 Q. Do you know whether the use of force that  
8 you've described in Paragraph 17 was justified under  
9 Customs and Border Protection Policies?

10 MS. HEDGES: Object to form. Object to  
11 foundation.

12 THE WITNESS: I have been not -- I have not  
13 been informed that it hasn't.

14 BY MS. THOMPSON:

15 Q. And have you received any information that the  
16 Office of Professional Responsibility is investigating  
17 the events that are described in Paragraph 17?

18 MS. HEDGES: I'm sorry, I apologize. Would  
19 you mind reading that back?

20 THE REPORTER: Oh, yeah.

21 (The requested question was read back.)

22 MS. HEDGES: Thank you. You can answer.

23 THE WITNESS: I have not.

24 BY MS. THOMPSON:

25 Q. Okay. Let's go to Paragraph 18. Let me know

when you've read that Paragraph.

A. Okay.

Q. Paragraph 18 describes, again, less lethal munitions being deployed; is that right?

A. Correct.

Q. What less lethal munitions were deployed?

MS. HEDGES: Object to form and foundation.

THE WITNESS: I -- I don't recall exactly which less lethal munitions were deployed.

BY MS. THOMPSON:

Q. Do you know how they were deployed?

MS. HEDGES: Same objections.

THE WITNESS: I do not.

BY MS. THOMPSON:

Q. Do you know where they were deployed?

A. I do not recall.

Q. What information are you relying on to describe the events that you laid out in Paragraph 18?

A. Not mistaken for Paragraph 18, it was a use of force report that I relied on for this specific section.

Q. Is there any other information you're relying on besides that use of force report?

A. I cannot recall. Sorry.

Q. Do you know whether the use of force that's described in Paragraph 18 was justified?

MS. HEDGES: Object to form and foundation.

THE WITNESS: I have not received any  
indication that it was not.

BY MS. THOMPSON:

**Q. I'm going to ask you about Paragraphs 19  
through 21. If you need to read those first, do that,  
and let me know when you're done?**

MS. THOMPSON: And while you're doing that,  
can you let me know where we are in time?

THE REPORTER: One hour, 32 minutes, 15  
seconds.

MS. THOMPSON: Thanks.

THE WITNESS: Okay.

BY MS. THOMPSON:

**Q. Did you personally witness any of the events  
that you described in Paragraphs 19 through 21?**

A. Can you please clarify on personally witness?

**Q. Yeah. Were you there for anything that you  
described in Paragraphs 19 through 21?**

MS. HEDGES: Objection. Vague as to "there."

THE WITNESS: No.

BY MS. THOMPSON:

**Q. What information are you relying on for the  
information you've given in those Paragraphs?**

A. For these Paragraphs, if I can -- if I

remember correctly, it was a use of force event report.

**Q. Have you seen any audio or -- let me ask that again. Have you seen any video or photographs that depict anything that happened at Broadview at any point on September 19th, 2025?**

MS. HEDGES: Objection to form. Compound.

THE WITNESS: I don't recall if the videos that I've seen is specifically for September 19th.  
BY MS. THOMPSON:

**Q. Do you think it's possible you've seen helicopter video footage that was filmed on September 19th of 2025?**

MS. HEDGES: Objection to form.

THE WITNESS: I don't recall if it was --  
I -- I don't recall.  
BY MS. THOMPSON:

**Q. Have you seen any other video depicting events that have occurred anywhere in Operation Midway Blitz other than video that's from the overhead helicopter?**

MS. HEDGES: Objection to form. Objection to lack of foundation.

THE WITNESS: So -- so I have -- yes, I have seen video. I just can't recall if it's specifically to this event on September 19th at that specific time.



BY MS. THOMPSON:

**Q. What's the source of the video that you have seen about Operation Midway Blitz?**

MS. HEDGES: Objection to form. Vague as to "source."

THE WITNESS: And can you repeat that question one more time?

BY MS. THOMPSON:

**Q. Yeah. What's -- what kind of video have you seen that depicts anything that's happened with Operation Midway Blitz besides helicopter video?**

MS. HEDGES: Object to form.

THE WITNESS: So I have seen some body-worn camera footage and we also have small drones that provide aerial coverage.

BY MS. THOMPSON:

**Q. As you sit here, do you remember what events -- well, let me ask you this: How many different body-worn camera -- body-worn cameras footage have you seen related to Operation Midway Blitz?**

MS. HEDGES: Objection to form.

THE WITNESS: I can't -- I can't recall exactly how many body-worn camera footage I've seen.

BY MS. THOMPSON:

1 Q. Is it more than one?

2 A. Yes.

3 Q. Is it more than ten?

4 MS. HEDGES: Objection to form. He said he  
5 didn't remember the number.

6 THE WITNESS: I -- I -- I truly can't recall  
7 exactly what that number is.

8 BY MS. THOMPSON:

9 Q. How many hours of body-worn camera footage  
10 have you viewed related to Operation Midway Blitz?

11 MS. HEDGES: Same objection.

12 THE WITNESS: I can't recall. I can't -- I  
13 can't put a time to that. No.

14 BY MS. THOMPSON:

15 Q. Is it less than five hours?

16 MS. HEDGES: Same objection. Asked and  
17 answered.

18 THE WITNESS: I -- I can't put a definitive.  
19 I'm sorry.

20 BY MS. THOMPSON:

21 Q. You have no idea?

22 MS. HEDGES: Same objection.

23 THE WITNESS: I -- I can't tell you  
24 specifically how long -- how much time I spent on  
25 video -- video footage. No.

BY MS. THOMPSON:

**Q. Can you estimate at all?**

MS. HEDGES: Asked and answered.

THE WITNESS: I can't.

BY MS. THOMPSON:

**Q. How many hours of small drone footage have you seen related to Operation Midway Blitz?**

MS. HEDGES: Object to form. Object to foundation.

THE WITNESS: I can't recall the exact amount of footage that I've seen.

BY MS. THOMPSON:

**Q. Can you give any estimate?**

MS. HEDGES: Same objection. Asked and answered.

THE WITNESS: I can't.

BY MS. THOMPSON:

**Q. How many hours of overhead helicopter footage have you watched related to Operation Midway Blitz?**

MS. HEDGES: Object to form.

THE WITNESS: Same, ma'am. I can't recall exactly how much time I've spent reviewing footage.

BY MS. THOMPSON:

**Q. And you cannot give me any estimate?**

MS. HEDGES: Same objection.

THE WITNESS: It -- I -- I can't.

BY MS. THOMPSON:

Q. Okay. Going back to these Paragraphs 19 through 21, again, these Paragraphs describe less lethal munitions being deployed; is that right?

A. Yes.

Q. You don't know what munitions these were?

A. I don't recall.

Q. You don't know where they were deployed?

A. I don't recall.

Q. You don't know how they were deployed?

A. I don't recall.

Q. And do you know whether the use of force that's described in Paragraphs 19 through 21 was justified?

MS. HEDGES: Objection to form. I don't know that he's testified that there was a "use of force."

THE WITNESS: I have not received anything indicating otherwise.

BY MS. THOMPSON:

Q. Are you relying on any information to make that determination other than the report that you reviewed about these events that you described earlier?

MS. HEDGES: Object to form.

THE WITNESS: I don't remember there was anything else other than the use of force report, ma'am.

BY MS. THOMPSON:

Q. All right. I'm going to direct you to Paragraph 22, and I'll have you read Paragraph 23 as well.

A. Okay.

Q. You were not at Broadview on September 26th of 2025?

A. That is correct.

Q. You yourself didn't see the events that you describe in Paragraphs 22 and 23?

A. I was not personally there.

Q. What are you -- well, did you watch any video of these events?

A. I don't remember if I watched specific video for this specific event.

Q. Have you seen any reports about these events?

MS. HEDGES: Object to form.

THE WITNESS: I believe I reviewed a use of force event -- report for this event.

BY MS. THOMPSON:

Q. Have you reviewed any other reports about these events that are described in Paragraphs 22 and

23?

MS. HEDGES: Same objection.

THE WITNESS: I don't recall there was --

I -- I don't recall if there was any other reports, no.

BY MS. THOMPSON:

**Q. These paragraphs describe Border Patrol Tactical Unit or BORTAC officers using less lethal munitions; is that right?**

A. Yes.

**Q. What less lethal munitions did they use?**

MS. HEDGES: Object to form. Object to foundation.

THE WITNESS: I don't recall exactly which specific less lethal munitions they used.

BY MS. THOMPSON:

**Q. How did they deploy them?**

MS. HEDGES: Same objections.

THE WITNESS: I do not recall.

BY MS. THOMPSON:

**Q. Where were they deployed?**

MS. HEDGES: Same objections.

THE WITNESS: I do not recall.

BY MS. THOMPSON:

**Q. Do you know whether the use of force that's**

described in Paragraphs 22 and 23 was justified?

MS. HEDGES: Same objections, and I don't think I heard him say he views this as a use of force, so object to lack of foundation.

THE WITNESS: I have not received any reports that indicate otherwise.

MS. HEDGES: Counsel, when you reach a logical spot, we've been going for an hour.

MS. THOMPSON: Thanks. Let me just finish on this, and then we'll --

MS. HEDGES: Sure.

MS. THOMPSON: -- on this topic, and then -- or this event, and then we'll break.

MS. HEDGES: Sure.

BY MS. THOMPSON:

**Q. Do you know whether the use of force that you described in Paragraphs 22 and 23 was justified under Customs and Border Protection policies?**

MS. HEDGES: Object to form. Object to foundation.

THE WITNESS: I have not been in informed otherwise, no.

BY MS. THOMPSON:

**Q. All right. And do you know how many people in the events you described in Paragraph 22 and 23 were**

1 obstructing the intersection of 25th Street and Harvard  
2 Street?

3 MS. HEDGES: Object to form because the  
4 document speaks for itself.

5 THE WITNESS: I -- I don't recall exactly how  
6 many specific people were obstructing.

7 BY MS. THOMPSON:

8 Q. Do you know whether any warnings were given to  
9 people to disperse in the events that you described in  
10 Paragraph 22 and 23?

11 A. Can you repeat the question, please?

12 Q. Sure. Do you know whether any warnings to  
13 disperse were given to any of the people described in  
14 Paragraph 22 and 23?

15 A. From my review of report -- of the report, I  
16 believe there was, but I can't say for certain.

17 Q. Do you know how that warning was given?

18 A. I cannot recall.

19 Q. Do you know who gave it?

20 A. I do not recall.

21 Q. And for any of the events that we've talked  
22 about so far in your deposition that you set out in your  
23 declaration, have you discussed any of those events with  
24 Chief Bovino?

25 A. Can you repeat the question?



1 Q. Sure. For any of the events described in your  
2 declaration that we've talked about so far in this  
3 deposition, have you discussed any of those events with  
4 Chief Bovino?

5 MS. HEDGES: Object to form.

6 THE WITNESS: I don't remember if we  
7 discussed, but I'm more -- more certain than not I  
8 informed him of the situation.

9 BY MS. THOMPSON:

10 Q. Which of the situations that we've talked  
11 about so far did you inform him about?

12 A. I can't recall.

13 Q. When did you inform him about it?

14 MS. HEDGES: Object to form because he said he  
15 didn't recall.

16 THE WITNESS: I can't recall.

17 BY MS. THOMPSON:

18 Q. Did you inform him about it after the fact?

19 MS. HEDGES: Same objection. Asked and  
20 answered.

21 THE WITNESS: I can't recall.

22 BY MS. THOMPSON:

23 Q. Did you inform him about it after you read a  
24 report about it?

25 MS. HEDGES: Asked and answered. Same

objection.

THE WITNESS: I can't recall.

BY MS. THOMPSON:

**Q. Did you discuss any of the events that we've talked about so far in this deposition that you describe in your declaration with Secretary Noem?**

MS. HEDGES: Object to form. Asked and answered. Sorry, not asked and answered. Object to form.

THE WITNESS: No.

MS. THOMPSON: I think it's a good time for a break, then.

THE VIDEOGRAPHER: Okay. We're going to go off the record. The time is 12:01.

(A recess was taken.)

THE VIDEOGRAPHER: We're back on the record and the time is 12:18.

BY MS. THOMPSON:

**Q. I want to jump ahead a little bit, sir, in your declaration, so I'm going to direct you to Paragraph 74. Let me know when you've turned there.**

A. Okay.

**Q. You indicate in Paragraph 74 your belief that the temporary restraining order in this case is adversely affecting CBP law enforcement operations. Is**

1 that your belief?

2 A. Yes.

3 Q. What is the basis for your belief that the  
4 temporary restraining order is adversely affecting CBP  
5 law enforcement operations?

6 A. Sure. So in this statement, I believe that  
7 the TRO is causing hesitation, hesitation to use, in  
8 this particular case, less lethal munitions.

9 Q. What is the basis for your belief that it's  
10 causing hesitation?

11 A. It's based on -- I can't recall exactly the  
12 date that this happened, but there was a recent event  
13 where a large crowd overwhelmed my agents, began  
14 throwing projectiles at them. I don't recall if they  
15 broke a window, but definitely slashed a tire of one of  
16 our vehicles. And they -- they did not deploy less  
17 lethal because they were fearing that they would have  
18 been held in contempt.

19 Q. How do you know that those officers didn't  
20 deploy less lethal because they feared they'd be held in  
21 contempt?

22 MS. HEDGES: Object to form.

23 THE WITNESS: Their supervisor informed me of  
24 that.

25 BY MS. THOMPSON:

1 Q. Who was that?

2 A. I can't recall his -- he's the SRT commander.  
3 I don't recall his name.

4 Q. How did he inform you about that?

5 MS. HEDGES: Object to form.

6 THE WITNESS: After that event, we had a -- a  
7 quick conversation to find out basically, like, a  
8 hot wash, and in that he -- he had shared that  
9 concern with me.

10 BY MS. THOMPSON:

11 Q. What is a "hot wash"?

12 A. It's just a quick recap of the event that  
13 transpired.

14 Q. Was this a phone conversation?

15 MS. HEDGES: Object to form.

16 THE WITNESS: This was an in-person  
17 conversation.

18 BY MS. THOMPSON:

19 Q. Did the supervisor -- or excuse me, did the  
20 SRT commander tell you why he believed that his agents  
21 didn't deploy because they were concerned about being  
22 held in contempt?

23 A. Can you repeat that question please?

24 Q. Sure. Did the SRT commander tell you why he  
25 believed that the officers had -- what the basis was for

1 his belief that the officers had hesitated because they  
2 were worried about contempt?

3 MS. HEDGES: Object to form.

4 THE WITNESS: What the supervisor shared with  
5 me was based on the conversations he had with his  
6 operators.

7 BY MS. THOMPSON:

8 Q. Did the operators tell him that they hesitated  
9 because they were worried about being held in contempt?

10 MS. HEDGES: Object to form. Object to lack  
11 of foundation.

12 THE WITNESS: That is what the supervisor  
13 shared with me.

14 BY MS. THOMPSON:

15 Q. Your -- well, let me ask you this. Is your  
16 belief that -- that CBP personnel are improperly  
17 hesitating based on anything other than the conversation  
18 with the SRT commander you just described?

19 MS. HEDGES: Object to form.

20 THE WITNESS: No, that has also been a shared  
21 concern that has been brought to my attention from  
22 other supervisors.

23 BY MS. THOMPSON:

24 Q. Who else has brought that concern to you?

25 A. It's been numerous supervisors. I can't

recall exactly who or the names, but it's been numerous supervisors that have shared that concern with me.

**Q. When did they share that concern with you?**

A. I don't recall exactly when, but it's -- it's been recent conversations since -- since the TRO was -- was issued.

**Q. Recent like in the last couple of days?**

A. No. I think further -- further back, if I recall, but I can't give you a specific -- if it was -- I'm trying to think of -- I'm trying to think of that -- that event that transpired. That would kind of give me a timeline, but I can't recall the exact date that that happened.

**Q. When you're talking about the event that would give you the timeline, is that the event you described a minute ago where there were slashed tires and a large -- the officers were overwhelmed?**

MS. HEDGES: Object to form. Mischaracterizes testimony.

THE WITNESS: So I believe that event was -- led to several conversations of concerns that our agents had about deploying less lethal munitions.

BY MS. THOMPSON:

**Q. In any of those conversations, has any supervisor told you about any other specific events**

1 where they believe there was improper hesitation?

2 MS. HEDGES: Object to form.

3 THE WITNESS: If I remember our -- my  
4 conversation correctly, it wasn't -- I don't  
5 believe there was a specific event that was being  
6 shared with me with the exception of this -- of  
7 this event that I was talking about with the  
8 slashed tires.

9 BY MS. THOMPSON:

10 Q. In the event -- and I just want to make sure I  
11 understand your testimony. Is it your testimony that  
12 you don't recall specifically when or where that event  
13 with the slashed tires occurred?

14 A. So I don't remember the -- the date. I  
15 remember the event. I don't recall the date that it  
16 transpired.

17 Q. Do you know where that event happened?

18 A. I don't recall the location of that event.

19 Q. Were -- well, let me ask you this: I mean, as  
20 part of the use of force policy that CBP has, CBP  
21 personnel are supposed to make a determination about  
22 whether a particular level of force is required, right?

23 MS. HEDGES: I'm sorry, would you read that  
24 back?

25 THE REPORTER: Yeah.

(The requested question was read back.)

MS. HEDGES: Object to the form, and I'm going to ask if you ask a question about something specific in here that you direct him to the page that you're referring to. But I will let you answer that question.

THE WITNESS: So the -- the -- yes, the individual officer or agent is responsible for making a determination of the type of force he or she objectively believes is reasonable.

BY MS. THOMPSON:

**Q. And that policy and the consideration of what force is reasonable does require the officers to think about the situation before they deploy force, correct?**

MS. HEDGES: Object to form.

THE WITNESS: That is one factor.

BY MS. THOMPSON:

**Q. Can you give me any specific examples of any way in which Customs and Border Protection personnel that are working as part of Operation Midway Blitz have altered their mechanism for immigration enforcement as a result of the TRO?**

MS. HEDGES: Object to form.

THE WITNESS: Could -- could you please repeat that one more time?



BY MS. THOMPSON:

Q. Sure. Can you give me any specific examples of any way in which Custom [sic] and Border Protection personnel that are working in Operation Midway Blitz have altered the mechanisms for immigration enforcement that they use as a result of the Temporary Restraining Order?

MS. HEDGES: Same objection and vague.

THE WITNESS: Without -- without getting into tactics, we have had to increase our size of security at times.

BY MS. THOMPSON:

Q. Can you give me examples of any times in which you had to increase size of security?

MS. HEDGES: And just before you answer, exclude from your answer any information that has -- that would reveal law enforcement privileged or classified information that you know.

THE WITNESS: Can't give you a specific.

BY MS. THOMPSON:

Q. Can you not give me a specific because you're following your counsel's advice not to reveal information protected by the privileges she described?

A. No.

Q. Or do you have any other examples of any way

1 in which the Temporary Restraining Order has changed the  
2 way Customs and Border Protection enforces immigration  
3 law as part of Operation Midway Blitz?

4 MS. HEDGES: Object to form. Misstates  
5 testimony.

6 THE WITNESS: Can you repeat the question?

7 BY MS. THOMPSON:

8 Q. Sure. Can you give me any other examples of  
9 any way in which the Temporary Restraining Order in this  
10 case has altered the way that Customs and Border  
11 Protection officers enforce immigration law as part of  
12 Operation Midway Blitz?

13 MS. HEDGES: Same objections.

14 THE WITNESS: No examples that come to mind at  
15 the moment.

16 BY MS. THOMPSON:

17 Q. Have you, yourself, read the Modified  
18 Temporary Restraining Order that was entered in this  
19 case?

20 MS. HEDGES: Object to form, because there  
21 have been more than one. If you could, specify.

22 BY MS. THOMPSON:

23 Q. I'm asking about the Modified Temporary  
24 Restraining Order that was entered on October 17th of  
25 2025.

A. Yes, I have read that.

Q. Did you read -- have you read any of the other temporary restraining orders that were entered by the judge in this case?

A. Yes.

Q. Do you have any other evidence, other than what you've already told me in this deposition, that the Temporary Restraining Order in this case is adversely affecting Customs and Border Protection enforcement operations as part of Operation Midway Blitz?

MS. HEDGES: Object to form and foundation.

THE WITNESS: Can you repeat the question, please?

BY MS. THOMPSON:

Q. Sure. Can you -- other than what you've already told me in this deposition, can you give me any other evidence that the Temporary Restraining Order in this case is adversely affecting Customs and Border Protection enforcement operations as part of Operation Midway Blitz?

MS. HEDGES: Same objections.

THE WITNESS: None that I can think of at the moment. No.

BY MS. THOMPSON:

Q. Isn't it true that Custom and Border

1 Protection's enforcement activities have not been  
2 impacted by this Temporary Restraining Order?

3 MS. HEDGES: Object to form.

4 THE WITNESS: I don't agree with that  
5 statement. No.

6 BY MS. THOMPSON:

7 Q. Have you discussed the impact of this  
8 Temporary Restraining Order with Chief Bovino?

9 MS. HEDGES: Object to form. Vague as to  
10 "impact."

11 THE WITNESS: I might have shared. And I  
12 can't recall -- I can't say certain to -- about the  
13 hesitation that my agents have with using less  
14 lethal.

15 BY MS. THOMPSON:

16 Q. When did you share that?

17 MS. HEDGES: Object to form.

18 THE WITNESS: I can't recall when.

19 BY MS. THOMPSON:

20 Q. How did you share that?

21 MS. HEDGES: Same objection.

22 THE WITNESS: I don't remember.

23 BY MS. THOMPSON:

24 Q. Have you discussed the impact of this  
25 Temporary Restraining Order with Secretary Noem?

MS. HEDGES: Object to form. Object as to vagueness. And exclude from your answer any information that would reveal executive privileged information.

THE WITNESS: The answer is no.

BY MS. THOMPSON:

Q. I want to go back to -- I want to go back up in your declaration to where we were before. And I'm going to take you to Paragraph 24. And let me just ask you: I think you told me earlier that you were at Broadview on September 27th, 2025; is that right?

A. Correct.

Q. Were you present for any of the events that you've described occurring at Broadview on September 27th, 2025, in Paragraphs 24 through 27?

MS. HEDGES: Object to form.

THE WITNESS: I don't believe I was present for the events in Paragraph 24. But from Paragraph 25 through 27, yes.

BY MS. THOMPSON:

Q. Did you personally witness the things that you've described in Paragraph 25 through 27?

A. Yes.

Q. Where did you get the information that you included in Paragraph 24?

1 A. I don't recall if it was an evolving situation  
2 report or a use of force report. I don't recall exactly  
3 where I got this specific section.

4 Q. Have you ever seen any video that depicts the  
5 events that you've described in Paragraph 24?

6 MS. HEDGES: Object to form.

7 THE WITNESS: I believe I was observing aerial  
8 footage provided by our helicopter.

9 BY MS. THOMPSON:

10 Q. In Paragraph 26, you talk about dispersal  
11 announcements being made over the loudspeaker of a  
12 BearCat vehicle. Do you see that?

13 A. Yes.

14 Q. In general, during its enforcement activities,  
15 I mean, CBP personnel have the option to give dispersal  
16 orders using a bullhorn or a loudspeaker where they have  
17 that equipment, right?

18 MS. HEDGES: Object to form and foundation.

19 THE WITNESS: That -- can you repeat that?

20 BY MS. THOMPSON:

21 Q. Sure. I mean, one of the mechanisms that CBP  
22 personnel in Operation Midway Blitz can use to  
23 communicate dispersal orders is using a bullhorn or a  
24 loudspeaker, right?

25 MS. HEDGES: Object to form.

THE WITNESS: It's not always available. No.

BY MS. THOMPSON:

Q. There's nothing stopping CBP personnel from bringing a bullhorn with them in vehicles that they use out in the field, right?

MS. HEDGES: Object to form and foundation.

THE WITNESS: That's assuming we have access to bullhorns.

BY MS. THOMPSON:

Q. Bullhorns are an object that can be purchased in the world, right?

MS. HEDGES: Object to form.

THE WITNESS: We're in a government shutdown, ma'am, right now, so it's -- it's tough on the procurement process.

BY MS. THOMPSON:

Q. Do any CBP personnel carry bullhorns as part of their work?

MS. HEDGES: Objection. Lack of foundation.

THE WITNESS: I'm -- I'm not aware.

BY MS. THOMPSON:

Q. And in the events that are described in Paragraph 26, there was a loudspeaker that was available to give a dispersal order; is that right?

A. Yes.

Q. In -- well, let me ask you this: The use of force that you described being used while you were at Broadview on September 27th of 2025, do you have an opinion on whether that use of force was justified?

MS. HEDGES: Object to form and foundation. Misstates testimony.

THE WITNESS: There was nothing here that would lead me to believe that it wasn't.

BY MS. THOMPSON:

Q. Are there -- is there any information you're relying on to conclude that the use of force that you described in Paragraph 26 and 27 was justified other than the information that you've provided in the declaration itself?

MS. HEDGES: Same objections. I don't -- I don't recall hearing him say that it was a use of force. So object to foundation. But you can answer.

THE WITNESS: Can -- can you repeat that question?

BY MS. THOMPSON:

Q. Sure. And let me state that in a better way. The use of force that's described in Paragraphs 25 through 27 of your declaration, do you have any information you're relying on to conclude that that use



1 of force was justified other than the information that's  
2 contained in those Paragraphs themselves?

3 MS. HEDGES: Same objections.

4 THE WITNESS: I don't remember if I've read  
5 any other additional reports for this -- for these  
6 specific paragraphs.

7 BY MS. THOMPSON:

8 Q. Is it relevant to your determination about  
9 whether force was justified in the events you described  
10 in Paragraphs 25 to 27, that people in the crowd were  
11 saying -- and I'm sorry for using this language, saying,  
12 "fuck ICE"?

13 MS. HEDGES: Same objection. Lack of  
14 foundation.

15 THE WITNESS: And can you -- can you repeat  
16 that question?

17 BY MS. THOMPSON:

18 Q. Sure. Is it relevant to your assessment of  
19 whether or not the use of force was justified, that's  
20 described in Paragraphs 25 to 27, that people in the  
21 crowd were saying, "fuck ICE"?

22 MS. HEDGES: Same objections.

23 THE WITNESS: So I just want to make sure  
24 I'm -- I'm understanding your question, if you're  
25 asking me that we deployed less -- we deployed less

lethal because of these words. Is that -- is that where -- is that the question? I just want to make sure I'm answering correctly.

BY MS. THOMPSON:

**Q. Well, I'm asking you if it's relevant to a determination whether the use of force was justified or not, that people were saying, "fuck ICE"?**

MS. HEDGES: Object to form.

THE WITNESS: It potentially could be relevant.

BY MS. THOMPSON:

**Q. How?**

A. So you have to take the totality of the circumstances at -- at hand. And so depending on the level of aggression and -- and directed threats to my agents, that would be a factor, maybe not the factor.

**Q. Do you consider the term "fuck ICE" to be a threatening term?**

A. No, ma'am.

**Q. Since the Unified Command took over crowd control at Broadview, have any federal officers assigned to Broadview deployed chemical munitions there?**

MS. HEDGES: Object to form. Object to foundation as to taking over.

THE WITNESS: To the best -- to the best of my

knowledge, no.

BY MS. THOMPSON:

Q. Other than the events of September 27th of 2025, that we just talked about that you were personally present for, are there any other events that occurred at Broadview that you've described in your declaration that you were personally present for?

MS. HEDGES: Object to form.

THE WITNESS: Can you repeat that question, please?

BY MS. THOMPSON:

Q. Sure. Other than the events of September 27th that we've talked about just a minute ago, are there any other events that occurred at Broadview that you describe in your declaration that you were personally present for?

MS. HEDGES: Object to form. Asked and answered.

THE WITNESS: I believe I was at Broadview on October 4th.

BY MS. THOMPSON:

Q. Are there events on October 4th that occurred at Broadview that you describe in your declaration?

A. I'm sorry. Can you repeat the question?

Q. You know what? I'm going to move on. I'm

going to direct you to Paragraph --

MS. HEDGES: Sorry. Just to be clear, you're withdrawing the question?

MS. THOMPSON: Yeah, I'll withdraw the question. Let's move on.

BY MS. THOMPSON:

**Q. I'm going to direct you to Paragraph 35.**

MS. HEDGES: Which is in here.

MS. THOMPSON: Where are we at?

THE REPORTER: Two hours, five minutes at least.

MS. THOMPSON: Okay.

BY MS. THOMPSON:

**Q. Let me know when you're there, sir.**

A. Okay.

MS. HEDGES: Hold this one, just so we're separate. Uh-huh.

BY MS. THOMPSON:

**Q. Okay.**

A. Okay.

**Q. This morning, just somewhere separate. Okay.**

If you need to look at the affidavit to answer this question, that's fine. But when did the events occur that you're referencing in Paragraph 35?

A. This date's on October 3rd.

Q. In Paragraph 35?

A. Sorry, you're asking the -- the date that what I'm -- the date of Paragraph 35?

Q. Yes. Those events?

A. Yes.

Q. Okay. That is October 3rd?

A. To the best of my knowledge, yes.

Q. Okay. In Paragraph 35, you reference an agent deploying two baton strikes on the motorcycle away from the individual. That's at the third to last and second to last lines in Paragraph 35. Do you see that?

A. Yes.

Q. What's the basis for your understanding that the agent deployed baton strikes away from the individual?

A. I'm sorry?

Q. Sure. What's the basis for your understanding that in the events you described in Paragraph 35, the agent deployed motorcycle -- deployed baton strikes away from the individual?

A. I don't remember if it was a use of force report that I read or if it was in a -- an event report.

Q. Are you relying on a report for the information you've included in Paragraph 35?

MS. HEDGES: Object to form.

THE WITNESS: Yes.

BY MS. THOMPSON:

Q. I am going to direct your attention to Paragraph 41. Paragraph 41 through 42 describe some events that occurred where, as you describe in this declaration, there was a collision and then there were people that converged at three separate locations near the scene of the shooting. And I'm paraphrasing what those Paragraphs say, but that's what those -- in general terms, that's the events that are describing this -- in these two Paragraphs 41 and 42, right?

MS. HEDGES: Object to form. Document speaks for itself.

THE WITNESS: Yes.

BY MS. THOMPSON:

Q. Were you present on the scene for any of the events that are described in Paragraphs 41 and 42?

A. No, I was not present.

Q. Do you know what neighborhood of Chicago or what neighborhood anywhere in the Northern District of Illinois, these events that are described in 41 and 42 occurred?

MS. HEDGES: Object to form and foundation.

THE WITNESS: I don't recall.

BY MS. THOMPSON:

1 Q. I mean, your declaration references the  
2 Chicago Police Department. So is it your assumption  
3 this happened in Chicago?

4 MS. HEDGES: Same objections.

5 THE WITNESS: Yes.

6 BY MS. THOMPSON:

7 Q. What information are you relying on for the  
8 information that you've included in Paragraphs 41 and  
9 42?

10 A. I -- when -- during this event, we actually  
11 had an air -- a helicopter providing aerial support. And  
12 so I was watching this feed live as it was -- as it was  
13 unfolding.

14 Q. Did the helicopter capture all of the events  
15 that are described in Paragraphs 41 and 42?

16 MS. HEDGES: Object to form and foundation.

17 Lack of foundation.

18 THE WITNESS: To the best of my knowledge, no.

19 BY MS. THOMPSON:

20 Q. I mean, when did the -- when in this series of  
21 events did the helicopter start providing video?

22 MS. HEDGES: Same objections.

23 THE WITNESS: If I remember correctly, it was  
24 after the -- the incident. It's already when we  
25 had three separate locations.

BY MS. THOMPSON:

Q. So this describes a collision and then people converging at these locations. And it's your testimony that there -- the helicopter got there after people were converging at these three locations?

MS. HEDGES: Object to form. Foundation.

THE WITNESS: I'm saying I don't recall exactly when the helicopter got there. I don't recall the helicopter capturing. I don't recall exactly at which point or moment in time the helicopter got to this -- to this event.

BY MS. THOMPSON:

Q. And I didn't mean to cut you off. I'm sorry. Finish your --

A. That -- that's okay.

Q. -- answer. Sorry about that. The --

MS. HEDGES: Did you have anything else to say?

THE WITNESS: Not at this time.

BY MS. THOMPSON:

Q. The collision that's described in Paragraph 41, have you seen any video or heard any audio of any of the events that are described in Paragraph 41?

MS. HEDGES: Objection to form. Compound.

THE WITNESS: I have not, because it's under



investigation.

BY MS. THOMPSON:

**Q. Does any audio or video exist to your knowledge of those events?**

MS. HEDGES: Same objection.

THE WITNESS: I -- I don't recall exactly what evidence was able to -- what evidence we have specifically for this event.

BY MS. THOMPSON:

**Q. So for the information you're providing for Paragraph 41, is that coming from reports that you've reviewed?**

MS. HEDGES: Object to form.

THE WITNESS: Some initial reporting, yes.

BY MS. THOMPSON:

**Q. When you say "initial reporting," what do you mean?**

A. The case is still under investigation. So there is no finalized document.

**Q. So have you looked at draft documents related to those events?**

MS. HEDGES: Object to form.

THE WITNESS: I can't recall exactly what -- which documents I reviewed specifically for this event.

BY MS. THOMPSON:

Q. For Paragraph 42, you say in that first sentence, that 200 rioters converged at three separate locations. Do you see that?

A. Yes.

Q. How have you determined that 200 -- approximately 200 people or rioters converged?

A. Rough estimation based on what I was able to see on the video feed that was provided at the time.

Q. Is that your estimate?

A. Yes.

Q. Are you -- you're relying on your own counting versus someone else's counting?

A. I don't recall if it's just on my observation or if I read anything else that would've informed me of such. I can't recall.

Q. Is it possible that your counting of 200 people includes people that were moving between locations, so they got double counted or triple counted?

MS. HEDGES: Object to form. Vague.

THE WITNESS: During an involving situation it's difficult to get an exact count, at best we can do is get a general estimate on the size of the crowd that's there.

BY MS. THOMPSON:

1 Q. You're not able to tell whether you're double  
2 or triple counting some people?

3 MS. HEDGES: Object to form.

4 THE WITNESS: I -- I don't believe I was  
5 double or triple counting people.

6 BY MS. THOMPSON:

7 Q. I don't want to misstate your earlier  
8 testimony, but I think you told me that you would define  
9 a violent rioter as someone who is threatening or  
10 potentially threatening CBP personnel. Is that -- have  
11 I misstated your testimony or is that right?

12 MS. HEDGES: Objection to form.

13 THE WITNESS: Can you repeat that again?

14 BY MS. THOMPSON:

15 Q. Well, let me just ask you again. You used the  
16 term rioters in the -- in Paragraph 42; is that right?

17 A. In Paragraph 42, yes.

18 Q. Yeah. What leads you to describe the people  
19 that converged as rioters?

20 A. If I remember correctly, there's a couple of  
21 things. The one -- one example that comes to mind is  
22 people throwing projectiles at us. The other example  
23 that comes to mind is people attempting to cause damage  
24 to our vehicles.

25 Q. Anything else?

1 A. The other example of that that comes to mind  
2 is people impeding and obstructing.

3 Q. Impeding and obstructing what?

4 A. Entry and exit of that location.

5 Q. And are you talking about entry and exit of  
6 all three of these locations?

7 A. Yes.

8 Q. I mean, this -- these events occurred over  
9 multiple city blocks; is that right?

10 MS. HEDGES: Object to form.

11 THE WITNESS: I don't recall the exact  
12 distance, but it did. It -- it did occur  
13 over -- there was distance between each location,  
14 correct.

15 BY MS. THOMPSON:

16 Q. There's -- is it your testimony that 200  
17 people were -- well, let me ask you this: Is there any  
18 other -- anything else that you observed that led you to  
19 conclude that there was approximately 200 people who  
20 were rioters, besides throwing projectiles, damaging  
21 vehicles, and impeding and obstructing?

22 MS. HEDGES: Object to form.

23 THE WITNESS: Not that I can recall at the  
24 moment.

25 BY MS. THOMPSON:

Q. And is it your testimony that from what you saw, you observed approximately 200 people, each of whom were either throwing projectiles, damaging vehicles or impeding and obstructing?

MS. HEDGES: Object to form. Misstates testimony.

THE WITNESS: To the best of my knowledge.  
BY MS. THOMPSON:

Q. And I just want to make sure we have a clear record. To the best of your knowledge, your answer is yes?

A. Yes.

Q. Okay. For the people who were impeding and obstructing, how were they impeding and obstructing?

A. If I remember correctly, like I mentioned, they were blocking our entry and exit from each location.

Q. Meaning were they -- you're saying that there were people who were -- the -- let me ask that question in a better way. The people that you're describing as impeding and obstructing, were those people who were impeding and obstructing the actual roads in that area?

MS. HEDGES: Object to form.

THE WITNESS: In some cases, yes.

BY MS. THOMPSON:

Q. Were there other areas that they were impeding and obstructing besides roads?

A. I'm trying to -- I'm trying -- I'm sorry. I'm trying to recall the events of that day. I know they were definitely impeding our freedom of movement, whether it was all on roads, I don't recall if it was all specifically on roads.

BY MS. THOMPSON:

Q. Were there also people gathered who were not rioters?

MS. HEDGES: Object to form.

THE WITNESS: I can't say for certain.

BY MS. THOMPSON:

Q. Were there children?

A. I don't remember seeing any children.

Q. Were there people moving through the area who lived and worked there?

A. I can't say for certain.

MS. HEDGES: Object -- sorry. Object to form and foundation.

BY MS. THOMPSON:

Q. Were there people waiting for the bus?

MS. HEDGES: Same objections.

THE WITNESS: I can't say for certain.

BY MS. THOMPSON:

1 Q. Were there people shopping in the area?

2 MS. HEDGES: Same objections.

3 THE WITNESS: I can't say for certain.

4 BY MS. THOMPSON:

5 Q. You described in Paragraph 42, that less  
6 lethal munitions were deployed. What less lethal  
7 munitions were deployed?

8 A. I don't recall the exact -- the -- the  
9 different less lethal munitions that were deployed  
10 during that time.

11 Q. Do you know who deployed them?

12 A. Not that I can recall. No.

13 Q. You described there being three separate  
14 locations. Which of these locations were they deployed  
15 at?

16 A. I don't remember. I believe all three  
17 locations, but I can't say for certain.

18 Q. Did you have any role in authorizing any of  
19 those less lethal munitions?

20 MS. HEDGES: Object to form. Vague.

21 THE WITNESS: Those agents and officers don't  
22 -- don't need my authorization to deploy less  
23 lethal munition.

24 BY MS. THOMPSON:

25 Q. Well, did they get it?

MS. HEDGES: Object to form.

THE WITNESS: They don't need it.

BY MS. THOMPSON:

Q. I understand that they don't need it. I'm asking if you gave it?

MS. HEDGES: Object to form. Asked and answered.

THE WITNESS: I did not give it because it was not necessary.

BY MS. THOMPSON:

Q. Right. And you said that you were watching some of these events in real time on the speed. Were you communicating with people at the scene during the events you described in Paragraph 42?

MS. HEDGES: I'm sorry. Object to form. You said on the speed.

BY MS. THOMPSON:

Q. On the scene. Sorry. If that wasn't -- you didn't -- if that wasn't clear.

A. I personally was not communicating with individuals at the scene.

Q. Were you communicating with people about these events who weren't at the scene?

A. Yes.

Q. Who were you talking with?



MS. HEDGES: Object to form. Just exclude from your answer any information that would reveal a privilege such as law enforcement privilege or classified information.

THE WITNESS: If I remember correctly, I was speaking to my special ops commander and my operations commander.

BY MS. THOMPSON:

**Q. And are you excluding information from that answer following your attorney's advice about protecting the privileges she described?**

A. No.

**Q. Did you authorize deadly force at the scene of the events that you're describing in Paragraph 42?**

MS. HEDGES: Object to form and foundation.

THE WITNESS: I did not because it's not -- it's not needed.

BY MS. THOMPSON:

**Q. Did you communicate to anyone during these events that you authorized deadly force in response to what occurred in the events you described in Paragraphs 41 and 42?**

MS. HEDGES: Object to form.

THE WITNESS: I don't remember having to do that.

BY MS. THOMPSON:

Q. Do you know whether the uses of force that occurred, as you described in Paragraph 42 of your declaration, were justified under Customs and Border Protection policies?

MS. HEDGES: Object to form.

THE WITNESS: I have not been made aware that they're not.

BY MS. THOMPSON:

Q. And in your opinion, were the munitions that were deployed, as you described in Paragraph 42, a justified use of force?

MS. HEDGES: Object to form.

THE WITNESS: Yes.

BY MS. THOMPSON:

Q. And do you have any information that you're relying on to conclude that that force was justified, other than the information that you've provided in your declaration?

MS. HEDGES: Object to form.

THE WITNESS: Not that I can recall, no.

BY MS. THOMPSON:

Q. In Paragraph 42, you describe items being thrown at agents. When in the course of the four hours that you describe in Paragraph 42 were items thrown?

A. I don't remember exactly when. What I remember, it seemed it was continuous throughout the duration of those four hours.

**Q. Were traffic cones continuously thrown, over that four-hour period?**

MS. HEDGES: Object to form.

THE WITNESS: I don't remember if they were.

BY MS. THOMPSON:

**Q. Were agents forcefully pushed continuously, over that four-hour period.**

MS. HEDGES: Object to form.

THE WITNESS: I can't say for certain that they were.

BY MS. THOMPSON:

**Q. Were items thrown continuously, over those four hours, at all three locations?**

MS. HEDGES: Object to form. Asked and answered.

THE WITNESS: To the best of my knowledge, yes.

BY MS. THOMPSON:

**Q. Do you have any information about what objects were thrown continuously over those four hours, besides glass bottles and traffic cones?**

MS. HEDGES: Object to form.

THE WITNESS: I don't recall.

BY MS. THOMPSON:

Q. As you were talking with the people you described speaking with over the course of these events, did you receive any information that CBP agents at the scene were taunting the crowd?

MS. HEDGES: Object to form. Object to lack of foundation.

THE WITNESS: I did not.

BY MS. THOMPSON:

Q. Is it ever permissible under Customs and Border Protection policies for Customs and Border Protection personnel to taunt people?

MS. HEDGES: Object to form. Object to foundation. And you can answer, but any further questions on that, I think are probably outside the scope.

THE WITNESS: I would say no.

BY MS. THOMPSON:

Q. One of the things you said that -- well, let me ask you this: Part of what CBP personnel are trained to do is to engage in deescalation, do you agree, where appropriate?

MS. HEDGES: Object to form.

BY MS. THOMPSON:

1 Q. Do you agree?

2 MS. HEDGES: Object to form.

3 THE WITNESS: Yes.

4 BY MS. THOMPSON:

5 Q. And do you agree with me that taunting a crowd  
6 is not something that deescalates a situation?

7 MS. HEDGES: Object to form. Vague, as to  
8 "taunting."

9 THE WITNESS: Can you repeat the question?

10 BY MS. THOMPSON:

11 Q. Sure. Do you agree with me that taunting a  
12 crowd is not behavior that deescalates a situation?

13 MS. HEDGES: Object to form. And I'll add a  
14 foundation objection.

15 THE WITNESS: I agree.

16 MS. THOMPSON: Where are we at on time?

17 THE REPORTER: Two hours, 24 minutes.

18 MS. THOMPSON: Okay. I think let's take a  
19 quick break now. Is that good? Just -- we just  
20 need a couple of minutes, so --

21 MS. HEDGES: That's fine.

22 MS. THOMPSON: -- whatever. Five minutes or  
23 something short?

24 MS. HEDGES: Okay. We'll come back in five.

25 MS. THOMPSON: Perfect. Okay.

(A recess was taken.)

THE VIDEOGRAPHER: Okay. We're back on the record. The time is 1:07.

MS. THOMPSON: One second. Let me --

THE VIDEOGRAPHER: We good to go?

MS. THOMPSON: Oh, yeah.

THE VIDEOGRAPHER: All right.

BY MS. THOMPSON:

**Q. Sir, I know you told me earlier in the deposition that you had been at Broadview during Operation Midway Blitz a couple of dates in September and a couple of dates in October. Other than the September 27th incident, which we talked about in this deposition, has anything we've discussed in this deposition refreshed your memory about what specific dates in September or October you were at Broadview for?**

MS. HEDGES: Objection to form. Misstates testimony.

THE WITNESS: I think after our conversation, I think I recall being there -- I think it was October -- the day after the Illinois State Police arrived at Broadview.

BY MS. THOMPSON:

**Q. That's when the unified command took over?**

A. Yeah. So I think -- I believe, if I remember

correctly, I was there the day after, and like I mentioned earlier, I was there on Tuesday.

**Q. Of last week?**

A. Of this -- of -- of this week. Like Tuesday, whatever Tuesday was, a couple of days ago, that was the last time I was there. I can't recall the -- I can't recall of any other time I was at Broadview, since.

**Q. And I appreciate that clarification. Thank you. Am I correct that other than what you've just described, you were not present at Broadview for any of the other events that are described in your declaration?**

A. Correct. I think to the best of my knowledge, the only event that I'm listing here is on that September 27th date.

**Q. For the events that you describe in your declaration that occurred somewhere else in the Northern District of Illinois besides Broadview, were you personally at the scene for any of the events that you describe in your declaration?**

MS. HEDGES: Object to form and foundation.

THE WITNESS: I don't -- no, ma'am. I don't believe so.

BY MS. THOMPSON:

**Q. Are there any other events that you describe in your declaration where you were doing any kind of**

live monitoring, like you described with the event we were talking about before we broke, where you were watching a live video feed, or having real time conversations with other CBP personnel about something that was going on in the field?

A. Outside of this declaration, you're -- you're asking?

Q. And I'm -- I appreciate that clarification. I'm asking about for the events that you describe in your declaration --

A. Okay.

Q. -- that did not occur at Broadview, but somewhere else in the Northern District of Illinois. Are there any other events of what you describe in your declaration, where you were doing any real time monitoring of the events as they occurred --

MS. HEDGES: Object to form.

MS. THOMPSON: -- talking about the events that are described in your declaration?

MS. HEDGES: Object to form and foundation.

THE WITNESS: I -- I don't recall. I -- I'm sorry. I just want to make sure I'm answering -- you're -- you're asking me that if I've seen video footage outside of what's contained in my declaration?



BY MS. THOMPSON:

Q. Let me start this question again. We were talking before the break about events that occurred where, as they were happening, you were watching a live video feed of what was going on. Do you remember those questions?

A. Yes, ma'am.

Q. And that is for an event that is described in your declaration, right?

A. Correct.

Q. For any of the other events that you do describe in your declaration, where you're setting out what occurred, are there any other events where similarly, while the events that you're describing in your declaration happened, you were watching a video feed of what was occurring?

MS. HEDGES: Object to form.

THE WITNESS: I believe so, if you can give me a minute?

BY MS. THOMPSON:

Q. Sure. Tell me what that was.

A. Just give me a second. Sorry.

Q. Take your time.

A. So the events I describe on Paragraph 48 that references a red Ford Escape, I remember viewing parts

of that.

Q. We'll come back to that, but tell me anything else.

A. If I remember correctly, I -- I believe I was able to see parts of what happened on Paragraph 58 and 59.

Q. And those events concern something that happened on October 22nd of --

A. 2025.

Q. -- 2025?

A. To the best of my knowledge.

Q. Let me just -- let me ask you, since we're on 58 and 59. You're saying that you watched some real time footage of a member of the crowd threatening to kill Chief Bovino and agents?

MS. HEDGES: Object to form. Document speaks for itself.

THE WITNESS: I remember watching parts of the footage of that event. I don't recall seeing that specific event transpire.

BY MS. THOMPSON:

Q. And the footage you're describing for that event, were you watching that footage in real time?

A. Yes.

Q. Was that footage from a helicopter?

A. If I remember correctly.

Q. Okay. I think you were going through to look for any other incidents described in the declaration where you watched footage in real time. So I'll let you continue to do that, and tell me anything else you note in that category?

A. There was parts of the footage that I saw that relate to the events described in Paragraph 61. That also happened, to the best of my knowledge, on October 22nd.

Q. Those are events that happened near Home Depot?

A. Yes. That's the vehicle accident.

Q. And those events in Paragraph 61, or some portion of them, you watched real time footage of?

A. Portions.

Q. Understood. Okay. Anything else?

A. And portions of Paragraph 64 through 66.

Q. Anything else?

A. I believe so. For now, I think those are the ones that just come to mind.

Q. Are there any other of the incidents that are described in your declaration, where you had real time conversations with other Customs and Border Protection personnel about those events as they were occurring?

MS. HEDGES: Object to the form.

THE WITNESS: Can you describe "other" CBP  
personnel?

BY MS. THOMPSON:

Q. Sure. Well, I think for the one incident we  
described before the break, you said that you were  
speaking with -- there were Customs and Border  
Protection personnel that you were talking to about  
those events, with the three different sites where  
people gathered, as those events were occurring,  
correct?

A. Correct.

Q. And I'm asking you if there's any other events  
where -- described in your declaration, where similarly,  
as those events were occurring, you were discussing  
those events with other Customs and Border Protection  
personnel, whatever -- whoever those people may be?

MS. HEDGES: Object to form.

THE WITNESS: I can't recall for each specific  
event. In general, those are the two -- those two  
individuals, or those two positions, are the folks  
that I would -- I would conversate with to get an  
idea of what's happening as the situation was  
unfolding.

BY MS. THOMPSON:

Q. And as you say here today, are there any other of the events described in your declaration, where you can remember having conversations with those two folks, as the events were happening, to get an understanding of what was going on?

MS. HEDGES: Object to the form.

THE WITNESS: I can't -- I can't say for -- for certain.

BY MS. THOMPSON:

Q. All right. I want to direct your attention to Paragraph 67 to 69 of your declaration. Where did you get the information about the events that you described in Paragraphs 67 to 69?

A. Can you give me a second?

Q. Of course. Yeah. Read. Let me know when you're able to answer that question.

A. Okay.

Q. Where did you get the information? Where did you gain your understanding of the information that's in Paragraph 67 to 69?

A. For this specific event, I don't remember it was a combination of a use of force report and/or body-worn camera footage.

Q. Do you believe you've seen body-worn camera footage of the event -- at least some of the events that

are described in 67 through 69?

MS. HEDGES: Object to the form. Asked and answered.

THE WITNESS: I believe so.

BY MS. THOMPSON:

Q. When you say that there were -- the crowd had approximately 50 individuals in it for these events, were the 50 people in this crowd rioters?

MS. HEDGES: Object to the form.

THE WITNESS: I can't say for certain. No.

BY MS. THOMPSON:

Q. In Paragraph 68, when you say that "members of the crowd ignored the warnings to stay back," how many people were ignoring those warnings?

MS. HEDGES: I'm sorry, just for my benefit, where is that?

MS. THOMPSON: Sure. And I'm looking at Paragraph 69.

BY MS. THOMPSON:

Q. When you say in Paragraph 69 that "agents gave repeated orders for the crowd to stay back, but members of the crowd ignored these warnings," how many people ignored those warnings?

A. I can't say for certain.

Q. Of the 50 people in the crowd here, did that

1 **crowd include children?**

2 MS. HEDGES: Object to form and foundation.

3 THE WITNESS: I don't recall seeing any  
4 children.

5 BY MS. THOMPSON:

6 **Q. Did that crowd include people walking their**  
7 **dogs?**

8 MS. HEDGES: Same objections.

9 THE WITNESS: I don't recall seeing that.

10 BY MS. THOMPSON:

11 **Q. Did that crowd include elderly people?**

12 MS. HEDGES: Same objections.

13 THE WITNESS: I don't recall.

14 BY MS. THOMPSON:

15 **Q. Have you seen body-worn camera footage of the**  
16 **CS gas canisters described in Paragraph 69 being**  
17 **deployed?**

18 A. Sorry. I'm just trying to go through my  
19 memory bank.

20 **Q. Understood.**

21 A. I -- I -- honestly, I don't recall if I  
22 remember seeing that or reading that.

23 **Q. Were either of the gas canisters described in**  
24 **Paragraph 69 launched over people's heads?**

25 MS. HEDGES: Object to form and foundation,

1 since he said he doesn't remember seeing it.

2 THE WITNESS: I -- I -- again, I don't  
3 remember if I saw it or read it. I can't recall.

4 BY MS. THOMPSON:

5 Q. Do you know whether the CS gas canister  
6 deployments that you describe in Paragraph 69 were a  
7 justified use of force?

8 MS. HEDGES: Object to form and foundation.

9 THE WITNESS: And can you repeat that  
10 question, please?

11 BY MS. THOMPSON:

12 Q. Sure. Were the deployment of the gas  
13 canisters that are described in Paragraph 69 of your  
14 declaration a justified use of force?

15 MS. HEDGES: Same objections.

16 THE WITNESS: Yes. Nothing that -- nothing  
17 has been presented that says otherwise.

18 BY MS. THOMPSON:

19 Q. Were the use of force that's described in  
20 Paragraph 69 of your declaration uses of force that are  
21 justified under CBP policies?

22 MS. HEDGES: Objection to form. Asked and  
23 answered.

24 THE WITNESS: I have not been made aware of  
25 anything that was found in violation of CBP policy.



BY MS. THOMPSON:

Q. And were the uses of force that are described in Paragraph 69 justified under this court's temporary restraining order?

MS. HEDGES: Object to form. And, also, I'll add foundation because I don't think he said it was a use of force in his view, so --

THE WITNESS: I have not been informed of any of these event -- any things on this event that would be in violation of the TRO.

BY MS. THOMPSON:

Q. One thing you say in Paragraph 69 is that, "A pocket CS gas banister was deployed. And after this deployment members of the crowd began to throw objects at the vehicle, including a pumpkin, and the expended CS gas canister." Do you see that in Paragraph 69?

A. Yes.

Q. Do you agree with me that deploying gas in this situation did not allow CBP personnel to leave the scene?

MS. HEDGES: Object to form. Vague.

Foundation.

THE WITNESS: I'm sorry. Can you repeat that?

BY MS. THOMPSON:

Q. Sure. Is it your understanding that the CBP

1 personnel in the events described in Paragraph 69  
2 deployed this gas canister in an effort to leave the  
3 scene?

4 MS. HEDGES: That's a different question.

5 MS. THOMPSON: That's the question I'm asking.

6 MS. HEDGES: Okay. You're withdrawing the  
7 previous?

8 MS. THOMPSON: I'll withdraw the previous.

9 MS. HEDGES: Object to form and foundation.

10 THE WITNESS: To the best of my knowledge,  
11 yes.

12 BY MS. THOMPSON:

13 Q. And do you agree with me that that didn't  
14 result in them being able to leave the scene?

15 MS. HEDGES: Object to form and foundation.

16 THE WITNESS: To the best of my knowledge,  
17 yes.

18 BY MS. THOMPSON:

19 Q. In fact, this resulted in people at the scene  
20 throwing objects at their car, correct?

21 MS. HEDGES: Same objections.

22 THE WITNESS: I don't know if it was a result  
23 of that, but objects were thrown after the  
24 deployment of it.

25 BY MS. THOMPSON:

1 Q. Do you agree with me that deploying gas in the  
2 situation described in Paragraph 69 did not deescalate  
3 the situation?

4 MS. HEDGES: Same objections. Form and  
5 foundation.

6 THE WITNESS: I -- I don't agree with that  
7 statement.

8 BY MS. THOMPSON:

9 Q. Is it your belief that the first deployment of  
10 gas that's described in Paragraph 69 resulted in this  
11 situation being deescalated?

12 MS. HEDGES: Same objections

13 THE WITNESS: Too many variables to say,  
14 ma'am.

15 BY MS. THOMPSON:

16 Q. You're not able to say either way?

17 A. Correct.

18 MS. HEDGES: Same objections.

19 BY MS. THOMPSON:

20 Q. Do you agree with me that there's evidence  
21 that some of the times that gas has been deployed by CBP  
22 personnel during Operation Midway Blitz has not resulted  
23 in people dispersing?

24 MS. HEDGES: Object to form and foundation.

25 THE WITNESS: Can you repeat the question?

BY MS. THOMPSON:

Q. Sure. I mean, do you agree with me that there's examples of times during Operation Midway Blitz where CBP personnel deploying gas into crowds has not resulted in people dispersing?

MS. HEDGES: Same objections.

THE WITNESS: I don't know if I agree with that statement. No.

BY MS. THOMPSON:

Q. Well, this is an example of that, correct?

MS. HEDGES: Same objections. And asked and answered.

THE WITNESS: Yeah. Can you repeat -- can you repeat the last --

BY MS. THOMPSON:

Q. The events in Paragraph 69 are an example of a deployment of gas not resulting in people dispersing?

MS. HEDGES: Object to form, foundation. Asked and answered.

THE WITNESS: So there's different parts in this event where subsequent deployment did clear the way from my agency. And I would say that it was effective.

BY MS. THOMPSON:

Q. Fair enough. I appreciate that. Let's move

on to Paragraph 70. I have some questions about Paragraph 70 to 72.

A. Okay. Okay.

Q. Where did you get the information that you're relying on for -- what you included in Paragraph 70 to 72?

A. To the best of my knowledge, it was a use of force report and body-worn camera footage.

Q. How many different body-worn camera -- body-worn cameras footage have you seen related to this event?

MS. HEDGES: Object to form and foundation.

THE WITNESS: Can't say for certain, ma'am.

BY MS. THOMPSON:

Q. In Paragraph 72 when you say that "a less lethal munition was deployed," what less lethal munition was deployed?

A. If I remember correctly -- and again, it's difficulty sometimes to -- to -- to tell the difference between CS gas or smoke, but it was some type of munition that was deployed from a canister that created a -- a pillowy smoke of -- of dust in the air.

Q. For the crowd of 20 to 30 individuals that you described as gathering for the events in Paragraph 71, how many of those 20 to 30 individuals were preventing

1 the agents from leaving the area?

2 MS. HEDGES: Object to form.

3 THE WITNESS: Again, from what I -- what I  
4 remember based on my declaration, I believe I state  
5 to approximately 20, 30 individuals preventing -- I  
6 believe, to the best of my knowledge, that it was  
7 20 to -- potentially 20 to 30 individuals  
8 preventing them, but I can't say for certain.

9 BY MS. THOMPSON:

10 Q. And it's your testimony that each one of those  
11 20 to 30 people was preventing the agents from leaving  
12 the area?

13 A. I said I can't say for certain.

14 Q. Do you know how many of them were --

15 MS. HEDGES: Object to --

16 BY MS. THOMPSON:

17 Q. -- preventing --

18 MS. HEDGES: -- form. Hang on.

19 THE WITNESS: Sorry.

20 MS. HEDGES: Asked and answered. Go ahead.

21 THE WITNESS: I can't say for certain.

22 BY MS. THOMPSON:

23 Q. Okay. Did that 20 to 30 people include  
24 children?

25 A. I don't remember seeing children at that

1 scene.

2 Q. Did it include elderly people?

3 MS. HEDGES: Object to foundation.

4 THE WITNESS: I don't remember seeing elderly  
5 people.

6 BY MS. THOMPSON:

7 Q. Did it include anyone who was pregnant?

8 MS. HEDGES: Same objection.

9 THE WITNESS: I don't remember seeing anybody  
10 that was there that was pregnant.

11 BY MS. THOMPSON:

12 Q. Did it include anyone out walking their dog?

13 MS. HEDGES: Same objection.

14 THE WITNESS: I don't recall seeing that.

15 BY MS. THOMPSON:

16 Q. Did it include anyone in their pajamas?

17 MS. HEDGES: Same objection.

18 THE WITNESS: I -- I don't recall.

19 BY MS. THOMPSON:

20 Q. Did it include a guy in a banana suit?

21 MS. HEDGES: Same objection.

22 THE WITNESS: I don't remember seeing that.

23 BY MS. THOMPSON:

24 Q. Were the CBP personnel on the scene for the  
25 events you described in Paragraph 70 to 72 wearing

identification?

MS. HEDGES: Object. Foundation. Lack of foundation.

THE WITNESS: I have not received any reports indicating that they weren't.

BY MS. THOMPSON:

**Q. Let's go to Paragraph 43.**

MS. THOMPSON: Where we at with time?

THE REPORTER: 2:46.

MS. THOMPSON: Okay. Thanks.

THE WITNESS: You said 43?

BY MS. THOMPSON:

**Q. Yes. Thank you. Paragraph 43. These events in Paragraph 43 to 47 -- if you need to finish reading to answer this question, that's fine. But I'll tell you that my first question is that -- is -- where you got the information -- what the basis for your information is that you included in Paragraphs 43 to 47?**

A. I believe it was through a -- a use of force report.

**Q. Was the use of force that's described in these Paragraphs justified?**

MS. HEDGES: Object to form. Object to foundation.



THE WITNESS: I have not been -- I have not been informed otherwise.

BY MS. THOMPSON:

**Q. Was the use of force described in Paragraphs 43 to 47 justified under this Court's temporary restraining order?**

MS. HEDGES: Object to form and foundation. Calls for a legal conclusion.

THE WITNESS: I have not been informed that it has.

BY MS. THOMPSON:

**Q. Do you know how the handheld CS gas that's described in Paragraph 45 was used, as you say in that Paragraph?**

A. If you can give me a second so I --

**Q. Sure.**

A. -- can read it?

MS. HEDGES: And I'm going to object based on form and foundation.

THE WITNESS: And I'm sorry. What was the question one more time?

BY MS. THOMPSON:

**Q. Sure. My question was, in Paragraph 45, at the end, you say handheld CS gas was used. And my question is: How was it used?**

A. I don't recall how it was used.

**Q. Do you know where it was deployed?**

MS. HEDGES: Object to form.

THE WITNESS: I do not recall.

BY MS. THOMPSON:

**Q. You say in Paragraph 45 that the crowd ignored hand signals directing them to stand aside. What were those hand signals?**

A. I don't recall exactly what those signals were.

**Q. Am I correct that you haven't seen any video or photographs of the events that you've described in Paragraphs 43 to 47?**

MS. HEDGES: Object to form. Compound.

THE WITNESS: I'm sorry. Repeat the question.

BY MS. THOMPSON:

**Q. Sure. Am I correct that you haven't seen any video or photographs of the events that you describe in Paragraph 43 to 47?**

MS. HEDGES: Same objections.

THE WITNESS: I -- I -- I don't agree with that statement, ma'am. I'm not -- I don't -- I don't recall if -- I don't recall if I remember reviewing footage for this specific event.

BY MS. THOMPSON:

1 Q. Understood. Have you seen any photographs of  
2 these events in 43 to 47?

3 A. I don't recall seeing any photographs.

4 Q. One of the things that you note in your  
5 declaration was that -- and I'm looking at Paragraph 46,  
6 that after handheld CS gas was used, which you described  
7 in Paragraph 45, in Paragraph 46, someone kicked the CS  
8 grenade toward the agents and then picked it up and  
9 threw it striking a vehicle. Do you see that?

10 A. Yes.

11 Q. Why was -- why did you note in this  
12 declaration that that's something that happened at this  
13 event?

14 MS. HEDGES: Object to the form.

15 THE WITNESS: And you ask, why did I note it?

16 BY MS. THOMPSON:

17 Q. Yes. Why is it included in your declaration?

18 A. I was trying to best describe the situation as  
19 I understood it.

20 Q. I mean, is it a concern that when -- is it a  
21 concern for you that when CS gas was used at these  
22 events that someone in the crowd picked up the canister  
23 and threw it towards the agents?

24 MS. HEDGES: Object to form. Vague as to  
25 "concern."

THE WITNESS: It is worrisome when somebody  
throws any objects at my agents.

BY MS. THOMPSON:

Q. And is it worrying for you that when officers  
-- when CBP personnel deploy gas canisters, that someone  
in the crowd could pick up those canisters and throw  
them somewhere else?

MS. HEDGES: Object to form and foundation.

THE WITNESS: Potentially.

BY MS. THOMPSON:

Q. I mean, that is a -- that is a risk with using  
CS gas, that those canisters could end up impacting  
people that were not the intended target of the gas,  
correct?

MS. HEDGES: Same objections. Calls for  
speculation.

THE WITNESS: And -- and are you saying that  
from -- and can you please clarify on that?  
Because I want to make sure I'm answering your  
question. So are you saying that the deployment  
from an agent or are you -- are you talking about  
an agitator in the crowd?

BY MS. THOMPSON:

Q. I appreciate that clarification. So I -- I  
want to make sure my question's clear. Is it a concern

1 for you that once an agent deploys CS gas, that gas  
2 might end up impacting somebody that was not the  
3 intended target of it?

4 MS. HEDGES: Same objections.

5 THE WITNESS: That is -- there are  
6 unintentional deployments. So is it a concern?

7 Yes.

8 BY MS. THOMPSON:

9 Q. I mean, that is a risk with using CS gas.  
10 We agree, right?

11 MS. HEDGES: Same objections.

12 THE WITNESS: There's multiple risk involved.

13 BY MS. THOMPSON:

14 Q. And that's one of them.

15 MS. HEDGES: Same objections. Asked and  
16 answered.

17 THE WITNESS: Yes.

18 BY MS. THOMPSON:

19 Q. I want to go back to Paragraph 58 and 59. You  
20 told me that this was an event where you think at least  
21 part of this, you saw some footage in real time; is that  
22 right?

23 A. Just a second.

24 Q. Sure.

25 A. 58 and 59?

Q. Yep.

A. That is correct.

Q. Why were you watching these events in real time?

MS. HEDGES: Objection to form. And to the extent your answer might include any law enforcement privileged information or classified material, don't answer. But otherwise, answer.

THE WITNESS: And the question was, why was it important for me to -- to review this?

BY MS. THOMPSON:

Q. I appreciate -- what I'm asking is: You told me that you watched at least some of the events that are described in Paragraph 58 and 59 in real time, correct?

A. Correct.

Q. And my question is: At the time you were watching those events, why were you watching them?

MS. HEDGES: Same objection and instruction.

THE WITNESS: It'd be no different than when I watch anything else in any other time, to help me gain a better situation understanding of -- of what my men and women are encountering.

BY MS. THOMPSON:

Q. I'm going to direct you to Paragraph 64 to 66. You told me that at least some of these events were also

1 events that you watched some real time video of; is that  
2 right?

3 A. Correct.

4 Q. Do you have any other basis of information --  
5 basis for the information that you provided in your  
6 declaration in Paragraph 64 to 66?

7 A. I don't recall if it was just video footage  
8 and/or if I read any reports.

9 Q. Do you have any other sources of information  
10 for what you included in Paragraph 64 to 66?

11 MS. HEDGES: Object to form. Asked and  
12 answered.

13 THE WITNESS: I don't recall.

14 BY MS. THOMPSON:

15 Q. In the use of force that you described  
16 occurring in the events that you described in Paragraph  
17 64 to 66, do you know whether that use of force was  
18 justified?

19 MS. HEDGES: Object to form and foundation.

20 THE WITNESS: I have not been informed  
21 otherwise.

22 BY MS. THOMPSON:

23 Q. In Paragraph 64, this is an incident in which  
24 at least the first deployment of gas was initially  
25 ineffective, correct?

MS. HEDGES: Object to form. Asked and answer -- or I'm sorry. Object to form and foundation.

THE WITNESS: Correct.

BY MS. THOMPSON:

**Q. The less lethal munitions that you describe in Paragraph 66, what were those less lethal munitions?**

A. I don't recall all the various less lethal munitions that might have been deployed during that time.

**Q. And do you know how they were deployed?**

MS. HEDGES: Object to form and foundation.

THE WITNESS: I don't recall.

BY MS. THOMPSON:

**Q. Do you know who they were deployed toward?**

MS. HEDGES: Same objections.

THE WITNESS: I don't recall.

BY MS. THOMPSON:

**Q. Have you discussed any of the events that occurred that you describe in Paragraph 64 through 66 with Chief Bovino?**

A. So this is the event that I'm reading as I -- as it refreshed my memory that I shared. This was the one, the catalyst, that prompted the conversation of hesitation on less lethal munitions. That is a concern



of the TRO. So I believe my conversation with Chief Bovino was under that basis.

**Q. How was this event a catalyst for that?**

A. It's my belief that -- as I mentioned and what I observed is my agents had plenty of opportunities to use less lethal and they did not, which caused -- not only did it compromise their safety, but it caused damage to government equipment by the puncturing of their tire.

**Q. Did anyone specifically tell you for these events that officers didn't deploy less lethal munitions because they were fearful about contempt?**

MS. HEDGES: Object to form.

THE WITNESS: Yes.

BY MS. THOMPSON:

**Q. Who told you that?**

A. That was my conversation with the SRT commander.

**Q. So this is the one event that you previously described to me earlier where that occurred?**

A. Yes, ma'am.

**Q. Okay. Thank you for clarifying that. I appreciate that. In this situation, gas was eventually deployed, correct?**

A. Yes.

Q. And what is the damage to the vehicle that occurred in your view as a result of there being an improper hesitation in this case?

MS. HEDGES: Object to form. Asked and answered.

THE WITNESS: Definitely a slashing of a tire. If I remember correctly, there was graffiti on our vehicle. And I don't remember if there was any vehicle dings and/or broken windows.

MS. THOMPSON: What are we at?

THE REPORTER: 2:57:50.

BY MS. THOMPSON:

Q. Okay. Just one second.

A. Are we done with that one?

Q. I have one other thing that or --

A. Yeah. Go ahead.

Q. Okay. All right. I know we're very close to finishing here. Two minutes, I think. Sir, I think we got two minutes. So one of the things that you say in your declaration is that -- and I want to just direct you to Paragraph 73, that in your 23 years of service with Border Patrol, you've never witnessed the level of combativeness and level of violence -- sustained level of violence directed at law enforcement personnel. Do you see that?

A. Yes.

Q. The activities that the border patrol has been conducting as part of Operation Midway Blitz in the Northern District of Illinois are different are different kinds of activities than customs and border protection usually undertakes, correct?

MS. HEDGES: Object to form and foundation.

THE WITNESS: I don't know if it's different.

It's not common.

BY MS. THOMPSON:

Q. Has any of the activity that you're aware of, of any customs and border protection officer assigned to Operation Midway Blitz violated Customs and Border Protection policies?

MS. HEDGES: Object to form and foundation.

THE WITNESS: Not that I'm aware of.

BY MS. THOMPSON:

Q. Do you have any concerns about the conduct of any Customs and Border Protection officer at any point during their involvement in Operation Midway Blitz?

MS. HEDGES: Object to form. Foundation and outside the scope to the extent it's not about uses of force in the operation.

THE WITNESS: Nothing that has been brought to my attention.

BY MS. THOMPSON:

Q. Is it possible that the level of combativeness and violence that, in your words, you've witnessed as part of Operation Midway Blitz is a result of people being upset about the tactics of Customs and Border Protection as part of Operation Midway Blitz?

MS. HEDGES: Object to form. Foundation. Calls for speculation.

THE WITNESS: And the question was again?

MS. THOMPSON: Can you read it back?

THE REPORTER: Yeah. Oh, also it -- it just hit three hours.

BY MS. THOMPSON:

Q. Okay. So you can answer this question and then we're done.

A. Okay.

(The requested question was read back.)

MS. HEDGES: Same objections.

THE WITNESS: I have not spoken to any of the individuals that displayed violence against my agents.

MS. THOMPSON: I really appreciate your time this morning, sir. Thank you.

THE REPORTER: Before we go off the record, I know you guys want it rushed as soon as possible,

1 correct? Just wanted to confirm. And you would  
2 like the video with that?

3 MS. THOMPSON: Yes, please.

4 THE REPORTER: Would you like a copy of the  
5 transcript from the video?

6 MS. HEDGES: Yes, thank you. As soon as  
7 possible.

8 THE REPORTER: E-Tran or hard copy?

9 MS. HEDGES: I'm sorry?

10 THE REPORTER: E-Tran or hard copy?

11 MS. HEDGES: The electronic copy.

12 THE REPORTER: Okay.

13 MS. HEDGES: Thank you.

14 THE REPORTER: And also to your e-mail?

15 MS. HEDGES: Yes. Thank you.

16 MS. THOMPSON: Mr. Parra, if you can take  
17 that.

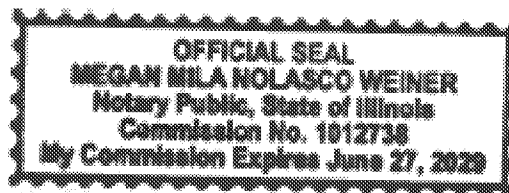
18 THE VIDEOGRAPHER: I'll take us off the  
19 record. The time is 1:44.

20 (Deposition concluded at 1:44 p.m. CT)

## CERTIFICATE OF DIGITAL REPORTER

## STATE OF ILLINOIS

I do hereby certify that the witness in the foregoing transcript was taken on the date, and at the time and place set out on the Stipulation page hereof, by me after first being duly sworn to testify the truth, the whole truth, and nothing but the truth; and that the said matter was recorded digitally by me and then reduced to typewritten form under my direction, and constitutes a true record of the transcript as taken, all to the best of my skill and ability. I certify that I am not a relative or employee of either counsel and that I am in no way interested financially, directly or indirectly, in this action.



*Megan Weiner*

MEGAN WEINER

DIGITAL REPORTER/NOTARY

MY COMMISSION EXPIRES: 06/27/2029

SUBMITTED ON: 11/01/2025

<b>Exhibits</b>	16 81:3	161:21	119:22,23 120:11 128:22	<b>66</b> 138:18 157:24 158:6, 10,17 159:7,20
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<b>Exhibit 2_</b> <b>Parra</b> 46:22 49:15,19,22,24 50:5,13,21 51:2,3	<b>17th</b> 105:24	<b>25</b> 57:9,14 58:4 108:19,22 111:23 112:10, 20	<b>43</b> 151:7,11,13, 14,18 152:5 153:13,19 154:2	<b>68</b> 141:12 <b>69</b> 140:11,13,20 141:1,18,20 142:16,24 143:6,13,20 144:3,12,16 145:1 146:2,10 147:16
<b>Exhibit 3_</b> <b>Parra</b> 52:11,14, 16,19 54:19 66:7,9 70:1	<b>18</b> 84:25 85:3, 18,19,25	<b>25-CV-12173</b> 6:12	<b>45</b> 152:13,23 153:6 154:7	<b>7</b>
<b>Exhibit 4_</b> <b>Parra</b> 64:18,19, 24,25	<b>19</b> 86:5,16,19 91:3,14	<b>25th</b> 27:2 95:1	<b>46</b> 154:5,7	<b>7</b> 82:19
<b>1</b>	<b>19th</b> 81:18,21 82:9 87:5,8,12, 24	<b>26</b> 109:10 110:23 111:12	<b>469</b> 49:16	<b>70</b> 148:1,2,5 150:25
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