

In The Matter Of:

*Clayton Richard Gordon, et al. v.
Jeh Charles Johnson, et al.*

*Alan Greenbaum
May 15, 2018*

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

CLAYTON RICHARD GORDON,)	
GUSTAVO RIBEIRO)	
FERREIRA, VALBOURN)	
SAHIDD LAWES, NHAN)	
PHUNG VU, CESAR)	
CHAVARRIA RESTREPO on)	
behalf of themselves)	Civil Action
and others similarly)	No: 13-cv-30146-MAP
situated,)	
)	
Plaintiffs-Petitioners,)	
)	
v.)	
)	
KIRSTJEN NIELSEN,)	
Secretary, U.S.)	
Department of Homeland)	
Security, et al.,)	
)	
Defendants-Respondents.)	

DEPOSITION OF ALAN GREENBAUM, a 30(b)(6) witness in
the above-entitled cause, taken before Susan Lozzi,
Registered Professional Reporter and Notary Public
in and for the Commonwealth of Massachusetts,
pursuant to the Federal Rules of Civil Procedure,
at Wolf Greenfield & Sacks, PC, 600 Atlantic Avenue,
Boston, Massachusetts, on Tuesday, May 15, 2018,
commencing at 9:06 a.m.

1 A. Yes.

2 MS. SARASWAT: Okay.

3 (Ms. Lafaille and

4 Mr. Saraswat confer.)

5 MS. FABIAN: If you're going to switch
6 topics, can we take a break?

7 MS. LAFAILLE: Yeah, I was actually
8 going to say I'm at a good point if you need a
9 break.

10 (A break was taken from

11 11:31 a.m. to 11:37 a.m.)

12 Q. So we've been talking about how ICE
13 identifies A through D individuals in the jails and
14 now I wanted to ask you a bit about the actual
15 apprehension process for those people. How does
16 ICE learn the day that an A through D individual is
17 going to be released?

18 A. The CAP officer tracks those cases through
19 their pendency until the end.

20 Q. And but what in the -- what information
21 does that CAP officer look to that would tell him
22 when the individual's going to be released?

23 A. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

Q. Is it difficult to learn the date of release?

A. Sometimes, but not generally.

Q. And are there any other officers besides CAP officers who might be involved in learning the date of release for an A through D individual?

A. Not in learning the date, but -- well, I shouldn't say that. The 287(g) officers and the ICE officers who oversee the 287(g) program, they would handle the 287(g) facilities, but otherwise, generally speaking, the CAP officers that are in the facilities.

Q. And would all of the facilities be covered by one of these two types of officers?

A. Generally speaking, yes. Yes. You know, and if somebody's on vacation or out sick, somebody from another office -- from another facility or from another unit may cover, but, yes.

Q. Okay. And can you describe the

1 coordination that that CAP officer or the 287(g)
2 supervisors might have with the facility?

3 A. I can't speak to specifics about the
4 facilities, but in general, I know that they work
5 with the -- the records units in the facilities to
6 coordinate and learn when release dates are.

7 And, you know, detainers have been lodged,
8 so they -- the facilities will notify us when
9 somebody's going to be released on the detainer in
10 most cases.

11 Q. And what about the time of release within
12 a specific day? How do ICE officers know what time
13 to come and get the individual?

14 A. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]