

# **EXHIBIT AA**

August 17, 2020

IN THE UNITED STATES DISTRICT  
FOR THE EASTERN DISTRICT OF WASHINGTON

ANDRES SOSA SEGURA,

Plaintiff,

vs.

Case No. 2:19-cv-00219-SAB

UNITED STATES OF AMERICA,

Defendant.

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VIDEOCONFERENCE DEPOSITION OF  
CONFIDENTIAL PORTIONS EXCERPTED

THOMAS WATTS

Monday, August 17, 2020

9:51 a.m.

10710 North Newport Highway

Spokane, Washington

REPORTED BY:

Brenda Pauley

CCR No. 3428

Thomas W. S.  
August 17, 2020

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1           A       For decades. I have been here since 2009  
2           in some capacity. We have conducted enforcement  
3           operations, consensual encounters as long as I have  
4           been here. I don't know specifically when we started.

5                    Transportation checks are part of the  
6           Border Patrol. It's part of what we do as an agency,  
7           not limited to Spokane Sector. So I would say we have  
8           done them pretty continuously probably since the  
9           history of our sector started.

10           Q       Aaron is going to prepare a new exhibit,  
11           which will be 25 by my count, which he will upload in  
12           a moment.

13                    While he is preparing that, maybe I could  
14           actually ask you some stuff about the document. Are  
15           you familiar with the term "actionable intelligence"?

16           A       I am.

17           Q       What does that mean?

18           A       Well, as it relates specifically to  
19           transportation check, which is what I'm guessing the  
20           topic is.

21           Q       Yes.

22           A       Under a previous administration there was  
23           an attempt to limit our trips to the bus station of  
24           the intermodal centers unless we had actionable  
25           intelligence. So we were -- we had the legal right to

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1 be at the bus station, there entered this term  
2 "actionable intelligence," that we should have  
3 something like that before going down -- we should  
4 have actionable intelligence that someone is using our  
5 region to abscond from the area.

6 So the basic idea why we do  
7 transportation checks is that aliens use  
8 transportation hubs as a means of egress from the  
9 border area. So those that would cross the border.

10 So under a previous administration that  
11 did not necessarily see the benefit or necessarily  
12 want the benefit of transportation checks, and the  
13 encountering individuals down there, it was determined  
14 that we needed actionable intelligence. In other  
15 words, we needed a reason to suspect that a person of  
16 interest might be using the bus for trying to escape  
17 or transit through the Spokane area.

18 Actionable intelligence could be a BOTLO.  
19 It could -- that's a Be on the Lookout. So it's an  
20 alert.

21 It could be something from a port of  
22 entry stating that on January 1st, the subject  
23 claimed, "If you don't let me through, I'm going to  
24 find another way to cross the border." Then now we  
25 have reason to suspect the person said they were going

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1 to walk around the border and they might use the  
2 Spokane area or the Spokane region to transit through.

3 So "actionable intelligence" simply  
4 refers to you have some -- some idea that some person  
5 might be using the bus or a train to pass through  
6 Spokane.

7 Q You referred to that as something a  
8 previous administration required. I take it that  
9 actionable intelligence is no longer required for bus  
10 checks?

11 A That is correct.

12 Q When did that stop being required?

13 A I would say probably shortly after  
14 November 5th, 2016.

15 Q And earlier you mentioned that oftentimes  
16 there would be somebody from the Spokane Intelligence  
17 Unit associated with each station within Spokane  
18 Sector. Am I characterizing that correctly?

19 A Yes.

20 Q What role would the person from  
21 Intelligence -- the Intelligence Unit play in  
22 determining actionable intelligence?

23 A Well, if things worked the way that the  
24 system is designed -- I mean, any -- all agents are  
25 intelligent agents, okay. First of all, we are all