

CONTAINS CONFIDENTIAL INFORMATION

Transcript of Ronald Sartini

Conducted on December 5, 2025

12

1 Q Okay. And for approximately how long
2 did you meet?

3 A Two and a half, three hours.

4 Q Did you speak with anyone besides
5 counsel about your testimony today?

6 A No.

7 Q Did you talk to Troup Hemenway about the
8 deposition testimony that he gave?

9 A No.

10 Q Did you talk to Joseph Guy about the
11 deposition testimony that he gave?

12 A No.

13 Q Are you familiar with the deposition
14 testimony that those two gentlemen provided?

15 A Not directly familiar.

16 Q You've testified previously in this case
17 at a couple of hearings before Judge Ana Reyes.
18 Do you recall that testimony?

19 A Yes.

20 Q During your testimony on May 19th, you
21 were asked or you gave testimony about
22 conversations you had had with existing staff at

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1 job position is?

2 A I am the CIS Ombudsman, the Acting
3 Deputy Immigration Detention Ombudsman, and Acting
4 Deputy CRCL Officer.

5 Q How would you estimate that you divide
6 your time between those three roles? How much
7 time do you spend on your duties as CIS Ombudsman?

8 A It varies by the day. I would say there
9 is -- I have to do some quick math in my head if
10 you're looking for one percentage first. I would
11 say approximately 30 percent of my day is spent on
12 CISOM tasks.

13 Q And approximately how much time do you
14 spend on tasks related to your Deputy CRCL Officer
15 role?

16 A About 40 percent.

17 Q And about how much time do you spend on
18 tasks related to your Deputy Detention Ombudsman
19 role?

20 A About 30 percent.

21 Q You testified during the May 19th
22 hearing -- I can show you the exact line if you'd

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1 like to see it. But you testified about not being
2 able to personally perform all the statutory
3 functions of all three offices yourself. Do you
4 still agree that that is the case?

5 A I don't recall particularly -- in
6 particular, saying that. Do I perform -- I am
7 able to execute all of the required functions of
8 the offices that I hold, keeping in mind that none
9 of these components of DHS ever had their
10 functions executed by one person each.

11 They are all offices. They are staffed.
12 I am not executing the functions alone by any
13 stretch.

14 Q Who is helping you to perform these
15 functions?

16 A So there is Mr. Guy and Mr. Hemenway at
17 OIDO and CRCL, respectively.

18 I have a chief of staff in CRCL and
19 OIDO, [REDACTED] who is an enormous help in
20 operating those offices.

21 I have staff, line-level,
22 non-supervisory staff in OIDO and CRCL.

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1 in the Office of Contracting to support all of our
2 contracts. And the same for all of the other
3 admin functions.

4 Q Thank you. What are your duties as
5 acting CRCL Deputy Officer?

6 A So for -- the primary duty is to be the
7 EEO Program Director, so I perform that function.
8 And then the way Mr. Hemenway has structured the
9 office, I'm primarily the Chief Operating Officer
10 for the component.

11 I operate the office. I ensure that
12 we're meeting -- we're performing our statutory
13 requirements and regulatory requirements.

14 And that is what I do. It's a varied
15 job. But there's a lot to it, and I perform those
16 functions.

17 Q And what duties does Mr. Hemenway
18 perform?

19 A Mr. Hemenway provides guidance. He
20 ensures that the Secretary signs whatever is
21 required of her to sign, and presents any
22 correspondence that needs signature related to

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1 A Mr. Guy provides guidance and oversight
2 to ensure that we are in keeping with the
3 Secretary's priorities for how the office should
4 be run.

5 He removes -- as Mr. Hemenway does. I
6 neglected to say this. He removes hurdles, which
7 is a very important role. And it's very nice to
8 have individuals at such a high standing in the
9 department to be able to clear any hurdles that we
10 may face. And so he removes those hurdles for us
11 and reviews documents that require higher-level
12 signature, including the Secretary's signature, or
13 that may go out of the department to Congress.

14 Q So you would expect that Mr. Guy would
15 be familiar with correspondence to and from
16 members of Congress involving OIDO?

17 A If received, yes.

18 Q Who is [REDACTED] ?

19 A He is my Deputy Ombudsman in CISOM, and
20 he is acting as the Chief of Staff of CRCL and
21 OIDO.

22 Q What duties does he perform?

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1 previously used.

2 (Exhibit 8 was marked for identification
3 and is attached to the transcript.)

4 Q Mr. Sartini, have you ever seen this
5 document before?

6 A I don't know that I've seen it. I'm
7 familiar with its content.

8 Q If you need a moment to read through it
9 and become familiar with it, let me know when
10 you're ready.

11 A Okay.

12 Q I'd like to direct your attention to
13 paragraph 5 of this document.

14 A Okay.

15 Q Is the contract described in Paragraph 5
16 still active with CRCL?

17 A Yes.

18 Q And what tasks are being performed under
19 that contract?

20 A Those contractors are intaking,
21 reviewing, and processing allegations from the
22 public complaint portal and also those still

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1 received by mail.

2 And they are analyzing the complaints
3 and proposing them to the federal staff, including
4 myself, for a determination of which complaints
5 will be opened and investigated. And they're also
6 forwarding urgent medical complaints to ICE or
7 CBP.

8 Q How many contractors are performing
9 those functions?

10 A I would say it's about seven, although
11 contractor headcounts are always a difficult
12 number for the government to nail down because we
13 are not paying for a particular number of bodies
14 to be on the contract at a given time. We are
15 paying for FTE utilization. The way I'm using the
16 term is full-time equivalent.

17 And so they are allowed to staff it with
18 as many or as few individuals as they deem fit to
19 meet the workload that we are paying them to
20 accomplish. But there seems to be a fairly stable
21 set of contractors working, at least that I
22 interface with, and I believe there are about

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1 seven of them.

2 Q And is that the same number of
3 contractors given the proviso you just made about
4 not knowing the exact number? Is the volume of
5 work being performed under that contract the same
6 as it was in May of 2025 or more?

7 A It is slightly more. And I have
8 accordingly plussed up the contract to both add --
9 and how the contractor chose to handle my plussing
10 it up was to add an FTE who happens to have been a
11 former CRCL employee who was RIF'd. And they have
12 also chosen to work overtime to meet the workload,
13 and I have authorized that time.

14 Q So if there were -- if there are now
15 approximately seven FTEs, that means that in May
16 there were approximately six; is that right?

17 A There was one less than there is now.
18 Yes. Maybe it's eight now and seven then. I'm
19 not 100 percent sure.

20 Q All right. Turning to paragraph 6 of
21 Mr. Hemenway's declaration. Is the contract
22 described in paragraph 6 still active?

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1 volume of work under that contract since May of
2 2025?

3 A No.

4 Q So the contracts described in paragraphs
5 7, 8, and 9 all pertain to employment -- equal
6 employment matters. In total, between the three
7 contracts, how many FTEs are working on EEO
8 matters for CRCL?

9 A I do not know. Because we do not
10 interface with them directly in a way that would
11 make it easy to count, and the names seem to
12 change often for Bashen and JDG.

13 I know that there are at least four or
14 five investigators for Bashen. There's at least
15 four or five for JDG.

16 And the IntelliTrack case management
17 system, I would not know, because there's a lot of
18 behind-the-scenes. That's a software contract, so
19 there's a lot of software engineers on the
20 contract that I just don't interface with. But
21 they're devoted to the system either full-time or
22 at least half-time.

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1 But as far as I know, there are at least
2 three individuals on that contract for us.

3 Q And to your knowledge, were those
4 staffing levels on the three contracts the same
5 when CRCL also had full-time employees handling
6 equal employment matters?

7 A Yes.

8 Q You mentioned earlier that part of your
9 role as Deputy CRCL Officer involves managing the
10 processing of the EEO complaints?

11 A Yes.

12 Q Does that mean that you are personally
13 responsible for supervising these contractors?

14 A Yes.

15 Q And what does that supervision entail?

16 A It entails ensuring that case processing
17 in every step of the process is timely, and then
18 ensuring that the quality, the work is being done
19 to an acceptable level of performance to meet our
20 legal requirements.

21 Q Do you review their work product?

22 A I sign their work product. The work

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1 product is primarily reviewed by attorneys from
2 the Office of the General Counsel.

3 Q And are there certain tasks that must be
4 performed by a full-time federal employee and
5 cannot be performed by a contractor?

6 A The signing of the documents is done by
7 myself. And as I understand it, that has to be
8 done by a federal employee.

9 I'm not aware of any others in the EEO
10 space that have to be performed by a federal
11 employee, but we do have one federal employee
12 assisting with managing the work and doing the
13 work itself, the investigations, plus the
14 attorneys from the Office of the General Counsel.

15 Q And you mentioned that you sign
16 documents. Do you ever recommend revisions or
17 changes to any of the documents before signing
18 them?

19 A At times, I do. Yes.

20 Q What would be the basis for recommending
21 a change?

22 A Reading the fact pattern in the

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1 complaint and making a reasoned judgment as to
2 whether or not discrimination has occurred. And
3 that will typically result in a conference between
4 me and my attorneys. And we will go through the
5 law point by point, and the attorneys will explain
6 why the determination was reached that was.

7 Q And when you say my attorneys, you're
8 referring to attorneys in DHS Office of General
9 Counsel?

10 A Yes.

11 Q Turning to paragraph 11 of Mr.
12 Hemenway's declaration, is the contract with
13 Klemen Consulting (phonetic) still in effect?

14 A No.

15 Q Has any other contract been entered into
16 to take the place of this contract with Klemen
17 Consulting?

18 A Not a contract. We have engaged the
19 Office of Health Services in the department to
20 conduct all medical review that we deem necessary.

21 Q Is the Office of Health Services a
22 subcomponent of ICE, or is it a separate

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1 component?

2 A No. It's a headquarters component
3 reporting direct to the Secretary.

4 Q And can you speak more about this nature
5 of that consultation? Are there staff details
6 full-time from OHS to CRCL, or is it more ad hoc?

7 A It is as we need it, not -- there are no
8 details.

9 Q And when you call in someone from the
10 Office of Health Services, are they being asked to
11 review documents, or are they being asked to go in
12 person to observe someone in detention? What
13 sorts of things are they being asked to do?

14 A So our agreement is that they will do
15 all of the above. At the moment, we have asked
16 them to undertake document review.

17 Q So you, between May of 2025 and today,
18 have not had occasion to ask them to consult
19 in-person on a case?

20 A Correct.

21 Q And approximately how many cases have
22 you asked them to conduct document review for?

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1 A I don't know the exact number, but it's
2 at least a dozen.

3 Q Turning back to Mr. Hemenway's
4 declaration, paragraph 12. Oh, I'm sorry. That's
5 JDG. We've already talked about them.

6 I'll ask anyway: Is JDG still
7 performing this function of writing up final
8 decisions that is discussed in paragraph 12?

9 A Yes. And this is a different contract
10 than the other JDG contract. This is a
11 contract -- not only am I plussing up, but I'm
12 probably quintupling compared to its previous
13 utilization.

14 Q Is JDG Associates writing all final
15 agency decisions for DHS at this time?

16 A No.

17 Q Which decisions are assigned to JDG
18 Associates?

19 A There isn't a rubric that I use. It's
20 as my attorneys are available. Right now,
21 attorneys are writing the FADs. And as their
22 workload allows their writing, and if they are not

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1 being?

2 A For CISOM, I had said five to seven
3 full-time employees. In addition to the Deputy
4 Ombudsman, currently we have one detailee.

5 CRCL, we said about 20 additional
6 full-time employees, and we have two-plus
7 contractors.

8 And then for OIDO, five to seven -- and
9 I don't see OIDO here. Hold on.

10 Q That's paragraph 13.

11 A Oh. Five -- yes. Five to seven
12 full-time employees, and we currently have three
13 plus two detailees.

14 Q Just sticking with what you believed and
15 knew as of May when you assumed the role, the
16 roles that you now have, we can talk later about
17 what's happened since then.

18 But does the staffing plan that is
19 reflected in this document, is that the staffing
20 that you believed at the time was necessary to
21 perform the statutory functions of the three
22 offices?

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1 CRCL?

2 A Well, I didn't say they weren't a
3 permanent solution. They are indeed part of the
4 permanent solution, particularly the contract at
5 issue in paragraph 5.

6 Q You may have already testified to this,
7 but just so that we have a clear record: Can you
8 say how many full-time employees are at CISOM
9 besides yourself?

10 A One, and one detailee.

11 Q And who is the one full-time employee?

12 A [REDACTED]

13 Q And Mr. [REDACTED] also performs work for
14 CRCL and for OIDO; is that correct?

15 A Yes.

16 Q So other than the one detailee, is there
17 anyone who is performing work for CISOM full-time?

18 A No.

19 Q When did the detailee come on board?

20 A I don't remember, but it was probably
21 somewhere in the early summer. June, perhaps.

22 Q Have there been any other detailees

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1 since May of 2025 at CISOM?

2 A No.

3 Q And how many full-time employees are
4 currently working at CRCL?

5 A Two.

6 Q Any detailees?

7 A No.

8 Q How many full-time employees are
9 currently working at OIDO?

10 A Three.

11 Q Any detailees?

12 A Two.

13 Q Do you know what the length of their
14 details is?

15 A I have them -- the offices have
16 indicated that I have them as long as I want them,
17 and right now we are assuming at least a one-year
18 detail.

19 Q Is that the same for the CISOM detailee?

20 A Yes.

21 MS. GILBRIDE: This would be 50 -- 50,
22 I believe.

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1 MS. DECKER: Yes.

2 (Exhibit 50 was marked for
3 identification and is attached to the transcript.)

4 BY MS. GILBRIDE:

5 Q Have you seen this document before?

6 A Yes.

7 Q What is it?

8 A It is the position description for the
9 Law Enforcement Specialist Assessment programs.

10 Or, rather, the job posting for that job, not the
11 position description.

12 Q Did you participate in drafting this job
13 announcement?

14 A I did. I drafted it in coordination
15 with the Office of the Chief Human Capital
16 Officer.

17 Q Did you also participate in the hiring
18 process?

19 A Yes.

20 Q Do you know how many people applied for
21 this position?

22 A I don't remember the exact number. But

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1 A Well, Mr. Bice handles a good portion of
2 the EEO complaint management work, including
3 drafting some of the documents on the EEO side.
4 They help with report writing. And that's it.

5 Q All right.

6 MS. GILBRIDE: I think this is Exhibit
7 51.

8 (Whispered conversation.)

9 MS. GILBRIDE: Are there full copies?

10 MS. DECKER: Yeah. So this is three
11 copies.

12 MS. GILBRIDE: 51. All right. And
13 we'll just figure out what that is later.

14 (Exhibit 51 was marked for
15 identification and is attached to the transcript.)

16 Q Are you familiar with this document, Mr.
17 Sartini?

18 A Yes. And the title and body of the
19 document look correct here. This is the Law
20 Enforcement Specialist Assessment Programs for
21 OIDO Job Announcement.

22 Q Did you have a role in drafting this job

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1 announcement?

2 A Yes, I drafted it with OCHCO.

3 Q And you had a role in the hiring process
4 as well?

5 A Yes.

6 Q Did anyone else participate in the
7 hiring besides you?

8 A Yes. [REDACTED].

9 Q And what qualifications were you seeking
10 for the law enforcement specialist role?

11 A We were looking for individuals who had
12 experience inspecting facilities and understanding
13 documents that had complex requirements, who had
14 experience conducting investigations of detainee
15 complaints, particularly complaints related to
16 being in detention. That's it.

17 Q And based on your conversation with the
18 former head of OIDO, did you understand that that
19 office previously had a set of employees that were
20 focused on inspections and a different set of
21 employees that were focused on case management?

22 A Yes.

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1 large detention facilities.

2 And then we have another in the
3 mid-Atlantic.

4 And we have a detailee -- where do we
5 have a detailee? Somewhere also in the southwest.
6 Yeah. So well spread.

7 Q So you said one person in Pennsylvania
8 and another person in the mid-Atlantic?

9 A Yes. And one in Texas.

10 Q Looking at the job announcement that was
11 posted, is a location given for where the
12 employees in this role would be based?

13 A Yes.

14 Q What does it say?

15 A Washington, D.C.

16 Q Did you have to obtain permission to
17 hire people who are not based in Washington, D.C.?

18 A No. Because their duty station is
19 Washington, D.C.

20 Q Is there an adjustment to pay if they're
21 living in another part of the country but their
22 duty station is Washington, D.C.?

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1 A No. Because they are traveling to those
2 areas of the country.

3 Q So to your knowledge, where do these
4 individuals live?

5 A They live in the National Capital
6 Region, so far as I know.

7 Q I see. And how frequently do they
8 travel to their assigned locations, as far as you
9 know?

10 A They are traveling regularly.

11 Q For what purpose are they traveling?

12 A To conduct facility inspections and
13 follow-up on complaints -- complaints.

14 Q How frequently are they traveling to
15 conduct inspections.

16 A Regularly. I -- sorry.

17 Q So there's -- go ahead.

18 A They're on travel regularly. So right
19 now, we have a small data set from which to answer
20 that question because they were onboarded, I
21 believe in September, and then there was the
22 shutdown.

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1 report, despite having 120 employees.

2 Q And from your understanding of the OIDO
3 2023 report, did those employees make repeated
4 visits to the same facilities?

5 A I don't know. It's not -- from my
6 reading or what I remember of the report, it's not
7 quite clear.

8 Q Under your current plan for OIDO going
9 forward, will employees be expected to return to
10 the same facility that they have already visited?

11 A Sure. It would be a natural part of an
12 after-action plan or following up on a report.

13 So, for example, if there are
14 recommendations set forth in the report and ICE or
15 CBP adopt the recommendations, it would be natural
16 to follow up to see if those recommendations were
17 implemented at some point.

18 Q So how frequently would you anticipate a
19 law enforcement specialist returning to a facility
20 within their portfolio?

21 A I don't have an expectation. I think
22 that's a decision that we can make as we move

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1 along.

2 Q So between the five individuals
3 currently working for OIDO, how are detention
4 facilities distributed?

5 A Primarily by the region that the
6 individuals know and are comfortable with. So if
7 an individual -- the individual who we have who
8 comes from Texas and was a border patrol agent in
9 Texas and knows those facilities well, he is more
10 likely to be assigned to cover those facilities.

11 And, for example, we have an employee in
12 Pennsylvania who worked at one of the larger
13 facilities there. And so it makes sense that she
14 would be more likely to be assigned both to
15 inspecting that facility and the others around it.

16 Q Do you know how many detention
17 facilities are currently in operation?

18 A I believe -- so the number changes all
19 the time, but it's around 200.

20 Q So would you anticipate each of your
21 five OIDO employees being responsible for
22 approximately 40 facilities?

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1 A Yes. That's feasible. And the fact
2 that we already have knocked out 22 inspections
3 tells me that that can be done.

4 And it doesn't only have to be done by
5 the three employees. We have detailees, and we
6 also have -- CRCL is authorized to conduct
7 inspections, as well.

8 But yes. I think that is feasible.

9 Q Do you intend to make additional hires
10 at OIDO?

11 A It's under discussion, but no decisions
12 have been reached. In particular, because we are
13 in a three-month CR, and the Office of Budget
14 informs me that no office should be doing hiring
15 when you don't have a year-long appropriation in
16 place. That is standard practice.

17 Q Do you intend to make any additional
18 hires at CISOM?

19 A Same -- same answer: Potentially. No
20 formal decisions made, and advise not to make them
21 while we have a short CR.

22 Q Are you familiar with the budget

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1 recommendation that was made to Congress for these
2 three offices?

3 A Yes.

4 Q Have the projections in that budget
5 affected your plans for the future for staffing
6 these three offices?

7 A They do. Yes, they have.

8 Q In what way have they affected your
9 plans?

10 A So the budget recommendation is a
11 reflection of OMB's guidance to the Department.
12 And right now, we do not -- we would not take
13 action that is inconsistent with OMB's guidance
14 without discussing all the way up the chain.

15 And so, again, the shutdown heavily
16 complicates things here because we don't know what
17 would have happened if there was a year-long CR or
18 not. But the fact of the matter is right now, all
19 of the plans don't really matter because we don't
20 have funding past January 30th.

21 Q And do your plans differ depending on
22 whether OIDO has an operating budget going forward

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1 or whether its budget is zeroed out after January?

2 MR. DAVIS: Objection, deliberative
3 process privilege. The witness can answer at a
4 high level of generality, but not about specific
5 discussions or plans.

6 A Generally, yes. Not having money
7 impacts operational and staffing plans.

8 Q What is your plan if the funding is
9 reduced to zero?

10 MR. DAVIS: Same objection,
11 deliberative process privilege. Answer at a
12 general level.

13 A I would be consulting the Office of the
14 General Counsel for what happens in that
15 situation. I don't have any experience in such a
16 situation.

17 Q Would the projected budget also reduce
18 the funding available for CRCL going forward after
19 January?

20 A I don't know that it would. Right now,
21 we are staffed to the level in the budget. So I
22 don't know that it would reduce it further. I

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1 when the selection was made.

2 But, again, I moved with all haste, and
3 Mr. Guy moved as many roadblocks as he could.

4 Q And when were the three full-time hires
5 for OIDO onboarded?

6 A So I think they came on shortly after
7 the CRCL staff, so that was probably end of
8 August, early September. Two of them asked for a
9 significantly later start date. We were able to
10 onboard earlier than they onboarded, and then we
11 wound up onboarding them all at the same time.

12 So we were able to onboard earlier, but
13 they asked for -- I don't know if it was a pay
14 period, maybe two pay periods. Because they were
15 actually moving to the National Capital Region to
16 take the job, and they needed time to move.

17 Q I'm sorry. Did you say they had to
18 relocate to the Capital Region?

19 A Yes.

20 Q Okay. I have another exhibit. I want
21 to make sure I'm on the right page.

22 MS. DECKER: Actually, it's --

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1 MS. GILBRIDE: Is there anything else
2 down there? Yes. Yeah. That's the only thing
3 left in here. I'll pass it around.

4 MS. DECKER: Sure. And this is going
5 to be another exhibit?

6 MS. GILBRIDE: Yes. We haven't used
7 this one before.

8 MS. DECKER: 53?

9 MS. GILBRIDE: 53.

10 MS. COOGLE: This would be 54.

11 MS. GILBRIDE: Oh. Thank you.

12 (Exhibit 54 was marked for
13 identification and is attached to the transcript.)

14 BY MS. GILBRIDE:

15 Q Mr. Sartini, are you familiar with this
16 document?

17 A Yes.

18 Q What is it?

19 A A transcript of the motions hearing
20 before Judge Reyes from May 23rd, 2025, and it
21 appears to be the testimony given by myself and
22 Nicole Barksdale-Perry.

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1 Q Okay. I'd like to turn your attention
2 to page 98, which is a portion of your testimony.

3 A Okay.

4 Q And feel free to familiarize yourself
5 with this section of testimony, but you're
6 describing the time period to complete the hiring
7 process and how long you estimate it will take.

8 Do you see where you say you think it
9 will take around a month?

10 A Yes.

11 Q How long did it actually take for these
12 individuals to assume their roles?

13 A From that point, probably another two
14 months, depending on who we're talking about. If
15 it's a CRCL staff, maybe June, July. Yeah. Two,
16 two and a half months. And then OIDO staff,
17 probably three months.

18 Q Why did it take longer than you
19 estimated that it would take?

20 A So, again, for some of the candidates,
21 they requested that it be longer before they
22 onboard, and we accommodated.

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1 And then the other is -- and, I mean,
2 that's not that far off the mark for -- for a
3 hiring process. I think if you told any hiring
4 manager, we can go from cradle to grave to hiring
5 someone within 3 months, they would laugh and say,
6 no, it always takes 6 to 12 months. So it's still
7 very fast. And certainly my actions were taken
8 within a month, so far as I recall.

9 And I think where it took longer was
10 likely in the security vetting for the candidates,
11 which is outside my control and not a good process
12 to try to intrude on. So I believe that's why it
13 took longer.

14 But, again, that it happened as fast as
15 it did was a credit to the hurdles that high
16 leadership moved so that we could get this done.

17 Q You mentioned security vetting. Is that
18 something that you were familiar with when you
19 gave this testimony to Judge Reyes in May?

20 A I'm aware that it's a process that
21 happens. But the process, depending on the
22 candidate, varies. It can be very quick, as I was

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1 hoping in this case, and it can take longer,
2 depending on individuals' backgrounds.

3 And it also depends on department
4 priorities, which I may not have been aware of at
5 the time. So, for example, if we're trying to
6 surge the number of ICE agents that we're hiring,
7 that may have slowed the security process down.

8 Q Since you mentioned the number of ICE
9 agents changing, is that a change that occurred
10 after you made your staffing estimates for CRCL
11 and OIDO in May of 2025?

12 A I don't know that there is a formal
13 change in the number of ICE agents that I'm aware
14 of even now. I mean, I know there's a hiring
15 surge. I don't know how many of those hires or
16 potential hires have actually been put into the
17 field.

18 So I don't know if there is a change in
19 the numbers. But I am generally aware that DHS
20 operations would be ramping up. I was aware of
21 that at the time that I made my staffing
22 recommendations.

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1 that OGC is providing to -- maybe we'll take
2 offices one at a time.

3 What support is OGC providing to CRCL?

4 A OGC reviews, in concert with the federal
5 staff, all of the complaints that we receive. And
6 in that review, the OGC portion is to determine if
7 a given complaint might be a Section 504 of the
8 Rehabilitation Act complaint. Because those are
9 required to be investigated one-to-one. And so we
10 need to make sure we're not missing any of those.

11 And then they advise further on what
12 civil liberties or civil rights may be implicated
13 in a particular complaint and what the law is in
14 that area, particularly Title VI 345.

15 And then there is the attorneys that
16 advise me on EEO matters and have a background in
17 EEO law. And they are both writing final agency
18 decisions, reviewing the quality of the work of
19 the investigators for legal sufficiency, and then
20 advising me on the finer points of the law when I
21 have questions.

22 Q And what about for OIDO? What support

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1 Q So the two current OIDO detailees
2 started out at CISOM; is that right?

3 A One of them did. One dropped. So there
4 were three: One dropped, one remained at CISOM,
5 one went over to OIDO, and then we had another one
6 added at OIDO after that.

7 Q Okay. And the next bullet point refers
8 to the Deputy CIS Ombudsman. Do you know when Mr.
9 Gomez was selected for his role?

10 A Yes. I believe he onboarded -- I don't
11 remember about selection, but I believe he
12 onboarded in late June, early July.

13 Q Okay. And when he was hired as Deputy
14 CIS Ombudsman, was he aware that he would be doing
15 work for CRCL and OIDO as well?

16 A No. That decision had not been reached
17 yet.

18 Q When did that decision get made?

19 A I don't remember. Probably not long
20 after he onboarded.

21 Q And then the next bullet point down says
22 you expect a job announcement by which CISOM will

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1 be fully staffed will be posted in the coming
2 weeks.

3 Was an additional job announcement for
4 CISOM ever posted?

5 A It was not posted because what happened
6 between the date of this declaration and before we
7 posted anything was the OMB budget recommendations
8 came out saying no more than two at CISOM. And so
9 we had two; we had myself and Mr. [REDACTED] So we
10 stopped there for the time being.

11 Q And we spoke earlier today about salary
12 allocations in the budget for people who are
13 wearing two or three hats. Was there any way that
14 you could use that funding to hire additional
15 people at CISOM?

16 A No. So I'm not sure I understand the
17 question, though. Where -- what extra funding are
18 you referring to?

19 Q So I'm referring to the fact that, for
20 example, there's money allocated for Mr.
21 Hemenway's salary or for the salary of the CRCL
22 officer, but Mr. Hemenway has another full-time

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1 not include for the sake of brevity.

2 Have you ever seen this position title,
3 Regional Representative, Local Ombudsman before?

4 A Yes.

5 Q What is your understanding of what that
6 position did?

7 A So in my extensive transition
8 discussions with the acting ombudsman, he
9 intimated to me that there were four local
10 ombudsmen or four regional representatives that
11 they were hoping could serve as the local
12 ombudsman function, and that they simply did not
13 have money to hire more, and that in the office's
14 20-year history, they've only had these regional
15 representatives for a year or two and that this
16 was their attempt to meet the unfunded mandate in
17 the statute.

18 Q And as part of your staffing plan for
19 CISOM, did you include any regional
20 representatives or local ombudsmen going forward?

21 A I did not, for two reasons. The
22 position, again, was -- is simply not funded by

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1 Congress. The statute, I think, is quite clear
2 that it envisions 50 local ombudsmen, one for each
3 state. That's how I read it. I'm pretty sure it
4 says the number 50.

5 And four is not 50. Regional is not in
6 each state, so that's not the same thing. And I
7 didn't think that we needed to begin fulfilling
8 that requirement at this point in time when, in
9 the 20-year history of the office, it never had
10 been. That was reason one.

11 Number two, my plan at the time -- and
12 it is still my plan -- is to explore, after
13 seeking counsel, other ways that we may appoint
14 local ombudsmen other than hiring full-time
15 federal employees.

16 Q And you said that is still your plan.
17 Do you have a timetable for when that may occur?

18 A It is just a plan. It needs to be
19 researched and discussed with counsel. There is
20 no timetable at the moment.

21 MS. GILBRIDE: Let's go off the record.

22 THE REPORTER: One moment.

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1 contractors to seek the help of IT to just make
2 the system function.

3 It is nowhere near as efficient as it
4 should be, and we are in the process of rolling
5 out the incremental improvements right now. We've
6 developed the user stories, which is a technical
7 term to develop software and alter it, and we are
8 in the process of releasing updates that would
9 simplify the system.

10 Q And any of those system changes that
11 you're describing, will they affect the interface
12 that members of the public have with the CRCL web
13 portal?

14 A No. This is purely on the back end.

15 Q Are there any other ways that members of
16 the public can submit complaints besides the web
17 portal?

18 A No.

19 Q Do you know if that is a change from
20 prior CRCL policy?

21 A It is a change.

22 Q Do you know when that change went into

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1 effect?

2 A I adopted the change. I don't know
3 exactly when. It was probably over the late --
4 around the late summer.

5 Q And why did you make that change?

6 A For efficiency's sake. The president
7 has directed efficiency through executive orders.
8 And the ability to receive mail is a burden on us
9 that is inefficient, and it is not in keeping with
10 good customer service, either.

11 We get mail very slowly, and then it
12 becomes a problem to log correctly. We also don't
13 have a great way to get mail back out if we don't
14 have anything other than a mailing address.

15 If a complainant sent us mail at a given
16 time, it takes, like, two weeks to reach us
17 because of the irradiation facility that's used to
18 screen the mail. Often they are not still
19 available at the address they sent it from.

20 And so it's much faster, and the data
21 entry is much tighter and more efficient if
22 everything is borne online.

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1 Q Is it also burdensome for CRCL to
2 receive complaints via email?

3 A It is, and so we have stopped doing so.
4 We only use email for appeals.

5 But email actually has a worse problem
6 than snail mail in that it is very easy to spam it
7 and to send viruses and large attachments that
8 wreck our system. This was happening recently,
9 and we had to take steps to protect the network so
10 that we could actually access legitimate claims
11 and not have the system crippled by spammers.

12 Q Do individual contractors or full-time
13 employee investigators correspond with
14 complainants using email?

15 A The contractors may. I don't believe
16 the Feds do. The contractors correspond, at least
17 for appeals, via email. And yes, we do send
18 emails back.

19 Q So you had given an answer earlier in
20 today's deposition about what happens when a
21 complaint is submitted and the contractor
22 reviewing it, and then a number of things can

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1 intuitive. And that's part of what we're
2 simplifying now.

3 Q And once a matter is referred to another
4 component, is the -- what sort of follow-up occurs
5 between CRCL and that component?

6 A So it's case-by-case. But the MOUs that
7 we have with the components and the understanding
8 that we have to be formal and informal is that we
9 reserve the right to do follow-ups, conduct
10 quality checks, ask for a monthly or annual
11 readout of what they did with our cases.

12 Some cases, we will just refer, and CRCL
13 will then be done with it. And others, we will
14 follow up.

15 Q And then the instance when the case is
16 referred and CRCL is done with it, do you then
17 close the case in the CRCL tracking system?

18 A Typically, yes.

19 Q And would a notice be sent to the
20 complainant notifying them that the matter had
21 been closed?

22 A Typically, yes. That is what should be

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1 produced or will be producing.

2 Q Is there a specialized protocol
3 different from what we've already been discussing
4 when the complaint relates to a death in DHS
5 custody?

6 A Yes, there is. The previous agreement
7 and process before the RIF is still in place. ICE
8 or CBP sends me personally a notification of the
9 death, and they CC our group internal mailbox so
10 that the record is properly saved and maintained
11 in our corporate system.

12 And I read the circumstances around the
13 death. There is usually a pretty detailed rundown
14 from ICE or CBP as to the circumstances of the
15 death and actually a history going back to the
16 first time the United States encountered this
17 individual, often in a law enforcement context or
18 in a legal immigration context.

19 So you have the whole rundown of their
20 history, and then you have a pretty good write up
21 of what the circumstances of the death were. And
22 that is just the notification. And the

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1 understanding is that soon thereafter, a coroner's
2 report will follow up with the medical
3 documentation of the body and their assessment of
4 the circumstances of the death.

5 Q And who else do you coordinate with on
6 investigating the circumstances of deaths in
7 custody?

8 A So I will coordinate with any of my
9 employees, I will talk it over with counsel, and
10 where needed, I -- I bring in the Office of Health
11 Services.

12 Q Have you investigated any deaths in
13 custody since taking on your role as acting CRCL
14 deputy?

15 A No.

16 Q To your knowledge, have there been
17 deaths in custody since you took on that role?

18 A Yes, there have been. As of a couple of
19 days ago, there were about 22 deaths in custody.

20 There is some debate as to what
21 constitutes a death in custody. But the way I'm
22 looking at it, there are about 13 or 14 in

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1 facilities, and then that broader group of
2 individuals who are killed when involved with ICE
3 or CDP in pursuits and such brings that number to
4 about 22 since March.

5 Q And if you have not personally
6 participated in investigations of those deaths,
7 have you reviewed reports of investigations
8 conducted by others?

9 A Yes. So I have read all of the
10 summaries. I have looked at all the documents
11 produced by ICE and CBP. I have read every page
12 of every single one myself.

13 And keeping in mind that the report
14 takes time to generate, so I am not in receipt of
15 22 full deaths with autopsy reports. I don't know
16 how many I have. Maybe 10 currently in my
17 possession, and I have not found cause to
18 investigate thus far.

19 Q Is the figure of 22 that you just gave
20 an increase from the number of deaths in custody
21 in past years, to your knowledge?

22 A It is an increase, but it is lower per

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1 ICE and CBP are required to take it.

2 Q And as new ICE and CBP employees are
3 onboarded, do you know how soon they're required
4 to undergo that training?

5 A I don't know.

6 Q Returning to the web portal that we
7 discussed previously, do you know if family
8 members or other representatives are able to lodge
9 complaints on the web portal for someone else?

10 A They are. But they need to accompany
11 the complaint with a signed consent form.

12 Q Is there a particular form of consent
13 form that they need to use?

14 A Yes. It's the -- well, they don't have
15 to use it for OIDO. I believe it's not specified
16 with CRCL. It is specified to use the G-28, which
17 is a standard form for this purpose in the
18 immigration ecosystem.

19 Q So if a family member or some other
20 third party is not an attorney, would they be able
21 to complete a G-28 form?

22 A Yes. It's for a representative of any

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1 kind. Our standards are somewhat different from
2 USCIS, so we're using the G-28 form because it's a
3 standard form. And yes, you do not need to be an
4 attorney to complete that form.

5 Q If a complaint is submitted by a third
6 party that does not include a signed G-28 form,
7 will that complaint be processed?

8 A No.

9 Q Will the individual who submitted the
10 form be notified about the status of their
11 complaint?

12 A Yes. They'll likely get a letter
13 saying, we're not going to look into your case
14 because it didn't have the requisite form
15 attached.

16 MS. GILBRIDE: No. We've used this one
17 before, but I'm not sure which number it is.

18 MS. DECKER: Let me take a look. Oh.
19 We haven't used it as an exhibit before.

20 MS. GILBRIDE: We haven't.

21 MS. DECKER: Oh. Wait. I --

22 MS. GILBRIDE: The first day.

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1 MS. DECKER: We did. Let me look.

2 MS. GILBRIDE: I know it -- one moment.

3 I believe it's 16.

4 (Exhibit 16 was marked for
5 identification and is attached to the transcript.)

6 BY MS. GILBRIDE:

7 Q Are you familiar with this document?

8 A No. I don't believe I've seen this
9 before.

10 Q If a third party submitted this form
11 instead of the G-28, would their complaint be
12 processed for CRCL?

13 A Yes. I believe we would not kick it
14 back if this form were properly completed. I
15 think that is something that my CRCL contractors
16 would probably come to me for guidance on. And I
17 would say that if the form is properly completed,
18 we could accept it.

19 What we're using with the G-28 is that
20 standard DHS form. This, to me -- again, I
21 haven't seen this, and I'm not seeing some of the
22 indicia of a standard DHS form like the seal and

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1 notice between this version of the acknowledgment
2 letter and the acknowledgment letters that are now
3 being sent out?

4 A I don't know. I'd have to have the
5 current letter in front of us.

6 I mean, I note the OIG writer first
7 refusal in here, which we still do. I probably
8 neglected to mention that before, but that is a
9 part of the process that is up front before the
10 complaints make it to me. So that is still
11 happening.

12 As far as other textual differences, I
13 wouldn't know. I would need it in front of me to
14 see.

15 (Pause.)

16 Q So turning your attention to the, I
17 believe, third page of this document, immediately
18 before the Privacy Act statement.

19 A Okay.

20 Q Do you see that there's a phone number
21 provided for someone to call if they have
22 questions?

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1 A Yes.

2 Q Is that phone number still operational?

3 A No.

4 Q So when someone submits a complaint
5 today, if they want to follow up to ask questions
6 about the status of their complaint, how would
7 they be able to do so?

8 A They will receive status information
9 when it is available. We do not have a mechanism
10 for knowing the status of the complaint.

11 Q And if a complainant wishes to
12 supplement the information they previously
13 provided, is there a mechanism that they can use
14 to do that?

15 A No. Consistent with a lot of government
16 complaint management, it is a one-step mechanism
17 at intake. And so, no. If we fail to take up the
18 complaint, if we choose not to, at that point, the
19 complainant can submit another complaint.

20 I don't view this as being of a piece
21 with, for example, a Social Security application
22 where you are denied benefits if you don't submit

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1 proper documentation. This is -- it is not a
2 government benefit process. And so we do a
3 one-shot intake. And if we need more information,
4 we will contact the complainant to obtain it.

5 Q And what if the individual who submitted
6 the complaint no longer wishes to pursue it or
7 have it investigated? Is there a mechanism for
8 withdrawing the complaint?

9 A No.

10 Q All right.

11 MS. DECKER: 56?

12 MS. GILBRIDE: Sure. I think we used
13 this one before, but just in case we're -- I am
14 not confident enough with my recollection, so we
15 can --

16 MS. DECKER: Okay.

17 MS. GILBRIDE: -- use a new exhibit
18 number.

19 (Exhibit 56 was marked for
20 identification and is attached to the transcript.)

21 Q Have you ever seen this document before?

22 A Yes. I signed it.

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1 workflows built into the system different to each
2 complaint type, and some of them have these
3 intermediary steps that require documents to be
4 uploaded to the system.

5 Q Okay. We are done with that document.

6 MS. GILBRIDE: This is 57.

7 MS. DECKER: 57.

8 (Exhibit 57 was marked for
9 identification and is attached to the transcript.)

10 Q Did you get a chance to review this
11 document?

12 A I've reviewed it.

13 Q What does this document appear to be?

14 A A letter from CRCL dated September 10,
15 2025, to Complainant [REDACTED] indicating
16 that we are not pursuing her complaint further.

17 Q What's the basis given in this letter
18 for no longer pursuing the complaint?

19 A That the alien has been removed and was
20 removed two years ago.

21 Q And to your knowledge, how long has it
22 been CRCL policy to stop investigating a complaint

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1 when the individual referenced in the complaint
2 is -- has been removed or is out of custody?

3 A Since Mr. Hemenway and I were appointed.

4 Q Why did you make that change in policy?

5 A Because when we look at the most
6 efficient use of CRCL resources, however much
7 staff we have, it doesn't -- we are not able to do
8 anything for aliens who are removed. They are no
9 longer subject to CRCL jurisdiction. And,
10 therefore, it makes the most sense to focus
11 resources on the individuals still in the United
12 States.

13 That does not preclude us from, as we
14 do, storing all the information and tracking for
15 trends and analysis and reporting and
16 recommendations based on the content of those
17 complaints.

18 Q So in your understanding of CRCL's
19 statutory requirements, is CRCL focused on
20 redressing harms experienced by individual
21 complainants?

22 A That is one area that CRCL has in its

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1 they remain available to this investigator to see
2 what that universe that we have received looks
3 like. It's a valuable data set for us, whether or
4 not we investigate it.

5 Q And the information you would have for
6 those prior investigations would consist of
7 anything that the complainant sent to you and
8 anything you subsequently requested; is that
9 correct?

10 A Yes. All records, all documents are
11 attached to the case file in the system, including
12 physical mail is scanned and saved.

13 Q Will CRCL request additional information
14 from components like ICE or CBP only in those
15 cases where it opens a formal investigation?

16 A Not necessarily. But I think that is --
17 at the point we are requesting documents from a
18 component, I consider that an open investigation
19 and call it a formal investigation. To me, that
20 term doesn't mean anything.

21 But yes. If we are querying a component
22 for documents, that's a complaint we're likely

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1 it's at least a dozen, maybe quite a bit more than
2 that. But I don't recall.

3 Q And do you sign all of the Section 504
4 determination letters?

5 A Yes.

6 Q What does your level of review and
7 involvement with those complaints look like before
8 signing them? Or -- sorry -- with those
9 determination letters look like before signing
10 them?

11 A So at the very beginning, I make the
12 determination to both open an investigation and to
13 pursue it as a 504 investigation vice VI 345
14 complaint, and that decision is informed by
15 counsel.

16 And then the investigators will
17 investigate and compile the documentation. And
18 they will present me with the final determination
19 and written letter after consulting counsel, but
20 before it gets to me.

21 And then I will review it. I will ask
22 any questions of the investigator and counsel if I

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1 have. And if I have, those questions are
2 answered. And if I don't have, I sign it, and we
3 reissue it.

4 Q Do you recall whether you had any
5 questions about this particular determination
6 letter?

7 A I do not.

8 Q I'm turning your attention to the third
9 page of the letter. There's a Bates number 22597.

10 A Yes.

11 Q Item C: ICE did not discriminate
12 against your client?

13 A Yes.

14 Q Do you remember reviewing the legal
15 analysis in this section of the determination
16 letter?

17 A I don't remember when I -- I was
18 reviewing it, but it looks familiar to me.

19 Q And do you believe that the legal
20 analysis in this letter is adequate?

21 A Yes.

22 Q Looking to Section Roman IV, Right to

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1 Appeal, the letter outlines the amount of time
2 that the complainant has to appeal. Have you
3 participated in any appeals of Section 504
4 complaints since you've been in your role?

5 A No. To my knowledge, we haven't
6 received any.

7 Q And what is the process for handling an
8 appeal, should you receive one?

9 A Those will be looked at manually.
10 Everyone will be looked at. And it is going to
11 result in a conversation between the investigator,
12 my counsel, and me.

13 And at that point, we will determine who
14 the appropriate authority is to review the appeal.
15 It would not be me. It would likely be Mr.
16 Hemenway.

17 Q In the time that you have been acting as
18 CRCL Deputy, do you know whether any of the
19 determination letters on Section 504 complaints
20 have concluded that the statute was violated?

21 A I don't believe any have. But, again,
22 that's data that we have available.

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1 A No.

2 Q Do you know approximately how many of
3 your determination letters on Section 504
4 complaints have been issued within the 180-day
5 timeline?

6 A I don't know the number, but I know that
7 all 504 complaints received since I have been in
8 the position are timely.

9 I note that this letter was already late
10 before the RIF even happened, this complaint. It
11 would have been late.

12 And so all of the late 504s that I
13 inherited upon assuming my position, we are
14 getting to them. I think we've gotten to all of
15 them. I could be wrong about that. But all of
16 the ones that have come in since I've been in the
17 position have been addressed timely.

18 Q And how do you prioritize new complaints
19 coming in as opposed to the backlog that you
20 inherited after the RIF?

21 A We take them as they come. So it is a
22 FIFO, first-in, first-out process.

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1 but most of them were OIG inspections of detention
2 facilities.

3 Q And who from CRCL attended?

4 A I did.

5 Q How did these meetings inform your work
6 going forward with regard to the portfolio of CRCL
7 complaints?

8 MR. DAVIS: Objection, deliberative
9 process privilege. Just at a very high level,
10 nothing specific.

11 A The investigations that OIG did were
12 thorough and well done, and they're a good model
13 for us to follow.

14 Q Next item, number 5, Reviewing
15 Management Directives and Instructions. How often
16 was CRCL called upon to review these sorts of
17 documents?

18 A As needed. And we're redoing all of the
19 directives and instructions within DHS, and
20 they're all sent to me for review.

21 Q So in total, how many of these sorts of
22 documents would you say you've reviewed since May?

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1 A Dozens. I don't know. And there are
2 more coming. But we're only at the beginning of
3 this project, so probably at least a couple of
4 dozen.

5 Q What does your review entail?

6 A My review entails making sure CRCL
7 equities are covered and, in particular, that any
8 functions that are required to reside in CRCL
9 remain and are not eliminated or moved somewhere
10 where they're not permitted to be.

11 Q Are there other types of policy
12 documents that you have -- you or others in CRCL
13 have had occasion to review for other components
14 of DHS?

15 A Yes.

16 Q And how many such policy documents would
17 you say you've reviewed or others within CRCL?

18 A Easily two or three dozen. I mean, any
19 policy that even remotely has a nexus to civil
20 rights and civil liberties, which is almost
21 anything the operational components do, comes to
22 CRCL as a required clearer of the policy or

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1 document.

2 Q Who has been responsible for reviewing
3 those policy documents?

4 A I am.

5 Q And have you suggested any changes to
6 any of the documents that you've reviewed?

7 MR. DAVIS: Objection, deliberative
8 process privilege. High level of generality, no
9 specific advice or recommendations given.

10 A A few. I've -- I've made minor edits to
11 a few.

12 Q And have you consulted with anyone else
13 in coming to those conclusions about what changes
14 to recommend?

15 MR. DAVIS: Just caution the witness
16 not to reveal attorney-client privilege or
17 anything deliberative.

18 A Only Mr. Hemenway.

19 Q To your knowledge, have the changes that
20 you've proposed been adopted?

21 A Yes.

22 Q Returning back to the interrogatory

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1 response, the next item is Review of Congressional
2 Correspondence. Who would be responsible for
3 reviewing inquiries from Congress and responding
4 to them?

5 A So for the department, all congressional
6 correspondence comes through the Executive
7 Secretariat, and then they are supposed to be
8 disseminating that mail to the appropriate office
9 for a response. Sometimes that happens.
10 Sometimes it does not.

11 But for CRCL, I am the one -- department
12 policy requires clearance and drafting at the
13 Chief of Staff level and above. And so I am
14 handling that in conjunction with Mr. Hemenway.

15 Q Have you reviewed any congressional
16 inquiries?

17 A Yes.

18 Q How many, approximately?

19 A Maybe about five or six.

20 Q And have you consulted with Mr. Hemenway
21 about those inquiries?

22 A Yes. And I'm required to. Because if

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1 they're addressed to the Secretary and for her to
2 sign it, the memo to her to sign the response must
3 come from him, not me.

4 Q Have you responded to any inquiries?

5 A Yes. That --

6 Q All five that you mentioned having
7 reviewed have been responded to?

8 A I believe so. We don't -- if we're in
9 receipt of a congressional letter, we don't ignore
10 it.

11 Q And next item on this list, Giving
12 Guidance on Medical and Religious Accommodations,
13 would that be included in the review of written
14 policies that you mentioned earlier, or is this
15 something separate?

16 A Yes. But in this case, we are the
17 originator of those policies.

18 Q And have you drafted new policies since
19 taking on your role as Deputy CRCL Officer?

20 A Yes.

21 Q How many such policies?

22 A Related to medical and religious

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1 accommodations, probably four. There is at least
2 one change generally to the medical; there is one
3 about religious; and then there have been maybe
4 three component-specific religious accommodation
5 policies that CRCL issued, that Mr. Hemenway
6 issued to those components.

7 Q What role did you have in creating those
8 policies?

9 A I communicated to the Office of the
10 General Counsel that there were changes needed to
11 the existing policies and a lot of clarification.
12 That was requested by our customers, meaning the
13 components and our headquarters employees.

14 And so we needed to issue new guidance
15 both to issue clarification and to accommodate the
16 guidance coming out from OPM and the White House
17 as to various changes within the workforce at the
18 beginning of the administration.

19 Q Did those policy changes involve the
20 rescission of existing policy guidances that had
21 been in effect?

22 MR. DAVIS: Objection, deliberative

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1 process privilege and possibly attorney-client
2 privilege. You can answer at a very high level.

3 A Yes.

4 Q Last item on this list, Annual Use of
5 Force Review for CBP in August. What was CRCL's
6 role in that annual review?

7 A I was a member of the board, and the
8 board has seven or eight voting members on it.
9 And so I and the other members voted on, I think,
10 the ten instances of force that CBP OPR presented
11 to us over that two-day span, and we voted on
12 whether or not the uses of force were legitimate
13 or within policy.

14 Q And what is the consequence if the board
15 concludes that a use of force was not legitimate?

16 A It depends on the case. But the board
17 then votes on the order of magnitude of the
18 offense, is my understanding of it.

19 The particular determination is a
20 supervisory and chain-of-command issue, but they
21 need that determination from the board to proceed
22 if it was not found to be legitimate. But the

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1 identification and monitoring of pregnant
2 detainees that was put in place in 2023? Do you
3 know if that remains in effect?

4 A I do not.

5 Q And ICE's memo on the care and custody
6 of transgender detainees, do you know if it
7 remains in effect?

8 A I do not.

9 Q And do you know if CRCL has been
10 consulted about either of those two topics,
11 pregnant detainees and the care of transgender
12 people in custody?

13 A We have not since I've been in the
14 position. I know ICE has its own CRCL-type office
15 and their own counsel, but we have not been
16 consulted.

17 MS. GILBRIDE: All right. We can go
18 off the record.

19 (A recess was taken.)

20 THE REPORTER: Back on record.

21 MS. DECKER: Is this going to be a new
22 exhibit?

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1 Q Before the RIF and the staffing changes
2 at OIDO, do you know what the most common method
3 for receiving complaints by OIDO was?

4 A I think I do.

5 Q What do you think it was?

6 A Case workers in the facilities.

7 Q And under the way that OIDO is currently
8 organized, can detained individuals submit
9 complaints to case workers in the facilities now?

10 A No.

11 Q Is it your understanding that all
12 detained individuals have access to the web portal
13 to file complaints?

14 A Yes.

15 Q How do you understand that they can file
16 complaints electronically?

17 A They have access to tablets, which have
18 access to wifi, and that way they can access the
19 portal and submit a complaint.

20 Q And is it your understanding that all of
21 the approximately 200 detention facilities have
22 tablets in the facilities?

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1 A I don't know if they all do, but neither
2 did every facility have a case worker in it.

3 Q In the facilities that do have tablets,
4 do you know if there is a one-to-one
5 correspondence between number of detained
6 individuals and number of tablets?

7 A I don't know if there's a one-to-one.
8 It's not my understanding that there is.

9 Q Do you have an understanding of what the
10 ratio of detained individuals to tablets is?

11 A No.

12 Q Do you know whether there are
13 limitations placed on internet access using the
14 tablets?

15 A I don't know.

16 Q Do you know if people who are in
17 solitary confinement in detention have access to
18 tablets?

19 A I don't know. I know we receive
20 complaints from people in solitary confinement,
21 though.

22 Q Are there any other ways besides tablets

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1 A I do not know.

2 Q Do you know how many complaints have
3 been received by OIDO since March 21st, 2025?

4 A About 285.

5 Q Do you know how many complaints were
6 received by OIDO in 2024?

7 A No.

8 Q Do you know how many complaints were
9 received by OIDO in 2023?

10 A I believe the report said it was 11,000
11 or 12,000.

12 Q Do you have any idea why the number of
13 complaints has reduced so drastically between 2023
14 and 2025?

15 A I'm sure some part of it is not having
16 the case workers there. But the CRCL complaint
17 volume has increased, so I don't -- yeah. That's
18 it.

19 Q Of the 280 complaints that you
20 referenced, how many of those complaints are
21 currently being investigated?

22 A I don't know for sure, but I know it's

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1 Q So in CRCL context, one of the examples
2 you gave was an urgent medical referral. Would
3 the same steps be taken with an urgent medical
4 referral to OIDO?

5 A Yes.

6 Q Are there any other circumstances
7 specific to OIDO besides medical issues that would
8 tend to result in a referral?

9 A Any type of issue could result in a
10 referral. Again, there's a prioritization around
11 use of force, sexual assault, suicidal ideations.

12 Q And what sorts of situations would lead
13 to opening of an investigation by OIDO?

14 A The same. I mean, again, any one
15 complaint can lead to us investigating, but there
16 is the prioritization for the aforementioned
17 categories.

18 Q So what I'm trying to get at, if you are
19 able to answer, is, what would lead something to
20 be investigated instead of referred? Are there
21 any particular criteria that would make an
22 investigation more likely?

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1 A Allegations alleging sexual, physical
2 assault, something like corrupt contractors or ICE
3 and CBP officers and agents, something that it
4 would be inherently problematic for the component
5 to investigate themselves, would almost always be
6 something CRCL retains for investigation. Or
7 OIDO. I'm sorry.

8 Q And you did mention earlier that certain
9 issues are referred from OIDO to CRCL. What types
10 of issues would warrant a referral to CRCL?

11 A Particularly serious matter where a
12 medical -- not a medical -- where a sexual assault
13 has occurred or a grave medical matter where CRCL
14 is more, because of the volume of their work,
15 involved in doing it.

16 We would ask -- I would ask OIDO case
17 workers to confer with their federal colleagues in
18 CRCL and do any number of things in an
19 investigation that you would do in the course of
20 investigating.

21 Q And similar to what we discussed with
22 CRCL, when a referral is made to a component --

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1 like ICE, most likely -- what is OIDO's ongoing
2 role after that referral has happened?

3 A It's similar to CRCL. We reserve the
4 right to follow up to see if there's been
5 resolution. We may choose not to follow up.
6 We're always recording and storing the information
7 for trend analysis and reporting.

8 Q And do you know, of the 280 or so
9 complaints that you've received, how many have
10 been referred to ICE or another component?

11 A I do not know. But that's a number we
12 track and have.

13 Q Okay. For those that are being
14 investigated, what does an investigation for OIDO
15 entail?

16 A It's similar to CRCL. We start by
17 contacting the component for more information
18 about the complaint to see if it has a voracity.
19 And when the component responds, we evaluate what
20 that response is and take appropriate action.

21 If there is something the attorneys need
22 to look at and consult on, they'll be brought in

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1 Q When OIDO makes a referral to ICE, is
2 that referral at the headquarters level? Or who
3 at ICE is the matter typically referred to?

4 A It is referred at the SES level to ICE
5 ERO headquarters.

6 Q And to your knowledge, when OIDO had
7 case managers present in detention facilities,
8 were they often able to interface directly with
9 detention facility staff to address problems that
10 detainees were having?

11 A That is my understanding.

12 Q Would you describe that as a more direct
13 way of addressing certain types of day-to-day
14 problems, such as needing to have a sick hall or
15 needing access to a blanket in a cold facility?
16 Is it easier to address those problems at the
17 facility level?

18 MR. DAVIS: Objection, vague.

19 A Not necessarily. What I like about the
20 arrangement we have now is I get SES-level
21 leadership assurance that something is going to be
22 taken care of, whereas there isn't great

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1 least in these five instances.

2 Do you know how many other instances or
3 other complaints were referred to ERO for further
4 action?

5 A No.

6 Q And these complaints were all pending
7 for different lengths of time, or they weren't all
8 received by OIDO on the same date; is that
9 correct?

10 A I don't know. I'd have to look.

11 Q Sure. Take your time.

12 A It appears a few were in April, early
13 April, and the others at different times.

14 Q So you had previously testified with
15 regard to CRCL that there's a FIFO,
16 first-in-first-out, protocol for handling
17 complaints. Is that true for OIDO, as well?

18 A Yes.

19 Q Okay. Can you look at the emails that
20 were sent to the complainants for these five cases
21 and let me know if they were sent on different
22 dates or on the same date?

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1 A They were sent on the same date.
2 Because in this instance, we were clearing out the
3 backlog of cases that was sitting in the portal at
4 the time of the RIF.

5 And so whatever cases predated our
6 working the cases in the portal all received a
7 notice as of the same date that we issued a batch
8 set of notices for the cases that were being --
9 receiving a similar disposition.

10 Q How many of those backlogged cases
11 resulted in closures?

12 A I don't know.

13 Q How many of those backlogged cases that
14 received emails on or about September 19th were
15 referred to ICE ERO for further action?

16 A I don't know.

17 Q One -- you had mentioned that referral
18 to a component is something that's tracked in the
19 OIDO system. So would all of these complaints
20 that you've just reviewed that were referred to
21 ICE ERO be categorized in the same way in the
22 internal system?

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1 employees that previously worked for GEO?

2 A Yes.

3 Q And the person who previously worked for
4 CBP, is that also one of the full-time employees?

5 A Yes. One detailee and one employee
6 worked for CBP.

7 Q And each inspection is conducted by a
8 single law enforcement specialist acting on their
9 own; is that right?

10 A No. Some are conducted by one. Some
11 are conducted -- have been conducted by two.
12 There are others that may be conducted by more.

13 Q And how is it determined what level of
14 staffing or what number of people to send on an
15 inspection?

16 A There isn't a bright-line rule, but the
17 size of the facility is an indicator of how many
18 staff we should send out. If we are conducting an
19 investigation in concert with CRCL to look at the
20 complaints they have on file for that facility,
21 that will be a multi-person investigation.

22 Q And you mentioned that the standards

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1 they are coming.

2 Q How much advance notice do you give to
3 the facility before conducting an inspection?

4 A Typically a few business days, no more.
5 Some of the trips that are more intensive for us
6 need a little bit more planning, like if we're
7 going to travel far afield. But typically, the
8 standard right now is a few business days.

9 Q And how long does each inspection last
10 from the time that the employee or employees get
11 there? How long are they on site?

12 A It varies by the complexity and size of
13 the facility. So if it's a big facility, it will
14 be a multi-day. Right now, those are two full
15 days, those facilities.

16 If it is a smaller facility, like a
17 holding cell or a similar temporary-type facility,
18 both either temporary like a soft-sided facility
19 or temporary meaning that the detainee is meant to
20 be moved out of there in short order, that may
21 only be one day or a five-hour inspection. Our
22 shortest inspections so far have been about five

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1 A Only what I had just discussed where we
2 can look at past inspections. I'm not aware of
3 open inspections that need to be formally followed
4 up on.

5 Q OIDO does have a statutory requirement
6 to annually report to Congress. What is the
7 status of the 2025 congressional report?

8 A It is in draft. It will likely be
9 delayed because of the shutdown, but it will be
10 timely if you bump the end of the year out by the
11 length of the shutdown, which brings us to about
12 mid-February.

13 Q And do you know what the status of the
14 2024 OIDO report to Congress is?

15 A I do not. I searched the files of my
16 predecessors and can't find any evidence one was
17 drafted. And so at this point, I'm focused on
18 getting the current one out timely.

19 Q And I don't think I asked you previously
20 about the status of the CRCL annual report to
21 Congress. What is the status of that report?

22 A Same: Being drafted and should be on

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1 time if you push the deadline out by the length of
2 the shutdown.

3 Q And the presence of law enforcement
4 specialists at detention facilities, do you have
5 any plan to have them visit facilities on a
6 regular basis outside of conducting inspections?

7 A No.

8 Q Before we turn our attention to CISOM, I
9 want to go back and ask you a question about -- a
10 couple of other staffing questions that are
11 specific to CRCL.

12 So you have testified -- you had
13 testified that you have learned since being in the
14 role that it's possible to perform statutory
15 functions with fewer staff members than you
16 earlier anticipated. Can you describe -- because
17 the difference between your staffing plan and the
18 current staffing is particularly drastic for CRCL.

19 So can you describe why you believe it's
20 possible to conduct all the statutory functions of
21 CRCL with just two full-time employees besides
22 yourself and Mr. Hemenway?

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1 CRCL by having detailees from the other components
2 of DHS provide that policy advice?

3 A Yes.

4 Q Is that still a plan that you intend to
5 put into effect?

6 A It is something we're still considering,
7 and it remains a plan that I am looking into.

8 Q But as of now, you have not brought any
9 detailees on board at CRCL; is that correct?

10 A There is actually one attorney detailee.
11 There is. And not to provide policy advice as
12 such, but to assist with any number of legal
13 reviews for CRCL.

14 Q And when did that person get onboarded
15 to CRCL?

16 A I think shortly before the shutdown.

17 Q And does that person work for CRCL on a
18 full-time basis?

19 A She is detailed to OGC to support CRCL
20 on a full-time basis.

21 Q And what sorts of functions does she
22 perform for CRCL?

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1 A She reviews our correspondence and our
2 claim decisions, or complaint decisions, and
3 assists in reviewing EEO matters and writing final
4 agency decisions.

5 Q I think we can turn our attention now to
6 CISOM. How many assistance requests for CISOM
7 have been reviewed since you took over as
8 Ombudsman, approximately?

9 A We've received approximately 7,500
10 requests.

11 Q You've received 7,500. And how many
12 were pending at the time that you took on the
13 role?

14 A I don't remember.

15 Q Okay. Do you remember, or do you know,
16 are there more open requests for assistance now
17 than there were when you took on the role in --
18 was it May?

19 A Yeah. Early May.

20 Q Okay.

21 A I don't remember if we have more now
22 than then.

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1 Q Okay. What happens when CISOM receives
2 a request? So this is the same question I've
3 asked for the other two offices. What is the
4 first step in the review process?

5 A We have our staff look at the complaint
6 or look at the request for assistance. And based
7 on our prioritization, they choose to either not
8 act on the request or to tee it up in a
9 spreadsheet that we eventually batch and send over
10 to USCIS.

11 If there are questions that we can
12 answer, we will answer them straight away if we
13 can do that with our access to USCIS systems
14 without asking USCIS.

15 Q So you said that there are certain
16 requests that you would take no further action.
17 What types of requests would fall into that
18 category?

19 A A good example is cases where the
20 handling of those application types is in flux or
21 outright paused right now, which is a significant
22 number of form types, and they make up a

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1 significant portion of the requests that we
2 receive at CISOM.

3 It does not make sense to act on those
4 requests because we aren't going to be able to
5 give an answer; USCIS won't be either. And so it
6 doesn't make sense to respond to those requests
7 until there is more clarity on how they will be
8 handled by USCIS.

9 Q And if you determine that a request
10 falls in that category and that you're not going
11 to take any further action, is any sort of
12 correspondence sent to the requester informing
13 them of that decision?

14 A Yes.

15 Q And what about in the instance where
16 you're able to resolve the matter or give an
17 answer without referring the matter to USCIS?
18 What would be done in those types of cases?

19 A A message would go back to the requester
20 because, of course, that is in the nature of
21 closing out, would be informing them of the answer
22 to their question.

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1 Lepe. And the request seems to have been received
2 April 7, 2025. And it includes our receipt
3 response to him and our further response on
4 September 19th. It's saying that we've referred
5 his request to USCIS, and we'll let you know when
6 we hear back from them.

7 Q Okay. So noticing that both this
8 response to [REDACTED] and the other response we
9 were just looking at were both sent on September
10 19th -- and I can represent to you there were some
11 others we received in the discovery responses with
12 that same date -- is this a similar situation to
13 the situation with OIDO, where you were clearing
14 out a large number of requests from the time
15 period of the RIF all at the same time?

16 A Yes. The cases were all reviewed
17 individually.

18 And then what we do is we assign a --
19 you group them in a batch. You assign a status to
20 all of those similarly situated. For example, all
21 of those that we are going to send to USCIS, you
22 batch-mark them with that condition in the system.

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1 And then you batch-generate notices,
2 which is why the notice date may be different than
3 the date we actually sent it to USCIS. Because
4 the sending to USCIS is a manual action, but the
5 generation of the notice is a separate manual
6 action. And so that might have happened at a
7 different time.

8 Q And just one more of these, I promise.
9 (Exhibit 68 was marked for
10 identification and is attached to the transcript.)

11 Q What is this document?

12 A It appears to be the extract from our
13 case management system for the same Salvador Lepe
14 case.

15 Q Okay. And on this one, I would like to
16 focus you -- and I don't know which page it's on;
17 I apologize -- but the column entitled Assigned.
18 This may be about halfway through.

19 A Okay.

20 Q What does that field refer to?

21 A It's a field that we don't quite use the
22 way our predecessors probably did. It just means

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1 the day we assigned it to a case worker or a case
2 worker would have picked it up and looked at it.

3 Q So does this mean that the first time
4 someone reviewed this request was on September
5 13th?

6 A No, it does not necessarily mean that.

7 Q Okay. So someone could have looked at
8 it previously but then picked it back up on that
9 date?

10 A Yes.

11 Q Okay. And then there's a field that
12 says Modified By, with [REDACTED] name in it?

13 A Yes.

14 Q What does that refer to?

15 A That means he took any number of
16 actions. That's an automated field. Anytime
17 someone touches a data element in SharePoint, that
18 field will automatically adjust with the name and
19 the date.

20 So I know that [REDACTED] was taking a lot
21 of the batch actions based on our detail user
22 review. Because of his technical prowess, he was

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1 the one going in and doing the automated or semi-
2 automated functions in the system.

3 Q Okay. So for example, putting together
4 the list of requests that were going to get that
5 same response we saw saying, Your matter has been
6 referred to USCIS, that's something he would have
7 been responsible for doing?

8 A Yes.

9 Q Okay. Okay. We're done with that
10 exhibit.

11 So once a matter is referred to USCIS,
12 does CISOM continue to have any involvement or
13 check-in role with USCIS?

14 A Yes. We have to, because the completion
15 is USCIS getting back to us, not getting back to
16 the requester. So it's a bit different from CRCL
17 and OIDO.

18 Q So what does that ongoing involvement
19 with USCIS look like? Are you meeting in person
20 or sending emails? What type of interaction do
21 you have?

22 A So there's different interactions for

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1 different things. For the cases, we are sending a
2 list of our requests and then pinging them if it
3 takes a while, which we've already pinged them for
4 some. And that is for the cases; that is the
5 nature of that interaction.

6 I meet with USCIS leadership regularly
7 to discuss policy issues and trends and topics of
8 the annual report.

9 Q And what sort of ongoing follow-up or
10 interaction do you have with the requester after a
11 matter is referred to USCIS?

12 A Typically nothing until we get the
13 response because there's nothing to say until we
14 receive the response.

15 Q Okay.

16 MS. GILBRIDE: Let's see where we are.
17 Exhibit 69.

18 (Exhibit 69 was marked for
19 identification and is attached to the transcript.)

20 Q I'll give you a chance to review this
21 document. Let me know when you're ready.

22 A Okay.

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Conducted on December 5, 2025

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1 A We have not received any responses from
2 USCIS yet, and I am in touch with leadership about
3 that. But we have not received any replies on any
4 particular case yet.

5 Q Okay. So you haven't had occasion to
6 give that sort of information to a requester so
7 far; is that right?

8 A Correct.

9 Q Okay. All right. Another exhibit.

10 MS. DECKER: Yep.

11 MS. GILBRIDE: Let me make sure I'm not
12 getting too --

13 (Exhibit 70 was marked for
14 identification and is attached to the transcript.)

15 Q I'll give you a chance to review this
16 one. It's rather lengthy.

17 A Okay.

18 Q So I'll represent to you this is a
19 document that was produced by the defendants to us
20 in discovery. What does it appear to be?

21 A A request for assistance sent to CISOM
22 by Poua Vue. And that seems to have been received

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1 A I don't know. That is a number that we
2 have. It is probably the majority.

3 Q Which would be the majority?

4 A That we are not taking action.

5 Q With no further substantive response
6 given?

7 A Correct.

8 Q Okay. And, again, can you walk us
9 through the reasons why you would decide to take
10 no further action and provide this sort of a
11 fairly cursory response?

12 A Well, there is never a bright-line
13 distinction. But generally speaking, I see this
14 as a humanitarian request, or the underlying
15 request to USCIS is based on a humanitarian
16 category. We have deprioritized those because
17 USCIS has deprioritized those.

18 And as has been made public, a good
19 number, if not all, of the humanitarian type of
20 requests are paused. And so it does not make
21 sense for CISOM to focus on humanitarian requests
22 because USCIS will not likely be able to give us a

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1 satisfactory response.

2 MS. GILBRIDE: Okay. 71.

3 (Whispered conversation.)

4 MS. DECKER: 72.

5 (Exhibit 72 was marked for
6 identification and is attached to the transcript.)

7 BY MS. GILBRIDE:

8 Q What does this document appear to be?

9 A A request from [REDACTED] for
10 assistance. And she received a response from us
11 that we were not taking action on September 11,
12 2025.

13 Q And do you have a sense from reviewing
14 the request of why the decision was made not to
15 take further action in this case?

16 A It is a type of humanitarian benefit, so
17 that will likely be deprioritized. I note that
18 it's a U visa request. So that subset, we do look
19 at those.

20 But, again, due to the situation being
21 in flux at USCIS's handling of all humanitarian
22 visa requests, it does not always make sense, and

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1 period -- were those part of a batched set of
2 responses?

3 A I don't know, but that is very possible.

4 Q And do you know how many responses were
5 included and sent out contemporaneously, the same
6 time?

7 A No.

8 Q Do you know if there have been similar
9 batched responses since September 11th, September
10 12th, that include this same language saying, we
11 are not taking any further action?

12 A I don't know, but there probably is.
13 Because all of the cases, in terms of effectuating
14 an action in the system, are handled in a batched
15 manner. That's just an efficient way to handle
16 complaints when you have thousands, so they're
17 reviewed one by one.

18 But when a case worker will look at it
19 and say, okay, I know all of these that I'm going
20 to mark in the system as no action, nothing
21 happens when our staff takes that action in the
22 system. It's just denoting an internal system for

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1 an action that the public would see, like one of
2 these emails being triggered. That always happens
3 in a batch.

4 Q And how frequently are those batches
5 acted upon since you've been in the role at CISOM?

6 A Mr. Gomez takes care of that. But I
7 think we're sending out batches at least every
8 couple of weeks, perhaps more frequently. But I'm
9 not sure.

10 Q And are batch responses being sent out
11 for OIDO and CRCL, as well?

12 A Yes.

13 Q And for CISOM, I think we've seen two
14 types of responses, one for the no further action
15 and one for the, your matter has been referred to
16 USCIS. Are there any other types of CISOM
17 responses that have been sent out in batches?

18 A I don't believe so.

19 Q What about for CRCL? What types of
20 responses have been sent out in batches for CRCL?

21 A CRCL has a more varied set of form
22 responses. There's 504 responses; there's the 345

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1 response; and it could look like we're opening
2 investigation; we're not pursuing it further;
3 we've referred it with no further action from us;
4 we've done a medical referral, I believe, has its
5 own form letter. So there's a broader range
6 there.

7 Q And do you know what form responses are
8 sent out in batches for OIDO?

9 A There is a similar to CISOM, we're not
10 taking action on your complaint, letter. And then
11 there is a, we've referred it to ICE or CBP,
12 letter.

13 And then there is another one where it's
14 not automated, but it's customized if we need a
15 more substantive response or if we need more
16 information.

17 (Exhibit 74 was marked for
18 identification and is attached to the transcript.)

19 Q What does this document appear to be?

20 A It's a message from T.J. Mills to you,
21 saying that CISOM terminated assistance with the
22 delayed receipt from the NSC. And it has there

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1 A There are a large number of very
2 detailed fields that they can fill out all of
3 their case information, but they're not all
4 required. There's also a freeform text box. So
5 they can submit whatever they wish.

6 And there's also the opportunity to
7 upload documents of any kind, of course: Case
8 documents, G-28s. So they can submit almost
9 anything.

10 Q What if an individual had previously
11 submitted a CISOM request and then the matter was
12 resolved and they wanted to withdraw it? Is that
13 something that can be done via the web portal?

14 A They can start a new request and say,
15 you can withdraw my current request. But at this
16 time, no, there isn't a way to withdraw an
17 existing request.

18 (Exhibit 75 was marked for
19 identification and is attached to the transcript.)

20 Q What is this document?

21 A I'm not quite sure. It's --

22 Q Take your time.

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1 A Okay. So it's a letter or a declaration
2 from Vincente Lozano Lovelace, Esquire, to --
3 well, it's just a declaration saying his recent
4 experience with CISOM.

5 Q And his experience consisted of both
6 sending an email and receiving an auto-response
7 that the mailbox is not monitored, as well as an
8 interaction he had trying to use the CISOM phone
9 number.

10 Do you know if the CISOM phone number is
11 still currently operational?

12 A It is not. That was a contract that I
13 canceled well before August.

14 So I know that there was a lot of
15 confusion and performance issues with that
16 contract and that line, and it was not an
17 exclusively CISOM phone line. I know that from my
18 own interactions testing the quality of that
19 service.

20 So I don't know who he reached at all in
21 August, but it was not a contract that we had in
22 pay any longer. We had terminated that contract

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1 months prior.

2 Q Well, I don't think he reached anyone.
3 He said he was on hold for a lengthy period and
4 then gave up, so perhaps that's why he didn't
5 reach anyone.

6 Is the phone number -- has there been
7 any notice or announcement posted on the CISOM
8 website indicating that that phone number is no
9 longer in use?

10 A The number is no longer posted, which I
11 consider as being notice. I'm also not aware of
12 any duty to affirmatively notify.

13 Q So is there currently any way for an
14 individual to have a real-time conversation with a
15 representative of CISOM, like a request for
16 information that would be responded to in real
17 time?

18 A No.

19 Q CISOM also has an obligation to annually
20 report to Congress. And there's a date associated
21 with that, I believe, June 30th. What is the
22 status of the report that was due to Congress on

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1 June 30th of 2025?

2 A The report was submitted over the
3 summer.

4 Q And is that report to Congress publicly
5 available?

6 A A redacted version of the report is
7 publicly available on the DHS website.

8 Q You mentioned earlier that there is an
9 individual from OGC who is detailed to CRCL. What
10 is that individual's name?

11 A [REDACTED] I forget the last name.

12 Q Besides [REDACTED] are there any other
13 either full-time employees or detailees at any of
14 the three offices that we have not already
15 discussed today?

16 A There's the admin functions that are
17 performed by dozens of admin office employees, and
18 that should be captured.

19 As far as the attorneys go, that
20 attorney who's detailed is really no different
21 than the many other attorneys who support me. So
22 I don't know if you're looking for more names or

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1 numbers, but there's not one attorney helping
2 CRCL, to be clear. There's multiple.

3 Q And those attorneys are helping CRCL
4 with Section 504 and EEO matters. Any other
5 matters?

6 A 345's policy review, as they did before
7 the RIF and have always done.

8 MS. GILBRIDE: I don't have anything
9 further, but I'd like to make sure I'm not missing
10 anything. So could we take five minutes?

11 THE REPORTER: One moment.

12 (A recess was taken.)

13 THE REPORTER: Back on the record.

14 BY MS. GILBRIDE:

15 Q A few minutes ago, Mr. Sartini, you
16 mentioned a detailee whose first name is Diana.
17 Where is Diana detailed from?

18 A I believe FEMA.

19 Q And she is working or performing support
20 functions for CRCL; is that correct?

21 A She's performing support legal functions
22 for CRCL. Yes.

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1 Q And this may be retreading previous
2 ground, but I want to make sure I'm understanding:
3 These individuals, all five of them do live in the
4 National Capital Area; is that correct?

5 A Yes. To my understanding, they do.

6 Q Okay. You gave a figure for the number
7 of OIDO complaints of approximately 280. Does
8 that figure correspond to the entire calendar year
9 of 2025 to date or a subset of the calendar year?

10 A That is March 22nd to October --
11 December 1st or the last day of November, maybe.

12 Q Okay. Do you know how many complaints
13 were received in 2025 prior to March 22nd?

14 A No. It's a number we have and may have
15 even produced. But no, I don't recall.

16 Q And I hate to do this at this late stage
17 of the deposition, but just to refresh your
18 recollection, if you could pull up the discovery
19 responses that you looked at earlier. I think
20 that's one of the first exhibits we gave you.

21 A What would the title be?

22 Q It would be Defendants' First Set of

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1 A I don't know. But I know that we have
2 corresponded with complainants, so I believe they
3 have a method of receiving email.

4 Q Okay. With regard to the Office of
5 Health Services, which you said is able to review
6 medical documents, what sorts of medical documents
7 have you asked them to review?

8 A Entire medical files and histories of
9 the complainants at issue.

10 Q And have those medical files come
11 through OIDO inspections or also from complaints?

12 A Both.

13 Q And are the complaints OIDO and CRCL
14 complaints, both?

15 A Yes.

16 Q And you said in total, how many sets of
17 medical documents has OHS reviewed thus far?

18 A They're in the process of reviewing the
19 first batch. And I don't know how many we have
20 there, but it's at least a dozen.

21 (Whispered conversation.)

22 MS. GILBRIDE: Oh, yes, I got it.

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1 case summaries and conclusions.

2 Q In the investigations that you have
3 opened for OIDO since taking over your role, have
4 any violations been found in any of those
5 investigations?

6 MR. DAVIS: Objection, deliberative
7 process privilege. You can answer generally, but
8 not about specific complaints.

9 A Minor violations, some.

10 Q And compared to the total number of
11 complaints that you have received, what percentage
12 have resulted in a finding of a violation?

13 MR. DAVIS: Objection, vague.

14 A Very few. Small percentage, very small
15 percentage.

16 Q Would you say more or less than 10
17 percent?

18 A Less than 10 percent.

19 Q Okay. Nothing further.

20 MR. DAVIS: Nothing further from
21 defendants. We will designate the transcript as
22 confidential, especially because one of the