

AFFIDAVIT

I, [REDACTED] being over the age of 18 years make the following statement under penalty of perjury.

- 1) I have no personal relationship with Mr. James T. Hayes. I had, to the best of my knowledge and memory, never spoke with Mr. Hayes until August 11, 2012.
- 2) In 2009, I worked at Immigration and Customs Enforcement (ICE) Headquarters building and dealt with Director John Morton's staff. My unit was responsible for moving information primarily between ICE and DHS but also other entities.
- 3) Suzanne Barr worked in the same building and I encountered her on more than one occasion.
- 4) On the last work day before Halloween 2009, my duties required me to go to the Director's office where several employees were discussing personal Halloween plans. I joined the conversation. Suzanne Barr was also present for part of the conversation.
- 5) At some point during the conversation, I witnessed Suzanne Barr turn to senior ICE employee Tae Johnson and state, "You a sexy mothafucka!" She then looked at his crotch and asked, "How long is it anyway?" Several employees laughed nervously. Shortly thereafter, several employees returned to work duties, myself included, and several continued the Halloween conversation.
- 6) It is a widely perceived at ICE Headquarters that Mr. Morton determines the agency's direction within the parameters set by DHS and Ms. Barr is responsible for the day to day execution.
- 7) Although I do not have an appreciation for Ms. Barr's management style, the decisions I witnessed her make in late 2009 through early 2010, as related to ICE operations, were in largely in line with my own opinions about how the agency should have executed given the available resources and practical and legal limitations as they existed.

I hereby affirm under penalty of perjury that the foregoing is true and accurate to the best of my knowledge and memory.

[REDACTED]
[REDACTED]

8/13/12

Date