

EXHIBIT J

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1 A P P E A R A N C E S 2 For the Plaintiff: 3 MARK L. EISENHUT 4 (Via Zoom) 5 CALL & JENSEN 6 610 Newport Center Drive 7 Suite 700 8 Newport Beach, California 92660 9 10 For the Defendant: 11 SUZETTE RASMUSSEN 12 (Via Zoom) 13 ALL UTAH LAW 14 68 South Main Street 15 Suite 700 16 Salt Lake City, Utah 84101 17 18 ALAN W. MORTENSEN 19 (Via Zoom) 20 MORTENSEN & MILNE 21 68 South Main Street 22 Suite 700 23 Salt Lake City, Utah 84101 24 25 Also present: 26 Gavin Bohne - (Videographer) 27 (Via Zoom) 28 29 * * * 30 I N D E X 31 32 EXAMINATION 33 Examination by Ms. Rasmussen 34 Examination by Mr. Eisenhut 35	1 Monday, January 6, 2025: 10:03 a.m. 2 P R O C E E D I N G S 3 JON LINES, 4 called as a witness, having been duly sworn, 5 was examined and testified as follows: 6 7 EXAMINATION 8 BY MS. RASMUSSEN: 9 Q All right. Mr. Lines, may I call you Jon? 10 A That's fine. Thank you. 11 Q Thank you. Okay. I represent Amy Davis 12 and I want to thank you for taking the time to be with 13 us today. And before we begin, I just want to make 14 sure that you feel comfortable and understand the 15 process. This is a deposition, which means I'm going 16 to be asking you a series of questions and your 17 answers will be recorded and may be used in later 18 proceedings. 19 If at any time you don't understand a 20 question, please let me know and I'll be happy to 21 rephrase it. And if you need a break, let me know and 22 we can take a pause. And as Amber mentioned, it's 23 important to give verbal answers because the court 24 reporter won't be able to capture nods or gestures. 25 So let's go ahead and begin with some general background questions to establish your
1 2 E X H I B I T S 3 4 NO. DESCRIPTION 5 6 1 Jon Lines' Résumé 7 213 8 2 Jessica Farnsworth Memo 9 213 10 3a Grievance Note 11 213 12 3b Grievance Note 13 213 14 4 Deseret News Article 15 213 16 5 Settlement Agreement and Employment 17 Agreement 18 213 19 6a All-Hands Phone Call Part 1 20 213 21 6b All-Hands Phone Call Part 2 22 213 23 6c All-Hands Phone Call Part 3 24 213 25 7 KSL Video 213 8 8 Organizational Chart 213 9 9 Jon Lines' Declaration 213 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	1 identity, your role, and knowledge of the facts in 2 this matter. 3 So can you please state your full name for 4 the record? 5 A Full name is Jonathan Larry Lines, last 6 name is L-i-n-e-s. 7 Q Thank you. What is your current 8 occupation and title? 9 A I'm currently retired and happy to be so. 10 Q Wonderful. Have you ever been deposed 11 before? 12 A No. I've testified in criminal 13 proceedings but never a civil deposition. 14 Q Do you understand that you are under oath 15 and obligated to provide truthful answers today? 16 A I do. 17 Q Can you summarize your professional 18 background at Homeland Security Investigations, known 19 as HSI? 20 A Yes. I -- well, I began my professional 21 federal career in 1992 with the Department of Justice 22 Immigration Naturalization Service. That was prior to 23 the creation of the Department of Homeland Security. 24 At the Department of Justice Immigration 25 Naturalization Service, I worked as a special agent

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6 1 investigating immigration crimes and violations 2 regarding crimes against our border and crimes that 3 are committed -- international crimes by illegal 4 aliens or undocumented aliens. I was assigned to work 5 fraud, criminal aliens, violent crimes involving 6 criminal aliens, anti-smuggling unit which 7 investigated the smuggling and transportation of human 8 cargo into the United States where it's often -- 9 oftentimes led to the trafficking and violation of 10 that human cargo that was smuggled into the United 11 States. After that, after a few years, I was 12 recruited into the Department of Justice Inspector 13 General's Office based on a case that I worked with 14 the Immigration Naturalization Service under covering 15 fraud and mismanagement of a government program. And 16 that was a nationwide initiative and so they asked me 17 to come to the Department of Justice Inspector 18 General's Office to oversee that national initiative, 19 which entailed significant undercover work to identify 20 fraud, waste, and abuse and -- in the naturalization 21 process of people, and especially those from 22 terrorist-sponsored organizations and companies -- and 23 countries that were coming here under false pretenses. 24 And so I worked that for a few years. 25 Also with the Department of Justice we	8 1 disruptive for quite a few agencies and the powers 2 that be created the Department of Justice Customs and 3 Immigration Service to merge into -- and many -- 4 there's 24 other different components that make up the 5 Department of Justice Homeland Security, but they 6 created Department of Justice Homeland Security 7 Investigations, at which time I was then a supervisor 8 agent for them. And in 2007 in Salt Lake City, Utah, 9 I became the assistant special agent in charge for the 10 four Homeland Security Investigations offices wherein 11 I helped shepherd those two disparate agencies 12 together, Immigration Naturalization Service and also 13 US Customs together, and we investigated crimes 14 involving any threats to our homeland, involving 15 international human trafficking. And it was in that 16 that we worked quite a few human trafficking cases. 17 I worked with our state and local partners 18 who helped -- we leveraged our federal authorities and 19 we helped them investigate these types of violations. 20 Because a human trafficking crime is basically an 21 international crime that doesn't have a whole lot 22 of -- if we can establish that nexus with our state 23 and local folks, it's always a really, really 24 impactful crime to prosecute federally. And even 25 crimes that were locally that we had the expertise
7 1 worked corruption. I worked with a public corruption 2 unit with the FBI wherein I actually was asked to go 3 undercover as an undercover operative. I was trained 4 at the FBI Undercover Academy which was very intensive 5 training, far more intensive than the Homeland 6 Security Investigations, very -- I would call it very 7 casual training for those people that go undercover. 8 And I worked a case involving cartel, the movement of 9 cartels' contraband, including guns, drugs, and money 10 through the -- and people -- through the border, 11 United States border. So that case was very intensive 12 and it won me actually a national award of merit, the 13 highest award that an agent can receive within The 14 Department Of Justice Inspector General's Office. 15 After that stint with the Department of 16 Justice, after a few years I was asked to -- I was 17 basically asked to come over as a manager with the -- 18 within the Department of Justice, again to the 19 Immigration Naturalization Service in Ogden, Utah, 20 where I ran a quick response team, supervisory special 21 agent for being reactive to crimes helping state and 22 local law enforcement to make sure that they can 23 properly address crimes involving illegal immigrants 24 and their involvement in criminal activity. Around 25 that time was when 9/11 hit and that kind of was very	9 1 within to actually investigate those types of crimes. 2 And so I -- very proud about my time within the US 3 Government. I was highly credentialed, highly 4 awarded. And I only say that knowing that I know that 5 my credentials and my qualifications have been a 6 subject of question. And I know that I really, 7 really -- it's one of those things where you look back 8 on your professional career and I'm very proud of the 9 things that I accomplished and very happy about the 10 things that I was able to do in the service of our 11 country and our communities. 12 Q Thank you. Thank you. That's quite a 13 distinguished career. And thank you for your service. 14 How many years did your career span before 15 you retired? 16 A 24. 17 Q I'm sorry, what was that? 18 A 24 years of service. 19 Q Okay. Thank you. Can you summarize your 20 professional background at Operation Underground 21 Railroad for us? 22 A Operation Underground Railroad I was a -- 23 and it was at the request of Tim, many, many inquiries 24 from Tim. After he left the Department of Homeland 25 Security he called me many times to ask me to join his

10 1 team. And so in 2016 I joined the team at Operation 2 Underground Railroad as the executive vice president 3 of operations, wherein my responsibilities included to 4 quality control, make sure operations were done 5 correctly, to improve managerial efficiencies, to 6 oversee the execution of our -- not only our domestic 7 operations but our international operations, and I was 8 basically -- I was more or less an ad hoc manager for 9 quite a time; part of the executive management team 10 who coordinated efforts to try and make sure that we 11 had a legitimate strategic vision, we had efficiencies 12 for managing funds and employees, we encouraged 13 positive morale, transparency, accountability, 14 professionalism within, and not only internally but 15 outward facing. Those were the things that I really, 16 really wanted to emphasize to make sure that we tried 17 to improve and to become as professional an 18 organization as possible. 19 Q And you mentioned -- you touched on this a 20 little bit when you were summarizing your professional 21 background, but can you tell me a little bit more 22 about your professional experience in human 23 trafficking investigations? 24 A Yeah. We did conduct quite a few human 25 trafficking investigations. In fact, based on my	12 1 things properly, with integrity, make sure that 2 everything was done ethically, making sure that 3 evidence was gathered in a way that it was 4 court-worthy, making sure that we ensured -- and this 5 was very, very always important to me -- the safety of 6 our undercover operatives; the well-being of those 7 people who we sent into harm's way to make sure they 8 were trying to do the bidding for the US Government. 9 And that was something that I was very much cognizant 10 of is we were -- we were sending real people into 11 harm's way and we wanted to make sure they were safe 12 professionally and personally. 13 Q And you mentioned that Mr. Ballard 14 approached you, contacted you multiple times asking 15 you to join Operation Underground Railroad. Would you 16 say it's because of your experience -- his knowledge 17 of your experience and your integrity that he reached 18 out to you? 19 MR. EISENHUT: Calls for speculation. 20 MS. RASMUSSEN: You can answer. 21 THE WITNESS: That was the case. He 22 talked many times about -- in fact, he would call and 23 say Jonny, "This place has gone crazy. People are 24 sending money our way like no other" -- it was very 25 unexpected --
11 1 experience, I was designated when I was the spec- -- 2 Assistant Special Agent in Charge as a multi-state 3 regional manager for the Homeland Security Certified 4 Undercover Program, wherein I ensured quality controls 5 of everything we did in an undercover capacity. This 6 wasn't just casual undercover meets or surveillance, 7 which most agents will do sometime in their career 8 where we ask them to go sit in a restaurant and see if 9 you can see or hear anything, or pose as a waiter on 10 occasion, or to go in and try to bump someone, which 11 is basically visit with somebody and see if you can 12 elicit information about them. These were certified 13 undercovers where we had deep involvement where we had 14 undercover operatives who were trained, who were 15 actually experienced, who were given the techniques, 16 training, and tools to be able to deal with the 17 dynamics of undercover work. We not only dealt with 18 the undercover work and the execution -- the planning, 19 but also the execution of those. We would do the 20 preplanning, we would oversee the execution, then we 21 would do the after watch, making sure that we had 22 lessons learned from those situations and experiences. 23 And so undercover work was one of my 24 expertise -- areas of expertise in the government. I 25 was often called upon to make sure that we were doing	13 1 (BY MS. RASMUSSEN) 2 Q When you say "this place has gone crazy," 3 what place are you referring to? 4 A He's talking about OUR. Because he would 5 call me and give me updates about what he was doing 6 after he left Operation Underground -- after he left 7 the government and he would call and say, "It's 8 amazing how many people are really interested in this 9 cause." 10 And I said, "Justifiably so, Tim." I 11 says, "It's a great, worthwhile cause." 12 And he said, "But I really, really need 13 someone to help me oversee the management and 14 administration of things that I just don't have the 15 capacity to do." 16 Q Did he give any explanation about what he 17 meant by "this place is going crazy"? 18 A Growth and the notoriety and the fact that 19 people were really, really very, very much in support 20 of the cause. 21 Q And how do you feel that your expertise 22 and experience in law enforcement compares to Tim 23 Ballard's claims about his own expertise? 24 MR. EISENHUT: Objection. Lacks 25 foundation.

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14 1 (BY MS. RASMUSSEN) 2 Q So you're aware of Tim Ballard claiming 3 that he has experience and the background to be 4 leading human trafficking organization. How would you 5 say that your experience in law enforcement compares 6 to Tim Ballard's? 7 MR. EISENHUT: Objection. Calls for 8 improper opinion. Lacks foundation. 9 MS. RASMUSSEN: You can answer. Go ahead, 10 Jon, you can answer. 11 THE WITNESS: Based on my experience, he 12 had no business, no business at all, being at the head 13 of such an organization. He lacked the experience, 14 the expertise, the qualifications, and everything it 15 takes to be a legitimate not only a leader of an 16 organization of anti-trafficking work, which he had 17 very little involvement in, whether he's purported 18 that to be the case or not. He was not a seasoned 19 veteran jump team member. You know, some of the 20 things I've heard him make claims about, he was not a 21 seasoned veteran undercover operative. That's 22 laughable. And I don't want to make light of what has 23 happened in the situations that we are here for. It's 24 laughable that he would make those claims, and the 25 unfortunate reality is there are people that were well	16 1 MS. RASMUSSEN: We don't need to get it 2 emailed right away. So we can just add that in, but I 3 want to make a note so that we come back to it. 4 (BY MS. RASMUSSEN) 5 Q Okay, Jon, in your -- actually, in 6 Mr. Ballard's deposition [REDACTED] he 7 criticized your qualifications and role at OUR. How 8 would you respond to his -- any criticisms from 9 Mr. Ballard about your role? 10 MR. EISENHUT: Lacks foundation. Hearsay. 11 Improper opinion. 12 MS. RASMUSSEN: You can answer, Mr. Lines. 13 THE WITNESS: If he criticized my role at 14 OUR, I would only ask why did he hire me? Why was he 15 incessantly asking to come and join? Why, after I was 16 there, he would make phone calls to me and I would 17 give him guidance, advice, and counsel, and he would 18 always say, "I don't know why I don't seek you out 19 more often. I need this. This is what I brought you 20 on for. This is exactly what I needed to hear, Jon. 21 Thank you for your guidance. You're doing tremendous 22 work here. This place would not be the same without 23 you." 24 And so for him to call me and make those 25 kinds of assertions and give me that assurance and
15 1 intended, the public that believed his claims of being 2 a legitimate undercover operator with extensive 3 experience, internationally and domestic, to 4 investigate human trafficking violations. Even his 5 work as an Internet Crimes Against Children agent was 6 very nominal and routine and was nothing above 7 anything any other agent that is assigned to those 8 units are doing. 9 And so his -- in answering your question, 10 comparison of my experience and his, there is no 11 comparison. No comparison whatsoever. I would 12 absolutely -- I would have somebody take a look at my 13 résumé and my experience against his and weigh those 14 and make an informed decision without even talking to 15 either one of us. 16 MS. RASMUSSEN: And we'd like to get and 17 enter in as an exhibit a copy of your résumé, your CV. 18 And I will need to email those, but we'll just make a 19 note that we've got a few exhibits that we want to 20 attach to this and one is your résumé. 21 MR. EISENHUT: Are you going to ask him 22 about that right now? 23 MS. RASMUSSEN: Pardon me? 24 MR. EISENHUT: Are you going to be asking 25 about that? Do we need to get it emailed right away?	17 1 make me feel at least that I have value in what I was 2 offering is just -- it's ridiculous that he would then 3 after the fact, after we all know that I voiced 4 criticism about some of the things that were happening 5 within OUR, specifically his very, very bad behaviors, 6 I think that's just simply a pathetic excuse to try 7 and diminish my value there at OUR. 8 (BY MS. RASMUSSEN) 9 Q Can you tell me about your relationship 10 with Tim Ballard during your time at HSI? 11 A My relationship with Tim Ballard I 12 believe -- and, again, this has been quite a while and 13 dates get fuzzy, but I think it was in 2011 when he 14 transferred to our office, the Salt Lake City Homeland 15 Security Investigations office, from Calexico, 16 California. We had an opening, he applied, he was 17 able to transfer -- it was a self-funded lateral 18 transfer, which basically means if we had an opening 19 and there was an agent that wanted to come to Salt 20 Lake City, we could accept him. His résumé said he 21 had worked Internet Crimes Against Children cases. 22 That's -- that was appealing to me because it is not 23 easy to find agents who, one, want to do that work 24 and, two, have had prior experience. It takes quite a 25 few years of training to actually be a really

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18 1 qualified expert in the child exploitation realm. So 2 I felt like I could immediately plug him into the task 3 force of which we were a member of the state Internet 4 Crimes Against Children Task Force. 5 Which I don't know how much you know about 6 that, but every agency contributes manpower to a 7 united comprehensive statewide task force that they 8 work in concert to investigate crimes against 9 children. And so they can leverage state, local, and 10 federal authorities to make sure that they investigate 11 those with as much authority and prosecutorial powers 12 they possibly can. Child exploitation's a very, very 13 important responsibility of Homeland Security 14 Investigations and it's a priority of mine, always has 15 been. And so I wanted to have a significant 16 representation in that particular discipline. 17 So he was assigned to the Internet Crimes 18 Against Children Task Force when he came over. He was 19 working under a supervisor. I had four different 20 supervisors in the state of Utah, one was in Salt Lake 21 City, I had an office in Ogden, had an office in 22 Provo, and had an office in Southern Utah in St. 23 George. I oversaw the activities of those offices and 24 I over- -- I supervised the supervisors in those 25 respective offices. So Tim worked -- he was one of	20 1 that were assigned to the Internet Crimes Against 2 Children Task Force. And if I can explain, that was a 3 component of the attorney general's office. The task 4 force commander was Jessica Farnsworth. She was the 5 task force commander who oversaw all the agents and 6 officers who were assigned to the Internet Crimes 7 Against Children Task Force in Utah. She was also, 8 you know -- it's very consequential that she was the 9 commander and the city -- the city commander for the 10 committee for operations nationally for Internet 11 Crimes Against Children. So she was in a very 12 significant place not only in the state of Utah but 13 also within the national community of commanders. And 14 she would call and had complaints about Tim not 15 showing up, not pulling his load, not doing what he's 16 supposed to. Just very much concerns about what he 17 was doing. 18 Now I really tried -- one of my 19 significant managerial styles is to take people who 20 are struggling -- and, again, people struggle for many 21 different reasons, and I understand it. A good 22 manager understands that not everybody's perfect and 23 we all have real lives. And I really, really wanted 24 Tim to succeed. I really did. And I will again say I 25 liked Tim. I thought Tim was very personable, I
19 1 many agents that worked under the supervisor in Salt 2 Lake City. 3 Q Okay. And so how would you describe -- 4 and you mentioned it was a self-funded transfer. So 5 he paid his own way, it wasn't like you recruited him? 6 A No. 7 Q He requested the transfer, paid his own 8 way. And then once he got there what was your 9 relationship like with Mr. Ballard during your time at 10 HSI? 11 A Very limited contact with Tim as he was 12 just one of the line agents. And I -- but I do know 13 that his supervisor repeatedly would come into my 14 office and complain about his behaviors, his lack of 15 production, his inability to do the most basic and 16 rudimentary functions like his vehicle report, his 17 time and attendance report, let alone his reporting on 18 casework. And so I knew that he was not well thought 19 of in the ranks of our managers and I was very 20 concerned that we'd got a lemon. You know? 21 I'll be honest with you. I liked Tim. He 22 was likable, he was charismatic, but as far as his 23 work product, it was, I think, substandard based on 24 what I heard from his supervisor and from the 25 commander of the task force that oversaw the agents	21 1 thought he was likable, I thought he was a decent 2 human being. But I was concerned about his work 3 product. And I tried to help him develop 4 opportunities to succeed and develop opportunities to 5 expand his potential. I saw a potential in Tim. But 6 I think he fell short, and I don't know why. But he 7 wasn't one of my star agents if -- he just was not 8 somebody who excelled at all. He wasn't somebody I 9 would consider a subject matter expert in human 10 trafficking, certainly not a subject matter expert in 11 Internet Crimes Against Children, certainly not a 12 seasoned veteran undercover operator, which he 13 purported to be, certainly not somebody who I would 14 ever, ever put at the head of a organization 15 whatsoever, especially one that dealt in such a 16 sensitive topic and subject matter as trafficking and 17 Internet Crimes Against Children -- or crimes against 18 children. 19 Q So how did your relationship with Ballard 20 evolve when you joined OUR? So you've given us the 21 background of your experience and your opinion of 22 Mr. Ballard's substandard work product. What happened 23 when you went over to join OUR, how did your 24 relationship with him evolve? 25 A Let me back up just a little bit. When I

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22 1 was -- in 2016, early 2016, I started to receive 2 whisperings that having been the longest sitting ASAC 3 or Assistant Special Agent in Charge -- in the 4 field -- and I was very fortunate that I had some 5 very, very good bosses. My -- the SAC, the Specialize 6 Agent in Charge, was in Denver. I went through seven 7 SACs. Every one of them tried to keep me in place 8 because they were so pleased with the product and the 9 productivity that was coming out of Salt Lake City. 10 In fact, our relatively small offices in Salt Lake 11 City were carrying the workload of the whole Special 12 Agent in Charge of the three state area. We were 13 producing more statistics and generating more 14 significant prosecutions in Utah than the whole SAC 15 area in general. And in the government, our widgets 16 are prosecutions, successful indictments and 17 prosecutions. And they were very grateful for that. 18 Grateful for my leadership and the fact that I was 19 able to motivate and to oversee and to manage very 20 correctly and properly and efficiently the resources 21 under my command. And so I had seven different agents 22 in charge that came through and they were doing all -- 23 the best they could to keep me from getting pulled up 24 to headquarters. 25 Well, I had received word in early of 2016	24 1 conversations were very, very frank. I said, "Tim, if 2 I join you, there's got to be some things that change 3 over there. There's got to be a lot of repair, a lot 4 of restoration, a lot of change in what you're doing." 5 And he was very, very receptive to me coming over and 6 helping him properly manage Operation Underground 7 Railroad. And I respected the fact that he had 8 actually built it into something very substantial. I 9 am not going to downplay the fact that he had a -- he 10 was very influential and very capable of drawing 11 donors. He's a very good storyteller. He's a very 12 good -- he's got charisma, he's got stage presence, 13 and it is really not lost on me that if he was able to 14 garner that kind of support how much good could be 15 done in the public-private partnerships. And that's 16 very important and something I learned a whole lot 17 more about after I left the government was this 18 public-private partnering. 19 But -- so he asked me to join, and I went 20 home and talked to my wife when it came time to think 21 about relocating -- and I don't want to make light of 22 my dear wife, she says, "Oh, that's fine. You can go 23 to headquarters but I hope you can come home and 24 visit." And so -- you know, that was a clear message 25 to me that she did not want to relocate all my
23 1 that I might possibly be called up to headquarters. 2 They have what they call a three R letter. It's a 3 resign, retire, or relocate. It's basically a 4 mobility clause we sign when we hire on with the 5 federal government that they can call you up and at 6 any time for your -- and move you around. And that 7 was going to be a difficult thing for me. I was 8 eligible to retire, wasn't ready to retire, didn't 9 want to retire. I was enjoying my career and we were 10 doing great things in Utah, but my family situation 11 would have -- it would have been really devastating to 12 move my family at that time to headquarters and I was 13 at a loss. 14 Now, that being said, Tim had been calling 15 me after he left Homeland Security Investigations and 16 asked me to come and join them. I had no interest 17 whatsoever when he first called. And I don't want 18 to -- I don't want to disparage OUR or Tim, but, quite 19 frankly, they did not have a very good reputation. 20 They had done quite a bit to alienate themselves from 21 the law enforcement community. They just did not have 22 a very good reputation. And Tim called me and asked 23 me if I would join them, and it was in June-ish, I 24 believe, that I started really realizing that if I can 25 go help Tim, if I can -- if he's -- and our	25 1 children, all my grandchildren, all my friends. I had 2 been -- since 2002 I had been in Salt Lake City. And 3 my son was beginning his senior year in high school, 4 he was the starting quarterback, he'd worked long and 5 hard to establish that position. I think it would 6 have been very selfish for me to go to headquarters 7 and to take my family with him {sic}. As much as I 8 loved my career and I loved what I could do and I felt 9 that I could actually do things of substance on a 10 national level, I felt more inclined to stay in -- 11 where I possibly could. 12 So I called Tim and we had some very frank 13 conversations. And I also went to lunch with Jerry 14 Gowen who was the COO. I also met with Tevya Ware who 15 was the chief financial officer who they asked to meet 16 with me prior to my getting on with -- with joining 17 them officially. And I told them that there was -- 18 from what I'd seen, there's got to be change. There's 19 got to be a change in the way that they treat law 20 enforcement, the things that they say about law 21 enforcement, the disparaging things that law 22 enforcement was taking from the messaging from 23 Operation Underground Railroad. They were alienating 24 the very people that they needed to actually gain 25 their confidence in. You can't do trafficking cases

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26 1 without legitimate commissioned law enforcement to 2 help in the part of -- the critical part of protection 3 and prosecution, which is just one phase and one tier 4 of anti-trafficking work. 5 So to make a long story short, I thought, 6 "Do you know what? I'm going to make a go of it." 7 And it didn't hurt that I would be retiring with full 8 benefits and that I was actually doing a second 9 career. So I was increasing my bottom line, I was 10 staying in place, I was joining an organization that I 11 knew was growing and I knew was gaining more and more 12 attention and notoriety, and I felt as I had those 13 conversations with Tim that he would be receptive to 14 my guidance and my advice and my counsel and the 15 things that I felt we could do as a team to make sure 16 Operation Underground Railroad was a success. And so 17 I joined them in October of 2016. Retired in 18 September, went to work the very next day at Operation 19 Underground Railroad. 20 Q So it sounds like you went with high hopes 21 of being able to improve the organization, but what 22 was your relationship like and how did it evolve 23 during your time after you joined OUR? 24 A You're absolutely right. I did join with 25 high hopes, and I was -- to coin a term -- love-bombed	28 1 "you bring instant credibility to Operation 2 Underground Railroad. Your presence here is what's 3 been needed. We haven't had subject matter experts, 4 we haven't had people with your background here." 5 Tevya and Jerry -- Jerry at the time was the chief 6 operations officer. We had very candid conversations 7 and I told them, I said, "Do you know what, I'm going 8 to come in and we're going to" -- I just don't want to 9 come in and just assume that everything is fine 10 because Tim has told me he needed my guidance and 11 there were a lot of things that he was not capable of 12 managing given his lack of experience. And he did 13 tell me those things, and I was grateful to hear that, 14 that he understood and he was willing to say, "Jon, I 15 appreciate what you bring to the table here. I 16 appreciate the fact that we are a fledgling agency, 17 that we need your leadership." And so I took that 18 charge seriously. 19 I took that charge seriously. And I've 20 never been one to just stand idly by and let problems 21 go that should be attended to. And the problem I had 22 with Tim, and it became very apparent, is we would 23 speak and he was very grateful, he was very -- you 24 know, he seemed very receptive of the guidance I would 25 offer. In fact, he would often say, "I went home and
27 1 by Tim. You know, that's a term that you -- that 2 somebody who's really trying to gain your favors will 3 give you all kind of accolades and welcome you aboard 4 and tell you everything you possibly need to hear -- 5 and I'm not that terribly vulnerable, but the fact was 6 I was well accepted by Tim, I addressed the board, the 7 board was very excited about me being there. In fact, 8 one of them commented and said, "You know, Jon, with 9 you at the helm, you know, I don't think we can do 10 anything but succeed." And I was very, very grateful 11 for their comp- -- their confidence in me. I was -- 12 Q Do you remember which board member said 13 that to you? 14 A It was either Mark or Todd Reynolds. I 15 believe it was Mark who is Tim's brother-in-law. 16 Q Mark Blake? 17 A No, it was Reynolds. 18 Q Reynolds? Okay. 19 A Reynolds. 20 Q And he's Tim's brother-in-law? 21 A Correct. 22 Q Okay. 23 A And I was greeted with kindness, with 24 grace, with gratitude from all of the team members. 25 In fact, if I -- I heard many different versions of	29 1 I prayed about this and I talked to my wife, and we 2 and I counseled -- she and I counseled together and 3 that is something we really feel strongly about. 4 Let's do it, Jon." Even if it was something that 5 would have been potentially disruptive. And he would 6 go ahead and give me the green light to make some of 7 those changes, only to find out that the changes not 8 only didn't happen but then they would just continue 9 in a different way that I never knew about it. 10 And I found that there were two different 11 OURs. In fact, I was warned about this early when I 12 got there. There were employees that said, "Jon, 13 there are two different OURs. There's Tim's agenda 14 and Tim's self-promoting activities, and then there 15 are the people who are really trying to do the work 16 legitimately to help trafficking victims, to help 17 thwart trafficking investi- -- or trafficking 18 violations and things like that. And so there were 19 very -- I mean, we had quite an eclectic group. One 20 we didn't have is we didn't have law enforcement 21 experience within. We didn't have people that had any 22 background in true anti-trafficking work. And Tim was 23 not -- and I reiterate this -- Tim was not a subject 24 matter expert in anti-trafficking whatsoever. So I 25 felt strongly that my leadership there could really

30 1 help that organization, and I was given assurances 2 within almost every day, even up to the time that I 3 was shelved. 4 Q You brought -- you mentioned that he 5 brought up praying with his wife and spiritual -- 6 making decisions based on spiritual feelings. Was 7 that common that he brought up religion and spiritual 8 decision making? 9 MR. EISENHUT: Objection. Misstates and 10 misinterprets prior testimony. 11 (BY MS. RASMUSSEN) 12 Q Was that something that you encountered 13 frequently, Jon? 14 A Absolutely. He would always invoke some 15 type of a divine guidance that he was relying on. In 16 fact, it was very distracting that anytime anybody 17 opposed or countered or somehow questioned or 18 challenged his ways and decision, he would always 19 invoke, "Well, I received revelation to do that and 20 that's the way we're going to do it." Even if it was 21 absolutely terribly unsound. And I had no problem 22 saying, "Tim, I beg to differ, but that's not going to 23 be good for the organization, it's not going to be 24 good for the strategic plan, it's not going to be good 25 for the things that we're trying to accomplish." But	32 1 Q So let's talk a little bit about the 2 things that you saw that you felt like were wrong and 3 bad. Ballard has -- Mr. Ballard has suggested that 4 you undermined OUR's leadership. Would you -- how 5 would you respond to that accusation? 6 A Because -- are you talking about his 7 leadership or other OUR leaders? 8 Q Well, he claimed that -- he has claimed 9 that you undermined OUR's leadership. You just 10 mentioned that the things that he was doing were wrong 11 or bad and then he has claimed that you were 12 undermining the leadership. How would you respond to 13 that? 14 MR. EISENHUT: Objection. Leading. 15 Misstates evidence. 16 THE WITNESS: How I would respond, that's 17 an absolute lie. And here's what I found out about 18 Tim in our relationship and our -- and my getting to 19 know him more. When he was at Homeland Security 20 Investigations, he was a line agent. Had very little 21 interaction with him and communication with him. 22 Although I did have situations where he -- he at 23 HSI -- and I'm prefacing why I'm bringing this up 24 because I just recalled a situation where he was sent 25 to a -- an attaché's office -- I sent him to a foreign
31 1 other people, as soon as they heard that he was guided 2 by God -- and I will tell you that, he actually told 3 people many times, and I listened to it, that he -- 4 that what he was asking people to do was inspiration 5 he had received from above. I think that was terribly 6 manipulative. I think it was wrong. 7 There was a time when I don't -- some type 8 of a video or an advertisement that he and Sean 9 Reyes -- and it was interesting because there was a 10 mic, you could see the mic come down so I know it was 11 staged, but he and Sean Reyes, you know, they folded 12 their arms together and had a word of prayer together, 13 which was orchestrated and choreographed. And I later 14 said, "Tim, that's not a really good look because not 15 everybody is interested in human trafficking for 16 religious reasons. We don't want to alienate 17 everybody else that may be interested in simple things 18 and not -- simply for the sake of trafficking sake and 19 not some kind of religious belief or" -- 20 And he said, "You don't believe in prayer, 21 Jon? You don't believe in prayer?" 22 And I says, "I certainly believe in 23 prayer, but there's a time and a place to invoke 24 religion and you can't use divine guidance to justify 25 things that are wrong and bad."	33 1 country to assist with a case, and he came back and 2 didn't tell me anything that had happened. I received 3 a phone call from that attaché -- and I believe it was 4 the area that covers Panama -- and they told me that 5 Tim Ballard was never again to step foot in their 6 country or their area of responsibility. He couldn't 7 obey basic orders, he was -- he knew no boundaries, he 8 wouldn't do anything that they asked him to do. 9 So I called him in my office and I sat him 10 down and I said, "Tim, tell me everything that 11 happened." And before I got on the phone call his 12 explanation and his accounting of it was totally 13 different than what I'd heard from the attaché who was 14 the agent in charge of that particular region. And I 15 really quickly and then especially when I got over to 16 OUR found out he had a problem with truthfulness and 17 credibility and lying. He lies incessantly. And 18 there were people that I'd heard him lie to and I had 19 people there that came to me and said, "I can't 20 believe a thing that he ever tells me because 21 everything he tells me is a lie." And I can give you 22 accounts and people's names and I -- I'm reluctant to 23 do so, but the reality is Tim had a problem with 24 his -- with the truth. And so whatever he has told 25 you about me undermining management; if he is

34 1 threatened by my concerns for, you know, creating that 2 strategic vision for the mission; my concerns about 3 the relationships that were damaged and I had to 4 restore after I came; the damaged relationships that I 5 had to leverage my professional clout, my reputation, 6 that I fell on the sword and defended him in so many 7 ways when I got there; that I trusted that if he told 8 me he was going to do something, he would do it; if I 9 trusted that he was going to follow some guidance 10 after he had agreed that it was good guidance and 11 good, sound counsel that he would then take measures 12 to abide by that, only to find out that not only did 13 he not abide by it but he twisted and distorted the 14 organization's abilities to actually do what it is 15 that I thought was in the best interest of the 16 organization. Undermining leadership there, I don't 17 know what -- if he means that I was offering guidance 18 and counsel to him in how we can better serve those 19 people that we are beholden to that give us their 20 money and their faith to do the right thing by the 21 people who we were trying to serve -- and that was the 22 exploited, the trafficked, the violated. If he 23 believes that I was undermining his leadership when I 24 knew that he was not worried about those people; that 25 he was not doing things that would be in their best	36 1 authorized to do law enforcement work, we had no 2 authority, I had no badge anymore, I had no authority 3 to do anything. All I had the authority to do was to 4 help marshal resources that were given to us by people 5 who expected us to be just and righteous stewards -- I 6 don't want to use righteous in a religious way, but 7 judicious in the way that we managed the resources 8 that were given to us to help fight and combat human 9 trafficking. And I knew that the best way to do that 10 was to empower the people that were best positioned to 11 do that, and that was law enforcement and other people 12 within the multidisciplinary ranks of 13 anti-trafficking, those people who were suited and 14 best prepared and trained to do anti-trafficking 15 victim recovery work, prevention work, the prosecution 16 and the protection of anti-trafficking victims. And 17 that wasn't just law enforcement, that was a whole 18 gamut of people that were involved in the process from 19 counselors, from prosecutors, from police officers, to 20 judges, to healthcare, to medical providers. Every 21 one of those people have a specific role to play. 22 We need to know how to utilize our 23 resources that were given to us by people who trusted 24 Tim's story; who trusted Tim that he was an 25 anti-trafficking expert; who trusted Tim that he would
35 1 interest; that he was doing things counter to the best 2 interests of the people we were trying to serve within 3 the trafficking community and those people that 4 were -- we wanted to empower to better serve those who 5 were trafficked and violated sexually -- if he calls 6 that undermining, call it what he will, but I did not 7 undermine him as he attempted to do the right thing by 8 Operation Underground Railroad. 9 (BY MS. RASMUSSEN) 10 Q Thank you. So you moved over, joined 11 Operation Underground Railroad, and tell me what your 12 role was there and what you did to attempt to improve 13 the organization's operations, because you just 14 described that that was your goal. So what was your 15 role there and what did you do specifically to attempt 16 to improve the organization's operations? 17 A Well, my first attempt was to try -- well, 18 I was executive vice president of operations. That 19 was my first job, and I was given a salary to do that. 20 And I was to oversee -- I think they called it law 21 enforcement systems, law enforcement support, law 22 enforcement operations, and something else. Four 23 units that, first of all, did not belong within a 24 nonprofit organization. We weren't law enforcement, 25 we didn't do law enforcement work, Tim wasn't	37 1 do the right thing by their donor dollars; who trusted 2 Tim and had faith in Tim and therefore they gave to 3 Operation Underground Railroad. I was not the face of 4 Operation Underground Railroad, nor did I ever want to 5 be. Nor did I ever want to be. Nor did I ever want 6 to be a CEO, which he's accused me of. Nor did I want 7 to lead that organization. I wanted to make sure that 8 I came in and applied the administrative safeguards to 9 make sure that the people within OUR were protected 10 and that they were empowered to do the right thing by 11 the people that we were serving and the people that 12 were being so generous giving us their resources. And 13 so when I talk about implementing safeguards and a 14 strategic plan and a mission, this was not done 15 unilaterally. This was done as a team. We had our 16 development team, we had our financial team, we had 17 our marketing team, we had our volunteer team. This 18 was something that I engaged and we worked closely 19 every day with that team. Tim did not work every day 20 with that team. I did from day one. Every day I 21 engaged every person in those respective disciplines, 22 in addition to our operations and our contractors. 23 Many of whom I inherited, many of whom I got rid of 24 very summarily and quickly, many of whom I recruited 25 and brought in based on their experience and their

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38 1 capabilities to actually do the work. If he believes 2 that I undermined what he was doing and he challen- -- 3 he was threatened by what I was doing, it was only 4 because I was bringing organizational cohesiveness to 5 Operation Underground Railroad. I was coalescing all 6 of the particular moving parts within to work in a 7 very unified, very, very orchestrated way for the most 8 productive efficiency possible. 9 Q Let's have you describe -- will you please 10 describe what the organizational culture at OUR was, 11 particularly in terms of accountability and 12 professionalism? 13 A It's interesting how when I first got 14 there -- and I was very surprised by this -- I was 15 pulled aside by so many people that said, "Let me tell 16 you what's happening here." And, again, there are 17 people that are disgruntled, they are people that are 18 unhappy, there are people that feel like they're 19 underappreciated. In organizational dynamics, you're 20 going to always have people that feel like they aren't 21 appreciated, they aren't respected, they aren't 22 valued. But when I got there, almost every person, 23 almost every person within OUR, pulled me aside and 24 said, "We have a problem." And this wasn't done 25 collectively in a group. Nobody came together as,	40 1 that we were doing things and with my name as the 2 operations manager or the president of operations, 3 which I later became. And I was given a raise by Tim 4 and the board approved it, and I was given another 5 raise by Tim and the board approved it, and even two 6 weeks before I was put on admin leave, Tim pulled me 7 aside with Brad Damon who later became the CEO -- 8 which Tim told me would never happen because Brad 9 Damon had no reason or no credentials to be a chief 10 executive officer -- both of those two sat me down and 11 said, "Jon, you've got to be the highest paid 12 executive at OUR." That was two weeks, two weeks 13 before I was put on a shelf saying that now I 14 undermined his leadership, that I was -- that I 15 somehow -- I wasn't valued, that I didn't have the 16 credentials. 17 And so the culture at OUR was, I found 18 quickly, nobody had confidence in Tim but everybody 19 was afraid of Tim. Everyone was afraid of Tim. I was 20 not afraid of Tim. I'll be honest with you, Tim never 21 had a cross word with me personally. He never raised 22 his voice with me ever. But that's not the word I 23 heard, not what I heard him -- that's not how I heard 24 him address other people. He was disrespectful, he 25 was condescending, he was short. He was --
39 1 "Let's go to Jon one by one." This is people who came 2 to me individually in confidence and said, "Tim is a 3 problem. We can see that he is self-promoting, that 4 he's doing things for his own personal agenda, that 5 he's marketing this organization in a way that we 6 cannot and we should not be going." 7 That was concerning to me. Because an 8 organization is just not one person, it's everybody 9 that works in an organization that needs to be on the 10 same page as far as what's going. And, again, I liked 11 Tim. I had empathy for Tim. I think he had been 12 genuinely motivated to do this, but he was over his 13 head as far as the organization goes. And he wanted 14 so bad to make everybody appear as if -- or make it 15 appear as if he was legitimate, that he falsified his 16 credentials, that he flat told stories that weren't 17 true. When I got there, I heard of accounts where he 18 went on operations and he took people that should 19 never have gone on operations and that he put people 20 in harm's way. And that people came back and said, 21 "I'm lucky to be alive." And I can give you names, 22 and I'm reluctant to do so. But I had people that 23 told me, "That was the most frightening experience 24 I've ever had." 25 And that, to me, was terrifying to think	41 1 Q Did you see his anger? Did you see his -- 2 A Oh, yes. Yeah. He would -- I heard phone 3 calls -- Jerry Gowen -- who coincidentally was the one 4 who called me and told me I was on administrative 5 leave -- almost daily would call me and say, "Jon, I 6 am so afraid of him." 7 I said, "Jerry, why? Just talk to him 8 like a gentleman." 9 "He scares me, he threatens me, he yells 10 at me." 11 And I said, "Jerry, grow a backbone. I 12 mean, if you've got problems with him, you need to 13 talk to him." 14 He says, "Jon, one, I need the job," he 15 said, "and two, I'm afraid of Tim. Every time that 16 phone shows up with Tim's name on there," he says, "I 17 get terrible anxiety." 18 I said, "Jerry, you need to be honest with 19 Tim about the way you feel about him." And I 20 received -- that type of sentiment was common amongst 21 the workplace and the people there. 22 Let me give you an anecdote here -- and I 23 just remembered this. I don't want to ask you a 24 question, but there -- that's what they call a SWOT 25 evaluation. There is -- an outside consulting firm

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42 1 comes in and does your strengths, your weaknesses, 2 your -- O is for -- 3 Q Opportunity. 4 A -- opportunities, and your threats. A 5 donor came to the management team -- and I say 6 management team because we would have management team 7 meetings once a month. It was me, Jerry Gowen, the 8 COO, the CFO, Tevya, the marketing director who was 9 Emily, and Jen Dyer, who was the head of development. 10 We would meet regularly and we would talk about 11 everything that's coming up, our general plan, our 12 strategies, our successes, how we want to improve our 13 work product, how we can improve our image, how we can 14 better market, how we can better communicate 15 externally, how we can allocate resources to be most 16 effective. 17 So during one of the meetings one of our 18 donors came and met with us and said, "I know that 19 there are some concerns about what people think about 20 OUR." He says, "I believe in the mission." And we 21 all agreed we believe in the mission; that's why we're 22 here. He said, "Instead of me donating this year -- 23 every year I give a significant amount of money -- I 24 want to pay for that SWOT analysis. I want to pay for 25 a consulting firm to come in and do that SWOT analysis	44 1 other things other than legitimate traffic work." 2 Talking about everybody knows they're staged 3 operations, everybody knows he's doing things that are 4 illegitimate, everybody knows that he's promoting his 5 movies, everybody knows he's off doing things that 6 aren't in the best interests of the organization. And 7 he was also the greatest threat that was identified 8 independently by these employees that were all 9 interviewed -- or all interviewed independent, 10 separate from each other. 11 And I remember the conversations amongst 12 the team. And do you know what happened with those 13 results? Nothing. Because the team said -- and it 14 wasn't me -- the team said, "Tim would never accept 15 this and he will go ballistic and we cannot tell Tim 16 what the results of this SWOT analysis is." And it 17 was shelved. And the board never even heard about it. 18 And to this day I would love somebody to pull that up, 19 talk to the consulting team, and let people know that 20 we tried and tried to improve things within. But 21 people were afraid of Tim. 22 He was malicious if you opposed him, if 23 you ever countered anything, he came after you with a 24 vengeance. And the most difficult thing about Tim was 25 he claimed the backing of the Church. He was a great
43 1 so you can improve. You're young, you're growing, 2 you're dynamic, and you've got a great following, so 3 let's help you improve." 4 I thought that was a fantastic idea to 5 have an external company come in and do an analysis of 6 us, which entailed them doing extensive interviews 7 with the workplace -- with the staff and all the 8 people that were involved. And they were all 9 confidential. We didn't know who was being 10 interviewed, we didn't know the questions that were 11 being asked. Then once a week for about a month and a 12 half when we got together as a team they would give us 13 their analysis and what it was that they found to be 14 the case. And it was really, really an interesting 15 exercise. We would get on calls much like this and 16 the director of the consulting firm would say, "I've 17 never seen such an anomaly. Everybody we talked to 18 believes that Tim's a great strength, he's a great 19 storyteller, he's great at motivating people to give 20 money. But we've also found that everybody tells us 21 he's the greatest weakness within the organization. 22 They tell us about opportunities, they tell us about 23 the opportunities that are lost because Tim won't 24 listen to anybody within; that he's doing his own 25 thing and he's rogue and spending too much time on	45 1 storyteller, a prolific liar -- I'll tell you this, he 2 was a prolific liar -- in fact, I just remembered 3 in -- during one of those meetings when we were 4 talking about the SWOT discussion when we had the 5 consultant on the line, Jen Dyer said, "The problem 6 with Tim is everything he tells me is a lie. He is a 7 prolific liar. I can never trust him." And I thought 8 that was very bold of her, especially when Emily 9 Evans, his sister, was on the line, head of marketing. 10 And if people would have been more bold -- well, she 11 was short-lived by the way. She left very shortly 12 after I did, along with quite a few other people that 13 left that had the courage to see what was happening to 14 people that stood up to Tim and tried to oppose him. 15 So the culture there was toxic. The 16 culture there was fear of Tim. The culture there was 17 Tim does anything Tim wants to with the protection of 18 the board, which was primarily made up of his family. 19 The culture there was people were frustrated because 20 they could see the potential, and they were 21 well-intended, but he was such a significant hindrance 22 in us trying to do the right thing versus what he 23 wanted to do himself. The culture was terrible. And 24 do you know what, coming from the government where -- 25 I'll be honest with you, the government's very

46 1 dysfunctional and inefficient. Never have I worked in 2 an office with such terrible toxicity, with such 3 terrible hostility, with such fear, with absolute 4 unwillingness to come forward with things that are 5 wrong. And the fact is, you never knew when something 6 was going to blindside you. Because if Tim found out 7 that somebody opposed him, even after he invoked 8 religion, even after he said the Church is condoning 9 this, even after he said that this is something that 10 he and his wife prayed about and that he has received 11 counsel from above that it was right, heaven forbid 12 that you oppose Tim Ballard. 13 Q So do you remember the name of the 14 consulting firm that was hired? 15 A You know what, I do not. And I wish -- 16 because I just remembered that SWOT analysis because 17 it was such a telling thing for me. As we're talking 18 I'm remembering that. But I -- I'm sure it's 19 traceable. I'm sure that those results are out there, 20 and I'm sure they still have that -- and I would be 21 interested to see what they thought and what the 22 donor -- if the donor ever found out that nobody ever 23 did anything with the analysis that was given to us. 24 Q Do you recall the individual who had the 25 idea to hire an outside consulting firm to conduct a	48 1 problematic, and so that was another problem with the 2 culture there. He was doing whatever he wanted to and 3 being allowed to do so even when people called him on 4 it and said, "Stop. Stop it. That's harmful." 5 Q Can you give me a specific example -- you 6 just mentioned, you know, that harmful behavior where 7 Tim Ballard acted unethically or unprofessionally. 8 You mentioned some of his operatives that he chose and 9 he sent out. Can you give me a specific example? 10 A I can give you a specific example. His 11 name's Paul Hutchinson. I mean, he was somebody who 12 Tim engaged and for whatever reason became really, 13 really quite cozy with before I even got there. And 14 one of the first persons -- first names that was given 15 to me as far as somebody that's a problem is Paul 16 Hutchinson. People said, "Tim has got this guy that 17 he uses on operations." And, one, Tim claims that 18 he's a huge donor. He's not. 19 Tevya and Jerry said, "He has never given 20 us a penny." Even though Tim claims that he brings in 21 all kinds of donor dollars and he's got high net 22 value, net worth that he can bring in all these 23 donations and so forth. Jerry and Tevya told me, "We 24 haven't seen anything from Paul Hutchinson as far as 25 donations." So for Tim justifying him being so
47 1 SWOT analysis? 2 A I don't, but I know that either Jerry 3 or -- well, it was either Jerry or Tevya or any -- 4 somebody else in the -- I'll be honest with you, I let 5 Jerry and Tevya -- you know, they were my equals, but 6 I didn't have any control over the finances, I didn't 7 have any visibility in the finances, I didn't have any 8 say in the daily operations of human resources and so 9 forth. My job was to oversee the integrity of the 10 operations. And my biggest concern was that's where 11 Tim claimed to have his expertise. And so when I 12 found out that there were things he was doing 13 secretly -- and that's a huge -- and as I think and 14 I'm recalling the horrible history of working there, 15 his secret -- the way he operated his secrecy and did 16 things without me knowing were so terrible for me, I 17 had my name on the website and my face as the 18 president of operations, yet he was going out, 19 unbeknownst to me, in foreign countries, and if he 20 wasn't going he was sending his team of operatives 21 that had no business going anywhere in the United 22 States or foreign to conduct anti-trafficking work. 23 And I would counsel him about that. We'd hear horror 24 stories -- and I can recount situations where it was 25 not good. The operators he was using were very, very	49 1 valuable because of donations he brings in was not a 2 situation. Then I realized that he was sending Paul 3 and Paul's friends -- and I don't know if Paul 4 Hutchinson -- I don't know what he does for a living. 5 I think he's a hedge fund financial person, but he had 6 no law enforcement or undercover experience or any 7 kind of -- no business doing anything covertly or 8 operationally for anyone. And Paul surrounded himself 9 by other friends -- Jimmy Rex was one of them, the 10 McGuffins -- not McGuffins -- Andy and some -- there 11 was a team of them that would go out, and I never knew 12 they would go out until somebody said that they'd 13 announced something on social media that they were out 14 doing an OUR-sponsored operation in a foreign country 15 before the operation even took place. I mean, how -- 16 what kind of good common sense is that is to announce 17 that you're going to be doing an operation somewhere 18 if it's supposed to be covert? Only to find out that 19 all they were doing is bar hopping and hitting the red 20 light districts. 21 Now, as far as Paul goes -- and I just 22 remembered this -- absolute truth and you can research 23 it -- my first course of business was getting there I 24 got a call from an FBI agent in California that said, 25 "Mr. Lines, I understand that you're the chief of

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50 1 operations or the president of operations. Do you 2 know Paul Hutchinson." 3 I says, "I do not know Paul Hutchinson." 4 He said, "He's under investigation. He 5 works for Operation Underground Railroad." 6 "Uh, that's a surprise to me." 7 So I went to Tim and said, "Who is Paul 8 Hutchinson." 9 And he explained, "Oh, he's one of my 10 operatives." 11 "I said, well Paul Hutchinson has gotten 12 OUR in hot water because he's under investigation by 13 somebody, an Agent Green I believe it was, from 14 California that says that we are being investigated 15 now because of the actions of Paul Hutchinson in a 16 foreign country." 17 That was within a month of me getting 18 there. And I leveraged my professional clout, I 19 leveraged my reputation, and I was able to ward that 20 off. And did I that because I was -- we hired an 21 attorney who went to them and said, "We are trying our 22 best." And I gave my personal promise that nothing 23 under my watch would happen. And if Paul did 24 something stupid, understand that that's because he 25 has no guidance and we're trying to do the best we	52 1 happening with your -- what" -- and, again, it was a 2 scolding of Tim but done in a way where I really 3 wanted him to know that I cared and that we can 4 improve on things, but I told him, "Don't send the 5 wrong people out there. Don't send anybody out unless 6 I approve them." 7 And I later found out that he had -- Paul 8 Hutchinson had supposedly fondled or groped a 9 representative from one of our largest donors on a 10 trip to Haiti and that we got called on the carpet and 11 I had to go sit in a meeting with -- at doTERRA with 12 their top management team and explain why it is one of 13 their -- one of their representatives who went on a 14 trip to Haiti with them was groped by one of our 15 contractors. 16 Q So Paul Hutchinson is the contractor 17 you're referring to? 18 A Correct. Correct. Who Tim paid to go out 19 and do these operations with Paul Hutchinson's team. 20 And within OUR they were called "the naughty boy club" 21 because they went out and did whatever they wanted to. 22 And they went out in secret and they went out without 23 my knowledge and they went out with Tim's direction. 24 And it was really disturbing to me that Tim would 25 continue to do things in secret and do things that I
51 1 can. Meaning, I was taking even the fall for 2 something that happened even before I had come on 3 board. 4 Q Was that instance that you're referring to 5 a foreign operation in Mexico that Paul Hutchinson was 6 involved in? 7 A I believe, yes. 8 Q And that was -- 9 A Now -- and it wasn't a situation where he 10 actually fondled somebody's -- supposed juvenile's 11 breast. This was in addition to that. This is right 12 when I first go there. 13 So I told Tim, "Who's Paul? Get rid of 14 him. He's not somebody you should be sending out." 15 And Tim would make excuse after excuse for 16 Paul. Then later I found out that Paul had -- and 17 timewise sequentially it's fuzzy, but there was a 18 situation where someone said that during an operation, 19 he had fondled the bare breast of a juvenile. And 20 then I asked him about it, he says, "Ah, no big deal. 21 It was a lie. The trafficker grabbed his hand and 22 forced it on her breast and Paul said that it was 23 something he couldn't avoid and he had to do that to 24 blow -- so it wouldn't blow his cover." 25 And I said, "What kind of things are	53 1 was not aware of, especially when my name was so 2 closely tied to Operation Underground Railroad now. 3 And I was brought in with the assurance that these 4 quality controls would be put into place so we didn't 5 have these problems, that I didn't have to restore the 6 reputation that OUR had. But it was damage control 7 from day one that I got there. And I wanted to rise 8 to the call, but Tim was absolutely incorrigible. 9 Q So you mentioned Paul Hutchinson that you 10 were aware -- a contractor that Tim had -- kept in 11 place that you're aware of some type of investigation 12 prior to you getting there at OUR, and then you're 13 aware that he -- Paul Hutchinson -- you were brought 14 into a meeting with doTERRA about Paul Hutchinson 15 groping one of the -- that donor's representatives on 16 an operation to Haiti, and then you're aware of Paul 17 Hutchinson groping an underage girl in Mexico? 18 A Right. 19 Q Okay. 20 A And I kept telling him to get rid of him, 21 get rid of him, get rid of him. 22 Q And what was Tim's response? 23 A "He's too valuable. He's too valuable to 24 the organization. Give him a break. He means well. 25 Paul's a good guy. He's misunderstood. We like Paul

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54 1 because he brings in lots of money." To me that was 2 reprehensible. 3 Q Was he -- was law enforcement ever 4 informed -- were these reported to law enforcement, to 5 your knowledge, by OUR or by Mr. Ballard? 6 A The Paul Hutchinson groping situation? 7 Somebody -- after I'd heard that -- about that 8 incident, I thought, I wish -- I wish I knew more 9 about that, because all I knew was what the story was 10 about the -- you know, the purported -- you know, the 11 trafficker grabbed his hands and put it on her breast 12 and so forth. Well, somebody told me that that had 13 been captured on video because Tim was really big 14 about what they called sizzle reels where they wanted 15 to get footage of his operators that were in -- you 16 know, that were doing the work and -- which was all 17 staged and orchestrated and yielded nothing as far as 18 any true victims. So I had heard -- and I'm trying to 19 think of the young man's name -- something Justice, I 20 believe. Someone said that he had actually taped it 21 and had a copy of that archived somewhere. And I 22 thought, "Perfect. Let's take a look at it. And if 23 he, in fact, did that, let's turn it over to the 24 Mexican authorities." 25 So I asked him to meet me downstairs --	56 1 And he called and said, "Yeah, I looked 2 and verified. It's going to Mexico. I sent it via 3 FedEx. It's on its way." 4 And so I wanted to send that to the 5 Mexican authorities and make sure that they had every 6 opportunity to review it and determine whether or not 7 that they wanted to pursue charges. They decided not 8 to pursue charges, but I was not going to allow 9 anything on my watch to go unaddressed, especially 10 something as egregious as that. And even after that, 11 even after that, he continued to use Paul Hutchinson 12 and considered him one of his closest allies. 13 He would take Paul on stage and say, 14 "Here's my main operator. Here's my primary operator 15 that is doing such great work for OUR." Time and time 16 again even after that incident. And I later found out 17 that Paul was the executive director of his movie 18 Sound of Freedom and then it all started to make sense 19 to me. 20 Q So did you personally see the video 21 footage of Paul -- 22 A I did. 23 Q -- groping the underage girl? 24 A I did. 25 Q And then you later became aware that Paul
55 1 and Tim I think came also -- and I said, "Let's comb 2 through that footage, and if it's there, let's find 3 it." And it was hours, hour and hours -- hours and 4 hours of footage and we did find it. We found it and 5 I was so grateful, and it was not how Paul had told 6 Tim it was, and it wasn't how Tim portrayed it to be 7 to me. He grabbed the bare breast of that young girl, 8 she lifted -- he lifted up her shirt and grabbed her 9 breast and there was no trafficker that coerced or 10 enticed or made him do what he'd done. So I asked him 11 to take that footage, get as much of it as we needed 12 to send best evidence -- that's what we always want to 13 do -- but I wanted to maintain a copy of it, I didn't 14 want to send the original. 15 So we made a copy and I asked Matt Osborne 16 who had contacts in Mexico to find the appropriate 17 Mexican authority to send that to. And I then -- he 18 found a name for me -- and I can't remember who that 19 name was or what his position was, but I went to Tyler 20 Schwab -- because I was out of the office Matt said, 21 "We have that footage recorded," and I went to Tyler 22 Schwab who was working in aftercare who spoke Spanish 23 and I said, "Get that footage to" -- I think they left 24 it on my desk -- "Please go get that package and 25 ensure that it is sent to Mexico."	57 1 was the executive producer of Sound of Freedom? 2 A I do. 3 Q Okay. Jon, Tim Ballard's criticized your 4 management of OUR resources. Is there anything more 5 that you want to add about how you would address his 6 criticisms? 7 MR. EISENHUT: Objection. Misstates 8 testimony. Lacks foundation. 9 THE WITNESS: I think that's a desperate 10 attempt to discredit me. I don't know what resource 11 he's talking about. I didn't have access to the 12 funding, I didn't have access to anything that -- I 13 don't know what he really means by that. Everything I 14 did operationally was submitted and approved by the 15 leadership team, and it was allocated funding 16 according to whatever my requests were to assist law 17 enforcement in doing their job or to assist aftercare 18 in caring for victims that were identified as being 19 either trafficked or exploited sexually. It makes no 20 sense to me, that allegation that I misused resources. 21 I have no idea what that means. 22 (BY MS. RASMUSSEN) 23 Q Jon, what is your understanding of the 24 couples ruse tactic? Have you heard that term before? 25 A Let me take a deep breath about the

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58 1 couples ruse tactic. 2 MR. EISENHUT: Objection. Lacks 3 foundation. Calls for improper opinion. 4 THE WITNESS: Well, I'm going to answer 5 that question because I've seen it in the press and 6 I've read the affidavits and I've seen what he 7 purports to be a legitimate undercover method. But 8 let me strongly and emphatically tell you that there 9 is nothing legitimate about the way he used that 10 couples ruse. Any legitimate law enforcement agency 11 nor any nonprofit who claims to be an anti-trafficking 12 organization should ever use anything similar to how 13 he used the couples ruse. 14 (BY MS. RASMUSSEN) 15 Q Was that something that you were aware of 16 while you were at OUR? 17 A No. I'd never heard of the couples ruse. 18 Never would I have -- yeah, not while I was there. 19 Q Okay. And was that tactic created or used 20 by HSI while you were at HSI? 21 MR. EISENHUT: Lacks foundation. Calls 22 for speculation. 23 THE WITNESS: Absolutely not. 24 (BY MS. RASMUSSEN) 25 Q Okay. So any statement by Mr. Ballard	60 1 (BY MS. RASMUSSEN) 2 Q Okay. And can you just -- can you 3 describe the key mental and physical attributes that 4 would be essential for success in such a role? 5 MR. EISENHUT: Calls for improper expert 6 testimony. 7 THE WITNESS: Well, having made 8 evaluations, having determined whether or not certain 9 agents are qualified to do undercover work based on 10 our need for them to go deep cover with Homeland 11 Security Investigations, the first and foremost -- and 12 based on my experience and training with the FBI 13 undercover school, the fir- -- and let me first 14 premise this with when I was an undercover operator, 15 before I even started doing anything and was being 16 trained, they sent me to Quantico, Virginia -- 17 actually, it was in Tysons Corner, Virginia -- to do 18 extensive two-day psychological evaluations. And that 19 psychological evaluation was -- and I asked these 20 questions and it was explained to me later on the 21 second day after extensive interviews -- first day was 22 a battery of tests, all types of different testing, 23 oral and written; second day was interview after 24 interview after interview with different psychologists 25 to determine if, one, I was mentally healthy to do
59 1 that it was created or used by HSI would be false? 2 MR. EISENHUT: Objection. Calls for -- 3 lacks foundation. Calls for speculation. 4 THE WITNESS: Very false. 5 (BY MS. RASMUSSEN) 6 Q I want to ask you a little bit because I 7 know you previously talked about your expertise and 8 your experience. Are you familiar with the 9 qualifications and skills typically required for an 10 undercover operator role? 11 MR. EISENHUT: Objection. Calls for 12 unnotified expert witness testimony. 13 THE WITNESS: May I answer? 14 MS. RASMUSSEN: Yes. You may answer. 15 Yes. 16 THE WITNESS: Having been a certified 17 undercover operator certified by the government, 18 trained by the government, evaluated by the 19 government, made sure that I was properly assessed to 20 be an undercover operator, then having been an 21 overseer and a manager of undercover operations, I 22 know very well what it takes to be an effective 23 undercover operator. Not only an effective undercover 24 operator, what it takes for somebody to qualify to do 25 undercover work.	61 1 this job; if I had any trauma or any kind of 2 experiences in my life that would preclude me or to -- 3 that would be damaging for me to go into this type of 4 work. Also, it was important for me to be mentally 5 stable, first and foremost; to be a keen decision 6 maker; to make sure that I could think on my feet; 7 that I was highly adaptable; that I was somebody of 8 strong moral fiber; that it was professional. And 9 when I say "I," these are the things that I then 10 looked for in potential candidates for undercover 11 opportunities. Flexibility and adaptability, being 12 able to be resilient and make decisions on the fly, 13 being able to -- and it's -- and I would call it -- 14 this is not about deception and lying. This isn't 15 about playing a role or getting in a disguise and 16 being make believe. This is real life situation where 17 you're going into situations that are life or death 18 and you're gathering intelligence and evidence, and 19 it's not to be taken lightly. And anybody who engages 20 in undercover operator -- undercover work has to be 21 capable of this type of -- they have to be 22 intelligent, they have to be resourceful, they have to 23 have the ability to know when they are keeping 24 themselves safe and everyone around them safe; they have 25 to make the decisions as to when can I do something

62 1 that's going to be beyond the boundaries that are 2 humanly acceptable? 3 And so, yes, what does it take to be a 4 good undercover operator? Somebody who's healthy, who 5 has a moral fiber and foundation, who's -- somebody 6 who's a quick thinker, who's resilient, who is free 7 from trauma that won't be triggered by going into a 8 situation where they lose all sense of their ability 9 to make a rational, decent, viable decision in 10 furtherance of gathering the intelligence and 11 completing the mission. Not everybody can do, not 12 everybody should do undercover work. And that was one 13 of the things that we emphasized in the government is 14 there's a small fraction of law enforcement that 15 should and can do effective undercover work. 16 (BY MS. RASMUSSEN) 17 Q In your opinion, is that something that 18 lay people should be able to do? 19 A Not -- not to say that there are lay 20 people that would be good undercover operators if they 21 received the training, the oversight, the psychol- -- 22 you know, preceded by the psychological analysis for 23 mental well-being, for health, the evaluations, the 24 assessments that are absolutely critical in 25 determining whether or not somebody should be placed	64 1 anybody that did send somebody in there, if the 2 government or an organization did send somebody in 3 there that had that potential and something happened, 4 they should be held liable for that. 5 (BY MS. RASMUSSEN) 6 Q Do you believe that a person with a known 7 brain injury could face challenges in performing tasks 8 required of an undercover operator such as the quick 9 decision making that you mentioned or memory retention 10 or situational awareness? 11 MR. EISENHUT: Lacks foundation. Calls 12 for speculation. Improper opinion. 13 THE WITNESS: Yes. 14 (BY MS. RASMUSSEN) 15 Q Okay. And what about a person with a 16 physical disability such as epilepsy, would they also 17 face challenges in performing the tasks required of an 18 undercover operator? 19 MR. EISENHUT: Lacks foundation. Calls 20 for speculation. Improper opinion. 21 THE WITNESS: Yes. I think they would be 22 a potential -- a danger to themselves if they had an 23 episode when they needed to have all of their 24 faculties at their disposal. 25 (BY MS. RASMUSSEN)
63 1 in that situation, they aren't to be taken lightly. 2 And for a civilian to be thrown into that type of 3 environment, totally unacceptable and inappropriate. 4 Q Let's talk specifically about are you 5 aware of any legitimate agency that would hire an 6 undercover operator who has a history of a brain 7 injury? 8 A Never. 9 MR. EISENHUT: Speculation. Incomplete 10 hypothetical. Calls for improper opinion. 11 (BY MS. RASMUSSEN) 12 Q And to your knowledge -- so your answer 13 was never. To your knowledge, how might a brain 14 injury impact someone's cognitive or physical 15 abilities in high stress or complex situations? 16 MR. EISENHUT: Incomplete hypothetical. 17 Calls for speculation. Improper opinion. 18 THE WITNESS: Depending on the brain 19 injury and the extent of their the damage, somebody 20 who isn't able to think rationally, that has any type 21 of impairment that might impede their ability to make 22 an informed decision in a very highly dynamic 23 environment where quick decision making needs to be 24 made, I think that would be highly inappropriate to 25 send anybody in there that was potentially -- and	65 1 Q Jon, were you ever involved in or aware of 2 the decision to allow Amy Davis to audition for the 3 undercover operator role? 4 A I never met Amy Davis and I didn't -- I 5 was not involved in any of that, no. 6 Q In your opinion, though, should there be 7 an assessment conducted to determine if a candidate is 8 capable of fulfilling the roles, requirements, if they 9 had a brain injury? 10 MR. EISENHUT: Objection. Calls for 11 speculation. Lacks foundation. Improper opinion. 12 THE WITNESS: Yes. Yes, I do. 13 (BY MS. RASMUSSEN) 14 Q Should there have been concerns raised 15 about the safety, ethical implications, or 16 practicality of having someone with a brain injury 17 audition for this type of role? 18 MR. EISENHUT: Objection. Lacks 19 foundation. Calls for speculation. Improper opinion. 20 THE WITNESS: Absolutely. 21 (BY MS. RASMUSSEN) 22 Q Jon, I want to ask you if you believe it 23 was -- if it would be legitimate to include someone 24 with a brain injury in the audition process for this 25 type of role and why or why not?

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66 1 MR. EISENHUT: Calls for speculation. 2 Improper opinion. Lacks foundation. 3 THE WITNESS: Given all the necessary 4 qualifications it takes and the sensitive nature of 5 undercover work and the implications of somebody with 6 any kind of mental health condition, it -- the safety 7 implications, not only the integrity of the 8 investigation and the mission at hand at trying to 9 determine whether or not there's sufficient evidence 10 to substantiate any violation, the fact that you're 11 putting somebody in a very highly unstable environment 12 where not everybody should be doing that, and to know 13 that there's -- that you placed somebody in that 14 situation knowing that they have a mental deficiency 15 or some type of a handicap that would preclude them 16 from using all their -- like, the memory retention, 17 the safety and the resiliency to bob and weave and to 18 negotiate and to determine when there is harm at hand, 19 and to be aware of others and the surrounding, that's 20 highly irresponsible for anybody to put somebody in 21 that situation. 22 MS. RASMUSSEN: Thank you. I think -- 23 would you be okay if we take a short 5, 10-minute 24 break? I appreciate that you've been willing to stay 25 on with us. Would that be good for everyone?	68 1 you need to make sure that you send somebody in there 2 that is equipped personally and professionally with 3 every capability of survival and to accomplish the 4 mission. And if somebody is handicapped in any way, 5 that would preclude them from having all the 6 characteristics and qualifications necessary to 7 conduct that type of activity safely. 8 (BY MS. RASMUSSEN) 9 Q Okay. Have you ever encountered a 10 legitimate scenario where individuals were flown in 11 from across the country to practice the couples ruse 12 by going to strip clubs and clubbing? 13 MR. EISENHUT: Objection. Lack of 14 foundation. Calls for speculation. Incomplete 15 hypothetical. 16 THE WITNESS: No, I have not. 17 (BY MS. RASMUSSEN) 18 Q Is there any legitimate operational reason 19 for taking untrained women to strip clubs to qualify 20 for the couples ruse? 21 MR. EISENHUT: Objection. Calls for 22 speculation. Lacks foundation. 23 THE WITNESS: No. Only for pure hand 24 interests. 25 (BY MS. RASMUSSEN)
67 1 MR. EISENHUT: Yeah, I will have questions 2 afterwards as well, of course. 3 MS. RASMUSSEN: Oh, we still have more 4 questions. I just want to take a break, give Jon a 5 moment to -- yeah, go to the restroom or get some 6 water, whatever you need to do. So we'll take five 7 minutes. 8 (Whereupon, a recess was taken.) 9 (BY MS. RASMUSSEN) 10 Q Thank you. We'll just pick up where we 11 left off. So, Jon, based on your experience and 12 understanding, do you think including someone with a 13 brain injury in this context aligns with professional 14 standards? 15 MR. EISENHUT: Objection. Calls for 16 speculation. Incomplete hypothetical. Lacks 17 foundation. Improper opinion. 18 THE WITNESS: No. 19 (BY MS. RASMUSSEN) 20 Q And are you aware of any policies or 21 practices that would either permit or discourage this 22 kind of participation? 23 MR. EISENHUT: Objection. Vague. Calls 24 for speculation. 25 THE WITNESS: Yes. As far as policy goes,	69 1 Q And how would that align with law 2 enforcement or anti-trafficking standards? 3 MR. EISENHUT: Objection. Calls for 4 speculation. Improper opinion. Lacks foundation. 5 THE WITNESS: It flies in the face of the 6 very reason why we conduct these types of cases. 7 (BY MS. RASMUSSEN) 8 Q Jon, let's talk a little bit about your 9 time at OUR, your responsibilities and what you were 10 overseeing, and OUR's resources as far as what you 11 have knowledge of. I want to start off by asking you 12 about what the Child Protection System is, CPS. Do 13 you know what that is? 14 A Yeah. The Child Protection System was not 15 an OUR system or an OUR tool. So we didn't have any 16 kind of control or oversight of that system. 17 Q Okay. What is CPS? What is the Child 18 Protection System? 19 A CPS is a child protective system that is 20 specifically used by law enforcement. Law enforcement 21 should have proprietary rights to it. Only somebody 22 who is a commissioned law enforcement officer should 23 be using it. It was created by a gentleman named Bill 24 Wiltse, who I believe he is still the president of 25 Child Rescue Coalition. I'm not for sure, but he's

70 1 the one that was the one who created it. He has been 2 a law enforcement officer for years. I believe he 3 started in 1990 in different capacities and different 4 agencies, but he is -- he's technically brilliant. I 5 mean, he is an absolute phenom when it comes to 6 technology and creating systems that are used by law 7 enforcement for investigative purposes. So CPS is an 8 investigative tool -- and I'm going to be careful 9 about how I describe this because we don't want to 10 compromise -- these tools are very highly proprietary 11 and they're very, very special in their use, but the 12 Child Protective System is used by law enforcement. 13 You have to have a license to get access to it, and it 14 is used to detect, to protect, and to -- I'm trying to 15 be careful -- to prosecute those who prey on children. 16 Q Can you describe Tim Ballard's use of the 17 CPS and the circumstances under which his license was 18 revoked by Bill Wiltse? 19 MR. EISENHUT: Objection. Calls for 20 speculation. Lacks foundation. Improper opinion. 21 THE WITNESS: Tim was allowed to use CPS 22 when he was an agent with Department of Homeland 23 Security, HSI. Any use of that after he left or any 24 improper use of that while he was still with the 25 government would have been prohibited and absolutely a	72 1 Wiltse" -- and she explained, you know, the CPS system 2 that he had access to, that he had taken that system 3 and was improperly using that, one, while he was still 4 at the government -- with the government, and, 5 additionally, had had a license provided to him by 6 Bill Wiltse after he left the government and that Bill 7 Wiltse had revoked that license because of his misuse 8 of that system. 9 Q And what is the STARS database? 10 A STARS database was a -- actually, a pipe 11 dream of Tim's. The STARS database would have been 12 what CPS is able to do -- and this is what I derived 13 from Tim when I got there and that his grandiose idea 14 was to develop this technology so it could be -- it 15 could be used by law enforcement that he could 16 claim -- or, actually, he was hoping to use it for his 17 own use which would have been highly inappropriate 18 because he wasn't law enforcement -- but it was a 19 system that he hoped to create that was similar to 20 CPS. 21 Q And when you said that he was improperly 22 using CPS, do you know anything more about that 23 improper use? 24 MR. EISENHUT: Objection. Calls for 25 speculation. Calls for hearsay. Lacks foundation.
71 1 violation of any agreement to use that license. And I 2 do know -- sorry. 3 (BY MS. RASMUSSEN) 4 Q No, go ahead. I was just going to ask if 5 you were aware of any circumstances where Tim 6 Ballard's license to use the CPS was revoked by Bill 7 Wiltse? 8 A Yes. I was contacted by Jessica 9 Farnsworth, who was the commander of ICAC, who let me 10 know that -- in fact, she contacted me prior to my 11 going to work with OUR. She and I were long-time 12 colleagues because we -- I had sent agents to that 13 task force, we had exchanged information, we were both 14 on the governing board for human trafficking and child 15 exploitation in the state of Utah, we were both 16 executive managers of respective law enforcement 17 groups. And she called me when she found out I was 18 going to work for OUR and she said, "Why would you do 19 that? Why would you go work with Tim Ballard?" 20 And I said, "You know what, I think it's a 21 worthy cause and I think if I can help Tim, there's -- 22 I don't think it's shameful to do so." 23 She says, "Well, if anybody can turn that 24 organization around, you can." But she said, "But I 25 will tell you, there was a situation where Bill	73 1 THE WITNESS: Yeah, this isn't hearsay. 2 I'll tell you I saw firsthand where he was on -- 3 footage where he met with Glenn Beck and he made 4 reference to the system, and it was a CPS system, and 5 he told Glenn Beck that at any time he can look into a 6 predator's online activity, determine that he was 7 involved in the distribution or receipt of child 8 exploitation material. Highly inappropriate to claim 9 that he could use that for his own devices, highly 10 inappropriate to show it to Glenn Beck, highly 11 inappropriate to make the assertion that that's all it 12 would take is to take action as soon as you made that 13 determination because there's significant legalities 14 that are necessary to take any action using this 15 specific tool. 16 Secondly, I was told by Jessica who sent 17 me a memo of the particular incident that was written 18 and she sent that out amongst the ICAC community that 19 OUR was not to be given a license. It was revoked 20 when Tim Ballard invited Bill on an operation ensuring 21 him that the CPS system would only be used to support 22 law enforcement, provided to law enforcement 23 professionals who were authorized to have a license to 24 use that. Bill was very discouraged to come home to 25 find out that Tim took that system, was doing media

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74 1 claiming that this is a system that OUR would be using 2 to detect child predators online, claiming somehow 3 proprietary rights to it himself. And Bill, being a 4 very principled person and understanding how that 5 could quickly compromise the use and integrity of that 6 machine, and he quickly revoked the license and made 7 sure that Tim had never -- never had access to it 8 again. 9 (BY MS. RASMUSSEN) 10 Q You mentioned a memo. Do you have access 11 to that memo? 12 A (Witness nods head.) 13 Q Is that a "yes"? 14 A Yes, I do. 15 Q Yes, you do? Okay. Is that something you 16 can provide to us? 17 A Yes, I will. Yes. Jessica sent that to 18 me in -- when she expressed her concerns about me 19 going to work with OUR. 20 Q Okay. 21 MR. EISENHUT: Are you going to be 22 providing -- are you going to have him provide it to 23 the court reporter and attach it to the record for 24 all? 25 MS. RASMUSSEN: Yes. So, so far I have	76 1 was locatable. Now, that Gardy story has been 2 problematic because Tim himself, he even told me in 3 person, "Hey, whether Gardy is dead or not, people 4 love the story and it opens up people's wallets and 5 I'm going to continue to use it." So even he knew 6 that Gardy wasn't alive, and I believed strongly that 7 Gardy was never alive. We hope he is. 8 Q Can you tell us who Gardy is, Gardy Mardy? 9 Can you give a little bit of background -- 10 A Gardy Mardy was -- 11 Q -- or why that story -- why that story was 12 important for OUR and its fundraising efforts? 13 A Yes. Gardy Mardy was a Haitian boy -- he 14 was actually born in the United States in St. George, 15 and his father -- they went back to live in Haiti -- 16 his father was an ecclesiastical leader with the LDS 17 Church. And, unfortunately -- and it's a very sad 18 story -- Gardy was kidnapped or abducted somewhere 19 near the church on a Sunday and never to be found 20 again. There was no trace of him, there was no word, 21 there was -- you know, there are allegations and there 22 were assumptions and there were suspects, but Gardy 23 was never found again. Tim told me one day when we 24 were working that President Ballard -- M. Russell 25 Ballard, who was an apostle for The Church of Jesus
75 1 that we're going to provide your CV/résumé and then 2 the memo from Jessica Farnsworth. Okay. 3 (BY MS. RASMUSSEN) 4 Q All right. So how did Tim's 5 misrepresentation of the STARS database impact OUR 6 operations and credibility? 7 MR. EISENHUT: Objection. Calls for 8 speculation. Misstates prior testimony. Calls for 9 improper opinion. 10 THE WITNESS: Claiming to have something 11 we did not have is never a good thing. Claiming to 12 have access to a tool that was never -- never became a 13 reality is not a good thing to tell people. 14 (BY MS. RASMUSSEN) 15 Q Are you aware of any -- so just in line 16 with the credibility and the importance of credibility 17 and lying, what that does to an organization's 18 credibility, are you aware of any staged operations -- 19 for example, a Haiti mission in 2018 -- that were 20 presented as genuine rescue efforts that were, in 21 fact, not? 22 A Specifically in regards to the Haiti 23 situation in 2018, I remember being in the office and 24 there was a scramble and there was a word that there 25 was information and there was intelligence that Gardy	77 1 Christ of Latter-day Saints, had found out that Tim 2 had written some books. Tim had written some books 3 for the Church. And when he found out that Tim was an 4 agent for Department of Homeland Security, reached out 5 to Tim and said, "Tim, what can be done to find Gardy 6 Mardy?" 7 And Tim took it upon himself -- he came to 8 me and asked, "Is there anything that we can do 9 jurisdiction-wise?" 10 And I said, "We will" -- and this is when 11 he was still with the government. I says, "We'll do 12 everything we can to activate any equities or 13 intelligence resources or individuals that could 14 actually help from the Haitian end" -- because he was 15 a United States citizen. I says, "But, 16 jurisdictionally, we have nothing we can actually do 17 over there in Haiti." 18 And he said, "Well, I've been asked to see 19 if I can do something about finding Gardy and I have 20 no idea what to do." 21 But Gardy became kind of a sounding cry 22 for Tim and his Operation Underground Railroad 23 promotion talking about how terrible it was that Gardy 24 was lost, how terrible it was he was never found, you 25 know, the parents are -- and please know and trust

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78 1 that it's a very sad story. Gardy's a very -- I mean, 2 it's a parent's worst nightmare. But the absolute -- 3 the exploitation of that Gardy story was getting 4 terribly out of hand. And, again, he'd said that, 5 "Hey, people love the story and I'm going to continue 6 to tell it because people continue to give." 7 So Gardy Mardy was a Haitian boy that was 8 missing, he was abducted, never found, that Tim felt 9 he should somehow be involved in finding because an 10 apostle of the Lord had told him, "If there's anything 11 you can do, please do so," in short. So that's the 12 Gardy Mardy story. 13 Q Thank you. And then you were going to 14 discuss if you were aware of any staged operations 15 such as the Haiti mission in 2018. So that would have 16 been well after the Gardy kidnapping had occurred, and 17 that he was -- Tim was asked to do anything that he 18 could to find Gardy. So what happened in 2018 with 19 regards to a Haiti mission? 20 A Again, you're correct. Gardy went missing 21 way before Tim actually came over and worked in -- at 22 HSI in 2011. So 2018, this is seven, eight years 23 later, and he was still talking about, "We're going to 24 find Gardy. We're going to find Gardy. I've got 25 intelligence mechanisms activated. I've got people on	80 1 because we do not do firearms training for anyone, we 2 are not law enforcement -- and also went on that 3 operation with Tim -- that supposed operation, told me 4 later, "Jon, that was such a hoax. It was done 5 nothing more for show. It was done nothing for 6 theater." And it was surprising to me that Dave, who 7 was a very close ally of Tim, would have disclosed 8 that to me. So that's one of the staged operations. 9 Q Okay. Did you raise concerns about 10 Ballard's false narratives or staged operations? 11 A Yes, I did. 12 Q And how did OUR leadership respond to your 13 concerns? 14 A Let me preface this by this was just not 15 me. This was finally a culmination of enough was 16 enough. We were getting external pressure from people 17 saying we've got academic groups, we've got 18 significant other nonprofit organizations, we have 19 people -- we have law enforcement, we have -- the FBI 20 was conducting an investigation at the time about 21 fraud and some of the claims and the 22 misrepresentations and the potential for tax 23 violations, improper use of funding. These were all 24 things that were coming to a head from certain sources 25 that I was receiving, and other people, and myself,
79 1 the ground. I've got people there that are giving us 2 intelligence as we speak. We've got -- you know, new 3 leads are coming in every day." Those are absolute 4 lies. Those are absolute lies. That wasn't 5 happening. That wasn't happening. So there was some 6 scramble in the office that "Gardy's been located. We 7 think we know where he is, but we need \$40,000 from a 8 donor to get over there and do this operation quickly. 9 It's got to materialize quick. Does anybody know -- 10 have any access to donors that are willing to give us 11 \$40,000?" 12 Well, that didn't set real well with me 13 because, first of all, I didn't trust what Tim was 14 telling us because there was something just fishy 15 about the fact that it was so rush, rush. And long 16 story short, we found out that the \$40,000 was needed 17 to stage some training in Haiti, to rent a helicopter 18 to fly Coach Tomlin around of the Pittsburgh Steelers 19 that was going to footage -- and to get footage that 20 was going to be used during a halftime show or 21 halftime presentation at an NFL football game. The 22 reason I know it was staged is because ex-Navy SEAL 23 David Lopez who was there, who was with Tim, who 24 conducted the training -- the staged training, 25 firearms training with Haitians -- which is ridiculous	81 1 Tevya, Jerry Gowen, Alex Darelli, who was my head of 2 international operations, and Carlos Rodriguez, who 3 was a seasoned veteran child exploitation investigator 4 who came to work with us, asked to meet with Kelly 5 Wilson. And we all sat down and voiced our concerns 6 not only about this and the staged operations but the 7 optics of everything that was happening; Tim's 8 preoccupation with marketing himself, his movie, his 9 unwillingness to relent to anything that was 10 legitimate, his secrecy, the situations where we were 11 told that we were -- that secrets were kept from us. 12 And so, yes, we sat down with Kelly, who was the 13 chairman of the board at the time, and we expressed 14 these concerns. Not because we had any animus towards 15 Tim, not because we were upset with Tim, not because 16 we disliked Tim. We truly cared about the 17 organization, we truly cared about the people that we 18 were wanting to serve and to best use those resources 19 in the right way. And it was about a three or 20 four-hour meeting where everybody spoke individually 21 and talked about their perspectives and their 22 experiences. 23 Kelly, who was chairman of the board, who 24 happened to be his personal accountant, it was really 25 disappointing that said, "Well, let me tell you the

86 1 around doing development for Operation Underground 2 Railroad and also promoting the movie. In fact, I 3 went to a couple of the promotional meetings or where 4 he was supposedly addressing potential donors and then 5 they would show the Sound of Freedom and he would 6 testify as to the greatness of Tim and how wonderful 7 the movie is and how much, you know -- he was 8 basically -- he was his advocate, you know, strongly 9 saying, you know, "Tim is a wonderful human," and I 10 knew that he never knew anything about Tim as far as 11 his credentials or bona fides. But I also knew that 12 he was promoting the movie because he was Tim's 13 friend. I was with them, and they -- both of those 14 two when they were in the car and Caviezel would text 15 Brad Damon while we were driving all together. And so 16 I knew that they had that relationship very close. 17 And Brad Damon told me he was a childhood friend of 18 his. 19 So Tevya -- getting back to Tevya's 20 situation -- she came and said, "Jon, I'm very, very 21 concerned about something that's happening." 22 I said, "Talk to me." 23 She said, "When Brad sees me, he always 24 wants to hug me and hold me." 25 And I says, "Some people are huggers."	88 1 any type of physical contact. 2 And then she further said, "You know, Tim 3 is -- he's just really kind of vulgar." 4 I said, "What do you mean?" 5 She says, "I -- there was a situation 6 where we were in DC one time" -- and she said that it 7 was -- she accompanied Delia, who was a trafficking 8 victim -- and that's a whole nother story in itself, a 9 travesty and a problem I had to get us out of when he 10 went over and commandeered her and took her from New 11 York, Delia, where she was. And I got the phone call 12 from the victim advocacy, Homeland Security, the 13 attorneys, and everybody telling us that we were going 14 to be in trouble for victim tampering, for witness 15 tampering, for taking a witness in a critical trial 16 out of New York without giving anybody -- getting 17 anybody's permission. Anyway, that was a whole mess. 18 Q And Tim did that? 19 A Oh, yes. He took Cherstyn Stockwell over 20 there and took her in the cover of dark, just brought 21 her over without any kind of forewarning. And she 22 appears, and he says, "Look at this trafficking victim 23 we've got." Well, I had to deal with all the fallout. 24 And it was very interesting, I had a phone call with 25 the victim witness advocate in New York who was making
87 1 She says, "No. I don't like hugging. I 2 don't want hugging. And I've actually told him 'I'm 3 uncomfortable hugging you, Brad.' But he still says, 4 'Come on, you'll get to know me. You'll get to know 5 me and you'll -- and I know you'll like me as soon as 6 you get to know me.'" She says, "That's makes me all 7 the more uncomfortable." 8 I said, "Just tell him you don't want to 9 hug him." 10 Well, Brad told Tim that she objected to 11 his hugging. Tim, for whatever reason, instead of 12 saying, "Well, don't hug her. If she said don't hug 13 her, you don't hug people. Women and men have 14 boundaries, and if they tell you what a boundary is, 15 you don't cross that." Instead of telling Brad that, 16 she called Tevya -- or Tim called Tevya and scolded 17 her for not making him feel welcome, not making him 18 feel a part, not being warmer to him, not being more 19 friendly and hugging him and making him feel like he's 20 part of the team. Well, that's horrible. Anybody 21 that's worked in any kind of workplace, especially 22 somewhere that advocates on behalf of women and sexual 23 abuse and manipulation and trafficking and the fact 24 that they -- every person should have boundaries and 25 the right to say no to any type of physical contact,	89 1 sure that her visa was in -- that she was taken care 2 of, she was given resources, that her visa was 3 properly adjudicated, because her visa here and her 4 ability to stay was based on her willingness and 5 ability to testify in a federal trial that was 6 ongoing. Well, Tim just went and took her and started 7 claiming her for his own trafficking victim that he 8 would prop up and take her on stage and talk about all 9 the 50 times a day she was raped and all the things -- 10 the horrible things that had happened to her, and look 11 at her now, she's wonderful and healthy. Well, that's 12 horrible the way he exploited her. Well -- 13 Q Was she ever a victim that he rescued? 14 Was Delia? 15 A Absolutely not. None whatsoever. But he 16 made it appear as if she was a victim of his or a 17 rescuee of his. 18 So in context, he took her to testify in 19 front of Congress. He took her in DC to testify as 20 how a border wall would have prevented her from being 21 trafficked and raped 50 times a day. So she went with 22 Tim, with Tevya, and David Jacobs I believe was there 23 also. And Tim testified in front of a hearing, you 24 know, committee, and they later went to lunch, the 25 four of them -- David Jacobs, Delia -- and, sorry, my

90 1 wife came in and I'm listening to her and I'm just 2 making sure she's okay -- Delia, David Jacobs, Tevya, 3 and Tim went to lunch between hearings or sometime 4 during that trip. 5 Tevya said, "I can't believe what they did 6 while they're sitting there with a victim of 7 trafficking and me, a female employee of this 8 company." A woman came in and she said she had tight 9 spandex pants on and went up to the counter to order 10 and she dropped something and bent over. And she said 11 both of them went down and were looking at her and -- 12 Q I'm sorry, both of who? 13 A David Jacobs and Tim both lowered their 14 head to get a better look and then started making 15 vulgar comments about her appearance. And it was 16 something like, you know, that should be a travesty, 17 that our wives don't look like that, you know, our 18 wives not keeping in shape should be grounds for 19 divorce or -- you know, don't quote me on any of that, 20 other than it made her feel very uncomfortable and she 21 was very disgusted that he would make those comments 22 in front of her and also a trafficking victim that 23 he's supposedly advocating on the abuse and 24 objectification of women. And those two felt like 25 that was appropriate to make those kind of comments	92 1 A At OUR. 2 Q And you were instrumental in having him 3 fired for making that comment? 4 A Absolutely. I -- Tevya and I got 5 together -- because this young lady didn't complain 6 but another woman complained that was there and heard 7 that and said she was so offended she had to take 8 leave. And, you know, that's fine, whatever, it 9 happens. But the reality is, he said something, which 10 I immediately said afterwards, I says, "That was 11 totally inappropriate. You don't say that in this 12 environment." 13 He said, "Dude, you know, we're all 14 friends." 15 I said, "No, that's not appropriate." 16 Anyway, he was a long-time police officer 17 that I knew, but you don't say those types of things 18 and do those types of things in our environment. And 19 he was fired almost -- less than a week later. And I 20 supported that decision. Tevya and I got together and 21 made that determination. 22 So for Tim to do and say what I know that 23 Tevya brought to my attention, it pales in comparison 24 for what somebody else was fired for. 25 Q Okay. And how did -- so how did OUR's
91 1 around her. So she brought those to my attention. 2 And the reason I was concerned is because 3 a few -- and time frame-wise months before that we had 4 an individual that worked for us that during a meeting 5 where there was representatives of the marketing team 6 who were mostly female made a comment about another 7 woman's attractiveness. He basically said, "Hey, Jon 8 will probably make -- Jon will make all the queries 9 with police departments to determine how much 10 information they can provide us based on the support 11 we've given them." Because we all wanted to measure 12 impact and find out if we were giving support and if 13 it was generating actual work and productivity. And 14 he said, "Oh, but you, you might be able to ask 15 because you're pretty." He was fired three days later 16 and I was instrumental in doing that. 17 Q And who was that individual that was 18 fired? 19 A Do I know who that is? 20 Q Yes. 21 A Yes. 22 Q He had a role with which organization? 23 A He was -- he worked with me actually under 24 my command. 25 Q At OUR?	93 1 leadership respond to Tevya's harassment -- sexual 2 harassment allegations when they were brought to their 3 attention? 4 A As far as I know, they did nothing. But I 5 can't say that retroactively she did not receive some 6 type of a judgment, because she said she didn't feel 7 like there was anything she could do. 8 And I says, "You need to do something. 9 You need to protect yourself and bring that to OUR's 10 attention." But I don't think anything was done 11 immediately for sure. 12 Q And you're not aware of any type of 13 settlement or -- 14 A I am not. 15 Q And Tevya, was she a married woman at this 16 time? 17 A She was a widower and very frail and 18 fragile and a wonderful human being. I have such 19 respect and regard for Tevya Ware for what she had to 20 endure while she was at OUR. 21 Q But you don't know what her exit was like? 22 You don't know if she voluntarily left or if... 23 A She wanted to quit. She wanted to quit 24 and she -- because she was being terribly harassed by 25 Tim, not only for the sexual harassment situation but

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94 1 what she had witnessed in an operation in Haiti where 2 she -- he didn't know she was going to attend. That 3 she had witnessed an operation in Haiti. She was 4 there with her daughter doing something else, found 5 out that there was an operation -- another one of 6 these secretive operations that the president of 7 operations, me, was unaware of that Tim sent his 8 operatives over to Haiti to conduct something that's 9 supposedly legitimate where she showed up -- and I 10 started -- I remember spec- -- very vividly. It was 11 like 2:00 in the morning my phone started blowing up. 12 It was buzzing and I started looking and she says, 13 "Jon, I'm here in Haiti. I can't believe what's 14 happening. You wouldn't believe what I'm witnessing." 15 And she started to -- and I -- I was, "Are 16 you okay? Are you safe? Out of harm's way." 17 Well, she later came home and told me all 18 the things that she had witnessed in Haiti with this 19 supposed operation which she, again, came back and 20 said it was all staged, it was for sizzle reel, it was 21 videoed, it was orchestrated, they would take -- they 22 would do something and then they would stop and they 23 would re- -- they would reset and do it again to make 24 it look like it was legitimate. So she came back and 25 brought that to my attention.	96 1 thought, "Who do you think you're talking to?" I 2 mean, he treated me like I was an idiot; that I was 3 going to believe what he was putting down. But that's 4 the way Tim operates. When he gets his mind set on 5 something, he is bound and determined to put whatever 6 truth forward that serves his own purposes. And I 7 know good and well that what she had witnessed was 8 legitimate and of a concern because she had of utmost 9 concern and respect for this mission and what it would 10 take to do the right thing. He did not know she was 11 going to show up with her daughter. Her daughter was 12 there, too. She's got an adult daughter that was 13 absolute -- that was there, too, that witnessed the 14 same ridiculous antics. So -- like -- she was going 15 to quit. She was going to quit because "I can't take 16 it anymore." And the sad thing is, is Katherine was 17 cruel to her, her own father was cruel to her for 18 ousting Tim and the ridiculous antics and his false 19 narrative and all the things that finally came to a 20 head. 21 And that was the time -- and I'm glad you 22 brought this up -- that was the time that I got a 23 phone call from Nathan Richardson, who was the 24 controller who actually used to work for Kelly -- left 25 Kelly to become the controller to work immediately for
95 1 And I said, "Tevya" -- this was one of the 2 things that predicated our meeting with the chairman 3 of the board, Kelly. This is one of the things she 4 was concerned about. And I need to make this very 5 clear. When I finally spoke up to the board, to our 6 general counsel, to the chairperson of the board, this 7 was largely -- my wife reminded me this the other day, 8 she said, "You need to remember that you struggled 9 with how to proceed and you stuck up for Tevya because 10 she had nobody advocating for her." 11 And I said, "Well, I witnessed some of the 12 same things but I figured I could deal with it." 13 But she was so -- treated so poorly, as 14 soon as she got back and Tim found out that she had 15 relayed to me what she witnessed in Haiti, he went on 16 a vicious campaign, a vicious campaign, to not only 17 discredit her, to intimidate her, to -- he said 18 horrible things to her, he called me and told me that 19 he had conducted his own investigation into her 20 allegations of him -- which is laughable, conducting 21 his own investigation into allegations against him and 22 what she had claimed happened in Haiti -- said she was 23 a liar, she was mentally unstable, she was sick, she 24 was suffering from a mental disorder, and he spewed 25 off some type of psychological analysis that I	97 1 and with Tevya Ware. Nathan called me and said, 2 "Jon" -- this is around that same time -- he says, "I 3 just spent the weekend in the hospital with having a 4 nervous breakdown." He says, "I've got to tell you 5 what's happening. Tim has told me to keep this all a 6 secret, he's threatened me with firing, with 7 insubordination, with all types of things if I ever 8 tell you what happened and the expenditures in Haiti." 9 Tevya told me the same thing that she is 10 now -- she finally said, "Yeah, Jon, there's a lot 11 that Tim has told me not to bring to your attention, 12 not to give you visibility on or tell you about." 13 Yeah, was I disappointed in Tevya? 14 Absolutely. But do I understand what kind of fear 15 tactics were implemented, what she was posed with with 16 the type of mental duress that he can inflict on 17 somebody? And so this came as a real head for me that 18 enough's enough. Tim is supposedly an advocate for 19 the downtrodden, the abused, the vulnerable, and he is 20 literally beating the hell out of people within his 21 own agency who are trying to do the right thing by the 22 very people we serve. So that's why I had that 23 meeting with Kelly to say "Enough's enough, Kelly. We 24 need to do something to right this ship." 25 Q Do you believe that your administrative

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98 1 leave from OUR was retaliatory? 2 A Absolutely. No doubt. I never heard one 3 word from the board. One word. One word or email or 4 message or phone call. All I heard from is somebody 5 who Tim told to call me and said, "You are to cease 6 and desist and do nothing more with OUR." 7 Q So you brought these concerns to the 8 attention of the OUR board and then you were placed on 9 administrative leave? 10 A Yes. 11 Q And Ballard has suggested that your 12 criticisms of him were motivated by personal 13 animosity. How would you address that claim? 14 A Let me put it this way. I agreed to join 15 him at OUR trusting that he had a sincere desire to do 16 the right thing in soliciting my help. I knew he 17 needed it and I genuinely wanted him to succeed. It 18 was in everybody's best interest and it still is in 19 everyone's best interest that Tim Ballard does the 20 right thing by the people that we served. You know, I 21 joined him and I leveraged all my reputation, my 22 professional clout, even when warned not to. Even 23 when people said, "Do not join OUR, they are a 24 laughing stock, they have alienated the very people 25 they need to empower. Tim is singularly focused on	100 1 That was his favorite -- that's the way he described 2 me, "My boss's boss now works for me." That's the 3 credit I got when he was up on stage. Yeah. So I 4 realized quickly I was another prop, you know, and 5 somebody who bolstered his own personal agenda and his 6 image, tried to prop him up. But he said, "Let me 7 tell you a story about my boss." You know, he said, 8 "I went into his office one day and he said" -- oh, 9 no, no, no, here's how it went. "He rushed into my 10 office" -- speaking about me -- "and said, 'Hey, KSL's 11 downstairs. They want to do an interview and I don't 12 know how to do it and I want to you do it for me.' 13 And I said, 'Tim, you've got to go down and do that 14 interview.' And he said, 'Oh, Jon, I'm an undercover 15 operator, and you know that I can't go under- -- I'm 16 undercover, I can't go on camera.' And I said, 'I'll 17 put'" -- and he claimed that I told him that I would 18 put him in a disguise and that he would be able to do 19 the interview because no one would recognize him 20 because he's so covert. And the audacity of him, one, 21 to claim that that was true is ridiculous. And to 22 think that, one, the assertion that he came into my 23 office, which he didn't have one, he had a queue; two, 24 that he -- that I would tell him to immediately go 25 downstairs because the press was there; three, that I
99 1 his own agenda and his own marketing brand." 2 Nevertheless, I did, and I re- -- he resisted my help 3 at every turn. He resisted my efforts to try and do 4 the right thing by him, by the organization, by the 5 employees, by the people that were giving millions of 6 dollars and offering their faith in our organization. 7 If he calls animosity a complete erosion of the trust 8 and confidence that I had in him and his ability to 9 lead OUR and be true to those people that deserved our 10 stewardship, then he can call it what he wants. 11 Q Jon, let's talk a little bit about -- 12 let's move over to if you're aware of a video where 13 Ballard claimed that he had to wear a disguise for a 14 KSL interview. Are you aware of that? 15 A Yeah, I am. I am. 16 Q You are? Okay. I'm sorry, I didn't catch 17 that. 18 A Yes. Yes. 19 Q Okay. And what is your understanding of 20 the context of having to wear a disguise for a KSL 21 interview? 22 A There was a situation where he was on 23 stage promoting himself and talking about -- in fact, 24 he actually invoked my name and said, "Hey, Jon Lines, 25 who was my boss's boss" -- which he loved to say.	101 1 would put him on camera and I would put a disguise on 2 him because he was such a super secret operative that 3 he needed to be protected if he was to go on camera, 4 that was just so indicative of his storytelling and 5 his absolute propensity to lie just to make himself 6 look really, really spectacular. 7 Q In your professional opinion, is it ever 8 appropriate for an individual to wear a disguise 9 during a media interview? 10 A Oh, I've seen individuals interviewed 11 where their face is obscured where they don't want to 12 be identified. That's totally appropriate if there's 13 a reason for somebody to be put in a disguise. In 14 this context, it was laughable. 15 Q So you believe that Ballard's claim about 16 wearing a disguise, was that justified or a theatrical 17 exaggeration to bolster his image? 18 A Totally theatrics. Totally. 19 Q Okay. Let me ask you about this. Ballard 20 alleged that you failed to effectively manage donor 21 funds and operational resources. What evidence can 22 you provide to counter these allegations? 23 MR. EISENHUT: Objection. Misstates the 24 evidence. Calls for speculation. 25 THE WITNESS: I would just say in response

102 1 to that, one, I was never given any indication or 2 notified or communicated with or any expressions 3 whatsoever, written or verbal, that I was misusing any 4 resources. 5 And can I make note that the very OUR 6 today that exists is existing and doing the very 7 programs that I instituted while I was there. Nothing 8 that Tim had done -- electronic storage device 9 sniffing dogs, that was my program; the mobile 10 forensic lab distribution construction allocation, 11 that was my program; the law enforcement tools, 12 meaningful training based on the needs and capacities 13 after close and strict evaluation of that law 14 enforcement agency based on where their current 15 abilities and capacities were, that was my program; 16 task force coordination and development, consultation, 17 supporting a task force that wanted to improve their 18 human trafficking and child exploitation capabilities 19 coming to us saying "If we only had X, Y, and Z" that 20 OUR was able to offer them that they couldn't get by 21 means of their own budget, that was my program; 22 domestic and international anti-trafficking strategic 23 planning focusing on the multi-disciplinary approach, 24 that was a program I instituted. That was not what 25 Tim was doing while I was there. Tim was promoting	104 1 horrible things. Tim Ballard has done horrible 2 things." 3 I have been sullied, I have been stained, 4 my reputation will never be the same. I parted the US 5 Government a highly-decorated officer and a 6 highly-decorated administrator with accomplishments 7 that I'm so very proud of. Now I've got a legacy of 8 my affiliation with Tim Ballard, my organizational 9 alliance and allegiance to OUR, who is absolutely a 10 laughing stock, has been a discredit to the 11 trafficking space, has done nothing but be a negative 12 force. There are people now, just the other day, came 13 to me and said, "Jon, I have some money. Who should I 14 give this to? But don't tell me to give it to an 15 anti-trafficking organization because I have no faith 16 in any of them now." That's horrible. It's horrible 17 that he's done that not only to my reputation -- and 18 my rep- -- I can survive. I will be okay. I can rest 19 on my laurels, I really can. But the mere fact that 20 I'm sitting here today and having to express righteous 21 indignation, which is ridiculous, to defend myself and 22 my honor and my reputation to somebody like Tim 23 Ballard who has zero credentials that are legitimate 24 and his story is make believe and that he's harmed and 25 hurt and maliciously maligned and just done horrible
103 1 himself and his movies and staging operations. So for 2 him to say that I misused resources -- firstly, I 3 didn't have access to the budget, I wasn't given an 4 account, I couldn't take money anywhere to use for my 5 own or professional disposal. I was given a budget 6 and I allocated that based on the needs and the 7 requests that came from legitimate sources. So, 8 again, that's an outright lie. 9 (BY MS. RASMUSSEN) 10 Q How do you believe that Ballard's public 11 criticism of you has impacted your reputation in the 12 anti-trafficking and law enforcement communities? 13 A I have had so many people ask me, "How 14 could you have aligned and advocated for and supported 15 and worked with somebody like Tim Ballard?" And you 16 know what? I premise this with everybody deserves a 17 break. Everybody should be tolerated to the extent 18 where they are intolerable. Everybody should be given 19 an opportunity to succeed if they do things correctly. 20 Everybody that is well-intended should be supported if 21 they are -- if they know boundaries, if they're 22 ethical, if they're moral and they don't cross the 23 legal bounds, everybody -- but Tim Ballard crossed all 24 of those negatively. And now I am paying for it for 25 everybody wondering, "Jon was with OUR? OUR has done	105 1 things, it's taken a toll on me, it has. Literally, 2 physically, emotionally, psychologically, spiritually. 3 My family will never be the same. My wife's been 4 banished today in the last week or so knowing that I 5 have to relive this hell. It's horrible. It's 6 horrible that I gave him a chance, that I gave him the 7 benefit of the doubt, that I supported him. I 8 advocated for him. I told people "He will do better." 9 He did not. He failed so many. He's hurt so many. 10 It has hurt me. But I will survive. But there are 11 others that may never survive. 12 MS. RASMUSSEN: Jon, I am deeply sorry 13 that you are having to relive all of this and, again, 14 I want to thank you for your time today. Why don't we 15 take a five-minute break and then we can come back 16 because I do have more questions for you and I feel 17 like this might be a good time to take a quick 18 five-minute break. 19 (Whereupon, a recess was taken.) 20 (BY MS. RASMUSSEN) 21 Q Jon, do you have records of communications 22 with individuals that you've referenced such as 23 Jessica Farnsworth, Bill Wiltse, Tevya, or others that 24 corroborate your testimony? 25 A You know, the unfortunate thing is when

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106 1 I -- when I left -- when they put me on leave -- and I 2 don't even know if that was a technical -- I don't 3 even know if that's what they called it. That's what 4 I called it because that's what you do in the 5 government when you bench somebody. I don't have 6 those corres- -- that correspondence about Tevya and 7 all the things that were happening. I do have -- I 8 did have some communication with -- so they took my 9 email rights away. I do have some communication with 10 Jessica about some of the things that we were 11 concerned about that she sent to my personal email 12 account. Because we -- you know, we still had 13 interactions and so forth, still consider her a 14 friend. And so she knew how to get a hold of me via 15 email. She gave me a phone call and then I was able 16 to communicate via my personal email account. So I do 17 have some messages from her. 18 Q Okay. And then would you be able to 19 produce the following documents to me within the next 20 seven days: So your initial hiring documents, if you 21 have those; any grievance documents; settlement 22 agreement you had with OUR? 23 A Cite those again. 24 Q Your initial hiring documents. 25 A Okay.	108 1 us for this proceeding. 2 THE WITNESS: Because I don't want to 3 violate any of the terms of that. I take that 4 seriously and, you know, I don't want to violate any 5 of those terms. So because of the subpoena and the 6 court order, I can submit those documents to you? 7 MS. RASMUSSEN: Yes, you can. 8 THE WITNESS: Okay. 9 MR. EISENHUT: And I'll note that OUR is 10 not present. They're not in this case and it may very 11 well be that OUR does not agree with that position. I 12 don't know, I'm just saying that they're not present 13 here to take a position. 14 (Court reporter asked for clarification.) 15 MS. RASMUSSEN: Yes. Thank you, Amber. 16 Let's -- Jon, we have -- we took your -- or you 17 provided a declaration, so should we -- we should 18 include that. Do we want to start with that as 19 Exhibit 1? 20 (Court reporter clarified.) 21 MS. RASMUSSEN: Let's do his CV as 22 Exhibit 1 and then memo from Jessica as Exhibit 2. Do 23 you know, Jon, how many documents you have from your 24 initial hiring? 25 THE WITNESS: Initial hiring, I think it's
107 1 Q And any grievances in writing that you 2 sent or that you still have. And any severance or 3 settlement agreement that you might have had with OUR. 4 MR. EISENHUT: Are you asking him to 5 produce these to you or to the court reporter for 6 everybody to have? 7 MS. RASMUSSEN: He can produce them to 8 every -- for everyone to have. 9 MR. EISENHUT: Okay. 10 MS. RASMUSSEN: Yeah, if you email them to 11 me, then I can email them to Mark and we can get them 12 to the court reporter as well. 13 MR. EISENHUT: Okay. So you'll agree to 14 anything he sends, you'll send to me as well? 15 MS. RASMUSSEN: That's correct. Those 16 documents that I just requested, so your memo from 17 Jessica Farnsworth I believe you said that you had, 18 and your initial hiring documents and any grievance 19 letters that you may have submitted and your 20 settlement or severance agreement -- separation 21 agreement, whatever you have. I don't know what you 22 have. 23 THE WITNESS: Now, how does that affect my 24 non-disclosure? 25 MS. RASMUSSEN: You can provide those to	109 1 one -- one contract. 2 MS. RASMUSSEN: Okay. So let's do that as 3 Exhibit 3. Are you aware if you have -- well, you can 4 just submit the other documents and we can go from 5 there. 6 THE WITNESS: I've got a grievance 7 document -- you called it a grievance document but I 8 think I know what you're talking about where I kind of 9 ask them "Tell me why you've closed the door on me. 10 Tell me why you've taken email access away. Tell me 11 why you've benched me. Tell me why it is that you've 12 ignored me when I'm just asking what is the status." 13 So I've basically got that. And then I've got their 14 settlement agreement. 15 MS. RASMUSSEN: Okay. So that's two more. 16 So that would be Exhibits 4 and 5. 17 (Court reporter clarified.) 18 MS. RASMUSSEN: And then the declaration 19 we can do as Exhibit 6. Thank you. 20 (BY MS. RASMUSSEN) 21 Q Okay. Jon, can you describe Tim Ballard's 22 various roles at OUR, including his positions as CEO, 23 president, founder, and president of the board of 24 directors? 25 MR. EISENHUT: Objection. Calls for

110 1 speculation. 2 THE WITNESS: He was the founder of 3 course, and he was the founder and CEO when I joined 4 in 2016. Within a few months of my joining, there was 5 a situation where I believe -- and I will say I 6 believe because this is based on conversations with 7 Jerry and Tevya -- that they expressed concerns about 8 Tim and his activities. They went to the board, they 9 expressed concerns -- a lot of them similar to what I 10 expressed to -- you know, prior to my being shelved. 11 And I believe also, based on communication with one of 12 our significant donors who told me that he had a 13 significant role in ensuring that Tim was stripped of 14 his CEO title. So a few months after I got there, Tim 15 was just made the founder, no CEO position. Jerry was 16 put in as the CEO, Tevya as the CFO, I was the chief 17 of operations -- I mean, the president of operations. 18 And so that constituted the managing team absent Tim 19 at all. So Tim was not the CEO for the first year or 20 so that I was there, just simply the founder. And 21 things were really, really going well. I mean, I 22 instituted a lot of programs along with the other 23 management team, I think there was great things 24 happening, albeit there were secretive things 25 happening behind the scenes that I later found out	112 1 was not the case. I was shelved after a few months of 2 him coming back and it spiraled quickly upon his 3 return. He was ruthless, he was malicious, he was -- 4 anybody that opposed his reign of terror -- and I say 5 that not being inflammatory, it's not hyperbole, he 6 was terrorizing people. And that's when, you know, I 7 advocated on behalf of Tevya and the things that she 8 had expressed to me. Nathan had told me "I can't do 9 it anymore" -- he was the controller. He says, "I 10 can't keep secrets. I don't want to go to jail, Jon. 11 I think if they come and audit us, we're going to be 12 in trouble." 13 I said, "Let me talk to the board." 14 Because Kelly had assured me that they would keep him 15 in check. Interestingly enough, after I posed these 16 concerns, along with the other members of the 17 management team, I was shelved. Tim advised me, 18 through Jerry, that I was put on leave, and within a 19 few weeks he had self-appointed himself, Tim, as not 20 only the CEO, but the chairman of the board and -- 21 what was the other one? -- it's on the organizational 22 chart -- founder, chairman of the board, and CEO. 23 And, coincidentally, moved Kelly from the chairman of 24 the board to his managing director, a paid position 25 immediately underneath him. Highly suspicious, highly
111 1 about with Tim and so forth. But he then 2 unexpectedly, as a surprise to everyone else, came 3 back -- and I can't -- the dates are fuzzy, it's been 4 a while, but he came back and reinstituted himself -- 5 and I say that because I got a phone call from Todd 6 Reynolds, who was a board member, who when Tim came 7 back or right around the time Tim came back he told me 8 that he could not be on the board if Tim was then 9 reinstated as the CEO. He resigned. Todd sent me a 10 text -- and I might have this text still because it 11 would have his number -- Todd sent me a text and asked 12 me if I could call Kelly Wilson. I said certainly. I 13 called Kelly Wilson and Kelly said "Jon, Tim is going 14 to come back as the CEO. I know there have been 15 problems but we can't control Tim, and his family is a 16 significant part of the board, and whatever Tim 17 decides, the board is going to support." 18 And the reason Todd wanted me to call 19 Kelly was Todd wanted Kelly to assure me -- which 20 Kelly did -- that they would keep a close, watchful 21 eye on Tim and his activities. That they would do 22 everything they could to keep him in check, to create 23 boundaries, to have those safeguards in place so that 24 he didn't wreak havoc once again like he did when he 25 was stripped of his CEO title. Unfortunately, that	113 1 suspect, highly questionable, but that's what 2 happened. He consolidated power for himself. So not 3 only did he have control of the board as a chairman, 4 which he was not on before, he's now the CEO, he was 5 the founder. He unilaterally accumulated every bit of 6 power that was to be had so he could become a 7 dictator. And to me, that defies any organizational 8 sound judgment and structure. 9 (BY MS. RASMUSSEN) 10 Q How did his control of all those multiple 11 leadership roles affect decision making at OUR? 12 A Well, there was a mass defection of some 13 very good people. After I was put on leave -- and 14 I'll be honest with you, he wanted me to quit, wasn't 15 going to quit. Couldn't fire me because there were no 16 grounds. Even though my contract might have said he 17 could have fired me, they didn't fire me. I had to 18 finally get a severance agreement. The people who 19 wanted to hire me after I left said, "You need to cut 20 ties with OUR." 21 And I said, "I'm not quitting because I've 22 been unjustly terminated and treated poorly and 23 aggrieved horribly." 24 And so when I was in limbo, quite a few 25 other very good, capable, qualified, and wonderful

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114 1 human beings that I have the utmost respect for left 2 also, and at that point he could -- he did nothing 3 more than change his -- there was a phone call, I 4 actually have a copy of that. Because one of the 5 employees sent it to me that was still there and said, 6 "You can't believe the phone call that we just had." 7 It was an all-hands phone call from Tim Ballard with 8 the new managing director, Kelly Wilson, and his other 9 sidekick who was going to be the new director of 10 Children Need Family, Janet Russon. And she's an 11 interesting story in herself, is psychic. Well, she 12 sent me a recording of that actual phone call where he 13 self- -- he designated himself as "I'm now the 14 chairman, I'm now the CEO, and I'm the founder, and 15 what I say goes. And I'm tired of anybody telling me 16 what the -- what this organization's mission should 17 be. In fact, we're changing now immediately to 18 storytelling. We're going to focus on storytelling. 19 We've done trafficking work, but now we're just going 20 to story tell about it." I mean, it was ridiculous. 21 I'll provide a copy of that phone call. 22 Q Okay. 23 A But I received word from many of those 24 people that said, "Oh, my heavens. What are we going 25 to do now? It's now an absolute tyranny and he's	116 1 expectation that they were truly doing 2 anti-trafficking work protecting and saving children. 3 (BY MS. RASMUSSEN) 4 Q Was Ballard invoking any spiritual or 5 religious conversations throughout this time that he 6 had all that power? 7 A He was. In fact, there was a conversation 8 when he first came back -- and trust me, when he first 9 came back I thought, "We can manage this. We can 10 handle it. We've got an executive team that's been 11 cohesive. We've got order. We've got communication 12 within." He soon came back and his explanation was -- 13 and I was there and I heard him say, "M. Russell 14 Ballard told me to regain what was rightfully mine and 15 I am going to be the CEO and I am going to now change 16 the course of this organization." He also invoked 17 Tony Robbins saying Tony Robbins also told that he had 18 every right to go back and be the CEO. But my biggest 19 concern was when he invoked the Church, the Priesthood 20 authority, a general authority who is basically the 21 spokesperson for God. That place was full of a whole 22 lot of faithful people who are true believers and 23 followers in the LDS Church. 24 Q And when you say "that was full of 25 people," are you talking employees? How many?
115 1 going to be a dictator." And that's what happened. 2 And everything that I told Kelly would happen with the 3 board, happened. They imploded and self-destruction 4 ensued. 5 Q Were there -- so were there any internal 6 controls or checks and balances at that point to hold 7 Ballard accountable for his actions both as an 8 executive and a board member? 9 A I don't know how they could be if he was 10 the ultimate decision maker in everything. 11 Q And do you believe that his -- his 12 consolidation of power at OUR is what contributed to a 13 culture of fraud and waste and mismanagement? 14 MR. EISENHUT: Calls for speculation. 15 Lacks foundation. 16 THE WITNESS: Yes, I do, and I'll preface 17 that by saying a wise man once said that the power 18 corrupts -- absolute power corrupts absolutely. And I 19 think that's what happened. He got total control of 20 all the accesses -- I mean, access of all the 21 resources, decision making, no checks and balances, no 22 counter opposition, no questioning of what he decided 23 was a priority now. And he was sitting on a mountain 24 of resources, ridiculous amounts of money that people 25 were providing OUR under the guise -- or under the	117 1 A Sorry. Operation Underground Railroad 2 employees and contractors and people that were 3 interested in making sure that we were doing the best 4 to safeguard children. Truly believing that that's 5 what we were doing. They believed what Tim was 6 saying. They didn't have the exposure I did. They -- 7 when you say that a prophet basically of God has told 8 you that this is what needs to be done, who are they 9 to question that? 10 There was a time, anecdotally, that 11 Cherstyn Stockwell, after she had got back from New 12 York and had taken that young trafficking victim and 13 brought her back here, one, without me knowing and, 14 two, based simply on Tim's whim to go over in the 15 cover of dark, fly over and get that little girl, 16 bring her over here and now use her for his benefit 17 and his self-promotional interests, I said, "Cherstyn, 18 please, when Tim asks you to do something" -- this is 19 after I took all the fallout from the federal 20 government, all the prosecutors threatening to sue us, 21 sue OUR, witness tampering, contempt of court -- I 22 mean, they were going to put us all in jail. When 23 they talked to me, one of them finally said, "I'm so 24 glad there's an adult in the room, Jon. I'm so glad 25 we talked to you because there's no one else there

118 1 that we could ever get any straight answers from," and 2 I was able to alleviate that problem. 3 But Cherstyn Stockwell when I told her, 4 "Why would you do that? Do you realize what that -- 5 happened and the problems and the trouble I'm dealing 6 with right now." 7 And she said, "But look at who he is. 8 Look at who Tim is. How can I not obey everything he 9 tells me?" 10 And that spoke volumes to me. That's how 11 people believed and trusted and did what Tim said. He 12 invoked God, he invoked false credentials, he invoked 13 false experience and qualifications, and that 14 invocation of divine providence is the worst thing he 15 could have done -- or the best thing for his own 16 personal interests he could have done. 17 Q Okay. So you heard him repeatedly claim 18 that he had a spiritual connection with others and 19 that caused them to then do what he asked them to do? 20 MR. EISENHUT: Objection leading. 21 Misstates evidence. 22 THE WITNESS: Yes, he did. And I heard 23 people many times say, "Hey, I feel Tim's inspired. I 24 feel Tim's inspired so I'm not going to question what 25 he tells me to do."	120 1 primarily due to their relationship to Ballard? 2 MR. EISENHUT: Objection. Calls for 3 improper expert opinion. Calls for speculation. 4 THE WITNESS: From what I knew, they had 5 no experience whatsoever to head up or guide or direct 6 or give any kind of governing counsel to an 7 anti-trafficking organization. 8 (BY MS. RASMUSSEN) 9 Q Did the presence of Ballard's relatives in 10 key roles create any conflicts of interest or 11 undermine organizational effectiveness? 12 MR. EISENHUT: Calls for speculation. 13 Calls for improper opinion. 14 THE WITNESS: Well, I think it does. I 15 think he was able to treat Tevya in a way where he 16 wouldn't have treated anybody else with her 17 qualifications and her expertise and financial 18 oversight because it was his sister-in-law. And it 19 certainly impacted the board's decision making. 20 (BY MS. RASMUSSEN) 21 Q How specifically did Ballard's control and 22 his relatives' involvement influence the allocation of 23 donor funds and organizational resources? 24 MR. EISENHUT: Objection. Calls for 25 speculation.
119 1 (BY MS. RASMUSSEN) 2 Q Okay. How many of Ballard's relatives 3 were employed at OUR and in what roles? 4 A I can't give you a number. I know quite a 5 few of them were employed. I know Dale Zinn was his 6 brother-in-law, Katherine's brother, who I fired when 7 I got there realizing that he had no business being 8 employed there. Interestingly, Tim came back and 9 said, "I think that's a good firing. I went back to 10 Kathy -- Katherine and we prayed about it and we 11 respect your decision to do that." So Dale was there 12 at one time. Tevya was his sister-in-law. I have a 13 lot of respect for her. But the unfortunate reality 14 is the board was comprised of quite a few of his 15 relatives. I don't know the number but I know that it 16 was enough to where it was -- when I spoke to Kelly, 17 Kelly said, "We talk to the board, and when I talk to 18 the board about certain things that are a concern," he 19 told me, "They will never ever oust or do anything to 20 harm Tim or his ability to direct this organization. 21 They would rather quit first than to reel him in." 22 And so that was a problem I could see with his family 23 being so intricately positioned on the board. 24 Q So were those relatives qualified for 25 their positions or do you believe they were hired	121 1 THE WITNESS: I know that he was able to 2 have access to donor funds for his own particular use 3 and his own agenda, where otherwise they would not 4 have been approved had a legitimate board been in 5 place to monitor and check his use of those funds. 6 (BY MS. RASMUSSEN) 7 Q Were you aware of the MS Williams account? 8 A I know nothing about MS Williams account. 9 Q Can you provide any examples of wasteful 10 spending such as unnecessary operations or extravagant 11 purchases or improper use of funds? 12 A The biggest concern I had, and, quite 13 frankly, was subsidizing and funding operations with 14 people who were unqualified to do the work who should 15 never have been in the field for the sake of 16 developing and producing orchestrative filming of 17 events that he could use to promote not only his false 18 successes but also to use for video clips and reels 19 for documentaries and for movies potentially. That's 20 a monumental waste. I think that was a 21 misappropriation of funds and I think that violated 22 the tax code and his 501(c)(3) status. I think it was 23 ridiculous that he would pay for vacations, under the 24 guise of it's legitimate business, for people like 25 Dave Lopez and -- and I'd heard that Hugh -- and I

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122 1 don't know much about that -- had also gone to Hawaii. 2 But I asked Tevya, "Why is David Lopez taking his 3 girlfriend" -- I don't know if it was his wife or his 4 girlfriend -- "and OUR is paying for it?" 5 And she simply said, "Tim told me to do it 6 and justify that expense." 7 I know that there are situations where -- 8 here's one, and it was kind of a running joke -- the 9 Miller family gave OUR a really nice cargo van, really 10 nice apparently. I'd never seen it. And it was for 11 the transport of victims when encountered. Well, 12 there were no victims being encountered so guess who 13 used it for his own family purposes? Tim. And I 14 heard he absolutely trashed that van. They said it 15 was just -- that it was unusable {sic} after that. I 16 mean, he just took what he wanted. And it was -- and 17 he used it for his own personal agenda, his own 18 promotion, his own self-interested agenda. It goes on 19 and on. 20 Q Thank you. Were there any specific 21 instances where family members benefited financially 22 or professionally at the expense of OUR's mission? 23 A You know, I can't truthfully speak to that 24 and I don't -- I think it would be improper for me to 25 make those assertions.	124 1 MR. EISENHUT: Objection. Calls for 2 speculation. 3 THE WITNESS: No. Yeah, not from me. 4 (BY MS. RASMUSSEN) 5 Q Were donors ever informed that the funds 6 were being used for storytelling rather than OUR's 7 501(c)(3) mission? 8 MR. EISENHUT: Objection. Misstates 9 evidence. Calls for speculation. 10 THE WITNESS: Not from me. 11 (BY MS. RASMUSSEN) 12 Q Can you describe any instances where 13 donors raised concerns or withdrew support due to 14 these issues? 15 A Yes. One of their largest donors, 16 doTERRA, who was one of their greatest supporters, 17 withdrew all their support when I left. 18 Q Do you know the amount of support they 19 withdrew and why they withdrew it? 20 A You know what, I was never given complete, 21 full visibility of what they gave, but I believe it 22 was -- and this is speculation, because I'd heard 23 "We're getting another draw from doTERRA, another 24 quarterly draw of \$250,000." So I believe it was a 25 million dollars a year.
123 1 Q Okay. Did -- in your opinion, did the 2 culture that Tim created at OUR discourage 3 accountability or transparency? 4 A Oh, absolutely. Very much discouraged. 5 People were fearful to tell the truth. People were 6 absolutely threatened to tell the truth. There was no 7 transparency at OUR. Very little. 8 Q Okay. Were there any efforts by the board 9 to investigate the allegations of fraud, waste, or 10 mismanagement under Ballard's leadership? You 11 mentioned the violations of the tax code, the 12 501(c)(3) status, all of that. Were there ever any 13 efforts by the board to investigate these allegations? 14 MR. EISENHUT: Objection. Calls for 15 speculation. 16 THE WITNESS: Not as far as I know. And 17 honestly, and to qualify that, I would have known 18 because I did pose a lot of those concerns to the 19 board. And you would think they would come to me and 20 say, "Tell me more." Never was I asked "Tell me more, 21 Jon." 22 (BY MS. RASMUSSEN) 23 Q Were the donors ever informed about the 24 extent of Ballard's family involvement and the 25 potential conflicts of interest that that created?	125 1 Q And do you know how long they had been 2 donating that? 3 A David, who I met when I was vetting OUR, 4 David Sterling, the CEO and founder of doTERRA, who 5 actually told me the only reason he actually 6 contributed to doTERRA is because he met me before he 7 committed to donating to him and that he felt 8 comfortable with me coming on board. This is before I 9 was coming on board I sat down with him and he was 10 talking to another individual at OUR and I then talked 11 to him afterward and said, "You know, I'm considering 12 joining OUR," and then we had a long discussion about 13 my philosophies and concepts of what I consider to be 14 a viable and a successful and a very accountable 15 organization. Apparently he -- it was assurance to 16 him that OUR would be in good hands. And I feel 17 horrible that Tim allowed things like that to happen, 18 that the board allowed that place to fall apart. And 19 when I left, they withdrew donations. And so I 20 believe it was from 2016 on. It may have been before 21 that that they were giving -- 22 Q So a significant amount of money, maybe 23 around \$6 million they had donated? 24 MR. EISENHUT: Objection. Calls for 25 speculation.

126 1 THE WITNESS: I can only estimate and 2 guess. I don't know. 3 (BY MS. RASMUSSEN) 4 Q Okay. And did he give you reasons or did 5 anyone from doTERRA give reasons why they withdrew 6 their support of OUR and Ballard? 7 A David confided in me that he had personal 8 interaction with Tim that completely turned him off. 9 Completely. And it was based on his assessment of 10 Tim, not what I told them because I honored the 11 agreements. He would tell me his concerns about 12 OUR -- they were very concerned about Paul Hutchinson 13 and the fact that Tim continued to use and even after 14 their strong admonition to distance themselves, to 15 distance -- Tim to distance himself from Paul and OUR. 16 But David Sterling had very strong negative opinions 17 about -- and quite a few of the leadership there had 18 strong opinions about him. But I was very reluctant 19 to engage. 20 Q Okay. How do you feel that Ballard's 21 leadership practices affected OUR's ability to achieve 22 its mission of combatting human trafficking? 23 MR. EISENHUT: Objection. Calls for 24 improper opinion. Lacks foundation. 25 THE WITNESS: We fell terribly short from	128 1 with policy, with his malicious, vindictive way of 2 dealing with opposition. If we had a board that was 3 neutral and actually had subject matter expertise and 4 that was really, truly interested in the mission at 5 hand versus keeping the CEO and founder happy and 6 appeased, it would have been quite a bit different. 7 (BY MS. RASMUSSEN) 8 Q Let's talk a little bit about Janet 9 Russon, you mentioned her previously, Tim Ballard's 10 psychic. Can you explain your understanding of what 11 Janet Russon's role was within OUR? 12 MR. EISENHUT: Lacks foundation. Calls 13 for speculation. 14 THE WITNESS: Well, I can tell you what I 15 was told. Janet was a well-kept secret from me. I 16 had heard that she had gone on previous operations 17 before I got there, she had provided psychic guidance, 18 you know, based on, you know, whatever special powers 19 and tools she had available to her. I find that 20 laughable. Truthfully, I find it ridiculous. I find 21 it incredible that anybody that would claim to be a 22 legitimate operator or somebody who truly had any 23 sense of what it takes to investigate this type of 24 work or to thwart this type of work that would use a 25 psychic. I never used Janet. I knew she was
127 1 doing what we possibly could have, and that's 2 heartbreaking. 3 (BY MS. RASMUSSEN) 4 Q Do you believe that OUR could have 5 operated more effectively with independent leadership 6 and governance? 7 A That's a resounding yes. 8 Q And why do you say yes? 9 A We had resources that nonprofits in this 10 space only dream of. I've compared notes with 11 organizations who have done this for years far before 12 OUR, did it while OUR was operating, continue to do 13 this, and they are operating on literally \$1,000 a 14 month. I mean, it is ridiculous the resources that 15 were available to OUR and how terribly we fell short 16 from serving those very people that we could have 17 helped, and it breaks my heart. 18 Q What steps would you recommend to prevent 19 similar issues in other organizations? 20 MR. EISENHUT: Objection. Calls for 21 improper opinion. Lacks foundation. 22 THE WITNESS: Well, I'll just call it what 23 it is. It was nepotism and cronyism, and Tim 24 surrounded himself by yes people and people that 25 allowed him to run roughshod with finances, resources,	129 1 available and around, I didn't know in what capacity. 2 There was one day when Tevya was saying, "I can't 3 believe what we are paying Janet Russon." 4 I said, "Tell me more." 5 She said, "She's on our payroll for quite 6 a bit of money a month," and he {sic} told me how 7 much. 8 And I said, "For what?" 9 "Well, it's Tim's personal psychic and 10 she's -- and Tim says she offers operational 11 intelligence." 12 Now, mind you, I've been there for a 13 couple of years and my job was to ensure that we 14 conduct sound, efficient, integrous, legally 15 sufficient operations ethically, morally, and every 16 way possible. I had never ever had her consult or ask 17 me for any -- that she could help consult, and I'd 18 never had Tim come to me and say, "Here's a resource 19 available to you." So what I did when Tevya asked me 20 that -- or told me that, that she had been on the 21 payroll to offer intelligence and psychic support, I 22 went through our archives and found a stack of leads 23 that we had received. We received leads almost daily 24 for people saying "my child's missing," or "I believe 25 this man's a trafficker," or "the house down at the

130 1 end of the block is -- you know, there's a lot of 2 traffic coming and going, can you" -- assistance for 3 us to assist them and help them in what they believe 4 is a human trafficking issue, a child exploitation 5 issue. 6 So I printed off a bunch of those -- I 7 don't think I printed them off, I think I forwarded 8 those emails to her. I said, "Janet, I understand you 9 offer investigative intelligence based on psychic 10 support and I'd really love to see what you can do 11 with these leads." I'm still waiting for a response. 12 (BY MS. RASMUSSEN) 13 Q Okay. To your knowledge, was Janet Russon 14 ever formally trained or qualified to provide 15 intelligence or operational support for 16 anti-trafficking missions? 17 MR. EISENHUT: Objection. Calls for 18 speculation. Lacks foundation. 19 THE WITNESS: I have no idea what kind of 20 training she ever had. 21 (BY MS. RASMUSSEN) 22 Q Are you aware of any legitimate law 23 enforcement agencies that have a psychic on their 24 payroll? 25 A I'm not, no.	132 1 you if you would submit to a psychic reading because 2 she really does have some extraordinary powers and she 3 can speak beyond the grave and do you have any 4 relatives you'd like to communicate with?" And I -- 5 and he said, "Because I did." And he told me -- and 6 Matt said, "She told me a lot about my uncle John. 7 His name's Jack but she called him John -- no, my 8 uncle John but she called him Jack." 9 Anyway, it was very apparent to me that it 10 was just like any other psychic. You know, she'll -- 11 it's smoking and mirrors and so forth. I said, "No, I 12 am not and I will not." 13 Tim, in the worst way, would have loved 14 for me to buy into that concept, but I believe 15 strongly it was simply his personal advocate, somebody 16 who provided him emotional validation and support. 17 For the life of me why she was on our payroll, I have 18 no idea, and that was a terrible misuse and waste of 19 donor money. 20 Q Were you ever aware of her intelligence if 21 it was ever used to justify or execute operations that 22 turned out to be ineffective, staged, and misleading? 23 MR. EISENHUT: Calls for speculation. 24 THE WITNESS: I was told about the Haiti 25 operation before I came on board with them. And it's
131 1 Q So throughout your career -- 2 highly-distinguished career with government, did you 3 ever know of a psychic being paid to do either 4 intelligence or operational support? 5 A There have been situations where people 6 had been referred to psychics for assistance. I know 7 it's a thing. I know it happens, I know that psychics 8 claim to be able to give kind of signs and feelings 9 and premonitions about crimes and so forth. But in my 10 professional opinion, I do not believe, nor do I know 11 anyone that has used or would keep a psychic on their 12 payroll. I think it's -- I think it's a farce, 13 personally, and professionally. 14 Q And are you aware of any actual rescues 15 that occurred due to Janet Russon's psychic abilities? 16 A Zero. No. 17 Q Were there any concerns with -- sorry, was 18 there an interruption? No? Okay. 19 Were there any concerns raised about her 20 qualifications, experience, or methods during your 21 time at OUR? 22 A That was one of the concerns that we 23 raised at our meeting with Kelly. But if anybody else 24 objected to it, I don't know. There was a time when 25 Matt Osborne said, "Jon, I want -- Tim asked me to ask	133 1 in -- there was an individual whose name is JR 2 D'Agostino who had went on -- he was a Navy SEAL, 3 ex-Navy SEAL that went on an operation with Tim to 4 Haiti. He came back and posted on social media how 5 absolutely ridiculous it was, how inept operationally 6 Tim was, how he put everyone in danger, and he 7 emphasized how he was absolutely amazed and appalled 8 that Tim used intelligence derived by the psychic that 9 he took with him. And JR was actually -- I don't know 10 if he was a contractor or employee, but he summarily 11 left after that operation. 12 (BY MS. RASMUSSEN) 13 Q Do you know the time frame? 14 A It was before -- 15 Q Go ahead. I'm sorry. 16 A I joined in late 2016, so it had to be 17 sometime before I came there. So I don't know. 18 Q Okay. 19 A Between 2013 and 2016 had to be. 20 Q Okay. And you said JR D'Agostino? 21 A Correct. 22 Q Thank you. All right. In your 23 professional opinion, should someone with Janet 24 Russon's background or her lack thereof, should she 25 have been entrusted with intelligence gathering for

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134 1 high stakes anti-trafficking operations? 2 MR. EISENHUT: Lacks foundation. Calls 3 for speculation. And calls for improper opinion. 4 THE WITNESS: Not if she's going to be 5 paid by for donor -- with donor dollars who are giving 6 to us in good faith to execute and to administer the 7 use of their money in a very judicious and thoughtful 8 manner. 9 (BY MS. RASMUSSEN) 10 Q Do you -- well, do -- are you aware of any 11 instances where she put individuals, including 12 trafficking victims or OUR staff at risk? 13 A Only from the account from JR D'Agostino 14 where he came back and said "We were almost killed." 15 Q Okay. Did Ballard's reliance on Janet 16 Russon contribute to broader concerns about OUR's 17 operational integrity and decision making? 18 MR. EISENHUT: Objection. Vague. Calls 19 for improper opinion. 20 THE WITNESS: Internally, yes. 21 Externally, I don't know how many people actually knew 22 from outward facing. I don't know that the general 23 donorship knew that he was using a psychic. 24 Internally, most of us questioned why he would do 25 that.	136 1 but I don't regret what I was able to do there. I'm 2 very proud of the accomplishments. Still have contact 3 with all the law enforcement agencies that I initiated 4 and helped and assisted via resources provided by the 5 good donors. I think I would have -- I didn't have a 6 lot of engagement with the board. I trusted that 7 Jerry was communicating with them, that they had more 8 insight as to what was happening. There was always 9 rumblings that Tim was a problem, we've got to fix 10 this, here's another issue. It was a fire drill. 11 There was a -- it was damage control. I would like to 12 have been more vocal. I would like to have been 13 more -- I would like to have spoken with the board 14 more candidly; not complaining about Tim but just 15 talking about the organization in general and how it 16 is we could possibly improve things. I just fault 17 them for not keeping him on a really, really tight 18 leash. And I do -- it's going to be a stain on my 19 professional reputation forever. That being said, I 20 did -- I gave it my best. I absolutely tried to do 21 right by the people that we had stewardship for and 22 over and that we are beholden to. I was good to the 23 employees that were there, I was honest with the 24 people I dealt with. I -- integrity is of utmost 25 importance to me and I regret that I gave him so much
135 1 (BY MS. RASMUSSEN) 2 Q In Tim Ballard's deposition he defended 3 the use of Janet Russon for intelligence work. How 4 would you respond to his justification of her role? 5 MR. EISENHUT: Objection. Misstates 6 evidence. Calls for speculation. Improper opinion. 7 THE WITNESS: I don't know. I don't know 8 why he would feel that was a justified expense. I 9 really don't. 10 (BY MS. RASMUSSEN) 11 Q How do you believe that the use of 12 unqualified individuals like Janet Russon for critical 13 roles reflects on OUR's operational standards? 14 MR. EISENHUT: Objection. Calls for 15 speculation. Lacks foundation. Misstates evidence. 16 Calls for improper opinion. 17 THE WITNESS: I think it's very 18 irresponsible of an organization that claims to be 19 legitimate. 20 (BY MS. RASMUSSEN) 21 Q Looking back, is there anything you would 22 have done differently during your time at OUR? 23 A You know, it would be easy to say leave, 24 quit, run, get away, you know, don't sully yourself 25 and associate with something that's such a problem,	137 1 benefit of the doubt. That's what I regret. 2 Q Thank you, Jon. I just want to make sure 3 we'll get all of the exhibits that we've referenced 4 but also the video -- the KSL video, I will check and 5 see if we can include that, attach that as an exhibit, 6 the one we referenced. That could be Exhibit 7. And 7 then do you happen to have, Jon, an organizational 8 chart from the time that you were there at OUR? 9 A The organizational chart was -- I'll get 10 the one -- I'll get the last one that was sent to me, 11 the change and the revision. Yeah, I do have the last 12 one. 13 MS. RASMUSSEN: Okay. We'll count that as 14 Exhibit 8. Jon, I want to thank you again, and I 15 truly am -- apologize for having to bring this all up 16 and have you relive it so -- but thank you for your 17 testimony. 18 THE WITNESS: You're welcome. 19 MR. EISENHUT: All right. I will have 20 some questions for you now. 21 (Court reporter asked for clarification.) 22 (Whereupon, an off-the-record discussion 23 was held.) 24 25 EXAMINATION

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138 1 2 BY MR. EISENHUT: 3 Q I'm going to put my email address in the 4 group chat. Mr. Line, {sic} are you able to access 5 that if I do that? 6 A Probably, yeah. 7 Q Okay. I just put it in there. If you 8 could -- any communications you send about this 9 deposition, if you could copy me, I would appreciate 10 it. Will you do that? 11 MS. RASMUSSEN: You know what, he can send 12 them to us and we will forward them to you, Mark. 13 MR. EISENHUT: I'd like him to send them 14 to me directly as well, if that's possible. 15 (BY MR. EISENHUT) 16 Q Will you do that, Mr. Line {sic}? 17 A I have retained attorneys Rasmussen and 18 Mortensen and I would like to have all communications 19 go through them. 20 Q Okay. So they're representing you as 21 their counsel? 22 A For purposes of this deposition. 23 Q All right. You retained them as your 24 counsel, then, just for purposes of this deposition 25 and for no other purpose?	140 1 there are texts that were exchanged asking questions. 2 I told them I had no interest in participating unless 3 there was a subpoena that was issued, a court order. 4 They issued a subpoena, they came and visited with me 5 for a few hours, and during that time is when I 6 retained them. 7 (BY MR. EISENHUT) 8 Q Okay. So you had visit- -- you had been 9 asked -- without having engaged them, you were asked 10 if you would provide information, is that right? 11 A They said if I would be available. 12 Q Okay. And then you did not engage them 13 before meeting with them for a couple of hours, but at 14 some point after meeting with them you engaged them, 15 is that what you said? 16 A Correct. Correct. 17 Q Okay. And during that couple of hours 18 that you met with them, what were the topics of 19 discussion? 20 MS. RASMUSSEN: I'm going to object. 21 Mark, you're getting into attorney-client 22 communications. So we need to just move on if you 23 have other questions for him. 24 MR. EISENHUT: Well, he said he retained 25 you after that conversation, so I think there wasn't
139 1 MS. RASMUSSEN: I'm going to object to 2 attorney-client communications, attorney work product. 3 He's retained counsel for this deposition. 4 MR. EISENHUT: Okay. Yeah. And I'm 5 asking him a further question. 6 (BY MR. EISENHUT) 7 Q Can you please answer that, sir? 8 MS. RASMUSSEN: It's -- I'm going to 9 object and say it's attorney-client communications. 10 MR. EISENHUT: I get to know the scope of 11 the engagement. Otherwise, you cannot figure out 12 whether there is an attorney-client communication. 13 I'm asking him if he has engaged your firm or any of 14 the other attorneys in this case for any purpose other 15 than this deposition. 16 THE WITNESS: I've retained them for this 17 deposition at this point. 18 (BY MR. EISENHUT) 19 Q Okay. And when did you first retain them? 20 MS. RASMUSSEN: That -- again, I'm going 21 to object to attorney-client communications. 22 MR. EISENHUT: When he retained you is not 23 attorney-client privilege and I would request an 24 answer to that, please. 25 THE WITNESS: There are email text --	141 1 an attorney-client communi- -- relationship until 2 after that. That's why I'm asking. 3 MS. RASMUSSEN: Well, the -- that's a 4 legal question and that calls for a legal conclusion 5 whether or not that was attorney-client communications 6 during that meeting. And I don't -- 7 MR. EISENHUT: But he said he hadn't 8 retained you yet, I don't think there's a legal 9 question there -- 10 MS. RASMUSSEN: I'm going to object and 11 say it's privileged. 12 MR. EISENHUT: All right. 13 (BY MR. EISENHUT) 14 Q So, sir, it sounds like, though, you 15 indicated that after that two-hour meeting you engaged 16 them to represent you, is that right? 17 A No, it was early on into that meeting. 18 Q Do you have a written engagement agreement 19 in place with them? 20 A I have an oral engagement with them. 21 Q Just oral. Okay. And have you paid them 22 for the representation? 23 A No. 24 Q Okay. Have you agreed to pay them for 25 their representation?

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142 1 MS. RASMUSSEN: I'm objecting again as 2 this is getting into attorney work product and client 3 communication, and it's privileged. 4 (BY MR. EISENHUT) 5 Q Okay. Have you agreed to pay them for 6 their representation? 7 MS. RASMUSSEN: I'm still objecting and 8 you do not need to answer that, Jon. 9 (BY MR. EISENHUT) 10 Q Okay. Are you going to answer or not 11 answer, sir? 12 A On advice of counsel, I am not going to 13 answer that question. 14 Q All right. As far as the topic of 15 potentially being represented by these attorneys, did 16 you raise it first or did they raise it to you? 17 MS. RASMUSSEN: Again, I'm objecting on 18 attorney-client communications. 19 MR. EISENHUT: I'm talking about 20 preformation of this relationship where he -- 21 MS. RASMUSSEN: All communication -- all 22 communication, as you're aware, Mark, is going to be 23 privileged. 24 MR. EISENHUT: Yeah, once there's an 25 attorney-client relationship.	144 1 Q Okay. And you viewed yourself as highly 2 more qualified in undercover operations during the 3 time that you were with the government than 4 Mr. Ballard was during his time with the government, 5 is that right? 6 A Yes. 7 Q Okay. And part of your qualification for 8 undercover operations was you said you received an 9 intensive FBI undercover training, is that right? 10 A Yes. 11 Q And that was much more intense than any 12 undercover training offered by HSI, is that what you 13 said? 14 A Yes. I -- and that was based on 15 comparison of people that had told me they'd been to 16 both and explained the difference. 17 Q Have you been to both? 18 A No. 19 Q Okay. So you weren't trained by HSI for 20 undercover? 21 A No. I was already certified when I came 22 into HSI. 23 Q Okay. Who is it that told you that HSI's 24 undercover training is less intense than the FBI's? 25 A Quite a few agents. Tim Chart was one of
143 1 MS. RASMUSSEN: And determining when that 2 attorney-client representation began is also -- you're 3 asking for a legal conclusion and it's privileged. 4 (BY MR. EISENHUT) 5 Q When -- Mr. Line, {sic} when did you first 6 decide that you would like to be represented by 7 counsel for purposes of your deposition? 8 A As soon as I knew that I was going to be 9 deposed. 10 Q Okay. And what made you decide that you 11 wanted to be represented by the same people who are 12 representing the defendant, Miss Davis, in this case 13 and plaintiffs in other cases related to Mr. Ballard? 14 A That wasn't the issue. The issue more 15 than anything else was my concern for the fact that I 16 know how malicious Tim can be, and I asked them if 17 they would represent me when they came to visit. 18 Q You indicated that before you joined OUR 19 you had a 24-year career with the government, is that 20 correct? 21 A Sure. Yes. 22 Q Okay. And did you indicate that you were 23 Mr. Ballard's boss's boss for a time during that 24 stint? 25 A Yes.	145 1 them, there were FBI agents and there were some 2 officers that had attended both. 3 Q And other than these people who told you 4 that the FBI training was more intensive, did you have 5 any other basis for knowing that? 6 A Looking at the curriculum -- I had seen 7 both curriculums -- and I could tell that it was a lot 8 less extensive and it did not include the 9 psychological analysis and evaluation that I think is 10 critical. It just ties with -- if they felt like you 11 were going to be doing anything covert or clandestine, 12 they wanted you to have that training. 13 Q Okay. So HSI would have personnel do 14 covert or clandestine operations without going through 15 this extensive psychological evaluation? 16 A Yes. To qualify for the training, they 17 did not have the psychological assessment. 18 Q Where was the FBI undercover training that 19 you received? 20 A Quantico, Virginia. 21 Q Is there a federal agency that conducts 22 undercover operation training in Georgia? 23 A Yes. That's at the Federal Law 24 Enforcement Training Center. 25 Q Okay. Is the Federal Law Enforcement

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146 1 Training Center undercover operator training intensive 2 as well? 3 A It's not as -- that's the one that I'm 4 talking about that is -- it's not as extensive. 5 Q Is that the -- 6 A (Inaudible due to participants speaking at 7 the same time.) 8 Q I'm sorry. Is that the one you're talking 9 about that HSI uses? 10 A Correct. Yes. 11 Q Did Mr. Ballard receive that training? 12 A I think he did. It wasn't before -- it 13 was -- I think it was before he came to HSI in -- when 14 he was in California. 15 Q (Inaudible due to participants speaking at 16 the same time.) 17 A That was required -- 18 Q I'm sorry. Do you know the full extent of 19 what training Mr. Ballard received before he came to 20 HSI -- I'm sorry, before he came to work with you at 21 HSI? 22 A I don't know. I don't know the extent of 23 it. Even though I did have his résumé at the time. 24 Q Okay. So even though you don't know the 25 extent of training he received, your opinion is he	148 1 Q Why not? 2 A I didn't feel it was appropriate and I 3 didn't think he was well-equipped to do the job, so we 4 left without even going into the business that was 5 suspected. 6 Q So you were on your way to go into a 7 business that was suspected and then at some point you 8 chose not to go into that business even though that 9 was the purpose of your trip? 10 A Yes. We met with the police department 11 and we -- to gather additional intelligence and 12 determined that we would not go in there. 13 Q And did you determine not to go in there 14 because of what you heard through your meetings with 15 the police department? 16 A Yes. And it wasn't because of my 17 assessment that Tim Ballard wouldn't have done that 18 job well -- 19 Q Okay. 20 A -- or would have been capable of doing 21 that. 22 Q You said it was not because of your 23 assessment? 24 A It was not. But my strong opinion was, it 25 was not something I felt comfortable sending him into
147 1 didn't receive enough to be well-qualified as an 2 undercover operator? 3 A I can say that unequivocally based on his 4 conduct. 5 Q Okay. And that was based on conduct that 6 you observed when he was with OUR? 7 A No. Based on his conduct when he was with 8 HSI. 9 Q Well, you never observed any of his 10 conduct with HSI, you just heard it from others at 11 HSI, is that right? 12 A No. I took him on an opportunity in West 13 Wendover, Nevada, one time where we'd received a lead. 14 And -- a lead that there was somebody being 15 potentially trafficked in a restaurant there. And 16 just the questioning -- because I'd known he'd done -- 17 supposedly -- he said he'd done undercover work. I 18 took him and another agent, and the conversations I 19 had with him on the way there, I knew that he would -- 20 had never done any extensive undercover work, and it 21 was very apparent to me that he was underqualified. 22 Q So did you prevent him from doing any of 23 those duties on that trip, then? 24 A Yes. We did not -- we did not conduct 25 that particular case.	149 1 or future endeavors. 2 Q All right. So what was -- what was 3 Mr. Ballard's experience before he came to you? 4 A Mr. Ballard was -- worked in the Calexico 5 office, Calexico, California, office, and he did -- he 6 was an -- he was assigned to ICAC -- Internet Crimes 7 Against Children Task Force -- there, and I don't know 8 the extent of any other case work that he did there. 9 Q And was he a special agent with HSI? 10 A Correct. 11 Q Okay. And do you know the difference 12 between a special agent with HSI versus a special 13 agent with the CIA? 14 A I don't know that there are special agents 15 with CIA. They have operators and they have desk 16 officers and they have analysts and they have interns. 17 Q Okay. As far as you know, you never heard 18 that Mr. Ballard was a special agent with the CIA, did 19 you? 20 A I heard that he said he was an operator 21 for CIA, which is absolutely false. 22 Q Who told you he said that? 23 A I heard him say it in many a -- many a 24 gathering of people where he was talking about when he 25 was an operator with CIA, he made those claims, and he

150 1 also put -- had those false credentials somewhere and 2 we had those taken down. I believe it was on the 3 website for a little while. 4 Q All right. So when did you first hear him 5 say he had experience with the CIA? 6 A That was after I -- well, I knew he was an 7 intern when he worked with me. I knew -- I knew he 8 was an intern -- when he came to work with us, he had 9 previously been an intern before he came to work with 10 the Homeland Security Investigations office. 11 Q He'd been an intern with the CIA? 12 A Yes, I believe for about six months. 13 Q When did you first hear him say something 14 that was misrepresenting his affiliation with the CIA? 15 A It's when he was at OUR. 16 Q Okay. And right when you got there or 17 sometime after? 18 A Sometime after. I can't tell you exactly 19 when, but it was -- 20 Q How long did you remain affiliated with 21 OUR after hearing him misrepresent his affiliation 22 with the CIA? 23 A I told him he needed to stop saying that. 24 There was a time when I said, "Tim, you need to clear 25 that up. That's very ambiguous and it's very	152 1 MR. EISENHUT: You can answer. 2 THE WITNESS: Told him I think he should 3 stop telling people that. 4 (BY MR. EISENHUT) 5 Q Okay. You were talking to him about it. 6 Did you do any- -- did you report him to any 7 particular people or agencies? 8 A No. 9 Q Did you make any written record of your 10 complaint about how he represented his connection to 11 the CIA? 12 A I don't know if there's any email 13 correspondence or not. 14 Q If there was, who would the email 15 correspondence be to? 16 A Well, it would have been between he and I. 17 Q Okay. Nobody else? I'm sorry, did you 18 answer that? 19 A No. 20 Q Okay. 21 A I thought that -- when I told him that, I 22 thought that it was understood. 23 Q All right. How many times did you hear 24 him misrepresent his affiliation with the CIA? 25 A I would say a dozen times.
151 1 confusing and it misleads people." 2 Q So you thought what he was saying about 3 his connection to CIA was just ambiguous? 4 A No, I think it was false and misleading 5 and it was an absolute lie. 6 Q All right. But you told him you thought 7 it was ambiguous? 8 A No. I believe that people don't know the 9 difference between a special agent, an operator, or 10 a -- an intern. He didn't say "I was an intern." He 11 told people he was an officer with the CIA. 12 Q Did you ever have any conversations with 13 him about whether or not he believed that people would 14 perceive his experience at the CIA somehow better or 15 more qualifying than his experience with HSI? 16 A No. 17 Q Okay. So you heard him, it sounds like, 18 on multiple occasions say -- talk about his 19 affiliation with the CIA in a way that you felt it was 20 misleading, is that correct? 21 A Yes. 22 Q And you didn't tell him you thought he 23 should say something differently about his connection 24 with the CIA. Did you do anything about it? 25 MS. RASMUSSEN: Asked and answered.	153 1 Q Okay. So -- and did you ask him each time 2 to stop and he just kept doing it anyway? 3 A Not each time I didn't. 4 Q Okay. And even though you heard him say 5 things that you thought were misleading to the public, 6 you remained affiliated with him and with OUR, is that 7 right? 8 A I did. And it wasn't that he claimed that 9 he was a CIA operative every time, he just said "when 10 I was with the CIA." So it wasn't a claim that he was 11 an operator. He would make claims of being with the 12 CIA, which I think were terribly -- in fact, I know 13 were terribly misleading. When people think about the 14 CIA, they believe what they see on TV. What he did 15 with the CIA -- 16 Q (Inaudible due to participants speaking at 17 the same time.) 18 Oh, I'm sorry, I thought you were done. 19 A When he was with the CIA as an intern, as 20 an unpaid intern, nothing that he did squared with 21 what the public believes that CIA officers do. 22 Q All right. So when you heard him say he 23 was with the CIA -- is that how he said it, "I was 24 with the CIA formerly"? 25 A He -- there was a time when he said "When

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154 1 I was a CIA operator." 2 Q Okay. So tell me everything you heard him 3 say about his prior affiliation with the CIA. You 4 said he said, "I was with the CIA," at some point he 5 said, "I was a CIA operator." Did he say anything 6 else? 7 A Can't remember. It's been so long ago I 8 can't tell you exactly what he said as far as his 9 affiliation. I just know that his claims of being a 10 CIA operator are false. 11 Q Right. How many times did you hear him 12 say he was a CIA operator as opposed to saying "I was 13 with the CIA"? 14 A I can't tell you exactly. 15 Q Okay. So you understood that even before 16 he got to working two levels under you in Salt Lake, 17 Utah, that he had been affiliated with the Internet 18 Crimes Against Children Task Force? 19 A Yes. 20 Q Okay. And you had -- before he came to 21 your office with HSI in Salt Lake, you had previously 22 had some connection to the Internet Crimes Against 23 Children as well, is that right? 24 A Myself? 25 Q Yes.	156 1 Salt Lake who was his supervisor? Melissa Reese was 2 always his supervisor when he was in Salt Lake City. 3 Q Yeah, I was talking to you at one point 4 before he came to Salt Lake and now I'm asking you 5 when he did come to Salt Lake did he also serve on 6 that task force while he was in your office? 7 A Yes. 8 Q Okay. Now before he came to your office, 9 before Mr. Ballard did, had there been some -- had 10 you, in essence, withdrawn from the ICAC task force 11 because of a mistrust issue between you and ICAC? 12 A No. That was a SECURE Strike Force, 13 another task force in the attorney general's office. 14 Q All right. And did you have that concern 15 also with ICAC to some extent? 16 A I did not. 17 Q You had not withdrawn any affiliation with 18 ICAC before Mr. Ballard arrived? 19 A Absolutely not. We always had ICAC agents 20 over there and they were very -- an integral part of 21 what we did. 22 Q Are you familiar with a Child Sex Tourism 23 Jump Team that's connected to HSI? 24 (Court reporter asked for clarification.) 25 THE WITNESS: As far as I know, that
155 1 A Yes. 2 Q Okay. Were you involved on -- by the way, 3 do you refer to that as ICAC? 4 A Yes. 5 Q Okay. Were you involved yourself with 6 ICAC for a time before Mr. Ballard came to your 7 location? 8 A I was always a supervisory agent when -- 9 ICAC was created after I became a manager. So I 10 managed quite a few of the Internet Crimes Against 11 Children supervisors and monitored their caseload. 12 Q Okay. How about with respect to the task 13 force and HSI's involvement with the task force, were 14 you the main person who was interacting on behalf of 15 that task force? 16 A No. It was my super- -- it was my first 17 line supervisor, Melissa Reese. 18 Q Melissa Reese. All right. And then 19 Melissa Reese continued to serve in that role when Tim 20 Ballard came to Salt Lake? 21 A Correct. 22 Q Okay. And did Tim Ballard also serve in 23 that role on the task force for ICAC when he came to 24 Salt Lake? 25 A Are you talking about before he came to	157 1 doesn't exist. 2 (BY MR. EISENHUT) 3 Q Okay. Did it ever exist? 4 A In concept it might have, but it never 5 ever was -- let me tell you this, when I went to 6 headquarters about a year after, I talked to the 7 director of investigations. I was on other business 8 and I asked them about that and they said that never 9 existed, an international jump team never existed. 10 Q Who told you that? 11 A That was Matt Allen. 12 Q And he said international jump team as 13 opposed to a non-international one? 14 A Never heard of an international jump team. 15 Q Okay. And is there specific significance 16 about "international"? In other words, you've heard 17 of a non-international one but not an international 18 one? 19 A Never heard of a domestic or an 20 international Internet Crimes Against -- or a 21 trafficking jump team. 22 Q All right. So if Mr. Ballard had been 23 appointed to be part of a Child Sex Tourism Jump Team 24 through HSI before he came to Salt Lake, you wouldn't 25 know anything about that?

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158 1 MS. RASMUSSEN: Objection. Calls for 2 speculation. 3 MR. EISENHUT: You can answer. 4 THE WITNESS: I know that there are two 5 agents that worked with him in Calexico who told me 6 that he was never on an international trafficking jump 7 team. 8 (BY MR. EISENHUT) 9 Q Who told you that? 10 A Lance Swanson and Mike Harvey worked side 11 by side with Tim Ballard. 12 Q All right. He was on a -- what he calls a 13 Child Sex Tourism Jump Team that consisted of 14 approximately 20 other agents. Are you familiar with 15 a team that may be called something different by you 16 that would have involved approximately 20 other HSI 17 agents? 18 A Just an Internet Crimes Against Children 19 Task Force. 20 Q Okay. And did they do anything that could 21 be described as a jump team? 22 MS. RASMUSSEN: Objection. Calls for 23 speculation. 24 THE WITNESS: I don't know. I don't know 25 what they -- I don't know.	160 1 but that was a very instrumental act in Internet 2 Crimes Against Children endeavors where if a US 3 citizen conducted illegal activities in a foreign 4 country, they could be tried here in the United States 5 for violating children on foreign soil. Very, very 6 instrumental in allowing us to work with our foreign 7 partners in combatting child trafficking and child 8 exploitation internationally. 9 Q Did HSI formulate any teams of agents in 10 particular in response to that new act? 11 A I do not know. 12 Q Okay. 13 A Any teams -- I know that those were -- we 14 relied heavily on our attaché offices and our partners 15 in foreign countries. There would be occasionally 16 people detailed to foreign countries to maybe assist 17 where they needed. But I never heard it called a jump 18 team or an international jump team. That was common 19 for agents to be called up and assist in other offices 20 internationally was common practice. Attachés would 21 say, "Hey, we've got something happening. Can you 22 send two or three agents that have Internet Crimes 23 Against Children experience," and we would send them, 24 but it certainly wasn't called a jump team. That was 25 just called deploying agents as cases needed in other
159 1 (BY MR. EISENHUT) 2 Q All right. Are you familiar with the Adam 3 Walsh Child Protection Act? 4 A I am, yes. 5 Q All right. When, approximately, did that 6 act come into play? 7 A I don't know the actual year of that. 8 Q Okay. What did it do as far as impact on 9 your work? 10 A Well, it helped shape national and federal 11 legislation, and I don't know the specifics of that 12 act. 13 Q Okay. Do you have any idea how it 14 impacted Mr. Ballard's work for HSI? 15 A I don't. 16 MS. RASMUSSEN: Objection. Calls for 17 speculation. 18 (BY MR. EISENHUT) 19 Q Do you have any idea whether there was a 20 law in 2006 -- whether you know the name of it or 21 not -- that helped from a jurisdictional perspective 22 to get American pedophiles who were committing crimes 23 overseas? 24 A Absolutely. That was very critical. I 25 don't know the name of the act, I can't recall that,	161 1 places. 2 Q Did Mr. Ballard ever get training in 3 Washington DC from HSI? 4 MS. RASMUSSEN: Objection. Calls for 5 speculation. 6 THE WITNESS: I don't know. I don't know 7 if he went to DC for any training. 8 (BY MR. EISENHUT) 9 Q Okay. And so you -- if he did go to DC, 10 you wouldn't know what kind of training he received 11 there, then, would you? 12 A No. 13 Q Okay. Are you familiar with the training 14 that HSI conducts in Washington DC? 15 A There is training conducted in virtually 16 every part of the United States so you'll have to be 17 more specific about what training you're referring to. 18 Q Do you know of any particular type of 19 training that's conducted in Washington, DC, for HSI 20 agents? 21 A Would it be the Cyber Crimes Center that 22 he went to? I don't know. You'll have to be more 23 specific because, yes, there's training conducted at 24 headquarters, training conducted in the National 25 Targeting Center, training conducted in Cyber Crimes

162 1 Unit, training conducted at any other facilities that 2 are related to the government mission with the -- so I 3 can't speak to that. I don't know what he -- 4 Q Did Mr. Ballard ever get training at the 5 Cyber Crimes Center in Washington, DC? 6 A I don't know. 7 Q Did Mr. Ballard -- you mentioned you 8 understood that he did get training at the Federal Law 9 Enforcement Training Center in Brunswick, Georgia, 10 though, you're familiar with that? 11 A I believe he did because every agent that 12 works in Internet Crimes Against Children they want 13 them to be exposed to undercover principles and 14 policies. 15 Q All right. And do you know when he got 16 that training? 17 A I believe it was before he got to Salt 18 Lake City because he had been engaged in that type of 19 work in Calexico. 20 Q Okay. 21 MS. RASMUSSEN: Mark, I apologize. I'm 22 just going to just interrupt to ask Gavin about time. 23 Have you -- can you give us a time record here? 24 THE VIDEOGRAPHER: How long we've been on 25 the record so far?	164 1 Provo, Utah, he was one of my agents who was a very 2 good agent and he was sent to work in the attaché 3 office in that region. There was a situation where a 4 young girl had gone into I think the Seattle office 5 and said that she had been trafficked in Honduras in a 6 hotel or some kind of a resort -- and this is really 7 old and stale, I'm trying to recall things that were 8 almost a decade old -- and he came to me and said -- 9 or I don't know if I went to his supervisor, I can't 10 remember how the intelligence was exchanged, but I 11 said, "We have no jurisdiction there, there's nothing 12 we can do." And I'll be honest with you, in an 13 attempt to help Tim -- I really wanted to help him 14 progress now -- I helped him establish a plan by which 15 if he could possibly take that intelligence and reach 16 out via internet to whoever this resort was, 17 communicate whoever was supposedly the arranger of 18 that sex tourism, and engage that person in 19 conversation, that might establish enough venue for 20 prosecution in Salt Lake City where we could justify 21 him going and assisting with that case that was sex 22 tourism. And -- 23 Q Did -- I'm sorry. Go ahead. 24 A And I sent him -- and I think -- I don't 25 know if he engaged that person online or not, he must
163 1 MS. RASMUSSEN: Yes. 2 THE VIDEOGRAPHER: Three hours thirty-one 3 minutes. 4 MS. RASMUSSEN: Okay. Thank you. 5 MR. EISENHUT: All right. Was there a 6 question pending? I can't recall if you finished the 7 question. 8 (Court reporter clarified.) 9 (BY MR. EISENHUT) 10 Q Did Mr. Ballard ever receive any 11 undercover operative training for purposes of a jump 12 team that he was affiliated with while he was in 13 Calexico, California? 14 A I don't know that. 15 Q Okay. You were aware of an operation 16 while Mr. Ballard was working in Salt Lake involving 17 Honduras, is that correct? 18 A Yes. 19 Q And was Nicaragua also involved in that 20 operation? 21 A Yes. 22 Q All right. What did you understand 23 Mr. Ballard's role to be in that operation? 24 A That was a situation where I received a 25 phone call from an agent who had -- used to work in	165 1 have because I probably would not have sent him over 2 there -- I did send him and another agent over there 3 to assist with that operation, and it was very quick, 4 clean, and they got in and out and I think they 5 accomplished their purpose, and I think it was 6 Nicaraguan law enforcement arrested a few people. So 7 it was a good case. 8 Q Okay. So it was a successful case and who 9 had the most involvement in that case on behalf of 10 HSI? 11 A That was the attaché's office in Nicaragua 12 where they used their local vetted operatives and the 13 agents that were in the Nicaraguan office. 14 Q All right. But you said -- did you have 15 Mr. Ballard travel over there as well? 16 A Yes. I had Mr. Ballard and Brandon Crane. 17 Q Why did you have them travel over there if 18 there was already an attaché office with sufficient 19 staff to handle it? 20 A They -- they requested assistance from our 21 office. 22 Q Who contacted -- who first got in touch 23 with the informant that allowed this case to unfold in 24 the first place? 25 A I do not know.

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166 1 Q Okay. Do you know whether or not it was 2 Tim Ballard? 3 A Are you talking about after the 4 information was received from our Seattle office? 5 Q No, I'm not. I'm actually talking about 6 information obtained before any information came from 7 the Seattle office. Are you aware that that happened? 8 A It -- if it was Tim -- it could have been 9 Tim. 10 Q Okay. Are you aware of somebody named 11 Steve Cass? 12 A I do know Steve Cass. 13 Q Was he an informant in connection with 14 that operation? 15 A I don't know, but he has a terrible 16 reputation and I would never want to use Steve Cass. 17 Q Okay. Well, he's somebody who's been on 18 the dark side of the underworld in the past, correct? 19 A Absolutely. 20 Q And nonetheless has had a change of heart 21 and has provided intel to law enforcement from time to 22 time -- 23 MS. RASMUSSEN: Objection. Misstates 24 testimony. 25 MR. EISENHUT: You can answer.	168 1 A Yes. Under my direction I coordinated 2 that with -- helped him make contact with Carlos 3 Demara who was working as -- in the attaché office. I 4 knew Carlos well, I had a lot of confidence in Carlos, 5 and I asked Carlos to take a good look at the 6 information and see if it was legitimate. And I 7 facilitated Tim and Brandon going there, which would 8 not have happened had I not allowed them to continue 9 and work the case. 10 Q So you had more of a role in this 11 particular case than Tim Ballard did, is that your 12 testimony? 13 A No. But he would not have happened had I 14 not authorized the -- him actually going over there. 15 Q All right. So did Tim Ballard have more 16 of a role than you in this particular case? 17 A In conducting the investigative work, 18 absolutely. I don't claim any role in it. I claim to 19 be an overseer of the case that was conducted. 20 Q Who from HSI had more than just a 21 insignificant role in that operation? 22 A Are you talking about the agent that went 23 over there with him? 24 Q No. I'm just talking about in your 25 opinion.
167 1 THE WITNESS: I know of Steve Cass. I've 2 never had any personal interaction with Steve Cass. 3 (BY MR. EISENHUT) 4 Q All right. 5 A In fact, I didn't even know his name until 6 you said it and then I recalled that's who they refer 7 to as Batman. 8 Q Okay. And he provided accurate 9 intelligence in this particular case, didn't he? 10 MS. RASMUSSEN: Objection. Misstates 11 testimony. 12 THE WITNESS: I can't tell you how 13 accurate it was. I know that Nicaragua took it and 14 continued to work on that. 15 (BY MR. EISENHUT) 16 Q Okay. All right. Did Steve Cass have an 17 aftercare center that he was helping with at this 18 point in time? 19 A I don't know if he did or not. 20 Q Okay. All right. So you don't know 21 whether or not Mr. Ballard was the one who got the 22 original information from Steve Cass, I understand 23 that. 24 Was -- did Mr. Ballard have contact with 25 the HSI folks in Tegucigalpa?	169 1 A I don't know. I can't -- I don't know who 2 worked in the case in the attaché's office. 3 Q All right. But you considered 4 Mr. Ballard's role in that operation to be 5 insignificant, is that right? 6 A I don't know to what extent he was 7 involved, but I asked one of the agents recently that 8 went over there with him and said that "He did fine." 9 That's what he told me. 10 Q All right. Who told you that Tim 11 Ballard's role over there was limited? 12 A It was Brandon Crane. 13 Q Okay. And when you put that in your 14 declaration, what did you mean by "limited"? 15 A Limited means there was no extensive 16 undercover work, there were no deep infiltrations. It 17 may have been a meet with somebody who you don't even 18 need to be undercover certified to do those types of 19 things. I mean, a normal agent can do that. I was 20 trying to help Tim with his willingness and his desire 21 to actually do anti-trafficking work. 22 Q Did Tim play an undercover role in that 23 operation? 24 A I don't know what role he played. 25 Q Okay. Did he take on the undercover

170 1 persona of Brian Black in connection with that 2 operation? 3 A I don't know what name he used. 4 Q Okay. Did Tim have direct contact with 5 one of the traffickers involved in that operation? 6 A I don't know if he did. 7 Q Did you say you don't know? 8 A I don't know. 9 Q Okay. All right. Did Tim get intel from 10 a trafficker regarding his Facebook handle and 11 actually obtain photos of the trafficker in order to 12 help crack the case? 13 A I don't know, but I think that sounds -- I 14 think that sounds like what happened. 15 Q Okay. Was Tim Ballard the primary 16 undercover operator for that case? 17 A I do not know. 18 Q Okay. Were there seven traffickers 19 arrested as a result of that case? 20 A I don't know what the final yield of that 21 case was. 22 Q Were there seven girls rescued? 23 A I do not know how many women or children 24 were rescued in that case. 25 Q Would you agree that Mr. Ballard's role	172 1 recently to make sure that my declaration was correct 2 and accurate. The agent who is now the Special Agent 3 in Charge in Salt Lake City. "Please tell me what you 4 know about the operation that you went with Tim on and 5 everything that you can tell me about that operation 6 so I make sure that I'm accurate in depicting what 7 happened." Because I wasn't going to deny that I 8 facilitated him going over there for that particular 9 operation. He told me his -- as in undercover 10 terms -- his involvement was limited. Meaning, it was 11 a one-time meet; it was a situation where you 12 accomplish the purpose; he was not wearing any kind of 13 costume; he wasn't -- he wasn't with another couple -- 14 or another female, and he clarified everything that I 15 put in there so I would make sure that it was 16 accurate. 17 Q Did he tell you whether or not he acted 18 under a undercover persona that didn't require 19 costumes because they weren't meeting in person? 20 A I -- yes. It was an undercover 21 operation -- 22 Q Yeah -- 23 A -- and of course he didn't use his own 24 name. 25 Q Right. And did the agent that you got
171 1 was he was the lead undercover operator for the case? 2 A I don't know that that's the case. But I 3 would qualify with even if what you're saying is 4 true -- and I'm not disputing it -- that does not 5 qualify him to be an expert in human trafficking and 6 to therefore purport to be somebody who's done 7 anything above and beyond any other agent who's done 8 far more than that, who has never ever purported to be 9 a specialist and an expert in human trafficking. 10 Q Okay. Well, I appreciate your opinion on 11 that but that's not what I'm asking you right now. 12 I'm asking more about your claim under oath in a 13 declaration prepared and submitted to a court just a 14 few days ago that Mr. Ballard's role was limited. 15 So -- 16 A Wait. Let me clarify that for you. Can I 17 clarify that? 18 Q Well, I'm going to ask you a specific 19 question about that so that you can hopefully -- 20 A Okay. Great. Please do. 21 Q You said it did not involve any costumes, 22 wigs, tattoos, or anything remotely resembling the 23 couples ruse tactic. Okay? Do you know what kind of 24 undercover tactics Mr. Ballard used at all in that -- 25 A They asked me -- yes. I asked the agent	173 1 information from in order to declare into personal 2 knowledge in your declaration, did he tell you whether 3 or not Mr. Ballard took on an undercover persona in 4 order to carry out this operation? 5 A I think I said he worked -- he operated in 6 a limited capacity. 7 Q Well, earlier you said you didn't know 8 whether he took on an undercover persona or not, but 9 I'm asking perhaps now you're remembering from this 10 conversation you had with this agent. Did the agent 11 tell you? 12 A I know he went over there and they posed 13 as sex tourists. That's an undercover -- that's an 14 undercover operation. But it's in a very limited 15 capacity. I'm not going to purport that he went and 16 did an extensive long-term undercover operation when 17 that's not the case. 18 Q Was Mr. Ballard the lead agent for that 19 case? 20 A I don't know. 21 Q And if I understand correctly, you felt 22 that Mr. Ballard was -- performed unsatisfactorily 23 while he worked -- when you were his boss's boss, is 24 that correct? 25 A Well, it's based on what I was -- the

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174 1 information I was given by his first line supervisor 2 and the commander of the Internet Crimes Against 3 Children Task Force. 4 Q Okay. And he was only with you for 5 approximately one year, is that right? 6 A I think it was longer than that. He left 7 in 2013. 8 Q And how long was he with you as his boss's 9 boss? 10 A About a year and a half, I believe. 11 Q Did -- during this time with you, did the 12 State Department seek him out to go to Columbia to 13 train others on how to do undercover operations? 14 A I don't believe he did that with us. 15 Q Okay. Do you know whether he ever was 16 asked to do that by the State Department? 17 A I believe he said he'd done some training 18 in Columbia. 19 Q Okay. Where a State Department had asked 20 him to do that? 21 A I don't know if it was the State 22 Department. And we do that -- our agents do that all 23 the time. They're asked by foreign equities. So this 24 isn't anything that's exceptionally above and beyond 25 what normal ICAC agents are asked to do. I've	176 1 than him that I have supervised. 2 Q All right. And can you -- 3 MS. RASMUSSEN: I'm going to interrupt to 4 ask Gavin about time. Thank you. 5 MR. EISENHUT: Time for what? 6 MS. RASMUSSEN: Well, we've got four hours 7 and I think we were at 3:30. 8 MR. EISENHUT: Okay. Well, you used most 9 of that time. I can, you know, renote him if I need 10 to, but I'm hoping we can just get it done in one 11 sitting here. 12 MS. RASMUSSEN: Where are we on -- 13 MR. EISENHUT: I didn't use much of that 14 four hours, you used the bulk of it. So are you going 15 to try and cut us off at four hours? 16 MS. RASMUSSEN: Well, I think we need to 17 wrap it up in four hours. I don't know that we -- 18 there's no need to go past the four hours when that's 19 what we were noticed for. 20 MR. EISENHUT: Well, there is a need if 21 I'm still asking questions. So I'm just saying I 22 think it makes more sense for me to get done rather 23 than to try and cut it off. 24 MS. RASMUSSEN: Are you almost finished? 25 MR. EISENHUT: I probably have about a
175 1 deployed ICAC agents regularly internationally to 2 conduct training. So his claim of being -- and this 3 is what you need to understand -- his claim of being 4 an expert in these cases is false. He was -- 5 Q (Inaudible due to participants speaking at 6 the same time.) 7 A -- what he did was routine and it was in 8 general as what any other agent would be asked to do. 9 I asked -- virtually every one of my ICAC agents have 10 done international tours. None now claim to be an 11 anti-trafficking expert. 12 Q Are you an anti-trafficking expert? 13 A Absolutely not. 14 Q Who is? 15 A There are people that are far more 16 accomplished and -- I think there are a lot of 17 anti-trafficking experts in the field. 18 Q Okay. Have you been the boss or boss's 19 boss for any of them? 20 A No. But I know he's not. 21 Q All right. So none of your agents that 22 you either directly supervised as boss or the boss's 23 boss have ever accomplished expert status in the 24 anti-trafficking arena, is that correct? 25 A Many are far more capable and qualified	177 1 half hour. 2 MS. RASMUSSEN: Gavin, if you don't mind, 3 could you tell us how much time? 4 THE VIDEOGRAPHER: Yeah. 3:47. 5 MS. RASMUSSEN: Okay. And you're thinking 6 half an hour, Mark, to wrap it up? 7 MR. EISENHUT: Something like that, yeah. 8 MS. RASMUSSEN: Gavin, will you just kind 9 of keep us on track, the time? 10 THE VIDEOGRAPHER: Yeah. What would you 11 like to be notified at? 12 MS. RASMUSSEN: 4:15. 13 MR. EISENHUT: If you insist on stopping, 14 we'll stop, but I'm not going to agree that I should 15 have to because I think I can finish. But I'll do my 16 best to be about a half hour. I think that's what 17 it's looking like. 18 And, Mr. Lines, with that in mind, if you 19 can just try and just answer my questions. I know 20 you're kind of advocating here a little bit here for 21 things that I'm not asking you. So let's try to 22 keep -- so we can get done in 30 minutes and you can 23 get out of here. Okay? 24 (BY MR. EISENHUT) 25 Q So you were Mr. Ballard's boss's boss, you

178 1 evaluated him based on interactions you had with 2 various supervisors of Ballard that he was subpar or 3 unsatisfactory performance. Do I have all that right 4 so far? 5 A Yes. 6 Q Okay. And you also felt that he was 7 unqualified and shouldn't be the guy who founded and 8 was operating Operation Underground Railroad, is that 9 correct? 10 A No, that is not what I assert. I assert 11 anybody can start a nonprofit, but make sure that your 12 bona fides and your claims square with your 13 experience. 14 Q And you felt that he was unqualified to be 15 doing what he was actually doing for OUR though, is 16 that correct? 17 A Yes, I do. 18 Q Okay. And you did at the time when you 19 first heard about what he was doing at OUR, correct? 20 A No, I didn't know to what extent he -- 21 what -- I didn't know the extent of what he was 22 actually doing when he was at OUR. 23 Q When he first began contacting you and 24 asking you if you would come help as well with OUR, 25 did you believe he was qualified to be doing what he	180 1 documentaries, and he'd use his official credentials 2 and unlicensed -- or unauthorizedly in one of his 3 productions. 4 Q Did you ever try and make documentaries? 5 A No. 6 Q When you were at OUR did you ever try -- 7 did you ever bring a camera crew with you to hopefully 8 make documentaries with it? 9 A Absolutely not. 10 Q Did you ever bring a camera crew with you 11 anywhere when you were at -- with OUR? 12 A Yes, for evidentiary purposes. 13 Q Okay. And you had no intention or desire 14 to ever make that into anything but just evidence that 15 goes into an archive and potentially is used in a 16 case? 17 A I knew that he would like to have footage 18 of legitimate operations, and I made certain footage 19 available to him, but it was never with the intention 20 of making a documentary. 21 Q Now, Mr. Lines, you testified earlier 22 about how proud you were of your -- of the awards you 23 received and all the work that you did for the federal 24 government and you felt proud at the end of that 25 24-year stint of your service, correct?
179 1 was doing at OUR? 2 A Being a founder and advocate on behalf of 3 human trafficking case work and -- or human 4 trafficking -- anti-trafficking mission? I don't 5 understand your question. I believe anybody can start 6 a nonprofit. 7 Q All right. I'll ask it again, then, if 8 you didn't understand it. When Mr. Ballard was asking 9 you if you would help at Operation Underground 10 Railroad, did you believe that Mr. Ballard was 11 qualified for what he was doing at OUR? 12 A No. 13 Q Okay. All right. And did you feel that 14 when Mr. Ballard was associated with HSI and working 15 under you -- boss's boss -- that he was honest? 16 MS. RASMUSSEN: Objection. Vague. 17 THE WITNESS: Yeah, I don't know how to 18 answer that because I've now found out that he was 19 doing things that I would have liked to have known 20 about when I was there that I didn't know about until 21 after. 22 (BY MR. EISENHUT) 23 Q What was he doing at HSI under you that 24 you didn't know about that you wish he hadn't done? 25 A For one thing, he was making	181 1 A Yes. 2 Q And you felt that you were much more 3 qualified to do what OUR was doing than Mr. Ballard 4 was, correct? 5 A Yes. 6 Q Okay. And you went over to OUR with that 7 belief and that attitude, correct? 8 MS. RASMUSSEN: Objection. Misstates 9 testimony. Vague. Calls for speculation. 10 MR. EISENHUT: You can answer. 11 THE WITNESS: Not his role as a 12 spokesperson. I think he did fantastic. I think he 13 had extraordinary charisma, I think he was a fantastic 14 storyteller, I think he was -- and I was very 15 supportive saying, "Tim, you're sitting on a potential 16 to really do some extraordinary work." But I also 17 wanted him to know his lane and don't venture out 18 further and don't kick beyond your coverage, brother. 19 I mean, and we had these conversations. You -- 20 (BY MR. EISENHUT) 21 Q Did you have any difficulty with the fact 22 that at HSI you were Mr. Ballard's boss's boss and at 23 OUR he was the boss? 24 A No. I did not. No. 25 Q You tried to get the board to terminate

182 1 Mr. Ballard, didn't you? 2 A No. 3 Q You made a report to the board that you -- 4 that you believe was critical of Mr. Ballard and his 5 efforts, correct, the board of OUR? 6 A Yes, along with many other team members. 7 Q And you were hoping that the board would 8 agree with you on that and not agree with 9 Mr. Ballard's perspective of that, correct? 10 A Correct. I was hoping there would be 11 change in how it was that the mission -- because we 12 were not accomplishing the mission at hand. 13 Q Did the board at OUR vote to fire you? 14 A I never heard. I never heard whatsoever. 15 I would have liked to have known that. 16 Q Had you ever heard what -- had you ever 17 heard -- did anybody at OUR ever actually ask you to 18 leave? 19 A No. Never. 20 Q You ended up having a severance agreement 21 in place with OUR, is that right? 22 A Yes. One was negotiated -- 23 Q Okay. 24 A -- to an attorney. 25 Q And you had -- prior to approaching the	184 1 or text message saying that you had claims? 2 A No. It was in a formal communication from 3 my attorney. 4 Q Okay. Your attorney made claims in a 5 letter of some sort to OUR? 6 A Yes. 7 Q Claiming that -- what was the gist of the 8 complaint -- of the claims? 9 A What was discussed today. The concerns 10 about mounting pressures and improprieties that I 11 think were absolutely critical to the -- the Tevya 12 Ware situation, the misuse of funds -- I mean, I can 13 pull that out and tell you, but it's all in my 14 grievance and I'd be glad to share that with you. 15 Q Did you make any claims against OUR that 16 OUR had done something to cause you harm that you 17 could sue them for? 18 MS. RASMUSSEN: Objection. Legal 19 conclusion. 20 MR. EISENHUT: You can answer. That's 21 just yes or no if you made any of those types of 22 claims. 23 THE WITNESS: I don't believe that was the 24 gist of my -- it was -- for OUR. I was trying to 25 explain my concerns that were going unaddressed.
183 1 board with your criticisms, you had engaged an 2 employment attorney, didn't you? 3 A I sat idly by without any word from them 4 as far as what it was expected of me, and there were 5 situations that needed to be dealt with and my 6 reputation was at stake. We had five operations in 7 the works and I had -- I had ongoing communication 8 with others that were seeking our assistance and they 9 completely -- I was told to be silent about that -- 10 Q Okay. And that's not -- we're a little 11 short on time. I'm just asking you, you employed an 12 employment attorney for that purpose, didn't you? 13 A Yes. 14 Q Okay. And yet you never made any claims 15 against OUR, did you? 16 A Claims against OUR? 17 Q Correct. 18 A Yes, I did. 19 Q Okay. What claims did you make against 20 OUR? 21 A They will be in the exhibit that I give to 22 you. 23 Q How did you make those claims? 24 A Written format. 25 Q Meaning, you wrote some sort of an email	185 1 (BY MR. EISENHUT) 2 Q Okay. And I think I agree. You were 3 complaining about various practices and things that 4 you observed at OUR, but you weren't making a claim 5 that OUR had done something wrong to you and caused 6 you harm. Am I accurate in that? 7 MS. RASMUSSEN: Objection. Calls for a 8 legal conclusion. 9 MR. EISENHUT: You can answer. It's just 10 yes or no was my description accurate? 11 THE WITNESS: I don't know that that's 12 accurate because that was -- I was just asking OUR to 13 take a stand, to let me know, communicate with me. I 14 wasn't making any threats to OUR. 15 (BY MR. EISENHUT) 16 Q Did you have -- when you were at HSI, did 17 your agents themselves, were they asked to review you 18 in their reviews of your performance? 19 A There were 360s on occasion. We never did 20 one. I was a real advocate of those. I think those 21 were fantastic. 360 -- 22 Q You got upset at one point because 23 multiple agents had reported that they were unhappy 24 with you, is that right? 25 A I don't know anything about that.

186 1 Q And agents reported that you would 2 sometimes be found sleeping on the job, taking naps? 3 MS. RASMUSSEN: Object- -- 4 THE WITNESS: That's an absolute lie, and 5 I would love to answer that and I would love to see 6 the -- I would love to see the evidence of that. And 7 that is -- that's indicative of a Tim Ballardism. 8 (BY MR. EISENHUT) 9 Q And people at OUR had also voiced concerns 10 about your not being attentive on the job, isn't that 11 right? 12 A Yeah. And you know what? That's another 13 lie and I appreciate you bringing that to my 14 attention, because it just further shows how 15 absolutely repulsive he is when he's threatened and he 16 is cornered. But, no, that's not the case, and I 17 would love to see that evidence. 18 Q You're saying it's not the case that 19 people made that complaint about you? 20 A I would love to see that people are -- 21 yes, I would love to see that. 22 Q You're expressing anger towards 23 Mr. Ballard in response -- 24 MS. RASMUSSEN: Objection. Harassing the 25 witness.	188 1 agents that were displeased with management at HSI. 2 I'm not going to make any claims that if you're a 3 manager at all and -- because when you're imposing 4 things that absolutely required them to do their job, 5 you're not going to make everybody happy all the time. 6 So do I say that there weren't people that were -- 7 that everybody was tickled with me all the time? 8 That's absolutely untrue. So that could be that 9 people were not happy with decision making and things 10 that were required of the employees. 11 Q And you were specifically aware there were 12 agents who expressed dissatisfaction with you, 13 correct? 14 MS. RASMUSSEN: Objection. Misstates 15 testimony. 16 (BY MR. EISENHUT) 17 Q Is that correct? 18 A I don't know particular situations, but I 19 have no doubt, I have no doubt that that's happened 20 throughout my career. When you're a manager for as 21 long as I was, you're going to have people that are 22 unhappy. 23 Q Was there an operation at OUR called 24 praying sage? 25 A I don't know about -- at OUR? I don't
187 1 MR. EISENHUT: Hold on. I didn't get to 2 ask my question. 3 (BY MR. EISENHUT) 4 Q You're expressing anger in response 5 towards Mr. Ballard. Did somebody tell you that 6 Mr. Ballard made those allegations about you? 7 A I'm expressing anger towards you and your 8 audacity of making something up. 9 Q Oh, towards me for making something up. 10 Okay. What did I just make up? I was asking you 11 questions. Did you feel that I made something up? 12 A You said that there was an allegation that 13 I was sleeping on the job and I told you I would like 14 to see that evidence -- or that I was inattentive 15 while I was working at OUR, and I told you I would 16 love to see that evidence. 17 Q Okay. So it's not right and it didn't 18 happen, that's your opinion? 19 A No, that didn't happen. 20 Q Okay. All right. So, anyway, your answer 21 is that you've never heard of anybody making that 22 complaint about you, is that correct? 23 A No. 24 Q All right. 25 A Oh. Let me preface this. I had many	189 1 know praying sage. 2 Q All right. Were you aware of an operation 3 in Haiti where they were seeking to rescue 20 or so 4 females from trafficking? 5 A What were the dates of that because I 6 was -- I participated in a -- an operation in Haiti. 7 Q Was there an operation in Haiti where you 8 expressed criticism saying it was just rescuing a 9 bunch of prostitutes and not really rescuing real 10 victims? 11 A There was -- no, because I would have 12 never said "just prostitutes," because prostitutes are 13 trafficked victims and that's a ridiculous assertion. 14 Q Okay. So you never made that criticism of 15 an operation in Haiti, then? 16 A Not that I recall. 17 Q Was there an operation in Haiti where 20 18 or so victims of trafficking were actually rescued? 19 A I believe -- I don't know what the number 20 was, but I know that they were all released to the 21 street within 24 hours. That's not a rescue. 22 Q Okay. So you're critical of it because 23 some law enforcement made a decision to release them 24 to the street? 25 A No, I'm not. I'm critical of it because

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190 1 it was not well planned and not coordinated, and it 2 was all planned out before I got there and I happened 3 to go and be involved in it, and I realized how short 4 we'd fallen and there was so much more that should 5 have been done. 6 Q And let's find out what we're talking 7 about because you don't know it as praying sage. Was 8 this the operation where women had had their passports 9 stolen? 10 A Must not be the same -- that must not be 11 the one I'm talking about, then. 12 Q This is one where passports were stolen, 13 they had been drugged up, taken to a brothel in Haiti 14 against their will or desire and they were unable to 15 leave, and then this operation allowed them to be 16 released from that kidnapped situation. Are you 17 familiar with that operation that OUR did? 18 MS. RASMUSSEN: Objection. Asked and 19 answered. 20 THE WITNESS: (Inaudible due to 21 participants speaking at the same time.) 22 (BY MR. EISENHUT) 23 Q I'm sorry? 24 A Yes, I learned about that after the fact. 25 While I was there supposedly being -- when I should	192 1 him in response to every question, but I'm asking 2 about those ones right now. So I'm asking about 3 operations that you oversaw. I'm not asking you to 4 criticize Mr. Ballard and so if you do, you're not 5 answering my question. 6 Did you preside over operations that were 7 fully successful at OUR? 8 A I'd deem them to be fully successful based 9 on how an operation should be conducted. If you are 10 truly working in coordination with the foreign 11 government doing whatever is necessary to make sure 12 that means are in place to take care of those victims 13 who are identified and rescued. Most of our 14 operations were intelligence gathering side by side 15 with our foreign partners where we would go in 16 beforehand, they would provide us leads, give us the 17 information and intelligence that they felt that we 18 could only achieve being foreigners. We would then 19 give that information back to them, they would then 20 conduct their investigations, which means they would 21 go up on wire taps, they would do asset and financial 22 analysis, they would identify all the players in the 23 particular scheme, then they would conduct the 24 investigation, then they would make the arrest and 25 they would, then, rescue victims. That was not for
191 1 have been consulted and asked and apprised of 2 operations. 3 Q Okay. So you were -- you were the -- 4 other than operations that were done without your 5 knowledge -- which sounds like that would have been 6 just ones that Mr. Ballard were involved in from time 7 to time -- you were overseeing lots of operations that 8 you were aware of, is that correct? 9 A Right. 10 Q Legitimate, valid, real operations, 11 correct? 12 A Yes. 13 Q And you were making sure that they were 14 being conducted ethically, morally, and properly? 15 A Absolutely. 16 Q And those operations weren't just 17 theatrical shows, they were real operations attempting 18 to rescue real victims, is that right? 19 A And seeing significant results -- 20 Q Okay. 21 A -- of where we did things completely, 22 completely different than what Tim and his operators 23 would do. 24 Q And I'm not asking about Tim and an 25 operator -- I understand that you want to criticize	193 1 civilians to do. That was for foreign law enforcement 2 to actually conduct their investigative work, and 3 that's how OUR should have operated where we were 4 simply augmenting a legitimate foreign entity to 5 conduct their investigations. Not rescuing people for 6 their sake, not arresting anybody, because we don't 7 and we can't, and not making sure that whatever the 8 final yield is, is in our best interest because we 9 weren't filming it. We were helping them infiltrate 10 trafficking organizations and make it work and learn, 11 therefore teaching them to fish. 12 Q So most of that isn't what I was asking 13 and I am a little bit limited in time. So if you 14 could please keep your answers to what I'm asking, I 15 would very much appreciate it. 16 Were you overseeing approximately four to 17 five operations per month on behalf of OUR? 18 A No. It wasn't even close to that much. 19 Q How much were you? 20 A I would say it was maybe once every other 21 month. 22 Q Okay. Were you fully busy while you were 23 at OUR? 24 A Between my domestic work -- domestic work 25 took quite a bit of my time, and I was always busy at

194 1 OUR. 2 Q Okay. And operations, were they always 3 international and non-domestic that you were -- 4 A We did not operate domestically. We 5 provided support to law enforcement here who were 6 totally capable of doing their own operational 7 endeavors. 8 Q Right. So you were providing support 9 mostly internationally when you were involved in 10 operations for OUR, is that correct? 11 A Yes. We acted as operatives that could go 12 places as potential tourists that they could not 13 infiltrate themselves. 14 Q All right. And you had operators that you 15 were overseeing that were doing those undercover 16 operations on behalf of OUR, is that right? 17 A Yes. 18 Q And what did you do to make sure that they 19 had proper training as undercover operatives? 20 A First, we would vet them to find out what 21 their personal qualifications were, what their 22 assignments were, and then we had training sessions 23 that we would conduct that were unique and specific to 24 how OUR operated, and it was quite a bit different 25 than what it was with the federal government.	196 1 Q Okay. Other than him saying he was a 2 trafficking expert, did he ever -- did you hear him 3 ever say that he had particular experience that he 4 actually did not have? 5 A Well, he -- as a matter of fact, he 6 completely lied about his involvement in that Buchanan 7 case in Calexico. That is an absolute outright lie. 8 Q Okay. I'm sorry, I want to make sure I 9 understand what you're talking about. Calexico case 10 called Buchanan? 11 A The defendant was Buchanan. That was 12 absolute -- that was highlighted in Sound of Freedom 13 that he went on the road and claimed that he had -- 14 Q All right. Pause there for a sec. Are 15 you talking about what was depicted in Sound of 16 Freedom or what you heard Mr. Ballard himself say? 17 A What Mr. Ballard himself say. 18 Q Okay. So first of all, let's start with 19 where and when did you hear him say something that you 20 think is false about the Buchanan case? 21 A In presentations to audiences where he was 22 trying to garner favors as far as donations, and a 23 claim about his involvement in the Buchanan case. 24 Q And you were present with him at this 25 presentation?
195 1 Q Okay. All right. And did you feel that 2 the training that OUR was providing for those 3 undercover operatives was adequate for what they were 4 doing with OUR? 5 A I think it was adequate, but I also made 6 sure that the operators that I used were all law 7 enforcement officers, if not law enforcement officers 8 they were technicians in emergency medical services so 9 they could be available just in case something 10 happened. But I made sure that they understood the 11 concepts of undercover and police work, not just 12 civilians. I would never just simply take a civilian 13 and put them in harm's way without vetting them first, 14 and no females. 15 Q You have mentioned that Tim misrepresented 16 his credentials and you said something about what he 17 is, you know, claiming about his connection to CIA. 18 Any other credentials you've heard Mr. Ballard 19 represent that were false? 20 A I believe he over- -- I think he misleads 21 people to the extent that he had trafficking 22 experience, anti-trafficking work experience. 23 Q What specific experience has he claimed to 24 have that he did not have? 25 A That he was a trafficking expert.	197 1 A Yes. Quite a few of them. 2 Q Okay. So more than one you heard him 3 presenting about the Buchanan case and you were with 4 him. All right. And what did he say that was false 5 about it? 6 A That his claims of being the one who the 7 boy ran into his arms; that he was the one at the port 8 of entry that was the one who encountered the 9 trafficker; that he was called there to -- he was 10 called after the fact when the person was already 11 arrested. I mean, it's -- 12 Q Let me ask you this. So you're saying 13 those claims were false by Mr. Ballard? 14 A Yes. His involvement -- 15 Q Were you involved in the Buchanan case 16 yourself? 17 A Let me clarify. His claims were not 18 consistent with the agents that were there and worked 19 alongside with him, and the fact that he made claims 20 of his involvement that weren't true, purporting to be 21 more involved in that case. 22 Q What I'm trying to understand is, first of 23 all, did you participate in that case yourself? 24 A No, I did not. 25 Q So you believe they're false because of

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198 1 what somebody else has told you? 2 A What agents that were also there told me 3 about his involvement. 4 Q Okay. So agents have told you facts that 5 you think differ from what Mr. Ballard has said about 6 the operation? 7 A Yes. 8 Q All right. And based on what other agents 9 have said, you think what Mr. Ballard said was false? 10 A And records and documents will prove. 11 Q Records and documents -- have you seen any 12 records and documents to prove that what Mr. Ballard 13 said was false? 14 A I actually have -- and I don't have access 15 to them, but I've read logs and reports and things 16 that were indicative of his accounting of that which 17 aren't consistent. And I don't have access to those 18 right now. 19 Q You've read official reports by 20 Mr. Ballard about what happened you say? 21 A Nothing from Mr. Ballard. 22 Q Okay. But you've read some sort of 23 official report from the Buchanan case that are in law 24 enforcement files? 25 A Not law enforcement file, that were made	200 1 Q Were search warrants also a way that you 2 would measure success, somebody who had successfully 3 obtained and carried out search warrants -- a certain 4 number of search warrants would be a measure of 5 success? 6 A Search warrants were measurable -- yeah, a 7 metric that we had. 8 Q And was Mr. Ballard the one who 9 successfully requested, obtained, and carried out the 10 most search warrants while he was under you as your -- 11 as his boss's boss? 12 A Absolutely not. 13 Q How about in the Salt Lake area itself? 14 A No. Is that a claim he's making? Because 15 that can be verifiable. 16 Q Okay. And have you verified that? 17 A No. I haven't been asked that question. 18 But I -- I know many of the agents that worked there 19 and still do. That can be pulled up. 20 Q Okay. But you're not -- 21 MS. RASMUSSEN: (Inaudible due to 22 participants speaking at the same time.) 23 MR. EISENHUT: -- or you're sure it's not 24 true? 25 MS. RASMUSSEN: You can answer and then
199 1 public record. And I don't -- it was -- I can't even 2 tell you where I found them. 3 Q All right. Any other things that you've 4 heard Mr. Ballard say that you believe were false 5 about his credentials? 6 A Credentials are experience and his 7 expertise as far as I'm concerned and what I consider 8 to be credentials. I think he overstates his 9 expertise. 10 Q All right. You agree people can disagree 11 on what it takes to be qualified as an expert, right? 12 A Oh, yes, I would agree with that very 13 much. 14 Q In your testimony earlier you were talking 15 about getting a number of prosecutions, and it sounds 16 like a measure of success when you were with the 17 government was based on number of prosecutions that 18 you were successfully involved in. Is that how you 19 would measure success in one capacity at least? 20 A Only in law enforcement. I think in law 21 enforcement that's the widget is -- you know, they 22 want to -- statistics are, you know, are we offering a 23 deterrent and are people being charged, and if we are 24 investing investigative time, are people being charged 25 and prosecuted?	201 1 we're at 2:30 so we need to wrap this up. We've kept 2 this witness longer than the four hours. Jon, you can 3 go ahead and answer his question. 4 THE WITNESS: I don't know if it's true 5 but I highly doubt that. 6 MR. EISENHUT: All right. Well, I don't 7 agree that I've had adequate time to ask you questions 8 so, you know, if -- 9 MS. RASMUSSEN: Are you close to 10 finishing, Mark? I just want to make sure everyone's 11 going to be okay to have more time. I don't know -- 12 Amber and Gavin, I know you were planning on a 13 different deposition. Mr. Lines, Jon, how are you 14 doing with time? And you're wrapping it up, Mark? 15 MR. EISENHUT: I'm getting close. 16 MS. RASMUSSEN: Okay. All right. Okay. 17 Let's finish up, then. 18 (BY MR. EISENHUT) 19 Q All right. And it sounds like your time 20 with the government ended because you said they 21 were -- I think your words were -- I can't remember 22 what you said, putting you out to pasture or moving 23 you out, something like that? 24 A They were wanting to rotate GS-15s through 25 headquarters, and I had never done a headquarters

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202 1 tour. I'd done TDYs there, I'd done inspector general 2 work with inspector general, which was qualified as an 3 OPM, which means I could have been an ASAC without 4 having done headquarters time. They changed the 5 policy that they wanted all 15s to do some type of 6 headquarters time. And so I had been one of the 7 longest sitting ASACs in -- in the nation actually. 8 And then there are other GS-15s that were being 9 rotated and compelled to go to headquarters when I was 10 having SACs argue the fact that I was better off in 11 the field than in headquarters. I don't know if 12 that's -- I mean, I would have preferred to be in the 13 field, and I didn't have any aspirations, but they 14 were wanting people to actually -- there was a time 15 that came that they felt like they were going to have 16 to rotate me through because others with less time 17 were being compelled to go to headquarters. 18 Q You testified earlier that when you were 19 starting at OUR someone on the board said to you that, 20 "Hey, with you at the helm OUR will succeed." Do you 21 recall that testimony earlier? 22 A They felt confident in me being there 23 would help really enhance their ability to succeed. 24 Q Okay. I assume you don't recall 25 testifying that you were told, "Hey, with you at the	204 1 Q All right. Were you told that you were on 2 administrative leave? 3 A I don't know if that was the terminology 4 or not. It could have been. 5 Q Were you told to stop performing duties 6 for OUR? 7 A Yes. 8 Q All right. Who told you that? 9 A Jerry Gowen. 10 Q All right. Did Jerry tell you why? 11 A He did not. He said, "Effective 12 immediately Tim told me to turn all over all the 13 information you have to him and to cease any further 14 activity with OUR." 15 Q You've made -- you've testified about 16 various things that you thought that Mr. Ballard was 17 doing wrong, and that he was misrepresenting facts. 18 Did you ever report publicly any of these concerns you 19 had about Tim Ballard to OUR? 20 A We talked as a management team, but are 21 you talking to the board or to -- 22 Q Well, tell me who you've reported your 23 concerns to, then. Your management team, you've 24 talked about. Then have you had -- anybody outside of 25 OUR that you've reported concerns to that Mr. Ballard
203 1 helm we're going to succeed"? 2 A With me at the helm? Not -- 3 Q (Inaudible due to participants speaking at 4 the same time.) 5 A (Inaudible due to participants speaking at 6 the same time.) 7 (Court reporter reminded participants to 8 speak one at a time.) 9 (BY MR. EISENHUT) 10 Q My question was, earlier you testified 11 that you had a conversation with somebody on the board 12 that you described as "With Jon at the helm, OUR can 13 now succeed." 14 Did you view what your role was going to 15 be at OUR as being at the helm? 16 A No, not at all. In fact, if I said that, 17 it was a mischaracterization of him believing that my 18 leadership could really help OUR succeed. 19 Q You said you believed you were shelved by 20 OUR. Was that because they put you on what you called 21 administrative leave and asked you to stop performing 22 services for OUR? 23 A Yes. But I -- when I say "they," I heard 24 that from somebody through Tim where Tim has told me 25 to do this, not the board.	205 1 is saying things -- 2 A No, I -- no, that was -- 3 Q Hold on. Remember I have to finish my 4 question. Let me finish my question. All right. 5 Did you report outside of OUR that you had 6 concerns that Mr. Ballard was misrepresenting facts to 7 the public or that OUR was doing things that were 8 wrong and could be harmful to the public? 9 A Never, unless I was compelled by subpoena. 10 Q Okay. Were you ever compelled by 11 subpoena? 12 A Yes. I was subpoenaed by Davis County 13 Criminal Court and the FBI. 14 Q All right. And what -- did you -- who did 15 you provide information to in connection with that 16 investigation? 17 A I think that was a Detective Purdy. 18 Q All right. And when did you provide that 19 information? 20 A That was -- that was after I was gone from 21 OUR, and I don't know exactly what time, I don't have 22 that date, but it was after my termination. 23 Q Okay. At that point in time you were 24 feeling free to speak negatively about OUR I assume at 25 that point in time?

206 1 A No, I didn't feel free to speak negatively 2 about OUR ever. (Inaudible due to participants 3 speaking at the same time.) 4 Q (Inaudible due to participants speaking at 5 the same time.) I'm sorry, I thought you were done 6 answering. 7 A I expressed my concerns and the facts as I 8 knew them. 9 Q All righty. And you expressed those 10 concerns to the detective that you spoke with about 11 the Davis County investigation, is that right? 12 A I don't recall -- I don't recall any 13 really overt criticisms of OUR other than explaining 14 some of the questioning they had -- or -- but I don't 15 remember the questions, so feel free to consult with 16 Detective Purdy. 17 Q While you were still working with OUR, did 18 you ever report outside of OUR any concerns you had 19 regarding OUR? 20 A No. Never. 21 Q Okay. You -- and I'm getting just about 22 done here so give me a few more minutes here. 23 You testified earlier that it would be 24 inappropriate to use as an undercover operative 25 somebody who had a brain injury. Do you recall that?	208 1 if they want to. I said that I don't believe that 2 it's a wise decision. I don't think -- and I think 3 it's -- it would be irresponsible for somebody to do 4 that. 5 (BY MR. EISENHUT) 6 Q Somebody with a brain injury in the past, 7 that would be a disqualifying characteristic from your 8 perspective as an undercover operative? 9 A I don't think it would disqualify them. I 10 don't think that's a good idea. 11 Q Okay. And somebody with epilepsy, that 12 would be a disqualifying characteristic for an 13 undercover operative? 14 A I don't think it would be a good idea. 15 Q And that's regardless of their current 16 medical status and whether or not they have treatment 17 that adequately addresses the epilepsy symptoms? 18 MS. RASMUSSEN: Objection. Hypothetical 19 incomplete. And it calls for speculation. 20 THE WITNESS: If that person disclosed 21 that and voiced that as a concern, you would have to 22 take that in consideration. But I think it's not a 23 good idea to put somebody in harm's way that's -- that 24 is that vulnerable. 25 (BY MR. EISENHUT)
207 1 A Yes. 2 Q And you testified also that it would be 3 inappropriate for somebody with epilepsy to be used as 4 undercover operative. Do you remember that? 5 A I do. I believe -- I think that would 6 be -- put that person in harm's way. 7 Q Yeah. And, first of all, you have no 8 medical expertise, do you? 9 A I don't. 10 Q Okay. And you're familiar with the fact 11 that employers actually cannot discriminate based on 12 one's medical or disability status, are you familiar 13 with that? 14 A I am but -- 15 MS. RASMUSSEN: Objection -- 16 THE WITNESS: Go ahead. 17 MS. RASMUSSEN: Go ahead and answer, Jon. 18 THE WITNESS: I only say that in the best 19 interest of that person that we would be putting in 20 harm's way. I understand we can't discriminate. I 21 think undercover work is unique in the sense that you 22 cannot put people in a position the way that -- and 23 put them in a situation where they potentially could 24 fail and be damaged because of you using poor 25 discretion. I believe anybody can do undercover work	209 1 Q Do you have information to suggest that 2 Gardy Mardy is deceased? 3 A None. 4 Q Okay. You said that Tim Ballard knew that 5 he was deceased. How did Mr. Ballard -- how do you 6 believe Mr. Ballard knew that? 7 A You know, I will stand corrected. I don't 8 think Tim knows he's dead, and I don't believe that -- 9 I know that I don't think he's dead. But I don't -- I 10 don't know. He could be alive. I hope he's alive. 11 Q Is it honorable to continue looking for 12 him? 13 A It's honorable to keep looking for anybody 14 that's missing. 15 Q You said Tevya showed up at a something 16 going on in Haiti that had been kept secret. How did 17 she know to show up for it if it had been kept secret? 18 A It was kept secret from me. 19 Q Okay. But not from her? 20 A I think she knew about it, but I didn't 21 know about it. 22 Q Okay. So she kept it secret from you? 23 A Yes. I think I knew about her trip to 24 Haiti, I didn't know it was contemporaneous with an 25 operation.

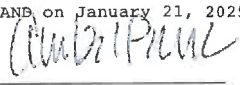
210 1 Q Were any of the operations that 2 Mr. Ballard was involved in authentic, legitimate 3 operations or were they all just staged in your 4 opinion? 5 A I don't think every one of them was 6 staged. I don't think that's fair to say. I think he 7 had true intentions of trying to do the right thing, 8 but I think quite a few of them were orchestrated. 9 Q I just want to make sure I'm clear. You 10 testified that you felt that all of Mr. Ballard's 11 family members, whether they're in-laws or direct 12 family members or whatever, were unqualified for the 13 positions they held within OUR, is that correct? 14 A I think it would have helped for them to 15 have more of a background that was conducive to our 16 mission and our strategy, our strategic plan. So I'm 17 not going to say they were unqualified; I think they 18 were underqualified. 19 Q Were any of them appropriately qualified 20 for any of the roles that they played? 21 A I can't speak to that because I don't know 22 what their qualifications are exactly. 23 Q Okay. You testified about potential tax 24 code violations, 501(c)(3) violations. You have no 25 expertise in those matters, do you?	212 1 honorable. 2 (BY MR. EISENHUT) 3 Q It sounds like you've never heard of law 4 enforcement using remote viewers, is that correct? 5 A No, I have heard of that. 6 Q Okay. And you used the word psychic. Is 7 that essentially the same as a remote viewer, in your 8 opinion? 9 A I believe so. And I'm not an expert in 10 what the difference would be, but the psychic is what 11 I believe a remote viewer would be. 12 Q All right. And you're familiar with law 13 enforcement using their funding to engage remote 14 viewers or psychics to help them with investigatory 15 tactics, correct? 16 A I am if they would have been used the way 17 that they should have been used. 18 Q How should they be used? 19 A I think if I would have needed the 20 assistance, I would have thought that it would have 21 been availed to me. 22 Q Okay. But you've never -- in all your 23 years, 24 years with the federal government and then 24 some time with OUR, you've never believed in the use 25 of remote viewers, have you?
211 1 A I do not. All I know is that if you say 2 that you're accepting donations to fight 3 anti-trafficking, it should be used for 4 anti-trafficking and not somebody's personal agenda to 5 make a movie. 6 Q Are you referring to movies about 7 anti-trafficking? 8 A No -- well, something -- 9 Q What were you referring to? 10 A I'm talking about a movie that would be to 11 the CEO's personal gain and none of that -- those 12 proceeds would go to the organization. 13 Q Did any of the proceeds from Sound of 14 Freedom go to OUR? 15 A Not that I know of. 16 Q Okay. If actually millions of dollars 17 went to OUR, would that change your opinion? 18 A Millions of dollars from the proceeds or 19 millions of dollars as a result of donations? 20 Q From Sound of Freedom. 21 MS. RASMUSSEN: Objection. Calls for 22 speculation. 23 MR. EISENHUT: I asked him if it would 24 change his opinion. 25 THE WITNESS: I think that would be	213 1 A I don't. I can't say that I don't believe 2 in it, but I don't have a lot of faith in it. 3 Q You've never used it? 4 A I've never used it. 5 MR. EISENHUT: Okay. We can stop there. 6 MS. RASMUSSEN: All right. Thank you. I 7 don't have any further questions for Mr. Lines. 8 (Deposition concluded at 2:44 p.m.) 9 (Whereupon, All Deposition Exhibits were 10 marked for identification.) 11 12 Original transcript was filed with Ms. Rasmussen. 13 14 Reading copy was sent to Ms. Rasmussen. 15 16 17 18 19 20 21 22 23 24 25

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1 C E R T I F I C A T E
2 STATE OF UTAH)
3 COUNTY OF _____)
4
5 I HEREBY CERTIFY that I have read the
6 foregoing testimony and the same is a true and correct
7 transcription of said testimony with the exception of
8 the following corrections listed below giving my
9 reasons therefor.
10
11
12
13 _____
14 JON LINES
15
16 Subscribed and sworn to at _____,
17
18 this _____ day of _____, 2025.
19
20 _____
21 NOTARY PUBLIC
22 My commission expires:
23 _____
24
25

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1 C E R T I F I C A T E
2 STATE OF UTAH)
3 COUNTY OF SALT LAKE)
4
5 THIS IS TO CERTIFY that the deposition of
6 JON LINES was taken before me, AMBER PARK, a Certified
7 Shorthand Reporter in and for the State of Utah.
8 That the said witness was by me, before
9 examination, duly sworn to testify the truth, the
10 whole truth, and nothing but the truth in said cause.
11 That the testimony was reported by me in
12 Stenotype and thereafter transcribed by computer under
13 my supervision, and that a full, true, and correct
14 transcription is set forth in the foregoing pages.
15 I further certify that I am not of kin or
16 otherwise associated with any of the parties to said
17 cause of action, and that I am not interested in the
18 event thereof.
19 WITNESS MY HAND on January 21, 2025.
20 
21 _____
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