

Exhibit #9 (transcript)

1 **Transcript – PCSD Deputy Wren & Defendant**

2 **Encounter Date:** 16 May 2013

3 **Location:** SR-86, Milepost 146.6, Southern, AZ (CBP Roadblock)

4 **W** = Deputy Wren

5 **D** = Defendant

6 Defendant approaches Deputy Wren at CBP Roadblock and asks to speak to her. Encounter starts at
7 approximately 1610:

8 **W:** *“What's going on”*

9 **D:** *“Hi, Pima County Sheriff's department I assume and you are Deputy...”*

10 **W:** *“Deputy Wren, what are you asking?”*

11 **D:** *“I'll get to that in just a second. Do you have a badge number?”*

12 **W:** *“I sure do but since I haven't done anything with you...I mean I don't understand why you're asking
13 for my name and badge number”*

14 **D:** *“Because I'm quite curious as to what you're doing here. Could you give me an explanation as to
15 why the Pima County Sheriff's Department has a vehicle stationed here and a deputy at a federal
16 Border Patrol checkpoint?”*

17 **W:** *“Well the street is also in Arizona”*

18 **D:** *“Yes, but this has been designated as a federal checkpoint here”*

19 **W:** *“Um it's actually a joint operation...”*

20 **D:** *“This is a joint operation?”*

21 **W:** *“We get federal money to...”*

22 **D:** *“To do this (gesturing at the checkpoint). To be available and present during these checkpoint
23 operations?”*

24 **W:** *“Yes. That's what this is for”*

25 **D:** *“OK so...”*

26 **W:** *“So I'm enforcing the speed limit protecting their safety because those are actually put out by the
27 Department of Transportation (gesturing to speed limit signs)”*

28 **D:** *“These are...DOT. OK”*

29 **W:** *“Yes. So all the speed limits are put out by the Department of Transportation not the Border Patrol
30 so you have to obey the speed limit. That's kind of what I'm doing and also if they find any personal use
31 marijuana and things like that than I will cite...”*

32 **D:** *“OK”*

33 **W:** *“...cite people for the state law instead of a felony under federal statute”*

34 The conversation continues for a few more minutes before returning to the subject matter of what
35 Deputy Wren is specifically doing at the roadblock.

36 **D:** *“Were you specifically told to station yourself here at this checkpoint or is this under your own
37 discretion as your patrolling the highway you decided to station yourself here and and watch traffic
38 going by the checkpoint?”*

39 **W:** *“No this particular...each...each date...or grant is written for a specific amount of time and a*

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1 *specific location.”*

2 **D:** *“So this is being specifically paid for...”*

3 **W:** *“...specific location right here for a specific amount of time and actually the information is that I'm*
4 *supposed to stay here. I'm supposed to bring food, water, use the port-a-potty. I stay here for eight*
5 *hours.”*

6 **D:** *“Oh, OK so this...your operation right now is in furtherance of a grant grant money that you've*
7 *received from the federal government to specifically be here and provide some level of support and*
8 *assistance.”*

9 **W:** *“Yes”*

10 The conversation continues on related topics from another twenty minutes or so before Defendant
11 leaves the scene.