

Federal Prison Camps - A Complete Waste

It is another boring day at the federal prison camp in Florence, Colorado. Figured I would write something concerning my observations about the usefulness of a prison camp and highlight facts concerning the IRP6 bond denial, which I am sure you will find interesting.

I have been wrongly convicted and incarcerated for 14 months at the Federal Prison Camp in Florence, Colorado. I am David Banks, one of the IRP6. Prison reform has been discussed both by President Obama and Eric Holder given that the federal prison system is operating at 40% overcapacity. I would recommend to budget conscious legislators to take a close look at the waste of taxpayers dollars being expended to operate useless federal prison camps, which in my opinion is nothing more than a warehouse for storing humans. The government would save a significant amount of money by replacing prison camps with home confinement.

Prison camps are considered the lowest security level in the federal prison system. Given that low security level, they don't have a fence around them. Certainly the inmates sent to a prison camp can't be considered a danger to the community or the Bureau of Prisons (BOP) would have secured their incarceration with all the trimmings such as barbed wire fencing and roving patrols. Since I have been here, three inmates have simply walked off the camp and have yet to be found. Two are certain to have returned to Mexico and the other unknown at this time. If the inmates are not caught it will save taxpayers \$90,000 per year. Basic representative analysis of costs associated with operating a prison camp presents a compelling picture.

According to the BOP, The average cost for incarcerating an inmate is approximately \$30,000 per year. The Florence prison camp is normally staffed by six correctional officers --- two working one of three shifts in a twenty-four (24) hour period. Other staff, who are all classically trained as corrections officers include three case managers, 2-3 counselors, three to four food service officers, education officer and recreation officer, unit manager and camp administrator, physicians assistant, medical secretary, dental hygienist, 2 unit secretary's, R&D officer RDAP Officer, and Non-residential Drug Program officer. That totals 23-25 staff staff, without considering other administrative personnel who occupy offices at the camp. I would estimate are compensated anywhere from \$40k-\$100K depending on their position. Estimating an average salary of \$50k, twenty-five staff at the Florence federal prison camp would cost taxpayers \$1,250,000.00 per year. Estimating five hundred fifty inmates at the camp, each costing \$30k per year, the cost to taxpayers would be \$16,500,000.00 per year. Just those two cost alone total \$17,500,000.00 per year to the taxpayer. Additional costs not accounted for are medical expenses for the inmates and benefits for correctional officers and other administrative officials. If Florence prison camp inmates were placed in home confinement, the cost would be roughly \$2.64 million annually, based on \$4800 per inmate per year if the government paid for the ankle monitoring service. The taxpayer would also be relieved of inmate medical expenses such as emergency room visits, hospitalization and surgery costs. Obviously there would be cost for the hardware, which could be amortized offset by the service contract similarly to cell phones. Obviously, it is completely reasonable for inmates to incur the cost of home confinement.

Consider me and my five co-defendants who were absolutely entitled to bail pending appeal, but because the Judge and prosecutor, who I believed despised and literally hated us for defending

ourselves, went against what is customary --- audaciously arguing that we were a flight risk after sentencing. Keep in mind that they did not rely on 10th Circuit precedent, but rather an anecdotal case and opinion (U.S. v. Bailey 759 F. Supp. 685, 686 (D. Colo. 1991)) made by a district court judge (Not appellate case law). Additionally, Assistant United States Attorney Kirsch and Judge Arguello made the most audacious and specious of arguments that the IRP6 was a flight risk, that we should be denied bond because our case was comparable to that of Bernie Madoff (U.S. v Madoff, 316 F.2d 58, 59 (2d. Cir. 2009). You can close your mouth now from the shock --- yes, I said Bernie Madoff --- the architect of a \$50 billion dollar ponzi scheme, the largest in U.S. history.

The government and the district court concluded that the IRP6 was a risk of flight based on length of potential sentence (7-11 years) and that assets (staffing dollars) from the alleged scheme could not be accounted for. The Madoff court found the in light of Madoff's age (70 years old) and length of sentence (150 years), unaccounted assets, and ownership of a residence abroad he was a flight risk. In the Bailey case, Bailey was facing a potential sentence of 40 years for a drug charge and carrying a firearm in relation to drug trafficking, ultimately pleading guilty to a lesser charge of 5 years and tried to withdraw his plea later. Neither the Madoff or Bailey are no where comparable to the IRP6 case but it didn't stop the government, district court or 10th Circuit Court of Appeals from denying the IRP6 bond pending appeal. Judge Arguello's argument that staffing dollars were unaccounted for was not factually supported by the record. In fact the government's own forensic accountant stated on the court record that the she had accounted for the staffing payments from staffing company invoices and the amounts paid to information technology contractors that worked on the project.

I want to amplify on the fact that staffing dollars were PAID DIRECTLY TO THE CONTRACT EMPLOYEES for the work they performed in relation to the software development projects, which was approximately 40 separate employees. The checks were made out in the name each and every contract employee. Contract employees, who are legally considered EMPLOYEES OF THE STAFFING COMPANY, were paid after they signed and submitted weekly or bi-weekly timesheets provided to them by their staffing company for which they worked. That is how the total amount was computed. When our attorney, Gwendolyn Solomon, filed a motion for reconsideration detailing the testimony of the government's forensic accountant, thereby proving that Judge Arguello's order was inconsistent with the transcript, the 10th Circuit simply refused to even review or consider what was actually said --- certifying our denial of bond based on a factually inaccurate record by the district court. The result was our continued incarceration.

We were confused how our bond could be denied given our perfect attendance to every court date. In fact, all of the IRP6 had possession of their passports up until the verdict was announced. Some of the IRP6, including myself had travelled internationally to market our CILC software to law enforcement agencies outside the country because the federal government had intentionally ruined our business prospects here in the U.S. We later found out they were also interfering internationally, but that is another discussion. Certainly, we had the opportunity to flee at that time. Additionally, four days prior to my sentencing date, I witnessed two of my codefendants, Ken Barnes and Gary Walker get sentenced to 7 and 11 years respectively. Given witnessing my codefendant's sentencing, shouldn't I have fled? Three of my other codefendant's witnessed Gary and Ken's sentencing as well. Shouldn't they have fled too? In our hearts and minds, we knew

that the government and court were convinced we were not a flight risk, but they wanted to hurt us, to crush us, to punish us for standing against them and standing for our rights. I believe they were disgusted that we had the nerve to fight for our innocence --- defying the will of the federal government and the court.

We, the flight risks have been assigned us a prison camp with no fence. Shouldn't we have fled by now? According to the Madoff and Bailey cases relied on by the government and the court, that is definitely the case. We are now tax liabilities of the American people. Instead of paying taxes and contributing to the economic output of our country, we have cost the taxpayer approximately \$200,000.00 and that cost climbs daily. The incarceration costs of the IRP6 was an avoidable expense to the taxpayer, much like the government shutdown and debt ceiling crisis, was manufactured based on what I believe were the politics of personal destruction. In the government shutdown, politicians touted they were doing what is best for the American people --- causing 800,000 American people to not get paid and a loss of \$24 billion dollars to the U.S. economic output. In the IRP6 case, willfully and intentionally depriving the IRP6 of their liberty, costing the taxpayers in excess of \$200k in an exercise that can be considered nothing less than legal casuistry.

Many inmates who admit to committing crimes have worked their way down from higher security facilities to prison camps. Prison camps are nothing more than a bunch of people walking around accomplishing absolutely nothing substantive and costing the taxpayers multiple millions of dollars. Our government would be better served allowing inmates to work their way down to home confinement and abolish camps altogether. The cost savings would be tremendous and correctional officers could be reallocated to higher security facilities which are reportedly understaffed.

We are all still here fighting for justice. A Just Cause fights for justice. Our families fight for justice. Many of you in the public are fighting for our justice, of which we are grateful. It's not the Al Sharpton's, Jesse Jackson's, Congressman or the mainstream media, or really even the courts --- all of which are members of the political expediency club. Lady Justice has taken her blindfold and is using it as a bandana to represent her gang affiliation with the political expedient. We look to God to fight for us and ultimately give us our freedom back because the courts cannot be relied upon to render justice. If they could, our case would have already been reversed based on the missing transcript and we would not have been denied bond supported by such weak, disingenuous arguments."