

# THE DREAM—THE BEGINNING



## The Business Beginning

IRP Solutions was established in February 2003 and began to heavily market its flagship Case Investigative Life Cycle (CILC®) software solution in August 2003 to major federal, state and local law enforcement agencies, including but not limited to the Department of Homeland Security (DHS), Department of Justice (DOJ) and the New York City Police Department (NYPD).



## The impact of 9/11

IRP Solutions Corporation was formed a couple of years after the tragedies of 9-11 (IRP is an acronym for “investigative resource planning”). This was a country in shock. We experienced the worst attack in history against our country on our native soil. Many of the events of that day, and months that would follow showed gaps in the investigative processes of our law enforcement agencies, but yet there were no solutions readily available to address the need.

Meanwhile, years prior to 9-11 the founders of IRP Solutions had begun development of a small stand-alone software application to be used as an individual work product for law enforcement. That initial work was done under the company name Leading Team. Although the initial software developed by Leading Team was an enterprise-class solution, it was not web-enabled; capable of addressing the major gaps that were identified post-911 (ie. Lack of ability to share intelligence/investigative information between law enforcement at all levels of government, etc.). The company founders knew that with a little hard work, they could develop a software application that could significantly impact our nation’s law enforcement operations. However, they didn’t feel that the current company name accurately reflected the new strategy. Thus, IRP Solutions Corporation was formed.

## A Reason To Believe ... in the presence of obstacles

Although IRP Solutions’ Case Investigative Life Cycle (CILC®) software is considered the most promising, strong political winds from large entrenched competitors significantly slowed the sales cycle, which subsequently caused a cash-flow crunch and aging debt related to the development of the software.

The company began to seek investment capital through investment banking channels, angel investors, or a strategic partnership for operating capital and shoring up aged accounts payables.

## The Dream Opportunity

In October 2003 IRP received a call from the Program Manager at the Department of Homeland Security (DHS) for an initiative that was called the Consolidated Enforcement Environment Initiative. DHS wanted IRP to conduct a web demo of the software solution that IRP had developed. IRP’s web demo was very successful and the company was asked to travel to Washington, DC to conduct a demo before a larger audience.



Homeland  
Security

Source: Google

In November 2003 IRP travelled to Washington, DC to demonstrate their software solution before the DHS Consolidated Enforcement Environment Initiative team which comprised of DHS, FBI, Secret Service, Federal Air Marshals, Immigrations and Customs Enforcement, TSA, U.S. Coast Guard, and Deloitte. This audience questioned IRP on the technical as well as the functional aspects of the software.

This was yet another successful demonstration of the software that IRP had developed and following the meeting, DHS provided IRP with “Eyes Only” documentation and asked IRP to begin working on (non-contractually) capabilities to meet certain federal law enforcement scenarios.



## The Law Enforcement Market and IRP Positioning (2002 – 2004)

IRP Solutions received very strong interest in CILC® from the DHS, DOJ and the NYPD. Sales to these agencies alone could result in revenues ranging from \$5,000,000.00 to upwards of \$100,000,000.00. NYPD, DHS, and DOJ have all specifically referred to how IRP Solutions' software aligns with their strategic and tactical objectives for information sharing and collaboration. All indicated that IRP Solutions was well ahead of the pack in development of a "viable" solution to meet the needs of

today's (at that time) law enforcement and intelligence communities, specifically as it related to comprehensive investigative solutions.

## Potential Revenue from DHS, DOJ, NYPD alone....

**\$5,000,000.00 to over \$100,000,000.00**

Based on 2003-2004 estimates

Source: Microsoft Chart

## Huge Market Demand



*IRP Solutions is well ahead of the pack in development of a "viable" solution to meet the needs of today's law enforcement and intelligence communities....*

Law Enforcement Decision Makers

In June 2003, the United States had over **40,000** intelligence, investigations and law enforcement agencies including **13,192** municipal police departments, **6,261** county law enforcement agencies, **3,021** coroners and medical examiners, **4,257** prosecuting attorneys, 2,195 campus law enforcement agencies, 668 law enforcement training academies, 271 tribal law enforcement agencies, 314 airport and harbor police agencies, 1,034 state and highway patrol agencies, 298 state criminal investigations units, 4,320 state correctional agencies, 525 general state agencies, 54 conservation law enforcement agencies, **1,795** federal law enforcement agencies, 1,170 Department of Homeland Security agencies, 507 military law enforcement agencies, 120 railroad police departments, and 150 law enforcement and related associations. Based on the Bureau of Justice statistics, these agencies employed over **700,000** sworn officers at the state and local level law enforcement, and over **100,000** officers/investigators within the federal government. **17%-20%** of the personnel were investigators.

# BUSINESS LEADERSHIP



## The IRP SIX

The federal government initially alleged that IRP Solutions Corporation was a front organization that was not developing software and that it didn't have people with experience in technology. The IRP Leadership Team, and those who worked with them were most definitely operating a legitimate business, and they most definite had the technology experience to develop software.....



**Gary Walker - President, CEO and Chief Technology Officer**—20+ years of IT experience. Experience includes technology leadership roles as a consultant with companies such as Xcel Energy and Kaiser Permanente. Walker previously held the position of CTO at M3 Publishing, a media technology company providing corporate communications software to Fortune 1000 companies. As CTO he directed the architecture, implementation and roll out of the company's products to its global customers. Gary graduated from the University of Colorado with a BS in Computer Science.



**David A. Banks - Chief Operating Officer**—20 years of information technology experience, including Big 4 consulting with Fortune 500 and start-up companies. Has held positions as Director of Information Technology, Corporate Data Manager, Enterprise Data Architect and Database Administrator. Was responsible for overseeing IRP Solution's internal operations, including finance, information technology, and human resources. Personally developed several major client relationships at the federal, state and local level and established IRP's Law Enforcement Advisory Board and Investigations Center of Excellence.



**Ken Barnes - Chief Information Officer**—15 years experience including information systems management and support, software development, and systems integration and architecture. Ken has lent his expertise to such corporations as Cendant, Merkle, Great West Life, and Comcast Communications.



**Clinton A. Stewart - Vice President of Business Development**—Over 20 years experience leading and developing federal, state, and local government engineering documentation, and proposal development activities for large-scale systems and platforms namely; aerospace systems, telecoms billing systems, embedded security systems, command & control systems, video systems, and collaborative computing systems. Managed and directed IRP business development and corporate partnering.



**David A. Zirpolo - Vice President of Professional Services** - 25-year veteran of business and technical consulting. Has held management positions in information technology, specializing in the service and delivery of Internet and Electronic Commerce solutions and improving the use of technology in business. Has provided business consulting and business practice reengineering expertise to public and private retail/wholesale organizations with annual revenues up to and exceeding one billion dollars. David was responsible for the overall direction of IRP's professional services initiatives. He holds a Bachelors of Arts in Industrial Engineering from Northeastern University.



**Demetrius K. Harper - President, DKH Enterprises**—Over 15 years information technology experience including information systems management and support, software development, and systems integration and architecture. DKH Enterprises partnered with IRP Solutions to provide staff augmentation for the development of IRP's Case Investigative Life Cycle (CILC) software suite.

## February 9, 2005: The IRP Dream Becomes A Nightmare

The morning of Feb 9th, 2005 started like most at IRP Solutions. Company staff began to show up for work. The day was a typical business day until unexpected guest showed up at the reception desk. IRP Solutions was being raided by federal agents for alleged wrongdoing. There were 21 federal agents at the front door of a business that at the time only had approximately 20 employees. A warrant was presented stating that IRP Solutions and its executives were accused of mail and wire fraud.



**Let's rewind a couple of years and set the stage for how all of this came about.....**

In 2003 IRP was established to develop software for law enforcement agencies. Through its marketing efforts IRP became engaged with major agencies like the Department of Homeland Security (DHS). As IRP became more engaged with agencies like DHS and NYPD, there were more requests for modifications to the software. DHS even told IRP to, "...put a federal face on the software...". Agencies were sending very positive signals and continued to ask for modifications to the software to meet their respective needs. Because of the modification and customization requests from agencies, IRP management began to explore ways to meet the increase demand for software development. IRP began to explore the option of augmenting the staff with contract labor.

IRP contacted staffing companies and explained the dilemma of trying to meet the requests of the law enforcement agencies. Several companies did their due diligence and considered IRP an acceptable risk for executing a contract. There were several companies that chose not to team with IRP. Contracts were executed to bring on technologists to incorporate technical enhancements requested by the federal government and local law enforcement. The agencies were fully engaged with IRP to make enhancements to the software which resulted in the need for IRP to continue extending its engagement with staffing companies. Consequently the debt continued to grow.

In the meantime, in late 2004 DHS requested pricing quotes that exceeded \$100 million. Additionally, DHS explicitly stated that they were working on the budget and needed the pricing quotes as part of their budget exercises. This was later substantiated by FBI interview documents in which a DHS official stated that they (DHS) were setting up a pilot project for IRP.

Now fast forward to Feb 2005. IRP business offices are raided by over 20 federal agents for alleged fraud and running a scam. Being accused of not developing software, but bilking staffing companies of millions of dollars. And also being accused of making up stories about customers like the Department of Homeland Security, the FBI, NYPD, Colorado Bureau of Investigations, and several others.

*There is no fraud or scheme...*

*IRP Solutions was a legitimate business that incurred business debt.*



## IRP Targeted

**Imagine the shock by black company executives that had worked so hard to deliver the best investigative software solution to law enforcement only to have their small business raided by armed FBI agents. That's exactly what happened in February 2005. Here are additional facts to consider:**

- Black employees are searched and forced into the cafeteria while the only white executive is not subjected to a search, allowed to gather his belongings and leave.
- A black executive faces overt racism by FBI Agent when asked, "If a qualified white woman applied for work with the company would she be hired?"
- A vindictive campaign ensued filled with race and religious harassment by FBI and U.S. Attorney's Office in Denver.
- Although the search warrant called for obtaining financial records pertaining to specific business relationships, the FBI confiscated the company's Intellectual Property (IP) which consisted of software code, engineering notes, non-disclosure and confidentiality agreements pertaining to its CILC® software solution.
- During the course of the investigation, investigators probed into the banking records of friends, family, associates and that of the church the execs attend. IRP executives and associates believe that banking records were obtained illegally. Court transcripts show that when Assistant U.S. Attorney (Denver) Matthew Kirsch was called into question as to how banking records were obtained, he stated, "...even if the records were improperly obtained, how is it that that would be relevant in this case."
- In July 2011 software staffing company industry experts came to the defense of the IRP execs. Staffing company experts sent letters to the U.S. Attorney's office in Denver vouching for IRP's practices and confirming that IRP's business practice prior to the FBI raid was/is standard business practice in the IT staffing industry.

## QUESTIONS NEED TO BE ANSWERED

- 1) Why was a raid of this magnitude, usually reserved for major drug lords, required for such a small company; Enron only had two agents?
- 2) Why is the FBI criminalizing a small black business because of debt based on signed contracts with vendors?
- 3) Why is the U.S. Attorney's Office selectively targeting the African-American people at the company who attend the same church?
- 4) Why does a former white NYPD veteran who worked at the company ask himself was it because the company was African-American?
- 5) Did the small African-American company hire white former FBI and Customs agents as part of a criminal scheme alleged by the Government?
- 6) Why did the local television news ignore this story when the paper carried it on the front page?
- 7) Why did the U.S. Attorney's Office create an article about the raid on the business, release it to the press while under seal, and then use it to initiate contact with vendors to build its case against the company. (The article was later used to destroy business with clients and keep the company from earning revenues to pay its debt, which in turn would destroy the Government's vindictive case).
- 8) How can the U.S. Attorney's office get away with abuse of process, while at the same time wasting taxpayer dollars on what is in essence a debt collection (civil) case? Isn't that Fraud, Waste, and Abuse by a government employee?



# UNBELIEVABLE CONVICTION



## October 20, 2011 – The Verdict Is In

### **IRP Executives' 5<sup>th</sup> Amendment Rights Violated by Federal Judge Christine Arguello in Denver: Jury returned Guilty Verdict**

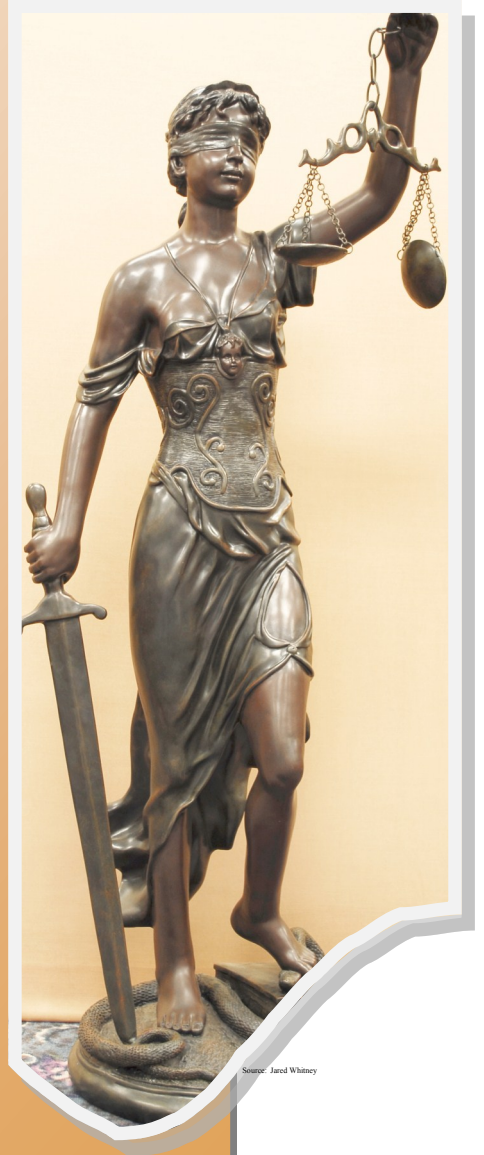
On October 11, 2011 Federal District Court Judge Christine Arguello, 10<sup>th</sup> Circuit, Denver, Colorado, forced an IRP executive to take the witness stand against his will violating his 5<sup>th</sup> Amendment right. The IRP executive, Kendrick Barnes, was one of six defendants (5 black, 1 white) in the federal case alleging mail and wire fraud. Barnes was forced to take the witness stand when defense witnesses were not available for court appearance on this day; witnesses were available on the following day.

The judge threatened to "rest" the defense case on their behalf if one of the defendants didn't take the stand. Defendant Kendrick Barnes took the stand against his will and upon taking the stand the judge did not instruct the defendant/witness of his rights/ protections against self-incrimination. The judge later attempted to instruct the jury to disregard the testimony, but the testimony obviously had an impact on the jury's verdict. A formal complaint was filed with the federal courts against Judge Arguello for the actions taken on October 11.

This is a federal case in which six executives of a Colorado software development company were defending themselves (pro se) in a federal criminal case alleging mail and wire fraud. The gentlemen were convicted on October 20, 2011. The court ordered the men detained at the Denver Detention Center without bond being set, citing flight risk.

Family and friends felt that the federal judge is taking advantage of the fact that the men defended themselves; putting the men in a position of not being able to work on their appeal. This is just one action on the part of Judge Arguello that is believed to have been prejudicial against the defendants.

The men were subsequently released on bond and are filing motions to overturn the convictions.



*Justice is perverted in America, Lady Justice has lost her blindfold, the scale has been tipped and overturned by lawless judges and overzealous federal prosecutors.*

*America needs to wake-up, there is NO "Innocent Until Proven Guilty", instead in the courts today, it should be a warning "You are guilty Until You Can Prove Your Innocence". Demetrius Harper, President, DKH Enterprises*