



## **Colorado U.S. Senator Michael Bennett Asked To Join With Federal Judge To Support Clemency For Constituents Says Advocacy Group A Just Cause.**

*A Just Cause Releases Irrefutable Evidence From Court Records That Supports Judge's Clemency Request.*

DENVER, (September 8, 2016) In November 2015, former federal appeals judge H. Lee Sarokin joined the petition for clemency for six Colorado technology executives known as the IRP6. Judge Sarokin sent a letter to President Obama discussing evidence that points to the innocence of the men and the government's mishandling of the 2011 Colorado federal criminal case (Case no. 09-cr-00266-CMA). One of the issues Sarokin addressed in the letter was the prosecutor's false claims to the jury that IRP Solutions was a scam. Today, A Just Cause asks U.S. Senator Michael Bennett to join with Judge Sarokin by asking President Obama to free his wrongly-convicted constituents based on the following evidence found in court records which support Judge Sarokin's conclusion in the Huffington Post that "the government's contention that [IRP] was nothing but a scam defies reality."

- 1) Chief of Detectives for Denver Police Department, Dan O'Hayre in an email stated that DPD had a "great deal of interest" in CILC and that the Detective Division "unite in offering praise to the IRP staff and their software product."
- 2) According to the search warrant affidavit, after attending a joint DOJ/DHS demonstration of IRP's Case Investigative Life Cycle (CILC) software, Special Agent Melissa McRae of the FBI's Office of the Chief Information Officer, stated that CILC was "suitable" for use in FBI field offices.
- 3) Paul Tran of Department of Homeland Security (DHS) testified at trial that his primary goal was to find software that would allow 22 agencies under the DHS umbrella to enhance their investigative capabilities and the effectiveness of their internal communications. Tran testified that DHS "was interested" in CILC because "the software had a lot of features that law enforcement and case agents can really use."
- 4) Sergeant John Shannon of the New York City Police Department testified at trial that the CILC software was "cutting edge", "did a fantastic job of rationalizing the investigative process", "encompassed all of the contributors along the entire lifecycle of the investigation" and that "it was the best software I had ever seen."
- 5) Sergeant Bob Davis of the San Diego Police Department received a demonstration of CILC and wrote an article in the February 2004 Police Magazine, stating that CILC is "powerful enough to become your agency's primary computerized investigative case management tool."
- 6) Lorne Cramer, former Chief of the Colorado Springs Police Department and former LAPD Commander stated that he was "impressed" with CILC and that IRP Solutions has "developed an innovative and timely solution" for law enforcement agencies.
- 7) Former Canon City, Colorado police chief Daniel Shull stated that he was "impressed with the easiness of using" the CILC software and that he would "highly recommend it."
- 8) Prior to an FBI raid on IRP Solutions Corporation, Garry Hillberry, former head of Immigration and Customs Enforcement in Denver, speaking on behalf of himself and two other retired supervisory special agents from the FBI who were employed for a year as independent contractors at IRP Solutions said in an affidavit to the FBI: "We decided that IRP Solutions truly had a viable product and appeared to be moving forward to acquire state and federal law enforcement contracts for their product."

9) According to an FBI interview, Philadelphia Police Department's (PPD) Director of Information Technology, Gerry Cardenas, stated that CILC "looked exactly like what PPD was looking to purchase." Cardenas also stated that "PPD was very close to having the product installed prior to...discovery of the investigation."

10) Emails show that after agreeing to terms to deliver CILC to the Philadelphia Inspector General's Office (OIG), Philly Inspector General Amy Kurland, a former federal prosecutor, says: "I will make arrangements with the Mayor's (Michael Nutter) office for a thank you to [IRP Solutions]. Can we please get this moving as soon as possible?" The chief investigator for the OIG, Lorelei Larson, stated: "All of the OIG staff is very excited about this venture."

11) Philadelphia's Deputy Mayor of Justice and Public Safety, Everett Gillison, sent an email to IRP Solutions COO David Banks (IRP6) stating: "I look forward to getting an update on how this (CILC) might integrate well with our plans for the police."

12) In the 2007 college textbook, "Criminal Investigation (8th Edition)" by authors Wayne Bennett and Karen Hess said that CILC "meets the standards described in the [DOJ's] National Institute of Justice tract, "Crime Scene Investigation: A Guide to Law Enforcement."

Judge Sarokin, who immersed himself into the facts of the case also concluded that the IRP6 case was a civil matter and that the men were indicted and prosecuted for "failing to pay corporate debts." Other experts support Sarokin's conclusions, including Dr. Alan Bean, Executive Director of the Friends of Justice who conducted a six-month investigation into the case and addressed the government's claims that IRP6 operated a "bogus" business. "The IRP6 case departs from the typical failed-scam scenario for the simplest of reasons: the government's case can't stand up to scrutiny," said Bean. "The fraud alleged in the federal indictment is a mirage. The bogus business theory is bogus," contends Bean. Recently retired legal counsel to House and Senate judiciary committees, Ron LeGrand, discussed the IRP6 case on A Just Cause Radio: "As a former federal prosecutor I am hurt," said LeGrand. "I am really disappointed at how this case was handled," added LeGrand. "If there was a case. IF! Big IF...it was a civil case and should have been handled as such," exclaimed LeGrand.

Court records show that on two occasions, FBI lead agent John Smith said in court that if IRP had paid their debts there would be no criminal case and a letter from head of the FBI in Denver said that the case "would be best handled civilly."

"Our justice system failed these innocent men and we are asking Senator Bennett and other members of Congress to join with Judge Sarokin in asking President Obama to grant clemency and send immediately these men home who have spent over 4 years in prison away from their suffering families," says Lamont Banks, Executive Director of A Just Cause. The IRP6 petition for clemency has been pending since February 2015.

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