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FILED
FEB 27 2015
MELISSA HARRELL
DEPUTY CLERK

GENERAL SESSIONS COURT, RUTHERFORD COUNTY, MURFREESBORO, TN

THE STATE OF TENNESSEE, Plaintiff-in-Error, vs. SPENCER CURTIS SCHUELKE, <sic> <misnomer> Aggrieved Defendant	Case No. 368735, 368736, 368737 NOTICE TO PUBLIC NOTICE TO COURT Date: 27th Day of February, 2015 8:00 A.M., Arraignment, Traffic Court Date: 27th Day of March, 2015

NOTICE OF MODUS OPERANDI

(Protection Racket? / Extortion Racket?)

The Politician + Police + Prosecute + Prison for-Profit Racket

There is no evidence of a common law crime in this case. I was kidnapped, held for ransom, forced to pay $437 bond to regain my liberty.

1. Extortion (Black's Law Dictionary - 6th Edition) is defined as:
   "The obtaining of property from another induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right."
2. Racketeering:

Traditionally, obtaining or extorting money illegally or carrying on illegal business activities, usually by Organized Crime. A pattern of illegal activity carried out as part of an enterprise that is owned or controlled by those who are engaged in the illegal activity. The latter definition derives from the federal Racketeer Influenced and Corruption Organizations Act (RICO), a set of laws (18 U.S.C.A. § 1961 et seq. [1970]) specifically designed to punish racketeering by business enterprises.

3. Ransom:

   The money, price, or consideration paid or demanded for redemption of a kidnapped person or persons; a payment that releases from captivity. Whoever knowingly receives, possesses, or disposes of such commits a crime. 18 U.S.C.A. § 1202. See Kidnapping.

4. Slave:

   A person who is wholly subject to the will of another; one who has no freedom of action, but whose person and services are wholly under the control of another. One who is under the power of a master, and who belongs to him; so that the master may sell and dispose of his person, of his industry, and of his labor, without his being able to do anything, have anything, or acquire anything, but what must belong to his master. The 13th Amendment abolished slavery.

5. Slavery:

   The condition of a slave; that civil relation in which one man has absolute power over the life, fortune, and liberty of another. The 13th Amendment abolished slavery.

6. Wikipedia **definition of Mafia**:

   A mafia is a type of organized crime syndicate whose primary activities are protection, racketeering, and the arbitration of disputes in criminal markets.

(Black's Law Dictionary provides no definition)

7. De facto (/dɨ ˈfæktoʊ/, /deɪ-/,[1] Latin: [de: ˈfakto:]) is a Latin expression that means "concerning fact". In law, it often means "in practice but not necessarily ordained by law" or "in practice or actuality, but not officially established". It is commonly used in contrast to de jure (which means "concerning the law") when referring to matters of law, governance, or technique (such as standards) that are found in the common experience as created or developed without or contrary to a regulation. When discussing a legal situation, de jure designates what the law says, while de facto designates action of what happens in practice.

8. http://en.wikipedia.org/wiki/De_facto

9. The sad reality, to which Americans are waking up, is that purported (to claim or profess, esp. falsely) government agencies and services are for-profit corporations. Corporations are masquerading as government agencies.

10. A corporation is created (incorporated) by a group of shareholders who have ownership of the corporation, represented by their holding of common stock. The most important aspect of a corporation is limited liability. That is, shareholders have the right to participate in the profits, through dividends and/or the appreciation of stock, but are not held personally liable for the company's debts.

    The city, county, borough, state and federal government that you believed you had is a for-profit corporation. If this is news to you, or you question the veracity of this statement, please see a very well-made video presentation:

11. About the franchise you still think is a lawful government.....
    http://scannedretina.com/2015/02/23/about-the-franchise-you-still-think-is-a-lawful-government/

12. The Tennessee Highway Patrol, also known as the THP, is the highway patrol agency and **de facto state police organization** for the U.S. State of Tennessee, responsible for enforcing all federal and state laws relating to traffic on the state's federal and state highways. The agency was created to protect the lives, property, and constitutional rights of people in Tennessee. The THP is a division of the Tennessee Department of Safety. See Exhibit D attached.

13. The Tennessee Department of Safety and Homeland Security (TDOS), also known as the Tennessee Department of Safety or DOS, is a law enforcement agency serving the U.S. state of Tennessee. The TDOS is made up of three main divisions: 1). the Tennessee Highway Patrol (THP), 2). the Tennessee Driver License Services division, and 3). the Tennessee Office of Homeland Security.

http://en.wikipedia.org/wiki/Tennessee_Highway_Patrol

http://en.wikipedia.org/wiki/Tennessee_Department_of_Safety

THE RACKET

14. Every local police department, sheriff's office, state troopers, highway patrol, Department of Homeland Security, Court, Jail, Prison, and Immigration Detention Center is a **for-profit business center**. As we have witnessed with "military contractors" who provide all services to "military operations", there are a myriad of vendor services associated with these POLITICIAN + POLICE + PROSECUTE + PRISON + PROFIT business models. Well, what's wrong with that, you ask?

15. Unlike typical businesses for profit, who market to their customers to increase market share and thereby the profits for the business, advertising doesn't work for the Police and Prison Racket. Who would volunteer to be a customer for the POLICE, PROSECUTORS, PRISONS, and Bondsman? No one, right?

16. So, what's a corporation to do? If you can't get voluntary customers, you have to go out and capture them, right?

POLITICIANS

17. Before you can go out and capture your customers, you must create many statutes and codes to be violated so that the capture process can begin. Statutes and codes are the lingo of the corporation, but are they LAW? The Politicians, who are usually attorneys, provide these statutes and codes in the form of "legislation". All politicians are paid a salary by the taxpayer. Are all corporate statutes and codes abhorrent to the unalienable rights of the individual, guaranteed by the Constitution? Sounds unlawful, doesn't it?

POLICE

18. Empowered by **handbooks**, which point to statutes and codes written by lawyers and attorneys, the police are private security contractors. Under "color of authority", they dress in fancy, official-looking uniforms and badges, and are armed with weapons and militarized vehicles, which are all paid for by the taxpayer. Then they set about to capture the customers. Sounds like intimidation and kidnapping for ransom for the purpose of extorting money, doesn't it?

PROCESSING

19. Once captured, the customers are transported to the jail for PROCESSING. Sounds like a factory, doesn't it? Here, they will be fingerprinted, photographed, questioned, booked (like a hotel?), and detained. If the customer is lucky, they will be allowed to make some phone calls to anyone who will help get them out.

PHONING FROM PRISON FOR PROFIT

20. Rutherford County Jail Telephone Contract and For-Profit Commission Scheme, 2012:

I. Contract between Gerald L. Juneau, City Tele Coin Company, Inc., 4501 Marlena Street, Bossier City, Louisiana 71111, telephone 800.682.0707, www.citytelecoin.com

II. Rutherford County Sheriff's Office, Signed by the Sheriff, Robert F. Arnold and Mayor, Ernest G. Burgess

III. Rutherford County Jail Telephone Contract and For-Profit Commission Scheme, 2012, garnering 72% of the revenue from phone services to the Sheriff's office:

See Exhibit A Commissions Contract attached.

http://static.prisonpolicy.org/visitation/Exhibit27.pdf

21. For Rutherford County Tennessee Sheriff Department Only:

You must log on to the Rutherford County Sheriff department website: http://www.rutherfordcountytn.gov/so/vizvox.htm where a link will send the customer to the Rutherford Vizvox Registration page: http://rcso.seevizvox.com/vizvox/. Once the registration has been completed and approved, the customer will need to call 866-380-7734 to set up an account at which time a video test will be performed to make sure the computer and internet connection are suitable. Upon completion of the test, video calls can be scheduled at any time on Rutherford's Vizvox scheduling page. The customer must be approved by the Sheriff's Department prior to each visit. Additional funds can be added by contacting 800-682-0707 pending approval by the Rutherford County Sheriff's Department. Prices: Surcharge: $1.50, Per minute: $0.30

http://www.dtytelecoin.com/

22. Sounds like the Rutherford County Sheriff's Office has **a BIG financial incentive to capture more customers** and **generate more phone calls, doesn't it?** Wait, there's more.

23. Even More Phone Call Profit from Jails and Prisons for the state of Tennessee:

- Funding for TCI Training
- Effective July 1, 2012, Public Chapter 972 amended Section 41-7-104,
- Tennessee Code Annotated

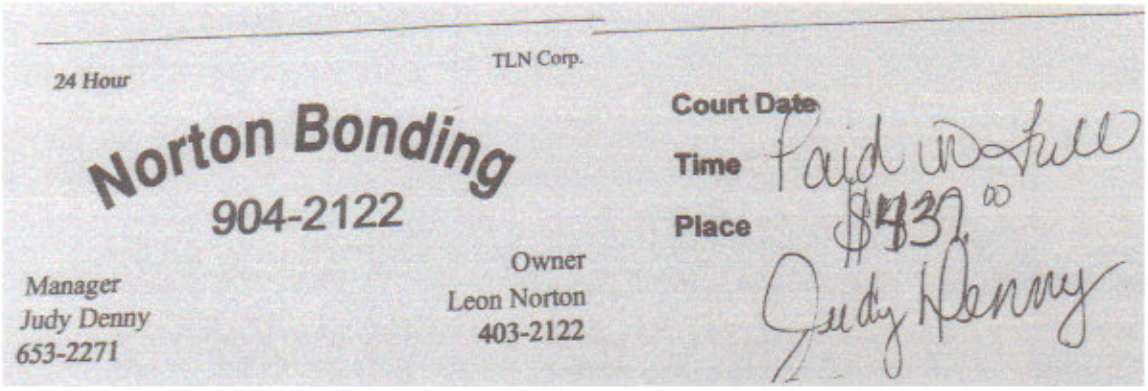
"to require **a ten-cent fee** to be collected **for each completed phone call** made by an inmate housed in a local jail or workhouse. The fees are to be remitted each quarter by the telephone service provider to the state treasurer and credited to a special account in the general fund to be used exclusively to fund certification training provided through TCI (Tennessee Correctional Institute) for local correctional personnel within the state. This fund is called the Local Correctional Officer Training Fund. Though the Department of Commerce and Insurance acts as the fiscal agent for the institute, the TCI's Board of Control must approve expenditures from the fund. "

http://www.comptroller.tn.gov/repository/SA/pa12109.pdf

24. Not having extracted enough money from the taxpayers, the State of Tennessee, through corporate statute and code, has created even more financial incentive to capture more customers and generate more phone calls from the jails and prisons. Sounds like extortion and racketeering, doesn't it?

BONDING FOR PROFIT, See Exhibit B Bond List attached

25. At this point, the BAIL BONDSMAN, who is under contract with the jail to provide "Bonding Services" comes to the rescue. The Bail Bondsman, a broker for insurance services called Surety Bonds, presents the customer with a CONTRACT from the insurance provider which they **must give consent, must sign, and must pay for in order to regain their liberty.** Sounds like ransom, doesn't it?



26. The typical sales problem of creating a need is not a factor in the surety business. A need for the bond has already been created either by law or by the nature of a particular business.

27. Bond agents have a standing security agreement with local court officials, in which they agree to post an irrevocable "blanket" bond, which will pay the court if any defendant for whom the bond agent is responsible does not appear. The bond agent usually has an arrangement with an insurance company, bank or another credit provider to draw on such security, even during hours when the bank is not operating.

28. All bail bond agents have lengthy bail bond agreements. Most bail bond agreements are given to the bail bond agents by their insurers, and the insurers have already verified and certified all bail bond agreements for their agents.

29. Profit from Bail Bonds

30. Bond agents generally charge a fee of 10% for a state charge and 15% for a federal bail bond, with a minimum of $100 in some states like Florida, required in order to post a bond for the full amount of the bond. **This fee is not refundable** and represents the bond agent's compensation for their services.

http://en.wikipedia.org/wiki/Bail_bondsman

31. **BAIL IS NOT A FINE.** *It is not supposed to be used as punishment.* **The purpose of bail is simply to ensure that people will return for their trial.** But the commercial bail industry profits by making it more expensive for people of lesser means to move through the criminal justice system.

32. Most states have laws saying that the default should be that people are released from jail while waiting for their trial solely based on their promise to return to court – **unless there's a really compelling reason to hold them.** And these laws could work – studies show that most people can be safely released based on their promise to return without jeopardizing public safety or fleeing.

33. **But judges often ignore these laws**, and instead **make people pay bail** – which feeds right into the bail profiteers' business model. When judges set higher bail amounts, bail bond companies pull in higher profits. The American Bail Coalition – **a lobbying group that represents the bail bondsmen**, powerful insurance companies and **wealthy investors** – is working hard to make sure these profits keep coming in. They spent $3.1 million dollars lobbying state lawmakers between 2002 and 2011 and drafted twelve bail bills that encourage judges to set high bail amounts and give the bail industry more leeway to profit off incarceration. Does this sound like racketeering either way?

https://www.aclu.org/bail

34. Example:

Norton Bonding / TLN corp / T.L.N. Corporation

Jerry Leon Norton, Principal

A Privately-held Corporation with 100 shares of stock

Categorized under Bondsperson. Our records show it was established in 2010 and incorporated in Tennessee. Current estimates show this company has an annual revenue of $1 to 2.5 million and employs a staff of approximately 1 to 4.

Location: 7588 Almaville Road, Arrington, TN 37014,
Phone: (615) 904-2122

State of Incorporation: Tennessee

Year Established: 2010

Annual Revenue Estimate: $1 to 2.5 million

Employees: 1 to 4

SIC Code: 7389, Business Services, NEC

NAICS Code: 52412609, Direct Property and Casualty Insurance Carriers

Business Categories: Bondsperson in Arrington, TN

Shares of stock: 100

https://tnbear.tn.gov/Ecommerce/FilingDetail.aspx?CN=115168050007009182241240096215114042045077151180

http://www.manta.com/c/mr4skz2/norton-bonding

35. Say, I wonder who owns the 100 shares of stock in this Bonding Corporation? There are at least 13 bail bonding companies in Murfreesboro, Tennessee, not counting Norton Bonding/T.L.N. Corporation which does not appear in searches for bail bonds in Rutherford County Tennessee. That's weird. No advertising necessary, apparently.

PROSECUTION Continued

36. The customers who are not so lucky or who do not have money, are held in the jail. At some point, they are allowed the courtesy of making a phone call to an ATTORNEY who will provide their defense in court. All attorneys must be members of the BAR, (British Accreditation Registry), a British, unionized monopoly. Even the worst of these vendors is very expensive, so customers without a lot of money will be provided with one who is under contract with the justice system all of which is paid for by taxpayer. Through taxation and your attorney fees, you pay for it all. Sounds like a conflict.

37. By the way, do not try to obtain an attorney's BAR card. Even though attorneys affect every facet of life, with every "purported government agency" and corporation having a "legal department", continually binding customers with mandatory contracts from your software "terms and conditions" to your bank account, you are not authorized to see their credentials. **See Exhibit C Attached**

38. That's weird, isn't it? I wonder who can see the attorney's BAR card? The court system and the bail bondsman may obtain a copy. Sounds like the attorney works for the court, the racketeering system, and not for you, doesn't it?

PROSECUTION

39. If you are unfortunate enough to experience the for-profit court process you will observe that "courtroom" proceedings rarely have a positive outcome for the customer. The "Judge" is an administrator of a foreign, admiralty, maritime court, operating under secret rules and a secret, ever-changing language.

40. **A Final Word of Caution from Black's Law Dictionary:** 6th Edition

"The language of the law is ever-changing as the courts, Congress, state legislatures, and administrative agencies continue to define, redefine and expand legal words and terms. Furthermore, many legal terms are subject to variations

from state to state and again can differ under federal laws. Also, the type of legal issue, dispute, or transaction involved can affect a given definition usage. Accordingly, legal dictionary should only be used as a "starting point" for definitions. Additional research should follow for state or federal variations, for further or later court interpretations, and for specific applications."

PRISON

41. If processed to the Prison, the customer will be incarcerated in a for-profit PRISON center. If privately run and managed, the municipality, county, or state will sign a lucrative CONTRACT with the Prison Management Corporation and guarantee 90% or higher occupancy rate. How can they possibly make that guarantee? Maybe they know they can just capture as many customers as they need. Sounds like collusion, doesn't it?

42. **The Prison Industry** in the United States: **Big Business or a New Form of Slavery?**

43. Human rights organizations, as well as political and social ones, are condemning what they are calling a new form of inhumane exploitation **in the United States,** where they say **a prison population of up to 2 million** – mostly Black and Hispanic – are working for various industries for a pittance. For the tycoons who have invested in the prison industry, it has been like finding a pot of gold. They don't have to worry about strikes or paying unemployment insurance, vacations or comp time. All of their workers are full-time, and never arrive late or are absent because of family problems; moreover, **if they don't like the pay of 25 cents an hour and refuse to work, they are locked up in isolation cells.**

44. There are approximately 2 million inmates in state, federal and private prisons throughout the country. According to California Prison Focus, **"no other society in human history has imprisoned so many of its own citizens."** The figures

show that the United States has locked up more people than any other country: a half million more than China, which has a population five times greater than the U.S. Statistics reveal that the United States holds 25% of the world's prison population, but only 5% of the world's people. From less than 300,000 inmates in 1972, the jail population grew to 2 million by the year 2000. In 1990 it was one million. Ten years ago there were only five private prisons in the country, with a population of 2,000 inmates; now, there are 100, with 62,000 inmates. It is expected that by the coming decade, the number will hit 360,000, according to reports.

45. What has happened over the last 10 years? Why are there so many prisoners?

46. "The private contracting of prisoners for work fosters incentives to lock people up. Prisons depend on this income. **Corporate stockholders who make money off prisoners' work lobby for longer sentences**, in order to expand their workforce. The system feeds itself," says a study by the Progressive Labor Party, which accuses the prison industry of being "an imitation of Nazi Germany with respect to forced slave labor and concentration camps."

47. The prison industry complex is one of the fastest-growing industries in the United States and **its investors are on Wall Street**. "This multimillion-dollar industry has its own trade exhibitions, conventions, websites, and mail-order/Internet catalogs. It also **has direct advertising campaigns,** architecture companies, construction companies, investment houses on Wall Street, plumbing supply companies, food supply companies, armed security, and padded cells in a large variety of colors."

48. According to the Left Business Observer, the federal prison industry produces 100% of all military helmets, ammunition belts, bullet-proof vests, ID tags, shirts, pants, tents, bags, and canteens. Along with war supplies, prison workers supply 98% of the entire market for equipment assembly services; 93% of paints and

paintbrushes; 92% of stove assembly; 46% of body armor; 36% of home appliances; 30% of headphones/microphones/speakers; and 21% of office furniture. Airplane parts, medical supplies, and much more: prisoners are even raising seeing-eye dogs for blind people. Does anyone SEE racketeering here?

CRIME GOES DOWN, YET JAIL POPULATION GOES UP

49. According to reports by human rights organizations, these are the factors that increase the profit potential for those who invest in the prison industry complex:

a) Jailing persons convicted of non-violent crimes, and long prison sentences for possession of microscopic quantities of illegal drugs. Federal law stipulates five years' imprisonment without possibility of parole for possession of 5 grams of crack or 3.5 ounces of heroin, and 10 years for possession of less than 2 ounces of rock-cocaine or crack. A sentence of 5 years for cocaine powder requires possession of 500 grams – 100 times more than the quantity of rock cocaine for the same sentence. Most of those who use cocaine powder are white, middle-class or rich people, while mostly Blacks and Latinos use rock cocaine. In Texas, a person may be sentenced for up to two years' imprisonment for possessing 4 ounces of marijuana. Here in New York, the 1973 Nelson Rockefeller anti-drug law provides for a mandatory prison sentence of 15 years to life for possession of 4 ounces of any illegal drug.

b) The passage in 13 states of the "three strikes" laws (life in prison after being convicted of three felonies), made it necessary to build 20 new federal prisons. One of the most disturbing cases resulting from this measure was that of a prisoner who for stealing a car and two bicycles received three 25-year sentences.

c) Longer sentences.

d) The passage of laws that require minimum sentencing, without regard for circumstances.

e) A large expansion of work by prisoners creating profits that motivate the incarceration of more people for longer periods of time.

f) More punishment of prisoners, so as to lengthen their sentences.

Read more at:

http://www.globalresearch.ca/the-prison-industry-in-the-united-states-big-business-or-a-new-form-of-slavery/8289

Does this not sound like a SLAVERY SYSTEM to you?

50. Example: See Exhibit D attached

CCA, Corrections Corporation of America, Nashville, Tennessee:

Revenue: $1.77 billion, 100% of which comes from taxpayers via government contracts (2012)

Operations

Parent Company: Corrections Corporation of America (CCA)

Subsidiaries:

First Tier Subsidiaries:

CCA of Tennessee, LLC, a Tennessee limited liability company

CCA TRS, LLC, a Maryland limited liability company

CCA (UK) Ltd., a United Kingdom corporation

Second Tier Subsidiaries:

CCA International, LLC, a Delaware limited liability company

Technical and Business Institute of America, LLC, a Tennessee limited liability company

TransCor America, LLC, a Tennessee limited liability company

TransCor Puerto Rico, Inc., a Puerto Rico corporation

CCA Health Services, LLC, a Tennessee limited liability company

Prison Realty Management, LLC, a Tennessee limited liability company

(Source: CCA 10-K, 2/27/2013)

Location(s): Arizona, California, Colorado, District of Columbia, Florida, Georgia, Idaho, Indiana, Kentucky, Louisiana, Minnesota, Mississippi, Nevada, New Jersey, New Mexico, Ohio, Oklahoma, Tennessee, Texas

Regulatory Environment: CCA is currently accredited by the American Corrections Association (ACA), a private non-governmental organization providing self-created standards. There is currently is no oversight or regulation of the organization beyond its own staff. Eighty-five percent of CCA facilities are accredited by ACA.

Corporate subsidies:

Between 2010 and 2012, CCA received $785,535 in grants from the Oklahoma Tax Commission under the Quality Jobs Program. In Arizona, various CCA facilities have been designated enterprise zones by the Arizona Dept. of Commerce with associated favorable tax treatment. Between 2009 and 2010, CCA's Delta Correctional Facility in Mississippi received $56,367 in training reimbursement subsidies. (Source: Good Jobs First Subsidy Tracker)

Profit Margin: 8.91%

Management Profile

Highest paid executives:

Damon T. Hininger, **President and CEO - $2,772,435** (12/2012)

Todd J. Mullenger, **CFO - $1,415,655** (12/2012)

Anthony L. Grande, **Chief Devt. Officer - $1,318,900** (12/2012)

(Source: Corrections Corporation of America, Schedule 14A filed 3/26/2013)

Corporate ownership:

% of Shares Held by All Insider and 5% Owners: 10%

% of Shares Held by Institutional & Mutual Fund Owners: 83%

The five top direct holders are either directors or officers of CCA.

Top Executives:

Damon T. Hininger, President and CEO

Brian D. Collins, Executive Vice President and Chief Human Resources Officer

Tony L. Grande, Executive Vice President and Chief Development Officer

Harley G. Lappin, Executive Vice President and Chief Corrections Officer

Todd J. Mullenger, Executive Vice President and Chief Financial Officer

Additional Positions of Interest:

Dennis DeConcini (Board Member)- former senior Senator from the State of Arizona, an office he held for 18 years.

John D. Ferguson (Chairman of Board)- former Commissioner of Finance and Administration for the State of Tennessee

Donna Alvarado (Board Member)- Regent for the Ohio Board of Regents. She also served as US Defense Department Deputy Asst. Secretary of Defense (1983-95) and staffer for the Subcommittee on Immigration Policy (1981-83) and the Committee on Narcotics Abuse and Control (1980-81).

http://www.inthepublicinterest.org/organization/corrections-corporation-america

51. It should be now obvious, if it wasn't before, **that every corporate player in the Politician + Police + Prosecution + Prison scheme is heavily incentivized by pursuit of almighty profit, and de-incentivized to uphold the constitutions to which they take an oath. In fact, if these corporate employees did uphold their oaths, the corporations would go out of business,** don't ya think?

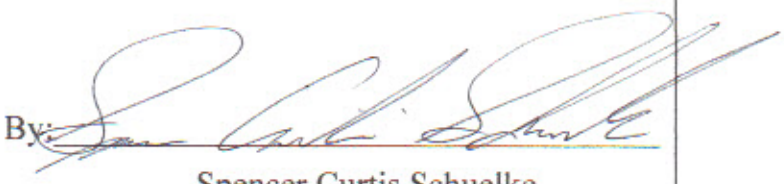
52. Say, I wonder **who are the stockholders of all these corporations?**

53. I also must conclude with: **"Seven Deadly Sins"** by Mahatma Gandhi:

"Wealth without work, Pleasure without conscience, Science without humanity, Knowledge without character, Politics without principle, Commerce without morality, and Worship without sacrifice."

And, "No thief, however skillful, can rob one of knowledge, and that is why knowledge is the best and safest treasure to acquire." L. Frank Baum, The Lost Princess of Oz

Respectfully submitted this 27th day of February, 2015

By: 

Spencer Curtis Schuelke

AUTHORITIES

Including, but not limited to, **The Declaration of Independence**:

- ✓ "Governments are instituted among Men, deriving their powers from the **consent** of the governed,"
- ✓ "That whenever any Form of Government becomes destructive to these ends, it is the Right of the People to alter or abolish it, and to institute new Government, . . ."
- ✓ "But when a long train of abuses and usurpation, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security."

Certificate of Service

I, Spencer Curtis Schuelke, certify that a true and exact copy of the foregoing Notice to Court / Public has been forwarded by U.S. Postal Service on this 27th day of February, 2015 to the following parties with their full mailing address:

Brent Lindsey Pierce

Attorney at Law

320 West Main Street, Suite 100

Murfreesboro, TN 37130

EXHIBIT A

B. COMMISSIONS

As to any inmate phone that is located within the Rutherford County Detention Center whereby service to tha phone is being provided by CTC successive of cut-over, revenue shall be deemed commissionable and hencefort payable by **CTC** to **RUTHERFORD** commencing with the exact point in time in which the first billable c prepaid call has been initiated from that phone; moreover, such revenue shall remain commissionable and payabl on any such phone until service to that phone has been reassigned through contractual re-assignment.

B.1 ***RATE*** – **CTC** shall remit to **RUTHERFORD** ***72% (Seventy-two Percent)*** of all ***Usage Revenu*** generated through ***Gross Collect*** and ***Direct Pay*** telephone traffic (local, *intra*LATA, *inter*LATA, and interstate originating from the facility managed by **RUTHERFORD,** as listed in Section A. *"The Work,"* and processed b **CTC's** call processing system. **CTC** shall issue to **RUTHERFORD** a Purchase Discount of ***72% (Seventy-tw Percent)*** on ***Prepaid Inmate Calling Cards*** at any time such purchase is made by **RUTHERFORD. CTC** wi pay all said commissions on a monthly basis along with a monthly report of all said monies.

B.2 ***REMITTANCE AND ACCEPTANCE*** – ***Remittance*** of commissions shall commence Twenty (2C Days after installation of equipment. Furthermore, **CTC** shall remit commission payments to **RUTHERFORD** o a monthly basis on or around the 20th day of each month. Any objection to a commission payment shall b brought to the attention of **CTC** by way of written notice by **RUTHERFORD.** ***Acceptance*** of said commissio payment shall be final and binding if no objections are brought forth before the agreement has terminated.

LIST OF TYPES OF BONDS EXHIBIT B

Adjustment bond
Annunity bond
Appeal bond
Appearance bond
Arbitrage bond
Attachment bond
Bail bond
Blanket bond
Bond and mortgage
Bond creditor
Bond discount
Bond dividend
Bond for deed
Bond for title
Bond issue
Bond of state or local gov't
Bond premium
Bottomary bond
Callable bond
Chattell bond
Collateral trust bond
Completion bond
Consolidation bond
Contract bond
Convertible bond
Corporate bond
Cost bond
County bond
Debenture bond
Deferred bond
Discount bond
Fidelity bond
Fiduciary bond
General average bond
General mortgage bond
General obligation bond
Gold bond
Government bond
Guaranteed bond
Improvement bond
Income bond
Indemnity bond
Indeterminate bond
Industrial development bond
Interest bond
Joint and several bond
Joint bond
Judicial bond
Junior bond
Leasehold mortgage bond
Liability bond
License bond
Mortgage bond
Municipal bond
Official bond
Passive bond
Payment bond
Peace bond
Penal bond
Performance bond
Personal bond
Premium bond
Public Hazard bond
Redeemable bond
Refunding bond
Redelivery bond
Refunding bond
Registered bond
Removal bond
Reorganization bond
Replevin bond
Revenue bond
School bond
Serial bond
Series bond

LIST OF TYPES OF BONDS EXHIBIT B

Silver bond

Simple bond

Single bond

State bond

Straw bond

Submission bond

Subordinated bond

Supersedeas bond

Suretyship bond

Tax exempt bond

Treasury bond

U.S. Saving bond

Public Hazard bond - Not recognized or listed in Black's Law Dictionary. Is this by chance? D&B, Dunn and Brad Street ratings are affected every time a public hazard bond is complained against. Bar bonded attorneys bonds may be "pulled" and cannot 'practice' when/if their bond is complained against for good and reasonable cause.

BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

SANDY L. GARRETT
CHIEF DISCIPLINARY COUNSEL
KRISANN HODGES
DEPUTY CHIEF DISCIPLINARY COUNSEL - LITIGATION
JAMES A. VICK
DEPUTY CHIEF DISCIPLINARY COUNSEL - INVESTIGATION
ETHICS COUNSEL
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PRESTON SHIPP
EILEEN BURKHALTER SMITH
A. RUSSELL WILLIS
DISCIPLINARY COUNSEL

January 23, 2015

EXHIBIT C

[redacted]

RE: Recent Visit to the Board of Professional Responsibility

Dear [redacted]

As follow up to your most recent visit to our office, and specifically to your request for BPR cards on the following attorneys:

- Bill Beck,
- Pamela Beck, and
- Mark Smith,

Although some attorney information is a matter of public record, The Board of Professional Responsibility does not provide BPR cards of attorneys to the public nor without proper authorization.

If you have questions or concerns feel free to contact our office.

Sincerely,

Kristi Astafan
Registration Manager

KA/sr

EXHIBIT D

Rutherford County General Session

Supreme Court Of The State Of Tennessee, Rutherford Cnty Gen Sssons Crt
20 North Public Square # 104
Murfreesboro, TN 37130
Phone: (615) 898-7842
Web: Rutherfordcountytn.gov
A privately held company in Murfreesboro, TN.

Rutherford County General Session

More Details for Rutherford County Genl Session

Categorized under State Courts. Current estimates show this company has annual revenue of unknown and employs a staff of approximately 5 to 9.

Company Contacts

David Loughry, Manager
Business Information

Location Type: Unknown

State of Incorporation: Tennessee

Annual Revenue Estimate: Unknown

Employees: 5 to 9

SIC Code: 9211, Courts

NAICS Code: 92112007, Legislative Bodies

Business Categories: State Courts in Murfreesboro, TN

Court

http://www.manta.com/c/mmy6jtg/rutherford-county-genl-session?ftoggle-frontend-prod-on=abTests.engagement.claim_drivers_f&utm_expid=82789632-35.5hBunVVLRam7e9B6_xvwKA.7&utm_referrer=http%3A%2F%2Fwww.manta.com%2Fc%2Fmmy6jtg%2Frutherford-county-genl-session%3Fftoggle-frontend-prod-on%3DabTests.engagement.claim_drivers_f

Rutherford County Sheriff

County Of Rutherford, Sheriff Department
940 New Salem Highway
Murfreesboro, TN 37129
Phone: (615) 898-7770
Web: Rutherfordcounty.org
Rutherford County Sheriff
A **privately held company** in Murfreesboro, TN.

More Details for Rutherford County Sheriff

Categorized under Sheriff. Current estimates show this company has annual revenue of unknown and employs a staff of approximately 250 to 499.

Company Contacts:

Robert Arnold, Manager
Manager

Business Information

Location Type: Unknown
State of Incorporation: Tennessee
Annual Revenue Estimate: Unknown
Employees: 250 to 499
SIC Code: 9221, Police Protection
NAICS Code: 92212004, Police Protection
Business Categories: Sheriff in Murfreesboro, TN
Police Protection

http://www.manta.com/c/mm8wt90/rutherford-county-sheriff?ftoggle-frontend-prod-on=abTests.engagement.claim_drivers_f&utm_expid=82789632-35.5hBunVVLRam7e9B6_xvwKA.7&utm_referrer=http%3A%2F%2Fwww.manta.com%2Fc%2Fmm8wt90%2Frutherford-county-sheriff%3Fftoggle-frontend-prod-on%3DabTests.engagement.claim_drivers_f

Tennessee Department of Safety

Tennessee Highway Patrol
545 Mainstream Drive # 406
Nashville, TN 37228
Web: www.marshallcountytn.com
Tennessee Department Of Safety
A **privately held company** in Nashville, TN.

More Details for Tennessee Department Of Safety

Categorized under Public Safety Bureau, Government.

Business Information

Location Type: **Branch**

State of Incorporation: Tennessee

SIC Code: 9229, Public Order and Safety, NEC

NAICS Code: 922190, Other Justice, Public Order, and Safety Activities

Business Categories: Public Safety Bureau, Government in Nashville, TN

Public Safety Bureau, governmental

Highway Patrol

http://www.manta.com/c/mm4brg5/tennessee-department-of-safety?ftoggle-frontend-prod-on=abTests.engagement.claim_drivers_f&utm_expid=82789632-35.5hBunVVLRam7e9B6_xvwKA.7&utm_referrer=http%3A%2F%2Fwww.manta.com%2Fsearch%3Fftoggle-frontend-prod-on%3DabTests.engagement.claim_drivers_f%26search_source%3Dnav%26pt%3D%26search_location%3D%2B%26search%3DTennessee%2BHighway%2BPatrol%26location%3DNear%2Bcity%252C%2Bstate%2Bor%2Bzip

Highway Patrol

Tennessee Department Of Safety, Tennessee Highway Patrol
1603 Murfreesboro Pike
Nashville, TN 37217
Phone: (615) 741-3181
Web: Tn.gov

Highway Patrol

A **privately held company** in Nashville, TN.

More Details for Highway Patrol

Categorized under State Highway Patrol. Current estimates show this company has an annual revenue of unknown and employs a staff of approximately 10 to 19.

Business Information

Location Type: Headquarters
State of Incorporation: Tennessee
Annual Revenue Estimate: Unknown
Employees: 10 to 19
SIC Code: 9221, Police Protection
NAICS Code: 92212005, Police Protection
Business Categories: State Highway Patrol in Nashville, TN
State Highway Patrol
http://www.manta.com/c/mmnfmfy/highway-patrol?ftoggle-frontend-prod-on=abTests.engagement.claim_drivers_f&utm_expid=82789632-35.5hBunVVLRam7e9B6_xvwKA.7&utm_referrer=http%3A%2F%2Fwww.manta.com%2Fsearch%3Fftoggle-frontend-prod-on%3DabTests.engagement.claim_drivers_f%26search_source%3Dnav%26pt%3D%26searc

h_location%3D%2B%26search%3DTennessee%2BHighway%2BPatrol%26location%3DNear%2Bcity%252C%2Bstate%2Bor%2Bzip

What are NAICS Codes?

The North American Industry Classification System (NAICS) identifies **business establishments by category**. It's the first economic classification system to be built based on a solitary economic concept. **Economic units** that use similar or identical processes to produce goods or services are grouped together.

NAICS codes replaced the U.S. Standard Industrial Classification (SIC) system on April 9, 1997. The Office of Management and Budget (OMB) announced the decision to adopt NAICS codes as the industry classification system used by the statistical agencies of the United States.

NAICS was developed jointly by the U.S., Canada, and Mexico to provide new comparability in statistics about **business activity** across North America. NAICS codes also provide for increased comparability with the International Standard Industrial Classification System (ISIC, Revision 3), developed and maintained by the **United Nations**.

Are DUNS Numbers Required for Federal Government Contracts?

Dun & Bradstreet's nine-digit DUNS code has become a standard **business identifier** worldwide. Short for Data Universal Numbering System, DUNS numbers are **required for government contractors** of many federal government agencies. In fact, you'll need your DUNS number to register with the System for Award Management (SAM) and receive a CAGE code as described below. For details, visit the D&B website at http://www.dnb.com.

- See more at: http://www.onvia.com/business-resources/articles/naics-cage-and-other-government-codes#sthash.Nb6aWMDC.dpuf
-
- http://www.onvia.com/business-resources/articles/naics-cage-and-other-government-codes
-

This Is How Private Prison Companies Make Millions Even When Crime Rates Fall

By Andy Kroll
Thu Sep 19, 2013 12:43 EDT

We are living in boom times for the private prison industry. The Corrections Corporation of America (CCA), the nation's largest owner of private prisons, has seen its revenue climb by more than 500 percent in the last two decades. And CCA wants to get much, much bigger: Last year, the company made an offer to 48 governors to buy and operate their state-funded prisons. But what made CCA's pitch to those governors so audacious and shocking was that it included a so-called occupancy requirement, a clause demanding the state keep those newly privatized prisons at least 90 percent full at all times, regardless of whether crime was rising

or falling.

Occupancy requirements, as it turns out, are common practice within the private prison industry. A new report by In the Public Interest, an anti-privatization group, reviewed 62 contracts for private prisons operating around the country at the local and state level. In the Public Interest found that 41 of those contracts included occupancy requirements mandating that local or state government keep those facilities between 80 and 100 percent full. In other words, whether crime is rising or falling, the state must keep those beds full. (The report was funded by grants from the Open Society Institute and Public Welfare, according to a spokesman.)

All the big private prison companies—CCA, GEO Group, and the Management and Training Corporation—try to include occupancy requirements in their contracts, according to the report. States with the highest occupancy requirements include Arizona (three prison contracts with 100 percent occupancy guarantees), Oklahoma (three contracts with 98 percent occupancy guarantees), and Virginia (one contract with a 95 percent occupancy guarantee). At the same time, private prison companies have supported and helped write "three-strike" and "truth-in-sentencing" laws that drive up prison populations. Their livelihoods depend on towns, cities, and states sending more people to prison and keeping them there.

You might be wondering: What happens when crime drops and prison populations dwindle in states that agreed to keep their private prisons 80 percent or 90 percent full? Consider Colorado. The state's crime rate has sunk by a third in the past decade, and since 2009, five state-run prisons have shuttered because they weren't needed. Many more prison beds remain empty in other state facilities. Yet the state chose not to fill those beds because Democratic Gov. John Hickenlooper and CCA cut a deal to instead send 3,330 prisoners to CCA's three Colorado prisons. Colorado taxpayers foot the bill for leaving those state-run prisons underused. In March, Christie Donner, executive director of the Colorado Criminal Justice Reform Coalition, estimated that the state wasted at least $2 million in taxpayer money using CCA's prisons instead of its own.

That's just one example of how private prison companies keep the dollars rolling in, whether crime is rising or waning. Not surprisingly, In the Public Interest's report calls on local and state governments to refuse to include occupancy requirements and even ban such requirements with new legislation. "With governmental priorities pulling public funds in so many different directions, it makes no financial sense for taxpayers to fund empty prison beds," the report says.

Read the full report below:

http://www.motherjones.com/mojo/2013/09/private-prisons-occupancy-quota-cca-crime

EXHIBIT D

America's Top Prison Corporation: A Study in Predatory Capitalism and Cronyism

Thursday, 03 May 2012 09:27 By Dina Risor, Truthout | News Analysis

Last week I wrote about the private prison company The GEO Group and how allowing private businesses to operate prisons can affect our justice system, our laws and the fate of our prison population. This week, I will tackle the largest private prison company, the Corrections Corporation of America (CCA) and its unprecedented proposal to buy prisons from money-strapped states, as well as how CCA has gamed the system with trips through the revolving door, self-dealing and influence peddling.

Just to set the stage as to how large the prison population is in the United States: our prison population is the highest in the world; one out of 100 US residents are in prison. This number has grown dramatically since 1990, due to tighter crime laws and longer sentences, According to the American Civil Liberties Union, (ACLU) 2005, the number of people incarcerated in the United States grew by 700 percent. Today, the United States incarcerates approximately 2.3 million people."

The private prison population has also been exploding. From the ACLU:

> Even compared to this breathtaking rate of overall growth in incarceration, the rate of expansion of for-profit imprisonment far outpaced the field, accounting for a disproportionate increase in the number of people locked up. In 1980, private adult prisons did not exist on American soil, but by 1990 private prison companies had established a firm foothold, boasting 67 for-profit facilities and an average daily population of roughly 7,000 prisoners. During the next twenty years (from 1990 to 2009) the number of people incarcerated in private prisons increased by more than 1600%, growing from approximately 7,000 to approximately 129,000 inmates.

The largest private prison company, CCA, realized that this was going to be a lucrative market and decided to take their marketing and private takeover strategy one step further. In January of this year, they sent a letter to 48 states, many of them strapped for cash, and offered to buy the state prisons and enter a 20-year-plus contract with the states to house their prisoners. This was done under the persistent ruse that private prisons can be run cheaper than state prisons, even though most of the studies prove otherwise.

CCA has a $250 million fund ready to buy prisons from desperate or conservative states who are trying to find anything in the short term to ease their cash flow or privatize as much of the state's functions as possible before the next election.

The Huffington Post received in February a copy of the letter that CCA sent to these 48 states. CCA lays out the stark terms by which the states can get short-term money by selling their prisons:

> We want to build on that success and provide our existing or prospective government partners with access to the same opportunity as they manage challenging corrections budgets. Interested parties would execute the sale to CCA

> and enter into a long-term management contract of 20 years or more.
>
> Physical requirements for facilities that would be eligible for purchase by the fund would include:
>
> - A minimum rated occupancy of 1,000 beds;
> - A structure age of no more than 25 years;
> - A designation that the structure is suitable for immediate occupation or is already occupied by an inmate population; and
> - An assurance by the agency partner that the agency has sufficient inmate population to maintain a minimum 90 percent occupancy rate over the term of the contract.

So, the state that surrenders their prisons to this arrangement would have to guarantee a 90 percent rate, even if the crime rate drops or there are fewer prisoners because mandatory sentences or three-strike laws are changed, or even if there is a drop in crime due to the decriminalization of certain drugs.

CCA realizes that the prison population may shrink due to a falling crime rate and warns of that problem in their 2010 annual report:

> The demand for our facilities and services could be adversely affected by the relaxation of enforcement efforts, leniency in conviction or parole standards and sentencing practices or through the decriminalization of certain activities that are currently proscribed by our criminal laws. For instance, any changes with respect to drugs and controlled substances or illegal immigration could affect the number of persons arrested, convicted, and sentenced, thereby potentially reducing demand for correctional facilities to house them. Legislation has been proposed in numerous jurisdictions that could lower minimum sentences for some non-violent crimes and make more inmates eligible for early release based on good behavior. Also, sentencing alternatives under consideration could put some offenders on probation with electronic monitoring who would otherwise be incarcerated. Similarly, reductions in crime rates or resources dedicated to prevent and enforce crime could lead to reductions in arrests, convictions and sentences requiring incarceration at correctional facilities.

If this language sounds familiar, it is very similar to the language that The GEO Group put in their annual report, which I quoted in last week's article. Like GEO, CCA knows that it may lose market share if our society gets better and we stop imprisoning so many of our citizens.

But the enterprising CCA believes that it has found a way to panic states to sell their prisons in these desperate fiscal times and then lease them back to the states while maintaining a monopoly for 20 years. The old management contracts that private prison companies have with state-owned prisons can be re-competed, but with this ownership arrangement, CCA would be in the driver's seat, and the states would not have the choice to opt out of CCA prisons unless they built new prisons.

According to The Huffington Post, CCA had a company earnings call last year to explain how,

despite these dire fiscal times, the company could make money:

> "We continue to believe we are very well-positioned in a market that, despite the economic pressures faced by our customers, has provided healthy financial performance, "Corrections Corporation chief executive Damon Hininger said in the company earnings call last November. "Indeed, it is because of these pressures, which lead to severe capital constraints and the need to avoid increasing their pension liabilities, that we believe our value proposition to customers is getting stronger."

CCA based this new marketing strategy on the success it had with Ohio. Late last year, the state of Ohio agreed to sell their Lake Erie Correctional Facility to CCA for around $72 million and even promised to pay CCA for a 90 percent inmate rate even if the inmate population drops below 90 percent. Perhaps CCA's sales pitch had a more favorable audience in Ohio because the current head of Ohio's Department of Corrections, Gary C. Mohr, was formerly a managing director at CCA. Now Ohio will have to honor a contract of 20 years or more and be on the hook to pay CCA for a 90 percent inmate rate, even if crime goes down and they can't fill the prisons. CCA now has a monopoly on that prison.

Based on my knowledge of government contractors and the promises of saving money through privatization, Ohio will not come out on the good side of this deal. CCA has to make a profit, and they will find a way to do it. What will Ohio be able to do about it? Build a new public prison and cancel a contract with CCA that most likely will have a large cancellation fee? Unlikely. One can only hope that cooler heads will prevail in other states and they will not panic and get locked into a 20-year mess with this company.

CCA has also been a member of the American Legislative Exchange Council (ALEC), the free market nonprofit that has been making cookie-cutter laws to advance many conservative social and political goals. Although CCA left the council in 2010, according to the Arizona Republic: "for the past few decades, a CCA executive has been a member of the council's [task force that] produced more than 85 model bills and resolutions that required tougher criminal sentencing, expanded immigration enforcement and promoted prison privatization.... CCA's senior director of business development was the private sector chair of the task force in the mid to late 90's when it produced a series of model bills promoting tough-on-crime measures that would send more people to prison for a longer time."

If CCA is successful in buying prisons in other states, those ALEC-based bills should help ensure a 90 percent prison rate for years to come.

Many CCA officials have gone through the revolving door between CCA and state and federal government positions to ensure that the company has influence in all levels of government. Alex Friedmann of the Private Corrections Institute has kept a list of CCA officials who have kept the revolving door spinning occupying positions of influence within and outside of government.

Here is a list that Friedmann compiled for this column:

- CCA's general counsel, Gustavus A. Puryear IV, was nominated by President Bush for a lifetime appointment as a federal judge in the Middle District of Tennessee, where CCA is headquartered and where numerous lawsuits against the company are filed.

Friedmann coordinated a successful opposition campaign that stopped his nomination.

Some notable CCA officials who came from the public sector:

- Board chairman and former CEO John D. Ferguson is a former Tennessee Commissioner of Finance and Administration.
- Board member Donna M. Alvarado was a deputy assistant to the US Secretary of Defense, counsel for the US Senate Judiciary Committee's Subcommittee on Immigration and Refugee Policy, and staff member of the US House of Representatives Select Committee on Narcotics Abuse and Control.
- Board member Dennis DeConcini is a former US senator from Arizona.
- Board member Thurgood Marshall Jr. was cabinet secretary to President Clinton and director of legislative affairs and deputy counsel to Vice President Al Gore.
- Chief Development Officer Tony L. Grande is a former Tennessee commissioner of economic and community Development.
- Chief corrections officer Harley G. Lappin is a former director of the federal Bureau of Prisons (BOP) (he resigned from the BOP shortly after being arrested for driving under the influence).
- Vice President of Facility operations Unit 3 Steven Conry is a former New York Department of Corrections warden and assistant divisional chief.
- Vice President of Partnership Development Natasha Metcalf is a former commissioner for the Tennessee Department of Human Services.
- Senior Vice President J. Michael Quinlan is a former director of the BOP. (He was sued by a BOP employee who claimed Quinlan had sexually harassed him in a hotel room; the case settled confidentially).
- Vice President of Partnership relations Brad Regens, served as director of fiscal policy for the Arizona House of Representatives.
- Vice President of Health Services Herb Spiwak served as regional administrator for the California Department of Corrections.
- Vice President of Facility Operations Unit 1 Ron Thompson spent 31 years with the BOP, including as an assistant director.
- Vice President of Partnership Relations Bart VerHulst is a former chief of staff for former US senator Bill Frist from Tennessee.

The most disappointing name to see on this list is that of Thurgood Marshall Jr., son of the iconic Supreme Court Justice Thurgood Marshall. According to his biography on the CCA web site, Marshall has joined other groups that promote social justice. "He serves on the American Bar Association Election Law Committee and serves as a board member of the National Fish & Wildlife Foundation, the National Women's Law Center and the Supreme Court Historical Society, and serves on the Ethics Oversight Committee of the United States Olympic Committee." However, Marshall is also a partner in the DC law firm of Bingham McCutchen LLP, advising government contractors, "with communications, political and legal strategies" (read: lobbying and influence peddling).

Considering that his father's work on the Supreme Court concentrated on civil rights and the rights of criminals, it is ironic that Marshall is making good money on the board of directors of the largest private prison company in America. I contacted Marshall to hear his reasons for serving on the board of this company in light of its history of poor treatment of prisoners, but

he referred me to CCA's public relations manager, who informed me that Marshall was not available for an interview. For many examples of CCA's abuse of prisoners and of how it cuts corners to increase profits, see the ACLU's Banking on Bondage report and the Private Corrections Institute's web site.

CCA has also garnered success by throwing around plenty of lobbying money in the past few years to help its private-prison concept get a toehold around the country. According to the Arizona Republic:

> CCA has spent about $17.6 million lobbying Congress and federal agencies over the past decade, according to records compiled by the Center for Responsive Politics, a nonpartisan organization that tracks the effect of money on U.S. politics. The agencies include the Department of Homeland Security and its Immigration and Customs Enforcement division, which contract with private operators such as CCA for immigration-detention centers.

So, is anyone making a dent in CCA's blitz on privatizing as many prisons as possible, or in its notorious lack of care and abuse of its prisoners? Many groups such as the ACLU have been doing reports and urging reform, but Friedmann, who is with Prison Legal News as well as the Private Corrections Institute, is making a bold stand next week at CCA's board meeting in Nashville.

Friedmann, who served ten years in prison and was released in 1999, spent six of those years in a CCA-run prison, so he has firsthand knowledge (albeit with a bias) of CCA's mode of operations. Since his release, he has amassed an impressive amount of information on all private prison companies, but has decided to make a stand on CCA. When I interviewed him for this column, he told me his bold plan to try to make CCA accountable to their stockholders. In his words:

> In 2010, I purchased additional shares that gave me a $2,000 stake in the company and held the shares for one year, which qualified me to introduce a shareholder resolution. I did so for the first time in November 2011. My resolution would require CCA to issue biannual reports concerning its efforts to reduce prisoner rape and sexual abuse at its facilities, as well as data for all such incidents during each reporting period.
>
> The resolution is currently pending and will be considered at CCA's annual meeting on May 10 in Nashville, Tennessee, where I reside. CCA filed an objection with the SEC to have the resolution excluded; I retained pro bono counsel to respond, and the SEC ruled in my favor earlier this year.
>
> CCA then included a lengthy objection in their proxy statement urging shareholders to vote against my resolution. I drafted a formal solicitation statement in support of the resolution, filed it with the SEC, and, using SEC rules, required CCA to distribute my statement to around 4,600 shareholders (at my expense).
>
> Meanwhile, I began contacting organizations involved in socially responsible investing, as well as proxy advisory services (Glass Lewis, ISS Governance,

> etcetera) and institutional CCA shareholders that own over 200,000 shares - such as Wells Fargo, General Electric, Vanguard, Lazard, etcetera. The reception from corporations that own CCA stock has mostly been chilly.
>
> Recently, ISS and another advisory firm, ProxyTell, issued recommendations to vote for my resolution, while Glass-Lewis recommended against. CCA has taken the unusual step of issuing a supplemental proxy statement, again urging shareholders to vote against the resolution.

The entire CCA board of directors, including Marshall, have advised the stockholders to vote against Friedmann's resolution before the annual meeting on May 10.

The Guardian, a British-based newspaper, picked up on Friedmann's battle to force this resolution at the annual meeting and outlined CCA's history of problems of sexual abuse in their prisons.

Friedmann is trying to make a dent in CCA's overwhelming influence and power. He is heading a petition at Change.org to urge CCA's stockholders and management to pass his resolution to help curb rape and sexual abuse at CCA prisons.

CCA and the other private prison companies have made a great effort to lobby and influence beleaguered state governments to increase the number of private prisons in this country. Next week, I will examine how these companies are working on and with the federal government on another potential growth area for the prison population - immigrants who are imprisoned while waiting for deportation. CCA, The GEO Group and other private prison companies are working that system to gain even more of a private-prison foothold in the lucrative sector of federal immigrant detention facilities. I will also explore possible suggestions for reining in the private prison industry from preying on our state and federal governments and our prisoners.

http://truth-out.org/news/item/8875-corrections-corporation-of-america-a-study-in-predatory-capitalism-and-cronyism

Some Pertinent Items from a contract between CCA (Corrections Corporation of America)

and State of Florida, Department of Management Services, Lake City Correctional Facility Operations and Management include but certainly are not limited to the following:

7. COMPENSATIONS AND ADJUSTMENTS

Management Payment.
This payment reflects operating costs and does not include debt service numbers.
Compensation will be based on two (2) per diem rates:

the first rate is based on **90% occupancy** and the second rate is based on the number of inmates exceeding the **90% occupancy**.

7.1.1.The Bureau will compensate CCA at the following per diem rates (inmate, per day) for Fiscal Year 2009/2010:

7.1.1.1. $65.05 times the **minimum occupancy of 90%**

7.1.1.2. $22.82 for each inmate over the **minimum occupancy rate of 90%**;

7.1.1.3 Minus monthly deductions for:

7.1.1.3.1. The Major Maintenance and Repair Reserve Fund set forth in Article 4.9, in the monthly amount of $6,970.04

7.1.5.Regardless of the number of inmates incarcerated at the Facility, CCA is guaranteed an amount equal to **90% occupancy (804 inmates)** times the **90% per diem rate** subject to legislative appropriations. CCA guarantee may be subject to the following: liquidated damages as set forth in Article 10.11; deductions due to position vacancies as set forth in Article 5.40; deductions due to program vacancies as set forth in Article 5.34; deductions for reimbursement of contract monitor as set forth above; deductions for the maintenance reserve as set forth in Article 4.9; ad valorem taxes and/or PILOT payments required to be paid by CCA by judicial determination or legislative mandate, as set forth in Article 12.7; and any other deduction or charge permitted in this Contract.

8.9.
Performance Bond.
CCA shall not be required to provide a performance bond.

12.7.1.
The parties hereto acknowledge that the housing of state prisoners is a governmental function, albeit a function that can be contracted for with a private business. In addition, the parties hereto acknowledge that the use of a Lease Purchase Agreement utilizing tax-exempt financing for the construction of the Facility does not alter the nature of the use of the Facility. To that end, in the event that a local jurisdiction attempts to assess ad valorem taxes on the Facility, CCA agrees to provide any necessary assistance, support, and expenditure of legal resources (including a pro rata share of all attorneys' fees and costs) in order to fully participate in and support any efforts by the State to defend the sovereign immunity from such taxation enjoyed by the Facility as State property, pursuant to Barnett v. Department of Management Services, 931 So. 2d 121 (Fla. 1st DCA 2006). DMS will pay 50% of all such attorneys' fees and costs. CCA agrees to pay a pro rata share of the remaining 50% of attorneys' fees and costs, based on the proportion of the private prison facilities CCA operates under contract with DMS to all private prison facilities under contract with DMS.

Exhibit 1 to the Lake City Correctional Facility
Operations and Management Services Contract
DMS 08/09-076
Page 1 of 10

Exhibit 1
Program Plan

Education Programs in compliance with the ACA Standards shall be as follows (based on current capacity of 893):

a. "Participating" shall mean "the inmate is actively attending specified program" (Average Daily Attendance)

b. Behavioral Program: minimum of 199 (22 %) part-time participating per day

c. Academic Program: minimum of 268 (30%) part-time participating per day

d. Vocational Program: minimum of 49 (5%) full-time participating per day

e. Substance Abuse Program: 89 (10%) full-time participating per day
(Note: The facility must report part-time assignments, but if the program requires full-time assignment, the facility must convert full-time to part-time.)

At all times during the course of the contract, Contractor agrees to maintain inmate participation in behavioral, academic, vocational, and substance abuse programs at the Facility at the participation percentage level identified above.

http://www.dms.myflorida.com/content/download/83173/475828/REDACTED_-_Lake_City_2009_O&M_Contract.pdf