

Ex-con [Mark Morze]: Cunningham faces rough road in prison

By: WILLIAM FINN BENNETT - Staff Writer

They are jokingly referred to by names like "Camp Cupcake," "Club Fed" and "Camp Cream Puff." But according to white-collar felon and ex-convict Mark Morze ---- who served 3½ years in a federal minimum-security prison at Lompoc ---- these institutions are anything but a day at the beach.

As Randy "Duke" Cunningham puts his affairs in order for his scheduled Feb. 27 sentencing hearing and what could be a 10-year prison stint ---- possibly at the same Central California minimum security camp where Morze served his time ---- the disgraced former congressman had best get ready for the rocky road that lies ahead, Morze said on a recent afternoon.

Before his fall from grace, Cunningham lived a life of luxury in an 8,000-square-foot Rancho Santa Fe mansion and enjoyed private jet travel, the finest restaurants and five-star hotels, while earning a \$162,100 a year salary --- plus perks. He was recently convicted of bribery charges for taking additional money, a Rolls-Royce, antiques and other illicit gifts from contractors who wanted congressional favors.

Now, he faces the distinct possibility of a very different lifestyle: sleeping in a barracks with other inmates, tasting prison food and earning pennies an hour for what could well be a job painting walls, mopping floors or cleaning bathrooms.

Myth versus reality

The public information officer for Lompoc's minimum-security camp ---- which lies between Santa Barbara and San Luis Obispo and houses mostly drug offenders and white-collar criminals ---- agreed with Morze that the "Club Fed" image is a myth. True, the minimum security camps may have no fences or armed guard towers, and inmates may have access to libraries, newspapers and magazines, organized sports and television. But offenders are still incarcerated, the official said, and every phase of each inmate's life is controlled.

"They are told where to be 24 hours a day, they have to work and live in a barracks-style (building) with little

privacy," prison spokesman Erwin Meinberg said in a Wednesday phone interview. "It's still a prison, not a free ride, not a vacation."

Inmates work at a variety of jobs, many involving manual labor, 7 1/2 hours a day, five days a week, Meinberg said. For their toil, prisoners are paid 12 cents to 45 cents an hour, he added.

One of the federal prosecutors in the Cunningham case said last week that it is not yet known how much time Cunningham will receive nor what type of prison may be his destination.

However, corrections expert Alvin W. Cohn said he believes Cunningham would likely serve any prison time at a minimum security facility.

"In all probability, the federal prison system would classify him for minimum security, since he is not violent," said Cohn, a Maryland-based consultant on corrections issues and a retired professor of criminal justice.

A spokesman for the federal Bureau of Prisons said last week that prison officials try to place convicts in a facility within 500 miles of where their families live. The closest minimum-security camp to San Diego is the one at Lompoc.

Snitch factor

Regardless of where Cunningham serves his time, the biggest problem he could face may come from his plea



**Ex-con fraud expert
Mark Morze**

agreement to fully cooperate with federal prosecutors ---- an agreement that could mean he'll be perceived as a snitch, said former inmate Morze.

On Nov. 28, 2005, Cunningham pleaded guilty to tax evasion and having received more than \$2.4 million in bribes from co-conspirators in exchange for steering tens of millions in government contracts to two defense contractors. As part of the terms of his plea agreement, the decorated Vietnam war ace agreed to fully cooperate with prosecutors.

"Defendant has expressed a desire to provide substantial assistance to the Government in the investigation and prosecution of others; Defendant agrees ... to tell everything the defendant knows about every person involved," court documents read.

Earlier this month, Time magazine's online edition reported that Cunningham began cooperating with prosecutors before his guilty pleas. The story said that Cunningham wore a wire in a conversation with at least one defense contractor.

Cunningham's Washington attorney K. Lee Blalack later issued a written statement saying that Cunningham had not worn a wire while meeting with any government officials. But he declined to comment on the record whether Cunningham had worn a wire during meetings with people outside of government, such as the four unnamed co-conspirators identified in his plea agreement. Federal officials refused to comment on the article, which was later picked up by several other publications.

Morze said those reports and the court records showing that Cunningham agreed to help the government build a case against others means that he will be tagged as a snitch when he enters the federal penal system. And that stands to make his prison life less pleasant, Morze added.

"I feel badly for Cunningham because he is in for a real rough time with fellow inmates," Morze said. "I don't mean physically harmed, but he will be shunned. You eat alone, play alone, do everything alone, because everybody hates you."

Morze was convicted in the late 1980s as one of the principal cohorts of Barry Minkow, the owner of Z-Best Carpets. In one of the biggest white-collar cases of that decade, the company vastly inflated its earnings to attract investors and then proceeded to bilk them out of hundreds of millions of dollars.

True story may be irrelevant

Morze added that for the typical inmate, it will make little difference that Cunningham's attorney denied the 64-year-

old man had worn a wire.

"You can't put the toothpaste back in the tube; maybe the story is wrong, but it doesn't matter," Morze said. "The average inmate just knows that you are a rat and that is all there is to it."

Corrections consultant Cohn agreed with Morze that those who are perceived as so-called stool pigeons can have a tough time in prison.

"Nobody likes a snitch," Cohn said.

To a large extent, however, Cunningham's experience in the penal system will depend on his attitude, Cohn noted.

"Somebody who is abrasive or arrogant is likely to get some form of come-uppance," Cohn said.

Judging by some of Cunningham's actions over the 15 years he spent in Congress ---- making a crude comment about an openly gay congressman, challenging another member to a fist fight, saying that Democratic congressional leaders should be "lined up and shot" ---- showing his kinder, gentler side may prove a challenge.

Prison life can be especially traumatic for white-collar criminals, even in minimum security environments, Cohn said.

"They have to come to grips with the fact that they are no longer in power, that someone else is in charge," he said. "Some people have an exceedingly difficult time adjusting." But, he said, "It depends on the personality of the person."

Ex-con's advice to Cunningham

Morze suggested that if Cunningham wants to avoid doing hard time, the first thing he should do is accept his fate, fully admit to himself his guilt and start making the best of prison life.

He said that for most white-collar inmates, the days are like weeks, as they refuse to accept their destiny and fool themselves into thinking they will win an appeal or be able to control events outside of prison.

"There are two kinds of time: easy time and hard time," Morze said. "Eventually you have to realize that while you are in here, you are dead, and that is so hard for men who have had power."

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