

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**v.**

**CYNTHIA BALLENGER, and  
CHRISTOPHER PRICE,**

**Defendants.**

**Case No. 1:21-cr-00719 (JEB)**

**DEFENDANTS' NOTICE OF SUPPLEMENTAL INFORMATION  
REGARDING CORRECTIONS FACILITY DESIGNATION AND REQUEST  
FOR RECOMMENDATION OF MINIMUM SECURITY**

Comes now Defendant Cynthia Ballenger (Cynthia Price) and Defendant Christopher Price, by and through undersigned counsel, to provide supplemental information identifying certain concerns with the current designation of Cynthia Ballenger (Price) to report to the medium security facility FCI Hazelton. It is the defenses understanding that Cynthia would likely spend time on the Secure Female Facility (SFF) at FCI Hazelton. The Defense has not been able to get a clear understanding of the security designation at the SFF but has reviewed the attached report. The Defense has not yet been able to get the custody and security classification for Cynthia Ballenger, with repeated attempts to connect to the Bureau of Prisons (BOP). The Defense understands that the designation process is with the BOP.

At the very least, from the 2020 report of the District of Columbia Corrections Information Council, the SFF is a facility that typically houses prisoners with substantial prison sentences. In the report, the average sentence is listed as 106 months. For the District of Columbia population, the average was 217 months. Those are average and the population must contain people convicted with serious felony crimes. Cynthia Ballenger (Price) was sentenced to 4 months for misdemeanors. Her physical conduct comprising the *actus reus* of the offenses was walking and standing in line. She has been under court supervision without violation for what amounts to over two years now.

The report indicates the SFF was at more than 130% of capacity, overcrowded and understaffed. *Id.* At 6. The report states concern with “mass punishment”—the practice of holding all residents responsible for the behaviors of a few. *Id.* at 11. During a 12-month period the report indicates 23 incidents of fighting, 28 incidences of refusing to obey and order, and 35 incidents of possession of drugs or alcohol. *Id.* at 11. Fifty-five percent of the women who completed a survey reported abuse and harassment by staff. *Id.* At 20.

Also attached is a recent letter from four Senators concerning allegations of abuse at the Federal Correctional Complex (FCC) Hazelton. The Defense realizes these allegations may or may not apply to the SFF which is on the complex, but the letter does not raise confidence.

The Prices continue to believe home confinement or other alternative matches the circumstance given the need of Christopher Price for a caregiver and

nature of the conduct. Regardless, there are clearly facilities more appropriate for Cynthia Ballenger (Price). The minimum security, federal prison camp at Alderson in Greenbrier, West Virginia is a salient example of a facility that would better match Cynthia. The low security Federal Correctional Institute in Aliceville, Alabama or Danbury, Connecticut, each with an adjacent minimum security, satellite camps, are both additional examples.

Cynthia Ballenger may seek a re-designation or a transfer through BOP. A court recommendation for a minimum-security institution or some alternative confinement, would be helpful. The Prices request such a recommendation. In addition, Defense counsel is trying to get information regarding the designation itself, potentially to contest the designation and custody and security classification. The Defense asks the court to consider the Defense's effort to ascertain the Cynthia Ballenger's actual designation from BOP along with other issues, including potential reporting dates at the hearing of December 1, 2023.

Dated: November 28, 2023

Respectfully submitted,

/s/ Nandan Kenkeremath

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