

Honorable Commissioners,

My name is Dakota Garmany. Thank you for inviting me to share my story.

I had a rough childhood. And though it doesn't define me, it's important to know what I had to overcome to be the person I am today. My brother sexually assaulted me. It started when I was nine. When I told my mother, rather than listen to me, she sent me to treatment facilities, repeatedly. When I was eleven years old, I refused to go home from a treatment facility and told a therapist what was happening to me. When I did that, my mother relinquished her parental rights, and I never heard from her again.



*My little sister and me in Florida.*

I was raised by my mother's ex-husband. He was not the father figure he should have been, but he is the only dad I've ever known. He came and picked me up from Florida and took me to Chattanooga, Tennessee. Even though the change in my environment was good for me, I was still struggling with what had happened to me, so when I moved to Tennessee I really started acting out. Children's Services (DCS) opened a dependent neglect case in Chattanooga, and I was sent to a DCS facility. I did not want to be there, so I ran away, and I kept running.

When I was 14 years old, I ran away with one of my friends. She had been dating a guy who was much older than us, in his mid-20s. Her boyfriend picked us up and drove us from the group home in Knoxville, to his friend's house in Greeneville, Tennessee, six hours away. His friend was in his early-30s. It was at that house, where I was first introduced to meth. Everyone was using and I was so young. Even though I didn't want to at first, I tried it. It made me feel so sick, I hated it. But I was at that house for over a week, so I tried it again, and again, and became addicted.

Things got worse and I kept running away. I just wanted to get back to the meth and get away from the chaos. I started getting in trouble. All kinds of trouble. I was arrested for theft, possession, vandalism, burglary, disorderly conduct, and evading arrest. I was only 15 years old, but my family had given up on me. I was a kid, but I was alone. DCS tried. They did. But they didn't know how to reach me and eventually said they'd exhausted all their resources.

I spent my teenage years in and out of juvenile detention. The process was the same each time. I'd be handcuffed and taken to the detention center. I'd have one quick visit with an attorney, then I wouldn't see them again until my court date or minutes before my court date. I was seen by the same magistrate judge, Judge

McDougal. And each time, he would immediately set my court date as far off as possible. I figured he was just tired of seeing my face. Each time I was taken to the detention center, I'd be held in detention for about three months, then placed on probation. I was never told my rights and I never had a say. I ended up in and out of the state's custody as a juvenile justice case. Like the detention centers, when I was in juvenile justice, I was locked up in a cell for most of the day, only able to come out for an hour of recreational time and for classes. The difference between the two (DCS detention centers and the state juvenile justice centers) was that at least with detention, I knew when my next court date would be. When I was in state custody as a juvenile justice case, I never knew what was going to happen. The attorneys preferred to speak to parents, but I don't know if they ever spoke to mine. And I was held for longer periods of time without a court date.

Having a juvenile justice case was awful. Being in juvenile detention was awful. In detention I was in my cold cell for most of the day, every day, with just my Bible to keep me company. My teachers were educational videos and documentaries. It was clear to me very early on that no one understood me, or even cared to understand me. I started picking up a lot of violations of community placements and unruly runaways because I ran away from as many placements as I could.

The last time I was taken to Judge McDougal, he said at that point he had seen me so many times in his court room he could no longer fairly hear my case without bias, and he referred my case to the judge that handled transfer hearings (to adult court). My attorney argued to keep in state custody as a juvenile justice case rather than transferring my case to adult court. He argued that he didn't want my charges to follow me into adulthood despite my misdoings as a teenager, and the judge agreed.

It wasn't until I was assigned my last DCS placement, that I felt like someone cared about me and noticed that I had potential. I had wanted to live a better life for a long time, so when I got to my last placement, and the director of the program genuinely cared and helped me, I excelled. I obtained my GED and enrolled in college at the group home, but I relapsed two weeks before aging out of custody and again ran from my placement. By the time I was eighteen, I was miserable. I did so much on drugs that I hated myself for. I wanted to change, but I needed support. I was removed from my home, school, and the community so many times, that it felt normal to be in trouble.

Five days after my eighteenth birthday, I was arrested and charged with conspiracy to distribute, and possession with intent to distribute meth. I was always



*My booking photo, while my federal case was pending.*

told that Juvenile records are sealed when you turn eighteen. Every attorney that represented me as a juvenile stressed to me that once I turned eighteen my juvenile charges would no longer weigh me down. Within a year of turning eighteen, I found out exactly how wrong they were.

For the year leading up to my sentencing, I thought the safety valve might be the start of a second chance for me, because I had been told by my attorney, I would probably be eligible for the safety valve. But, when I got my PSR in my federal conspiracy case, I was shocked to learn that not only had my juvenile record been used against me, but it had also increased my guideline range astronomically. I was a criminal history category VI. My guideline range was 130 to 162 months. I did not understand how that was possible when it was my first case as an *adult*. At eighteen years old, I felt like my whole life was over.

At my sentencing hearing my federal defense attorney argued for 60 – 72 months. He pointed out that many of my offenses were juvenile status offenses, including violations of community placement. He talked about my age, and he talked about “a quirk in the guidelines” that allowed my juvenile adjudications to count towards my criminal history. Even though the prosecutor asked for a guideline sentence, the judge, pointing to my age, sentenced me to 60 months.

At sentencing, my dad and my grandparents showed up to support me. I apologized to them for the pain I had caused, and promised the judge and myself that I would use my time in custody to better myself. I have since made good on that promise. I am a full-time college student and I also work full-time. I had never been taught how to pay a bill, rent a house, open a bank account, or enroll in school, so I taught myself.



*My College ID.*

I have made leaps and bounds in my life since my release from the BOP. I have a much better relationship with my family. I have an amazing support group and I have fought so hard to make a life for myself despite everything I have been through. All I ever wanted was to escape from all the chaos in my life, but I was a child, and I could not escape my childhood. After 4 long years serving a sentence, I started serving as a teenager, I am finally able to realize my potential. I may not have both of my parents, but I have myself, my good health, and my sobriety. For the first time, I can give myself the stability, love, and normality I always craved so much.



*My family and me at my grandmother's funeral in North Carolina, October 2023.*

I am so different now than I was even six years ago. In six years, I am sure I will be very different from who I am today. Children are impressionable, so with support and guidance, they can change. Juvenile court is not the same as adult court, at least they weren't at all the same for me. The rules, rights, and protections that apply in adult court simply were not available to me as a juvenile. Allowing childhood mistakes to increase a person's sentence as an *adult*, defeats the purpose of juvenile court, to rehabilitate. I share my story with you in hopes that you will change the way the guidelines treat youthful offenses, because children and the mistakes we make as children should be treated differently.



*Me in 2024: sober, stable, and happy.*