

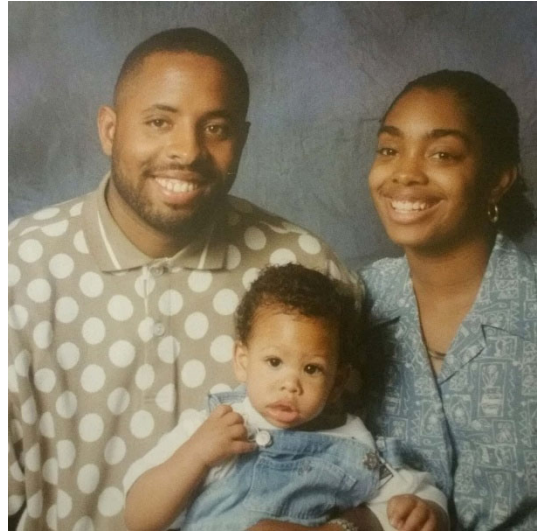
July 19, 2023

Written Statement of Bernard Gibson, Jr.

Honorable Commissioners,

My name is Bernard Gibson, Jr. Thank you, on behalf of myself and my family, for inviting me to share my story.

At the age of 27, my life changed forever when I was arrested. Before I was arrested, I was working for the United States Postal Service, a job I kept working on pretrial release to support my family. After two trials, a jury convicted me, and I was sentenced to 27 years in prison for one count of conspiracy to commit a non-violent drug offense. When it was finally time for my sentencing, it felt like a really heavy weight had been lifted off my shoulders because the stress of two trials had truly taken a toll on me. I really thought I was prepared for whatever the verdict was. I didn't understand how I received 27 years, but when I looked back in the courtroom at my and saw them weeping, that's when I realized how much hurt and pain my sentence and incarceration would inflict on my family and myself. I knew from the first day I went to jail that I didn't ever want to come back. I didn't need 27 years in prison to learn that. But 27 years is what I got.



My wife, son, and me, before I was arrested

In prison there were a lot of sleepless nights, and a lot of grown men crying. Imagine spending one night away from your kids and then realizing you have over twenty more years to go. Being sentenced to 27 years away from my family for a nonviolent first offense did not feel like justice. Throughout my incarceration I held onto the hope that my sentence would be reduced. Supported by my family, friends, and my faith, I believed that justice would be done in my case.

In prison, I could have been bitter, and at first I was a little, but in the end I knew I had to make some serious changes, because I learned that if you keep doing the same thing you'll keep getting the same result. I took every class I could that interested me. I still have a stack of letters from my instructors in BOP praising my leadership, work ethic, and how I would be a good employee if an employer was to hire me. I obtained my CDL at FCI Petersburg Camp, which helped me gain employment right away when I got out. But I especially enjoyed carpentry and woodworking class. We built custom kitchen cabinets and countertops for a nonprofit, flag boxes for federal retirees, custom woodwork for Fort Lee Army Base, and any other woodworking projects needed by the federal prison. I loved creating something from raw wood knowing that it was going to families that really needed it. I liked woodworking so much that a few months later, I was asked to help teach the class. I found out that I really enjoyed imparting my knowledge and guiding the students. Sometimes they wouldn't listen and would make mistakes, and then have to backtrack in order to fix it, but that was an important part of the learning process for them.

I also participated in the "Back to Reality" program at FCI Petersburg Low and FCI Petersburg Camp, run by clinical psychologist Dr. Kendra Pugh. We went on visits to lecture to at-risk youth, newly recruited soldiers and college students. It really touched my heart. Kids can see when you are speaking from a genuine place,

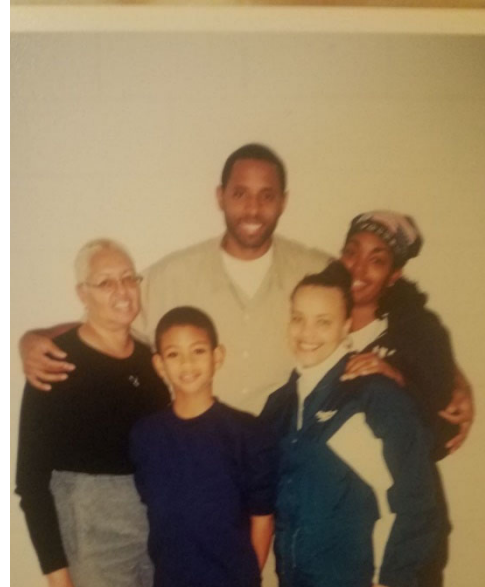


My Grandmother Mildred (bottom right), my great aunts, my uncle, and me, reunited after my release

and sometimes the kids would come talk to us and cry. It was really rewarding. I learned patience and understanding of other people's experience. I have always been a people person. While in prison I crossed paths with all types of people. Most of them are good men who were willing to wait in line for the opportunity to work hard for 25 cents an hour. Some had family missing them back home, others had never had family support. My family always supported me. My mother was a

young mom – 15 years old when she had me. So, when they say it takes a village, my family was the village who raised me.

My family stood by me and got me through. My mother Adrienne Willis and her sisters, my grandmother Mrs. Mildred Gibson, her sisters, her brother and many other family and friends came to visit me during the whole 18 1/2 years I was incarcerated. They traveled 3 hours, even though my great aunt used a cane. Even many of my high school classmates supported me financially and came to see me on a regular basis throughout my entire incarceration. My son's mom, who is now my wife, brought the kids to visit me, and always remained my friend. It was because of the love and support from my family that I never lost hope.



My wife, son, mother-in-law, and family friend visiting me in prison

I held on to that hope while my retroactivity motion was pending. The day I learned my motion was granted and I would be released, I went upstairs and finally



My Uncle Thomas and me, the day I was released

put my case paperwork away and started thinking about my family and my life back home. The day I got released was a beautiful day. My great uncle and a classmate from school came to pick me up in a limousine and it was a beautiful ride back home. I walked into the arms of another uncle, who also supported me throughout my incarceration, and we both wept. My uncle Mr. Thomas Willis had flown up from Florida to be there. My family had supported me through the good and the bad, and it meant the world to be reunited. It was a workday, so I had not wanted to bother anyone or ask them to take off work, but everyone dropped what they were doing to be there for me and to welcome me home. When I

got home there was a group of people all waiting for me to celebrate.

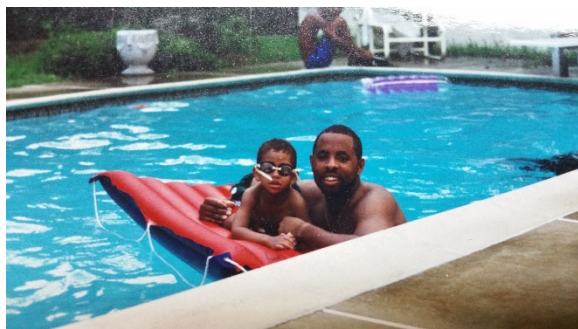
I'm a big family person. I have 17 aunts and uncles, not including my great aunts and uncles who all have children my age and older, and I have always been close with my family because I lived with many of them growing up. I'm the connector, the person who always gets people together for gatherings. That changed when I went in. I'd been gone so long that everything and everyone has changed. Several loved ones passed while I was in prison. The babies of the family are all adults now, and it is hard to impart decades of life lessons and family history to them as adults. It was hard to



My wife, younger son, mother-in-law, and me

come back and see some of the destruction from when I wasn't here. When I left, my younger brother was happy and healthy. While I was in custody, he really suffered. He went from being the sweetest kid to becoming an alcoholic coping with the trauma of losing his father and older brother to the system. He's in jail now, and I think about how his life could have been so different.

My son was just 4 years old when I was sentenced. Before that, we spent so much time together. Whenever I was off work, he would be with me. He loved going swimming and fishing with me. My family had horses and he loved riding with me. Everything I did, my son did with me, but he was too young to remember it as an adult. When I came home, I realized how much my incarceration had impacted his life. He is now 30 years old, and does not have any childhood memories of his



The photo I sent to my son of him and me

father. For him, that was normal, but it shouldn't have been. We're just now getting close, and I am doing everything I can to teach him what a good father is and should be, so that he can be the best father to my grandson. I recently found a picture of us together from before my incarceration that I sent him, and he called me in tears because he could see how close we had been even though he didn't have any childhood memories of me.

I was not the only person impacted by my lengthy prison term, my family served those 18 1/2 years with me too. Mass incarceration has impacted the Black community for decades. The men have been removed by incarceration, and the younger generation have no leadership. We know this is not working. Something has to change. Former Attorney General Eric Holder explained to the Commission in 2014 when it was considering the amendment that gave me 5 years of my life back, our country's "focused reliance on incarceration is not just financially unsustainable – it comes with human and moral costs that are impossible to



Grandmother Mildred (Left), Grandmother Loretta (Right)

calculate." I can't calculate what it meant for me to be present at my grandmother Mildred Gibson's funeral, or to get to hold my grandson as a baby, but I do know it was a real blessing for myself and the family that I was home for her home-going service. Especially since it was not just me who was incarcerated but my family lost me and my father at the same time. Our incarceration left a hole in my family and in my community that could not be filled, until our release. And to be honest, that hole will never be fully filled. As we can see from the destruction and violence that's

being committed by a younger generation, especially those who are missing fathers and mothers in the household due to lengthy incarceration, it really shows that something has to change, and change only starts with those who have the power to make change.

If I can impart one thing today, I want the Commission to know that people can change and learn from their mistakes, but first they need a second chance. Beyond that, people need good role models and direction. To incarcerate someone for 20 years without support or direction should make us ask: Are we hoping for rehabilitation or are we setting people up to turn back to crime? Society throws a lot of people away. But because of my family and friends, I was able to navigate through many challenges and stay hopeful. And if you don't have that you're lost.

Our community should be built around helping each other, but the system is really badly broken.

I knew so many people in prison who deserve a second chance. People who like me, would not throw that chance away. I am still friends with several people I knew in prison who did get a second chance like me, and they have made the best of it. Many of the guys are now married with good jobs and some with their own businesses doing well and are now productive citizens. We now have cookouts and try to get together with our families as much as we can, and we all know how blessed we are to have a second chance at life. And that chance helps more than just one person, it helps every family that is reunited in time for one more birthday, or to share one final moment. Retroactivity offers a second chance to right our wrongs, not only to those who are incarcerated, but also to those who care about fixing our broken system.

So much can happen in five years. I had already lost My grandmother Loretta J. Willis, and other family members who helped raise me and stood by me when I was in prison, so it was very important for me to be able to spend time with my grandmother Mrs. Mildred Gibson after I was released. She passed 7 1/2 months after I was released from prison. If it wasn't for drugs minus 2 retroactivity, she would have never seen me walk out of prison. I was able to spend time with her before she passed, and I was able to attend her funeral when she passed, because of retroactivity. My son is 30, and he has a 9 year-old son of his own, and I am very involved in his life. I am grateful my grandson was able to see and know me as a baby. If it had not been for those 5 years I got back, I may have missed those important moments. And two years ago I married my wife, my high school sweetheart. We're still saving up for the reception, we have so many family members that are going to attend!



My wife and me celebrating her birthday



My mom and me

I am proud of my life since I've been released. I found a job right after I got out driving dump trucks. I could have made even more money working out of state, but the most important thing to me was to see my family more, and to get them back together. Last year I stopped driving trucks after I developed a medical problem from sitting for long periods of time. But now I work at Lead4Life, an organization that

offers mentoring and reentry services for kids, 24 hours a day. A lot of the kids we work with now have a lot of trauma and that requires a lot of understanding. It is important for me to let them know that someone cares and there is love and safety for them here. I give them my phone number, and I tell them they can call me to talk. I understand a little about what it is like, when I was young I moved a lot, always living with different family members because my mom was a young single mother working and still in school part time. My father was incarcerated for most of my life. He was granted clemency from a life sentence and released in 2020. Now we are the best of friends.

As I got older and looked back at my life, at the time things were hard, but I realize that I have turned those bad experiences into a good thing. I try to be a resource. These youth need to have a different avenue, because if all you know is the streets, that's all you will ever know, unless you broaden your horizons and learn something new. I really enjoy teaching and watching someone start to prosper and do better. It is very important to me to give back to my family and my community. Like I tell my son, if you aren't trying to solve the problem, then you become part of the problem. I am very passionate about reentry and community support resources because I know they make a real difference. My long-term goal is to organize and provide reentry resources for the community of incarcerated people, so that I can continue to be part of the solution.

We know that the system is broken, the question now is how do we rectify it? Like I learned in prison, if you keep doing the same thing, you will keep getting the same result. A fire does not start on its own, it needs a spark. Let's fan this spark and start trying to do the right thing. I am glad the Commission has made this change to the Guidelines, and I hope it takes this opportunity to make things right and give more people a second chance.



My grandson and me, reunited