

February 3, 2025

## **Written Statement of Stephen Russell**

Honorable Commissioners,

My name is Stephen Russell. Thank you for inviting me to share my story and to explain how the career offender guideline impacted me.

In 2010, I pled guilty in federal court to selling .4 grams of crack to an undercover agent. Although my drug guideline at sentencing was 41–51 months, the judge said I was a career offender, so that guideline range didn't matter. Before my arrest in this case, I had turned my life around—I had gotten my own addictions under control, I was working as a drug counselor, and I lived with my wife and my children. Still, because I was a career offender, the court sentenced me to 188 months in prison. Over 15 years in federal prison for .4 grams of crack on Nov. 1, 2010, the day that the new crack law went into effect. Unfortunately, no one knew how the new law applied and I was not given any reduction even til this day.

I could not understand why this had happened. I knew I had made mistakes in my life. But this sentence seemed completely out of proportion to what I had done in this case and in the past. And the law did not take into consideration all that I had gone through in my life.

No doubt, my life has been a tough road. When I was a baby, my mother abandoned my twin sister and me at a grocery store. Our childhood was spent going from one horribly abusive foster home to the next. Things were not much better when we stayed with our own extended family, who beat us, verbally abused us, and refused to give us money for food and clothes. No one was there to protect my twin sister and me. I began to drink and use drugs, even crack cocaine, as a teenager. And to support my sister and me, I began to sell drugs. Despite my poverty and the desperate choices I made, I was still serious about school. I graduated high school and began college. I saw the military as a way out and enlisted in the United States Marine Corp when I was 19. Unfortunately, I had a terrible back injury while I was in training and ended up being honorably discharged. I came home and held several jobs. I got married and had three children. But I also got into trouble and was arrested for selling small amounts of drugs and for evading arrest.

Before I was arrested for these federal charges, I had decided to make a change in my life. I had gone to inpatient drug treatment to get clean. I worked as a purchasing manager for a supply company and as a health inspector. After my life-

changing experience in drug treatment, I decided to become a substance abuse counselor to help people just like me. I realized that my calling in life was to help other people. In a cruel twist of fate, I was working as a drug counselor when I was charged in federal court for selling drugs a year earlier even though I was no longer selling drugs.

When I was arrested for these charges, not only was my life ruined, but the lives of my wife and children were destroyed, too. My wife had been in school but had to drop out to work and support our children. We eventually divorced. I have three kids and when I left, two of them were still very young. While my oldest son was a teenager, my youngest son was only 3, and my daughter was only 5. I used to take my younger children fishing with me and sing with them on the way to preschool. My youngest son now has no memory of me from his childhood. My daughter has only faint memories. They are now 18 and 20. Adults. I lost their entire childhoods. And I know those childhoods were much more difficult without a father, without a second income, and without an extra parent to go to school conferences or drive them to lessons.

When I began my 15-year prison sentence, I was shipped across the country from Tennessee to Lompoc, California. My family did not have the money to visit me the entire time I was there. The facility was old and very run down. It had holes in the walls and rats bigger than the size of your hand. There were race riots and people simply looking to fight. We were often kept in our cells on lockdowns.

Even in this terrible place, where there was very little hope, I remembered my calling to help other people. I learned that the prison did not have a GED program, so I started one. I found peace in my horrible circumstances by teaching other people. My first year, there were 10 people in my GED class. The next year there were over 50. I also began to study the law and take college classes and encouraged the people around me to do the same. I ended up with degrees in Business, Psychology, and Criminal Justice and helped many others get their degrees as well.

After a few years, I was transferred to FCI Butner in North Carolina. I learned that the counselors at Lompoc had placed a recommendation in my file that I should continue being an educator. At Butner, people would stay in the GED classes for years. The teachers had given up on them. I walked into my first GED class and told my students: give me 90 days, and I'll help you pass your exam. And that's what I did. I supported my students unconditionally. I learned how to communicate with people from all walks of life. My class knew that no matter what

you had been convicted of, once you crossed the door into my class, we were all one. I asked not to have guards in my classes, so that my students could learn in a peaceful environment. It worked. For 10 years, my prison had the highest GED graduation rate in the BOP. And through my work teaching, I completed a 4000-hour teacher apprenticeship program through the North Carolina Chamber of Commerce and Community College System.



*Stephen Russell with his son, nephew, and daughter on the day he was released from prison*

I was released from prison in 2023. My oldest son, now in his 30s, drove to pick me up and my daughter and nephew were there to see me walk out of prison. I will never forget the time my son and I spent together, driving back to Tennessee, catching up over the past decade and a half. It was a joyous occasion but also full of sadness. In prison, I had reconnected with both of my parents—my mother who had abandoned me as a baby and my father who had abandoned me before I was even born. I forgave them and looked forward to spending time with them when I got out. They both died before I was released. I also lost my older sister while I was in prison.

Since my release, I have been working on building a relationship with my younger children who barely remember me from their childhoods. I started my own duct cleaning business for restaurants, and I also began working as a cook. I am

now in a stable relationship with a wonderful woman. I am also still committed to teaching and started my own non-profit, Youth Learning Law, to provide legal education resources for young people and their parents.



*Stephen Russell with his three children at his youngest son's graduation in 2024*

I know I made mistakes and broke the law. But I have always felt that 15 ½ years was too much time for someone who sold .4 grams of crack. I encourage the Commission to change the career offender guideline to prevent low-level people like me from receiving such harsh sentences. I have prior state drug offenses involving ½ a gram of crack that would not count anymore under the new amendment. My other prior convictions for evading arrest no longer count as crimes of violence after changes to the guidelines, and I think they also wouldn't be crimes of violence under the new amendment. Without the career offender guideline, my sentence today would have been 33–41 months instead of 15 ½ years.

I didn't need 15 years in prison to get my life on track. Very few people do. That sentence took a tremendous amount from me and from my family, and we are all still recovering from that loss. I hope, by sharing my story, the Commission will realize that the career offender guideline includes too many people and takes too much from them. Please change this law to let more people like me have a chance at life outside of prison.