

March 3, 2025

Written Statement of Eric Hicks

Honorable Commissioners,

My name is Eric Hicks. Thank you for inviting me to share my story.

I was released from federal prison on August 25, 2022, after serving 30 years of a life sentence. But for the First Step Act, I would have died behind those walls. Since my release, I've worked tirelessly to rebuild my life, improve my community, and demonstrate that my rehabilitation is real. I can never extend enough thanks and gratitude to my wife and family for their support throughout the years and how they aided my reintegration into society.

Since my release, I graduated from Georgetown University Law Center's Paralegal Program near the top of my class, finishing with an A average. Several of my professors urged me to take the next step of attending law school, which I have not completely ruled out as I hold the legal profession in a very high regard based on my belief that it is an essential tool in helping to transform our society and positively impact the lives of others.



Presently, I have served 2 and a half years of a 5-year term of supervised release. Consistent with 18 U.S.C. 3583(e)(1), which requires a defendant to serve at least a year on supervised release before requesting to be discharged by the Court, I filed a motion to terminate my supervised release in October 2023. My probation officer at the time supported my removal. The government opposed on the basis that terminating the supervision at that time would not reflect the gravity of the nature and circumstances of my underlying offense conduct, would not afford any deterrence from future criminal conduct and would not protect the public from further crimes, and further argued that continued, active supervision, and continued support from probation in the ongoing process of transitioning me back into the community remains appropriate under the circumstances. The Court ultimately agreed with the government and my request was denied.

I want to share my story and why I believe supervision is no longer necessary for me or those like me.

I grew up in the Bloomingdale area of D.C. in the 1970s and '80s. I was raised by grandmother (Marian Beatty) and my aunt (Sandra Beatty). My sister and I initially lived with our mother and father in an apartment complex near Sursum Corda in NW. In 1975, when I was 5 years old, my mother and father took my sister and me to my grandmother's house in the Bloomingdale neighborhood and dropped us off for my grandmother to babysit. They never returned. There was a brief investigation that produced nothing regarding their whereabouts or whether they were still alive. To this day, they remain missing. My grandmother was awarded custody of both me and my sister. These times were by no means easy as shortly after the disappearance of my parents, my grandmother lost her husband. And yet, she still functioned as the absolute "rock" of our family. She worked several jobs to support the family and pay for my sister and I to attend

private school. She and my aunt did an excellent job raising me. They prioritized education, decency, and hard work. None of the wretched decisions that I would make when I became a teen is a reflection of the wonderful women who raised me.

Speaking of my teen years, my neighborhood began to change in the mid-80's. Gone were many of the middle-class Black professionals who were pillars of the community and also instrumental in my own upbringing. In their absence, I began to witness the proliferation of open-air drug markets in the community and with these drug markets the violence ensued. This environment presented 15-year-old Eric with the most pivotal decision of his life: continuing the path that I was presently on, i.e., prioritizing education and hard work which meant remaining an honor roll student in a private all boys catholic school, or opting for a path of easy money and community destruction. Sadly, I chose the latter. I regret that decision to this day.

I was arrested at 22 and charged with several offenses relating to crack cocaine. I was convicted of five offenses, including RICO drug conspiracy, drug conspiracy, and three separate counts of distribution of crack cocaine that involved amounts of .109 grams, .433 grams, and 5.426 grams. The government also charged me with continuing criminal enterprise, but that resulted in a mistrial. I was also acquitted of possessing a firearm in furtherance of a drug trafficking crime.

At my sentencing in 1994, the guidelines were mandatory. Judge Greene determined by a preponderance of the evidence that the overall conspiracy involved 21 kilograms of crack. In fact, because the statutory drug quantity was not deemed an element during this time, the jury was instructed that it need not consider the statutory drug quantity alleged in the indictment. And, even though I was acquitted of possessing a firearm in furtherance of a drug trafficking crime, I still received an enhancement for possessing a firearm in furtherance of a conspiracy offense. My offense level ultimately exceeded 43 which at that time required the imposition of a life sentence. Thus, at the age of 24, I was sentenced to the equivalent of a de facto death sentence.

Nothing can prepare a person for life behind the walls of a federal penitentiary. These places are highly segregated, gang activity is rampant, violence is a constant, and every single day is rife with tension.

For a person serving a life sentence, you are automatically excluded from certain programs and other benefits. Therefore, in these circumstances one can either succumb to the prevailing sense of hopelessness that permeates the prison population, or you discover ways to improve yourself and the lives of others. I chose the latter. I paid my way through a 2-year college and earned my paralegal certificate with an A+ average; I took a job as a law clerk and began assisting the population in this capacity; I began holding informal tutoring sessions for GED students; and I co-founded Project D.A.D. (Donate-A-Dollar) where fellow prisoners pooled some of our wages (typically \$5-\$15 per person) and donated them to community organizations. It wasn't much, but it was something that provided the opportunity to show that we still cared about the world outside those prison walls.

During my time in prison, I had positive interactions with staff members. This was noted in my First Step Act motion where the staff noted my commitment to positive change. I had only a handful of minor disciplinary infractions and a long list of positive contributions. And despite having a life sentence, the BOP classified me as a minimum recidivism risk. I engaged in positive behavior not because I hoped for rewards from the BOP. I did it because I was rehabilitated.

In December 2018, for the first time in decades, I felt hope: the Fair Sentencing Act's reduction to the statutory quantities of crack cocaine was made retroactive by a provision of the First Step Act. Judge Howell appointed me counsel to file a motion for a reduction of sentence. My request for a reduction was partially granted and denied in August 2019. My life sentence remained intact, but my sentence of 480-months was reduced to time-served. We were all devastated! Adding to this devastation, nearly a week after the denial, I was summoned back to my unit by prison staff and informed that I had been awarded immediate release. According to staff, they were contacted by the BOP sentencing computation center in Grand Prairie and informed that my sentence had been reduced to time-served. I was beyond confused. Prison staff contacted my family and informed them that I would be released the following day. Like me, my family and my attorney (Joanna Munson Perales) were confused. While preparing my release itinerary, my case manager received a follow-up call from Grand Prairie informing him that a mistake had been made and that while one of my sentences had been reduced to time-served, I still was serving a life sentence on another count. So once again, we all had to relive that heartbreak.

Years later, the D.C. Circuit ruled in my favor and ordered the trial court to reconsider my arguments. On August 24, 2022, Judge Howell granted my motion and reduced my sentence to 33 years. The next day, I was a free man.

Reentry has been challenging at times. Mainly because of the loss of my grandmother and aunt while I was away. Other aspects are simply that the world has changed, communities have changed, and people have changed. Nevertheless, I've been blessed to have the support system that I have. I spent the first few months at J & J Solutions as a violence interrupter. I used this time to speak to the youth about the importance of education, accountability, respectability, and making principled decisions.

In April 2023, at the encouragement of my defense attorney, I enrolled in Georgetown University School of Law's Paralegal Program. The program was rigorous. For 6 months, I attended class 6 days a week, Monday through Saturday, typically 7 hours per day. On September 27, 2023, I graduated near the top of my class with an A average.

After graduating, I started my own LLC as a freelance paralegal. This profession has enabled me to make a stable living. My wife and I live in a condominium in Hyattsville, Maryland. Most of my days are spent working on various projects related to my LLC. Other times, I attend the gym, spend time with my sons, my wife, my grandkids, and other



family and friends. And then there are those times where I reflect on my grandmother, my aunt, and what would my parents think if they were here.

I do want to be clear that despite my desire to have my supervised release terminated, it should not be construed as my disapproval of the job done by either of my probation officers. They have both been outstanding as far as offering their support if needed and providing a listening ear. I commend them both. I also want to take this opportunity to express the tremendous respect that I have for Judge Howell. Yes, I have disagreed with her decisions in the past but that is not indicative of the respect I have for her as an esteemed jurist. In fact, one of the highlights of my time at Georgetown University Law School was my class's attendance at a criminal trial conducted by Judge Howell.

But what part of my life today suggests I need supervision?

Thirty years of my life was spent serving a de facto death sentence. Notwithstanding the despair associated with this sentence and the lack of any incentive to better myself, I had a nearly perfect record inside. Even with a life sentence, the BOP classified me as a minimum risk. Since being released, I have only engaged in positive conduct, including completing Georgetown Law School's Paralegal program, graduating with an A average, and starting my own paralegal business. Through my actions spanning decades now, I've proven that I'm not a threat to public safety.

Supervision is now just an unnecessary burden for me. If my wife and I want to travel outside of the district, I need permission, which creates uncertainty and uneasiness in planning. If I change jobs or residences, I have to tell my probation officer. My probation officer, as supportive as she is, still must conduct home visits and searches, which can feel invasive. I recognize that I have it easier than most because Judge Greene imposed less conditions on me, believing that it would be ludicrous to set conditions on me at least 30 years in advance of my release. But even so, it is unclear how this supervision is helping me. These resources could be better spent on people who actually need supervision.



At this stage of my life, I am inclined to believe that I have paid my debt to society for my past mistakes. I have dedicated myself to living a lawful, productive life. I have a stable living arrangement and employment. Continuing my supervision until August 25, 2027, serves no legitimate purpose. At 55 years of age and after spending roughly 33 of those years on some form of supervision, it is time for me to be truly free.