

Statement of Matthew Charles

Hearing on “Five Years of the *First Step Act*: Reimagining Rehabilitation and Protecting Public Safety”

Senate Judiciary Committee

January 17, 2024

Chairman Durbin, Ranking member Graham, and members of the committee, good morning. My name is Matthew Charles.

Since I was released under the First Step Act five years ago, I have spoken on several occasions about my journey and that legislation. I’ve even spoken to some of you before, in this very chamber. I am happy to be here today to mark the five-year anniversary of this landmark legislation.

I’ve been called “a man of few words but many smiles,” but today I’ve got both. I am honored and pleased to be with you now to celebrate and reflect on the First Step Act and the difference it’s made in my life and thousands of others.

But before I talk about who I am today, you need to hear about who I used to be. Because my story is a story of redemption. That’s an empty word unless change has happened – and I can assure you, I have changed.

I grew up in a dangerous public housing block in North Carolina. My days and nights were filled with fear. I was consumed with trying to get as far away as possible from my father’s relentless verbal abuse and frequent beatings. Due to that environment and my father’s influence, I soon found myself with these huge wells of anger and frustration – and not much else. I began to act out as a way of coping. I got as mean and tough as my father was, and I made some very bad choices.

Incidentally, I share all this not as an excuse, but to help you understand why I made the bad choices that resulted in my incarceration.

When I turned 18, in an effort to break free from my home life and straighten out, I joined the Army. I still had so much anger in me because of my past, though, and when my service was over, I turned to wayward living and selling drugs. This landed me in state prison for about five years.

Things got worse.

I was arrested in 1995 and convicted in 1996 for selling 216 grams of crack cocaine to an informant and illegally possessing a gun. Because of my prior criminal activity – and because I sold crack cocaine instead of powder cocaine – I was given a 35-year sentence.

I want to be clear. I believe that my incarceration was justified. I was far down the wrong path, and my incarceration allowed for me to slow down, look inward, and begin to heal and rehabilitate. However, I believe my 35-year prison sentence was excessive. If crack and powder were treated the same, my sentence would have been 20 years, not 35. But the 100-to-1 disparity was in place at that time.

I told you my story was about redemption. Well, here's where that begins. It was before my sentencing, in the county jail, and I met a guy named Jesus Duran. We got to talking, and when he was sentenced and transferring out, he left me all his things. I think he felt sorry for me. Among those things was a bible. I'd never read the Bible before in my life – had no interest – but for some reason, sitting there in that jail cell, I cracked it open. And as I read those words, turning the pages slowly, I felt something deep inside of myself change. All that anger and pain and bitterness that had controlled me -- I gave it up. Just let it go. I surrendered my life to the Lord Jesus Christ.

From that moment on, my attitude toward people changed, right down to the officers who brought me food trays at the jail. I thought about the hard journey ahead of me – *35 years* – not with agony and fear, but now with determination to be better and not waste my life any further.

I went to federal prison and continued to live out the new life that I had accepted. I worked as a GED tutor, a law library clerk, and as a mentor to younger people. I helped illiterate prisoners understand the letters they received from the courts and their families, and I drafted filings for them. Over the next 21 years, I didn't receive a single disciplinary infraction.

And every day when I woke up, I lived my life like someone who deserved a second chance, not like someone whose whole life would be defined by his worst actions.

All my years in prison, all of us inside together watched criminal justice reforms on the horizon. We cheered when they happened and were crushed when they went nowhere. Senators, we watched you, and we prayed that you would help.

When it seemed like the First Step Act might actually pass, we were all glued to the TV. We watched President Trump as he was about to sign it, holding our breath, and when he finally did, we cheered and shouted Hallelujah. And I was released.

Thanks to many of you, especially Senators Grassley and Durbin, I was spared from spending another decade behind bars. I left prison for good on January 3, 2019, just two weeks after President Trump signed the bill into law. I became the first person to benefit from the retroactive sentencing provision in the First Step Act.

I have had a lot of amazing life moments since my release. I was the guest of President Trump at the 2019 State of the Union. I have met Senators from across the country, including many on this committee. But the most rewarding experience and the most important work I have done has been advocating for those I left behind. There are a lot of people still behind bars, who like I was, are committed to making changes and finding a new path, who do not need to spend decades in prison to learn their lesson. I've been working hard for a system that is fair and just, and doesn't harm families and communities by keeping people incarcerated unnecessarily.

Today, as we reflect about the First Step Act, I am reminded of the powerful and broad bipartisan support the bill enjoyed when it was signed into law by President Trump. I am here today to encourage Congress to continue on that path of bipartisan criminal justice reform.

Some people may fear that criminal justice reform will make our communities less safe, but I am here to tell you that your work on the First Step Act has proven that this line of thinking is not right. I've told you my story, but I am not special. I am not unique. In my advocacy work, I have met many, many beneficiaries of the First Step Act who are out here in freedom, making their families stronger and their communities safer. They are living proof that reform works.

And five years of data bears this out. Because of the First Step Act, some of our country's most excessive and unfair sentencing practices – misguided sentencing laws meant to keep us safer, which in reality had the opposite effect – have been reformed. This means that dangerous overcrowding in prisons is decreasing. Rehabilitation rates are on the rise, and thousands of families like mine have been reunited and are stronger.

As to the fear that people released will go right back to a life of crime, of the nearly 30,000 people released under the First Step Act, only 12.4% have been re-arrested or returned to federal custody – much lower than the general federal recidivism rate of 43%.

Between 2022 and 2023, participation in rehabilitative programming and productive activities in prisons has jumped by more than a third under the First Step Act. The vast majority of people in federal prison will be released one day. Thanks to the First Step Act, they will be better prepared to return to their families and communities and be productive, law-abiding members of society.

Remember, I told you that mine was a story of redemption. I told you about that moment in the jail cell, before I even got to prison, when I felt redeemed. And I told you that my life in prison was one of positive productivity. But the main reason I am here today is to tell you that my redemption meant nothing then, compared to what it means now, now that the First Step Act

placed me out here in freedom. It's out here that I can really walk the walk and make my family stronger, my community safer – my country more just and fair.

Thank you for the First Step Act, and thank you for this opportunity.