

BELL NUNNALLY PARTNERS WITH BURIED ALIVE PROJECT, REDUCING NON-VIOLENT DRUG OFFENDER'S LIFE SENTENCE UNDER FIRST STEP ACT

February 20, 2020

Bell Nunnally associate Arianna G. Goodman and former associate Anthony Bégon (now Litigation and Compliance Counsel at McAfee, LLC), in partnership with Brittany Barnett of the Buried Alive Project, achieved a life-altering victory for pro bono client, Steve Jackson, on February 4, 2020 under Section 404 of the First Step Act.

In 2006, Jackson was convicted of possession with the intent to distribute cocaine in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A). As Jackson's third non-violent offense, the government sought a mandatory life enhancement. Sentencing Jackson in August 2007, the judge reluctantly imposed a mandatory life sentence.

Under the First Step Act, provisions of the 2010 Fair Sentencing Act ("FSA") allow courts to retroactively reduce unfair pre-FSA crack penalties if certain criteria are met. As Goodman and Bégon successfully argued, Jackson's case met all of the criteria, allowing his life sentence to be revisited and potentially reduced. At the time Goodman and Bégon joined his legal team, Jackson had been incarcerated for nearly 13 years.

Goodman, Bégon and Barnett petitioned the court for a reduction in Jackson's sentence to between 151 and 188 months, arguing, "If people like Mr. Jackson – who are the epitome of change and rehabilitation – are not worthy of a significantly reduced sentence, it is hard to envision someone who is." They further argued that Jackson's rehabilitative efforts during incarceration were unparalleled. In almost 14 years in prison, he has completed nearly every class available to him, including a year-long (400-hour) culinary arts program that allows him to teach culinary programs, and completed an 18-month, faith-based "Life Connection Program." In the words of even the federal government, "Mr. Jackson's positive history from his time in prison outweighs the negative history from the years he was plagued by addiction..."

On February 4, the United States District Court for the District of New Mexico reduced Jackson's life sentence to 200 months. With Jackson's impeccable prison record, he will receive "good time" credit from the Bureau of Prisons, which allows his release before completion of the full 200 months. To date, Jackson has served approximately 14 years in prison, resulting in his release in the summer of 2020.

"It has truly been an honor to work with Mr. Jackson, hear of his success during his incarceration and know that he will soon be putting his new skills to good use while being home with his family – for the first time in over a decade," Goodman remarked.

"Pro bono legal representation is critical in the movement to transform this nation's criminal justice system. We are honored to partner with Bell Nunnally in this important, lifesaving work." said Brittany K. Barnett, attorney and co-founder of the Buried Alive Project.

Bell Nunnally's involvement with the Buried Alive Project is a part of the firm's robust Pro Bono program, which works in conjunction with its community partners. The firm's Pro Bono Committee facilitates the initiative, encourages firm attorneys to provide legal services to those in need and assists with finding opportunities. Bell Nunnally is also partnered with the Dallas Volunteer Attorney Program (DVAP), the Human Rights Initiative of North Texas (HRI) and Texas Appleseed. In partnership with DVAP (a joint program of the Dallas Bar Association and Legal Aid of NorthWest Texas), the firm provides services for the organization's Dallas Veterans Clinic and acts as pro bono counsel on cases for indigent clients. Through its involvement with HRI, Bell Nunnally attorneys represent individuals in the affirmative asylum process and in deportation trials. And, working with Texas Appleseed, the firm helps further that group's mission of working to change unjust laws and policies that prevent Texans from realizing their full potential. In 2018, Bell Nunnally received the group's "Pro Bono Leadership Award" in recognition of firm efforts on behalf of residents of Port Isabel, Texas who sued the city over alleged housing discrimination in the aftermath of Hurricane Dolly in 2008.