



TRUMP'S CRIMINAL JUSTICE REFORMS BRING EARLY RELEASE FOR BOLTON

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Former Forrest County Chief Deputy Charles Bolton has been released eight months early under The First Step Act, the criminal justice reform legislation that President Trump signed into law in December 2018.

Bolton was released just before Thanksgiving to a federal halfway house here. Under the terms of his original sentence, which included a 12-month enhancement for food theft, he would have served until July 2020. HPNM has not yet learned how long Bolton will spend at the halfway house.

Trump was quoted by Vox.com earlier this year as saying that previous sentencing laws have harmed the African-American community "wrongly and disproportionately," and that the First Step Act offers redemption by allowing nonviolent offenders to reenter society as productive citizens. The act affects only the federal prison system, which involves about 181,000 of the 2.1 million people incarcerated in the nation's prisons and jails.

The Vox.com article outlines these major points of The First Step Act:

- It makes the Fair Sentencing Act of 2010 – which made the sentences for crack cocaine and powder cocaine more similar – retroactive, affecting some 2,600 federal inmates.
- It makes several changes to ease mandatory minimum sentences, for example by reducing the sentence for the “three strikes” rule to an automatic 25 years instead of life.
- It increases “good time credits” from 47 days to 54 days per year, which means well-behaved inmates can cut an additional week each year. This change is retroactive and qualifies some 4,000 prisoners for early release.
- It allows inmates “earned time credits” for taking vocational and rehabilitative programs.

These credits allow early release to halfway houses or home confinement. The hope is that education programs will reduce the likelihood of the inmate commit additional crimes once released.

Charles Bolton and his wife, Linda, were indicted in March 2016 on five counts of attempted tax evasion and five counts of filing false tax returns and went to trial in September 2016 in the courtroom of U.S. District Court Judge Keith Starrett. Charles Bolton was convicted on four counts of attempted tax evasion and five counts of filing false tax returns and Linda Bolton was convicted on five counts of filing false tax returns.

The tax fraud case arose out of a 2014 investigation into whether Bolton, chief deputy since 1992, and others were stealing food from the Forrest County Juvenile and Adult Detention Center. Charges were not filed against Bolton as a result of the investigation, which was conducted by the Federal Bureau of Investigation and the Mississippi State Auditor’s Office. However, statements about Charles Bolton’s participation in the thefts were included in the Pre-Sentencing Report (PSR) for the Boltons’ 2016 trial in federal

district court and were the basis for the court's decision that the food thefts were relevant conduct for purposes of sentencing and calculating loss and restitution amounts.

"Stolen food equals income," Judge Starrett said when he sentenced Charles Bolton. "...Mr. [Alan] Harelson [and Mr. [Jerry Wayne] Woodland stood right there before me, under oath, and admitted to ... how they had defrauded the Forrest County Jail for 12 years, beginning in 2002 and going all the way to 2014, and a lot of what they said involved the Boltons...

"But the story doesn't end there. The court had access to and read, as the lawyers had access to and read, copies of interviews of a number of other people who were not interested in the case.... We're not talking about one or two people. We're not talking about people with an axe to grind. Their testimony did not just implicate the Boltons.

"The Pre-Sentencing Report, which was not objected to as to the factual statements at all, is replete with statements from witnesses and participants and people that worked at the jail and people that didn't work at the jail about the food thefts that started in 2002 and continued until 2014....," Starrett said, speaking directly to Bolton. "I believe what they said. There was a culture of corruption in the Forrest County Jail, and you knew it and you allowed it to go on..., and not only knew about it but participated in it for 10 years.... That is so troubling to me. This cannot be ignored. There are good people in Forrest County that deserve honest government."

Bolton stated, "I did not do that." Judge Starrett informed him that it was not his turn to talk.

Charles Bolton was sentenced to 43 months in prison with three years of supervised release and a \$10,000 fine and Linda Bolton was sentenced to 30 months in prison with one year of supervised release and a \$6,000 fine. Both were given

responsibility for restitution of \$145,849.78.

The restitution amount covers unpaid taxes for almost \$28,500 in stolen food from the detention center and is based on a total loss amount of almost \$146,000, as determined by the U.S. District Court; it also includes taxes owed on income the Boltons received from local attorney John Lee but hid by reporting it as loans.

The Boltons appealed the decision to the Fifth Circuit Court of Appeals, which upheld the convictions and sentences in October 2018 but did rule that restitution payments of \$1,000 monthly would not begin until the Boltons began their supervised release.