

Testimony of Dr. Shaneva D. McReynolds

Before the
United States Sentencing Commission

Re: Proposed Amendment – Expansion of Sentencing Options (Zones B & C)

March 2, 2026

Good afternoon, Chair and Commissioners.

My name is Dr. Shaneva D. McReynolds. I serve as President of FAMM and as a member of the Sentence Impact Advisory Group. I appreciate the Commission's decision to elevate the determination of sentence type as a policy priority this amendment cycle.

The structure of Chapter Five recognizes that sentencing is not only about calculating a guideline range, but about selecting the appropriate form of punishment within that range. That threshold determination — incarceration versus structured alternatives — is among the most consequential decisions a sentencing court makes.

SIAG supports expanding judicial authority within Zones B and C to ensure courts have meaningful options to impose punishment that protects public safety while preserving proportionality.

Incarceration should not be reflexive where alternative sanctions can achieve accountability and protect public safety.

More than 95 percent of individuals sentenced in the federal system will return home. Structured probation, split sentences, and supervised alternatives are not acts of leniency — they are public safety tools. When applied thoughtfully, they promote stability, reduce recidivism, and preserve community ties while still imposing meaningful punishment.

I want to explain why this matters — not abstractly, but personally.

In October 2024, on her 21st birthday, my daughter was arrested at an airport while attempting to board an international flight. She had been manipulated by an older abusive partner into transporting a suitcase she was told contained untaxed tobacco. It contained 17 kilograms of marijuana.

She was charged under 21 U.S.C. § 953 — exportation of a controlled substance. Pursuant to 21 U.S.C. § 960, the penalty provision incorporated the sentencing framework set forth in § 841(b)(1)(D), establishing a statutory maximum term of five years' imprisonment.

Drug offenses — including marijuana, crack cocaine, and methamphetamine — have historically constituted a substantial portion of the federal prison population. In cases where statutory penalty structures expose defendants to significant terms of imprisonment, the availability of structured

sentencing alternatives becomes especially important to maintaining proportionality while still protecting public safety.

In plain terms, my 21-year-old daughter was facing federal prison.

At that time, she was struggling significantly with her mental health. Even a short custodial sentence would have been destabilizing. It would not have enhanced public safety. It would have compounded vulnerability.

She accepted a plea agreement and received one year of supervised release.

That supervision was not easy. Probation officers came to our home. Compliance checks occurred during family gatherings. She struggled to secure employment because of her federal charge. The accountability was real. The restrictions were real. The stigma was real.

But she was home.

She was able to rebuild in a stable environment. She escaped an abusive relationship. She secured employment. She began healing. Supervision functioned as punishment — but punishment that facilitated rehabilitation instead of compounding harm.

My husband's experience reflects another dimension of sentencing options.

He was convicted of a nonviolent drug offense and originally faced a life sentence. He ultimately served 11 years and 7 months in federal prison before legislative reforms — applied retroactively — resulted in his release. He spent 22 hours in a halfway house and then four months on home confinement as part of his standard transition back to the community, followed by a five-year term of supervised release.

That supervised release was terminated after 11 months because his probation officer observed his productivity and encouraged him to seek early termination.

Since returning home, my husband founded and operates a long-haul trucking company that employs returning citizens — individuals who, like him, are seeking a second chance at lawful employment. He has successfully petitioned for and received expungement of both juvenile and adult records in Illinois, and he has assisted countless others in navigating that same process. His record since release reflects not only compliance, but contribution. His success underscores a simple but important point: lengthy incarceration is not always necessary to achieve accountability, deterrence, or public safety.

Supervised release and home confinement are forms of punishment. They restrict liberty and impose structured accountability. But when implemented thoughtfully, they allow individuals to remain connected to employment, family, and community — the very stabilizers that reduce recidivism and enhance public safety.

And beyond my family's experience, we have empirical evidence.

During the COVID-19 pandemic, the CARES Act authorized broader use of home confinement. Thousands of individuals transitioned home under supervision. The recidivism rate for that population has been reported at less than 1 percent. That is not leniency. That is evidence that structured alternatives can protect public safety while reducing strain on overcrowded and under-resourced institutions.

For these reasons, SIAG supports expanding Zones B and C.

However, to ensure the amendment advances the Commission's statutory goals of uniformity and proportionality, expansion should be accompanied by clear guidance.

First, the Commission should provide direction that mitigates unwarranted disparity where defendants with identical guideline ranges receive different sentencing options solely because of criminal history category placement. As the Commission well knows, consistency in application is central to the Guidelines' legitimacy and to public confidence in federal sentencing.

Second, the Commission should consider how expanded options will operate across districts with varying access to community-based infrastructure. Sentencing outcomes should not turn on geography. Clear national guidance can help ensure that discretion is exercised consistently and not limited by local resource disparities.

Finally, in expanding eligibility for probation and split sentences, the Commission may wish to emphasize implementation principles that support successful reintegration and minimize unnecessary technical violations that can result in return to custody. Structuring supervision in a manner that promotes compliance strengthens both public safety and the credibility of alternative sentencing.

The Sentencing Reform Act directs that sentences be sufficient, but not greater than necessary. Expanding Zones B and C equips courts with the flexibility necessary to impose sentences that are sufficient to protect the public and promote accountability — but not greater than necessary.

Incarceration is not the only meaningful form of punishment. Structured probation and split sentences can impose real accountability while preserving the stability that reduces recidivism.

I urge the Commission to adopt the expansion of Zones B and C, coupled with clear guidance to ensure fairness, consistency, and national application.

Thank you for the opportunity to share both policy perspective and lived experience.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'SDM', followed by a long horizontal line extending to the right.

Dr. Shaneva D. McReynolds
President, FAMM
Member, Sentence Impact Advisory Group