

Testimony of Cynthia Shank

U.S. House of Representatives' Committee on the Judiciary Subcommittee on Crime, Terrorism and Homeland Security

For the Hearing on Women and Girls in the Criminal Justice System

July 16, 2019

Thank you for the opportunity to testify today about the impact of the federal criminal justice system on my life and that of my family. My name is Cynthia Shank and I was released from federal prison in March, 2017 after President Barak Obama commuted my 15-year sentence for drug related offenses. I served nine years in federal prison.

My story is not uncommon. Prior to my conviction for my involvement in a drug conspiracy, I had no criminal record. I had been happily married for 4 years, was the mother of two young girls – Autumn and Ava - and 8 months pregnant with my third daughter, Annalise. My incarceration broke our young family apart and left permanent emotional and psychological scars on our daughters.

My offense stemmed from a relationship I began years earlier when I was 24-years-old. I was working as a bartender and met a young, attractive and attentive man named Alex. We started dating and soon began living together. Eight months into our relationship I came home from work early one day to find him selling a small amount of crack cocaine to a stranger in our living room. After my discovery Alex became anxious that I would report him and began following me to work and spending all day watching me to make sure I said nothing about his drug selling. After months of this my boss complained, and Alex pressured me to quit my job, which I did.

A year into our relationship I was completely dependent on Alex as he became more deeply involved in the drug trade. He was controlling and possessive of me and was both physically and verbally abusive. If I tried to visit my family he would insist I return home after only a short 30-minute visit. He eventually placed locks on all the windows and doors of our home and I rarely left the house. Even during periods when Alex would leave for extended trips he had me monitored. He called regularly to make sure I was at home and he sent his associates to knock on the door to make sure I was telling the truth.

During one of Alex's last trips away I gathered up enough nerve to leave and went to my sister's place. Three days later he came for me with a gun. To protect her and her young children, I left with him without a fight.

Alex did not love me but he wanted to keep me close because he thought I knew too much about his drug operation. I began to smoke an ounce of marijuana every day just to numb myself to the pain of my existence. My sister suspected I was being abused by Alex when she found out I had gone to the hospital after I was beaten with a broomstick and had seriously injured my eye. There was nothing she could do, however, because I would never admit to the abuse and never report him to police. Alex told me, "if you call the cops I am going to shoot you." I believed him. At night he slept next to me with his hand under my pillow holding a gun.

The bigger his drug operation got the more paranoid and violent he became. Five years after we met, Alex was murdered in a shootout in front of our home. I was awakened by the sound of bullets and was called out of my bedroom by Alex's associate and was instructed to drive Alex to the hospital where he died. I could not believe he was dead when the police told me. To this day, I don't know who killed him.

My relationship with Alex would impact the rest of my life. I told police I had known about his drug operation. Months after his death my attorney told me that the case against me had been dismissed. I moved on with my life. I quit smoking marijuana. I reconnected with my faith. I got married and gave birth to two daughters. But years after Alex's death prosecutors decided to charge me under drug conspiracy laws and for intent to distribute large amounts of cocaine, crack and marijuana. I never sold drugs but I lived with a dangerous and manipulative drug dealer and in the eyes of prosecutors there was no difference.

I fought the charges and went to trial because I was not going to admit to something I did not do. I needed to finally stand up for myself and show my daughters how to be brave. I thought if I could just tell my story, they would understand. But all the trauma inflicted upon me by Alex didn't matter.

Ultimately, I was convicted and because of mandatory minimum sentencing requirements I received a 15-year term. My youngest daughter, Annalise, was six weeks old when I went to prison. My husband, Adam, became a single father. I believe the years and miles of separation caused by incarceration are designed to break the bonds between families. Phone calls and visits are strictly limited both by expense and prison rules. There is no support for the aftermath

of incarceration, especially for the children left behind. The week I left for prison my girls started going to therapy, but that is a luxury most families cannot afford.

Most of the women I was incarcerated with were in prison because of drugs or money. They were poor and had struggled with a substance use disorder and never gotten help. Many were like me and had a partner who was primarily responsible for the crimes for which they had been convicted. If they had access to therapy, education and jobs their circumstances may have turned out differently.

According to The Sentencing Project, between 1980 and 2017, the number of incarcerated women increased by more than 750% nationwide. The rate of growth for female imprisonment has been twice as high as that of men since 1980. Today, the Bureau of Prisons incarcerates nearly 13,000 women.

I finally left prison because nine years after I was sentenced President Obama granted my petition for clemency. I was lucky but so many deserving women are still incarcerated and need relief from their excessive sentences.

Today, my life is amazing. I work full-time. I have my own home. And, I am reunited with my girls and enjoying every minute of being with them and raising them. I share my story with you today because I want to help other incarcerated women and help them achieve their own success story. I hope Congress will give them a second chance.