

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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### Opening Statement Rep. Elijah E. Cummings, Ranking Member Hearing on "Criminal Justice Reform and Efforts to Reduce Recidivism" June 28, 2017

I welcome our new Chairman, Congressman Trey Gowdy, and thank him for convening this hearing on an issue of critical importance to our nation – criminal justice reform.

I also thank Senator Scott and Senator Booker for testifying before the Committee today and I thank all of the witnesses on the second panel, in particular Judge Alexander Williams, a distinguished jurist from my state of Maryland.

The most important responsibility of our nation's criminal justice system is to keep Americans safe. Throughout my career as a lawyer and as a legislator, I have worked to advance policies that will protect our communities from crime.

For example, more than a decade ago, in order to silence a Baltimore resident named Angela Dawson who had reported drug-related crime to law enforcement, drug dealers firebombed and killed Ms. Dawson and her family. In the wake of that senseless tragedy, I wrote and introduced the Witness Security and Protection Act.

My legislation would create a Short-Term State Witness Protection Program in the U.S. Marshals Service to help protect witnesses with information about crimes involving homicide or other serious violent felonies.

It hasn't passed yet, but I will continue to reintroduce this legislation until it is enacted into law.

We need to be smart on crime, and focus our government resources on prosecuting and imprisoning individuals who pose the greatest risks to the safety of others and on protecting witnesses like Ms. Dawson who can help send violent offenders to jail.

In Maryland alone, 58% of prison admissions in fiscal year 2014 were for non-violent offenses according to the Pew Charitable Trusts' Justice Reinvestment Coordinating Council report.

These sentences disproportionately affect Americans of color. In Maryland, 70% of the state's prison population is African American, although African Americans comprise only 30% of the state's population.

These individuals will be followed by criminal records that will be barriers for them long after they have repaid their debts to society. Criminal records limit ex-offenders' opportunities to obtain the employment, education, healthcare, and housing they need to support themselves and their families after they serve their sentences – which makes it far more likely that they will re-offend.

The decision to treat non-violent offenses that result from addiction, or mental illness, or desperation as crimes has an exorbitant financial cost and a staggering human toll.

Perhaps nowhere are the consequences of that choice starker than in the comparisons of expenditures on higher education and prisons.

In 2016, the Department of Education reported that “Since 1990, state and local spending on higher education has been largely flat while spending on corrections has increased 89 percent.” In some states, taxpayers are actually spending more to imprison their fellow citizens than to educate them in public colleges.

Imagine what we could achieve if these numbers were reversed.

Regrettably, every indication so far is that Attorney General Sessions is set on rolling back the progress we have already made, by reinstating ineffective, Draconian sentencing policies for non-violent drug crimes and expanding the use of private prisons for the “future needs of the federal correctional system” when our nation is facing a crisis of mass incarceration.

Fortunately, there is an emerging bipartisan consensus that this needs to change. And there are legislators on both sides of the aisle who are considering how we could transform lives – and save money – if we improve the way our justice system treats non-violent offenses and enable ex-offenders to truly put their pasts behind them.

I have been honored to work with Senator Booker on bipartisan legislation to reform our criminal justice system and help reduce recidivism, including the Record Expungement Designed to Enhance Employment (REDEEM) Act and the Fair Chance Act, which is co-sponsored by our colleague and former Chairman, Congressman Darrell Issa.

I urge Chairman Gowdy to take the next step toward true government reform of the criminal justice system by scheduling the Fair Chance Act for a markup as soon as possible.

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