

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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### Opening Statement

**Rep. Gerald E. Connolly, Ranking Member**  
**House Committee on Oversight and Government Reform**  
**"Criminal Justice Reform and Efforts to Reduce Recidivism"**  
**1:00 PM, June 28, 2017**  
**2154 RHOB**

I would like to welcome our new Chairman, Congressman Gowdy. I look forward to working with you.

Recognizing that this is our first hearing with our new Chairman, I wanted to make a couple of quick points to begin.

House Rule X, Clause 4 authorizes our Committee to "at any time conduct investigations of any matter without regard to" the jurisdiction of another standing committee.

Under the Obama Administration, this Committee never hesitated to exercise this broad authority – from Operation Fast and Furious, Benghazi, or Secretary Clinton's emails.

We conducted these investigations while there were parallel ongoing criminal investigations and when other Committees also had their own investigations or overlapping jurisdictional authority.

I do not think the irony is lost on many when Chairman Gowdy says this Committee will not pursue the Russia scandal and obstruction of justice because the Department of Justice is within the jurisdiction of the Judiciary Committee, and then convenes his first hearing as Chairman on criminal justice reform.

Oversight is not a matter of personal preference. It is our constitutional duty. I would like to acknowledge our Ranking Member, who has been a leader on this issue of criminal justice reform. Congressman Cummings sends his regrets for not being able to attend today. He wanted me to report that his surgery went well, and he has been hard at work rehabbing. He asked me to thank the Chairman on his behalf for agreeing to hold a second hearing in July on this topic, as it is one that he cares deeply about.

There are four key principles that I believe must guide our efforts to ensure that punishments fit the crime and that ex-offenders have a real chance to turn their lives around.

First, as Ranking Member Cummings has written, we must acknowledge that “each person’s ability to be self-sufficient in a law-abiding way is a core pillar of public safety. Expanded educational and economic opportunity will make us not only more prosperous but also safer as a society.”

Not surprisingly, lack of education and opportunity significantly increase the risk of imprisonment. An African American man without a high school diploma has a nearly 70 percent chance of being imprisoned by his mid-thirties. And yet, in some states, more is being spent on prisons than higher education.

The president’s FY2018 budget proposal initiates a unilateral retreat on public funding for education. It cuts the Department of Education by \$9.2 billion or 14%, eliminates teacher instruction grants, eliminates enrichment and remediation programs that provide extended learning time, eliminates the Public Student Loan Forgiveness Program, which helps our teachers, firefighters, and public servants repay student loans, raids the Pell Grant Program, and ends federally subsidized student loans. These cuts hurt our ability to fight crime by creating economic opportunity.

Second, we should not fill our prisons with non-violent drug offenders who are no threat to the safety and well-being of our communities. When mandatory minimums force judges to sentence non-violent offenders for decades, they not only lose their lives; their children and communities bear a devastating loss as well.

Alternatives to detention, like the Veterans Treatment Docket I worked with my local court to create in Fairfax County, have demonstrated success diverting individuals into community-based rehabilitation programs as opposed to automatic jail sentences.

Third, we must ensure that once individuals have served out their sentences, they truly have a second chance to get back on their feet. Too often, post-release restrictions leave men and women with few opportunities to provide for themselves and their families.

I commend my Governor, Terry McAuliffe, for restoring the fundamental right to vote for more than 156,000 ex-offenders in Virginia. I hope Virginia will serve as a model for other states to remove impediments that punish ex-offenders long after they have served their debt to society.

Finally, we must acknowledge that our criminal justice system has disproportionately impacted Americans of color.

African American men are more than six times as likely as white men to be incarcerated. Approximately 37% of the men in state and federal prisons are African American, even though African Americans are only 13% of our nation’s population.

Recognizing the devastating impact of policies like mandatory minimums on entire communities, the Obama Administration worked to give prosecutors more discretion on charging decisions and to commute the sentences of non-violent drug offenders.

Unfortunately, Attorney General Sessions wants to turn back the clock to the failed policies of mandatory minimums and the imposition of extreme sentences for low-level and non-violent crimes.

Decrying what he labels being “soft on sentencing,” Attorney General Sessions has argued for so-called “time-tested” criminal justice practices. The reality is that the mandatory minimums and other harsh measures the Attorney General advocates have been tested – and they have failed time and time again.

The Trump Administration’s budget would also slash the Bureau of Prisons by \$1 billion, exacerbating overcrowding, eliminating nearly 2,000 prison guards and 6,000 administrative staff, and jeopardizing the physical safety of both guards and inmates.

We do not have to choose between being just or compassionate. Smart policies – like the bipartisan reform measures introduced by Senators Booker and Scott – and by Congressman Cummings and many other Members of this Committee – will enable us to be both.

And we can take immediate, positive steps for exactly that kind of bipartisan reform. Ranking Member Cummings and Congressman Issa have a bipartisan, bicameral bill called the Fair Chance Act that is within this Committee’s jurisdiction and should be added to the Committee’s next markup.

Thank you, Mr. Chairman, for considering this request, and I look forward to hearing from our witnesses today on other concrete steps this Committee can take on the issue of criminal justice reform.

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