



Congress of the United States

House of Representatives

Washington, DC 20515

April 24, 2018

Mr. Alan Hanson
Principal Deputy Assistant Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Ron S. Jarmin, Ph.D.
Acting Director
U.S. Census Bureau
4600 Silver Hill Road
Washington, D.C. 20233

Dear Mr. Hanson and Dr. Jarmin:

Over the past several decades, our country has seen a dramatic rise in criminal sentencing and incarceration rates. According to a study released last year, an estimated three percent of the total U.S. adult population has spent time in prison and an estimated eight percent of all adults have a felony conviction.¹ The rising incarceration rate means large numbers of people are released each year from incarceration: between 1990 and 2014, an average of 594,600 inmates were released annually from state and federal prisons.² According to the Bureau of Justice Statistics (BJS), at the end of 2015, 4.65 million adults were under some form of community supervision, which is approximately 1 in 53 adults.³

As the incarceration rate for adult men in our country has continued to rise, so too has the unemployment rate for this population. In a recent report from the American Enterprise Institute, “between 1965 and 2015, the number of prime-age men neither working nor looking for work grew more than three times faster than the number in the workforce.”⁴ Unfortunately, we lack the information to better understand the correlation between the rising number of Americans that encounter our criminal justice system and their economic outcomes.

¹ Sarah K. S. Shannon et. al., *The Growth, Scope, and Spatial Distribution of People with Felony Records in the United States, 1948–2010*, *Demography* (2017) volume 54 p. 1795-1818.

² Nathan James, *Offender Reentry: Correctional Statistics, Reintegration into the Community, and Recidivism*, Congressional Research Service at 2 (Mar. 2016); citing U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, *Corrections Statistical Analysis Tool—Prisoners, Number of sentenced prisoners released from state or federal prisons, 1978-2014*, <http://www.bjs.gov/index.cfm?ty=nps>

³ Danielle Kaeble and Thomas P. Bonczar, Bureau of Labor Statistics, *Bulletin: Probation and Parole in the United States, 2015* (Revised Feb. 2, 2017) available at <https://www.bjs.gov/content/pub/pdf/ppus15.pdf>.

⁴ Nicholas Eberstadt, *Where did all the men go?*, AMERICAN ENTERPRISE INSTITUTE (May 8, 2017) available at <http://www.aei.org/publication/where-did-all-the-men-go/>.

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We understand work is underway between the Department of Justice (DOJ) and the Census Bureau to better understand that correlation.⁵ We request you provide the Memorandum of Understanding (MOU) signed by BJS and Census for this project.

BJS already provides important information on the current prison population and adults under community supervision. It is our hope the work being undertaken now can enhance and expand BJS and Census's existing data and reports. As you move forward with the project, we ask that you include details related to age, gender, ethnicity, educational attainment, felony conviction, and time on parole, probation or supervised release, and employment in any final report or findings.

We understand data collection for 2017 is still ongoing; however, data is already available for 2015 and 2016. We ask DOJ and the Census Bureau to move quickly to release your findings in 2018 using data collected in 2015 and 2016. This study is important to help us better understand with more specificity the extent to which our criminal justice system is affecting certain populations in the United States.

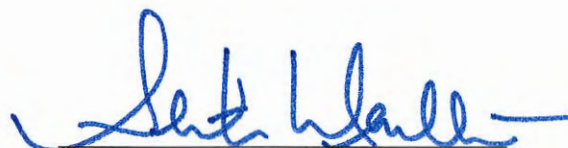
Provide the requested information as soon as possible, but no later than 5:00 p.m. on May 8, 2018. An attachment to this letter provides additional instructions for responding to the Committee's request.

Please contact Ellen Johnson at (202) 225-5074 and Eric Kanter at (202) 225-8020 with any questions about this request. Thank you for your attention to this matter.



Trey Gowdy
Chairman, Committee on Oversight
and Government Reform

Sincerely,



Seth Moulton
Member of Congress

Enclosure

cc: The Honorable Elijah E. Cummings, Ranking Member
Committee on Oversight and Government Reform

The Honorable Wilbur L. Ross, Jr., Secretary of Commerce

The Honorable Jeff Sessions, Attorney General

⁵ Briefing by the Dept. of Justice and Bureau of Justice Statistics to H. Comm. on Oversight & Gov't Reform majority staff and Representative Seth Moulton staff (March 22, 2018).

Responding to Committee Document Requests

1. In complying with this request, you are required to produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data or information should not be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization or individual denoted in this request has been, or is also known by any other name than that herein denoted, the request shall be read also to include that alternative identification.
3. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, or thumb drive) in lieu of paper productions.
4. Documents produced in electronic format should also be organized, identified, and indexed electronically.
5. Electronic document productions should be prepared according to the following standards:
 - (a) The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - (b) Document numbers in the load file should match document Bates numbers and TIF file names.
 - (c) If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - (d) All electronic documents produced to the Committee should include the following fields of metadata specific to each document:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH,
PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE,
SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM,
CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE,
DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,
INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,
BEGATTACH.
6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph in the Committee's schedule to which the documents respond.
9. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same documents.
10. If any of the requested information is only reasonably available in machine-readable form (such as on a computer server, hard drive, or computer backup tape), you should consult with the Committee staff to determine the appropriate format in which to produce the information.
11. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
12. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
13. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control.
14. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you are required to produce all documents which would be responsive as if the date or other descriptive detail were correct.
15. Unless otherwise specified, the time period covered by this request is from January 1, 2009 to the present.
16. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon subsequent location or discovery.
17. All documents shall be Bates-stamped sequentially and produced sequentially.
18. Two sets of documents shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building.

19. Upon completion of the document production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, email (desktop or mobile device), text message, instant message, MMS or SMS message, regular mail, telexes, releases, or otherwise.
3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
4. The terms “person” or “persons” mean natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units thereof.

5. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
6. The term “referring or relating,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is pertinent to that subject in any manner whatsoever.
7. The term “employee” means agent, borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, permanent employee, provisional employee, subcontractor, or any other type of service provider.

**COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES
115TH CONGRESS**

NOTICE OF APPEARANCE OF COUNSEL

Counsel submitting: _____

Bar number: _____ **State/District of admission:** _____

Attorney for: _____

Address: _____

Telephone: (_____) _____ - _____

Pursuant to Rule 16 of the Committee Rules, notice is hereby given of the entry of the undersigned as counsel for _____ in (select one):

All matters before the Committee

The following matters (describe the scope of representation):

All further notice and copies of papers and other material relevant to this action should be directed to and served upon:

Attorney's name: _____

Attorney's email address: _____

Firm name (where applicable): _____

Complete Mailing Address: _____

I agree to notify the Committee within 1 business day of any change in representation.

Signature of Attorney

Date