



Sensenbrenner Aide: Criminal Code 'Expensive, Inefficient'

By: David Yonkman – May 6, 2013

Saying the U.S. criminal code is "expensive and inefficient," a senior member of a House criminal oversight panel will chair a task force on simplifying and updating it.

House Judiciary Chairman Bob Goodlatte of Virginia is expected this week to announce the formation of the bipartisan Over-Criminalization Task Force of 2013.

Fellow GOP Rep. James Sensenbrenner of Wisconsin and Democratic Rep. Bobby Scott of Virginia will co-chair the committee, which will include five members of each party.

The effort will mark the most expansive re-examination of federal law since the early 1980s, when the Justice Department attempted to count the offenses in the criminal code as part of an overhaul effort by Congress, according to The Wall Street Journal.

"He sees it as a threat to personal liberty and an expensive and inefficient way to deal with a lot of the problems," Ben Miller, a spokesman for Sensenbrenner, told Newsmax. "He wants to make it easier for attorneys, judges, and member of Congress alike to have a criminal code that's easier to understand."

Sensenbrenner, the chairman of the judiciary Subcommittee on Courts, Intellectual Property and the Internet, and former chairman of the full House Judiciary Committee, will also reintroduce the Criminal Code Modernization and Simplification Act this week, Miller said, adding it is a bill Sensenbrenner has introduced in past sessions of Congress which would cut the federal criminal code by one-third.

Simplifying federal criminal law has created a bipartisan coalition of allies, including the conservative Heritage Foundation, the libertarian Cato Institute, the National Association of Criminal Defense Lawyers, the American Civil Liberties Union, and the American Bar Association, The Wall Street Journal reports.

Legal experts estimate there are 4,500 criminal statutes and tens of thousands of regulations that carry criminal penalties, including prison. The Administrative Office of the U.S. Courts figures some 80,000 defendants are sentenced in federal court each year.

In recent years, states have reversed years of steady increases by reducing their prison populations while the number of people held at the federal level has continued to climb.

Federal lawmakers and legal experts attribute part of the continuing increase to the rise in criminal offenses and regulations that carry prison time, and the creation of laws that don't require knowledge of wrongdoing.

Miller said the task force will operate similar to an official House subcommittee with the ability to call witnesses and conduct investigations.

Democrats have long opposed the growth of parts of the system, blaming mandatory minimums for the increase in the federal prison population, especially the rise in African-American inmates, according to the Journal.

For Republicans, the encroachment of federal law into areas that could be handled by the states is a top concern.