

March 16, 2021

The Honorable Merrick Garland  
Attorney General of the United States  
145 N St NE,  
Washington, DC 20002

Dear Attorney General Merrick Garland,

Congratulations on your confirmation as our next Attorney General. I have every confidence in your ability to serve all Americans in this role, and I look forward to working with you.

As you may know, criminal justice reform is a key issue for me. By way of background, before coming to Congress, I was an entrepreneur who founded a small business that turned into a large organization. Along the way, my family and I were personally impacted but what I considered to be an unjust criminal justice system. Looking back on this time, I was able to navigate the system because I had access to resources, I had an education, and candidly, I am white. After this experience, I decided to become an advocate for reforming our criminal justice system so that those without the privileges I enjoyed are treated fairly and equitably.

Prior to COVID-19, as the Representative of Maryland's 6th Congressional District, I had the opportunity to visit FCI Cumberland and speak with a number of stakeholders, including the warden, corrections officers, as well as inmates. During the previous Administration, I wrote several letters to BOP leadership to urge their adoption of greater transparency in data collection and reporting, stronger adherence to COVID-19 transfer and quarantine protocols, and progress on implementation of the carceral programs that were mandated by the *First Step Act*<sup>1</sup>.

Up to this point, the agency has produced a less than satisfactory response to my inquiries with sparse information on basic issues, such as the agency's response to COVID-19, rehabilitative programming, and workforce and educational opportunities available to incarcerated individuals at BOP facilities. Under a new administration, I am hopeful that BOP will begin to make the changes necessary to ensure our criminal justice system is fair and equitable. Because I have thus far not received satisfactory

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<sup>1</sup> D.Trone, letter to Bureau of Prisons Director Michael Carvaja, March 31, 2020.  
[https://trone.house.gov/sites/trone.house.gov/files/wysiwyg\\_uploaded/Letter%20to%20BOP%20COVID%2019%20Response%20%28002%29.pdf](https://trone.house.gov/sites/trone.house.gov/files/wysiwyg_uploaded/Letter%20to%20BOP%20COVID%2019%20Response%20%28002%29.pdf)

responses to my inquiries, I am writing to you in the hopes that you can help find the answers and solutions necessary to meet this moment.

In addition, I am eager to continue the work of transforming our nation's criminal justice system as a new member of the House Appropriations Subcommittee on Commerce, Justice, and Science. I believe with the assistance of your Administration's leadership, we have a real opportunity to reimagine a system that is based on rehabilitation, not retribution. As we work toward these shared goals, I have several ideas I hope you might consider as we look to build back better.

- As you know, BOP's mission is to "assist offenders in becoming law-abiding citizens." However, we cannot be sure that BOP is meeting the goal of rehabilitating those in their charge and ensuring formerly incarcerated individuals don't recidivate without transparent, accurate, and timely data collection and reporting of the outcomes of formerly incarcerated individuals. I respectfully request a report of the current and planned agency procedural and statutory changes that are necessary to accomplish the goal of tracking outcomes for formerly incarcerated individuals upon re-entry. Without this information, we are unable to assess the effectiveness of BOP programs and ensure that the BOP is meeting its mandate of rehabilitation and recidivism reduction;
- As the author of the Expanding Educational Opportunities for Justice-Impacted Communities Act, which would repeal the ban on the receipt of Pell Grants by incarcerated individuals, I have a keen interest in the implementation of this legislation, which was signed into law in the 2021 omnibus spending bill. I respectfully request that your Department provide a staff briefing on the process and progress of implementing the re-issuance of Pell Grants for incarcerated individuals and the rehabilitative programs mandated by the *First Step Act*; and
- As a business owner who was previously recognized as a White House Second Chance Employer during the Obama Administration, I know the power of the private sector working together with the government to achieve important policy outcomes. One example of this is the movement to "ban the box" indicating a criminal record on applications. At my former company, we banned the box and hired more than 500 returning citizens. These employees were some of our best, and they stayed at the company 14% longer than average.

Every year, approximately 10 million people in the United States reenter their communities from jail or prison and face an unemployment rate that is nearly five times the national average. I believe we should work toward a future where every returning citizen has a job in hand by the time they leave prison. This policy goal is not only essential to ending recidivism, it also allows companies to tap into an untapped hiring market. I believe BOP should establish a Private Sector Council to encourage businesses to partner with federal, state, and local prisons and jails in order to expand career pathways for justice-impacted individuals.

I respectfully request a briefing from BOP related to current reentry programs and what steps

would need to be taken to create partnerships with private sector businesses in order to ensure every returning citizen has a job upon reentry. I would be happy to do whatever it takes -- legislatively or otherwise -- to ensure such an initiative is successful.

My office looks forward to collaborating with you, the U.S. Department of Justice, and the Bureau of Prisons to fashion a future for justice-impacted individuals that is filled with hope, opportunity, and transformation.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Trone", with a stylized flourish at the end.

David Trone  
Member of Congress