

Congressman Ron Paul U.S. House of Representatives July 24, 2002

Statement on Expulsion of Congressman Jim Traficant

Mr. Speaker, many of Congressman Traficant's actions are impossible to defend. Mr. Traficant likely engaged in unethical behavior. I hope all my colleagues would join me in condemning any member who abused his office by requiring staff to pay kick-backs to him and/or do personal work as a condition of employment. I also condemn in the strongest terms possible using one's office to obtain personal favors from constituents, the people we are sent here to represent. Such behavior should never be tolerated.

However, before expelling a member we must consider more than eccentric behavior and ethical standards. We must first consider whether Mr. Traficant's received a fair trial and a fair ethics hearing. His constitutional right to a fair trial, and the right to be judged by those who elected him to office, are every bit as important.

Many Americans believe that Congress routinely engages in ethically questionable and unconstitutional actions, actions which are far more injurious to the liberty and prosperity of the American people than the actions of Mr. Traficant. Some question the ability of Congress to judge the moral behavior of one individual when, to use just one example, we manage to give ourselves a pay raise without taking a direct vote.

Mr. Speaker, after listening carefully to last week's ethics hearing, I have serious concerns about whether Mr. Traficant received a fair trial. In particular, I am concerned whether the change of venue denied Mr. Traficant a meaningful opportunity to present his case to a jury of his peers. Usually a change of venue is appropriate in cases where the defendant cannot receive a fair trial. I am unaware of any other case where the venue was changed for the benefit of the state.

However, the most disturbing accusations concern the possibility that Mr. Traficant was denied basic due process by not being allowed to present all of his witnesses at the trial. This failure raises serious questions whether Mr. Traficant had the opportunity to present an adequate

defense. These questions are especially serious since one of the jurors from Mr. Traficant's criminal trial told the *Cleveland Plain Dealer* that had he heard the testimony of Richard Detore at Mr. Traficant's trial, he would have voted "not guilty."

Mr. Speaker, I also question the timing of this resolution and the process by which this resolution is being brought to the floor. Mr. Traficant's conviction is currently on appeal. Many Americans reasonably wonder whether the case, and the question of Mr. Traficant's guilt, can be considered settled before the appeals process is completed. I fail to see the harm that would be done to this body if we waited until Mr. Traficant exhausts his right to appeal.

Before voting to expel Mr. Traficant while his appeal is pending, my colleagues should consider the case of former Representative George Hansen. Like Mr. Traficant, Mr. Hansen was convicted in federal court, censured by Congress, and actually served time in federal prison. However, Mr. Hansen was acquitted on appeal- after his life, career, and reputation were destroyed.

If my colleagues feel it is important to condemn Mr. Traficant before the August recess, perhaps we should consider censure. Over the past twenty years, this body has censured, rather than expelled, members who have committed various ethical and even criminal violations, ranging from bribery to engaging in sexual activity with underage subordinates.

I also am troubled that Mr. Traficant will have only 30 minutes to plead his case before the full House. Spending only an hour to debate this resolution, as though expelling a member of Congress is no more important than honoring Paul Ecker's contributions to the Poinsettia industry, does this Congress a disservice.

In conclusion Mr. Speaker, because of my concerns over the fairness of Mr. Traficant's trial, I believe it is inappropriate to consider this matter until Mr. Traficant has exhausted his right to appeal.