

# The Severe Penalty Is Not Warranted

*Here are Rep. Peter King (R-N.Y.)'s remarks in defense of Rep. Charles Rangel in the House of Representatives on Dec. 1, 2010. King's office sent out his prepared remarks as he was speaking. Here it is, with the caveat that King departed slightly from this text in his actual remarks:*



*Rep. Peter King*

Madam Speaker, at the outset let me express my profound respect for Chairperson Lofgren, Ranking Member Bonner and all the members of the Ethics Committee for their dedicated efforts in this matter.

Having said that, I will vote against this censure resolution because I do not believe the findings warrant the severe penalty of censure.

I reached this conclusion after reading and studying hundreds of pages of committee documents, including the subcommittee findings, the minority views of Congressman Scott, the report of the full committee and myriad exhibits and correspondence.

Censure is an extremely severe penalty. In the more than 200-year history of this body, only 22 members have been subjected to censure. None in more than a quarter century.

If expulsion is the equivalent of the death penalty, censure is life imprisonment.

I have found no case where charges similar or analogous to those against Congressman Rangel resulted in censure—a penalty thus far reserved for such serious violations as supporting armed insurrection against the United States and the sexual abuse of minors.

In Congressman Rangel's case, the Committee Chief Counsel has said he found no evidence of corruption, and the Committee report itself said there was no "direct personal gain" to Congressman Rangel.

My religious faith is based on scripture and tradition. My training as a lawyer has taught me to respect

precedent.

Why today we are being asked to reverse more than 200 years of tradition and precedent?

There is no doubt that Congressman Rangel has violated rules of this House. But these violations are *malum prohibitum* [wrong because prohibited—ed.], not *malum in se* [evil in itself—ed.]. There is no evidence or finding of criminal intent. No *mens rea* [guilty mind—ed.]. The appropriate penalty is a reprimand.

Why are we departing so significantly from tradition and precedent in the case of Charlie Rangel? Certainly it can't be because of who he is or what he has achieved in his life—a kid from the inner city who emerged from very troubled surroundings to be a combat soldier and authentic war hero, who left his blood on a battlefield in Korea, who worked his way through law school, who became a distinguished prosecutor, who was elected to the state legislature and to the United States Congress, where he has served with distinction for 40 years.

Let me make it clear. Charlie Rangel is a friend and colleague, but we disagree on virtually every issue. I can't begin to tell you how many times we have debated on local news shows back in New York.

But during that entire time, I have never heard anyone question Charlie Rangel's integrity. Nor have I ever seen Charlie Rangel treat anyone with disrespect—whether it be flight attendants, cab drivers, staff members or the guy on the street corner on 125th Street.

I know we can get caught up in the *zeitgeist* of media attacks and political storms. I am imploring you today to pause for a moment and step back. To reflect upon not just the lifetime of Charlie Rangel, but more importantly the 220-year history of tradition and precedent of this body. Let us apply the same standard of justice to Charlie Rangel that has been applied to everyone else and which we would want applied to ourselves.

Let us vote against censure.