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Phone Jamming Opening Statement
Rep. Paul Hodes [NH-02]
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Committee on Judiciary
Subcommittee on Commercial and Administration Law
Subcommittee on Crime, Terrorism and Homeland Security
Hearing on "Allegations of Selective Prosecution Part II: The Erosion of Public
Confidence in Our Federal Justice System."

Thank you, Chairwoman Sanchez, Ranking Member Cannon, Chairman Scott and Ranking Member Gohmert for holding this important hearing today. I thank the Committee for allowing me to testify and ask the unanswered questions that surround the New Hampshire phone jamming case.

Nearly six years ago, political operatives sought to subvert our electoral process for their own political gain. Today, we are talking about the integrity of our elections, the very foundation of representative democracy. I am here to ensure that New Hampshire voters are represented, their elections are conducted with integrity, and that justice is served.

On November 5, 2002, Election Day, Republican political operatives jammed the phone lines of key Democratic Get-Out-the-Vote efforts. Three of these political operatives have been prosecuted for this scandal.

Allen Raymond, here today, was the political operative hired by the New Hampshire Republican party and was responsible for jamming the phones. He pleaded guilty to Conspiracy to Engage in Interstate Telephone Communications with Intent to Annoy or Harass on June 30, 2004.

Charles McGee, the 2002 Executive Director of the New Hampshire Republican Party, pleaded guilty to Conspiracy to Engage in Interstate Telephone Communications with Intent to Annoy or Harass on July 28, 2004.

James Tobin was the 2002 Regional Political Director for the Republican National Committee and the 2004 New England Director for the Bush/Cheney campaign. Tobin was convicted of conspiracy to commit telephone harassment and aiding and abetting telephone harassment on December 15, 2005. He was later acquitted on appeal and his case now sits in the First Circuit Court of Appeals.

Despite years of investigation and prosecution, significant and serious questions remain unanswered. There is evidence that the political scheme runs deeper and wider than those individuals who were prosecuted and convicted.

This Committee has been investigating the phone jamming case since 2006. On May 12, 2006, Chairman Conyers asked then-Attorney General Gonzales about the "outstanding issues" in the phone jamming case, and requested the appointment of a special prosecutor. Additionally, Senators Leahy and Kennedy of the Senate Judiciary Committee sent a letter to then Attorney General Gonzales on April 20, 2006 requesting further information on allegations in the phone jamming case. No Special Prosecutor was appointed and the Bush administration continues to claim executive privilege on key questions.

It is unclear whether the White House was involved in the phone jamming scandal. On Election Day 2002, twenty-two phone calls were exchanged between New Hampshire Republican officials and the White House Office of Political Affairs from 11:20 a.m. to 2:17 a.m. Who at the White House received the calls? Were White House officials knowledgeable of the phone jamming, or plans to jam the phones? Are there documents that the White House possesses that could help the Committee or the Department of Justice to answer these questions?

Secondly, there were major delays in prosecuting the phone jamming case that have not been properly investigated. The phone jamming occurred on November 5, 2002. Yet, Tobin was only indicted after the 2004 presidential elections where he was an employee of Bush-Cheney 2004. Furthermore, according to the McClatchy newswire, a Department of Justice employee admitted that senior DoJ officials delayed the investigation. Did the DoJ deliberately wait until after the 2004 Presidential election to begin the prosecution of a Bush-Cheney 2004 employee?

In short, we need to know whether others were involved in the election interference, whether they attempted to cover up the involvement of other political operatives, and whether there was a concerted effort to delay prosecution. Was there a connection between the phone jamming plot, the Republican National Committee and the White House?

At the very least, the DoJ had a conflict of interest in investigating this political scheme and should have appointed a special prosecutor. The questions surrounding phone jamming warrant an unbiased, complete investigation.

The people of New Hampshire deserve nothing less than the full truth. They deserve to know whether the 2002 elections they participated in were tampered with by Republican political operatives and whether there was a concerted effort to cover up the political trickery.

I commend the Committee for trying to give the citizens of my home state the answers that they deserve. The right of Granite Staters to enjoy free and fair elections was put in jeopardy and they deserve to know the full truth.

Political fraud cannot be allowed to compromise the electoral process. It happened before when operatives for the Committee to Reelect the President burglarized the DNC headquarters in 1972. Acts like that demean our democracy and have no place in America.

Election tampering degrades who we are as a nation and as a democracy. Let's make sure that those who broke the law and betrayed the people's trust are brought to light and brought to justice.

Thank you and I will be happy to take any questions you may have.