

114TH CONGRESS
1ST SESSION

H. R. 2189

To direct the President to submit to Congress a report on fugitives currently residing in other countries whose extradition is sought by the United States and related matters.

IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2015

Mr. SMITH of New Jersey (for himself and Mr. SIREs) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To direct the President to submit to Congress a report on fugitives currently residing in other countries whose extradition is sought by the United States and related matters.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Walter Patterson and
5 Werner Foerster Justice and Extradition Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Extradition is the formal surrender of a
2 person by one state to another state for prosecution
3 or punishment.

4 (2) Refusal by other nations to extradite or oth-
5 erwise render to the United States fugitives within
6 their jurisdiction who have been convicted of com-
7 mitting crimes on United States soil impedes the ju-
8 dicial process and undermines the rule of law.

9 (3) The United States has bilateral extradition
10 treaties with more than 100 nations and an extra-
11 dition agreement with the European Union.

12 (4) The United States has bilateral extradition
13 treaties with Portugal and Cuba.

14 (5) The failure to bring criminal fugitives to
15 justice in the United States is an affront to the vic-
16 tims of those crimes.

17 (6) The refusal of Portugal, a close ally and
18 good friend of the United States, to extradite George
19 Wright, convicted of the 1962 murder of Walter
20 Patterson, fugitive from justice since his 1970 es-
21 cape from the Bayside State Prison in New Jersey,
22 is a deplorable example of a failure to extradite, and
23 has caused ongoing suffering and stress to Mr. Pat-
24 terson's surviving family and friends.

1 (7) The refusal of Cuba to extradite or other-
2 wise render Joanne Chesimard, an escaped convict
3 who fled to Cuba after killing Werner Foerster, New
4 Jersey State Trooper, is a deplorable example of a
5 failure to extradite or otherwise render, and has
6 caused ongoing suffering and stress to Mr.
7 Foerster’s surviving family and friends.

8 (8) The refusals to extradite George Wright
9 and Joanne Chesimard are emblematic of a number
10 of such refusals from other nations, such that
11 United States policies and efforts to secure extra-
12 dition and the extradition policies of countries from
13 which the United States seeks extradition and ren-
14 dition bear further examination.

15 (9) Such examination will be promoted by the
16 issuance of a public report on the status of extra-
17 dition requests by the United States and related
18 matters.

19 (b) PURPOSE.—The purpose of this Act is to provide
20 information necessary to evaluate and thereby strengthen
21 United States Government efforts to extradite fugitives.

22 **SEC. 3. REPORT.**

23 (a) IN GENERAL.—Not later than 270 days after the
24 date of the enactment of this Act, and not later than the
25 end of each 12-month period thereafter, the President

1 shall submit to the appropriate congressional committees
2 a report on—

3 (1) the number of fugitives, and others for
4 whom the United States Government is seeking ex-
5 tradition or rendition, currently residing in other
6 countries whose extradition is sought by the United
7 States and a list of those countries;

8 (2) diplomatic and other efforts, if any, the
9 United States has undertaken to secure the return
10 of such fugitives;

11 (3) the average length of time these cases have
12 been outstanding;

13 (4) how many of these cases have been resolved
14 to the satisfaction of the United States;

15 (5) factors that have been barriers to the reso-
16 lution of these cases; and

17 (6) information on the number of United States
18 citizens whose extradition has been sought by other
19 countries during the past 5 years, a list of those
20 countries seeking extradition, and the outcomes of
21 those requests.

22 (b) FORM.—The report required by subsection (a)
23 shall be submitted in unclassified form, but may include
24 a classified annex if necessary.

1 (c) DEFINITION.—In this section, the term “appro-
2 priate congressional committees” means—

3 (1) the Committee on Foreign Affairs and the
4 Committee on the Judiciary of the House of Rep-
5 resentatives; and

6 (2) the Committee on Foreign Relations and
7 the Committee on the Judiciary of the Senate.

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