

115TH CONGRESS
2D SESSION

H. R. 6218

For the relief of Judge Neringa Venckiene, who the Government of Lithuania seeks on charges related to her pursuit of justice against Lithuanian public officials accused of sexually molesting her young niece.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2018

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

For the relief of Judge Neringa Venckiene, who the Government of Lithuania seeks on charges related to her pursuit of justice against Lithuanian public officials accused of sexually molesting her young niece.

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 “Give Judge Venckiene
5 Her Day in Court Act”.

6 **SEC. 2. FINDINGS.**

7 (1) Judge Neringa Venckiene fled to the United
8 States in 2013 and requested political asylum after a 5-

1 year battle in Lithuania to secure justice for her 4-year-old niece, Deimante Kedyte, who reported that she was being sexually molested by Lithuanian government officials while in her mother's care.

5 (2) Deimante Kedyte's claims of sexual molestation were evaluated by court-ordered psychologists and psychiatrists and deemed to be credible.

8 (3) Deimante Kedyte accused of sexual molestation an assistant to the Speaker of the Parliament and a sitting judge, both associates of her mother.

11 (4) Judge Venckiene and Deimante Kedyte's father petitioned law enforcement and the courts for full investigation of Deimante's claims against the accused individuals, but believed the ensuing investigation to be negligent.

15 (5) Lithuania's parliament (Legal and Judiciary Committees) issued a report in 2010 that deemed the investigation into Deimante Kedyte's sexual molestation accusations to be negligent and found that the negligence had compromised the case against the public officials.

20 (6) After Deimante Kedyte's father went missing in 2009, Judge Venckiene was awarded guardianship of Deimante.

23 (7) Deimante Kedyte's mother was never indicted for 24 complicity in the sexual molestation despite a Vilnius Dis-

1 triet Court Ruling in October 2009 that there was enough
2 evidence to indict her.

3 (8) In December 2011, Judge Venckiene was ordered
4 to give Deimante Kedyte, then 7 years old, back to her
5 mother, but Deimante refused to return to her mother,
6 indicating fear of sexual molestation.

7 (9) Hundreds of Lithuanians kept vigil outside Judge
8 Venckiene's house to prevent the Lithuanian Government
9 from removing Deimante Kedyte.

10 (10) In May 2012, the Lithuanian Government sent
11 more than 200 police officers to take Deimante Kedyte
12 from Judge Venckiene by force.

13 (11) Deimante Kedyte clung to Judge Venckiene, was
14 ripped from her, was carried away shrieking, and has com-
15 pletely disappeared from public view for the last 6 years.

16 (12) The Lithuanian Government's action resulted in
17 protests against the Lithuanian Government in Lithuania
18 and at numerous Lithuanian embassies around the world,
19 as well as in the United States when the Lithuanian Presi-
20 dent attended the NATO summit in Chicago in May 2012.

21 (13) Judge Venckiene published a book entitled "Way
22 of Courage" in 2012 about Deimante Kedyte's ordeal and
23 Lithuania's failure to properly investigate and prosecute
24 the case against the government officials.

1 (14) “Way of Courage” became the name of a new,
2 anti-corruption, anti-pedophilia political party in Lith-
3 uania, which elected Judge Venckiene to Lithuania’s par-
4 liament in 2012.

5 (15) Judge Venckiene sought political asylum in the
6 United States in 2013 after she received threats and expe-
7 rienced what she believed was an attempt on her life fol-
8 lowing a political rally, and after the Lithuanian Govern-
9 ment moved to lift Judge Venckiene’s parliamentary im-
10 munity.

11 (16) The Lithuanian Government has systematically
12 prosecuted for “false statements” and other crimes the
13 journalists, a medical professional, Deimante Kedyte’s
14 grandparents, Judge Venckiene’s neighbor, people who at-
15 tended rallies on her behalf, and many others who came
16 forward with evidence or support of Deimante Kedyte’s
17 claims of sexual molestation or who opposed the violent
18 removal of Deimante from Judge Venckiene.

19 (17) Lithuania has leveled more than 35 charges
20 against Judge Venckiene, including charges for filing peti-
21 tions on behalf of Deimante Kedyte with Lithuania’s
22 courts and the Child’s Rights Ombudsman, making state-
23 ments critical of the investigation to journalists, describing
24 in her book the sexual molestation case against and nam-
25 ing the public officials, involvement in “unauthorized pro-

1 tests”, “humiliating the court”, desecrating the national
2 anthem, conducting her own investigation into the case,
3 failing to turn Deimante over to the accused mother,
4 bruising an officer, and kicking at Deimante’s mother
5 when the mother tried to remove Deimante.

6 (18) The extradition treaty signed by the United
7 States and the Republic of Lithuania on October 23,
8 2001, does not permit for Judge Venckiene to offer
9 counter-evidence in United States court to any of Lithua-
10 nia’s charges against her or to make the case for political
11 motivation.

12 (19) A United States Magistrate Judge in April 2018
13 approved extradition for charges that Judge Venckiene
14 hindered the activities of a bailiff, failed to comply with
15 a court’s decision not associated with a penalty, caused
16 physical pain, and resisted against a civil servant or a per-
17 son performing the functions of public administration—
18 all charges related to Deimante Kedyte being taken from
19 Judge Venckiene’s home and returned to the accused
20 mother.

21 (20) Former political prisoners, as well as current
22 and former government officials in Lithuania have written
23 to the United States Government, warning that the Lith-
24 uanian Government’s charges against Judge Venckiene
25 are politically motivated.

1 (21) The Chairman of the Supreme Court of Lith-
2 uania Gintaras Kryzevicius has been reported as publicly
3 saying that Judge Venckiene “is an abscess in the legal
4 system and an abscess in the political system” and “the
5 trouble of the whole state”.

6 (22) Sweden, Ireland, Northern Ireland, Denmark,
7 Malta, Ukraine, and Russia have all refused to extradite
8 individuals to Lithuania.

9 (23) Judge Venckiene can present evidence con-
10 cerning the political motivation of Lithuania’s charges
11 against her before an immigration judge if she is excluded
12 from the extradition treaty and allowed to proceed with
13 her political asylum case, filed in 2013 and scheduled to
14 be heard in July 2019.

15 **SEC. 3. EXCLUSION FROM EXTRADITION TREATY BETWEEN**
16 **THE UNITED STATES OF AMERICA AND THE**
17 **REPUBLIC OF LITHUANIA.**

18 (a) IN GENERAL.—Notwithstanding any other provi-
19 sion of law, Judge Neringa Venckiene shall be excluded
20 from extradition under the Extradition Treaty Between
21 the Government of the United States of America and the
22 Government of the Republic of Lithuania, signed at
23 Vilnius on October 23, 2001, and entered into force on
24 March 31, 2003 (as amended by the Protocol on the Appli-
25 cation of the Agreement on Extradition between the

1 United States of America and the European Union to the
2 Extradition Treaty between the Government of the United
3 States of America and the Government of the Republic
4 of Lithuania, signed at Brussels on June 15, 2005, and
5 entered into force on February 1, 2010), and excluded
6 from all other laws allowing for her extradition to Lith-
7 uania.

8 (b) POLITICAL ASYLUM.—Judge Neringa Venckiene
9 shall be permitted to remain in the United States until
10 a final order is issued with respect to her pending applica-
11 tion for asylum.

12 (c) FREE MOVEMENT.—Judge Neringa Venckiene
13 shall not be held in Federal or State prison or detention
14 for any immigration-related or extradition-related offense
15 and shall be allowed free movement and continued work
16 permission until a final order is issued with respect to her
17 pending application for asylum.

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