

116TH CONGRESS  
1ST SESSION

# H. R. 2320

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.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2019

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

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## 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. SENSE OF CONGRESS.**

23          It is the sense of Congress that in meetings with for-  
24          eign officials of countries from which the United States  
25          seeks the extradition of fugitives, United States ambas-

1 sadors and other senior officials should prioritize advocacy  
2 on fulfilling United States extradition requests, including  
3 extradition of George Wright, an escaped convict and the  
4 murderer of Walter Patterson of New Jersey, and Joanne  
5 Chesimard, an escaped convict and the murderer of New  
6 Jersey State Trooper Werner Foerster.

7 **SEC. 4. REPORT.**

8 (a) IN GENERAL.—Not later than 270 days after the  
9 date of the enactment of this Act, and not later than the  
10 end of each 12-month period thereafter, the President  
11 shall submit to the appropriate congressional committees  
12 a report on the following:

13 (1) The number of fugitives, and others for  
14 whom the United States Government is seeking ex-  
15 tradition or rendition, currently residing in other  
16 countries whose extradition is sought by the United  
17 States and a list of those countries.

18 (2) Diplomatic and other efforts, if any, the  
19 United States has undertaken to secure the return  
20 of such fugitives.

21 (3) The average length of time these cases have  
22 been outstanding.

23 (4) How many of these cases have been resolved  
24 to the satisfaction of the United States.

1           (5) Factors that have been barriers to the reso-  
2           lution of these cases.

3           (6) Information on the number of United States  
4           citizens whose extradition has been sought by other  
5           countries during the past 5 years, a list of those  
6           countries seeking extradition, and the outcomes of  
7           those requests.

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

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

13               (1) the Committee on Foreign Affairs and the  
14               Committee on the Judiciary of the House of Rep-  
15               resentatives; and

16               (2) the Committee on Foreign Relations and  
17               the Committee on the Judiciary of the Senate.

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