

118TH CONGRESS
1ST SESSION

H. R. 3536

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, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2023

Mr. SMITH of New Jersey (for himself, Mr. McCAUL, Mr. KEAN of New Jersey, Mr. FITZPATRICK, Ms. SALAZAR, Mr. PASCRELL, and Mr. VAN DREW) 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, and for other purposes.

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 with
14 respect to whom the United States Government is
15 seeking extradition or rendition, currently residing
16 in other countries whose extradition is sought by the
17 United 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 five years, a list of those
6 countries seeking such extradition, and the outcomes
7 of 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.

○