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GLOBAL HUMAN RIGHTS, AND
INTERNATIONAL ORGANIZATIONS
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COMMISSION ON CHINA

DEAN, NEW JERSEY DELEGATION

Markup of H.R. 2189*Subcommittee on Africa, Global Health, Global Human Rights
and International Organizations**Remarks prepared by Rep. Chris Smith
September 22, 2016*

Good afternoon and welcome to everyone joining us this afternoon.

In 1963, Walter Patterson, a decorated World War II veteran and Bronze Star recipient, was shot to death and savagely beaten during a robbery committed by George Wright. Wright was subsequently convicted of the murder and sentenced to 15 to 30 years, but in 1970 escaped from Leesburg State Prison, now renamed Bayside State Prison, located in New Jersey. For 41 years, George Wright's whereabouts were unknown – though he was also sought for hijacking a passenger jet during this period – and he built a life based on lies and deception.

When George Wright was located in Portugal in 2010, the Patterson family naturally thought that, as a convicted felon and prison escapee, he would be speedily returned to the United States to finish serving his sentence. Portugal, after all, is a friend of the U.S., committed to the rule of law and has a long-standing extradition agreement with the United States.

Shockingly, a Portuguese court rejected the United States' extradition request in 2011 and efforts to reverse that decision ceased in 2012. The Patterson family, so deeply wounded by the murder of their beloved family member and then by the murderer's escape—have had their wounds re-opened by the Portuguese government's refusal to extradite George Wright.

This failure of U.S. international extradition policy is not an isolated example. In 1973, Werner Foerster, a NJ State Trooper, was murdered by JoAnne Chesimard during a routine

traffic stop. In 1977, Chesimard was convicted of murder and sentenced to life in prison. She escaped in 1979 and fled to Cuba, where she remains to this day, an honored guest of the Cuban government. Many other fugitives are suspected of taking refuge in Cuba, including infamous criminals Victor Manuel Gerena, wanted for armed robbery, Charles Hill, wanted for air piracy, kidnapping, and murder, William Morales, a prison escapee, previously convicted on weapons charges, Cheri Dalton, wanted for a string of robberies, and Frank Terpil, a former CIA employee convicted in absentia on arms trafficking charges.

With or without an extradition treaty, between both allies of the United States and unfriendly governments, there are too many cases around the world where efforts to extradite convicted criminals have simply stalled, leaving surviving families without closure and our efforts to seek justice in limbo. Instead of continuing to allow violent criminals to live openly abroad—apparently outside of our government’s reach—we must strengthen the Executive Branch’s ability to take action to resolve failed extraditions.

In response to this problem, this bill requires the executive branch to provide Congress with an annual study on various aspects of U.S. extradition policy, such that Congress can take action to address outstanding issues in the extradition system. Currently the executive branch’s management of the extradition system is largely opaque to congressional oversight and hence resistant to reform

This bill requires the executive branch to provide Congress with an annual report on a number of aspects of U.S. international extradition policy, so that Congress can take appropriate action to address outstanding issues. These reports will also assist the executive branch by compiling all relevant data in one place and providing an overview on the success, or lack thereof, of international extradition efforts.

These reports will include: (1) the number of fugitives residing in other countries for whom the United States is seeking extradition or rendition and list of those countries; (2) U.S. diplomatic and other efforts to secure the return of these fugitives; (3) the average length of time these cases have been outstanding; (4) the number of satisfactorily resolved cases; (5) factors that have been barriers to case resolution; and (6) information on the number of U.S. citizens whose extradition has been sought by other countries during the past five years, a list of those countries seeking extradition, and the outcomes of those requests.

The government of the United States is unable to adequately track and secure extradition of fugitives abroad and as a result enables countless criminals to escape justice. This needs to change. The Walter Patterson and Werner Foerster Justice and Extradition Act is an important step toward strengthening the oversight role of Congress and giving the executive branch the tools it needs to successfully extradite wanted fugitives.

This bill has the support of a diverse coalition of advocacy organizations, including Concerns of Police Survivors, the National Association of Police Organizations, the National

Organization for Victim Assistance, the National Sheriffs' Association, and the American Bail Coalition.