

**JUSTICE IN THE INTERNATIONAL
EXTRADITION SYSTEM: THE CASE OF
GEORGE WRIGHT AND BEYOND**

HEARING
BEFORE THE
**COMMISSION ON SECURITY AND
COOPERATION IN EUROPE**
ONE HUNDRED TWELFTH CONGRESS
SECOND SESSION

JULY 11, 2012

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COMMISSIONERS

	Page
Hon. Christopher H. Smith, Chairman, Commission on Security and Cooperation in Europe	1
Hon. Steve Cohen, Commissioner, Commission on Security and Cooperation in Europe	3

WITNESSES

Ann Patterson, Daughter of Walter Patterson	4
R.J. Gallagher, Retired FBI Special Agent	7
Jonathan M. Winer, Senior Director, APCO Worldwide, Washington, DC, and Former U.S. Deputy Assistant Secretary of State for International Law Enforcement	11
Granddaughter of Walter Patterson	21
Granddaughter of Walter Patterson	22

APPENDICES

Prepared statement of Hon. Christopher H. Smith	28
Prepared statement of Hon. Benjamin L. Cardin	29
Prepared statement of Ann Patterson	30
Prepared statement of R.J. Gallagher	33
Prepared statement of Jonathan M. Winer	36
Materials for the Record	42

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July 11, 2012

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
WASHINGTON, DC

The hearing was held at 2 p.m. in room 2203, Rayburn House Office Building, Washington, DC, Hon. Christopher H. Smith, Chairman, Commission on Security and Cooperation in Europe, presiding.

Commissioners present: Hon. Christopher H. Smith, Chairman, Commission on Security and Cooperation in Europe; and Hon. Steve Cohen, Commissioner, Commission on Security and Cooperation in Europe.

Witnesses present: Ann Patterson, Daughter of Walter Patterson; R.J. Gallagher, Retired FBI Special Agent; Jonathan M. Winer, Senior Director, APCO Worldwide, Washington, DC, and Former U.S. Deputy Assistant Secretary of State for International Law Enforcement; Granddaughter of Walter Patterson; and Granddaughter of Walter Patterson.

**HON. CHRISTOPHER H. SMITH, CHAIRMAN, COMMISSION ON
SECURITY AND COOPERATION IN EUROPE**

Mr. SMITH. The Commission will come to order. And I want to thank and welcome all of you to this very important hearing of the Commission on Security and Cooperation in Europe.

In September of 2011, hopes were raised high when the FBI announced that George Wright, a fugitive for over 41 years, had been located in Portugal and had been taken into custody pursuant to a provisional arrest request from the United States. There were hopes for accountability, some justice and, for the family he murdered in Wall Township in 1962, for at least some closure to a nightmare.

In 1963 George Wright was convicted in connection with a gas station robbery, during which Walter Patterson, a decorated World War II veteran and Bronze Star recipient—and that's him in that picture, obviously—was beaten and shot to death. Wright was subsequently sentenced to 15 to 30 years, but in 1970 escaped from Leesburg State Prison, now renamed Bayside State Prison, located in New Jersey. In 1972 he and four other men hijacked a Detroit-to-Miami flight. They flew the plane to Algeria, where Algerian authorities allowed them to disappear.

In 1976 four of the hijackers were located and arrested in France. France refused to extradite them to the United States, but tried them in France instead. Following convictions, two of the hijackers spent a mere three years in prison, and two others spent two and a half years. George Wright, however, was not among those caught. For 41 years George Wright's whereabouts were unknown, and he built a life based on lies and deception.

When George Wright was located in Portugal last year, 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 the sentence he received for the murder of Walter Patterson. Portugal, after all, is a close ally, 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 last November, and efforts to reverse that decision have now apparently ceased. The Patterson family, so deeply wounded by the murder of their beloved family member and then by the murderer's escape—and now are bewildered and angry at Portugal's refusal to extradite George Wright.

Today's hearing will examine what happened in this case—and it is the first in a series—and what can be done to promptly return Wright to an American prison and the broader question it raises about the international extradition system.

On behalf of the Commission, I welcome Ann Patterson, Walter Patterson's daughter, who along with her family have suffered irreparable harm from the brutal violence committed against her beloved father by George Wright. Words are inadequate to convey my and the Commission's abiding respect, empathy and condolences to you and your family on your excruciating loss and my disappointment, which I share with you, in Portugal.

Ann will testify in part that the \$70 that George Wright and Walter McGhee stole wasn't enough. They had to beat my father, she says, beyond recognition. George Wright was identified by the imprints of the stock of his gun on my father's skin, she'll tell us. Her testimony is riveting. Her testimony opens up and gives us an insight into the enormous pain that she and the family have suffered.

The Commission will also hear from R.J. Gallagher, a retired FBI agent who has done extensive work on the case, breakthrough work on the case, and has had an extraordinary career with the FBI. So we thank you, the Commission, for your service on behalf of all Americans for the wonderful law enforcement work you have done over the course of your lifetime.

Finally, we will hear from Jonathan Winer, a senior director of APCO Worldwide, Washington, D.C., and former U.S. deputy assistant secretary of state for international law enforcement. And also, he worked for 10 years for Senator Currie and has been tenacious working on law enforcement issues, particularly at State.

On George Wright, Mr. Winer exposes the utter indefensibility of the Portuguese court's decision not to extradite George Wright; why Portugal can still do the right thing by revoking his citizenship, which he secured through immigration fraud; and how the U.S. can and must pursue Wright through INTERPOL, and many other very

important recommendations that I hope that the State Department, the Justice Department, Congress, all of us take to heart.

Finally, let me note that the Commission had requested a representative of the Obama Administration to be here to answer questions of what has and what can be done to bring George Wright to justice. The Commission was informed that Bruce Swartz, Deputy Assistant Attorney General of the Criminal Division of the Department of Justice, wasn't available for today's hearing. So on behalf of the Commission, I will reissue our request for Mr. Swartz or any other appropriate official from the administration to testify at a subsequent hearing.

In like manner, the Commission invited the Portuguese ambassador, Nuno Brito, who was also unavailable due to a scheduling conflict. And like with Mr. Swartz or whoever the administration would like to send, the Commission will request Ambassador Brito's testimony at a follow-up hearing that will be scheduled around his availability as well.

Again, I'd like to now turn to my good friend and colleague Mr. Cohen and ask for any opening comments that he might have.

**HON. STEVE COHEN, COMMISSIONER, COMMISSION ON
SECURITY AND COOPERATION IN EUROPE**

Mr. COHEN. Thank you, Mr. Chair.

I'm interested in hearing the testimony of the witnesses. And to Ms. Patterson, I express my regrets. It's been a long time, but to lose your husband—and the person who commits such a crime should be held responsible. And what he did in escaping and hijacking that plane is reprehensible as well.

Reading the record, there's obviously some positions that the Portuguese government is taking that seems to be adverse to what I think is common sense in international law and Helsinki Commission accords. And I hope that we can get to the bottom of the situation. But that what he did to your husband is an offense, and air piracy and hijacking, all of which should be extradition offenses. And the Portuguese government, I believe—don't want to pre-judge it, but I believe—should extradite him so that he answers for the crimes he has committed and the harm that he's done.

So I look forward to the testimony and appreciate Mr. Smith bringing this hearing, as he always does. And this is bipartisan. While the Obama Administration may not be here, I assure you that it's not because they're not interested and this is bipartisan and that we're concerned about it as well.

Thank you, and I yield back the balance of my time.

Mr. SMITH. Thank you, Mr. Cohen, for your comments.

And I'd like to now introduce our witnesses, beginning first with Ann Patterson. And you know, when we asked how she would like to be described, she just said daughter of Walter Patterson. And frankly, that is enough, you know, a woman who has children and grandchildren, some of whom are with us today, and a woman, like her family, has suffered irreparable harm.

We'll then hear from Mr. Gallagher, who I mentioned earlier is a former FBI special agent from 1986 to 2011, retired just short of the 25 years. And he also served as an officer for the United States Navy for five years.

And then, Jonathan, you'll be next, if you would. And I just would point out a couple of things from his résumé. He actually received a distinguished honor from the Secretary of State, Madeline Albright, for his service in the State Department. The award stated that he created the capacity of the department and the U.S. government to deal with international crime and criminal justice as important foreign policy functions and that, quote, "the scope and significance of his achievements are virtually unprecedented for any single official."

So three very, very distinguished people.

And Ann, if you could proceed.

ANN PATTERSON, DAUGHTER OF WALTER PATTERSON

Ms. PATTERSON Mr. Chairman, my name is Ann Patterson, and I am the daughter of Walter Patterson. My father was robbed, brutally beaten, and shot in his gas station in Wall Township, New Jersey, on November 23rd, 1962. He died of his injuries on November 25th, 1962. I was 14 years old, and my sister Kaye was 13.

My father was a quiet, sensitive person. The gas station was his American dream, and he was so happy to be able to have his own business. He worked 16- to 18-hour days to support our family. Daddy's name is also on the Patterson honor roll of soldiers, part of a family that has fought in all our country's wars. At age 21, he went to Europe and served our country for four years during World War II. He was a TEC 5 and a truck driver/mechanic and was awarded the Bronze Star for meritorious service.

It was the day after Thanksgiving, and Daddy had come home for supper. It was about 4:30 when he got into his truck to go back to work. I stood at the kitchen window waving goodbye, and that was the last time I saw him alive. About five hours later the phone rang, and I answered it. Aunt Jennie said, Walt's been shot, and I screamed, no, no, no, and called my mother to the phone. I was crying, told my sister, and she started crying.

My mother was not well. She called Uncle Charles to take her to the hospital.

When she got there, she couldn't recognize my father. She later told us they had beaten him to a pulp. The doctor operated from about 10:30 p.m. to 6:30 a.m. and told my mother he thought he had gotten all the bone fragments. When I asked her what Daddy had to say, she told me that he couldn't talk because his jaw was wired shut. He was wild with pain and could not be given anything for it since he had head injuries. He had to be restrained in the bed. The doctor told my mother that seizures were to be expected with this type of injury, and Daddy had a seizure on Saturday night.

Kaye and I had been scared to death to stay home alone on Friday night, so we rode to the hospital with Uncle Dick and Aunt Ginny as they took my mother to see Daddy on Saturday night. Aunt Ginny asked my mother if she had told us what we were going to see, but my mother did not allow us to see Daddy, and we waited in the car. Daddy was in critical condition, and no one except immediate family was allowed in. The doctor told my mother that if Daddy came through this, he would be a vegetable and need a lot of care.

On Sunday evening the doctor was talking to my mother in the hallway about my father's condition when the nurse came to them and told them he had passed away. They allowed my mother to spend some time alone with him. When she came home, Uncle Dick and Aunt Ginny were each holding her arms and helping her to the house. I looked at Kaye, and I said, Daddy died.

The viewing was Tuesday, and the funeral home asked for a photo of Daddy so they could make him look like the picture. Does that sound odd to you? My father was unrecognizable in his casket. His wavy black hair with a touch of gray was replaced with straight black hair combed back. His face was all uneven and caked with makeup. I knew he was my Daddy by looking at his hands.

The \$70 that George Wright and Walter McGhee stole wasn't enough. They had to beat my father beyond recognition. George Wright was identified by the imprints of the stock of his gun on my father's skin. If there had not been such a beating, the doctors could have operated on the bullet wound to the abdomen, and it is quite possible that Daddy would still be with us today.

For Kaye and me, the nightmare was just beginning. Since our mother was not well, she could not take care of us. We were told later that we would be sent to Clinton, a home for wayward girls. I later found out that Clinton was in fact a prison for girls. There is something wrong with sending the victims to prison while the criminals do not have to be incarcerated for their actions. I thank God that Uncle Dick stepped in to take care of us.

Our mother was very ill with a heart condition, and her death was hastened by losing Daddy. She passed away 15 months later on February 26, 1964, leaving Kaye and me orphaned. In our house lived my mother's aunt and uncle, both of whom passed away during that 15-month period. In just over a year we experienced the deaths of all four people we lived with and lost our home. We were robbed of normal teenage years. There was no counseling available in 1962. We were left to deal with all this sorrow on our own. We tried to be strong for our mother while she was still alive.

It has not been easy to relive all these events during the past 10 months. The FBI victims specialist suggested I see a counselor, which was beneficial to me. One of the problems that came out was the nightmares that I suffered from for years after my father's death. The counselor said that I had had post-traumatic stress after I described the nightmares to her. I also developed asthma and colitis within a few weeks of Daddy's death.

The premeditated actions of the four individuals involved in my father's murder have negatively impacted five generations of the Patterson family. I have already spoken about my parents and my sister and me. My mother's uncle who lived with us refused food when he learned of this tragedy. He said, I don't want to stay in a world where this is allowed to happen. And he died four months later. My grandfather never spoke my father's name again without crying and told me they didn't have to beat him up so bad. My father's seven grandchildren were deprived of a loving grandfather, and they are angry at the injustice exhibited in the past 10 months.

But the saddest to me are the hurt reactions of my father's 14 great-grandchildren. One of them saw the clip on TV of the capture and asked, what is wrong with people, not knowing it was about her great-grandfather. Another one curled up in a corner of the couch and, crying, asked if he could escape again. Five generations of fear and hurt are five too many.

George Wright cannot erase his life of crime. He is fraudulently a Portuguese citizen. Four aliases do not change the fact that he was born George Edward Wright in the United States of America and committed crimes during his years here. When he chose the crime, he also chose the punishment, as they go hand in hand. George Wright did not give my father a choice on November 23rd, 1962, and so he should not have a choice about not serving his sentence. He does not owe Portugal time; he owes the United States.

George Wright is not sorry for what he did. There has been no apology to the Patterson family. On the contrary, he has made this all about himself and basked in the limelight. To want to profit from a book and movie highlighting his heinous acts against the Patterson family is a slap in the face. He is not the victim here; we are. George Wright is a convicted murderer who lived a life of violence, then fled and lived a life of lies. Now his past has caught up with him, and he needs to come back here and serve his sentence.

In light of all the recent media coverage, I have been approached by many people who have expressed their disgust toward this man and this situation. I feel it is a disgrace that our justice system has failed in assuring a proper punishment for this crime. This whole case sets a terrible precedent for this country, both here and worldwide. It is a negative towards decent citizens and a positive for criminals.

The failure of extradition has affected us in the following ways: one, fear of a known criminal on the loose; two, fear of reprisal from criminal—both of these fears are now 50 years long—three, makes a mockery of the crime against my father—did his life matter; four, has perpetuated our pain and loss; five, loss of any kind of confidence in the criminal justice system, from the local branch which gave too lenient a sentence to the state branch that put a convicted murderer on a minimum security work farm to the federal branch who have backed down to Portugal in the matter of extradition. The case was dropped before the final appeal was filed. It is one thing to do all you can, another to give up before you exhaust all avenues.

I have asked if there are any other avenues of justice such as withholding aid and have not been given an answer.

Don't we have a right to seek justice for our father? Our family has been emotionally affected by injustice in the following ways: One, no closure—this is still an emotionally draining, open wound; two, we have family members and friends across this entire nation who are appalled at the injustice of trying to obtain justice; three, we are not happy that George Wright wants to do a book and a movie and capitalize on his inhumane treatment of our father; four, we were extremely upset when we read in the newspaper that the final appeal had been dropped—I was told that I would be notified of any decision so that I wouldn't be blindsided upon learning

something from the media—five, on a personal level, this has split my family in two. Some members support efforts to obtain justice, and some cannot emotionally face the details of this crime to even talk about it.

What can be done? Here are my suggestions: Number one, reinstate the death penalty for criminals convicted of heinous crimes. Such a strong penalty may act as a deterrent. Two, put pressure on Portugal. I understand there is an extradition treaty from 1907 to this effect. Three, do not send any financial aid to Portugal. Four, form a committee at the state level to double-check paper work so that errors like this can't happen again. Five, support and pass Illinois Senator Richard Durbin's Bringing Fugitives to Justice Act. And six, nothing that any of us say or do will bring my father back, but if we can look ahead and help the countless number of children who are similarly affected or will be affected by senseless crimes, then all of our efforts will not have been done in vain.

There is no conclusion to my story. It has not occurred yet, for the conclusion now rests in the hands of the politicians. The FBI and the U.S. Marshals have done their job in locating this fugitive, and we thank them. I have done all I can by telling about our family events from November 23rd to November 25th, 1962, and the impact of this despicable crime. On behalf of the Patterson family, I ask you to please bring justice for the untimely death of my father, Walter Patterson. Thank you.

Mr. SMITH. Ms. Patterson, thank you very much for that extraordinarily moving testimony and the tenacity that you have brought to trying to bring this man to justice, and for thanking the FBI and the marshal service for the extraordinary work they've done in tracking him down. We need to do our job, those of us in the executive as well as, in our case, the legislative branch. And I thank you for that.

I'd like to now—we do have a vote on right now, but we do have some time. Mr. Gallagher, if you could proceed with your testimony and—thank you.

R.J. GALLAGHER, RETIRED FBI SPECIAL AGENT

Mr. GALLAGHER. Yes. Good afternoon. My name is R.J. Gallagher. I'm a retired FBI agent. And at the risk of some redundancy, I'd like to acquaint members with the background of George Wright.

On Friday night of Thanksgiving weekend in 1962, George Wright and two others robbed and mortally wounded Walter Patterson, a service station proprietor in Wall Township, New Jersey. That night, Wright and his co-defendants wore nylon stockings over their faces and wore gloves on their hands. Wright carried a sawed-off rifle, his co-defendant a cheap handgun. They brought with them white adhesive tape for binding of their victims. Earlier that same day, Wright and his co-defendants had cut down the rifle, bought ammunition and had test-fired the weapon. They also had driven around the Jersey shore area looking for prospective places to rob.

At around 9:30 p.m. that night, when Wright and a co-defendant entered Walt Patterson's Esso gas station on Route 33, they were

committing their second armed robbery of the night. This robbery, the one about to take place, unlike the first did not go as planned. For it would appear that Walt Patterson was not sufficiently compliant or quick enough to the demands of the robbers, and a fight ensued.

Wright and his co-defendant repeatedly rained blows to the head and shoulders of Walter Patterson with their weapons. At some point the handgun carried by the co-defendant fired, and Walter Patterson was struck in the abdomen. He fell to the floor. The two robbers fled, taking with them about \$70. Both robbers were very aware that their victim was shot and wounded, yet they left him alone on the floor of his gas station. They did not place an anonymous call to anyone to get Walter Patterson medical attention. Instead, using the money proceeds from their two robberies that evening, they went out and partied. They dined, they drank and they played pool until 2:00 or 3:00 in the morning.

Investigation over the next two days led to the identification and arrest of the persons involved in the robbery/murder. This included George Wright. All the physical evidence was recovered: guns, stocking masks, gloves, ammunition. All the arrested gave full confessions.

On January 28th, 1963, Wright pled “non vult” to a murder indictment. By this plea Wright did not contest his guilt, and he waived his right to trial. This plea allowed Wright to receive a 30-year maximum sentence, as opposed to life had he gone to trial and been convicted. On February 15th, 1963, Wright was sentenced to a prison term of not less than 15 years and not more than 30 years.

At this point I'd like to just take a break from Wright's crime chronology and state that I have read in numerous media accounts subsequent to Wright's arrest that Wright has stated that since he did not fire the shot that killed Walter Patterson, he is not guilty of the crime of murder. First, both of Wright's co-defendants stated that in the immediate aftermath of this crime, Wright told them he had fired. Nine bullets from the sawed-off rifle Wright carried were found on the floor of the service station.

The presiding judge at the time of Wright's sentencing went on record stating that these nine rounds on the floor indicated Wright's intentions to—Wright's intention and attempt to fire his weapon but that the weapon had malfunctioned.

But regardless of Wright's intent, attempt or belief that he had fired or that he had not fired, it was the law of the state of New Jersey that if a person committing a robbery kills another or death ensues during the robbery, that person is guilty of murder.

I have also read that there is to be some mitigation for the crime when considering the age of George Wright, as he was 19 years old at the time. Here it should be noted that Walter Patterson, his victim, was barely a much riper 21 when he entered the U.S. Army shortly after Pearl Harbor. Walter Patterson then served in the Army for near four years until the war was over. Of his time in the Army, 2 and a half years was spent over in Europe in the eastern theater of operations.

Back to the Wright timeline: On August 22nd, 1970, Wright and others escaped from the New Jersey State Prison. At this time

Wright had served seven years, seven months and 25 days. Wright has remained a fugitive from U.S. justice since this date.

On July 31st, 1972, Wright and four others, to include one of the persons he escaped with, hijacked a Delta Airlines DC-8 en route from Detroit to Miami. The hijackers were accompanied by three of their small children. Wright was dressed in the garb of religious clergy. Wright was the eldest and the leader of the hijackers. He wielded a handgun, gave the orders and issued the threats. He pointed a cocked weapon to the head of the airline pilot, Captain William May. Once landed in Miami, Wright demanded \$1 million and threatened that if his demands were not met, he would toss bodies out of the plane.

Wright and his fellow hijackers received the million-dollar ransom, and they released approximately 80 passengers. The flight crew was not released and were forced to fly the plane and the hijackers first to Boston and then on to Algiers, Algeria. Algerian authorities seized the \$1 million and the plane, returning them both to the U.S. The hijackers, however, were allowed their freedom and eventually made their way to France.

Wright and the four other adults were all indicted for air piracy in the United States on August 3rd, 1972. While in Algeria, Wright and the other hijackers made a videoed press statement, and as part of that statement the speaker stated, among other things, that the hijackers were revolutionaries. In May of 1976, four of the hijackers—the lone exception being George Wright—were arrested by French authorities for the 1972 air piracy. In 1978, France tried these four for the air piracy, and they were all convicted of same. And so to this day, Wright has not served his sentence for his homicide conviction, nor has he been tried for the indicted charge of air piracy.

My involvement in this matter began in 1994 when I reopened the New Jersey fugitive investigation regarding Wright. I worked it until my retirement in July 2011. The United States Marshals and the New Jersey Department of Corrections joined the investigation in approximately 2003. Since the case was reopened, most all the techniques used in fugitive investigations were employed. These would include but not be limited to: interviews, both domestic and abroad; notification to national law—to international law enforcement; court orders; human intelligence; cooperation of foreign law enforcement. Specifically, fingerprints, age-enhanced sketches and computer images were produced and distributed. The United States Marshals commissioned the making of an age-enhanced bust. All three agencies played a vital and significant part in this investigation. And just as an aside, to my mind it was a model of organic and ad hoc interagency cooperation.

In March of 2010 the Portuguese police notified the FBI legal attaché in Madrid that they had positively identified the person living in Portugal under the name of José Luís Jorge dos Santos as George Wright. This they did, unknown to Wright, by comparison of photographs they had on file for Santos with those of George Wright.

In September of 2010, six months after the positive identification, myself and attorneys from the Department of Justice Office of International Affairs met with Portuguese law enforcement and

prosecutors in Lisbon, Portugal. The purpose of this meeting was for the United States to seek Portuguese legal input and to work together so that the United States might produce an extradition request with the greatest chance of success.

I would characterize these meetings as both positive and productive. All the parties agreed that extradition could proceed for U.S. person George Wright. Further, there was agreement that George Wright was using a made-up name of José Santos and had in fact provided false pedigree information to the Portuguese government as regards to his name, place of birth and parentage.

One issue remained unresolved. Portugal saw as barrier to extradition Wright's exposure to a 25-year sentence of incarceration for an air piracy conviction. They viewed this as the equivalent of a death sentence, and therefore that would serve as basis for the denial.

Moving along, well over a year had passed since the positive identification had been made, and this issue proved to be intractable. And no extradition request had yet to be submitted. In May of 2010, the decision was made to tender the extradition request based solely on Wright's homicide conviction. I participated in this decision and supported it fully. In fact, it was probably done at my instigation; so if hindsight determines this is a bad call, I am solely to blame.

Portuguese law enforcement arrested George Wright in September of 2011. Since his arrest, the Portuguese courts have denied the United States' extradition request for Wright. It is my understanding they cited the following in their ruling: One, too much time had passed, and there must be closure to criminal cases. Two, Wright's integration into Portuguese society demanded that extradition be denied on humanitarian grounds. Both these two reasons cited per DOJ are not—per DOJ are just not recognized as basis for denial of extradition per our treaty with Portugal. And third, the court found that Wright is a Portuguese citizen. This is where the matter now stands.

Looking forward and beyond George Wright, each nation is free to choose its own criteria for citizenship. This is how it is and how it should always be. But it would seem that each nation would have self-interest in seeking an obligation from prospective citizens seeking naturalization, for them to tell the truth regarding their identity and any information they give the government. This would obviously provide for the safety and security of the nation's own security. George Wright provided false information to Portuguese authorities, it would seem, because if he provided his true identity, not only would citizenship be denied but he would probably be arrested.

In August of 1972 George Wright was indicted on the criminal charge of air piracy. If one looks at the elements of the crime Wright committed, this same act committed today would potentially be charged as an act of terrorism. And for such a charge, the extradition treaty between U.S. and Portugal states that Portuguese citizens can and will be extradited for terrorism. I actually could not imagine that this crime, taking place today, would not be charged as terrorism.

And specifically with return to George Wright, I've seen numerous media accounts post-arrest that suggest for some time he has led a good life and that he has in fact rehabilitated. This is perhaps a valid argument, and he might have a case for such. But there remains only one place that can decide if such an argument is valid, and that is here in the United States where he committed his crimes, in front of a court or a parole board of proper jurisdiction. I would encourage George Wright to come and make his argument. Thank you.

Mr. SMITH. Mr. Gallagher, thank you so very much for that very extensive background, as well as for your work dating back to 1994. And thank you so much for that.

I'd like to now ask Mr. Winer, if you would proceed with your testimony.

JONATHAN M. WINER, SENIOR DIRECTOR, APCO WORLDWIDE, WASHINGTON, DC, AND FORMER U.S. DEPUTY ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL LAW ENFORCEMENT

Mr. WINER. Mr. Chairman, Mr. Cohen and honorable members of the Commission: As former deputy assistant secretary of state for international law enforcement, I'm honored to testify, to share my views regarding the international extradition system and options for the United States when a foreign legal system frustrates justice. I ask that my full written statement be placed in the record.

Mr. SMITH. Without objection.

Mr. WINER. During my tenure in the State Department and since, our government has worked to vindicate one underlying goal with regard to fugitives: to secure their return to the United States to provide justice regardless of the criminal's location. I have 10 points to make about how to apply this principle to the George Wright case and more generally.

First, the decision by the Portuguese judge to refuse Wright's extradition to the United States is legally indefensible under the century-old U.S.-Portuguese extradition treaty and under the principles of extradition law internationally. Neither the passage of time nor Wright's citizenship through marriage provide a legitimate basis for the Portuguese judge to deny extradition, let alone humanitarian factors that have been asserted. This is simply legally wrong.

The statute of limitations protects people from belated prosecutions, not fugitive escapees from prison after their convictions. It is also an abuse to refuse to extradite a citizen of another country who's escaped prison and only later becomes a citizen of the country to which he's fled. The judge's decision on these two issues is legally wrong, morally unjust and should be given no respect whatsoever by any government beyond Portugal.

Two, Portuguese authorities can still do the right thing to secure justice. Wright entered Portugal through immigration fraud, using a false name and with a false history about his citizenship and birth. It appears these true facts were not known to Portuguese authorities until 2010 or so. If this is correct, Portugal could revoke his citizenship and deport him, putting him on a plane to the

United States or to another country which could turn him over to the United States.

Three, the U.S. can take further steps on its own to use international institutions on this matter. George Wright is currently listed by the United States on Interpol's public wanted database as a fugitive. But the public notice is notably out of date. It doesn't list his current name, address or other current personal details. This was as of yesterday. This new detailed data could all be provided to Interpol by the United States and made publicly available to every citizen of the world. The U.S. could ask Europol, Europe's police institution, to track him down and to arrest him if he ventures beyond Portugal. And FBI legal attachés could make the same request with their EU counterparts.

Four, the U.S. has a reward program for the rendition of important fugitives. One part of that's administered by my former bureau, the Bureau of International Narcotics and Law Enforcement. The State Department could issue a reward for information or other assistance that secures the return of Wright to the United States. A reward might lead to a citizen's arrest in which people grab him and put Wright into U.S. custody. This approach has been upheld by the Supreme Court. Indeed, the Justice Department's internal procedures expressly allow the use of bounty hunters and rewards.

Fifth, the U.S. can itself use lures to entice a criminal fugitive to leave a foreign country so he or she can be arrested in international waters or airspace, or brought to the United States or in a third country for subsequent extradition, expulsion or deportation. There are a wide range of possibilities for lures potentially applicable to Wright. How will he know whether a book agent or movie agent is real and intends to help him publicize his life, or is actually an agent of the United States? I hope he has a lot of trouble making that distinction in the days to come.

Sixth, the United States could undertake an extraordinary rendition, in which U.S. government officials take direct action to capture a terrorist—which Wright was—such as snatching Wright as he's going about his day-to-day business, smuggling him into a car and then to a boat, and then bringing him to the United States to face justice. Notably, the use of such techniques risks significant protests on the part of a foreign government such as Portugal and can chill the bilateral relationship. This happened when we did it in a very important case in Mexico. We did the right thing. The Mexicans were angry, but it was the right thing to do after they tortured and killed a Drug Enforcement agent—Administration agent. And it happened recently in Italy in connection with some renditions. But we can still do it if we choose to.

Seven, the U.S. could apply terrorist economic sanctions to Wright, prohibiting transactions with him by any U.S. person and freezing any assets he may have in any U.S. financial institution. Now, he may not have any in any U.S. financial institution, but foreign financial institutions often then apply these sanctions as well to protect themselves, and it will certainly inhibit his ability to gain any economic advantage from his life story.

As he stated publicly, he hopes to write a book about his life and secure a film deal. U.S. imposition of terrorist sanctions against

him would make it much more difficult for him to sell the book and to profit off his crimes, and might make it possible for profits from any of these ventures could be seized by the United States.

Eight, the U.S. could take steps to punish Portugal for its court's unjust refusal to extradite Wright. Unfortunately, I believe this approach almost certainly would be counterproductive in practice. We have all kinds of security arrangements with Portugal. The Portuguese government did not do the wrong thing, as near as I can tell here: A Portuguese judge did, a different part of the Portuguese government. And for that reason, were I in the State Department, I would not support sanctions against Portugal. Regardless, senior U.S. officials can be directed to raise this issue with Portuguese counterparts, inviting positive steps by Portugal, such as denaturalization and deportation, to secure justice, and I certainly hope they do that.

Nine, Congress could strengthen the executive branch's ability to analyze and apply these tools in cases of failed extraditions, such as this one. This could be facilitated through a congressional mandate for an annual report on extraditions to Congress covering such issues as total extraditions by country, number of extraditions refused, reasons for refusal of extraditions and steps taken by the United States in response to a refused extradition. Such a report might provide for further focused attention on these issues by both the executive branch and by Congress, thereby facilitating the goal of securing justice for all.

I understand any administration might resist putting such information in one place publicly in order to protect confidential intelligence, diplomatic and law enforcement programs, activities and relationships. For this reason, Congress may wish to consider structuring any such mandate to provide for a public report that delivers statistical data and information with a—in classified—publicly, with information on certain matters in a classified appendix.

Finally—and I know you're facing a vote—we're OK? OK. Finally, the U.S. should not give up on this case simply because an extradition has failed. A fugitive may be able to run, but should never be permitted to hide. George Wright has expressed his relief at not being returned to the United States to serve out his prison sentence, and being allowed to spend the remainder of his life with his wife and his grown children, while profiting off his crimes by writing a book about them and seeking a film deal. Walter Patterson and his entire family have been denied such pleasures and their fundamental human rights by Wright and his own personally chosen criminal acts.

In this case, and in other cases like this, U.S. policy and the actions our government takes must make sure that murderers and terrorists, wherever located, can never breathe the sigh of relief that they have reached safety as a result of outlasting law and justice.

Which of the options I have outlined should be taken in this case will depend on careful judgments by those in the U.S. government with the most knowledge of the facts about what steps will be mostly likely to actually succeed to secure justice here. The Commission may contribute to that process further through ongoing dialogue with those who have those responsibilities, including send-

ing specific questions to relevant components of the U.S. government about their intended actions on this case now that extradition has failed.

I am available to respond to any questions you may have, and thank you.

Mr. SMITH. Thank you so much, Mr. Winer. Let me just ask you, if I could, first, of your 10 points, what points, if any, have been pursued by the Justice Department or by State?

Mr. WINER. Based on the public record, it does not appear any steps other than the extradition—Mr. Gallagher may have more information than I do—and that's one reason why further inquiry from the Commission may be of value.

Mr. SMITH. Mr. Gallagher, are you aware of any other efforts made besides extradition?

Mr. GALLAGHER. No, I am not. As of my retirement, I'm no longer in the loop.

Mr. SMITH. OK. Again, we had asked that the administration be here. Due to a scheduling conflict they're not, but we will ask that question and many others in open hearing, as well as by way of letter.

Yes.

Mr. WINER. Mr. Chairman, Mr. Schwartz at the Justice Department is a person I've worked with in the past for whom I have the highest possible regard for his integrity, competence, diligence, creativity, imagination, knowledge. And I think that working with him on this matter would be as fruitful as it could possibly be, in light of his institutional responsibilities.

Mr. SMITH. Knowing what you know, having worked as a DAS—deputy assistant secretary—for law—international law enforcement, is the decision made at his level, or would it be made at a higher level?

Mr. WINER. I think the answer to that question is yes and yes, which is to say Mr. Schwartz exercises a lot of influence—and he should: He's a person of great judgment and experience. In this matter and all of these kinds of matters, the State Department has its equities; it wants to maintain a good relationship with Portugal, which, as I said, this is a judicial decision, not an executive branch decision; it's going to want to think about precedent. The Justice Department has had a lot of experience with such problems as extraordinary rendition over the past decade, and so there will be more than one component of a U.S. government that would likely be involved in this kind of process.

Mr. SMITH. We have heard that before. We've heard it recently in the case of a child who was abducted to Brazil, and the equities were such that very little was being done to bring David Goldman's son, Sean, back. It was on a list of talking points but hardly a priority. We hear it often.

It seems to me that from the Portuguese point of view, there should at least be some consideration being given as to what this does to the other side of that equation, and that is what Americans—what the American government, what the Congress and hopefully what the executive branch—thinks of what appears to be a rogue court. As you said, I think, Mr. Gallagher, so well, questions could be asked and—but the final adjudication needs to be

done here, where the crime and the conviction and the sentencing and the incarceration were all done in a very lawful manner and no one questions whether or not the rule of law was followed in this case.

And yet some rogue—seemingly rogue—judge is able to do this, and there will be repercussions, respectfully, I would say, from this side, vis-à-vis Portugal.

Mr. WINER. Mr. Chairman, from my perspective, when Congress takes an interest in an issue like this, it can motivate elements of our government to do more. And the instincts of the government ordinarily in the executive branch is to deal with the crisis of the day and the underlying goals of maintaining relationships and working problems. Making this a priority is an important part of the congressional mission and does have an impact—a positive impact—on executive branch functionality in terms of protecting Americans. And it can make a very big difference in strengthening the ability of the executive branch to protect Americans, as is the case here.

Mr. SMITH. And that is part of what the hope is here, that this begins an introspection as to whether or not we're doing all our due diligence to protect Americans everywhere.

I just came back from Bolivia just a few weeks ago on a case of a man named Jacob Osstreicher, who has been charged with nothing, languishes in Palmasola Prison with no charges brought against him. The welfare and whereabouts aspect of what State has done, by the consular affairs people, is tremendous, but it has not been raised to the level of government to government, in a way—has not gone to the undersecretary, has not gone to the secretary or any higher. I asked that question specifically. So we're making, hopefully, a big deal about that, not just for Jacob—although that should be enough—but for any other American who is improperly and unethically incarcerated and is made to suffer.

And that, Ms. Patterson, is in part what we're trying to do here.

One—and I think this is something that is often missed by some in government—and that is the ongoing trauma that you and your family has experienced. This is not over. And there are three impact statements that some of the younger relatives, the daughters, would submit—are going to submit for the record. As you said, five generations of traumatizing, and for this man to remain at liberty, thumbing his nose at the world, especially at your family and at the United States, having been incarcerated.

And all the good work that was done by the FBI—Mr. Gallagher, thank you for that tremendous work taking this up in 1994. And I'm wondering, having worked with the Portuguese, is this a pattern? Have you detected anything that would even suggest that this is the way the Portuguese government acts, or is this an aberration?

Mr. GALLAGHER. This was my lone attempt at extradition with Portugal. But I can say that when we met with them in Department of Justice, they were—the law enforcement, they were the ones that, at our behest, made the positive identification and were bending over backwards to help us, as were the Portuguese prosecutors. And I would defer that it—to me, it looks like a sole judge in the judiciary over there that is—that has just made a bad call.

Mr. SMITH. Now, is there a higher level of court that can overrule him? Is that in the process? And did the United States meet its timeline to appeal and to try to bring this to the next level?

Mr. WINER. Mr. Chairman, I don't understand the final moments of this case, in which we—the United States Government—apparently did not do a final appeal.

I know that the Office of the Legal Counsel at the Department of State and/or the Office of International Affairs in the Department of Justice would most likely have been involved in making a determination on that. Both of these offices, in my experience, regardless of administration, Republican, Democrat, over decades, are diligent and honorable and pay attention, first and foremost, to the legal equities of Americans—American citizens and the U.S. government.

And while other parts of the government may have other equities, I want to maintain a great relationship with the country of A, B or C, these offices are very focused on those points. So it's a factual thing to clear up with them.

I can tell you point blank Portugal and the United States have maintained over many decades close working law enforcement as well as military security relations that have advanced U.S. security and law enforcement goals over a long time. These are not just valued allies in a clichéd sense; they're valued allies in a day-to-day operational sense. And I do not blame the country for what this judge did, just as any number of American judges have made decisions with which I vehemently disagree and do not control.

Mr. SMITH. You know, this hearing is not the beginning. When Ms. Patterson came and asked me to look into this, I got on the phone immediately and began the process, and then knew in a timely fashion that an appeal had to be filed. And so, you know, they certainly were on notice that something should have been done sooner rather than let a deadline pass, which is again why we had hoped the Justice Department would be here to give us a—maybe we're missing something. I'd love to know.

Mr. WINER. Congress should have an explanation from the executive branch on this.

Mr. SMITH. Appreciate that, thank you.

Mr. GALLAGHER. Mr. Chairman, I'll give you my sense of it, and that is as—I've been informed that the appeal could—the department—or the Department of Justice hired private attorneys in Portugal. And the Portuguese prosecutors, for whatever reason—and the reason I don't know—chose not to go ahead with the appeal on their side. The court ruled that the private attorneys hired by Department of Justice could not go forward on their own without a file of appeal by the prosecutors, and that—that's what I know. I can't explain it, but—

Mr. SMITH. OK.

Mr. Winer.

Mr. WINER. Attorneys regularly, in this world, don't think of all contingencies, or in the—to be more blunt, screw up. And if Mr. Gallagher's account is correct, it may be that inadequate consideration was given by the Justice Department to this possibility. These things can happen, and in this case, the result is a travesty. This is unjust, this is a travesty, this is wrong, this should be

turned around and the United States Government should be taking whatever steps are appropriate to get this turned around.

Mr. SMITH. Your point number eight—and I thank you for that emphatic statement—you mention that senior U.S. officials can be directed to raise this issue with Portuguese counterparts, inviting positive steps by Portugal such as denaturalization and deportation to secure justice. Has that been done?

Mr. WINER. I have no information as to whether it's been done in this case. It may well be that because the extradition process was going forward, this option was not previously considered. It should be. If he, as every fact seems to indicate, committed any form of fraud in Portugal that allowed him to become a citizen, certainly under core principles of immigration law, you can seek a denaturalization as a prelude to deportation. And this is done, it can be done and it has been done in other cases, and it certainly should be actively explored in this case. If that doesn't work, you've got lures, you've got extraordinary renditions, you've got bounty hunters and rewards. Those are all options.

Mr. SMITH. Mr. Gallagher, you—and it must have been agonizing to recommend that the air piracy charges be dropped so that this conviction and—it would—the way would be paved to bring this man back to serve for having murdered Mr. Patterson. Could you just elaborate a little bit on how hard that had to have been? I mean, air piracy is an extraordinary, an egregious crime, and yet you saw this, you know, garnering justice in this case to trump that. You triaged it.

Mr. GALLAGHER. I can answer that in that it didn't seem like we were getting anywhere with respect to submitting an extradition request, and that it was going to be denied. There's practical law enforcement reasons in that he's been positively identified for close to a year and a half, and sitting on a fugitive for a year and a half is interminable. Just the chance that he finds out that somebody's looking at him or for him, he could certainly pick up that information by a chance visit to his local police station, where they've been notified, hey, the guy down the road is really a U.S. fugitive, or a chance traffic violation. So sitting a year and a half is a very long time to do. So we sought resolution. I don't know that the air piracy thing is dead, but at the time, it was severed.

Mr. SMITH. You—Mr. Winer pointed out that the INTERPOL information was, to this—as of yesterday, I think you said—was out of date. That's unconscionable. This man is a flight risk this instant. Why couldn't that be corrected easily?

Mr. WINER. I was stunned to find it listed as George Wright, without a pseudonym, to list the old information without updates, and I do not understand it.

Mr. SMITH. How hard, Mr. Gallagher, is that to update?

Mr. GALLAGHER. I know it can be updated. I hadn't queried it recently, so—

Mr. SMITH. Mr. Winer?

Mr. WINER. It can be updated in an hour. It can be updated in two hours. It should not take more than 24 hours from this hearing to be updated.

Mr. SMITH. Now, is it possible that Mr. Wright, if he thought that the Portuguese government might do something to expedite

the extradition, that he could, as we're talking, be a flight risk or leave Portugal to go to a nonextradition country?

Mr. WINER. There are any number of things that he could do. He could go back to Algeria, I suppose, where apparently he started out his adventure. He could go to—where was he was in Africa, Mr. Gallagher?

Mr. GALLAGHER. Guinea-Bissau.

Mr. WINER. Guinea-Bissau and hang out in Guinea-Bissau, if he wants to do that. The United States could then pursue him throughout the world. Why not?

Mr. SMITH. Mr. Cohen.

Mr. COHEN. Thank you. First of all, Ms. Patterson, I think I errantly referred to you as the widow and you're obviously the daughter, but, you know, it's just it's been such time and I didn't—wasn't familiar with it. But I appreciate your testimony. I'm sorry. Your father was a hero, and whether he was or wasn't, his murderer should be apprehended, but particularly in light of what he did in service to his country. Has our State Department or anybody at the United States Government contacted you? Have you had contact with anybody in this matter recently?

Ms. PATTERSON. I had—besides Congressman Smith, I had contacted Senator Lautenberg's office, and they had put in a couple of requests for me, and I—and they did request from the State—the Department of Justice. And I have—I do have copies of those letters that I will submit to the record, too. So I did hear from the State Department. I have written a letter to Secretary of State Clinton, and I did get a letter back from there about six months later. So I do have those two.

Mr. COHEN. And what was the response?

Ms. PATTERSON. From the State Department, they were aware of it and they wanted justice also. And they were going to be working on it. And from the Department of Justice, they said that they had been advised by their lawyer not to go for the last appeal because it wouldn't matter; they would still be denied. So they would be looking at other avenues also.

Mr. COHEN. Mr. Winer—and I presume you'd be the right person to ask this couple of questions. First, are there other fugitives that Portugal has refused to extradite to our country that you're familiar with?

Mr. WINER. No, the only case that I'm familiar with is the case that's decades old which the U.S. refused to extradite someone to Portugal, which went all the way up to the Supreme Court, having to do with nationality exclusions and became a big precedent in extradition law. But this is not a pattern, to the best of my knowledge.

Mr. COHEN. And you don't think that the judge there would have had that in the back of his mind?

Mr. WINER. No.

Mr. COHEN. It's not—it's not a case that's a burning issue with people. Do you know anything about this judge and his or her history and background and—

Mr. WINER. I do not, sir.

Mr. COHEN. No? And the judge is strictly—what type of judge is it? Do you know?

Mr. WINER. I do not, no.

Mr. COHEN. The Portuguese judiciary, is it known to be above board?

Mr. WINER. It's considered to be independent. And like most Western European judiciaries, it's pretty good—imperfect, but pretty good. And again, in the United States, there are any number of decisions that judges make that I've disagreed with over the years. It's difficult to enforce rule of law in a fair and honorable way in all cases. Travesties occur. This is a travesty and an outrage.

Mr. COHEN. Has anybody from the Portuguese government—I know it's a separate branch and all that—expressed in any way their concern about the decision of the judge or any action that they might think was appropriate, or have they been pretty moot on it?

Mr. WINER. That's a question that you would have to ask United States government or Mrs. Patterson about.

Mr. COHEN. Do either Mrs. Patterson or Mr. Gallagher know of any statement that the government might have made, any concern or issue—

Mr. GALLAGHER. No, I'm not aware.

Mr. COHEN. None at all. Rendition's an interesting concept. You brought it up, Mr. Winer. Who is the—which branch of our government does this? Is it the—

Mr. WINER. Renditions have been done in recent years by intelligence agencies with involvement under some certain circumstances of the military or other security elements of the United States Government. The law enforcement agencies take the point of view that they do not ask how someone came under U.S. jurisdiction. That's not important. Their role is to deal with people once they're under U.S. jurisdiction.

Mr. COHEN. It's a results test.

Mr. WINER. Correct. Other components of the United States government are involved in the rendition process or private citizens in connection with rewards programs.

Mr. COHEN. It's rare that this is used, to the best of your knowledge?

Mr. WINER. It was rare when I was in the government. My understanding is it was less rare in the Bush administration during the period post-9/11. And it appears the current administration has moved more towards the use of other mechanisms rather than renditions to deal with terrorists. The drone program would be one example of that.

Mr. COHEN. Rendition to the—

Mr. WINER. Rendition to another place.

Mr. COHEN. Yes, yes. Indeed. Is Wright hiding out, or is he pretty open and notorious in Portugal now? Do we know? Mr. Gallagher, do you have any idea?

Mr. GALLAGHER. By all media, he's living in the same residence and open.

Mr. COHEN. So somebody could go over there and bring him to justice or whatever. And do you know how long he's been married, how long he's had citizenship?

Mr. GALLAGHER. No, I do not.

Mr. COHEN. Yeah. This is—it's an amazing story. I appreciate Mr. Smith bringing this to the Commission. It is a terrorist act. I think I remember this. It's hard—it's '72—I'm that old. And during that time, there were quite a few hijackings, and we were all concerned about flying and would you end up in Cuba. You know, a lot of them went to Cuba, but I remember this Algeria thing and going to Miami and Boston and the whole scene, so I guess I remember this case. And it did make people leery of flying, and it's certainly a terrorist act and something that shouldn't just be forgotten about.

I mean, we should find justice.

I've been in the—I'm proud to be a member of the Judiciary Committee, as well as this Commission. But in the Judiciary Committee under Chairman John Conyers we did a lot of successful legislation to see that perpetrators of civil rights crimes were brought to justice, even though the—many years had transpired since the crime had been committed. And I think in those—all those circumstances, the perpetrators should be brought to justice, for the crime they did was against society. And in this situation, it's the same. And I don't think—I don't find the judge's decision that there's any kind of a lapse, a breach—because a time should work, latches shouldn't be applied, statute of limitations or anything like that. And we should take a position that we get involved.

So I'd like to plan to join with Mr. Smith. I did not have the opportunity to do it in the past. But if he does another entreaty to the State Department—and I feel confident that he will—I would like to join with him in that, and whatever efforts we do so, it is bipartisan. And I believe that we should continue action to see that this gentleman is brought to justice, because what he's done was wrong to your family, it was wrong to the United States of America and is wrong to the justice system. So I appreciate the hearing, the testimony, and I regret what you and I presume these—are these granddaughters here?

Ms. PATTERSON. (Off mic.)

Mr. COHEN. Well, I'm sorry about—you had a great grandfather, and your mother's doing a great job to remember that legacy. We should never forget the legacy. We should always remember and try to find justice. You know, in the Jewish religion, the Holocaust, never forget, and you don't forget your family.

Thank you.

Mr. SMITH. Well, thank you. And we will work together on requesting additional actions by the State Department and Justice Department. Let me ask—we have three impact statements, and I know—and without naming each person, because I know that that's a concern—I would like if any of the granddaughters—or daughters, I should say, would like to—and granddaughter—say a word or two or a paragraph from their impact statement. The entire statement will be put in the record.

And while you're thinking about the—for a moment, Mr. Winer, you made a very excellent point about Congress' strength and the executive branch's ability to analyze and apply these tools in cases of failed extraditions, and you proposed that we get a report—and we will follow up with some legislation pursuant to your excellent recommendation that would cover total extraditions by countries,

number of extraditions refused, reason for refusal of extraditions and steps taken by the U.S. in response. And that's the one that we would really look forward to—in response to a refused extradition.

We don't have the data. We don't get the information. There's a lack of compiling it, and I think your recommendation is a good one. Thank you for that.

Would anyone like to say a word, please? No need to say your name.

GRANDDAUGHTER OF WALTER PATTERSON

GRANDDAUGHTER. Should I read the whole thing or—OK. I am not sure I will ever know the full impact of never meeting my grandfather Walter Patterson, but I can speculate how things could have been. I imagine that he would have spent time with his grandchildren as we grew up, visiting us, playing with us, spending holidays with us or going to our weddings, meeting his great-grandchildren. I am sure he would have told us his war stories and life adventures, but we will never know his story as told by Walter Patterson.

If my grandfather hadn't been murdered, I think my grandmother would have lived longer to enjoy the abovementioned activities with her grandchildren. George Wright took both of them away from us.

Even though George Wright denies firing shots, it was not a bullet that killed my grandfather. He died from severe head trauma, trauma inflicted on my grandfather by George Wright. Beating a man who was a decorated World War II veteran while he was down is a cowardly act.

It's time for George Wright to grow up and be a man and face punishment for the violent, disgusting crime he committed. Wright chose his actions. Now he needs to pay the price for them.

One of the biggest impacts of living without my grandfather was financial hardship. He was a gas station owner who probably would have had financial security to pass along to my mother. Instead, she had her father and all that he had to offer taken away. My mother had to start with nothing, therefore times were extremely difficult for us as we grew up. I started babysitting and taking care of neighbors' pets when I was in 5th grade to earn some money. I used that money to buy a car. As soon as I was old enough to drive, I went to work after school each day and on weekends to pay for car insurance, gas and clothes. If I needed something, I knew I had to pay for it.

After high school, I had to work two jobs while going to college full-time. I had to pay my own tuition. I had to pay for my own wedding. My parents simply didn't have the means to help their children with these things. If my grandfather had been alive, he could have watched us when we were little so my mom could have gone to work to help out financially.

My parents did the best they could just to put food on the table for us. My dad hunted, so we ate a lot of venison. There were no extras or luxury items. We wore hand-me-downs and were taught to be happy with what we had. My parents wouldn't have needed

to struggle if my grandfather had been there to help. My grandfather wasn't here to help due to George Wright's senseless crime.

Whatever happened in the hospital when my mom went to see her father as he was dying caused her to not be able to go to hospitals anymore. She has 11 grandchildren—12 now—that she was unable to see when they were born, not until they came home. My daughter was in a special care nursery for 10 days when she was born. Luckily, she was OK, but my mom may have never seen her granddaughter alive. I split my head open as a child and had to wait for a ride to the hospital to get stitches because my mom couldn't take me to the hospital and my dad was at work. He worked as many hours as he could just to make ends meet.

It is difficult to speculate how things would have been if my grandfather hadn't been murdered, but his presence could have only made life easier and better for all of us. George Wright turned my mother's life upside down, and five generations of the Patterson family have been negatively affected. Wright has lived a full life, while my grandfather's life was senselessly taken away.

Wright should be thankful for the time he has had with his family. At least he has the opportunity to say goodbye to his wife and kids as he leaves to serve his sentence. My grandfather wasn't given that courtesy. George Wright's fate is a result of his own choices and actions.

My grandfather was an innocent man trying to make an honest living. He fought for our country and for our freedom. In return, he was beaten to death by George Wright. Please provide justice for my grandfather Walter Patterson, and extradite George Wright to the United States to finish serving his sentence for the brutal beating and murder of my grandfather. Thank you for your time and consideration.

GRANDDAUGHTER OF WALTER PATTERSON

GRANDDAUGHTER. Thank you. "Get away with murder." To some it's just an expression, but to others a reality. Forty-nine years ago, a little girl of 14 years old received a horrifying phone call. On the other end was a distraught family member calling to notify a woman that her husband had been brutally attacked and shot. The 14-year-old was the recipient of this message and was told nothing except: Walt's been shot.

Walter was her father, who two days later had vanished from her life forever. It sounds like a movie or storyline for a perfect mystery book series. To my family and myself, it's the harsh reality of the world we live in.

My mother is that 14-year-old girl, and Walter Patterson is the grandfather I never met. From what I understand and conclude from stories told, he was a hardworking family man. He had risked his life in the U.S. Army fighting for the freedom of the people and the country in which we reside.

Going to battle and sustaining injuries during combat isn't what took him from his family. It was the appalling choice of some of the very Americans he was fighting for. It was a moment that would change the lives of many people.

On the night of November 23, 1962, Walter Patterson was working at a gas station he ran. It was an innocent night's work, and

he was making a living to provide for his family who consisted of a wife and two young daughters. When a car of four individuals pulled around the back of the shop, an average workday would soon take a turn for the worst. Little did my grandfather know he'd soon be faced with individuals garbed with stockings on their heads and equipped with guns in their hands. What began as a robbery ended in murder. The individuals who set out with the intentions of killing had succeeded. Luckily, our justice system had been victorious in apprehending these individuals and convicting them for the crime they committed.

Walter Patterson can't be brought back to watch his two daughters blow out their birthday candles, hang Christmas lights with his family or carve the Thanksgiving turkey. He would never be able to participate in daddy-daughter dances, walk his daughters down the aisle on their wedding day or enjoy the births of their children. But at least the creatures responsible for this would pay for what they've done—or would they?

Seven years of a prison sentence was apparently all that one of these cowards, a man by the name of George Wright, could handle. As if choosing to participate in a murder wasn't enough of a poor choice, his life of crime wouldn't stop there. Mr. Wright had the brilliant idea to steal the prison warden's car to make his great escape. Being a criminal obviously came easy to this individual, because his law-breaking actions didn't stop there. What does a convicted murderer do after he breaks out of prison?

Well, this particular criminal chose to expand his criminal record by hijacking a passenger plane, putting yet more lives at risk and making a mockery of the FBI. He managed to collect \$1 million in ransom money, which he demanded be delivered by FBI agents in their underwear or swimsuits. One would think that if this murderer were to be caught, he'd really be in serious trouble with all these actions he carried out.

For many years George Wright lived his life. He even got married and had a family of his own. Were the images of a beaten and shot man ever present in his mind? Did he ever think about the lives of those family members that were torn apart on that day that he chose to act like a man of no feelings or regard for human life? When he was counting his illegally obtained million dollars, was he picturing two young girls standing over a coffin painfully watching their young, brave father be buried? Was he thinking of the young single mother who was left to deal with her newly broken family? I doubt it.

And George Wright was actually running like a coward while conspiring about how he would be able to live the good life himself. No conscience, remorse or regret has ever been evident by this individual's actions. He must have felt he had something to hide, proven by the fact that he illegally and unofficially changed his name and remained in a country half a world away from where he destroyed Walter Patterson and his family.

Forty-one years have passed by. After diligent searching and a refusal to put this case file back in the file cabinet, the FBI was hopeful that they had found this murderer and fugitive. That 14-year-old girl who received that devastating phone call is now 63 years old and has received yet another phone call regarding the

murder of her father. Only this time, the phone call was of a positive nature. The news of this armed robber, murderer, prison escapee, plane hijacker and fraud being caught seemed surreal. After all these years, this man will finally pay the price for the crimes he chose to commit.

The life of Walter Patterson can't be brought back. Knowing that justice will be served and that George Wright literally won't get away with murder will help to close the door on this devastating chapter of Walter Patterson's family's lives. Protecting and hiding a known convicted criminal is considered a crime in itself. Portugal, the place in which George Wright chose to flee to and hide out at, like the coward he is, chose to protect him by refusing extradition.

How can an average individual be punished for hiding out a criminal, yet here you have the government of a country harboring this fugitive and getting away with it?

When this news hit our family, many emotions were felt. The feelings of anger, sadness and frustration are overwhelming. A convicted killer and fugitive has been caught but is being protected from the law.

The rationale is now that he is a Portuguese citizen and therefore they feel the need to protect him. Never mind the fact that Walter Patterson had no protection from this individual's hands, but in hindsight, is George Wright even a legitimate Portuguese citizen? He used criminal acts to access the country and used a fraudulent family background and name to obtain his so-called citizenship. George Wright has not become a Portuguese citizen, but rather the pseudo-individual he created has.

One would think the government would want to rid their country of crime and corruption, but Portugal is protecting an individual who has brought these things to them. Portugal isn't the only country to blame for this monster having the ability to move on with his life as if his hands were not a murder weapon at one time, as if his own mind didn't tell him to commit the various crimes of a hateful, malicious monster.

The very country that Walter Patterson received numerous medals for protecting, it's contributing to George Wright literally getting away with murder. The country in which immigrants travel far and wide to reach to obtain a better life for themselves, our very own United States of America, has given up on one of its own. The decision has been made that a human life that was taken illegally by the hands of another isn't worth pursuing justice for.

Members of our attorney general's office have decided that no more appeals are necessary in the attempt to extradite this convicted murderer so justice can be served. It would be very interesting to see if the same decision would be made if the individual who was prematurely buried carried one of their last names.

This war veteran fought for the freedom of citizens of the United States. The government was unable to protect him from George Wright while he was still alive. The least that the United States could do is return the fight that he gave and express the need to have this man brought back to where this crime was committed.

In public schools across the nation, hundreds of students and staff proudly recite the Pledge of Allegiance. It would be reassuring

to know that these aren't just words but actually have true meaning, and that our country stands by the last line of this pledge. If nothing else, this country should have the ambition to send a message that the United States is just that: united.

Thank you.

Mr. SMITH. Thank you. Remarkable words and convictions, heart, courage from three remarkable women. Mr. Patterson would be so proud. We will continue our efforts diligently. The hearing's adjourned.

[Whereupon, at 3:20 p.m., the hearing was adjourned.]

APPENDIX

PREPARED STATEMENTS

PREPARED STATEMENT OF HON. CHRISTOPHER H. SMITH, CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Good afternoon and welcome to everyone here for our hearing on “Justice in the international extradition system: the case of George Wright and beyond.”

In September 2011, hopes were raised high when the FBI announced that George Wright, a fugitive for over 41 years, had been located in Portugal and taken into custody pursuant to provisional arrest request from the United States. These were hopes for accountability, justice, and, for the family of the man he murdered in Wall Township in 1962, for closure.

In 1963, George Wright was sentenced to 15 to 30 years in prison in connection with a gas station robbery during which Walter Patterson, a decorated World War II veteran and Bronze Star recipient, was shot to death. He was subsequently sentenced to 15 to 30 years but escaped from prison in 1970. In 1972, he and four other men hijacked a Detroit-to-Miami flight—they flew the plane to Algeria, where Algerian authorities allowed them to disappear.

In 1976, four of the hijackers were located and arrested in France. They argued that they would not be able to get a fair trial in the United States because of racism in the American legal system. France invoked the “political offense exception” and refused to extradite them to the United States, but tried them in France instead. Following conviction, two of the hijackers spent a mere three years in prison and two others spent 2 1/2 years. George Wright was not one of those caught. For 41 years, George Wright’s whereabouts were unknown, and he built a life for himself that included a wife and children—a life that he denied to Walter Patterson.

When George Wright was located in Portugal last year, the Patterson family naturally thought that, as a prison escapee sought also for hijacking, he would be returned to the United States to finish serving the sentence he received for the murder of Walter Patterson. But shockingly, a Portuguese court rejected the United States’ extradition request last November and efforts to reverse that decision were exhausted without success earlier this year. The Patterson family, so deeply wounded by the murder of Walter Patterson and then shocked by the escape of a person sentenced in that crime was injured yet again by Portugal’s refusal to extradite George Wright.

Today’s hearing will examine what happened in this case, what can be done about it, and the broader questions it raises about the international extradition system.

I welcome here Ann Patterson, Walter Patterson’s daughter, who will put human face on what some might otherwise appear to be abstract legal issues and remind us what is really at stake when the extradition process fails. We will also hear from R.J. Gallagher, a retired FBI Special Agent who worked on the George Wright case. And finally, we will hear from Jonathan Winer, Senior Director, APCO Worldwide, Washington, DC, and former U.S. Deputy Assistant Secretary of State for International Law Enforcement.

Many thanks to all of you for being here today—above all to the Patterson family. This can only be painful for them, but we honor their willingness to speak out about how this injustice has affected their family—they represent not only themselves but the families of countless other crime victims, left in the lurch and prevented from achieving closure on the death of a loved one by injustices in the extradition system.

I would just share with you two more things before we begin.

- We invited the Department of Justice to participate in this hearing, but were unfortunately unable to coordinate the scheduling of this event with their availability. I look forward to covering this issue with them at a future hearing.
- We also invited the Portuguese ambassador to participate, but he had a scheduling conflict as well, and I will be meeting with him personally in my office.

PREPARED STATEMENT OF HON. BENJAMIN L. CARDIN, CO-CHAIRMAN, COMMISSION
ON SECURITY AND COOPERATION IN EUROPE

I thank the Chairman for convening this hearing about an important aspect of international law which impacts citizens of the United States and those of countries around the world, as well as our government's relationships with other nations. This review of extradition will be conducted through the prism of the heart wrenching experience of the Patterson family.

The murder of Walter Patterson in 1962 devastated his wife and two young teenage daughters, one of whom, Ann, will testify here today. The late Mrs. Patterson died two years after her husband, leaving Ann and her sister orphans. George Wright, who participated in the robbery that resulted in Walter Patterson's death, was apprehended, convicted of felony murder and sentenced to 15 to 30 years in prison, thereby providing, I would hope, some modicum of relief for the family. Certainly closure is another matter and the numbing grief of loss is never ending.

I cannot begin to imagine the shock and apprehension endured by the family when Wright escaped from prison seven years later and was then reported to have participated in the hijacking of a Miami-bound plane to Algeria—only to vanish from sight for the next 41 years. The FBI's announcement last year that he had been discovered in Portugal and the rigors of the extradition proceedings have, I am sure, regenerated the cycle of grief once more for the family.

The Helsinki Final Act contains Ten Principles Guiding Relations between Participating States. Principle Ten requires that the 56 OSCE States "fulfill in good faith their obligations under international law, both those obligations arising from the generally recognized principles and rules of international law and those obligations arising from treaties or other agreements to which they are parties." The United States has extradition treaties with the overwhelming majority of the 56 OSCE participating States, including Portugal, as well as a multilateral treaty with European Union countries. Exceptions are the former Soviet Republics (Russia, Belarus, Ukraine, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan—the United States never recognized the forcible incorporation of Latvia, Estonia and Lithuania into the Soviet Union and those three Baltic States are covered by the EU multilateral treaty.) The status of extradition agreements with the successor states of the former Yugoslavia is in the process of being regularized.

Extradition treaties can help the United States ensure that those who have committed crimes here are brought to justice. But, as we have seen, the implementation of extradition agreements among nations raises challenges. Many treaties bar extradition based on exceptions carved out for citizenship, statutes of limitation, military offenses, political offenses or cases where the death penalty may be imposed. I hope that the testimony to be presented here today will shed some light on ways to address these challenges and ensure justice in the international extradition process.

Thank you, Mr. Chairman.

PREPARED STATEMENT OF ANN PATTERSON

My name is Ann Patterson and I am the daughter of Walter Patterson. My father was robbed, brutally beaten, and shot in his gas station in Wall Township, New Jersey on November 23, 1962. He died of his injuries on November 25, 1962. I was 14 years old and my sister, Kaye, was 13.

My father was a quiet, sensitive person. The gas station was his "American Dream" and he was so happy to be able to have his own business. He worked sixteen to eighteen hour days to support our family.

Daddy's name is also on the Patterson "Honor Roll" of soldiers—part of a family that has fought in all of our country's wars. At age 21, he went to Europe and served our country for four years during World War II. He was a TEC 5 and a truck driver/mechanic and was awarded the Bronze Star for meritorious service.

It was the day after Thanksgiving and Daddy had come home for supper. It was about 4:30 when he got into his truck to go back to work. I stood at the kitchen window waving good-bye and that was the last time I saw him alive.

About five hours later, the phone rang and I answered it. Aunt Jennie said "Walt's been shot" and I screamed "No, no, no" and called my mother to the phone. I was crying, told my sister, and she started crying.

My mother was not well. She called Uncle Charles to take her to the hospital. When she got there, she couldn't recognize my father. She later told us they had "beaten him to a pulp." The doctor operated from about 10:30 P.M. to 6:30 A.M. and told my mother he thought he had "gotten all the bone fragments." When I asked her what Daddy had to say, she told me that he couldn't talk because his jaw was wired shut. He was wild with pain and could not be given anything for it because he had head injuries. He had to be restrained in the bed. The doctor told my mother that seizures were to be expected with this type of injury and Daddy had a seizure Saturday night.

Kaye and I had been scared to death to stay home alone on Friday night, so we rode to the hospital with Uncle Dick and Aunt Ginny as they took my mother to see Daddy on Saturday night. Aunt Ginny asked my mother if she had told us what we were going to see. But my mother did not allow us to see Daddy and we waited in the car. Daddy was in critical condition and no one except immediate family was allowed in. The doctor told my mother that if Daddy came through this, he would be a vegetable and need a lot of care.

On Sunday evening, the doctor was talking to my mother in the hallway about my father's condition when the nurse came to them and told them he had passed away. They allowed my mother to spend some time alone with him. When she came home, Uncle Dick and Aunt Ginny were each holding her arms and helping her to the house. I looked at Kay and said "Daddy died."

The viewing was Tuesday and the funeral home asked for a photo of Daddy so they could make him look like the picture. Does that sound odd to you? My father was unrecognizable in the casket. His wavy black hair with a touch of gray was replaced with straight black hair combed back. His face was all uneven and caked with make-up. I knew he was my Daddy by looking at his hands.

The \$70 that George Wright and Walter McGhee stole wasn't enough. They had to beat my father beyond recognition. George Wright was identified by the imprints of the stock of his gun on my father's skin. If there had not been such a beating, the doctors could have operated on the bullet wound to the abdomen and it is quite possible that Daddy would still be with us today.

For Kay and me, the nightmare was just beginning. Since our mother was not well, she could not take care of us. We were told that we would be sent to "Clinton, a home for wayward girls." Later, I found out that Clinton was, in fact, a prison for girls. There is something wrong with sending the victims to prison while the criminals do not have to be incarcerated for their actions. I thank God that Uncle Dick stepped in to take care of us.

Our mother was very ill with a heart condition and her death was hastened by losing Daddy. She passed away fifteen months later on February 26, 1964 leaving Kaye and me orphaned. In our house lived my mother's aunt and uncle, both of whom passed away during that fifteen month period. In just over a year, we experienced the deaths of all four people we lived with and lost our home. We were robbed of normal teenage years.

There was no counseling available in 1962. We were left to deal with all this sorrow on our own. We tried to be strong for our mother while she was still alive.

It has not been easy to relive all these events during the past ten months. The FBI Victims Specialist suggested I see a counselor which was beneficial to me. One of the problems that came out was the nightmares that I suffered from for years after my father's death. The counselor said that I had had post traumatic stress

after I described the nightmares to her. I also developed asthma and colitis within a few weeks of Daddy's death.

The premeditated actions of the four individuals involved in my father's murder have negatively impacted five generations of the Patterson family. I have already spoken about my parents and my sister and me. My mother's uncle who lived with us refused food when he learned of this tragedy. He said "I don't want to stay in a world where this is allowed to happen" and he died four months later. My grandfather never spoke my father's name without crying and told me "they didn't have to beat him up so bad."

My father's seven grandchildren were deprived of a loving grandfather and they are angry at the injustice exhibited in the past ten months.

But the saddest to me are the hurt reactions of some of my father's fourteen great-grandchildren. One of them saw the clip on TV of the capture and asked "What is wrong with people?" not knowing it was about her great-grandfather. Another one curled up in a corner of the couch and, crying, asked if he could escape again. Five generations of fear and hurt are five too many.

George Wright cannot erase his life of crime. He is fraudulently a Portuguese citizen. Four aliases do not change the fact that he was born George Edward Wright in the United States of America and committed crimes during his years here. When he chose the crime, he also chose the punishment as they go hand in hand.

George Wright did not give my father a choice on November 23, 1962 and so he should not have a choice about not serving his sentence. He does not owe Portugal time; he owes the United States.

George Wright is not sorry for what he did. There has been no apology to the Patterson Family. On the contrary, he has made this all about himself and basked in the limelight. To want to profit from a book and movie highlighting his heinous acts against the Patterson family is a slap in the face. He is not the victim here—we are.

George Wright is a convicted murderer who lived a life of violence, then fled and lived a life of lies. Now his past has caught up with him and he needs to come back here and serve his sentence.

In light of all the recent media coverage, I have been approached by many people who have expressed their disgust toward this man and this situation. I feel it is a disgrace that our justice system has failed in assuring a proper punishment for this crime. This whole case sets a terrible precedent for this country both here and worldwide. It is a negative toward decent citizens and a positive for criminals.

The failure of extradition has affected us in the following ways; 1) fear of a known criminal on the loose, 2) fear of reprisal from criminal. Both of these fears are now 50 years long. 3) makes a mockery of the crime against my father. Did his life matter? 4) has perpetuated our pain and loss, 5) loss of any kind of confidence in the criminal justice system from the local branch which gave too lenient a sentence to the state branch that put a convicted murderer on a minimum security work farm to the federal branch who have backed down to Portugal in the matter of extradition. The case was dropped before the final appeal was filed. It is one thing to do all you can, another to give up before you exhaust all avenues.

I have asked if there are any other avenues of justice such as withholding aid and have not been given any answer. Don't we have a right to seek justice for our father?

Our family has been emotionally affected by injustice in the following ways: 1) no closure, this is still an emotionally draining, open wound, 2) we have family members and friends across this entire nation who are appalled at the injustice of trying to obtain justice, 3) we are not happy that George Wright wants to do a book and a movie and capitalize on his inhumane treatment of our father, 4) we were extremely upset when we read in the newspaper that the final appeal had been dropped. I was told that I would be notified of any decision so that I wouldn't be blindsided up learning something from the media, 5) on a personal level, this has split my family in two. Some members support efforts to obtain justice and some cannot emotionally face the details of this crime to even talk about it.

What can be done? Here are my suggestions: 1) reinstate the death penalty for criminals convicted of heinous crimes. Such a strong penalty may act as a deterrent, 2) put pressure on Portugal. I understand there is a treaty from 1907 to this effect, 3) do not send any financial aid to Portugal, 4) form a committee at the state level to double check paper work so that errors like this can't happen, 5) support and pass Illinois Senator Richard Durbin's Bringing Fugitives to Justice Act, and 6) nothing that any of us say or do will bring my father back but if we can look ahead and help the countless number of children who are similarly affected or will be affected by senseless crimes, then all of our efforts will not have been done in vain.

There is no conclusion to my story. It has not occurred yet for the Conclusion now rests in the hands of the politicians. The FBI and the U.S. Marshals have done their job in locating this fugitive and we thank them. I have done all I can by telling about our family events from November 23 to November 25, 1962 and the impact of this despicable crime. On behalf of the Patterson family, I ask you to please bring justice for the untimely death of my father, Walter Patterson.

Thank you.

PREPARED STATEMENT OF R.J. GALLAGHER, RETIRED FBI SPECIAL AGENT

Good Afternoon. My name is R.J. Gallagher and I'm a retired FBI Agent and I would like to begin by acquainting members with the background of George Wright.

On Friday night of Thanksgiving weekend in 1962, George Wright and two others robbed and mortally wounded Walter Patterson, a service station proprietor in Wall Township, New Jersey. That night Wright and his codefendants wore nylon stockings over their faces, and wore gloves on their hands. Wright carried a sawed off rifle, his codefendant a cheap handgun. They brought with them white adhesive tape for binding their victims. Earlier that same day, Wright and his codefendants cut the rifle down, bought ammunition and test fired the weapon. They had also driven around the Jersey shore area looking for prospective places to rob.

At 9:30 P.M. when Wright and a codefendant entered Walt Patterson's ESSO Gas Station on Route 33 they were committing their second armed robbery of the night. This robbery, unlike the first did not go as planned. For it would appear Walt Patterson was not sufficiently compliant or quick enough to meet the demands of the robbers and a fight ensued. Wright and his codefendant repeatedly rained blows to the head and shoulders of Walter Patterson with their weapons. At some point the handgun carried by the codefendant fired and Walter Patterson was struck in the abdomen. He fell to the floor. The two robbers fled taking with them about \$70. Both robbers were very aware that their victim was shot and wounded yet they left him, alone, on the floor of his gas station. They did not place an anonymous call to anyone to get Walt Patterson medical attention. Instead, using the money proceeds from their two robberies that evening, they went out and partied. They dined, they drank and they played pool till 2 or 3 in the morning.

Investigation over the next two days led to the identification and arrest of the persons involved in the robbery murder. This included George Wright. All physical evidence was recovered: guns, stocking masks, gloves, ammunition. All the arrested gave full confessions.

On January 28, 1963, Wright pled "non vult" to a murder indictment. By this plea Wright did not contest his guilt and he waived his right to a trial. This plea allowed Wright to receive a 30 year maximum sentence as opposed to a life sentence, had he gone to trial and been convicted. On February 15, 1963, Wright was sentenced to a prison term of not less than 15 years and not more than 30 years.

At this point I'd like to take a break from Wright's crime chronology. I have read in numerous media accounts subsequent to Wright's arrest that Wright has stated that since he did not fire the shot that killed Walter Patterson he is not guilty of the crime of murder. Both of Wright's codefendants stated that in the immediate aftermath of this crime, Wright told them he had fired. Nine bullets from the sawed off rifle Wright carried were found on the floor of the service station.

The presiding judge at the time of Wright's sentencing went on the record stating that these nine bullets indicated Wright's intention and attempt to fire the weapon but that the weapon had malfunctioned. But regardless of Wright's intent, attempt, or belief that he had fired or that he had not fired it was the law of the State of New Jersey that if a person committing a robbery kills another or death ensues during the robbery that person is guilty of murder.

I have also read that there should be some consideration as to the age of George Wright as he was but 19 years old at the time. Here it should be noted that Walter Patterson was barely a much riper 21 when he entered the US Army shortly after Pearl Harbor. Walter Patterson then served in the Army for 3 years and 7 months until after the war was over. Of his time in the Army, 2 and a half years was spent overseas in Europe.

Let me return to the Wright time line. On August 22, 1970, Wright and others escaped from the New Jersey State Prison. At this time Wright had served 7 years, 7 months and 25 days. Wright has remained a fugitive from U.S. justice since this date.

On July 31, 1972, Wright and 4 other adults (to include one of the persons who escaped prison with Wright) hijacked a Delta Airlines DC 8 en route from Detroit to Miami. The hijackers were accompanied by 3 of their small children. Wright was dressed in the garb of religious clergy. Wright was the eldest and the leader of the hijackers. He wielded a handgun, gave the orders and issued the threats. He pointed a cocked weapon to the head of the airplane pilot, Captain William May. In Miami, Wright demanded one million dollars and threatened that if his demands were not met that he would toss bodies out of the plane.

Wright and his fellow hijackers received the one million dollar ransom and they released approximately 80 passengers. The flight crew, however, was not released and they were forced to fly the plane and the hijackers first to Boston then on to Algiers, Algeria. Algerian authorities seized the one million dollars and the plane,

returning them to the U.S. The hijackers however were allowed their freedom and eventually made their way to France. Wright and the other 4 adults were all indicted for Air Piracy in the United States on August 3, 1972. While in Algeria, Wright and the other hijackers made a videoed press statement and as part of the statement the speaker stated that they were revolutionaries. In May of 1976, 4 of the 5 hijackers, the lone exception being George Wright, were arrested by French authorities for the 1972 Air Piracy. In 1978, France tried these four for the Air Piracy and they were all convicted of the charge.

And so to this day, Wright has not served his sentence for his homicide conviction nor has he been tried for the indicted charge of Air Piracy.

My involvement in this matter began in 1994 when I reopened the New Jersey fugitive investigation regarding Wright. I worked it until my retirement in July, 2011. The United States Marshals and the New Jersey Department of Corrections joined the investigation in approximately 2003. Since the case was reopened most all the techniques used in fugitive investigations were employed. These would include but not limited to interviews, both domestic and abroad, notification to international law enforcement, court orders, human intelligence, cooperation of foreign law enforcement, fingerprints and age enhanced images of George Wright were produced and disseminated worldwide. The United States Marshals commissioned the making of an age enhanced bust. All three agencies played a vital and significant part in the investigation and to my mind it was a model of organic, ad hoc inter-agency cooperation.

In March of 2010, the Portuguese police notified the FBI legal attaché in Madrid that they had positively identified the person living in Portugal under the name of Jose Louis Jorge dos Santos as George Wright. This they did unknown to Wright by the comparison of fingerprints they had on file for Santos with those of George Wright.

In September of 2010, six months after a positive identification I, along with attorneys from the Department of Justice-Office of International Affairs met with Portuguese law enforcement and prosecutors in Lisbon, Portugal. The purpose of this meeting was for the United States to seek Portuguese legal input and to work together within the framework of the US-Portugal extradition treaty so that the United States might produce an extradition request with the greatest chance of success. I would characterize the meetings as both positive and productive. All parties agreed that the extradition could proceed for U.S. person George Wright. Further there was agreement that George Wright was using the made up name of Jose Santos and had provided false pedigree information to the Portuguese government as regards to his name, place of birth and parents. One issue remained unresolved. Portugal saw as a barrier to extradition Wright's exposure to a 25 year sentence of incarceration for an Air Piracy conviction. This they viewed as the equivalent of a death sentence and would therefore serve as a basis for denial of extradition.

Well over a year passed since the positive identification had been made and this issue still proved intractable and no extradition request had been submitted to Portugal. In May of 2011, the decision was made to tender the extradition request to Portugal based solely on Wright's homicide conviction. I participated in this decision and supported it fully. This course of action was probably done at my instigation. Should it prove to be a bad call the fault is entirely my own.

Portuguese law enforcement arrested George Wright in September of 2011.

Since his arrest, the Portuguese courts have denied the United States extradition request for George Wright. It is my understanding that the Court cited the following in their ruling:

- 1.) Too much time had passed and that there must be a closure to criminal cases
- 2.) Wright's integration into Portuguese society demanded that extradition be denied on humanitarian grounds. (Per DOJ, these two reasons are not recognized as basis for denial of extradition per the United States Portugal Extradition Treaty.)
- 3.) The court ruled that Wright is a Portuguese citizen.

Looking forward I would like to note the following.

Each nation is free to choose its own criteria for citizenship. This is how it is and always should be. But it would also seem that each nation would have as its own self interest imposing the obligation upon those seeking naturalized citizenship to provide a true identity and true information. This obviously provides for the safety and security of a nation's citizens. George Wright provided false information to Portuguese authorities it would seem because he suspected that if he provided his true identity not only would citizenship not be conferred but that he would in all likelihood be arrested.

In August 1972, George Wright was indicted on the criminal charge of Air Piracy. If one looks at the elements of the crime Wright committed, this same act committed today might be potentially charged as an act of terrorism, and for such a charge the United States-Portugal Extradition Treaty provides for the extradition of one of it's citizens. It is in my opinion hard to imagine that it would be charged otherwise.

Specifically with respect to George Wright, I've seen media accounts post arrest that suggest he has for some time led a good life and that he is in fact rehabilitated. This is perhaps a valid argument and he might have a case for such but there remains only one place that can decide if such an argument is valid and that is here in the United States where he committed his crimes in front of a court or parole board of proper jurisdiction. I would encourage George Wright to come and make his argument.

PREPARED STATEMENT OF JONATHAN M. WINER, SENIOR DIRECTOR, APCO
WORLDWIDE, FORMER U.S. DEPUTY ASSISTANT SECRETARY OF STATE

Mr. Chairman and Honorable Members of the Committee:

As former Deputy Assistant Secretary of State for International Law Enforcement, I am honored to testify today to share my views regarding the international extradition system, and the options for the United States when the legal systems of other countries fail to meet the requirements of justice in connection with a legally proper extradition request from our country.

During my tenure in the State Department, I had to deal with U.S. policies relating to extradition on many occasions, with regard always to one underlying goal—that the United States work always to secure justice regardless of the location of a criminal, and to do our best to prevent impunity for criminals anywhere, with a special focus on criminals whose victims were in the United States.

I would like to begin my testimony with my assessment of the George Wright extradition case from a legal perspective.

1. The Portuguese Decision To Refuse Extradition Was Legally Indefensible Under Our Bilateral Treaty and Under International Law

In brief, the reported decision by the Portuguese judge to refuse Wright's extradition to the U.S. is legally indefensible under the century-old U.S.-Portuguese Extradition Treaty, and under the principals of extradition law that apply internationally. Neither of the reported grounds for refusal—on statute of limitations ground and on the ground that he had later become a Portuguese citizen by marriage—are legally legitimate under such principles. Before escaping from prison and from the U.S. through a terrorist hijacking of an airplane, Wright had already been convicted of the murder of Walter Patterson in a trial that was full and fair. The statute of limitations does not run once one has been convicted of a crime—only when a country has failed to try a case while the facts are fresh. Similarly, a U.S. citizen such as Wright cannot legitimately be protected from extradition by claiming to be a citizen of another country. Some countries do limit extradition of natural-born citizens to another country, although the U.S. discourages this principle and does not apply it itself. But applying this principle to someone who has lied about their past, lied about their name, and arrived in a country such as Portugal as a fugitive is a fraud on all involved. The judge's decision on these two issues is legally wrong, morally unjust, and should be given no respect whatsoever by any government beyond that of Portugal.

This analysis takes us to the core question you have asked me to consider—exploring the U.S. government's options for response. I would like to consider each in turn.

2. Get Portugal To Do the Right Thing

Portugal could still take action to meet its obligations to the United States and to secure justice in this case. Wright entered Portugal through fraud. He had no right under the country's immigration laws to enter the country under a false name, with a false nationality, as appears to have been the case. Based on the facts known, he engaged in immigration fraud to enter Portugal and to stay there. His marriage to a Portuguese woman was carried out fraudulently, under a false name, and with false information about his citizenship and birth. It appears that these facts were not known to Portuguese authorities until 2011. In such cases, under the principles of universally applicable immigration law, Portugal appears to have the right to revoke his citizenship, and to deport him. Were Portugal to take these steps, they could put him on a plane to the U.S. Or, even if Portugal simply dropped him on a train to somewhere else, the United States could secure his extradition from essentially any other country that received him, even ones with whom we do not have bilateral extradition relationships, under applicable multilateral agreements, such as the Palermo Transnational Organized Crime Convention.

3. Use Interpol, Europol, and Other International Institutions Aggressively

George Wright is currently listed by the United States on INTERPOL's public wanted database as a fugitive. There is therefore a public "Red Notice" on him. However, the public notice notably is out of date and provides little information for others to use to arrest him. It does not state that he is living in Portugal, does not state his Portuguese name, José Luis Jorge dos Santos, does not list his current residence, the village of Casas Novas, just 25 miles from Portugal's capital. It also does not list any identity information, such as a passport, that he may be using for travel in the European Union or elsewhere. Every biographical detail that the U.S. government has on Wright should be provided to INTERPOL, with those necessary to help police and others track him down made publically available.

The U.S. could also alert EU bodies, such as EUROPOL, about its goal of having Wright extradited. EUROPOL has the job of tracking down fugitives within the European Union, and while it is directly responsible to its EU members, it has capacities to track down people throughout the European Union.

The FBI has a network of legal attaches throughout Europe, and these attaches, known as LEGATS, could also advise their counterparts of the U.S.'s current interest in Wright, with the goal of intensifying focus on him in the event he considers leaving Portugal.

4. *Use the State Department Reward Program To Secure Private Assistance in Rendering Wright From Portugal*

The United States has had reward programs in place for the rendition of important fugitives back to the United States. When I was at the State Department, these reward programs focused on two principle types of defendants—major drug traffickers, and major terrorists. In some cases, we put their photographs and names on books of matches and distributed them in the countries where we knew they were located, on the belief that the rewards would motivate people who lived nearby to provide information to the United States on their whereabouts. Alternatively, a reward might lead to a citizen's arrest, in which the person making the detention would take actions to get the wanted person to U.S. authorities in a location where the U.S. officials could hold the fugitive and get them into U.S. custody.

During the Clinton Administration, in which I served, this was known as a "special rendition," and it was authorized under a number of circumstances, especially involving terrorists and murderers. The Justice Department policy for many years under a succession of Administrations has been to take the view that we will not inquire into the circumstances of a fugitive's rendition to the United States.

This approach has been upheld by the Supreme Court. In *United States v. Alvarez-Machain*, 504 U.S. 655 (1992), the Supreme Court ruled that a court has jurisdiction to try a criminal defendant even if the defendant was abducted from a foreign country against his or her will by United States agents.

I note that hijacking an airplane and holding a gun to the head of a flight attendant, as Wright has confessed to doing to effectuate his escape from the United States, is a terrorist offense under multiple relevant international conventions of essentially global applicability, including an offense recognized by Portugal.

The Justice Department's internal procedures expressly allow the use of bounty-hunters and rewards. As stated in the US Attorneys' Manual:

Due to the sensitivity of abducting defendants from a foreign country, prosecutors may not take steps to secure custody over persons outside the United States (by government agents or the use of private persons, like bounty hunters or private investigators) by means of *Alvarez-Machain* type renditions without advance approval by the Department of Justice. Prosecutors must notify the Office of International Affairs before they undertake any such operation. If a prosecutor anticipates the return of a defendant, with the cooperation of the sending State and by a means other than an *Alvarez-Machain* type rendition, and that the defendant may claim that his return was illegal, the prosecutor should consult with OIA before such return.

5. *Use a Lure To Get Wright To Leave Portugal*

The United States government is authorized to use lures against foreign fugitives. A lure is a subterfuge to entice a criminal defendant to leave a foreign country so that he or she can be arrested in the United States, in international waters or airspace, or in a third country for subsequent extradition, expulsion, or deportation to the United States. As the Justice Department Attorney Manual explains, "lures can be complicated schemes or they can be as simple as inviting a fugitive by telephone to a party in the United States."

There are a wide range of possibilities with a lure, which in light of Portugal's location could involve the cooperation of officials in nearby jurisdictions, and could involve lures on land or sea, as well as in airspace. In order not to give Wright further clues about how the U.S. might go about this, I will provide no further details on these possibilities, other than to note that for the rest of his life, he will need to suspect absolutely everyone of being a potential lure, ready to betray him to justice in the United States.

6. *Undertake an Extraordinary Rendition*

In responding to terrorism, the United States has long been willing to undertake extra-judicial measures on its own, as it did decades ago against the Achille Lauro hijackers who murdered Leon Klinghoffer by throwing him into the ocean from his wheel-chair.

Such actions, in which U.S. government officials authorize direct action to capture a terrorist, can involve many different mechanisms. In some cases, such as the US Navy Seal operation that killed Osama bin Laden, the authorization may be to capture or kill the terrorist, as circumstances dictate. In other cases, the authorization may only extend to a capture of the wanted person. In principle, the U.S. government could choose to undertake a covert operation to snatch Wright as he is going about his day-to-day business, and to bring him to the United States to serve out his murder sentence, and if the law permits, to try him on his terrorist hijacking.

Notably, the use of bounty-hunters, lures, and extraordinary rendition could well provoke significant protests on the part of the government of Portugal. There are precedents for those involved in these types of activities to become subject to criminal investigations and indictments in the country in which the fugitive is living. A successful extra-judicial rendition can also spark direct government-to-government protests which can chill a bilateral relationship for years, as happened between Mexico and the U.S. in connection with the Alvarez-Machain case.

Such risks must be taken into account by private persons involved in an extra-legal “snatch” of a fugitive and by U.S. officials when a rendition is the result of directed U.S. policy and activities.

7. Apply Treasury OFAC Sanctions to Wright and Those Who Assist Him

The United States has active economic sanctions against terrorists, administered through the Office of Foreign Asset Control (“OFAC”) at the U.S. Department of the Treasury. These sanctions are imposed against foreign threats who engage in activities, such as terrorism, that pose serious threats to U.S. national security. While Wright is a U.S. citizen, he is now located in Portugal and for the time being, is viewed by Portugal as a Portuguese citizen. Accordingly, the U.S. could designate Wright as a terrorist under OFAC sanctions, making it illegal for any U.S. person to engage in any transaction with him, and freezing any assets that he may have in any U.S. financial institution.

Although other countries need not apply such sanctions to a person designated as a terrorist by the U.S. by OFAC, in practice, sanctioned persons face difficulty in undertaking financial transactions at any major financial institution, anywhere, due to automatic OFAC screening put into place by any bank that has contacts with U.S. financial institutions. Sanctions may be particularly appropriate in this case, as Wright has stated publicly that he hopes to write a book about his life. U.S. imposition of terrorist sanctions against him would make it much more difficult for him to sell the book and to profit off his crimes, and might make it possible for profits from the book to be seized by the U.S.

8. Put Bilateral Pressure on Portugal Through Limitations on Other Bilateral Programs and Activities, Such As in the Law Enforcement or Security Sphere

In principle, the U.S. could undertake steps to punish Portugal for its court’s unjust refusal to extradite Wright. However, in the case of Portugal, such steps would likely frustrate rather than facilitate justice. To begin with, it would appear to be fundamentally unfair. The failure to extradite Wright was the decision of an independent local judge, not Portugal’s government as a whole, its justice ministry, or its other law enforcement components. The U.S. and Portugal work closely on military issues, which include support for U.S. forces deployed throughout Europe, the Middle East, Asia, and Africa, as well as counterterrorism, humanitarian, and combat operations in Afghanistan and Iraq. U.S. law enforcement work daily with Portuguese counterparts on a range of activities of deep importance to the security of both countries. It would almost surely be counterproductive to place this cooperation at risk through generalized sanctions, restrictions, or constraints against directed at Portugal to apply pressure to secure Wright’s return to the United States.

That said, our Ambassador to Portugal, our law enforcement and intelligence agencies, and the State Department and Justice Department generally, can continue to raise this issue as one that needs to be resolved, inviting positive steps by Portugal, such as denaturalization and deportation, with the goal of securing justice for Walter Patterson, and for all of those victimized by Wright’s criminal and terrorist activities.

9. Beyond George Wright—Securing Justice Globally

For many decades, the U.S. government has worked to build a global array of tools to extradite or otherwise secure the return to the U.S. of fugitives, regardless of their location. These policies are sensible, and broadly serve the interests of the American people and of justice. There is nothing wrong with the international instruments and mechanisms we have in place. However, it is inevitable that in some particular cases, an extradition will fail and justice will be denied.

In such cases, as my testimony highlights, the U.S. has a set of graduated tools it can use to secure justice regardless.

Which of these tools will be most applicable in any particular case depends on the circumstances of the case, the governments involved, the attitude of the foreign government to the case, and a host of important institutional equities, such as bilateral cooperation on other security and law enforcement matters.

The Congress could strengthen the Executive Branch's ability to analyze and apply these tools and to consider whether it has other ones through encouraging ongoing interagency consideration of the problems of failed extraditions. It was my experience that interagency discussions of such issues tended only to arise in an ad hoc fashion, relating to particular cases or particular bilateral relationships. A Congressional mandate that the President, in consultation with the Secretary of State and Attorney General, provide an annual report on extraditions to Congress covering such issues as total extraditions, number of extraditions refused, reasons for refusal of extraditions, and steps taken by the U.S. in response to a refused extradition, might provide for further focused attention on these issues by both the Executive Branch and by Congress, thereby facilitating and vindicating the goal of securing justice for all. I understand that any Administration might resist putting such information in one place due to its desire to protect confidential intelligence, diplomatic and law enforcement programs, activities, and relationships. For that reason, the Committee may wish to consider structuring any such reporting mandate to provide for a public report that provides statistical data and information on completed matters, with a classified appendix to cover matters that are ongoing or otherwise necessarily secret.

10. Conclusion: A Fugitive Can Run, But Cannot Hide, From Justice

George Wright has expressed his relief at not being returned to the United States to serve out his prison sentence, and being allowed to spend the remainder of his life with his wife and his grown children, while profiting off his crimes by writing a book about them.

Walter Patterson and his family have been denied such pleasures by Wright due to decisions he took of his own volition, without regard for the consequences to anyone else.

In this case, and in other cases like this, it should be the policy of the United States to take appropriate steps to make sure that murderers and terrorists, wherever located, can never breathe the sigh of relief that they have reached safety as a result of out-lasting law and justice.

Which of those steps should be taken in this case will depend on the consideration by those in the U.S. government with the most knowledge of the facts about what will best secure justice here. The Committee may contribute to that process through ongoing dialogue with those who have those current responsibilities.

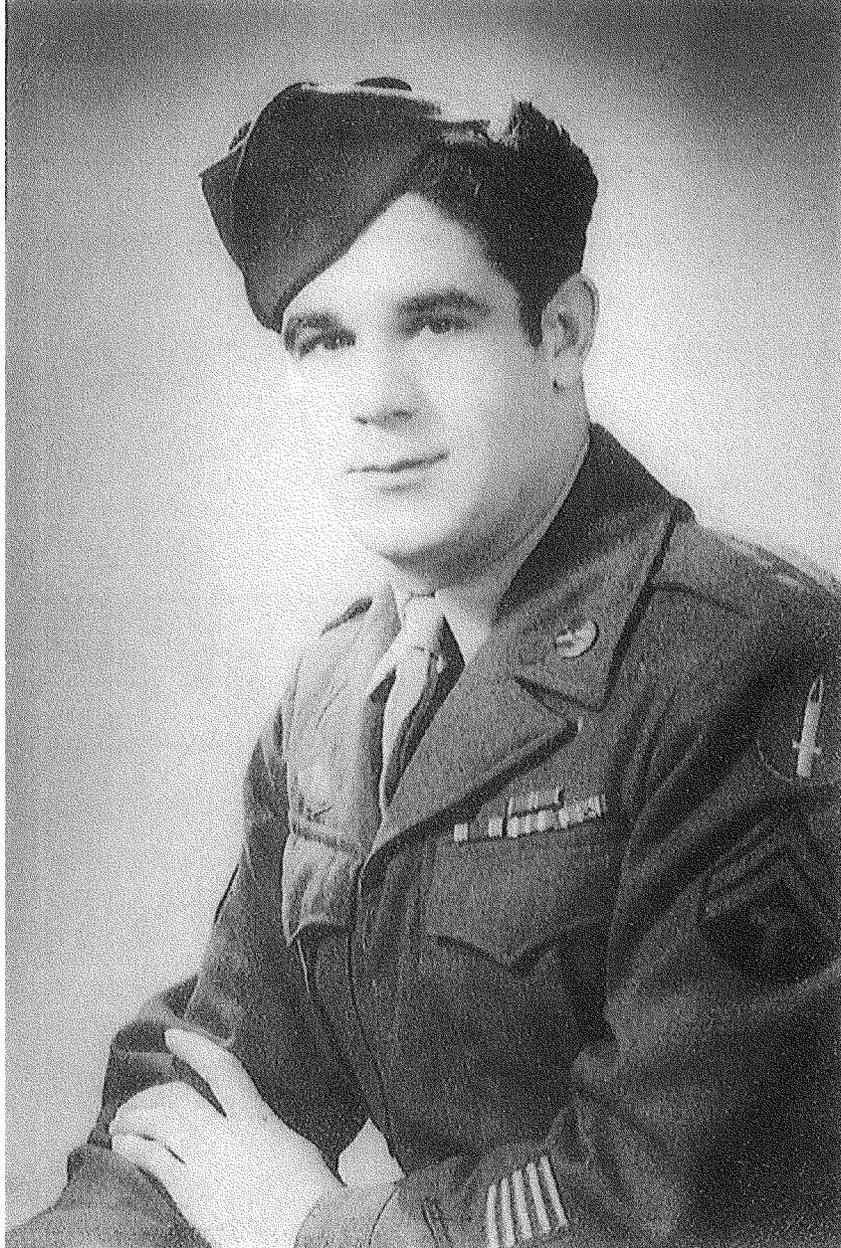
I am available to respond to any questions you may have.

For the Committee's background, I am currently a Senior Director at the Washington strategic communications firm of APCO Worldwide, where I provide strategic advice on a range of issues from financial services regulation to foreign investment and trade, consumer regulations, congressional investigations, data protection, foreign corrupt practices, energy policy, information security, money laundering, national security and sanctions. At the State Department, I was one of the architects of U.S. international policies and strategies on promoting and harmonizing financial transparency, as well as on cross-border law enforcement issues. I led negotiations on these and related issues with the European Union and the Organization of American States, as well as bilaterally with China, Cyprus, Hungary, Israel, Lebanon, Nigeria, Poland, Russia, Thailand and numerous other countries in Europe, Latin America, Southeast Asia and Africa. I previously served for 10 years as chief counsel and principal legislative assistant to U.S. Senator John F. Kerry, handling and drafting legislation pertaining to financial regulation and working with the Senate committees on foreign relations and banking. During that time, I helped conduct a series of congressional investigations, including the investigation of the Bank of Credit and Commerce International from 1989–1992. In November 1999, I received a distinguished honor award from Secretary of State Madeleine Albright for my service at the State Department. The award stated that I “created the capacity of the Department and the U.S. government to deal with international crime and criminal justice as important foreign policy functions,” and that “the scope and significance of his achievements are virtually unprecedented for any single official.”

**MATERIAL FOR
THE RECORD**

TABLE OF CONTENTS

- Photograph of Walter Patterson
- DD-214/Honorable Discharge Certificate (copies)
- Statements for the Record
 - Statement 1: Granddaughter 12/28/2011
 - Statement 2: Granddaughter (no date)
 - Statement 3: Granddaughter (no date)
 - Statement 4: Granddaughter (no date)
- Impact Statement sent to Portuguese Judge from Ann Patterson—Includes “Impact of Crime on my teen and adult years” list
- Letter from The Honorable Frank R. Lautenberg (NJ) to The Honorable Pedro Passos Coelho, Prime Minister of the Portuguese Republic (12/05/2011)
- Letter from Ann Patterson to Secretary Clinton (01/10/2012)
- Response letter from Department of State (Thomas Heinemann) to Ann Patterson (06/19/2012)
- Letter from Ann Patterson to Attorney General Holder (03/06/2012)—with attached article from the Asbury Park Press “Instead of Extradition, possible movie deal”
- Response letter from DOJ (Ronald Welch) to Sen. Lautenberg/Ann Patterson
- Article: “Aren’t They Cute?: America and some special criminals” *National Review*
- Newspaper Coverage List



Recorded in the Hon. Co. Clk's office in Book 3 Record of Discharges
 U.S.A. Military Service on page 252 on October 8, 1945
 J. Russell Woolley, Clerk



Honorable Discharge

This is to certify that

WALTER PATTERSON 32 237 199 TECHNICIAN FIFTH GRADE

BTRY B 718TH FIELD ARTILLERY BN

Army of the United States

*is hereby Honorably Discharged from the military
 service of the United States of America.*

*This certificate is awarded as a testimonial of Honest
 and Faithful Service to this country.*

Given at SEPARATION CENTER
 FORT DIX NEW JERSEY

Date 4 OCTOBER 1945

R. G. Mayrand
 R. G. MAYRAND
 MAJOR, AC

ENLISTED RECORD AND REPORT OF SEPARATION
HONORABLE DISCHARGE

1. LAST NAME - FIRST NAME - MIDDLE INITIAL PATTERSON WALTER		2. ARMY SERIAL NO. 32 237 199	3. GRADE T 5	4. ARM OR SERVICE FA	5. COMPONENT AUS
6. ORGANIZATION BTRY B 718 FA BN		7. DATE OF SEPARATION 4 OCT 45	8. PLACE OF SEPARATION SEP CTR FT DIX NJ		
9. PERMANENT ADDRESS FOR MAILING PURPOSES RT 2 FREEHOLD NJ		10. DATE OF BIRTH 14 JUN 20	11. PLACE OF BIRTH ARDERA NJ		
12. ADDRESS FROM WHICH EMPLOYMENT WILL BE SOUGHT SEE 9		13. COLOR EYES BRN	14. COLOR HAIR BRN	15. HEIGHT 5.9 1/2	16. WEIGHT 186
17. NO. DEPEND. 1	18. RACE W	19. MARITAL STATUS SINGLE	20. U.S. CITIZEN YES	21. CIVILIAN OCCUPATION AND NO. TRUCK DRIVER HEAVY 7-36.250	

22. DATE OF INDUCTION 13 FEB 42		23. DATE OF ENLISTMENT 13 FEB 42		24. DATE OF ENTRY INTO ACTIVE SERVICE 13 FEB 42		25. PLACE OF ENTRY INTO SERVICE FT DIX NJ	
26. RECEIVED SERVICE DATA YES		27. LOCAL S.E. DOKAD NO. 1	28. COUNTY AND STATE MONMOUTH CO NJ		29. HOME ADDRESS AT TIME OF ENTRY INTO SERVICE SEE 9		
30. MILITARY OCCUPATIONAL SPECIALTY AND NO. TRACTOR DRIVER 735			31. MILITARY QUALIFICATION AND RATE (I.e., Infantry, aviation and mechanicship badges, etc.) NONE				
32. BATTLES AND CAMPAIGNS CENTRAL EUROPE NAPLES-FOGGIA RHINELAND ROME-ARNO SOUTHERN FRANCE GO 33 WD 45 AS AMENDED							
33. DECORATIONS AND CITATIONS BRONZE STAR MEDAL GO 350 HQ 36 INF 7 AUG 45 EUROPEAN-AFRICAN-MIDDLE EASTERN SERVICE MEDAL W/ARROWHEAD GOOD CONDUCT MEDAL							
34. WOUNDS RECEIVED IN ACTION NONE							
35. LATEST IMMUNIZATION DATES		36. SERVICE OUTSIDE CONTINENTAL U. S. AND RETURN		37. TOTAL LENGTH OF SERVICE			
SMALLPOX 17 APR 44	TYPHOID 18 AUG 43	TYPHUS 28 MAR 43	OTHER (specify) TY 11 APR 45	DATE OF DEPARTURE 2 APR 43	DESTINATION MTO	DATE OF ARRIVAL 13 APR 43	
37. CONTINENTAL SERVICE		38. HIGHEST GRADE HELD		DATE OF DEPARTURE 1 SEP 44	DESTINATION ETO	DATE OF ARRIVAL 4 SEP 44	
YEARS 1	MONTHS 1	DAYS 25	YEARS 2	MONTHS 5	DAYS 26	TEC 5	
39. PRIOR SERVICE NONE							
40. REASON AND AUTHORITY FOR SEPARATION CONVENIENCE OF THE GOVERNMENT AR 615-365 15 DEC 44 & RR 1-1 (DEMOBILIZATION) AS AMENDED BY TWX TAG 4 SEP 45							
41. SERVICE SCHOOLS ATTENDED NONE						42. EDUCATION (Years) Gr. 0 High School 3 College 0	

43. LEAVE FOR PAY PURPOSES				44. UNPAID LEAVE				45. TRAVEL PAY				46. TOTAL AMOUNT			
YEARS 3	MONTHS 7	DAYS 21	TOTAL 300	THIS PAYMENT 100	UNPAID NONE	TRAVEL PAY 2.70	TOTAL AMOUNT 146.42	J HARRIS COL FD							

47. KIND OF INSURANCE								48. DATE OF PAYMENT								49. DATE OF NEXT PREMIUM DUE								50. PREMIUM DUE								51. INTENTION OF VETERAN TO							
SAL. SERV. U.S. GOVT. None				ATTACHMENT Y-N				30 SEP 45				31 OCT 45				6.60				X				Continued Only				Discontinued											

54. 	55. REMARKS (This space for completion of above items or entry of other items specified in the instructions.) LAPEL BUTTON ISSUED ASR SCORE (2 SEP 45) 94		APPLICATION FOR READJUSTMENT ALLOWANCES MADE THROUGH THE UNEMPLOYMENT COMPENSATION COMMISSION OF NEW JERSEY ON: <i>Dec. 14, 1945</i>
	56. SIGNATURE OF PERSON BEING SEPARATED <i>Walter Patterson</i>		

WD AGO Form 53-53 1 November 1944 This form supersedes all previous editions of WD AGO Forms 53 and 55 for enlisted persons entitled to an Honorable Discharge, which will not be used after receipt of this revision.

R E S T R I C T E DHEADQUARTERS 36TH INFANTRY DIVISION
APO #36, U. S. ARMY

7 August 1945

GENERAL ORDERS

NO. 350

E X T R A C T

X

X

I. AWARD OF BRONZE STAR MEDAL. 1. Under the provisions of Army Regulation 600-45, as amended, a Bronze Star Medal is awarded to each of the following named individuals for meritorious service in sustained frontline combat operations against the enemy:

X

X

X

WALTER PATTERSON, 32237199, Technician Fifth Grade, Battery B, 155th Field Artillery Battalion, 1 November 1943 to 8 May 1945, Italy, France and Germany. Entered the Service from Freehold, New Jersey.

STANLEY M. BAJKOWSKI, 32187174, Private First Class, Battery B, 155th Field Artillery Battalion, 16 November 1943 to 8 May 1945, Italy, France and Germany. Entered the Service from Jersey City, New Jersey.

X

X

X

X

X

X

BY COMMAND OF MAJOR GENERAL DAHLQUIST:

JESSE B. MATLACK
Colonel, General Staff Corps
Chief of Staff

OFFICIAL:

s/ Vincent M. Lockhart
VINCENT M. LOCKHART
Major, Adjutant General's Department
Asst Adjutant General

DISTRIBUTION "E"

A TRUE EXTRACT COPY, I certify:

James T. Glanke
JAMES T. GLANKE
Major, 718 F A Bn
Executive

THIS FORM WILL NOT BE REPLACED
IF LOST OR DESTROYED

SEPARATION CENTER, PORT DIX, N.J.

SEPARATION ARMY QUALIFICATION RECORD JG 7

LAST NAME PATTERSON	FIRST NAME WALTER	MIDDLE INITIAL	ARMY SERIAL No. 32 237 199	GRADE T/5	DATE OF ENTRY INTO ACTIVE SERVICE 15 Feb 42	SEX M	DATE OF BIRTH 14 Jun 20
PERMANENT ADDRESS FOR MAILING PURPOSES (STREET AND NUMBER, CITY, COUNTY, STATE) Rt 2 Freehold Monmouth Co., N. J.							

HIGHEST GRADE COMPLETED 5 yrs H. D.	LAST YEAR OF ATTEND. 1938	HIGHEST DEGREE RECEIVED None	MAJOR COURSE OF STUDY Acad.	NAME AND ADDRESS OF LAST SCHOOL ATTENDED Freehold, N. J. Freehold, N. J.
OTHER TRAINING OR SCHOOLING				
COURSE None	NO. HRS.	COURSE	NO. HRS.	COURSE

SERVICE SCHOOL	COURSE	WKS. OR HRS.	RATING	ARMY SPECIALIZED TRAINING PROGRAM
None				INSTITUTION WHERE ENROLLED None
				CURRICULUM AND TERM (COURSE OR TRAINING PURSUED)
				NO. OF WEEKS
				GRADUATED YES NO

CIVILIAN OCCUPATIONS	
MAIN OCCUPATION (TITLE) TRUCK DRIVER HEAVY	SECONDARY OCCUPATION (TITLE) None
JOB SUMMARY Has driven up to 15 ton truck All bodies, 4 speeds, long and short hauls. Does all mechanical work.	JOB SUMMARY
NO. OF YEARS 5	LAST DATE OF EMPLOYMENT 1942
NAME AND ADDRESS OF EMPLOYER George Worthington Farmingdale N. J.	NAME AND ADDRESS OF EMPLOYER

MILITARY SPECIALTIES							
YEARS	MONTHS	GRADE	PRINCIPAL DUTY	ARMY CODE No.	YEARS	MONTHS	GRADE
1	2	Pvt	Basic tng	521			
		T/5	Tractor driver 735				

SUMMARY OF MILITARY OCCUPATION AND CIVILIAN CONVERSIONS (shown by title)

Operated gasoline powered high-speed caterpillar tractor. to tow 155 mm howitzer and other equipment.

SUMMARY OF MILITARY OCCUPATION AND CIVILIAN CONVERSIONS (shown by title)

None

*THIS INFORMATION BASED ON SOLDIER'S STATEMENT. (Indicate by * ANY ITEMS NOT SUPPORTED BY MILITARY RECORDS)

DATE OF SEPARATION 4 Oct 45	SIGNATURE OF SOLDIER <i>Walter Patterson</i>	SIGNATURE OF SEPARATION CLASSIFICATION OFFICER <i>[Signature]</i>
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PREPARED STATEMENT OF WALTER PATTERSON'S GRANDDAUGHTER

December 28, 2011

To whom it may Concern:

I am not sure I will ever know the full impact of never meeting my grandfather, Walter Patterson, but, I can speculate how things could have been. I imagine that he would have spent time with his grandchildren as we grew up; visiting us, playing with us, spending holidays with us, going to our weddings, and meeting his great-grandchildren. I am sure he would have told us his war stories and life adventures, but we will never know his story as told by Walter Patterson.

If my grandfather hadn't been murdered, I think my grandmother would have lived longer to enjoy the above mentioned activities with her grandchildren. George Wright took both of them away from us. Even though George Wright denies firing shots, it was not a bullet that killed my grandfather. He died from severe head trauma—trauma inflicted on my grandfather by George Wright. Beating a man who was a decorated World War II veteran while he was down is a cowardly act. It's time for George Wright to grow up and be a man and face punishment for the violent, disgusting crime he committed. Wright chose his actions, now he needs to pay the price for them.

One of the biggest impacts of living without my grandfather was financial hardship. He was a gas station owner who probably would have had financial security to pass along to my mother. Instead, she had her father and all that he had to offer taken away. My mother had to start with nothing; therefore times were extremely difficult for us as we grew up. I started babysitting and taking care of neighbors' pets when I was in 5th grade to earn some money. I used that money to buy a car. As soon as I was old enough to drive, I went to work after school each day and on weekends to pay for car insurance, gas and clothes. If I needed something, I knew I had to pay for it. After high school, I had to work two jobs while going to college full time. I had to pay my own tuition. I had to pay for my own wedding. My parents simply didn't have the means to help their children with these things.

If my grandfather had been alive, he could have watched us when we were little so my mom could have gone to work to help out financially. My parents did the best they could just to put food on the table for us. My dad hunted so we ate a lot of venison. There were no "extras" or luxury items. We wore hand-me-downs and were taught to be happy with what we had. My parents wouldn't have needed to struggle if my grandfather had been here to help. My grandfather wasn't here to help due to George Wright's senseless crime.

Whatever happened in the hospital when my mom went to see her father as he was dying caused her to not be able to go to hospitals anymore. She has eleven grandchildren that she was unable to see when they were born—not until they came home. My daughter was in the special care nursery for ten days when she was born. Luckily she was ok, but my mom may have never seen her granddaughter alive. I split my head open as a child, and had to wait for a ride to the hospital to get stitches because my mom couldn't take me to the hospital and my dad was at work. He worked as many hours as he could just to make ends meet.

It is difficult to speculate how things would have been if my grandfather hadn't been murdered, but his presence could have only made life easier and better for all of us. George Wright turned my mother's life upside down, and five generations of the Patterson family have been negatively affected. Wright has lived a full life while my grandfather's life was senselessly taken away. Wright should be thankful for the time he has had with his family. At least he has the opportunity to say goodbye to his wife and kids as he leaves to serve his sentence. My grandfather wasn't given that courtesy. George Wright's fate is a result of his own choices and actions. My grandfather was an innocent man trying to make an honest living. He fought for our country and for our freedom. In return, he was beaten to death by George Wright. Please provide justice for my grandfather, Walter Patterson, and extradite George Wright to the United States to finish serving his sentence for the brutal beating and murder of my grandfather. Thank you for your time and consideration.

Sincerely, Walter Patterson's granddaughter

PREPARED STATEMENT OF WALTER PATTERSON'S GRANDDAUGHTER

I have been asked to describe how George Wright's crime in 1962 has affected my life.

George Wright and his accomplices robbed, beat, and murdered my grandfather, Walter Patterson, in November 1962. My mother and her sister were young teenagers at that time and were completely devastated by the loss of their beloved father. My grandmother had to go forward to raise them, alone, and never recovered from her broken heart. She died in 1964.

The family could take small comfort in the fact that Wright was convicted and sentenced for this heinous crime. While it did not bring my grandfather back, knowing his murderer would be imprisoned surely brought relief, even though it could not bring closure. My mother and her sister nevertheless went ahead with their lives, getting married and starting their own families, but there was always something dark and secret about the family history. They preferred not to speak of their pain and of the hole their father's death left in their lives, but they had to confront their grief all over again when Wright escaped jail, hijacked a plane, and fled the country. The family lived in fear that he would be back to seek revenge. My cousins and I were very young children at this time; my sister and two cousins had not yet been born. We were fortunate to not know what was going on while the media followed Wright's plane hijacking, but my mother and her sister were reminded of this man who had taken their happiness from them, and the cycle of grief started all over again.

Years passed and what had happened to Grandfather Patterson and how he suffered was never spoken of. We knew it was not a topic open for discussion, and lived up until October 2011 knowing only that he had been robbed and died of his gunshot wounds. Imagine the horror and fear when seven grandchildren, now all grown with children of their own, learned the shocking details. My cousins, sister and I grieved this man we never knew like the death had just occurred. And because it remains a raw nerve for my mother and her sister, we still do not discuss it to spare their feelings.

Each grandchild has wondered what life would have been like had our grandfather lived. No doubt many of our life circumstances would have been different if we'd had his guidance and support. There was no grandpa to spend time with, learn from, love. Not knowing this important member of our family has been hard enough, but knowing he was murdered and that his murderer walks free in Portugal brings feelings that are difficult to describe. There is the sense that justice has failed us, that justice has forgotten the gentle, hardworking, World War II veteran, husband and father, respected member of the community, and we would like to respectfully remind justice that we will not and cannot forget George Wright's crime against our family. We respectfully demand that he be brought back to the United States to serve the remainder of his sentence. My grandfather's life is worth that.

Walter Patterson's Granddaughter

PREPARED STATEMENT OF WALTER PATTERSON'S GRANDDAUGHTER

November 23, 1962 changed the lives of many people, as the result of the actions of a few. A brave, hardworking World War II veteran was gunned down for \$70.00. Such a senseless murder! The result of this incident has had an incredible impact on many people. His children were left fatherless, his wife became a widow and his grandchildren only knew him by a picture that hung in a dining room. He never met his seven grandchildren or his fourteen greatgrandchildren.

What is the true impact of his death? No one really knows because the option of having him around was taken away. What would be different had Walter been around to oversee things and help make decisions? These questions can be asked over and over and no one will ever know the answer. Perhaps George Wright would know the answers to these questions. After all, he was responsible for that tragic night in November. George is still here, alive and breathing, spending time with his family, sharing holidays and laughs. Does he ever think about his actions on that fateful night? Does he ever regret the crime, or just regret getting caught? Does he care at all about the people who will never hear Walter speak, ask him for advice or see him smile?

Walter Patterson was my Grandfather. I never had the benefit of spending even one minute with him. He was killed seven years before I was born. What I have experienced is: a mother who lost her father way too young, a mother whose father wasn't at her high school graduation and a mother who had no one to walk her down the aisle. There is a huge void where my grandfather should be. What exactly is that void? I don't know—and I will never know. So much time has gone by, full of so much pain. Thank you.

Walter Patterson's Granddaughter

PREPARED STATEMENT OF WALTER PATTERSON'S GRANDDAUGHTER

"Get away with murder". To some it's just an expression, but to others a reality. Forty-nine years ago, a little girl of 14 years old received a horrifying phone call. On the other end was a distraught family member calling to notify a woman that her husband had been brutally attacked and shot. The 14 year old was the recipient of this message, and was told nothing except "Walt's been shot". Walter was her father, who, 2 days later had vanished from her life forever.

It sounds like a movie or story line for a perfect mystery book series. To my family and myself it's the harsh reality of the world we live in. My mother is that 14 year old girl, and Walter Patterson is the grandfather I never met. From what I understand and conclude from stories told, he was a hard working family man. He had risked his life in the U.S. Army, fighting for the freedom of the people in the country in which we reside. Going to battle and sustaining injuries during combat isn't what took him from his family. It was the appalling choice of some of the very Americans he was fighting for. It was a moment that would change the lives of many people.

On the night of November 23, 1962, Walter Patterson was working at a gas station he ran. It was an innocent night's work, and he was making a living to provide for his family, who consisted of a wife and two young daughters. When a car of 4 individuals pulled around the back of the shop, an average workday would soon take a turn for the worse. Little did my grandfather know, he'd soon be faced with individuals garbed with stockings on their heads, and equipped with guns in their hands. What began as a robbery ended in murder. The individuals who set out with the intentions of killing had succeeded. Luckily, our justice system had been victorious in apprehending these individuals, and convicting them for the crime they committed.

Walter Patterson can't be brought back to watch his two daughters blow out their birthday candles, hang Christmas lights with his family, or carve the Thanksgiving turkey. He would never be able to participate in daddy-daughter dances, walk his daughters down the aisle on their wedding day, or enjoy the births of their children, but at least the creatures responsible for this would pay for what they've done ... or would they?

Seven years of a prison sentence was apparently all that one of these cowards, a man by the name of George Wright, could handle. As if choosing to participate in a murder wasn't enough of a poor choice, his life of crime wouldn't stop there. Mr. Wright had the brilliant idea to steal the prison warden's car to make his great escape. Being a criminal obviously came easy to this individual, because his law breaking actions didn't stop there. What does a convicted murderer do after he breaks out of prison? Well, this particular criminal chose to expand his criminal record by hijacking a passenger plane, putting yet more lives at risk, and making a mockery of the F.B.I. He managed to collect one million dollars in ransom money, which he demanded be delivered by F.B.I. agents in their underwear or swimsuits. One would think if this murderer were to be caught, he'd really be in serious trouble with all the law breaking actions he carried out.

For many years, George Wright lived his life. He even got married and had a family of his own. Were the images of a beaten and shot man ever present in his mind? Did he ever think about the lives of those family members that were torn apart on that day that he chose to act like a man of no feeling or regard for human life? When he was counting his illegally obtained million dollars was he picturing 2 young girls standing over a coffin painfully watching their young, brave father be buried? Was he thinking of the young single mother who was left to deal with her newly broken family? I doubt it, and George Wright was actually running like a coward while conspiring about how he would be able to live the good life himself. No conscience, remorse, or regret has ever been evident by this individual's actions. He must have felt he had something to hide, proven by the fact that he illegally and unofficially changed his name and remained in a country half a world away from where he destroyed Walter Patterson and his family.

Forty-one years have passed by. After diligent searching and a refusal to put this case file back in the file cabinet, the F.B.I. was hopeful that they had found this murderer and fugitive. That 14 year old girl who received that devastating phone call is now 63 years old and has received yet another phone call regarding the murder of her father. Only this time, the phone call is of a positive nature. The news of this armed robber, murderer, prison escapee, plane hi-jacker, and fraud being caught seems surreal. After all these years, this man will finally pay the price for the crimes he chose to commit. The life of Walter Patterson can't be brought back. Knowing that justice will be served and that George Wright literally won't get away with murder, will help to close the door on the devastating chapter of Walter Patterson's families lives.

Protecting and hiding a known, convicted criminal is considered a crime in itself. Portugal, the place in which George Wright chose to flee to and hide out at, like the coward he is, chose to protect him by refusing extradition. How can an average individual be punished for hiding out a criminal, yet here you have the government of a country harboring this fugitive and getting away with it? When this news hit our family, many emotions were felt. The feelings of anger, sadness, and frustration are overwhelming. A convicted killer and fugitive has been caught, but is being protected from the law. The rationale is that he is now a Portuguese citizen, and therefore they feel the need to protect him. Never mind the fact that Walter Patterson had no protection from this individual's hands, but in hindsight, is George Wright even a legitimate Portuguese citizen? He used criminal acts to access the country, and used a fraudulent family background and name to obtain his so-called citizenship. George Wright has not become a Portuguese citizen but rather the pseudo-individual he created has. One would think a government would want to rid their country of crime and corruption, but Portugal is protecting an individual who has brought these things to them.

Portugal isn't the only country to blame for this monster having the ability to move on with his life, as if his hands were not a murder weapon at one time, as if his own mind didn't tell him to commit the various crimes of a hateful, malicious monster. The very country that Walter Patterson received numerous medals for protecting is contributing to George Wright literally getting away with murder. The country in which immigrants travel far and wide to reach to obtain a "better" life for themselves, our very own United States of America, has given up on one of its own. The decision has been made that a human life that was taken illegally by the hands of another isn't worth pursuing justice for. Members of our Attorney General's office have decided that no more appeals are necessary in the attempt to extradite this convicted murderer so justice can be served. It would be very interesting to see if this same decision would be made if the individual who was prematurely buried carried one of their last names. This war veteran fought for the freedom of citizens of the United States. The government was unable to protect him from George Wright while he was still alive. The least that the United States could do is return the fight that he gave and express the need to have this man brought back to where this crime was committed. In public schools across the nation, hundreds of students and staff proudly recite the Pledge of Allegiance. It would be reassuring to know that these aren't just words, but actually have true meaning and that our country stands by the last line of this pledge. If nothing else, this country should have the ambition to send the message that the United States is just that—UNITED.

Thank you for your time.

Walter Patterson's Granddaughter

IMPACT STATEMENT SENT TO PORTUGUESE JUDGE FROM ANN PATTERSON

December 27, 2011

Your Honor,

My name is Ann Patterson, and I am the daughter of Walter Patterson, who was robbed, beaten, shot, and left for dead at his gas station on November 23, 1962. He succumbed to these injuries on November 25, 1962.

George Wright is one of the men involved in this crime. This has impacted my life twice—once when I was a child of 14 and then again this year as we have had to relive these events all over again.

In 1962, there was no counseling. The world suddenly became a scary place. My mother was not well and could not take care of us. We did not know how we were going to get food, pay the bills, or get anywhere except for school. The custody services wanted to remove us from our home. My mother's brother told them that he would look in on us every day and we were allowed to stay with our mother until school was out. On the last day of school, we took our clothes and moved in with our uncle and aunt. My mother passed away fifteen months after my father.

I never did get over the fear of being out in the world. I have ever worked a full time job, I did not want to work where there was a possibility of being robbed and hurt. I do not stop at the gas station to put gas in the car. My husband has to do that. I do not go far from home and do not travel alone. These are real fears for me.

Going through this again has opened up the wound and brought up all those old feelings, but worse than before. I can't sleep; I relive the crime itself and cannot get the image out of my mind of my father lying on the floor of his gas station with three men standing over him beating him up. The image of George Wright hitting him with the stock of his gun so hard that they can identify Wright by these marks left on my father is particularly distressing.

My stomach is constantly upset and I have lost ten pounds. I try to eat one good meal a day even though I feel nauseous.

This has all taken its toll on my family as well, not just with the time involved with the media but also that I cannot keep up my duties as a wife, mother, grandmother, and babysitter.

My life has been derailed twice because of this crime and now it will take some time to get over the effect of it yet again. I am now seeing a counselor.

I was only 14 when my father was taken from us. I was the last one in our house to tell him "goodbye" and wave to him as he drove off to work. It was the day after Thanksgiving. Every year, the calendar reminds me of losing Daddy when we get near Thanksgiving.

When the phone rang that night and I answered, my aunt said, "Walt's been shot", I started crying as my mother took the phone. She got a ride to the hospital while we (my sister and I) stayed home - afraid to be alone. When my mother got home the next morning, she said that she couldn't recognize Daddy; that they had beat him up very badly. The doctors operated for eight hours that night on Daddy's head and one of them told my mother that he "thought he had gotten out all of the bone fragments". They also had to wire his jaw shut. They could not give him anything for pain due to the head trauma and had to tie him down in the bed. The doctor told my mother that Daddy would probably have a seizure from this head trauma and he did the next night. He would also never see again. The doctor said that if he survived, he would be a vegetable and need a lot of care.

My father was unrecognizable in his casket. I knew it was him by looking at his hands. Everyone said now he wouldn't suffer any longer and that he wouldn't have any more pain.

George Wright has said that he was not the shooter. He has taken responsibility for the beating, it was brutal and unnecessary beating that killed Daddy. If there had not been a beating, then the doctors could have operated on the bullet wound and Daddy would have recovered.

George Wright has a dark past and hidden his life from a lot of people, living a life of lies. He is a convicted murderer and now his past has caught up with him. It is time for him to come back to the United States and face the justice he has managed to escape from for so long. I was disappointed at the first and second ruling, but I am hopeful that the Portuguese government will be helpful in achieving justice for Daddy.

Sincerely, Ann Patterson

IMPACT OF CRIME OF MY TEEN YEARS AND YOUNG ADULT YEARS

- 1) No Daddy at high school graduation.
- 2) Had to walk 2 miles to work packing eggs and babysitting.
- 3) Worked 30 hours a week during senior year in high school to earn enough money to buy a car and insurance. Took the bus, then walked the rest of the way.
- 4) Went without the encouragement and support a father gives.
- 5) Got first asthma attack 6 weeks after Daddy's death when I was upset thinking about his death.
- 6) No Daddy to walk me down the aisle at my wedding.
- 7) My 5 children were deprived of the kind, loving, smiling grandfather that makes a child's life more complete.
- 8) Hastened my mother's death.
- 9) Almost had to live in a state institution.
- 10) Watched my great uncle starve himself to death. He lived in our house and, when told about Daddy's death, said, "I don't want to stay in a world where this is allowed to happen". He never ate another morsel of food and died a couple of months later. His wife died 5 months after he did.
- 11) In 15 months, we experienced the deaths of all 4 adults we lived with and lost our home.
- 12) Could not grieve Daddy's death as we had to be strong for our mother. Statically went through teen years emotionally numb.

FRANK R. LAUTENBERG
NEW JERSEY

COMMITTEES:
APPROPRIATIONS
COMMERCE, SCIENCE, AND
TRANSPORTATION
ENVIRONMENT AND
PUBLIC WORKS

United States Senate

WASHINGTON, DC 20510

December 5, 2011

The Honorable Pedro Passos Coelho
Prime Minister of the Portuguese Republic
Rua da Imprensa à Estrela, 4 - 1200-388
Lisboa, Portugal

Dear Prime Minister Passos Coelho:

I write to express my concern about the recent decision by a Portuguese judge to deny a United States extradition request for George Wright, a convicted murderer who escaped from a United States prison in 1970.

As a United States Senator for the state of New Jersey, I represent the family of Walter Patterson, a resident of New Jersey, decorated World War II veteran, and father of two daughters. In November 1962, Mr. Patterson was murdered while working at the gas station he owned in New Jersey. George Wright, a United States citizen, was subsequently arrested and convicted of Mr. Patterson's murder. After serving only seven years of his 15 to 30 year sentence, Mr. Wright escaped from a New Jersey prison and later hijacked an airplane carrying 86 passengers, which eventually landed in Algeria. Mr. Wright later moved to and settled in Portugal.

In September 2011, Portuguese authorities arrested Mr. Wright, and the United States Department of Justice is currently seeking extradition so that he may serve the remainder of his murder sentence. On November 17, 2011, a Portuguese judge denied the request of the United States for extradition, and the United States Department of Justice has appealed that decision.

The United States and Portugal signed a bilateral extradition treaty in May 1908, which was updated in June 2009 with the signing of a protocol agreement to reflect the provisions of the 2003 Extradition Agreement between the United States and the European Union. Notably, under the 1908 bilateral treaty and the United States-European Union extradition treaty, Portugal has committed to returning individuals who have committed qualifying offenses, including murder, to the United States for punishment after their conviction for such a crime.

George Wright is guilty of the murder of Walter Patterson and has yet to serve out his full sentence for that heinous crime in the United States. I hope you will agree that Mr. Patterson's family deserves to see justice for his murder. As such, I respectfully request any assistance and support you can provide in ensuring the extradition request by the United States for Mr. Wright is granted.

Thank you for your consideration of this important request.

Sincerely,



ONE GATEWAY CENTER, 23RD FLOOR
NEWARK, NJ 07102
(973) 639-8700 FAX: (973) 639-8722

HART SENATE OFFICE BUILDING, SUITE 324
WASHINGTON, DC 20510
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2 BROADWAY DRIVE
ONE FLOOR EXHIBIT DRIVE 505
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(856) 338-8192 FAX: (856) 338-8138

LETTER FROM ANN PATTERSON TO SECRETARY CLINTON

Jan. 10, 2002

Dear Mrs. Clinton,

My name is Ann Patterson and I am the daughter of Walter Patterson. My father was beaten, robbed and shot at his gas station in Wall Township, New Jersey on November 23, 1962. He died of his injuries on November 25, 1962. One of the men responsible, George Wright, escaped from prison in 1970 and he jacked a plane in 1972. The FBI and U.S. Marshals recently found him in Portugal and then requested his extradition to the U.S. to serve out the rest of his 15-30 year sentence. The extradition was denied and the U.S. is appealing that decision. I understand that the U.S. has an extradition treaty with Portugal.

I was just 14 when I lost my father. He was a decorated World War II veteran who just wanted to earn a living and support his family. He worked 10-15 hour days at his gas station. My mother, already ill with a heart condition, passed away 15 months later leaving my sister and me orphaned.

Just as I felt helpless in 1962, I feel that way now after the extradition was denied. Can you do something for the Patterson family to bring about justice for my father?

Thank you for your consideration.



United States Department of State

Washington, D.C. 20520

June 19, 2012

Dear [REDACTED]

Thank you for your letter to Secretary Clinton which we received from Senator Lautenberg regarding the U.S. request for the extradition of George Wright from Portugal. From the moment that the United States was advised of Mr. Wright's location in Portugal, securing his extradition has been a priority for both the Department of Justice and the Department of State. Our Departments worked in close coordination in the preparation of a request to Portugal and monitoring subsequent developments. We have also worked in close coordination with our Embassy in Lisbon before, during and after the extradition proceedings to ensure that Portuguese government officials at all levels were aware of the significance that the U.S. government attached to this extradition request.

We were deeply disappointed in the decision of the Portuguese lower court to deny our request, and have communicated our disappointment to appropriate Portuguese officials. As you may be aware, the United States not only appealed this decision, but took the extremely unusual step of retaining a private law firm in Lisbon to ensure that the views of the U.S. government and the best possible legal arguments were presented directly to the Portuguese courts. Ultimately, however, the Portuguese Supreme Court rejected our appeal.

The Department appreciates the tremendous personal significance of this case to you and your family. Please rest assured that as long as there is an open warrant for Mr. Wright's arrest, we will work with the Department of Justice to pursue any available avenue that may arise for securing his extradition.

If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thomas Heinemann".

Thomas Heinemann
Assistant Legal Adviser for
Law Enforcement and Intelligence Matters

[REDACTED]
[REDACTED]
[REDACTED]

Dear Attorney General Holder,

My name is [REDACTED] and I am the daughter of Walter Patterson. My father was beaten, robbed, and shot in his gas station in Wall Township, New Jersey on November 23, 1962. He died from these injuries on November 25, 1962. One of the men responsible, George Wright, escaped from prison in 1970 and hijacked a plane in 1972. The FBI and U.S. Marshals worked very hard to find him and bring him to justice to finish serving his 15-30 year sentence.

I read in the Asbury Park Press on Thursday March 1 that the U.S. Department of Justice just gave up in this pursuit of justice. This is certainly disheartening to the entire Patterson family.

My father was a decorated World War II veteran and a brave member of our Patterson family "Honor Roll of Soldiers" who have served this country in every war from its very beginning.

The gas station was his American Dream and my father worked 16-18 hour days to support his family. My mother, already ill with a heart condition, passed away fifteen months later leaving my sister and me orphaned.

George Wright has admitted to the beating and has pleaded non vult to escape the death penalty. His gun was identified by the marks left in my father's skin. That is how violently he hit my father. My father was operated on that night and the doctor told my mother that he thought he had gotten all of the bone fragments. He also told her that my father would be a vegetable if he lived and would probably have a seizure, which happened the next night. You see, these injuries were to his head. If there had not been such a savage beating, the doctors could have then operated on the bullet in his stomach, and it is quite possible we would not have lost a kind and gentle father.

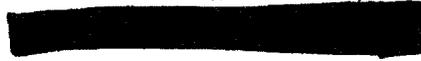
To drop the process of appeals is like signing up for a five mile race and dropping out at mile four because you don't feel like going any further. Our family, friends, and neighbors are really disappointed in this decision. Why is this country taking better care of a man who doesn't want to be a U.S. citizen than those of us who have tried to be decent citizens?

Enclosed is a copy of an editorial from the March 2, 2012 Asbury Park Press. Please take a minute to read it as I think it is right on target.

I respectfully request that you file an appeal and see the process of justice through EVERY avenue until all of these avenues have been exhausted.

Thank you for your time and consideration.

Sincerely,

A thick black horizontal bar redacting the signature of the sender.

Cc Deputy Attorney General *James Cole*
Secretary of State Hillary Clinton
President Barack Obama
Senator Frank Lautenberg
Senator Robert Menendez
Congressman Chris Smith
Governor Chris Christie
Asbury Park Press attn: Randy Bergman
attn: Charles Webster
Newark Star Ledger attn: Bob Considine
New York Times
Gentlemen's Quarterly Magazine attn: Mike Finkel

Opinion

THE PRESS

Instead of extradition, possible movie deal

Lady Justice must be weeping. George Wright, who was convicted of killing a gas station attendant during a 1962 robbery in Wall, is getting away with murder.

The U.S. Justice Department has decided it will not exercise its final appeal to bring the fugitive murderer home from Portugal to complete his prison sentence. He served seven years of a 15- to 30-year term before escaping, eventually spending decades in Portugal.

In September, Wright, now 68, was finally captured after his U.S. fingerprint matched one in Portugal's database. But a Lisbon court in November refused a U.S. request to send Wright back.

Portugal's Supreme Court then twice rejected U.S. appeals of that decision, claiming that the statute of limitations had long since passed. The United States had one last avenue of appeal — to the Constitutional Court in Portugal. The U.S. announced this week that it will not pursue it.

Perhaps that last appeal would have failed as well. But the pursuit of justice is its own reward. And for the sake of fairness and the principles of justice, this country should not have stopped pursuing Wright until every last avenue was closed. No matter the odds, the United States justice system should have kept trying to extradite Wright. It chose not to and has not said why.

Now, Wright says he is considering offers for a book and film about his life. Today, he is a free man and stands to profit from his crimes. That is utterly disgraceful.

America can't be held responsible for Portugal's cavalier disregard for American justice. But the American people should hold the Justice Department responsible for running up the white flag of surrender when it comes to Wright's crime. And they should demand some explanation from the so-far silent Justice Department about why it did not fight for Wright's return until it ran out of venues in which to make its case.

Tell us what you think

E-mail us:
yourviews@apn.com

Write to us:
Letters to the editor
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3601 Highway 66
Naperville, NJ 07754

Call us:
Randy Bergmann,
editorial page editor,
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Connie Robinson, letters
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Letters must include full name and address, and daytime phone number, for verification. Writers are limited to one letter, 250 words or fewer, per month. All letters are subject to editing or rejection. Letters to the editor, opinion and editorial columns, and articles submitted to the Press may be published or distributed in print, electronic or other forms.



U.S. Department of Justice
Office of Legislative Affairs

12 MAY 15 PM 3:4

Office of the Assistant Attorney General

Washington, D.C. 20530

MAY 10 2012

The Honorable Frank R. Lautenberg
United States Senate
Washington, D.C. 20510

Dear Senator Lautenberg:

This responds to your letter to the Attorney General dated March 13, 2012, regarding the denial of the United States' request for the extradition from Portugal of George Edward Wright. We share your concerns about this matter and, like you, are deeply disappointed that Mr. Wright has not been extradited.

Mr. Wright was arrested by Portuguese authorities on September 26, 2011, based on a request from the United States for his extradition to serve the remainder of a fifteen to thirty year sentence for a New Jersey state murder conviction. In November 2011, the Court of Appeals of Lisbon denied our request for Mr. Wright's extradition. On November 29, 2011, the United States, through private counsel, attempted to appeal this denial of extradition to the Portuguese Court of Appeals, which referred the matter to the Portuguese Supreme Court. A judge of the Supreme Court initially ruled that the United States was not able to appeal the denial of extradition; the United States appealed that ruling to the full Portuguese Supreme Court, which also rejected our appeal. The basis for these denials was, in essence, that where the Portuguese prosecutors did not seek appeal, the United States did not itself have standing under Portuguese law to appeal the denial of extradition.

Based on our own analysis of the decisions and the advice of our private counsel, the United States decided not to pursue a further appeal from these rulings of the Portuguese Supreme Court. The Department of Justice took all viable steps in attempting to secure Mr. Wright's extradition. We are deeply disappointed with the outcome of this matter.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald Weich".

Ronald Weich
Assistant Attorney General

Aren't They Cute?

America and some special criminals

BY JAY NORDLINGER

ACCORDING to news reports, George Wright is entertaining book and movie deals. He's a star, practically—yet another glam criminal out of reach of the law. Safe abroad, smirking at justice, holding forth on the iniquities of America. Wright and his comrades often spelled this word with a "k." Sometimes three of them.

He has an exciting story to tell, it's true. It has been all too exciting for those on the wrong end of his guns. In 1962, the day after Thanksgiving, he and some buddies went on a crime spree. This was at home in New Jersey. One of the people they robbed was Walter Patterson, a gas-station owner. With panty hose shoved over their faces, they shot him dead. Off they went with \$70.

Patterson, 42 years old, was a member of what someone would call the Greatest Generation. He came home from the war with a Bronze Star, earned when he drove his truck into a hail of German bullets, in order to save some men. Patterson survived the Nazis, but not the two-bit thugs who came to his gas station.

George Wright, apprehended, was sentenced to 15 to 30 years. He served seven of them. In 1970, he escaped from his minimum-security prison, which was nothing but a dairy farm, really. He and a buddy hot-wired the warden's car. They got to Detroit, where they joined the "Black Liberation Army."

In 1972, they and three others hijacked a plane. Wright, dressed as a priest, pulled a gun from a hollowed-out Bible and held it to a stewardess's throat. The hijackers demanded a million-dollar ransom. Wright said, "If that money's not here by 2 o'clock, I'm going to start throwing a dead body out the door every minute." The U.S. government paid.

The gang forced the plane to Algeria, which was a haven for self-styled revolutionaries (in reality, robbers, rapists, and murderers who had learned a little black-power talk). When they landed, something funny happened: The Algerians confiscated the money. The gang was ticked. In a

statement, they said, "We are shocked and bewildered to be branded as criminals for our revolutionary activities."

After a sojourn in their new "homeland," as they called it, they moved to another homeland: France. Eventually, they were arrested by French authorities—all but Wright, who escaped down into Portugal. From there, he went to Guinea-Bissau, a former Portuguese colony in West Africa. It was run by people much like Wright, and they were happy to give him a new identity: José Luís Jorge dos Santos. After acquiring a wife and two children, he went back to Portugal, to live a pleasant life by the sea.

U.S. law did not quite forget him. They tracked him down last September—49 years after the murder of Patterson, 41 years after Wright's prison escape, and 39 years after the hijacking. Wright commented, "Knowing the Americans, I always feared that they had their antennas up." He need not have feared too much: The Portuguese refused to extradite him. The case is now regarded as closed. Wright, who is 69, said, "I want to relax now, and spend time with my family and friends." Yes, don't we all?

Walter Patterson, too, had a family: a wife and two daughters. His wife died a year and three months after his murder, of a heart condition. When Wright was finally tracked down, Patterson's daughter Ann said, "He needs to come back here and pay his debt to society." She was 14 when her father was murdered. Wright "has had a good life for the past 40 years," she said, "but he took away about half of my father's life."

Wright and his fellow hijackers have been celebrated in at least two documentary films. These films portray them as strugglers against oppression, racism, and imperialism. They were virtually civil-rights heroes, you see—maybe a little overzealous. Maybe too impatient. Wright recently said that he hijacked the plane "to support the hopes of black people." One of the films borrows a title from James Baldwin: "Nobody Knows My Name."

The Black Liberation Army was part of a "family" of groups—that's what the criminal radicals called themselves, "The Family." (Rather bourgeois, when you think about it.) The groups included the Weather Underground, the Red Guerrilla Resistance, the Republic of New Afrika, and the May 19th Communist Organization. Why May 19th? The birthday of

Malcolm X and, as a bonus, Ho Chi Minh. Now and then, family members indulged in what they called "non-political murder"—the offing of a prostitute, for example. But mainly they liked to kill policemen ("pigs"), which, for them, was "political murder," or "revolution."

Several of the cops they killed were black, including two men named Waverly: Waverly Jones and Waverly Brown. The first belonged to the NYPD, the second to the force in Nyack, N.Y. Brown was an actual civil-rights pioneer: the first black man to join that force.

Like George Wright, many of the killers fled abroad, and mainly they fled to Cuba—Castro was happy to receive them and show them off. Something like 70 American fugitives are in Cuba. One of them is Charlie Hill, who, after killing a cop in New Mexico, hijacked a plane. But probably the most famous of them is Joanne Chesimard, a.k.a. Assata Shakur. She killed her cop in 1973. (His name was Werner Foerster; Hill's was Robert Rosenbloom.) In 1979, she escaped from prison, whereupon she found her way to Castro.

Oh, the press she enjoys! In 1997, *Essence* magazine published an interview with her: "Prisoner in Paradise." ("Paradise" would be totalitarian Cuba.) She said things like "I represent someone who has dedicated her life to the liberation of my people." Two years later, the *New York Times* published an article by a Princeton theologian, defending her. He called her an "activist"—which is one way of putting it. He also said she was "vibrant" and "articulate," which no doubt she is. More vibrant and articulate than a dead cop.

She has been the subject of many songs, poems, and other tributes. One of them is by a rapper called Common: "A Song for Assata." One line goes, "All this sh** so we could be free, so dig it, y'all." A year ago, Common was invited to perform in an "Evening of Poetry" at the White House. Law-enforcement associations and other squares objected, but they were easily brushed off. In the White House, President Obama made sure to give Common a big hug.

Undeniably, the radical fugitives make good copy. It's hard for journalists to resist. How it works is this: You go to Tanzania, let's say, and interview Pete O'Neal. You paint a picture of him in the old days: "He blazed with purpose: End racism and class inequality, fast." You describe his flight and wanderings: "Sweden . . . Algeria . . .

Tanzania, whose socialist government welcomed left-wing militants." You note that he's gray and paunchy now, and gentler. But then you quote him defiant: "They will never convince me in my life that what I was doing wasn't right."

Undeniable, too, is that we Americans have always romanticized criminals. We sing of Bonnie & Clyde, Jesse James, Butch Cassidy & the Sundance Kid. Speaking of "Kids": André Previn composed a song cycle about Billy the Kid, in 1994. The George Wrights and Assata Shakurs are particularly ripe for romanticization, given our fraught relationship with race. But, as William Rosenau writes, "Historical amnesia about groups like the BLA [Black Liberation Army] is unfortunate." Rosenau is a scholar, and writes with fine scholarly understatement.

Few Americans knew or cared about President Clinton's granting of clemency

Discussion of Bill Ayers and Bernardine Dohrn was essentially out of bounds during the 2008 presidential campaign. Question Obama's friendship with them, and you were slammed as uncouth, at best. Ayers and Dohrn are considered almost quaint figures now—living mementos of a colorful past, of "crazy times." Lincoln Diaz-Balart, the Cuban-American politician, has said he doesn't know how Castro can seem cute after decades of torturing people. To many, Ayers and Dohrn seem cute, too.

Ayers once summed up his situation to David Horowitz in a memorable way: "Guilty as hell, free as a bird—America is a great country."

It is, yes. But not because of the Weather Underground or the Black Liberation Army. More because of people such as their victims. Who are those victims, by the way, those dead? Talk about Nobody



Walter Patterson (1920-1962)



Waverly Brown (1935-1981)

to Susan Rosenberg and Linda Sue Evans, in the very last hours of his presidency. But his actions shocked and sickened people in law enforcement, and people who remember the Weather Underground, accurately: the bombings, the murders—the plan to wipe out NCOs as they danced with their dates at Fort Dix.

Why is it that so many liberals are so tender toward Rosenberg, Evans, et al.? Why do these terrorists, who are generally unrepentant, receive such sympathetic treatment from the *Times*, *The New Yorker*, *60 Minutes*, etc.? Is it because liberals, some of them, "hold their manhoods cheap" for not being part of the "struggle" themselves? Do they feel guilt over "preserving their viability within the system" (to paraphrase Clinton)? Do they regard The Family as "liberals in a hurry"? Rosa Parks with itchy fingers?

Knows My Name! Plenty of people know the names of their murderers. Often, those murderers get two names: George Wright and José Luis Jorge dos Santos; Joanne Chesimard and Assata Shakur; Wesley Cook and Mumia Abu-Jamal; H. Rap Brown and Jamil Abdullah Al-Amin; Donald Weems and Kuwasi Balagoon. Their victims aren't celebrated in films and songs. Their names aren't known at all, except to those who loved them.

Here is a partial list of those names: Waverly Brown, Patrick Carran, Daniel Faulkner, Werner Foerster, Gregory Foster, Robert Fromhold, James Green, Waverly Jones, Joseph V. Kelly, Ricky Kinchen, Rocco Laurie, Edward O'Grady, Peter Paige, Walter Patterson, Joseph Piagentini, Robert Rosenbloom, Sidney Thompson, Frank Von Colln, John Victor Young . . . NR

Rigorously Modest

Remember the social sciences' limitations

BY JIM MANZI

IMAGINE that a U.S. president is considering his options vis-à-vis a rapidly developing Iranian nuclear-weapons program. First, a science adviser comes into the room and predicts that if the Iranians take the following quantity of fissile material and compress it into a sphere of the following size under the following conditions, then it will cause an explosion large enough to destroy a major city. Next, a historian comes into the room and predicts that if external attempts are made to thwart Iranian nuclear ambitions, then a popular uprising will sooner or later ensue and force changes in government until Iran has achieved nuclear capability.

The president would be unwise to begin debating the findings of nuclear physics with his science adviser. Conversely, the president would be unwise *not* to begin a debate with the historian. This would likely include having several historians present different perspectives, querying them on their logic and evidence, consulting with non-historians who might have useful perspectives, engaging in introspection about human motivations, considering prior life experience, and so on.

Next, an economist walks into the room. She predicts that if the CIA were to successfully execute an Iranian currency-counterfeiting scheme designed to create additional inflation in Iran for the next five years, then the change in Iranian employment would be approximately X. Is this more like the historian's prediction or the physicist's prediction?

Superficially, she might sound more like the physicist. She would use lots of empirical data, equations, and technical language. But many issues would remain outside the grasp of this analysis. How would consumer psychology in Iran be altered by the scheme, and how would this

Mr. Manzi's Uncontrolled: The Surprising Payoff of Trial-and-Error for Business, Politics, and Society goes on sale May 1.

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Ashbury Park Press

Wed. Sept. 28, 2011 p.1
Thurs. Sept. 29, 2011 p. A15
Fri. Sept 30, 2011 p. A8
Sat. Oct. 1, 2011 p.1
Sun. Oct. 15, 2011 p. A4
Fri. Nov. 18, 2011 p.A5
Sat. Nov. 26, 2011 p. A1
Wed. Nov. 30, 2011 p. A12
Fri. Nov. 31, 2011
Sat. Dec. 31, 2011 p. A13
Tues. Jan. 17, 2012
Thurs. Feb. 2, 2012 p. B 4
Sun. Feb. 5, 2011
Thurs. Mar. 1, 2012 p. 13
Fri. Mar. 2, 1012 p. A14
Sun. Mar. 11, 2012 letter to the editor
Thur. Mar. 15, 2012 p. A17
Wed. Mar. 28, 2012 p. A 16

Community Report

Thurs. Dec. 1, 2011 p. 1

Daily News

Wed. Sept. 28, 2011 p. 12

New York Times

Thurs. Sept. 29, 2011 p. 1

Star Ledger

Wed. Sept 29, 2011 p. 1
Tues. Nov. 22, 2011 p. 1
Sun. Mar. 11, 2012 Sec. II p. 1

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May, 2012 p. 134

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May 14, 2012 p. 22



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