

112TH CONGRESS
2D SESSION

H. R. 6698

To direct the President to submit to Congress a report on fugitives currently residing in other countries whose extradition is sought by the United States and related matters.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 20, 2012

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

A BILL

To direct the President to submit to Congress a report on fugitives currently residing in other countries whose extradition is sought by the United States and related matters.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Walter Patterson Jus-
5 tice and Extradition Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Extradition is the formal surrender of a
2 person by one State to another State for prosecution
3 or punishment.

4 (2) Refusal by other nations to extradite to the
5 United States fugitives within their jurisdiction who
6 have been convicted of committing crimes on United
7 States soil impedes the judicial process and under-
8 mines the rule of law.

9 (3) The United States has bilateral extradition
10 treaties with more than 100 nations and an extra-
11 dition agreement with the European Union.

12 (4) Principle X of the 1975 Helsinki Final Act
13 requires that the 57 Organization for Security and
14 Co-operation in Europe participating States, “fulfill
15 in good faith their obligations under international
16 law, both those obligations arising from the gen-
17 erally recognized principles and rules of inter-
18 national law and those obligations arising from trea-
19 ties or other agreements, in conformity with inter-
20 national law, to which they are parties”.

21 (5) The failure to bring criminal fugitives to
22 justice in the United States is an affront to the vic-
23 tims of those crimes.

24 (6) The refusal of Portugal, a close ally and
25 good friend of the United States, to extradite George

1 Wright, convicted of the 1962 murder of Walter
2 Patterson, fugitive from justice since his 1970 es-
3 cape from the Bayside State Prison in New Jersey,
4 is a deplorable example of a failure to extradite.

5 (7) The refusal to extradite George Wright is
6 emblematic of a number of such refusals from Amer-
7 ican friends and allies, such that United States poli-
8 cies and efforts to secure extradition and the extra-
9 dition policies of countries from which the United
10 States seeks extradition bear further examination.

11 (8) Such examination will be promoted by the
12 issuance of a public report on the status of extra-
13 dition requests by the United States and related
14 matters.

15 **SEC. 3. REPORT.**

16 (a) IN GENERAL.—Not later than 270 days after the
17 date of the enactment of this Act, the President shall sub-
18 mit to the appropriate congressional committees a report
19 on—

20 (1) the number of fugitives currently residing in
21 other countries whose extradition is sought by the
22 United States and a list of those countries;

23 (2) diplomatic and other efforts, if any, the
24 United States has undertaken to secure the return
25 of such fugitives;

1 (3) the average length of time these cases have
2 been outstanding;

3 (4) how many of these cases have been resolved
4 to the satisfaction of the United States;

5 (5) factors that have been barriers to the reso-
6 lution of these cases; and

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

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

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

17 (1) the Committee on Foreign Affairs and the
18 Committee on the Judiciary of the House of Rep-
19 resentatives; and

20 (2) the Committee on Foreign Relations and
21 the Committee on the Judiciary of the Senate.

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