

116TH CONGRESS
1ST SESSION

H. R. 1107

For the relief of Judge Neringa Venckiene, who the Government of Lithuania seeks on charges related to her pursuit of justice against Lithuanian public officials accused of sexually molesting her young niece.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2019

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

A BILL

For the relief of Judge Neringa Venckiene, who the Government of Lithuania seeks on charges related to her pursuit of justice against Lithuanian public officials accused of sexually molesting her young niece.

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 “Give Judge Venckiene
5 Her Day in Court Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Judge Neringa Venckiene fled to the United
2 States in 2013 and requested political asylum after
3 a 5-year battle in Lithuania to secure justice for her
4 4-year-old niece, Deimante Kedyte, who reported
5 that she was being sexually molested by Lithuanian
6 government officials while in her mother's care.

7 (2) Deimante Kedyte's claims of sexual moles-
8 tation were evaluated by court-ordered psychologists
9 and psychiatrists and deemed to be credible.

10 (3) Deimante Kedyte accused of sexual molesta-
11 tion her mother and 2 associates of her mother, an
12 assistant to the Speaker of the Parliament and a sit-
13 ting judge.

14 (4) Judge Venckiene and Deimante Kedyte's fa-
15 ther petitioned law enforcement and the courts for
16 full investigation of Deimante's claims against the
17 accused individuals, but believed the ensuing inves-
18 tigation to be negligent.

19 (5) Lithuania's parliament (Legal and Judici-
20 ary Committees) issued a report in 2010 that
21 deemed the investigation into Deimante Kedyte's
22 sexual molestation accusations to be negligent and
23 found that the negligence had compromised the case
24 against the public officials.

1 (6) The prosecutors in the case were fired be-
2 cause, according to the court, their negligence in the
3 investigation and overt coordination with one of the
4 suspects resulted in possible lost evidence and cre-
5 ated “circumstances for the suspects to avoid crimi-
6 nal liability”.

7 (7) The Child’s Rights Ombudsman was fired.

8 (8) The then Attorney General of Lithuania,
9 Algimantas Valantinas, as well as multiple prosecu-
10 tors, were forced to resign.

11 (9) After Deimante Kedyte’s father went miss-
12 ing in 2009, Judge Venckiene was awarded guard-
13 ianship of Deimante.

14 (10) Deimante Kedyte’s mother was never in-
15 dicted for complicity in the sexual molestation de-
16 spite a Vilnius District Court Ruling in October
17 2009 that there was enough evidence to indict her.

18 (11) In December 2011, Judge Venckiene was
19 ordered to give Deimante Kedyte, then 7 years old,
20 back to her mother, but Deimante refused to return
21 to her mother, indicating fear of sexual molestation.

22 (12) Hundreds of Lithuanians kept vigil outside
23 Judge Venckiene’s house to prevent the Lithuanian
24 Government from removing Deimante Kedyte.

1 (13) In May 2012, the Lithuanian Government
2 sent more than 200 police officers to take Deimante
3 Kedyte from Judge Venckiene by force.

4 (14) Deimante Kedyte clung to Judge
5 Venckiene, was ripped from her, was carried away
6 shrieking, and has completely disappeared from pub-
7 lic view for the last 6½ years.

8 (15) The Lithuanian Government’s action re-
9 sulted in protests against the Lithuanian Govern-
10 ment in Lithuania and at numerous Lithuanian em-
11 bassies around the world, as well as in the United
12 States when the Lithuanian President attended the
13 NATO summit in Chicago in May 2012.

14 (16) Judge Venckiene published a book entitled
15 “Way of Courage” in 2012 about Deimante
16 Kedyte’s ordeal and Lithuania’s failure to properly
17 investigate and prosecute the case against the gov-
18 ernment officials.

19 (17) “Way of Courage” became the name of a
20 new, anti-corruption, anti-pedophilia political party
21 in Lithuania, which elected Judge Venckiene to
22 Lithuania’s parliament in 2012.

23 (18) Judge Venckiene sought political asylum in
24 the United States in 2013 after she received threats
25 and experienced what she believed was an attempt

1 on her life following a political rally, and after the
2 Lithuanian Government moved to lift Judge
3 Venckiene’s parliamentary immunity.

4 (19) The Lithuanian Government has system-
5 atically prosecuted for “false statements” and other
6 crimes the journalists, a medical professional,
7 Deimante Kedyte’s grandparents, Judge Venckiene’s
8 neighbor, other members of her new political party,
9 people who attended rallies on her behalf, and many
10 others who came forward with evidence or support of
11 Deimante Kedyte’s claims of sexual molestation or
12 who opposed the violent removal of Deimante from
13 Judge Venckiene.

14 (20) Lithuania has leveled more than 35
15 charges against Judge Venckiene, including charges
16 for filing petitions on behalf of Deimante Kedyte
17 with Lithuania’s courts and the Child’s Rights Om-
18 budsman, making statements critical of the inves-
19 tigation to journalists, describing in her book the
20 sexual molestation case against and naming the pub-
21 lic officials, involvement in “unauthorized protests”,
22 “humiliating the court”, desecrating the national an-
23 them, conducting her own investigation into the
24 case, failing to turn Deimante over to the accused
25 mother, bruising an officer, and kicking at

1 Deimante’s accused mother when the accused moth-
2 er tried to remove Deimante.

3 (21) The extradition treaty signed by the
4 United States and the Republic of Lithuania on Oc-
5 tober 23, 2001, does not permit for Judge Venckiene
6 to offer counter-evidence in United States court to
7 any of Lithuania’s charges against her or to make
8 the case for Lithuania’s political motivation.

9 (22) A United States Magistrate Judge in April
10 2018 approved extradition for charges that Judge
11 Venckiene hindered the activities of a bailiff, failed
12 to comply with a court’s decision not associated with
13 a penalty, caused physical pain, and resisted against
14 a civil servant or a person performing the functions
15 of public administration—all charges related to
16 Deimante Kedyte violently being taken from Judge
17 Venckiene’s home and returned to the accused moth-
18 er.

19 (23) In October 2017, Lithuanian prosecutor in
20 the case, D. Jakutis, explained to news outlet
21 Lietuvos Rytas that political charges were inten-
22 tionally removed from the extradition request so that
23 the request would not be rejected by United States
24 authorities. He also noted that if Judge Venckiene

1 is returned to Lithuania, new charges related to the
2 old case could be added.

3 (24) Former political prisoners, current and
4 former government officials in Lithuania, as well as
5 other prominent members of society in Lithuania,
6 have written to the United States Government,
7 warning that the Lithuanian Government's charges
8 against Judge Venckiene are politically motivated.

9 (25) The Chairman of the Supreme Court of
10 Lithuania Gintaras Kryzevicius has been reported as
11 publicly saying that Judge Venckiene "is an abscess
12 in the legal system and an abscess in the political
13 system" and "the trouble of the whole state".

14 (26) Finland, Ireland, Northern Ireland, Den-
15 mark, Israel, Germany, Austria, Malta, Ukraine,
16 and Russia have all refused to extradite individuals
17 to Lithuania.

18 (27) Judge Venckiene can present evidence con-
19 cerning the political motivation of Lithuania's
20 charges against her before an immigration judge if
21 she is excluded from the extradition treaty and al-
22 lowed to proceed with her political asylum case, filed
23 in 2013 and scheduled to be heard in July 2019.

1 **SEC. 3. EXCLUSION FROM EXTRADITION TREATY BETWEEN**
2 **THE UNITED STATES AND THE REPUBLIC OF**
3 **LITHUANIA; EFFECT OF APPLICATION FOR**
4 **ASYLUM.**

5 (a) **IN GENERAL.**—Notwithstanding any other provi-
6 sion of law, Judge Neringa Venckiene shall be excluded
7 from extradition under the Extradition Treaty Between
8 the Government of the United States of America and the
9 Government of the Republic of Lithuania, signed at
10 Vilnius on October 23, 2001, and entered into force on
11 March 31, 2003 (as amended by the Protocol on the Appli-
12 cation of the Agreement on Extradition between the
13 United States of America and the European Union to the
14 Extradition Treaty between the Government of the United
15 States of America and the Government of the Republic
16 of Lithuania, signed at Brussels on June 15, 2005, and
17 entered into force on February 1, 2010), and excluded
18 from all other laws allowing for her extradition to Lith-
19 uania.

20 (b) **POLITICAL ASYLUM.**—Judge Neringa Venckiene
21 shall be permitted to remain in the United States until
22 a final order is issued with respect to her pending applica-
23 tion for asylum.

24 (c) **FREE MOVEMENT.**—Judge Neringa Venckiene
25 shall not be held in Federal or State prison or detention
26 for any immigration-related or extradition-related offense

- 1 and shall be allowed free movement and continued work
- 2 permission until a final order is issued with respect to her
- 3 pending application for asylum.

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