

SENATE RESOLUTION No. 44

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator JOSEPH PENNACCHIO

District 26 (Essex, Morris and Passaic)

SYNOPSIS

Expresses support for “Walter Patterson and Werner Foerster Justice and Extradition Act.”

CURRENT VERSION OF TEXT

As introduced.



1 **A SENATE RESOLUTION** expressing support for the “Walter
2 Patterson and Werner Foerster Justice and Extradition Act.”
3

4 **WHEREAS**, United States Representatives Chris Smith and Albio Sires
5 introduced legislation, H.R. 2189, known as the “Walter Patterson
6 and Werner Foerster Justice and Extradition Act” to press for the
7 return of fugitives who have committed crimes and fled to foreign
8 countries; and

9 **WHEREAS**, The United States has an extradition agreement with the
10 European Union and bilateral extradition treaties with more than
11 100 nations, including Portugal and Cuba; and

12 **WHEREAS**, Extradition is the formal surrender of a person by one
13 jurisdiction to another jurisdiction for prosecution or punishment;
14 and

15 **WHEREAS**, Refusal by other nations to extradite fugitives within their
16 jurisdiction who committed crimes on United States soil impedes
17 the judicial process and undermines the rule of law; and

18 **WHEREAS**, Walter Patterson, a World War II veteran, was killed by
19 George Wright in 1962 at a Wall Township gas station which he
20 co-owned; and

21 **WHEREAS**, George Wright escaped from Bayside State Prison and, as
22 a member of the Black Liberation Army, hijacked a Delta Airlines
23 plane and sought asylum in Algeria, and was discovered in Portugal
24 in 2011; and

25 **WHEREAS**, During a routine stop for a broken tail light on the New
26 Jersey Turnpike on the morning of May 2, 1973, Joanne
27 Chesimard, otherwise known as Assata Shakur, participated in the
28 murder of New Jersey State Trooper Werner Foerster; and

29 **WHEREAS**, Joanne Chesimard escaped from prison shortly after her
30 conviction for the murder of State Trooper Foerster and is believed
31 to reside in Cuba, and a \$2 million reward has been established for
32 information leading to her capture; and

33 **WHEREAS**, Cuba and Portugal refuse to extradite these convicted
34 criminals to the United States; and

35 **WHEREAS**, A number of other nations also have refused to extradite
36 individuals, necessitating further examination of United States
37 policies and efforts to secure extradition; and

38 **WHEREAS**, Because the refusals to extradite George Wright and
39 Joanne Chesimard are emblematic of a number of such refusals
40 from other nations, the policies and efforts of the United States to
41 secure extradition and the extradition policies of countries from
42 which the United States seeks extradition and rendition bear further
43 examination; and

44 **WHEREAS**, Convicted criminals should not be allowed to live in
45 freedom just because they choose to flee and reside in a country
46 that refuses to extradite, and the mere passage of time should not
47 excuse an offender from the commission of a senseless, horrendous
48 crime; and

3

8 **WHEREAS**, It is fitting and proper for this House to express support
9 for this act to provide information necessary to evaluate and
10 thereby strengthen our nation's efforts to extradite fugitives;
11 now, therefore,

15 1. This House expresses support for the “Walter Patterson and
16 Werner Foerster Justice and Extradition Act” which directs the
17 President of the United States to submit a report to Congress on
18 fugitives currently residing in other countries whose extradition has
19 been requested.

21 2. Copies of this resolution, as filed with the Secretary of State,
22 shall be transmitted by the Secretary of the Senate to the President
23 of the United States, the Majority and Minority Leaders of the
24 United States Senate, the Speaker and the Minority Leader of the
25 United States House of Representatives, and to each member of
26 Congress elected from this State.

31 This resolution expresses support for the proposed federal
32 “Walter Patterson and Werner Foerster Justice and Extradition Act”
33 which directs President of the United States to submit a report to
34 Congress on fugitives residing in other countries who the United
35 States has attempted to extradite.

Specifically the proposed legislation requires a report to be submitted to the appropriate congressional committees which addresses the following:

- (1) the number of fugitives, and others for whom the United States is seeking extradition or rendition, currently residing in other countries whose extradition is sought by the United States and a list of those countries;
- (2) diplomatic and other efforts, if any, the United States has undertaken to secure the return of the fugitives;
- (3) the average length of time these cases have been outstanding;
- (4) the number of cases that have been resolved to the satisfaction of the United States;

1 (5) factors that have been barriers to the resolution of these
2 cases; and

3 (6) the number of United States citizens whose extradition has
4 been sought by other countries during the past five years, a list of
5 those countries seeking extradition, and the outcomes of those
6 requests.

7 The purpose of the act is to provide information necessary to
8 evaluate and strengthen our nation's efforts to extradite fugitives.

9 The act is named for two New Jersey residents whose killers
10 escaped from prison and who are now living abroad. New Jersey
11 has a special interest in seeking justice for the murders of Walter
12 Patterson and State Trooper Werner Foerster.