



House of Commons  
Canada

**Libby Davies, MP**  
Vancouver East

February 22, 2012

Hon. Rob Nicholson  
Minister of Justice  
House of Commons  
Ottawa, Ontario K1A 0A6

Dear Minister,

RE: Extradition of John Graham to the United States

I am writing on behalf of members of the John Graham Defense Committee, several of whom live in my riding of Vancouver East. You can find out more about the committee at [www.grahamdefense.org](http://www.grahamdefense.org). Specifically, I am writing about the exceptional case of Canadian John Graham, to respectfully request that your office investigate the matter of his wrongful extradition to the United States, and ultimately bring him back to Canada.

I base my request on the following grounds, as provided by my constituents. First, there were serious inconsistencies and credibility issues surrounding both the charges and the evidence used against Mr. Graham in order to extradite him. In short, evidence was used to secure his extradition that was so contested and spurious in nature that it is unlikely that it would even meet the standards of the Canadian justice system.

Second, although he never should have been extradited in the first place, nonetheless he was at the mercy of the American legal system, and the Canadian government assumed that it would act in good faith toward him. But it did not.

He was extradited to the US to face certain federal charges, which were *twice dismissed and dismissals affirmed on appeal*. But the US then turned him over to the State of South Dakota, where he faced new and controversial charges that were not included in the original extradition order. Subsequently, he was sentenced to life in prison.

.../2

-2-

Instead, he should have been returned to Canada as soon as the original charges were dropped. I understand that in Extradition Law, a defendant can be tried *only* for those offenses for which he or she was extradited. He was tried and sentenced under charges that differed from the extradition order. In short, I believe that the extradition treaty was violated.

Based on what constituents have told me, I believe that he was not afforded due process when the decision was made to extradite him, and moreover it was not afforded to him while in the US.

Further, at the very least, the case of John Graham gives rise to the need to examine the Canadian extradition treaty, to protect other Canadians from similar miscarriages of justice.

Minister, I believe that there are sufficient compelling reasons that merit further investigation from your office, with the aim of bringing Mr. Graham home to Canada.

Thank you and I look forward to your reply.

Sincerely,  
*[original signed by]*  
Libby Davies, MP (Vancouver East)