

Assembly Joint Resolution

No. 54

Introduced by Assembly Member Melendez

(Coauthors: Assembly Members Achadjian, Allen, Bigelow, Donnelly, Beth Gaines, Gorell, Grove, Hagman, Jones, Logue, Maienschein, Mansoor, Olsen, Patterson, Wagner, Waldron, and Wilk)

(Coauthors: Senators Anderson, Berryhill, Cannella, Gaines, Huff, Nielsen, and Walters)

August 13, 2014

Assembly Joint Resolution No. 54—Relative to Marine Sergeant Andrew Tahmooressi.

LEGISLATIVE COUNSEL'S DIGEST

AJR 54, as introduced, Melendez. Marine Sergeant Andrew Tahmooressi.

This measure urges the President of the United States of America to use his executive powers to call for the release of Marine Sergeant Andrew Tahmooressi from prison in Mexico.

Fiscal committee: no.

1 WHEREAS, Andrew Paul Tahmooressi is a twenty five year
2 old combat veteran, a decorated United States Marine who has
3 served three tours with a quick reaction force, or QRF, in
4 Afghanistan with the 2nd Battalion, 6th Marines out of Camp
5 LeJeune; and

6 WHEREAS, He received a combat field promotion to the rank
7 of Sergeant, as well as a number of commendations and

1 decorations, including the Meritorious Combat Service Award;
2 and

3 WHEREAS, He was responsible for saving the lives of a group
4 of Marines by providing cover fire while they escaped to safety;
5 and

6 WHEREAS, He survived an improvised explosive device, an
7 IED, blast that struck his vehicle; and

8 WHEREAS, He was honorably discharged from the United
9 States Marine Corps with a perfect ER-1A rating; and

10 WHEREAS, He is currently under contract with the Individual
11 Ready Reserve as an Inactive Reservist until August 2016; and

12 WHEREAS, He enrolled in Embry Riddle Aeronautical
13 University in Florida in 2013 in pursuit of a Bachelor's Degree in
14 Professional Aviation, but moved to California to seek treatment
15 for post-traumatic stress at the San Diego Veterans Administration
16 Hospital on March 12, 2014, as symptoms challenged his academic
17 studies; and

18 WHEREAS, His unfamiliarity with the San Diego region lead
19 to Sergeant Tahmooressi exiting to the El Chaparral inspection
20 area at the Mexican border with all of his possessions in his vehicle,
21 which included three legally acquired firearms; and

22 WHEREAS, After realizing his error, Sergeant Tahmooressi
23 advised Mexican customs officials that he had mistakenly entered
24 the inspection area; and

25 WHEREAS, He was then taken into custody, charged with
26 "weapons trafficking" by the Mexican federal prosecutor; and

27 WHEREAS, He is currently incarcerated in El Hongo Mexican
28 prison; and

29 WHEREAS, He is an American citizen who has bravely served
30 three tours of duty in Afghanistan and maintains the full support
31 of the United States Marine Corps; and

32 WHEREAS, Pursuant to Section 1732 of Title 22 of the United
33 States Code, whenever it is made known to the President that any
34 citizen of the United States of America has been unjustly deprived
35 of his or her liberty under the authority of a foreign government,
36 it is the duty of the President to demand the reasons for the
37 imprisonment; and

38 WHEREAS, If the imprisonment appears to be in violation of
39 an American citizen's rights, Section 1732 of Title 22 of the United

1 States Code requires the President to demand that citizen's release;
2 now, therefore, be it

3 *Resolved by the Assembly and the Senate of the State of*
4 *California, jointly,* That the Assembly and the Senate urge the
5 President of the United States to apply all diplomatic and legal
6 pressure at his disposal to ensure that Sergeant Andrew
7 Tahmooressi is released without further delay; and be it further

8 *Resolved,* That the Chief Clerk of the Assembly transmit copies
9 of this resolution to the President of the United States, to the
10 Congress of the United States, and to the author for appropriate
11 distribution.

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