

Betrayed in the Line of Duty



While the Bush administration seeks amnesty for illegal aliens and grants immunity to a Mexican drug smuggler, it has thrown the book at two courageous Border Patrol agents.

by William F. Jasper

F abens, Texas — The chase was on. The suspected smuggler van turned back toward the Rio Grande and headed for Mexico. Border Patrol agent Ignacio Ramos was on his tail. Other agents were also converging on the scene. The suspect realized he wasn't going to outrun agent Ramos' vehicle, and so he abandoned his van on a levee and took off on foot. As the suspect headed into the canal, Ramos yelled for him to stop but was ignored.

As Ramos crossed the canal, he heard gunshots. Ramos knew he was in an area where the Mexican drug cartels have grown increasingly brazen, and where Mexican police and military units often support the drug smugglers. He didn't know if, when he emerged from the canal, he would be facing an armed suspect, possibly reinforced by heavy firepower.

As he came over the levee, he could see a fellow officer, agent Jose Compean, bloodied and lying in the dirt. Sweating, heart pounding, and adrenaline pumping,

Ramos raced by Compean after the smuggler, who was kicking up clouds of dust as he ran. Suddenly, the smuggler stopped and turned toward Ramos and pointed what appeared to be a gun. Agent Ramos raised his pistol and fired one shot, upon which the suspect spun around and continued running for the river. Ramos, with the danger passed, immediately lowered his pistol.

"I shot," Ramos later told reporter Sara A. Carter. "But I didn't think he was hit, because he kept running into the brush and then disappeared into it. Later, we all watched as he jumped into a van waiting for him [on the Mexican side of the border]. He seemed fine. It didn't look like he had been hit at all."

When Ramos returned to the levee, seven other Border Patrol agents were on the scene. A search of the abandoned van revealed nearly 800 pounds of marijuana. All in all, not a bad haul for 15 minutes of heart-pounding work. The agents had survived another potentially life-threatening incident without a death or serious injury. Just another day in the life of a Border Pa-

trol agent. They had the smuggler's loot, even though the smuggler got away. Oh well, maybe they'd catch him tomorrow, when he tried another drug run.

However, it hasn't turned out that way at all. Instead, the smuggler — a Mexican national named Osvaldo Aldrete-Davila — has turned the tables on his Border Patrol pursuers. Now it is agents Ramos and Compean who face prison. They already have been fired by the Border Patrol and bankrupted by legal expenses. Agent Compean has lost his home. He and his wife and children have been forced to move in with relatives. Agent Ramos' home is in foreclosure.

Terror and Injustice

For their 15-minute pursuit of Aldrete-Davila on February 17, 2005, and for a couple of split-second decisions they made during that suspenseful chase, agents Ramos and Compean have lost a combined 15-year record of sterling service in the Border Patrol (10 years for Ramos, five for Compean). Even more, that 15-minute pursuit in the line of duty may cost

each of them 20 years in prison, possibly alongside dangerous criminals they have apprehended.

Adding terror on top of calamity, both agents and their families have been subjected to death threats. In fact, according to the smuggler Aldrete-Davila, some of his drug-cartel associates from Mexico planned a “hunting party” to track down

and execute Ramos and Compean. Both of these law enforcement officers have young school-age and preschool-age children. Agent Compean’s wife, Claudia, is pregnant with their third child.

Incredibly, while agents Ramos and Compean and their families face economic ruin, emotional devastation, and real physical danger, as a result of that 15-minute chase, Osvaldo Aldrete-Davila — an admitted felon and drug smuggler — has not only gotten off scot-free, he stands to become a rich man, courtesy of the U.S. taxpayers. In a seemingly unbelievable turn of events, agents for the U.S. Department of Justice and Department of Homeland Security contacted the smuggler in Mexico and offered him

complete immunity if he would testify that Border Patrol agents Ramos and Compean had violated his civil rights.

The two Border Patrol officers were arrested in SWAT-style raids on their homes and taken away in handcuffs in front of their families. By way of contrast, Aldrete-Davila, in exchange for agreeing to testify against the agents, was given free medical treatment in the United States, then escorted back to Mexico and released. He was also coached in his testimony by U.S. government officials, then brought back to the United States and trotted out as the star witness against Ramos and Compean.

In the meantime, during his release, *Aldrete-Davila was arrested again with another drug load* in the same El Paso sector where Ramos and Compean had previously intercepted him. Nevertheless, he was allowed to testify against the two agents and then was *released again!* He may have made many more successful drug runs into the United States since then. But he may be able to retire soon in the style of his drug-lord bosses. With encouragement and help from U.S. officials, he is suing the Border Patrol for \$5 million.

Many are outraged by what from all appearances is a colossal miscarriage of justice. Members of Congress on both sides of the aisle are calling for an investigation, and a national grass-roots campaign has stirred tens of thousands of Americans to call on President Bush to intervene and grant full pardon to agents Ramos and Compean.

Rep. Ted Poe (R-Texas), who served as a prosecutor for eight years and a judge for 22 years, questions Assistant U.S. Attorney Debra Kanof’s granting of immunity to a repeat felon with a huge financial interest to lie to prosecute federal law enforcement agents who were doing their jobs. “That’s exactly what the overzealous prosecutor did in this case. No question about it,” Rep. Poe told CNN’s Casey Wian on August 21. “In my opinion, the government was on the wrong side. We ought to be more concerned about our border agents who were put in harm’s way, who are shot at by these drug dealers than we are about the civil rights of the drug smugglers.”

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Andy Ramirez, chairman of Friends of the Border Patrol and a spokesman for agents Ramos and Compean, holds up a Border Patrol “Mexican Military Incursion Card” during a July 5 congressional hearing. This and other vital evidence was suppressed at the agents’ trial.

AP Killers or Conscientious Agents?

In a press release of August 11, 2006, U.S. Attorney Johnny Sutton stated that Ramos and Compean “were prosecuted



Jose Alonso Compean, shown here with some of the drugs he has stopped from coming across the border, now faces 20 years in prison, based on charges by a career drug smuggler who stands to win \$5 million for his testimony.

because they had fired their weapons at a man who had attempted to surrender by holding his open hands in the air, at which time Agent Compean attempted to hit the man with the butt of Compean's shotgun, causing the man to run in fear of what the agents would do to him next. Although both agents saw that the man was not armed, the agents fired at least 15 rounds at him while he was running away from them, hitting him once." But that version of events was based on the word of the smuggler.

The agents were charged with assault with intent to commit murder, assault with serious bodily injury, assault with a deadly weapon, discharge of a firearm in relation to a crime of violence, and a civil rights violation. On March 8, 2006, a federal jury convicted Compean and Ramos of all but the charge of assault with intent to commit murder. They were also convicted of four counts and two counts, respectively, of obstruction of justice for failing to file a report on the shooting and for destruction of the crime scene by picking up Compean's spent shell casings.

Andy Ramirez, chairman of the private, California-based Friends of the Border Patrol, began investigating the Ramos-Compean case shortly after charges were filed in March of 2005. He has since become an official spokesman for the two

agents and their families. "This is the greatest miscarriage of justice I have ever seen," Andy Ramirez told *THE NEW AMERICAN*. "This drug smuggler has fully contributed to the destruction of two brave agents and their families and has sent a very loud message to the other Border Patrol agents: if you confront a smuggler, this is what will happen to you."

Ramirez says that when he began his investigation he hadn't ruled out the possibility that the agents were guilty of the crimes as charged. "If these were really bad guys, then obviously, we would want them prosecuted, because it's important to root out corruption, especially in law enforcement agencies like the Border Patrol," he said. "I'm not the least bit interested in protecting corrupt or violent agents." However, he was soon convinced that many things were terribly wrong with this case and that the two agents in question were being railroaded for a political agenda.

"Agents Ramos and Compean are the kind of guys you want in the foxhole next to you," says Ramirez. "They're poster boys for the kind of Border Patrol agents we want and need to protect our borders." He points out that Ramos was nominated for Border Patrolman of the Year in 2005, but that nomination was scratched after the Aldrete-Davila charges were filed against



Ignacio Ramos, who served seven years in the Navy and 10 years on the Border Patrol, was nominated for Border Patrol Agent of the Year in 2005.

him. Ramos served seven years in the Navy before joining the Border Patrol. Compean served four years in the Navy.

"These men served their country honorably and bravely — in the military and on the border — and have compiled sterling records," Ramirez points out. "They've arrested thousands of illegal aliens and made many drug seizures. There's nothing from their records to support Davila's charges that they tried to murder him. If you take away the testimony of Davila, an acknowledged career criminal with a huge financial interest involved, all you have against these agents are a couple of administrative charges that would normally be five to ten-day suspensions, usually referred to as 'time on the beach.'"

During the trial, Assistant U.S. Attorney Debra Kanof emphasized the agents' failure to obey pursuit and reporting policies. "They didn't report the shots being fired," Kanof accused, painting a picture of coverup by the two agents. "It is a violation of Border Patrol regulations to go after someone who is fleeing," she said. "The Border Patrol pursuit policy prohibits the [vehicular] pursuit of someone."

However, according to Ramos, his pursuit of Aldrete-Davila was no different from what he's done in the past 10 years as a Border Patrol agent. "How are we supposed to follow the Border Patrol strategy



The Strange Alliance

Andy Ramirez, David Stoddard, Rep. Ted Poe, Rep. Walter Jones (R-N.C.), and others who have looked into the Ramos-Compean case are especially upset by the many troubling “irregularities” and abuses of the federal prosecutors. A chain of remarkable events began shortly after Osvaldo Aldrete-Davila had fled back into Mexico. The wounded smuggler contacted an old boyhood friend of his, Rene Sanchez, now living in Willcox, Arizona. Sanchez, it turns out, had not only become a U.S. citizen, but had become a Border Patrol agent. And his loyalty to his childhood buddy and/or to his native Mexico apparently superseded his loyalty to America, to his fellow

Border security charade: Even more serious than the Border Patrol’s lack of manpower, funds, and equipment are policies that handcuff and penalize conscientious agents and reward the do-nothings.

of apprehending terrorists or drug smugglers if we are not supposed to pursue fleeing people?” he told the Ontario, California, *Daily Bulletin*. “Everybody who’s breaking the law flees from us. What are we supposed to do? Do they want us to catch them or not?”

According to active and retired agents THE NEW AMERICAN has talked to, the official pursuit policy is universally viewed as an “asinine” cave-in to political correctness by the Washington, D.C., bureaucrats and is regularly disregarded by line officers and their supervisors who recognize that it would be impossible to do their jobs of securing our border otherwise.

Andy Ramirez notes that “this case is not an isolated incident. This is just the most egregious example in an ongoing campaign of intimidation and humiliation

of Border Patrol line officers by Border Patrol Chief David Aguilar, Assistant Border Patrol Chief Luis Barker and others” appointed by the Bush administration.

With ludicrous orders like their “no pursuit” policy, the agency’s top officials “have essentially told the field to ‘stand down,’” Ramirez says. “President Bush, Aguilar, and Barker repeatedly assure us that the border security is dramatically improving, when that is absolutely, demonstrably false. And one of the worst things they are doing is destroying the morale of the Border Patrol and the will of agents to do the tough job we train them to do. A lot of the agents are saying now, ‘We don’t want to be the next Ramos and Compean.’”

Retired Border Patrol Supervisor David Stoddard, a Border Patrol veteran of 27 years, agrees that this ruling will devastate the agency, if allowed to stand. “This is outrageous. Every American should be incensed,” he says. “This whole incident tells the Border Patrol agents all over the country it’s better to go out to their area of responsibility and bring a portable DVD player and watch a movie, because that way you won’t get into trouble.”

Border Patrol officers, and to his oath to uphold the laws of his adopted country.

According to court testimony, Aldrete-Davila, following the advice of Sanchez, turned himself in to the U.S. Consulate in Mexico. Sanchez also secured an attorney for Aldrete-Davila, helped negotiate his immunity, and coached him on his court testimony, such as suggesting that Aldrete-Davila say he was shot in the back. (Court testimony and evidence showed that Aldrete-Davila was shot in the side of his buttocks, consistent with Agent Ramos’ testimony that Aldrete-Davila was in a “bladed stance,” pointing a gun at him.) Sanchez also helped arrange for Aldrete-Davila to receive complete (and free taxpayer-supported) medical treatment at William Beaumont Army Medical Center in El Paso.

It is noteworthy that at trial Sanchez and Aldrete-Davila contradicted each other on many points of fact, yet Sanchez and Aldrete-Davila were still considered credible witnesses by the Department of Justice prosecutors. (As just one example, agent Sanchez insisted he hadn’t spoken with Aldrete-Davila in years; Aldrete-Davila said they had been in frequent contact.)

The same prosecutors went to great lengths to suppress vital information during the trial, such as testimony by another Border Patrol agent who had warned

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superiors of suspicions that agent Rene Sanchez was tied in to the Mexican drug cartels. The agent was reprimanded, intimidated, silenced, and transferred to another sector.

During the trial it was revealed that DHS agent Christopher Sanchez, who along with Rene Sanchez shepherded Aldrete-Davila through his legal process, had learned that Aldrete-Davila's drug cartel associates had made plans to put together a "hunting party" to kill agents Ramos and Compean, and their families, in retaliation for the drug bust involving Aldrete-Davila. Sanchez admitted he had not reported this to his DHS superiors or any other U.S. law enforcement agency, a serious violation of legal and moral responsibility to fellow human beings and law enforcement officers.

Judge Kathleen Cardone repeatedly sided with the federal prosecutors in suppressing evidence favorable to agents Ramos and Compean and unfavorable toward Aldrete-Davila and the prosecutors. "The jurors were severely handicapped in that they were not given access to the truth, to the real story," says Andy Ramirez. Among the evidence suppressed at the trial that may have made a major impact on jurors:

- The sealed indictment of Aldrete-Davila from his arrest for drug smuggling in October 2005, after the incident when he was supposedly the victim of agents Ramos and Compean.

- Aldrete-Davila's multiple violations of his immunity agreement, such as agreeing to not withhold any information, then refusing to divulge the names of his fellow smugglers who picked him up at the border.

- Evidence on the increasing violence and attacks on Border Patrol agents and incursions by Mexican military units in the El Paso sector.

- Agent Ramos' distinguished record and nomination as Border Patrol Agent of the Year.

The federal government broke the rules, Ramirez says, in order to break these agents and to cover up a massive nest of corruption in the highest levels of the federal government.

Although agents Ramos and Compean will appeal their convictions, they face the possibility of years in prison while their

appeals are being adjudicated. That is why Ramirez and other supporters are calling for concerned Americans to contact President George W. Bush and Attorney General Alberto Gonzales, urging them to intercede on behalf of agents Ramos and Compean. "If the administration can advocate amnesty for millions of illegal aliens

and give immunity to a career felon drug smuggler," says Ramirez, "what could be so difficult about granting a full pardon to two honorable law enforcement officers who are being crucified not for having done anything wrong, but for doing exactly what they have been trained for and have taken an oath to do?" ■



The Bush administration refuses to release data on thousands of potential terrorists arrested on our borders from SICs (Special Interest Countries), but releases plenty of PR info on the number of crackers and bottles of water handed out to illegal aliens.

What You Can Do

In response to citizen outrage, Rep. James Sensenbrenner (R-Wis.), chairman of the House Judiciary Committee, and Rep. John Hostettler (R-Ind.), a member of the House Subcommittee on Immigration, Border Security and Claims, have called for a congressional investigation of the Ramos-Compean case. Petition efforts are underway calling upon President Bush to pardon agents Ramos and Compean.

The original sentencing date of August 22 for both men was postponed to September 7 for agent Compean and September 18 for agent Ramos. The U.S. government is asking Judge Cardone to sentence them to 20 years in prison.

- Contact your representative and senators, urging them to investigate this travesty of justice. Ask them also to call for a review of the no-pursuit policy.
- Urge President Bush to grant a full pardon to agents Ramos and Compean.

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