



Friends Of The Border Patrol

A 501(c)(3) Nonprofit Law Enforcement Advocacy Corporation
PO Box 2685, Covina, CA 91722 • Office: (909) 476-1125

NEWS RELEASE

Contact: Andy Ramirez

Date of Release: Immediate

Justice served in El Paso? Hardly.

Chino, CA – Wednesday, in the same kangaroo courtroom of Kathleen Cardone, U.S. Federal District Court Judge for the Western District of Texas in El Paso, Osvaldo Alderete-Davila was sentenced to 9 ½ years in prison for his October 2005 dope loads while under immunity. This is the doper that Judge Cardone chose to allow motions by U.S. Attorney Johnny Sutton, and suppressed evidence that would have shown the continued criminal activities and questionable character of star witness “doper” Alderete. He is the key figure in the now infamous case of U.S. vs. Ramos & Compean, the El Paso US Border Patrol agents prosecuted by the Mike Nifong of federal prosecutors, Johnny Sutton.

The fact that Sutton continues to not prosecute doper Alderete for his crimes of February 17, 2005 is incredulous and beyond all logic and comprehension. Alderete violated the terms of his immunity agreement and should have been prosecuted to the full extent of the law for the crimes committed on that day, as well as for perjury. He committed crimes, and has yet to serve time for those crimes as recognized not only during the December 3, 2007 appellate hearing in New Orleans and acknowledged by Sutton’s office, but also by the original trial judge, who FOBP has previously demanded recusal from.

Per the terms of his “limited use of immunity agreement” signed and dated March 16, 2005, Osvaldo Alderete – Davila agreed to “testify truthfully and completely...” and “not protect any person or entity, nor falsely implicate any person or entity.” Also, “Notwithstanding this agreement, testimony given by you under oath may be used against you in a prosecution for perjury or giving a false statement.”

It is well known that doper Alderete withheld information during the investigation and trial including accomplices such as the driver of the getaway vehicle, the “friends in the hunting party” who ‘had told him that they should put together a hunting party and go shoot some BP agents in revenge for them shooting Osbaldo’ as stated in an OIG Memo provided to the defense during discovery. The doper Alderete also refused to name the doctor and clinic he claims to have been treated at after the shooting of February 17, 2005.

The Department of Justice and U.S. Attorney Johnny Sutton continue to protect the doper for his crimes, contrary to the agreement itself pertaining specifically to perjury, here is the factual statement made during the appeal itself:

Q: "Did he violate the terms of the immunity agreement?" - Judge Higgenbotham

A: "He told some lies... " - U.S. Attorney's Office referring to the drug smuggler

On page 83 of the transcript of Agent Vasquez who was being cross-examined at the time, Judge Cardone says and I quote, "Mr. Aldrete-Davila is not on trial. And everybody knows he's got a phone and everybody knows he was transporting the drugs..."

Clearly the dope was tied to the load van by Agent Compean, admitted to on the stand and to investigators by the doper, and here is recognized by Judge Cardone during the trial itself. How Judge Cardone refused to acknowledge, at any point, the perjury committed by Alderete, known to Sutton’s office, defies common sense. Yet, he has yet to be charged for the actions of February 17, 2005 by the government.

As we have stated all along, it was always in the best interest of Alderete to lie about his brandishing a gun in the direction of the two agents, as it would have carried an automatic prison sentence in Mexico. As this dooper told lies, acknowledged by Sutton's office during the Ramos/Compean appeal, Alderete the dooper had zero credibility. Accordingly all bets should have been off immediately and he should have been taken into custody by the U.S. Marshals Service and prosecuted to the full extent of the law rather than be given aid and comfort by Judge Cardone and U.S. Attorney Sutton, who with heavily armed U.S. Marshals assistance, safely escorted their star witness, and career dooper back to Mexico. The U.S. Government should have prosecuted dooper Alderete instead of protecting him, and should be held accountable.

This brings us back to the forgotten figure in this case, Border Patrol Agent Nolan Blanchett whose testimony still remains under seal by Cardone. Blanchette was contacted by BP Agent Rene Sanchez of the Willcox BP Station (Tucson BP Sector) around March 7, 2005 to ask about a dope seizure and shooting. With sentencing having taken place, it's time to unseal all remaining materials, testimony, and evidence so that all may see the light of day instead of remaining suppressed and hidden by the government and court.

FOBP calls on Senators Patrick Leahy and Arlen Specter, and Congressmen John Conyers and Lamar Smith, the respective chairmen and ranking members of the Senate and House Judiciary Committees to conduct an investigation and hearings into prosecutions of law enforcement officers including Ramos/Compean, Gilmer Hernandez, Robert Rhodes, David Sipe, Gary Brugman, Hardrick Crawford, Nicholas Corbett, Cory Voorhis, and Stephanie Mohr. Any investigation of Johnny Sutton needs to also include the infamous Juarez House of Death, which was first identified by Sandalio Gonzalez former Special Agent in Charge of the U.S. Drug Enforcement Administration office in El Paso. We need to get to the bottom of not only these prosecutions, but also why pattern of impropriety identified previously by FOBP on the part of the government.

We continue our call on George W. Bush, President of the United States to correct this continuing miscarriage of justice and issue a commutation of sentence for Ramos and Compean as he did for Scooter Libby. They've served more than enough time, for counts 1-5. The president is well aware of bi-partisan statements by Members of Congress that the 924c conviction never should have been applied and was misused by Sutton.

U.S. Attorney Johnny Sutton should be prosecuted for suborning perjury, a crime he still refuses to charge his star witness with.

FOBP is a 501c3 nonprofit law enforcement advocacy organization founded in 2004 and was the first organization to independently investigate this case and find questions pertaining to the prosecution of the two agents. FOBP raised \$30,000, which helped pay for the appellate counsels.

End of Release