

## **Rohrabacher, Hunter call for agents' pardon**

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Two California Republican congressmen yesterday called on President Bush to pardon two former U.S. Border patrol agents sent to prison a year ago this week for shooting a drug-smuggling suspect in the buttocks as he fled back into Mexico.

Rep. Dana Rohrabacher accused Mr. Bush of being "arrogant and heartless" for refusing to pardon or commute the sentences of former agents Ignacio Ramos and Jose Alonso Compean, who were ordered last January to serve 11- and 12-year prison sentences, respectively.

He said they had spent the past year in solitary confinement "suffering conditions worse than detainees at Guantanamo Bay.

"It has been a year since Border Agents Ramos and Compean entered prison," Mr. Rohrabacher said. "This marks a year of shame for President Bush, who has been fully aware of the details of this blatant miscarriage of justice and chosen to do absolutely nothing about it.

"The president has shown us his arrogant and heartless side by permitting the wrongful incarceration of Ramos and Compean to continue," he said.

Rep. Duncan Hunter, a Republican presidential candidate who introduced a still-pending bill last year to pardon the agents, said Congress and the American people have "repeatedly expressed their outrage that such an injustice has been allowed to occur."

"These agents were convicted solely on the testimony of the drug dealer, who has since been indicted on federal drug charges for running drugs into the United States while serving as a federal witness," Mr. Hunter said. "Most disturbingly, he did so with border crossing cards he obtained for his cooperation."

Last month, Rep. Bill Delahunt, Massachusetts Democrat who heads the House Foreign Affairs subcommittee on international organizations, human rights and oversight, called the sentences "profoundly disproportionate" and urged that the agents be pardoned.

The White House has said Mr. Bush would review pardon petitions on a case-by-case basis.

Ramos and Compean were sentenced in October 2006 for shooting Osvaldo Aldrete-Davila in February 2005 when he was running from a van loaded with 743 pounds of marijuana near Fabens, Texas.

The agents testified during trial that they thought Mr. Aldrete-Davila had a weapon.

Mr. Aldrete-Davila, 27, was arrested in November by U.S. Drug Enforcement Administration agents in El Paso on a federal grand-jury indictment charging him with conspiracy and possession with the intent to distribute marijuana. The indictment said he brought a second load of 752 pounds of marijuana into the U.S. in October 2005, eight months after he had been shot by the agents.

The case is being appealed and during a Dec. 3 hearing a federal appeals court judge said the government "overreacted" in the agents' prosecution. The agents want the 5th U.S. Circuit Court of Appeals to overturn the convictions.

A three-judge panel hearing the case did not say when they would rule on the appeals. Last month, one judge said during arguments that the government had "overreacted" in the case.

"The last year has been an absolute nightmare for these two men who risked their lives defending our borders," Mr. Rohrabacher said, noting that Ramos was beaten by other inmates within days of his imprisonment and both have since been in solitary confinement.