

Testimony of

The Honorable Duncan Hunter

July 17, 2007

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U.S. House of Representatives
Senate Committee on the Judiciary
Subcommittee on Terrorism, Technology and Homeland Security
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Chairwoman Feinstein and Ranking Member Kyl, thank you for convening this important hearing today on the conviction and imprisonment of Border Patrol agents Jose Compean and Ignacio Ramos. I deeply appreciate the opportunity to appear before you to provide my perspective on this matter, which I believe, represents a severe miscarriage of justice.

The conviction of agents Ramos and Compean represents a compelling case for a presidential pardon for one reason: prison sentences of 11 and 12 years, respectively, for wounding a fleeing drug smuggler on the U.S. - Mexico border, are not justified by any version or interpretation of the facts. Even if you accept the drug dealer's version of what occurred as he attempted to run more than 740 pounds of illegal narcotics across the Southern land border, there is absolutely no justification for such unfair and excessive prison sentences.

The drug dealer contends that he was escaping to Mexico and presented no threat to agents Compean and Ramos, and, therefore, their actions constitute an unjustified assault. Conversely, the agents claimed they had a reasonable apprehension and the drug smuggler was armed, thereby justifying their response, which involved the discharge of their firearms.

The U.S. government sadly decided to side with the drug dealer and prosecute agents Compean and Ramos for simply fulfilling their duties as Border Patrolmen. The drug smuggler walked away from the incident with only a wound in his rear-end, only to attempt another drug run soon after.

In representing a border community for more than 26 years, I have worked with the fine men and women of the U.S. Border Patrol to ensure they receive the support and resources they need to address the constant intrusion of drug and human smugglers across our borders. It troubles me to think that questionable testimony by a drug smuggler, who was granted immunity and free medical care for his cooperation, was put before the two Border Patrol agents who willingly accepted this inherently dangerous responsibility.

The men and women of the Border Patrol are certainly not above the laws they are empowered to enforce. But they must also know that when they must apply the necessary and appropriate level of force, their government will not work aggressively to ensure they are punished while lawlessness is rewarded.

I strongly believe pardoning agents Compean and Ramos is the only option available to correct this terrible injustice and, just as importantly, restoring the confidence of the Border Patrol and the American people - that their nation is serious about enforcing its immigration and smuggling laws.

Thank you again for this opportunity and for holding this important hearing to review the case of Agents Ramos and Compean. I look forward to working with you to rectify this situation and implement policies to ensure that this situation is never repeated.