



Written by [Alex Newman](#) on February 19, 2009

Border Agents Freed Early

They will both be under house arrest and electronic monitoring until March 20 when their commutation is finalized. The former agents were also ordered by the Federal Bureau of Prisons not to speak with reporters until that day. After March 20 they will be on “supervised release,” which is like probation, for up to three years, according to Ramos’ attorney. The convictions will also remain on their records, at least for now, since the commutation Bush granted them is not the same as a pardon.



After being convicted in 2006 of shooting an illegal immigrant, Osvaldo Aldrete-Davila, who they thought was trying to shoot at them, activists rallied to their cause.

Hundreds of legislators expressed their outrage while citizens demanded a pardon. In what observers have called a “miscarriage of justice” and “prosecutorial misconduct,” U.S. attorney John Sutton prosecuted the former border agents under a statute on using a weapon that supposedly was never meant to apply to law-enforcement officers while in the course of their duties. That charge carried a mandatory minimum sentence of 10 years. They were also convicted of trying to cover up evidence for picking up their shell casings, even though they gave a verbal report of the incident to their superiors, and violating Aldrete-Davila’s civil rights. Meanwhile the convicted drug-smuggler, who reentered the United States under immunity from the Justice Department to testify against the former agents, was arrested in 2007 for trafficking more than 750 pounds of marijuana into the country.

Ramos was welcomed home by 50 to 60 supporters in El Paso, Texas, according to a report on Lou Dobbs’ CNN program. Ramos’ wife Monica, who Dobbs called “a fierce warrior” for her husband and family, appeared on the show Tuesday along with Ramos’ lawyer David Botsford. “He’s doing great,” Monica said of her husband, who was having dinner with his kids, who she said were “in heaven.”



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Ramos is “extremely grateful” for the support, she added, saying that he was currently “spending some quality time with friends and family back home.”

Botsford explained that the former agents currently have petitions to overturn the convictions before the Supreme Court, which has still not agreed to hear the case and may not ever. But “I’m not going to stop fighting until we get to the bitter end,” he said. Prison conditions were also discussed during the nearly 10-minute segment about the release. According to Botsford, Ramos and Compean were “subjected to conditions more onerous than those imposed on the foreign detainees in Guantanamo Bay.” He added that because of an assault against him, Ramos was placed in solitary confinement for 23 hours a day. Botsford also noted that this may have been a primary factor in former President Bush’s decision to commute the sentences. CNN quoted a senior administration official who said: “The president has reviewed the circumstances of this case as a whole and the conditions of confinement and believes the sentences they received are too harsh and that they, and their families, have suffered enough for their crimes.”

One of the former border agents’ fiercest defenders in Congress, California Republican Rep. Dana Rohrabacher, was glad to hear the news of release. “At last, Ramos and Compean have been rightfully reunited with their families,” he said in a statement. “This day is long overdue. I wish the Ramos and Compean families the best as they now try to pick up the pieces and begin to heal from this terrible ordeal.” Another congressman interviewed on Glenn Beck’s Fox News show was also happy to hear of the release, telling Beck that Congress was lied to repeatedly during this case. “I think both of these individuals were political prisoners,” said Rep. Ted Poe, a Republican from Texas, suggesting the Mexican government may have played a role in the prosecution of the former agents. “This is the only case I have ever heard of where the U.S. Attorney’s Office went on a nationwide Madison Avenue PR stunt trying to justify the prosecution of this case. And it just seems like there is a rat in the room and we want to find it.” Justice may yet be served.

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