



Written by [Alex Newman](#) on November 8, 2011

## Jailed Border Agent Diaz's Family Ordered to Pay Fine

The U.S. government is demanding almost \$7,000 from the family of jailed Border Patrol agent Jesus "Chito" Diaz (left), who was prosecuted in what critics called an outrageous miscarriage of justice aimed at placating Mexican officials. But advocates for the family are still fighting back.



Diaz was accused of improperly lifting the handcuffs of an illegal alien caught smuggling drugs across the border, and then lying about it to investigators. The Mexican government [filed](#) an official complaint almost immediately.

After being cleared by two investigations, the Obama administration decided to prosecute Diaz anyway. Following a mistrial, he was convicted and sentenced to two years in federal prison and a fine. Of course, he also lost his job, leaving his wife and six children in a tough situation.

Now, making matters worse, the U.S. government is demanding immediate payment of at least \$6,870 it claims Diaz owes. In a letter received recently from the Department of Justice obtained by *The New American*, the Diaz family was urged to pay up now or face the consequences — plus interest and fees.

"We strongly urge you to pay this debt immediately," it reads. If the money is not paid promptly, the government will take it by other means, the correspondence explains.

But advocates for the family are not giving up yet. "It is outrageous that the government having already prosecuted and convicted an innocent agent of the U.S. Border Patrol continue to persecute this family in the form of these imposed fines," noted [Law Enforcement Officers Advocates Council](#) (LEAOC) President Andy Ramirez, who has been fighting for the family since he discovered the details of the case.

LEAOC is trying to help the family raise funds to hire its own attorney for an appeal. Two of the lawyers being sought have defended wrongly convicted Border Patrol agents in the past. And Ramirez and the family hope they can help overturn Diaz' conviction.

"This case was a miscarriage of justice as the transcripts and 'discovery' demonstrated to our organization, which was why we accepted their request for assistance in the first place," explained Ramirez. After reviewing the documents, LEAOC concluded that the whole prosecution was based on false testimony.

"We call on the American people to assist us with this effort so that the persecution of the Diaz family ends. What is the next form of persecution, a suit by the narco-terrorist 'MBE' whose criminal acts were granted immunity from prosecution, while his perjury was ignored by the Justice Department and District Court in the Western District of Texas?" Ramirez wondered, referring to the drug smuggler who was offered immunity to testify against Diaz and subsequently was said to have committed perjury. "The persecution of an innocent agent and his family must cease immediately."



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In addition to the fine and prison sentence, the judge even told Diaz to apologize to the drug smuggler and his fellow agents. Diaz, whose story has been consistent from the beginning, refused.

“Like the true man he is, he just stood there and said nothing,” recounted Diaz’ wife, Diana, also a Border Patrol officer. “How can you apologize for doing your job?”

While Diaz could be a free man in the not-too-distant future with good behavior, the battle to clear his name is just now heating up. In addition to LEAOC and numerous commentators, several high-profile members of Congress are getting involved.

An appeal is currently in the works. And it is expected to garner significant support — especially among law enforcement because of the legal precedent established in the case.

“We will continue to lead this fight and stand by Chito, Diana, and their children until his name is cleared,” said Ramirez. “Having worked on as many cases as we have, this one is, without question, the most atrocious yet. It is clear that our government gave Mexico City the scalp of yet another agent.”

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