



**“The Bush War on Law Enforcement”
Press Conference**

Presented by:

**Friends of the Border Patrol
Andy Ramirez, Chairman**

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OFFICIAL STATEMENT OF ANDY RAMIREZ

Good afternoon and I want to thank you all for coming today to our press conference here before the statue of justice, which considering the company is quite the appropriate setting.

I am Andy Ramirez, chairman of Friends of the Border Patrol, a 501c3 non-profit law enforcement advocacy organization, which I founded in 2004 to assist the U.S. Border Patrol, and their agents, while improving the quality of life for borderland residents. Over time we have expanded our mission to assist all law enforcement agencies tasked with border security with legal defense and family support, as well as developing technology to assist law enforcement agencies with their vital mission of border security.

Today, we are here to discuss the “Bush War on Law Enforcement” and I have asked our special guests, some of whom we have sponsored to come to Washington, DC, to join me today in this unprecedented press event.

Ultimately, there is no escaping the fact that the current administration has compromised its citizens through treaties and agreements and has demonstrated itself to be more interested in commerce and trade than national security, which President George W. Bush himself acknowledged during his last official visit to Mexico.

However, in their most egregious actions, the Bush Administration has taken the people behind me, and prosecuted them, or their family members, or their clients in the greatest examples of injustice I have ever seen, and clearly contradicts through their actions what the symbol behind us is supposed to represent, “that justice is blind.” As you will clearly see and hear today, American Justice is not blind unless you are an illegal alien.

Members of the press, these folks are victims and political prisoners. Their cases must be investigated, and the Congress must conduct hearings into each case, as it is clear that in many of these cases that the prosecutions were pushed by foreign governments including Mexico and the People’s Republic of China.

Having brought the case of U.S. v. Compean & Ramos to the attention of the nation, in continuing to investigate their case, I discovered that a pattern of prosecutorial abuse exists in each of these cases involving illegal aliens who were violating a number of laws, all of which were ignored by this government, who also chose to ignore a U.S. Supreme Court Ruling, U.S. v. Verdugo-Urquidez

1990, which states that illegal aliens are not entitled to U.S. Constitutional protections. While entitled to basic human rights, they are solely entitled to the protections of their native constitution in their native country.

I am certain there are many more cases out there waiting to be discovered and continue to investigate and bring them to the attention of the American people.

I caution everyone to consider that the government ignored the fact that in the Compean & Ramos case, a known dooper violated a number of laws, and this was ignored by our government who chose instead to prosecute two agents who committed mere administrative policy violations, that serve only to prevent them from doing their job of enforcing the laws of the land, which also happened with the other cases, we are presenting here today.

When there have been no violations of administrative policies, this government finds other ways to prosecute and convict the victims standing with me today.

This brings me to smugglers and terrorists who know that with cases such as these on record, that this government will protect them regardless of the crimes they commit and as a result our law enforcement officers, many of whom Congress has direct oversight for have had their safety compromised.

Agents and officers from a wide array of agencies have informed me that they are more afraid of our own government, the crocodiles behind them, then they are of the dangerous criminals in front of them as they can easily see the regular bad guys, unlike the hidden one's that wear the disguise of a uniform similar to their own.

Former Border Patrol Chief Silvestre Reyes (D-El Paso) has repeatedly stated that people "with a badge and a gun should be held to a higher standard," and in that sense he is correct, but he is not telling you the entire story, one which is begging to be told of his ignoring any calls and requests for assistance by law enforcement agents and officers continuing to protect our nation's borders since he left the Border Patrol. He'd rather support open borders, and illegal immigration, as well as these prosecutions, while towing oddly enough the Bush Administration policy-line similar to his own. Also, the DOJ must be held to that same standard, which has created our own American Nelson Mandela's standing with me here today.

During my recent field investigation a federal law enforcement agent stated the following to me that only reinforces what I just said:

"Mexico does not know what corruption is. They have to come to El Paso to learn."

This statement, was from a senior federal agent, who shall remain anonymous as this administration has no qualms about ordering U.S. Attorneys to prosecute agents even when it means protecting narcotic and human traffickers who assault, brandish firearms, or use a vehicle as a weapon against law enforcement agents while attempting to evade and escape apprehension and capture.

We have Assistant U.S. Attorneys who question Border Patrol Agents as to why they have attempted to engage in narcotic interdiction:

In the Compean & Ramos case, Assistant U.S. Attorney Debra Kanof did just that in asking Agent Ramos why he didn't join the DEA or ICE if he wanted to catch dopers, instead of the Border Patrol. I must remind everyone that narcotic interdiction and seizure is a specific goal of the U.S. Border Patrol as stated in the National Border Patrol Strategy and an Inter-Agency Memorandum of Understanding with ICE, and DEA.

I renew our call that the Congress appoints special counsel to independently review their cases. As you will hear shortly, their stories all contain numerous improprieties on the part of the U.S. Government beginning with DHS, continuing with the department we stand before today, as well as the Executive Office of the President himself.

I am now going to call up my special guests, each of them, victims and political prisoners of our government, one of whom has served time in hell at an American Gulag prison. They stand before you today solely guilty of being law enforcement officers, and doing the right thing. They will all share stories, with many similarities that scream for investigation and justice.

Mrs. Patty Compean, wife of Senior Patrol Agent Jose Alonso Compean of El Paso, TX, who is now serving 12 years at the Elkton FCI in Ohio. Mrs. Compean will briefly discuss her husband's case, and the effect it has had on her family, and what needs to be done to give her family the justice it was denied by DOJ, DHS, and the Bush administration.

Senior Patrol Agent Gary Brugman of San Antonio, TX who in 2006 completed his prison time in Yazoo City, MS, the same facility where Nacho Ramos is serving 11 years and 1 day currently. Mr. Brugman will briefly discuss his case, and the horrors of Yazoo City, and what would give him justice. He, too, is a victim of US Attorney Johnny Sutton's office in San Antonio.

Senior Patrol Agent Noe Aleman of El Paso, TX, accompanied today by his wife Isabel, will talk about his persecution by US Attorney Johnny Sutton's office in El

Paso. If you want a contradiction when it comes to civil rights, this family had their civil rights violated for a typo, which Agent Aleman immediately attempted to correct for which his family has paid a very hefty price over.

Attorney Jack Wolfe, former Assistant US Attorney from McAllen, TX is here today to discuss his client Senior Patrol Agent David Sipe whose case was recently overturned. Agent Sipe was the first victim as his case goes back to the end of the Clinton Administration but was prosecuted to its conclusion by the Bush Administration.

Attorney Steve Cohen, representing Customs and Border Protection Agent Robert Rhodes III is here to discuss a prosecution from hell that was begun here in Washington, DC at the request of the Government of the People's Republic of China with the full compliance of the Secretaries of Bush Administration departments themselves.

I have invited legal and union representatives of Prince George's County (MD) Police Officer & K-9 handler Stephanie Mohr to attend today. I was advised that they would discuss their attendance as Officer Mohr has an appeal about to be heard. In the event that no representative is available today, her case is eerily similar to Agents Brugman, Compean, Ramos, Rhodes, Sipe, and Deputy Sheriff Hernandez in that she was responding to the criminal act breaking and entering at a business after hours by two illegal aliens. She won her first trial 11-1, but was convicted upon retrial. DOJ tried to build a civil rights rap on Officer Mohr and in discussing it with her union, she is a member of the Fraternal Order of Police, they felt it was ridiculous and ignored the fact that she was doing her job and responding to a crime in progress in an area noted for crime. Officer Mohr has served 5 years of a 10-year sentence for a civil rights violation.

Thank you.

OFFICIAL STATEMENT OF PATTY COMPEAN

On behalf of my husband, Senior Patrol Agent Jose Compean and our family, I want to thank everyone for their support, and prayers. I especially want to thank Friends of the Border Patrol for putting this press conference together and their constant support throughout our nightmarish ordeal. It has been quite overwhelming for our family when you go back and look at the beginning when this began, and the support we've since received from people across this nation.

I want to begin by addressing former Border Patrol Chief Silvestre Reyes because he has not supported our case or any others brought to his attention, let alone the guys in the field. Last September in the House Rayburn Room, Silver Reyes informed Mr. Ramirez that he is adamantly opposed to hearings for the two agents, or as he said, "not the two agents." This contradicts what he said to the nation when Mr. Ramirez testified before the House Judiciary Committee last August 17, which feels like a lifetime ago. When law enforcement officers in El Paso need help, he is not there as he should be. Instead, he carries the message for the Bush Administration and tows the company line regardless of his past experience as a fellow agent.

On April 19, 2007 Attorney General Gonzales testified before the Senate Judiciary Committee, and continued lying to Congress and the American people about their betrayal against my husband, and Agent Ramos.

Mr. Sutton and his assistants did not follow the evidence as stated under oath by Attorney General Gonzales, and quite to the contrary just made things up as they want along, regardless of the truth and facts of this case.

Here are several specific examples to substantiate our claims and grievance against this so-called Department of Justice.

First, this investigation began over two weeks after the incident of February 17, 2005 with a call from the Mexican Government according to a statement given by the DHS Office of Inspector General to several Members of Congress, and not by a phone call from Osbaldo Aldrete-Davila, or a relative of the dooper.

Second, this known dooper was given an immunity agreement and under the terms of that agreement was required to testify truthfully and completely and not protect any individuals or entity. In fact, throughout the trial and investigation, Aldrete-Davila repeatedly lied, withheld information, including the names of his accomplices and the alleged clinic in Mexico he claimed to have been treated at, and invoked the 5th Amendment, though he was under immunity. He should have

been prosecuted for violating the terms of his immunity agreement, but the court and DOJ chose to aid this dooper by helping him return to Mexico without any charges being filed.

The government and Department of Justice continues to claim my husband filed a false statement, when DHS, the Office of Border Patrol, and the Department of Justice all know that under the firearms policy, agents are prohibited from reporting a shooting in writing and can only report it orally to a supervisor, which did take place, though it was ignored by the supervisors on scene as shootings are commonly ignored unless there is a kill or wounded suspect that is apprehended.

In fact, the government filed a false statement in the arrest warrant when they claimed that the alleged bullet that was removed at William Beaumont Army Medical Center from Aldrete-Davila was from Agent Ramos gun. The ballistic report of March 18, 2005 prepared by the Texas Department of Public Safety who analyzed the alleged bullet concluded that day that the bullet could have come from any one of four different manufactured firearms. It never once specified the bullet was from Agent Ramos gun. That is a perfect example of filing a false report, which in this case was the warrant for the arrests of my husband and Agent Ramos. I want to emphasize I was never shown the warrant though my brother who was home that night requested to see it.

The government continues to make a false claim and statement about the wound sustained by Aldrete-Davila, stating he was shot in the back. This is a bold-faced lie. During the trial, Dr. Warne, who removed the alleged bullet and provided it to Special Agent Chris Sanchez testified that the dooper was not shot directly in the back, and was in a position turning back towards the agents. This fact concurred with the testimony of both my husband and Agent Ramos.

The Department of Justice has claimed that there was no additional smuggling incident that took place in October 2006. However, Congressman Rohrabacher has acquired the documents, which he released in a previous press conference here in Washington, DC. I cannot discuss it further as the incident was placed in limine, along with other critical facts, testimony, and evidence that was prohibited from being introduced to the jury during the trial. If I were to speak further about these particular subjects, I would be prosecuted by our own government and be taken from our children as my husband has already been. However, Mr. Ramirez can discuss these items as he has independently reviewed the documents. Instead, the government has chosen to conceal and suppress evidence, and justifies its action claiming the case remains an "ongoing investigation." If this remains an ongoing investigation, how is it that my husband and Agent Ramos remain in an American Gulag type prison today?

The El Paso Times has reported that the doper's accomplice at the El Paso stash house, Cipriano Ortiz now faces a lifetime sentence for drug trafficking. Yet, Aldrete-Davila remains free today, and his part in this incident remains an ongoing investigation. I want to know who they are protecting, which is why he remains free, while my husband rots away in prison, while my children face the next 12 years without their father, and I am forced to raise our children alone who had a loving home with both of their parents, and knowing this criminal has been given the ultimate protection by our government and may yet be given his 5 million dollar settlement while breaking numerous laws.

Our children and I demand justice now, not one week from now, one year from now, or 12 years from now. We want it today.

Article 2, Section 4 of the United States Constitution identifies a process for removal of executive and civil officers. I quote...

“The president, Vice President and all civil officers of the United States shall be removed from office on, impeachment for, and conviction of, bribery or other high crimes and misdemeanors”

Attorney General Antonio Gonzales, U.S. Attorney Johnny Sutton, and the professional prosecutors involved in our case have violated the civil rights of American citizens by means of malicious prosecution by the willful and illegal distortion of the federal civil rights law, by filing false warrants, by preventing the constitutional right of speedy trial, by the abuse of witness immunity, by stacking charges and by the repetition of the same charge to maximize the effects of the prosecution, by colluding and conspiring with foreign governments to violate the civil rights of American citizens. We charge that while engaged in this illegal activity against American citizens, Antonio Gonzales, and Johnny Sutton also refused to prosecute other cases of illicit drug and human trafficking that should have been prosecuted.

As a result, knowing that President George W. Bush will never fire his cronies from Texas, we demand not only the immediate release of my husband Jose Alonso Compean from prison, but also require that Congress convene the impeachment of Attorney General Alberto Gonzales and U.S. Attorney Johnny Sutton immediately.

Thank you...

OFFICIAL STATEMENT OF SPA NOE ALEMAN

On behalf of my wife Isabel and our daughters, I want to thank those in El Paso who have maintained their support of us. I especially want to thank Friends of the Border Patrol for inviting us to this press conference along with our other fellow victims who all have been betrayed and had our civil rights violated. Like the others, we have been quite overwhelmed by our own government's persecution. The cost to my family is something one could never imagine possible living here in the United States.

I, too, want to echo Mrs. Compean when it comes to the lack of support for agents and American citizens in need, in El Paso, by my fellow former agent Silvestre Reyes. Our family contacted Silver Reyes, too, for his assistance when our persecution began at the hands of the Department of Justice. Unlike Agents Compean and Ramos, he did meet with us and promised to help our family. However, that help was an empty promise. After meeting with him (and his staff) five different times, Silver finally informed us that there was nothing he could do. He did not help us at all.

The Department of Justice and Johnny Sutton prosecuted me, and violated every aspect of not only our civil rights, but also basic human rights for nothing more than a typo.

My wife Isabel and I adopted as our daughters, my wife's blood nieces in the courtroom of Judge Patricia Macias, presiding judge in the Texas State District Court located in El Paso. On February 12, 2004, Judge Macias granted my wife and I unconditional adoption, which took place on April 23, 2004.

We enrolled our daughters in school as ordered by Judge Macias. At no time could we ever have imagined what would soon take place.

My wife Isabel asked me to look at our I-94 visa to see when the standard 90-day visa would expire so we could renew it. I was surprised, having been too excited when we picked them up at the El Paso Port of Entry with Juarez, MX to note that the document had provided one sole business day for their permission to enter the United States on legal business.

Mr. Ramirez has investigated and informed me that the standard practice when issuing entry visas at the ports of entry is to provide for 90 days.

I reported what I thought was a typo error at the Hawkins (TX) Citizenship and Immigration Services office. I was advised by an immigration attorney while at

the CIS office to ask for an adjudication officer and seek an extension of the “parole” as it is known. I did exactly as I was advised, which I was informed by the immigration attorney, who guaranteed me that it would not be a problem having already gone through the adoption process with the Texas State District Court in El Paso.

After a number of contacts with the Hawkins office, I was advised that our visa had been approved and to come and pick up the paperwork, and bring your daughters and identification for them, which we did. I was then arrested and later charged with harboring illegal aliens.

My case was tried in the same federal courtroom, by the same participants as Agent Ignacio Ramos.

The Department of Justice never presented the facts in our cases, they just made things up as they went along, as they have done with Agents Compean, Ramos, Brugman, Sipe, Rhodes, Deputy Sheriff Hernandez, and K-9 Officer Mohr.

Here is just a sampling of what Sutton’s prosecutors did to my family and how our civil rights were violated:

First, I was charged with smuggling my own legally adopted nieces. Yet, the government has never opposed the adoption paperwork as finalized by the State of Texas, which remains valid today. This was the same type of false statement that Sutton has done to Agents Compean and Ramos though they claim that Agents Compean and Ramos are the wrongdoers and filed false statements.

Next, the government through agents from the Office of Inspector General and the FBI interrogated our daughters without counsel present and were trying to get the girls to admit they were being abused, which they vehemently denied. Is this not a violation of the civil rights of our daughters for being questioned without counsel present to protect their rights? When I think of what the government did to protect the non-existent rights of career drug smuggler Osbaldo Aldrete-Davila as compared to the civil rights of our daughters, it makes my wife and I ill every time knowing what happened to our daughters, and fellow Agents Compean and Ramos as well as their families.

After no evidence of abuse was discovered from this hostile and illegal interrogation, in which the girls were traumatized psychologically; our daughters were, in retaliation for not lying to the government, placed in Removal Proceedings late June 2004.

At the Immigration Hearing on June 20, 2005, our daughters, through their counsel, applied for Admission to the US based on the fact that they are legally adopted daughters of US Citizen Parents. The Immigration Judge denied the Application and ordered them removed. We appealed the decision to the Board of Immigration Appeals (“BIA”), who upheld the original ruling. Our daughters were subsequently deported though their legal and only family remains here in the US.

My daughters were denied all visitation, and communication to us by the Department of Justice throughout this process, though, again, the girls are our legally adopted daughters.

I was informed that according to Assistant U.S. Attorney Debra Kanof that our grand jury hearing transcripts would never see the light of day, exactly what would have happened to my fellow agents Compean and Ramos’ transcripts without the help of Congress.

Finally, Johnny Sutton’s assistants exercised excessive and abusive interrogations and during testimony before the grand jury our daughters were addressed as “little whores” by the Assistant US Attorney who conducted the hearing on behalf of the Government.

What kind of disgusting place has America become to engage in such tactics against its own citizens and children. While this case has nothing to do with my job performance, it defines the hypocrisy of the so-called Department of JUSTICE who protects dopers, and not agents who do their job, families, or it’s children.

This Department of Justice provides just the opposite and I join Mrs. Compean in calling for the impeachments of Attorney General Gonzales, and U.S. Attorney Johnny Sutton for protecting dopers illegally here, while betraying and preying on young children and violating their civil and human rights.

Thank you.

OFFICIAL STATEMENT OF SPA GARY BRUGMAN

On January 14, 2001 I was assigned to the M-23 area of Eagle Pass, Texas. We were shorthanded on personnel at the time, so my partner Deomar Ramirez and I responded to the sensor activity a few miles south of our assigned area.

On that particular evening Agent Enrique Vasquez was assigned to the scope truck. He was in the Rosetta Farms pecan orchard when at approximately 1900 hours he observed a group of 10-12 aliens walking through the orchard. As he approached the group, they began to run. My partner and I had arrived into the area and I got a visual on them. I jumped out of the patrol vehicle and began chasing them on foot as my partner drove around and tried to cut off access to the river. I chased them through the orchard for about 15 minutes, approximately one and a half miles, continuously yelling for them to stop (in the Spanish language). At one point I began to lose ground on them due to all of my equipment weighing me down. Agent Remberto Perez and Trainee Agent Marcelino Alegria rolled up on me in a vehicle and asked me which way they went. I pointed into the orchard and they drove in that direction. I saw that they had come across a concrete lateral (ditch), and Trainee Alegria got out and ran after the group himself. He caught up to the group quickly since he had a fresh pair of legs. Trainee Alegria was trying to get them to sit down and it seemed that he didn't have control of the situation. Some were sitting as directed, but they were gathered around Trainee Alegria in a semicircle manner. In other words, there were aliens in front of him, to his left and behind him.

As I jogged up to the scene, I saw that two aliens behind him were not complying with his task direction to sit on the ground. They were in fact squatting on one knee, looking at his back and making lunging movements. At this time, I didn't know if they were getting ready to run, or attack the Trainee Agent. I ran up to the aliens and with the bottom of my foot I pushed the first alien to the ground (later identified as Miguel Angel Jimenez-Saldana) and told him to sit down as I said "SIENTENSE". I then turned to a second alien and pushed him to the ground too. Agent Hector Aponte was the agent assigned to drive the Transport van that night. He picked up the illegals and transported them back to the station for processing.

Six weeks later, on February 22, 2001 at approximately 0500 hours, myself and several other Agents responded to sensor activity and a report of 10-46 (Narcotics) traffic that had just come across the river. Agent Niño was operating the infrared cameras and guided us into the area. Agent Niño had advised us that on the infrared cameras, he had observed approximately six to eight subjects come across Leonard's Pecan Orchard carrying what appeared to be bundles (Narcotics). My partner Agent Serrano-Piche and I, along with several other units quietly moved

into the area and attempted to apprehend the smugglers. Once we made our presence made, they scattered in several different directions. We apprehended about four, when the camera operator notified me that he has spotted two subjects hunkered down in the brush not too far away. I had my night vision goggles and with the help Agent Niño on the camera, I was guided towards the subjects through the darkness and mist. Eventually, I saw the subjects and proceeded to walk towards them slowly. Once they figured out that I could see them, they took off running towards the river. I gave chase and continuously yelled for them to stop (again in Spanish).

There was a fence between them and the river, and since I was really close they turned and ran parallel to the fence towards to West. I was still very close to them when they came to another barb wire fence about fifty yards down the first fenceline. The first subject leaped in between the barbwire strands in a 'Superman' fashion. The second subject hit the strands head on and flopped over the fence. I had on body armor and with so much momentum going, I too flopped over the fence. All three of us were on the ground on the other side of this fence, when the first subject got up and ran off. The second was getting up when I grabbed his legs before he could get away. We were both wrestling while trying to stand up at the same time. All of a sudden, I somehow got flipped and ended up on my back with the subject, a dope smuggler, sitting on top of me. We had each other by the neck and collar, and he had my right hand pinned to the ground. I remember thinking to myself "Oh my God, I'm losing!!!" I twisted my right hand free and hit him on the side of his face knocking him off of me. He ended up on my left side and his right arm was underneath my body. I told him to stop fighting. I could then feel him grabbing my handcuffs with the arm that was underneath me. I then punched him in the face three times until he said to me "Okay officer, stop hitting me". I stopped and told him "Then stop fighting!!!" I laid on top of him until Agent Enrique Vasquez arrived and helped me handcuff the subject. I notified all of my Supervisors at the scene of the altercation that had occurred.

All of the subjects were transported to the Eagle Pass Border Patrol station for processing. Pictures were immediately taken of all of Rodriguez-Silvas' injuries, and documentation was made. My Supervisors told me not to write a memo, just document it on the I-213, which I did. He was turned over to DEA, prosecuted, convicted on four felony charges and sentenced to fifty-seven months in a Federal Prison. His name was Miguel Angel Rodriguez-Silva.

On March 15, 2001 Watch Commander Jimmie Hellekson called me into his office and I was relieved of my service weapon. When I asked why, he said that all he knew was that I was under investigation. From that point on I was in limbo, without an explanation of any kind. The only possible reason I could think of was

that it was in respect to the narcotics smuggler, Miguel Angel Rodrigueuez-Silva. For the next 14 months I replayed the night of February 22, 2001 over and over and could not figure out what I had done wrong. It was May 14, 2002 that I got a letter from AUSA Bill Baumann notifying me that I was the target of an investigation and he was inviting me to my Grand Jury. The invitation stated that I may be charged with violating the civil rights of a Miguel Angel Jimenez-Saldaña on Jan 14, 2001. I thought to myself "Jimenez-Saldaña? Who is that?" It took me four whole days of looking through records and paperwork to figure out who I was working with, where I was working and what had happened, until I realized that it was the illegal that I had pushed on the ground. Now, nothing made sense to me. This man had no injury. I never laid a hand on him. My attorney, Ronald H. Tonkin, advised me to decline the invitation, which I did. On August 21, 2002 I was indicted, I surrendered to the U.S. Marshals in Del Rio, Texas, and was released on my own recognizance. In September, I appeared for arraignment in Del Rio, and Judge William Wayne Justice said he believed this case could be better tried in San Antonio, Texas. I agreed.

On October 28, 2002 I was brought to trial in Austin, Texas; a venue that I had not agreed to. Jury Selection began that morning. The prosecution had a separate list of special questions for the jurors in order to hand pick a jury. Selection was complete by that afternoon and trial began. The first thing that AUSA Bill Baumann did under the direction of Johnny Sutton, along with DOJ Trial Attorney Brent Alan Gray, was ask that the incident involving the narcotics smuggler Rodriguez-Silva on February 22nd be introduced as evidence. I objected due to the fact that he was a **convicted** drug smuggler, who I myself had arrested and was the primary reason he was already serving time in the first place. Plus, the incident happened six weeks **after** the indicted offense. Most of all, it had absolutely nothing to do with what I was being charged with and no allegations had ever been made that I had, in any way, violated any Border Patrol policy when I apprehended him. However, Judge Justice allowed the evidence to be presented despite my objections.

On the prosecutions table sat AUSA Bill Baumann, Brent Alan Gray, OIG Agent Gary Moore, and the Mexican Consulate along with an associate that was working the computer and slide projector. Jimenez-Saldaña was called to the stand. Jimenez told his version of the story as Baumann asked questions. Bill Baumann took the incident and changed my words to benefit the Government. When I pushed Jimenez and the other subject on the ground, I told them to sit and then I asked "Why are you running?" It is a standard question that every Law Enforcement Officer has asked a subject that has ran from them. I always asked that question because it's been my experience that many times they will tell you the truth..."I've been deported", "I have drugs on me", "I have warrants". It's a standard law enforcement question. Baumann continuously and

intentionally misquoted me as saying "Do you like to run? So you like to run, huh?" Words I never said. But, he kept on repeating in front of the jury dozens of times. When I was testifying, I told him what I had actually said, then he mocked me by saying "Why did you ask them that? Were you concerned about their health? Did you want to take them for a jog? Put them on an exercise program, maybe?"

A critical factor at trial was that Jimenez could not identify me as the one who had allegedly kicked him. My Attorney asked me to stand up, then asked Jimenez if I was the one that had assaulted him. He looked at me and said, "I don't know, I never saw his face." Agent Alegria testified that I had pushed someone with my foot, but did not know if Jimenez was the one I pushed. Alegria also testified that I had punched three subjects. However, Jimenez testified that he was never punched by me but that I punched someone else. Agent Perez who was 80-100 yards away testified that he had seen me kick one of the aliens, but that he never saw me punch anyone. That's three different testimonies as to what happened that night. I testified that I did push Jimenez with my foot, but I never laid hands on anyone...which is why I used my foot in the first place.

Jimenez was asked if anyone had made him any promises, or offered him anything in exchange for testimony, he said no. However in a TV interview for Univision TV show "Aqui y Ahora" (a Spanish TV show) that aired on about June 3, 2003, he claimed that he was coming to the U.S. to earn money for his daughter's chemotherapy. This information was withheld by the prosecution during my trial. At the end of the interview, the anchorwoman said that his daughter had received the chemotherapy she needed. Who paid for that chemotherapy, I don't know. But it would have been a major issue during trial.

The prosecution then called the convicted drug smuggler, Rodriguez-Silva to the stand to testify against me. The same Rodriguez-Silva who I had captured on Feb. 22, 2001 and who fought me to avoid capture. The same man who had since been convicted of smuggling drugs and sentenced to over 5 years in prison. Since he was still an actual inmate and in custody, he was followed into the courtroom by a Deputy U.S. Marshal who sat right behind him on the witness stand during his entire testimony. Through the length of his testimony, the prosecution projected a picture that was taken of him immediately after his arrest that showed his bloody nose and some grass on his face. It also showed other injuries such as scratches from when he went over the barbwire fence, and strap marks on his shoulders from carrying the bundles of dope which weighed over 80 pounds each. But of course, these injuries were also attributed to me by the prosecution. Rodriguez told the truth until it got to the point of apprehension, he testified that while he was running away I was yelling "Stop you F***ing Son of a bitch or I'll shoot you!" I never said those words. The only thing I yelled was "Pareense!" (meaning, "stop!" in the Spanish language). He testified that he had twisted his foot and that was

why I was able to "easily" apprehend him. He also claimed that I took a pair of gloves out of my pocket, put them on and then proceeded to punch him in the face.

My former Supervisor William O. Willingham, now the Border Organized Crime Coordinator (BOCC), testified that for years he tried to get me to take my gloves off. You see, I would ride my motorcycle to work and wear my gloves. Since everything was so gross at the station, I would keep them on. SBPA Willingham was always telling me he didn't like me wearing them inside the building. He testified that he doubted very much that I was not wearing my gloves. But Baumann had to make me out to be this brutal person who was out for blood. It is simply unrealistic that a person who is fighting to get away after being busted with 800 + pounds of marijuana would sit there and allow me to put on a pair of gloves so that I can punch him in the face.

During my cross examination, Baumann immediately began ridiculing me and my character. He began by asking me if I had been hired as a "special" hire, since I'm a disabled veteran. I told him no. He then asked if they (the Federal Law Enforcement Training Center) had bent the rules for me so that I can make it through the academy, and I said no. I graduated 18th out of a class of 51 and it wasn't because they bent the rules. He continuously misled the jury by making false statements and changing my words. He did this so many times that all I can say to you right now is to read my trial transcript and see for yourself. I had five supervisors testify on my behalf, and all of them swore that what I did was within the Use of Force Policy. Yet he made them out to be liars as well.

On several occasions Baumann brought up bogus incidents that never happened in front of the Jury. On one occasion, he claimed that I had punched a 14-year old boy on the nose while he was merely sitting in the processing room. Yet the only evidence he had was a slip of paper from the OIG hotline, stating that the call was made from Mexico anonymously, and the only actual piece of information on it was my name. Nothing else. I had a Motion in Limine, which did not allow this information to be considered by the jury, but regardless, AUSA Baumann had already presented it before them. This happened several times throughout the trial and I was falsely made out to look like a rogue agent to the jury and I had no way of disputing these accusations.

At one point, I felt my heart sink and a feeling of despair come over me. During one of the 20-minute recesses of my trial, Brent Alan Gray and I were in the restroom at the same time. I asked him why he was doing this to me and he said that *"It's not a matter of IF you're going to prison, it's a matter of how long you're going to prison for. I have a \$50,000,000 budget to make sure you're going."* When I heard those words, I was terrified to no end.

During sentencing, AUSA Bill Baumann stated that even though my case was a minor assault, I still needed to be punished to the fullest extent of the law. On a Univision interview, Johnny Sutton stated, himself, that he was making an example out of me. In the Official Dept of Justice Press release, Sutton bad mouthed me by saying that what I did was inexcusable and thanked the Mexican Consulate for all his help in locating the illegal alien Miguel Angel Jimenez-Saldaña, and bringing him back to testify. After Jimenez-Saldaña was apprehended in Eagle Pass, he was incarcerated for approximately eight weeks, pending deportation. Jimenez-Saldaña was indeed deported back to Mexico. It was Johnny Sutton who called on Jorge Espejel, the Mexican Consulate in Eagle Pass, Texas to help him locate and bring Jimenez-Saldaña back into the United States. He offered him immunity and health care for his family in exchange for his testimony against me. Like I said before, this information was withheld during trial. Jimenez-Saldaña even testified that he did not want to testify against me, but was pressured by both the Mexican and U.S. Governments to do so.

Bill Bauman made the first closing argument to the Jury. He was allowed 20 minutes to make his argument. Then my lawyer made his argument for 40 minutes. Once he was finished, I was shocked to see Brent Alan Gray take his podium and place it in front of the Jury stand, and begin to make a counter to my attorney's closing argument. He stood there and lied to the Jury by saying that it was amazing how Agent Alegria's story and Jimenez-Saldaña's story were identical, and since their stories matched that meant that I must be a liar. However, anyone who reads the trial testimony can see that they had completely different stories. As a matter of documented fact, Jimenez-Saldañas testimony and mine were almost identical. During deliberation, the Jury requested the trial transcript of Alegria's testimony, but the request was denied by Judge Justice. He said they would have to base their decision on what they can remember from the previous four days of trial. Ironically, the only time that the prosecution spoke about my indicted offense was on day one.

I remained out on appeal from October 2002 until April 2004. In between that time (2003) I moved to San Antonio, Texas and rented my home in Eagle Pass. I got a job working at a car dealership as a salesman. That summer I decided to attend college, and I qualified for educational benefits from the Dept of Veterans Affairs (VA), under the Veterans Vocational Rehabilitation Program. I was two weeks away from the end of my second semester when on the morning of April 7, 2003, a team of U.S. Marshals came kicking at my door at 0520 hours. They practically took it off the hinges! I opened the door and they came in, pushed my then 72 year-old mother on the bed and took me away. It would be 24 months later before I would come back to my home again.

I was placed at the local contract prison in San Antonio called "GEO" Inc. (Formerly known as Wackenhut). I spent almost four months in a 5 by 10 foot cell, 23 hours a day. Roaches and abuse from the guards were normal. From there I was handcuffed, chained at the waist and leg ironed then taken aboard Con Air and landed at the Federal transfer center in Oklahoma City for over three weeks. After that I was taken on Con Air again. This time we landed in Tampa, Florida where we were all bused to the Federal Correctional Complex located in Coleman, Florida. As a matter of fact, the Bureau of Prisons (BOP) sent me to five different prisons, including the U.S. Penitentiary in Atlanta, Georgia, and ultimately I was sent to Yazoo City, Mississippi. It was during the move to FCI Yazoo City that all of my legal papers, trial transcripts and research mysteriously disappeared. I was told that it would follow me along with my property, but when I arrived at my final designated facility, it was not there. My personal property was there, waiting for me, but my legal property was not. To this day I haven't been able to get an answer as to where it is.

Having served the Government for many years I experienced many things that scared me. However, being a federal agent in prison is sheer terror. At each of the prisons, I was placed on the compound with the general population. The inmates in these prisons are a different breed. They have ways of finding out who you are and knowing all of the details about your case by the time you arrive. I was threatened constantly to the point that I would stuff my magazines around my waistline underneath my shirt, just in case I got stabbed. It was at FCI Yazoo City Mississippi that I actually made a vest out of newspaper and tape in order to protect myself. Another thing that became a way of life for me inside FCI Yazoo City is that you needed to take showers in pairs for safety. You would find someone you could trust, and they would shave their face and brush their teeth etc. while you were showering. The gang members from New Orleans were notorious for assaults in the shower. Every morning I would wake up and ask myself if I was really there. I still have a very hard time accepting what happened. It's extremely hard to find a time and place to cry when you're a grown man in prison.

On March 21, 2006 my incarceration was over. Today, I'm just trying to piece my life back together. As strange as it may sound to some, I would jump at the chance to have my job back at the Border Patrol. I was a good agent and I am still a loyal American. No amount of lies from Johnny Sutton and the United States Attorneys office will ever change that.

The recent exposure of the facts of the Compean and Ramos case, and that of Deputy Hernandez, has torn me apart. I know how it feels and it is terrifying. God bless these agents and this deputy. May He be with them and their families every moment of the day.

The Arrest and Prosecution of Officer Robert S. Rhodes

Officer Robert S. Rhodes

United States Customs and Border Protection, 17-Year Veteran
Port of Buffalo, New York – Rainbow Bridge Station (Primary Line)
Date and Time of Incident: July 21, 2004, 11:15 pm

CBP Officer Robert Rhodes reported for duty at 3:41 pm for an eight-hour shift. Security Alert Level: “Yellow,” indicating a significant threat of terrorist activity. While on duty at his post at the US-Canadian border, Officer Rhodes was assisting another Officer in a drug arrest at the pedestrian/bus terminal at 11:14 pm when he was directed to detain and question three Chinese females who appeared to be waiting on the pedestrian walkway (US side) for the drug suspect. CBP bulletins listed China as a “Nation of Interest” for terrorist and smuggling activities. He called for backup on his radio, and also activated the internal alert system for the station prior to approaching the three women. As soon as Officer Rhodes made eye contact with the individuals and directed them to come over to him, they fled at full speed, pursued by 14 CBP Officers. Officer Rhodes grabbed Zhao Yan, who punched, kicked and scratched Officer Rhodes in her attempts to break free. Despite carrying a duty issue Glock 9mm, Rhodes chose instead to use his non-lethal pepper spray to subdue the suspect. Three other Officers came to Rhodes’ aid two minutes after his initial encounter with Zhao Yan. Officer Emmett Russell took Zhao Yan down to the ground and Officer Amina Zinnerman attempted to handcuff the suspect behind her back. Zhao Yan resisted Officers Zinnerman and Russell and reached under her body, into her handbag and exposed the film in her camera despite being repeatedly told by armed Officers not to reach into her handbag for fear that she had a weapon. Once Zhao Yan was satisfied that the film was exposed, she stopped resisting and allowed herself to be handcuffed. Officers Zinnerman and Russell testified unequivocally that Zhao Yan resisted them. The other two women were apprehended and came with the officers without further resistance.

Zhao Yan was taken to the holding cell at the facility, and her eyes were washed out by Officers Zinnerman and McKeon. It was learned that her visa had expired and she was an “overstay.” She was permitted to use her cell phone. It is unknown to this day who she called. However, within a half hour of the phone call, she was given her belongings, including her expired visa and camera, and released unguarded to paramedics to be taken to a nearby hospital. Two Special Federal Agents from ICE-OPR were dispatched to the Rainbow Bridge, and a bizarre and peculiar investigation began that involved the taking of statements from every officer on the scene except Officer Robert Rhodes. The investigation was bizarre in that the OPR officers were only interested in evidence against Rhodes. The ample exculpatory evidence was curiously ignored. Officers

working that night who tried to make statements supporting Rhodes' actions were not only dissuaded from giving such statements, they were subjected to negative treatment by supervisors at the highest levels, and have since either successfully transferred out of CBP, or are still awaiting Homeland Security's approval for such transfers to other federal agencies.

Remarkably, Officers Zimmerman and Russell ended up giving variously inconsistent statements against Rhodes and claimed that while Zhao Yan was lying prone, he forcefully grabbed her by the hair and smashed her head against the ground and forcefully kned Zhao Yan in the head while Rhodes himself was kneeling at her head.

Within a day, Rhodes was arrested. Secretary of State Colin Powell and Secretary of Homeland Security Tom Ridge apologized to China for the "horrible incident" and promised the Chinese Government that the "Rhodes matter" would be given the highest priority. China had been denied Favored Nation Trading Status on the grounds of China's poor human rights record. China claimed that what happened at the Rainbow Bridge showed that the United States "was the barbaric nation, not China." Before the investigation was even nearly complete, and without any input from Rhodes, Secretary Ridge told Lan Lijun, Charge d'Affaires of the Chinese Embassy, that Rhodes' actions were "totally unacceptable."

United States Attorney Michael Battle publicly stated that he would see to it that Robert Rhodes was prosecuted to the fullest extent of the law. Within three (3) days, a grand jury was convened and Robert Rhodes was indicted. Remarkably, Battle assigned at least three Asst. US Attorneys as a matter of record to prosecute Rhodes, including Chief Litigator Martin Littlefield. A cadre of law clerks, paralegals and technical staff were assigned to the case as well. Organized crime and RICO prosecutions get fewer resources devoted to them than the Robert Rhodes case.

Rhodes retained attorney Steven M. Cohen from Lorenzo & Cohen in Buffalo, New York to defend him. He advised Cohen that there was nothing to worry about since the struggle with Zhao Yan took place under a surveillance camera that would quickly vindicate and exonerate him. Cohen immediately sent letters to Supervisors of Customs and Border Protection and to the Port of Buffalo and demanded that they preserve and provide copies of the videotapes. After more than a month, Cohen was advised that of the twenty-eight (28) cameras on the Rainbow Bridge, the only one that was not working was the camera under which the incident with Zhao Yan took place. Cohen demanded copies of all of the videotapes, and found one camera that recorded the other two women fleeing and separating, and being chased down by CBP Officers. Other cameras showed Zhao

Yan taking photographs at 11:08 pm in a “No Photo Zone” prior to the incident. Despite the fact that Zhao Yan went to great lengths to expose the film in her camera, and that she was taking photos of what was discovered to be a defective and unguarded stroller gate which would be of great interest to smugglers, the camera and its exposed film were returned to Zhao Yan after she made the telephone call.

The union was directed by management that they could not speak with Rhodes or Cohen without a federal attorney present, citing an obscure provision concerning arrested criminal defendants and the limitations of contact by CBP officers, which union representatives of course were. All of the witnesses were prohibited from speaking with Rhodes’ defense team, first by official notification, and later by intimidation once the union’s national office finally sent a letter complaining of this prohibition.

Shortly before the incident, the FBI publicly alerted the media and all Homeland Security agencies that they were investigating a Communist China based terrorist plot that was to take place in Boston, making the Rainbow Bridge a likely crossing spot for Chinese terrorists.

One month prior to the trial, despite a relatively lackluster resume, Battle was surprisingly promoted by Attorney General John Ashcroft to the prestigious position of Director of the Office of United States Attorneys in Washington, DC.

At trial, the medical testimony by all physicians, even those hired by the prosecution, had to concede that Zhao Yan was not seriously injured. She had no broken bones and only minor abrasions and bruises from Emmett Russell’s initial takedown of the suspect. The testimony of the physicians – including the prosecution’s physicians – supported the determination of Cohen’s use-of-force expert Michael Levine that if Rhodes had indeed grabbed Zhao Yan’s hair while she was prone and smashed her head against the pavement, her nose would have been broken. Her nose was in fact completely uninjured. The physicians all testified that even the most delicate orbital bones around the eyes were completely intact. Other than the abrasions and bruises from Emmett Russell’s initial takedown, Zhao Yan’s face suffered only from the temporary swelling and redness associated with the use of the pepper spray. Michael Levine testified that no significant force could have been generated by Rhodes for a knee strike while he was down on one or both knees. Indeed, there was a demonstration in the courtroom that the jury was urged to duplicate during its deliberations showing unequivocally that even a trained martial artist could not generate any measure of real force on a knee strike while down on one or both knees. Other than the pepper spray which is considered a “soft technique,” there was and is no credible evidence that Rhodes used anything other than mild force against Zhao Yan to

subdue her. Despite testimony from the prosecution's witnesses themselves that the level of force Rhodes used was well within the use-of force continuum applicable to federal law enforcement, the prosecution nevertheless maintained throughout the trial that Robert Rhodes used deadly physical force against Zhao Yan.

Zhao Yan herself maintained that she was beaten by all three officers, not any one in particular. Rhodes was the only officer charged.

Zhao Yan claimed alternatively that she was in the United States to purchase clothes, timber for a furniture making business, and fitness equipment. At trial, she stuck to the timber story. On cross examination, Rhodes' defense attorney revealed that Zhao Yan knew nothing at all about timber. Even the throngs of Chinese Nationals who came to court on a regular basis throughout the 3-week trial stopped coming once Zhao Yan's inconsistencies were revealed, and once the video was played that showed her two accomplices running away. It took the jury less than three hours to find Rhodes not guilty.

Rhodes was suspended from his job without pay the day of his arrest. When he was interviewed by The Dept. of Homeland Security to get his job back after the acquittal, the interviewers assigned were none other than the ICE-OPR agents that arrested him. Rather than the typical 45 minute interview, Rhodes was subjected to a 20 hour grilling over the course of 3 days where he was berated and advised to withdraw his application for reinstatement. After the second day, he brought his lawyer who was not allowed in the interview room and was forced to remain in the waiting room outside. His lawyer attempted to listen to what was going on in the interview room, and OPR supervisor Agent Robert Tevens bodily expelled Mr. Cohen from the building and attempted to have Mr. Cohen disbarred by complaint to the Attorney Grievance Committee for attempting to listen to the interview. Rhodes refused to withdraw his application, and was later officially terminated. He had to sell his house and still owes the majority of legal fees that totaled \$182,000. Prior to becoming a Customs and Border Protection Officer, Rhodes was a federal corrections officer. Having been a law enforcement officer his entire adult life, he has been unable to secure employment in that field due to his age, and his termination from CBP for use of excessive force.

U.S. v. David Sipe by Jack Wolfe, Esq

On April 5, 2000 at approximately 4:00am, David Sipe and other agents were working the area known as area 306 or the Pentias Pump. Sensors were activated alerting the agents of possible illegals crossing into the U. S. A short time later David spotted a group of approximately 15-20 aliens, he then shone his flashlight and ordered them to halt. Several broke and ran into the thick river brush. David was able to apprehend 3 of the aliens. He then went back into the brush at which time 3 more began to run. He gave chase and was able to catch the last in line by hitting him on the thigh with his 5 cell maglite, the alien went down but turned on David in a fighting stance, David crashed into the alien taking him down and straddling him. The other two aliens went to ground with in 10-15 feet of his location.

It was dark. He is by himself on top of one alien who is resisting arrest despite verbal commands and the application of the pressure point method to subdue the struggling alien. Two other aliens are with in ambush distance from David. At that time he struck the alien on the head (his only target) once to no avail a second time with the same result and finally a third time which cause the alien to stop and to submit. The third hit caused a gash on the aliens head which required five staples to close the wound.

Shortly thereafter agents Smith and Cruce arrived at the scene the other aliens stood up and David took them back to the patrol van and left the injured alien with Cruce and Smith.

The area where the incident took was very dark and over grown with mesquite trees, cactus and thick bamboo. This brush is thorny, thick and difficult to maneuver through or to see through.

The injured alien was walked back to the van, medical help was summoned by David and the alien was transported to the hospital and was treated for his wound, said treatment lasting about an hour and consisting of using 5 staples to close the wound. There were no other complications.

Immediately after returning to the station Agent Sipe prepared a detailed report concerning the incident. However the alien gave several conflicting statements and did not want to press charges but after he finally changed his story he was released from custody where he had been held as a material witness affidavit by U.S. Attorneys.

All three aliens were released and allowed to remain in the United States, given social security cards, work permits, transportation, witness payments, allowed to travel back and forth from the U.S. to Mexico. They now were able to accomplish legally what they were not able to accomplish illegally.

Jose Guevara, the injured alien, was a known alien smuggler and worked for the notorious “Goatman” a well-known aliens and narcotic smugglers, both lived a short distance from the Penitas Pump area. The night before, Guevara had been apprehended by agent Smith in the same area, after his arrest he tried to steal a female alien’s belonging and took umbrage when Agent Smith stopped his stealing.

On June 30, 2000, Fred Menner an attorney with the civil rights division of the Department of Justice prepared a memo to Albert N. Moshowitz, Chief of the Criminal Section of the Civil Right Division in which he stated... “This incident occurred at night while the victim was **RESISTING A LAWFUL ARREST** in a area that was very dark. ... The injury inflicted on the victim was relatively minor.” Additionally, Mr. Menner stated, “ a Jury may be reluctant to second guess a law enforcement officer under such **DIFFICULT CIRCUMSTANCES**.” However, the Civil Rights Division, in their ivory towers had no such misgivings and David Sipe was indicted in the later part of 2000 for violating the civil rights of Jose Guevara.

The Department of Justice decided to make a convicted felon and to imprison Border Patrol Agent Sipe, an agent who had arrested more than 3000 aliens without an incident, over his actions to arrest Guevara who was resisting arrest.

1st TRIAL

Having been an Assistant U.S. Attorney I was shocked by the lack of fairness and candor exhibited by the AUSA’s assigned to prosecute this case. Below is a listing of their shortcomings.

Failed to turn over photographs

Allowed alien witnesses to perjure themselves:

- A. *What they could see*
- B. *Refused to recognize their signatures on prior statements*

Failed to disclose of benefits given to aliens

Failed to turn over criminal record of government Witness

Failed to turn over subsequent offense report Guevara

Failed to disclose bias of Border Patrol witness

The senior Border Patrol agent was the nephew of the
“Goatman” employer of Guevara and alien witness

Claimed that Sipe abandoned Guevara

Claimed that Sipe hit Guevara for no lawful reason, when
they knew he was resisting arrest

Claimed that it was big gaping wound when they knew it was
relative minor wound

Suborned perjury... When govt. allowed Guevara to testify as
to why he lied to AUSA Perez, Guevara was allowed
to testify that he thought AUSA Perez was from I.N.S.

Play race card with code words designed to inflame Jury “You
don’t even treat a dog this way”

MOTION FOR NEW TRIAL

David Sipe was found guilty at the conclusion of the 1st trial.
However, based on the misconduct of the prosecutors (The Nifongs) the District
Judge, Ricardo H. Hinojosa granted a new trial. In his more than 20 years on the
bench Judge Hinojosa has never granted a new trial. However, the stench was too
much to ignore.

APPEAL TO THE FIFTH CIRCUIT

The government appealed the Court’s ruling to The Fifth Circuit of
Appeals. In a 2-1 decision The Circuit Courts affirmed the District Court’s ruling
and stated The United States prosecutors had indeed violated their duty and failed
to turn over relevant and exculpatory evidence to the defenses. The opinion of the
court outlines in some detail the deception **practiced by the prosecutors.

2ND TRIAL

The previous ruling of the Fifth Circuit greatly hampered the government's course of action in the 2nd trial. However, AUSA Perez and D.O.J. Bosserman still tried to continue the lie that Guevara was confused when he made prior false statement. This time however, the defense called as a witness Guevara's attorney, who was present at the meeting, and he clearly testified that there was no confusion as to who AUSA Perez was.

The jury in the 2nd trial found David Sipe not guilty after approximately 1 hour of deliberation. A juror contacted myself after the trial and was indignant that the government would waste the taxpayers' money by pursuing this type of action. Indeed, based on having been an AUSA for over eleven (11) years I estimated that the government spent well in excess of a million dollars on this witch hunt.

JOSE GUEVARA

Mr. Guevara is a well known alien smuggler and suspected narcotics smuggler. Although he is an illegal alien, he had a house and lived here illegally for many years, he spent time in U.S. jails for domestic violence and had been voluntarily returned to Mexico on numerous occasions. What is even more shocking is that he filed a lawsuit against our government and the U.S. Attorney office for the Southern District Of Texas (The same people who prosecuted David) paid him \$80,000.00 dollars. **A GOOD DAYS WORK!!**

WHY DID THIS HAPPEN!

Prior to and during both trials the Mexican Government was participating with the U.S. Department of Justice in order to have David Sipe, a U. S. Border Patrol Officer convicted.

The original charges were brought during the Clinton Administration and the Civil Rights Division was headed by a recess appointed attorney who hated law enforcement. The prosecution was continued under the Bush Administration because of our overriding interest in maintaining cordial relation with the Mexico. What is so disturbing is that our government is willing to sacrifice our own citizens and first line defenders for the purpose of maintaining relations with our "Neighbor to the South."

AFTER THOUGHT

In the first trial Fred Menner the D.O.J. prosecutor told the jury “THE UNITED STATES IS INTERESTED in being fair and up front and we want you to hear everything.”

- 1. They weren't fair in Indicting David Sipe**
2. They weren't fair in the 1st trial
3. They weren't fair in the 2nd trial
4. They aren't being fair now. They are refusing to re-instate David Sipe.

The government by and through their prosecutors abandoned their role as seekers of justice and tried to convict and jail a man that they knew was innocent.