

October 11, 2006

Attorney General Alberto Gonzales
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Gonzales:

We are writing to you with deep concern over an improper charge against U.S. Border Patrol agents Ignacio Ramos and Jose Alonso Compean.

Border Patrol agents Ramos and Compean were convicted of violating 18 U.S.C. §924(c). This statute makes it a crime to carry or use a firearm during commission of a violent or drug trafficking crime. Violations of the statute carry a mandatory sentence of no less than 10 years. Currently, this is the only charge facing both Ramos and Compean requiring mandatory prison time not to be served concurrently.

Yesterday, a motion to delay sentencing for Ramos and Compean was denied. Sentencing is now scheduled for Thursday, October 19th. We urge you to take any action you can to either delay this sentencing or have the 18 U.S.C. §924(c) charges dropped. This statute has historically been used in violent crime and drug trafficking cases. It has also been applied to law enforcement when necessary, however, based on past applications of §924(c) to law enforcement, it appears that its application in the present case is unwarranted.

When §924(c) is applied to law enforcement officers, it is in the context of heinous crimes, such as sexual assaults, which are clearly outside the realm of official duties. The application of §924(c) in this case is overly broad, setting a dangerous precedent of application to law enforcement officers trying to act within the scope of their official duties. Ramos and Compean were within the scope of their official duties when they fired at an illegal drug smuggler they believe to be armed and dangerous.

We strongly urge you to use your authority to dismiss the unnecessary and overzealous §924 (c) charge against these Border Patrol agents.

Sincerely,

Walter B. Jones
Member of Congress

Cc: George W. Bush, President of the United States
Honorable James F. Sensenbrenner, Chairman, Committee on Judiciary