

Misrepresentation

In the case of two rogue Border Patrol agents, the truth has been sacrificed to unprincipled lies.

HOUSTON CHRONICLE

Copyright 2007 Houston Chronicle

Editorial

Aug. 7, 2007, 9:05PM

A public servant's first duty, like any citizen's, should be to the truth. But some members of Congress see nothing wrong with distorting the facts in order to mislead the public, while others choose to remain willfully ignorant and misinformed.

A recent and disgraceful example involves agitation in Congress to reduce the prison sentences of two rogue Border Patrol agents who are serving 11 and 12 years, respectively.

U.S. Rep. Duncan Hunter, R-Calif., told members of a conservative political action committee that the two agents are serving harsh sentences because they "winged" a fleeing drug smuggler. That is false, and Duncan no doubt knows it. The agents, Ignacio Ramos and Jose Compean, are in prison because they failed to report the shooting, lied to investigators, tried to conceal evidence and filed a false report with their supervisors.

The sentences are harsh, but the agents, knowing their guilt, could have pleaded guilty to lesser charges and received lighter sentences. As the prosecutor, U.S. Attorney Johnny Sutton, has explained over and over to anyone who would listen, the former agents chose to roll the dice in a jury trial. The clear-eyed jurors convicted them. One of the counts against them, obstruction of justice in a case involving a firearm, carries a mandatory 10-year sentence.

The same Congress that passed the law requiring the harsh sentence is now home to those saying the sentence is unjustified. Why doesn't Congress, instead of posturing, reduce harsh sentences for nonlethal crimes where appropriate?

The House last month casually passed, by voice vote, an amendment sponsored by U.S. Rep. Ted Poe, R-Humble. The amendment would forbid the federal prison system from using federal money to imprison Ramos and Compean. As Sen. John Cornyn of Texas, a sensible former jurist, agreed, the amendment would be an inappropriate (and almost certainly unconstitutional) intrusion into the executive and judicial branches' business. If allowed to stand, the precedent would allow Congress to free any of its crooked cronies who had been convicted. Under the Constitution, only the president has that power.

When Poe was a state district judge in Houston, he was known for his stiff sentences for crooks and outlandish punishment of minor offenders. Now, in a complete and opportunistic turnabout, he wants to coddle crooked cops.

Some members of the public rail that the brave agents are in prison while the drug dealer they shot goes free. As Sutton noted, the reason the suspected dealer is free is because the agents shot at him 15 times, wounded him, then tried to cover up the incident and lied.

Those who have made Ramos and Compean into a cause célèbre raise but fail to answer this question: Why have they chosen to make deceitful law enforcement officers their darlings?