



**U.S. Department of Justice
U.S. Attorney's Office
Western District of Texas**

Johnny Sutton, U.S. Attorney

FOR IMMEDIATE RELEASE

Shana Jones, Special Assistant
Daryl Fields, Public Information Officer
(210) 384-7452

November 15, 2007

**OSVALDO ALDRETE DAVILA HAS BEEN INDICTED AND ARRESTED ON DRUG
SMUGGLING CHARGES**

Statement of United States Attorney Johnny Sutton

Today, I am pleased to announce the indictment and subsequent arrest of Osvaldo Aldrete Davila on drug smuggling charges. He was arrested by agents of the Drug Enforcement Administration and the Department of Homeland Security-Office of Inspector General at the Ysleta Port of Entry in El Paso, Texas, on a sealed indictment charging him with conspiracy to possess with intent to distribute marijuana, and with possession with intent to distribute marijuana in September and October 2005.

For more than a year, critics of the prosecution of former Border Patrol Agents Jose Compean and Ignacio Ramos have complained that Aldrete, the fleeing, unarmed drug smuggler they shot, should have been prosecuted for drug smuggling. I have repeatedly said that if we obtained sufficient competent and admissible evidence against Aldrete, we would prosecute him. Members of my office have worked closely with agents of the Drug Enforcement Administration for many months to investigate Aldrete's alleged involvement in drug trafficking. As is our practice, we did not publicly discuss our on-going investigations because we did not want public disclosure of the information we had gathered to interfere with the investigation.

Recently, our efforts with DEA have led us to additional evidence about Aldrete's participation in drug smuggling, which we presented to an El Paso federal grand jury. The grand jury returned a sealed indictment naming Aldrete on October 17, 2007.

Just as Aldrete's alleged illegal conduct did not excuse the crimes committed by Compean and Ramos, likewise, their crimes will not excuse his. Compean and Ramos had their day in court and received justice in accordance with well established laws. Now, Aldrete will have his day in court and my office will work tirelessly to ensure that justice is done.

An indictment is a formal accusation of criminal conduct, not evidence of guilt. The defendant is presumed innocent unless and until convicted through due process of law.

#####