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Politics

Protesters want federal prosecutor out the door

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Even after he put him in prison for more than two years, Gary Brugman doesn't hate Johnny Sutton.

But thousands of others across the country feel differently, professing a deep abhorrence for Sutton, the top federal law enforcer in San Antonio as the U.S. attorney for the Western District of Texas.

Appointed to the job a month after the 9-11 attacks by longtime friend President Bush, Sutton has in recent months become the target of anti-illegal-immigration groups who say he's leading an unjust campaign against law enforcement officers, particularly Border Patrol agents, such as Brugman before he was convicted of using excessive force.

The most moderate among this hodge-podge group of dissenters would like to see Sutton out of his job. Others have sent him anonymous death threats.

On Saturday, hundreds of activists are expected to descend on Sutton's San Antonio office to call for the prosecutor's ouster and to demand pardons for officers Sutton has sent to prison.

"We cannot have American heroes jailed for no good reason," said Schuyler Crist, director of the fledgling San Antonio chapter of the Minuteman Civil Defense Corps, a group fighting illegal immigration, who's helping organize Saturday's protest.

Sutton steadfastly dismisses critics, labeling them as misinformed or misguided.

Though still bitter over his own dealings with Sutton, Brugman wanted nothing more than to put the past behind him and jump-start his life after prison.

However, he said he ditched that plan after seeing Sutton produce a steady stream of investigations, prosecutions and convictions of other Border Patrol agents.

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Protesting SuttonAnti-illegal immigration groups from Phoenix, Houston and San Antonio are organizing a rally calling for the ouster of Johnny Sutton, U.S. attorney for the Western District of Texas, amid accusations that the prosecutor has launched a vendetta against Border Patrol agents.

WHEN: noon Saturday

WHERE: Sutton's office, 601 N.W. Loop 410

Speakers will include Gary Brugman, a convicted former border agent now living in San Antonio.

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The case that put Sutton in the national spotlight was last year's conviction of former agents José Compean and Ignacio Ramos. Each was sent to prison for more than a decade for shooting a fleeing undocumented immigrant who was suspected of being involved in drug trafficking.

Outrage over the case prompted angry responses from activist groups and leaders in Washington, who labeled the convictions an injustice.

Such attention is a far cry from the case of Brugman, who was seen as a guinea pig since his was the first of at least four prosecutions that Sutton successfully pursued against officers.

Brugman, 40, moved to San Antonio last year after his release from prison and found work at a local Harley-Davidson dealership.

He said he could have used the fanfare that cases after him received, but after trying to draw attention, he barely mustered support from the union that represents border agents.

It was on the night of Jan. 14, 2001, when Brugman, assigned to the Border Patrol station in Eagle Pass, said he and other agents chased a group of several suspected illegal crossers for more than a mile.

According to his account, Brugman initially lost sight of the group but another agent was able to catch them. By the time he arrived, said Brugman, the other agent, a rookie, appeared to not have full control of the situation and some migrants appeared ready to lunge at him from behind.

Brugman said he ran to the group and used his foot to push two migrants to the ground.

The use of force was in accordance to his training, he said, and the migrants were not injured. Yet the altercation was the basis of Sutton's case against Brugman, who was charged with using excessive and unnecessary force. He was convicted in 2002 and sentenced to 27 months in prison.

To this day, Brugman said he does not know why Sutton targeted him. He never denied his actions, but he never thought what he saw as merely doing his job would earn him the label of convicted felon.

"I told the truth, and the truth sunk me," said Brugman, who is scheduled to speak at Saturday's rally. "I was a good agent. Funny thing is, Johnny Sutton says that no one in law enforcement is above the law. I guess he's the exception."

Now a veteran of such accusations, Sutton energetically denies them and seems willing to patiently explain that he cannot simply look the other way when strong evidence points to wrongdoing by officers.

The accused agents had a chance to tell their stories in court but juries were not convinced, said Sutton, noting that "99.99 percent" of border agents are indeed heroes, with a few proving to be the exception.

Brugman stands in that category, said Sutton, for violently attacking detained migrants who had surrendered.

"We work with border agents every day — they're our co-workers, our friends," said Sutton, who said he has no plans to resign. "But occasionally they step over the line."

The issue seems to be just where that line is drawn.

One of Brugman's former colleagues, who was present that fateful January night in Eagle Pass, said he didn't think any crime was committed.

Remberto Pérez Jr. said he was too far away to see the incident but that none of the migrants was badly bruised. At most, Brugman may have deserved an administrative rebuke, not prison, Pérez said.

As a result, he noted, many agents are now worried that they, too, could unjustly land behind bars.

"Many of us are now wondering if we'll get in trouble for pulling our guns," said Pérez, who still works with the Border Patrol. "But if you're not ready to cross that bridge, you may not come home one of these nights."

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