



# NATIONAL CONGRESS OF AMERICAN INDIANS

October 12, 2015

The Honorable Barack Obama  
President of the United States  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

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## NCAI HEADQUARTERS

1516 P Street, N.W.  
Washington, DC 20005  
202.466.7767  
202.466.7797 fax  
www.ncai.org

## Re: Support for Reconciliation and Clemency for Leonard Peltier

Dear President Obama:

We submit this letter in support of the clemency petition of Leonard Peltier, who has served almost 40 years in prison for the murders of FBI Special Agents Jack Coler and Ronald Williams on the Pine Ridge Reservation in South Dakota. As the oldest, largest and most representative national Indian organization, we have passed numerous resolutions over the years and have a standing position of support for the exercise of Executive Clemency for Leonard Peltier. We respectfully urge you to consider all of the factors surrounding the investigation and prosecution of Leonard Peltier and to issue an Executive Order of Clemency, in the interests of justice, that both honors the lives of the young agents, but also sends a message to Indian Country that if things could be done over, they would be done differently.

We specifically urge you to recognize that Mr. Peltier's ongoing incarceration remains a powerful symbol of the federal government's unfair treatment of its Indigenous Peoples. The case was specifically mentioned as an unresolved issue that has eroded faith in the justice system throughout Indian Country in the 2012 report on the Status of Indigenous Peoples in the United States of America, authored by United Nations Human Rights Rapporteur James Anaya.

Mr. Peltier's conviction cannot be considered in isolation: it must be evaluated in the context of the 1970s landscape of the murders of Lakota people on the Pine Ridge Reservation that went unaddressed by the FBI, the hostile and dangerous environment on the Pine Ridge Reservation, the indefinitely postponed human and civil rights investigations that were scheduled to take place into FBI conduct prior to the shootings -- which never took place.

As you know, countless humanitarians, courts, Amnesty International, many of your fellow Nobel Laureates and legal scholars have carefully analyzed the case and determined that there were multiple instances of wrongdoing throughout the investigation and prosecution of the case. We see no benefit in attempting to relitigate guilt or innocence at this stage but wish to emphasize the significance of this case throughout Indian Country and why reconciliation is needed.

Mr. Peltier has been incarcerated for nearly 40 years for a crime where his alleged co-conspirators were acquitted by a jury on the grounds of self-defense. We respectfully submit that after 40 years of incarceration, the time is right for the discretionary exercise of Clemency and to put this matter to rest.

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Mr. President, you are faced with a profound opportunity to build upon all of the wonderful work you have done addressing the inequalities that continue to face the first peoples across this nation and addressing the history of oppression and distrust. By granting Executive Clemency to Leonard Peltier you will be sending a statement to the world that going forward America will not sanction injustices and unfairness towards indigenous peoples.

Your past support and action on issues important to our peoples is deeply appreciated and we now ask that you exert your leadership once again on Mr. Peltier's behalf by the issuance of an Executive Order of Clemency that allows him to return to his homeland for his final years.

Thank you for the considerable time and effort you are giving to this important decision. We thank you for your leadership and efforts for Indian tribes and Native people across the country.

Sincerely,

A handwritten signature in cursive script that reads "Brian Cladoosby". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Brian Cladoosby



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #PDX-11-082

### TITLE: RESOLUTION TO SECURE THROUGH PRUDENT MEANS AN AWARD OF EXECUTIVE CLEMENCY FOR LEONARD PELTIER

#### EXECUTIVE COMMITTEE

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*Tlingit*

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**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, Leonard Peltier was convicted and sentenced to two consecutive life terms in connection with the shooting deaths of two agents of the Federal Bureau of Investigation (FBI); and

**WHEREAS**, appellate courts have repeatedly acknowledged evidence of U.S. government misconduct—including knowingly presenting false statements to a Canadian court to extradite Mr. Peltier to the United States, forcing witnesses to lie at trial, and hiding ballistics evidence reflecting Mr. Peltier's innocence from the jury; and

**WHEREAS**, according to official court records, the United States prosecutor in the Peltier case has twice admitted that no one knows who fired the fatal shots; and

**WHEREAS**, Leonard Peltier has maintained his innocence, yet expressed remorse for the loss of life for the federal agents and the young American Indian man killed on June 26, 1975; and

**WHEREAS**, Leonard Peltier is an accomplished author and artist and is renowned for his humanitarian achievements for which, in 2009, he was nominated for the Nobel Peace Prize for the sixth consecutive year; and for which he has been awarded the Human Rights Commission of Spain International Human Rights Prize (1986); North Star Frederick Douglas Award (1993); Federation of Labour (Ontario, Canada) Humanist of the Year Award (2003); Silver Arrow Award for Lifetime Achievement (2004); First Red Nation Humanitarian Award (2009); Kwame Ture Lifetime Achievement Award (2010); Fighters for Justice Award (2010); and Mario Benedetti Foundation (Uruguay) - First International Human Rights Prize (2011); and

**WHEREAS**, Leonard Peltier has fulfilled his federal sentencing guideline requirements and maintained a clean prison record for 15+ years yet, on August 21, 2009, the U.S. Parole Commission denied his application for parole; and

**WHEREAS**, Leonard Peltier is a great-grandfather who is 67 years old and in poor health, and at risk for premature death due to his harsh living environment; and

**WHEREAS**, Leonard Peltier's unjust imprisonment has been recognized by national and international human rights organizations, luminaries and dignitaries, 55 Members of the U.S. Congress and others—including a judge who sat as a member of the court in two of Peltier's appeals—who have all called for his immediate release; and

**WHEREAS**, the NCAI previously has adopted resolutions requesting Executive Clemency for Leonard Peltier and, in 1999, supported the Assembly of First Nations in the same; and

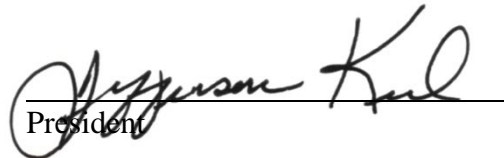
**WHEREAS**, the NCAI acknowledges that the authority to grant clemency belongs only to the President of the United States (under Article II, Section 2 of the U.S. Constitution) and, while an unconditional commutation of Mr. Peltier's sentence is most desirable, supports consideration of conditions of release including releasing Leonard Peltier on house arrest or into the custody of the Turtle Mountain Band of Chippewa Indians, a sovereign nation.

**NOW THEREFORE BE IT RESOLVED**, that the NCAI welcomes the opportunity to directly develop a strategy with members of his legal defense team, as well as the Turtle Mountain Band of Chippewa Indians, to secure Leonard Peltier's freedom; and plan and coordinate a meeting with President Barack Obama and/or members of his Administration to secure a grant of Executive Clemency to Leonard Peltier on constitutional and overriding human rights and compassionate grounds; and

**BE IT FURTHER RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

#### CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2011 Annual Session of the National Congress of American Indians, held at the Oregon Convention Center in Portland, Oregon on October 30 – November 4, 2011, with a quorum present.

  
\_\_\_\_\_  
President

**ATTEST:**

  
\_\_\_\_\_  
Recording Secretary