



CROW CREEK SIOUX

TRIBAL RESOLUTION

RECEIVED
CROW CREEK AGENCY
FORT THOMPSON
2014 FEB -6 AM 10:17

NUMBER: #CC-14-02-03-05

SUBJECT: MOTION TO AUTHORIZE & APPROVE TO SECURE THROUGH PRUDENT MEANS AN AWARD OF EXECUTIVE CLEMENCY FOR LEONARD PELTIER

WHEREAS: THE CROW CREEK SIOUX TRIBAL COUNCIL IS THE OFFICAL AND GOVERNING BODY OF AND FOR THE CROW CREEK SIOUX RESERVATION; AND,

WHEREAS: UNDER THE CONSTITUTION AND BY LAWS OF THE CROW CREEK SIOUX TRIBE, THE TRIBAL COUNCIL IS EMPOWERED AND AUTHORIZED TO ENACT RESOLUTIONS AND ORDINANCES GOVERNING THE MANAGEMENT OF ALL ECONOMIC AND EDUCATIONAL AFFAIRS AND ENTERPRISES OF THE TRIBE; AND,

WHEREAS: THE CROW CREEK SIOUX TRIBAL COUNCIL HAS THE AUTHORITY AND RESPONSIBILITY TO OVERSEE ALL TRIBAL MATTERS ON THE CROW CREEK SIOUX INDIAN RESERVATION; AND; AND,

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 OF 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 OROGANIZATION 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 A 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 25, 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 IN 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; AND,

NOW THEREFORE BE IT RESOLVED: THAT THE CROW CREEK SIOUX TRIBAL COUNCIL ASSEMBLED IN SPECIAL SESSION THIS 3RD DAY OF FEBRUARY, 2014. DO HEREBY MOTIONS TO AUTHORIZE & APPROVE 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 OF MODIFIED BY SUBSEQUENT RESOLUTION.

MOTION: L. PEASE, JR.

SECOND: W. MCGHEE

VOTE: -6- FOR: W. MCGHEE, T. ABERNATHY, L. PEASE, JR.

-3- ABSENT: E. BIG EAGLE, SR. - W. BIG EAGLE (EXCUSED)

-2- NOT VOTING: R. HAWK, SR.

CHAIRMAN BRANDON SAZUE, SR., CHAIRING THE MEETING

CERTIFICATION

THIS FOREGOING RESOLUTION WAS DULY ADOPTED BY THE CROW CREEK SIOUX TRIBAL COUNCIL ON THE 3RD DAY OF FEBRUARY, 2014 IN A **SPECIAL** SESSION BY A VOTE OF -6- FOR, -0- AGAINST, -3- ABSENT, -2- NOT VOTING FOR THE CROW CREEK SIOUX TRIBE, PURSUANT TO AUTHORITY VESTED IN IT BY ARTICLE VI, SECTION 1 OF THE CONSTITUTION OF THE TRIBE, RATIFIED BY THE TRIBE ON MARCH 11, 1949 AND APPROVED BY THE SECRETARY OF THE INTERIOR ON APRIL 26, 1949 AND WITH AMENDMENTS APPROVED BY THE COMMISSIONER OF INDIAN AFFAIRS ON JUNE 22, 1961, FEBRUARY 25, 1963 AND BY THE AREA DIRECTOR ON JUNE 23, 1980.

ATTEST:

CHAIRMAN  BRANDON SAZUE, SR.

TRIBAL SECRETARY  TERRY ABERNATHY

Prepared by: 

Deb Attikai, Recording Secretary

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