President Barack Obama
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Petition for a Grant of Executive Clemency to Leonard Peltier

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Leonard Peltier, an innocent man, was convicted for the 1975 shooting deaths of two agents of the Federal Bureau of Investigation (FBI). U.S. prosecutors have repeatedly admitted that they did not and cannot prove Peltier's guilt and the appellate courts have cited numerous instances of investigative and prosecutorial misconduct in this case.

As late as November 2003, the 10th Circuit Court of Appeals acknowledged that "...Much of the government's behavior at the Pine Ridge Reservation and in its prosecution of Mr. Peltier is to be condemned. The government withheld evidence. It intimidated witnesses. These facts are not disputed."*[1]*

Other opinions:

"The use of the affidavits of Myrtle Poor Bear in the extradition proceedings was, to say the least, a clear abuse of the investigative process by the FBI."*[2]*

"[W]e find that the prosecution withheld evidence from the defense favorable to Peltier, and that had this evidence been available to the defendant it would have allowed him to cross-examine certain government witnesses more effectively."*[3]*"

[T]he FBI used improper tactics in securing Peltier's extradition from Canada and in otherwise investigating and trying the Peltier case. Although our court decided that these actions were not grounds for reversal, they are, in my view, factors that merit consideration in any petition for leniency filed . . . We as a nation must treat Native Americans more fairly . . . Favorable action by the President in the Leonard Peltier case would be an important step in this regard."*[4]*

The courts claim they lack the power to right this wrong. But, as President, you can.

In this case, your concern should be for equal treatment. From the time of Peltier's conviction until the mid-1990s, according to the Bureau of Justice Statistics, the average length of imprisonment served for homicide in the United States ranged from 94 to 99.8 months. Even if you were to take Peltier's two consecutive life sentences into account at the higher end of this range, it is clear that Peltier should have been released a very long time ago. His continued imprisonment after 40 years appears to be nothing less than revenge for a crime Mr. Peltier did not commit. Personalized and politically motivated vengeance of this kind cannot be tolerated. The concepts of justice and good government require that you act to correct this wrong.

Peltier has served his time. Even by the government's own definition, he has already been imprisoned for a lifetime. In that time, he has missed the simplest things of ordinary life—having dinner with friends, taking walks in the woods, gardening, children's laughter, dogs barking, the feel of rain on his face, the sound of birds singing... winter and summer and spring and fall. He has missed seeing his children and grandchildren grow up. They suffer, too. Mr. Peltier is now a great-grandfather. How many more generations must suffer this tragedy?

After careful consideration of the facts in Mr. Peltier's case, we have concluded that Leonard Peltier does not represent a risk to the public. First, Mr. Peltier has no prior convictions and has advocated for non-violence throughout his prison term. Furthermore, Mr. Peltier has been a model prisoner. He has received excellent evaluations from his work supervisors on a regular basis. He continues to mentor young Native prisoners, encouraging them to lead clean and sober lives. He has used his time productively, disciplining himself to be a talented painter and an expressive writer. Although Mr. Peltier maintains that he did not kill the agents, he has openly expressed remorse and sadness over their deaths.

Most admirably, Mr. Peltier contributes regular support to those in need. He donates his paintings to charities including battered women's shelters, half way houses, alcohol and drug treatment programs, and Native American scholarship funds. He also coordinates an annual gift drive for the children of the Pine Ridge Indian Reservation a successful program that, in 2006, expanded to include other reservations throughout the country.

Leonard Peltier is widely recognized in the human rights community for his good deeds and in turn has won several human rights awards including the North Star Frederick Douglas Award; Federation of Labour (Ontario, Canada) Humanist of the Year Award; Human Rights Commission of Spain International Human Rights Prize; 2004 Silver Arrow Award for Lifetime Achievement; and 2009 Red Nation Humanitarian Award. In 2009, for the sixth consecutive year, Mr. Peltier also was nominated for the Nobel Peace Prize.

Leonard Peltier is over 70 years old and his health is deteriorating. He has suffered a stroke which left him partially blind in one eye. For many years, Peltier had a seriously debilitating jaw condition which left him unable to chew properly and caused consistent pain and headaches. Today, Mr. Peltier continues to suffer from diabetes, high blood pressure, and a heart condition. He risks blindness, kidney failure, stroke, and certainly premature death given his diet, living conditions, and health care.

We, the undersigned, say enough is enough, Mr. President. Do the right thing. Grant Executive Clemency to Leonard Peltier right away.

Thank you for giving fair consideration to Leonard Peltier.

[1] *Per Curiam* Opinion by Circuit Judge Seymour and Senior Circuit Judges Anderson and Brorby, *Peltier v. Booker*, 348 F.3d 888, 896 (10th Cir. 2003).
[2] Hon. Donald Ross, writing for the Court in *United States v. Peltier*, 585 F.2d 314, 335 n.18 (8th Cir. 1978).
[3] Hon Gerald Heaney, writing for the Court in *United States v. Peltier*, 800 F.2d 772, 775 (8th Cir. 1986).
[4] Hon. Gerald Heaney Letter to Sen. Daniel Inouye (Apr. 18, 1991).

Sign	**Print Name**	**Address**	**City, State**	**E-mail/Phone**

Sign	Print Name	Address	City, State	E-mail/Phone