



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE SUPPORT FOR AWARD OF EXECUTIVE CLEMENCY FOR LEONARD PELTIER

RESOLUTION 03-18-14E

WHEREAS, on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and

WHEREAS, the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, pursuant to the Indian Reorganization Act of 1934; and

WHEREAS, Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") gives the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and

WHEREAS, Article V, Section 2(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and

WHEREAS, Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; 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

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- 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 for his immediate release; and
- WHEREAS,** the General Assembly of the National Congress of American Indians adopted Resolution #PDX-11-082 To Secure through Prudent Means an Award of Executive Clemency for Leonard Peltier in 2011 at its Annual Session; and
- WHEREAS,** the Ho-Chunk Nation 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).

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, hereby supports the award of Executive Clemency to Leonard Peltier on constitutional and overriding human rights and compassionate grounds.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13** members of whom **12** constituting a quorum were present at a meeting duly called and convened and held that on the **18th day of March, 2014**, adopted the foregoing resolution at said meeting by an affirmative vote of **3** members, **0** opposed, and **9** abstaining, pursuant to the Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation, approved by the Secretary of the Interior on November 1, 1994, and that the foregoing resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

Kathleen Lone Tree-Whiterabbit
Kathleen Lone Tree-Whiterabbit, Tribal Secretary

3.18.14
Date