



International Leonard Peltier Defense Committee
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THE CASE OF LEONARD PELTIER

An innocent man, Leonard Peltier is a Native American activist charged in connection with the deaths of two agents of the Federal Bureau of Investigation (FBI) in an incident that took place on the Pine Ridge Indian Reservation, South Dakota, on June 26, 1975. Government documents show that, without any evidence at all, the FBI decided from the beginning of its investigation to "lock Peltier into the case."

The Jay Treaty, ratified by the U.S. and Canada, provides that American Indians be allowed to cross the U.S.-Canadian border at will. Well after the shootings, as he was accustomed to doing, Mr. Peltier legally crossed the border into Canada. At the request of the U.S. government, he was arrested in British Columbia in February 1976. Fearing he wouldn't receive a fair trial in the U.S., Mr. Peltier applied for asylum.

U.S. prosecutors knowingly presented false statements to a Canadian court to extradite Mr. Peltier to the U.S. The statements were signed by a woman who was forced by FBI agents to say she was an eyewitness. The government has long since admitted that the woman was not present during the shootings.

Meanwhile (in Cedar Rapids, Iowa) the jury in the trial of Leonard's co-defendants found that the Indian activists had a right to be on the Pine Ridge Indian Reservation and were not engaged in unlawful activity. There was no evidence that they either provoked an assault or were the aggressors in one. In light of the terror on the Pine Ridge Reservation during the previous three years, the history of misconduct on the part of the FBI in cases involving Indian activists, and the reckless behavior of the agents on June 26, 1975, the jury decided that Mr. Peltier's co-defendants were not guilty by reason of self-defense. Had Leonard been tried with his co-defendants, he also would have been acquitted.

Unhappy with the outcome of that trial, prosecutors set the stage for Mr. Peltier's conviction. His trial was moved to an area known for its anti-Indian sentiment—Fargo, North Dakota. The trial judge had a reputation for ruling against Indians, and a juror is known to have made racist comments during Mr. Peltier's trial.

FBI documents prove that the prosecution went so far as to manufacture the so-called murder weapon. A test showed that the gun and the shell casings entered into evidence didn't match, but the FBI and prosecutors hid this fact from the jury.

The trial judge most often ruled in favor of the prosecution and the Peltier jury never heard the majority of the evidence that had been presented at the Cedar Rapids trial. Robbed of the ability to adequately defend himself, Mr. Peltier was convicted and sentenced to two life terms.

According to court records, the United States Attorney who prosecuted the case has twice since admitted that no one knows who fired the fatal shots.

Although the courts have acknowledged evidence of government misconduct—including forcing witnesses to lie and hiding ballistics evidence reflecting his innocence—Mr. Peltier has been denied a new trial. He is long overdue for parole.

Nelson Mandela, the late Mother Theresa, 55 Members of Congress and others—including a judge who sat as a member of the Court in two of Mr. Peltier's appeals—have all called for his immediate release.

Mr. Peltier has now served over 40 years in prison. He is an elderly man and his health is deteriorating. He has suffered a stroke which left him partially blind in one eye. Mr. Peltier continues to suffer from diabetes, high blood pressure, and a heart condition. He recently has been diagnosed with an abdominal aortic aneurysm. According to an affiliate of Physicians for Human Rights, Mr. Peltier risks blindness, kidney failure, and stroke given his inadequate diet, living conditions, and health care.

Despite extreme hardship, Mr. Peltier has made remarkable contributions to humanitarian and charitable causes during his many years in prison:

- Mr. Peltier has played a key role in getting people from different tribes, with a history of animosity, to come together in peace. He advocates for peaceful resolution of all issues that deal with Native Americans and respect for the rights of others.
- Mr. Peltier has worked with Dr. Steward Selkin on a pilot program on the Rosebud Reservation, the Leonard Peltier Health Care Reform Package, to document needs and requirements for delivery and care. The ultimate intent of the program is to fundamentally alter health care delivery on reservations throughout the U.S.
- He has worked with Professor Jeffery Timmons on a program to stimulate reservation-based economics and investments in Native American business enterprises, including a component to teach business ownership and operation to the young people of First Nations.
- In 1992, Leonard Peltier established a scholarship at New York University for Native American students seeking law degrees. He also was instrumental in the establishment and funding of a Native American newspaper by and for Native young people in Washington State. In addition to having raised two of his grandchildren from prison, Mr. Peltier has been a sponsoring father of two children through ChildReach, one in El Salvador and the other in Guatemala. Every year, he sponsors a Christmas food and gift drive for the children of Pine Ridge. Peltier also serves on the Board of the Rosenberg Fund for Children.
- Mr. Peltier also organized an emergency food drive for the people of Pohlo, Mexico, in response to the Acteal Massacre. He frequently contributes to Head Start programs and domestic violence shelters to address funding shortfalls.
- Peltier has helped several Indian prisoners rehabilitate themselves by advocating a drug- and alcohol-free lifestyle while encouraging pride and knowledge in their culture and traditions. He also has worked to develop prisoner art programs thereby increasing prisoners' self-confidence.
- Leonard Peltier donates his artwork to several human rights and social welfare organizations to help them raise funds. Most recently, recipients have included the American Civil Liberties Union; Trail of Hope (a Native American conference dealing with drug and alcohol addiction); World Peace and Prayer Day; the First Nation Student Association; and the Buffalo Trust Fund.
- To date, Leonard Peltier has been nominated for the Nobel Peace Prize seven times. He is widely recognized for his humanitarian works and has been awarded a number of human rights prizes. Most recently, Mr. Peltier received the 2015 Defender of Pachamama (Mother Earth), awarded by President Evo Morales of Bolivia; and the 2016 Frantz Fanon Prize, awarded by the Frantz Fanon Foundation in France.

On February 17, 2016, Mr. Peltier formally applied for a grant of Executive Clemency, i.e., commutation of his sentences. His life is now in the hands of President Barack Obama.

WHAT YOU CAN DO

Ask for Clemency for Leonard Peltier

Call President Obama for Leonard Peltier: 202-456-1111 or 202-456-1414; email President Obama: <http://www.whitehouse.gov/contact/submit-questions-and-comments>; post a comment on Obama's Facebook page: <https://www.facebook.com/potus/> or message him at <https://www.facebook.com/whitehouse> (or <https://m.me/whitehouse>); send a tweet to President Obama: @POTUS or @WhiteHouse; and/or write a letter: President Barack Obama, The White House, 1600 Pennsylvania Avenue NW, Washington, DC 20500.