

# VOLUME I

## THE EXTRADITION OF LEONARD PELTIER FROM CANADA

Professor Dianne L. Martin\*  
Osgoode Hall Law School  
York University  
4700 Keele Street  
North York, Ontario  
Canada  
M3J 1P3  
(416) 736-5030

For the Leonard Peltier Defence Committee Canada  
43 Chandler Drive  
Scarborough, Ontario  
Canada  
M1G 1Z1  
(416) 439-1893

\* With the Assistance of Robert Christie and Matt Stone  
Aboriginal Law Students Association, Osgoode Hall Law School

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This examination of the Leonard Peltier case considers his extradition from Canada as representing the Canadian role in an imprisonment now widely seen as unjust. The analysis provides a chronological account of the entire case, from the facts and the events leading up to the extradition to the refusal of courts and governments to examine the issues that have been raised. Wherever possible the actual document or source relied upon is provided. Note that Mr. Peltier and his counsel did not always have the information or evidence when it was available.

## **I. THE HISTORY OF THE FIREFIGHT AT PINE RIDGE INDIAN RESERVATION ON JUNE 26, 1975**

Leonard Peltier is serving consecutive life terms for the shooting of two F.B.I. agents on June 26, 1975 on the Pine Ridge Indian Reservation in South Dakota, U.S.A.. Although he has always maintained his innocence in the shooting deaths, he has also always acknowledged his part in the Lakota Sioux struggle as a prominent member of the American Indian Movement (AIM). The role of AIM in the struggles of American Aboriginal peoples, and the response of the American government and the F.B.I. to that role, is an essential part of the background to the June 26, 1975 firefight, the deaths of the agents, and the extradition and conviction of Leonard Peltier.<sup>1</sup> The Pine Ridge Indian Reservation in South Dakota has a long and bloody history of resistance to and violence from the U.S. government and its agents. The conditions for that violence persist into the present.

### 1. 1890 to May 7, 1973

On **December 17, 1890** Pine Ridge was the site of the legendary massacre of hundreds of Lakota women and children by U.S. soldiers at Wounded Knee.

On **February 27, 1973** AIM joined Lakota Sioux traditional opposed to the Bureau of Indian Affairs (BIA) tribal government's



policies and corruption in a peaceful demonstration at the Wounded Knee massacre site, with the small church in the village as the focal point.

Within hours the camp was surrounded by F.B.I. armed tribal police, the self styled Guardians of the Oglala Nation or GOONS, F.B.I. and U.S. Marshalls in an attempt to force the demonstrators, out. Within days, these government forces were joined by the U.S. army with air support, 17 Armored Personnel carriers, grenade launchers, thousands of rounds of explosives and a 24 hour ready assault team. This unprecedented and massive use of the army against American citizens was quite accurately known around the world as the "siege" of Wounded Knee and commanded extensive publicity, largely critical of the U.S. government. However despite public concern army F.B.I. U.S. Marshalls and GOON efforts to remove the occupiers continued.

On **April 17, 1973** an all out assault was made on the camp. At least 4000 rounds of armour piercing bullets were fired that day, mostly directed at the church. Frank Clearwater, an Apache from North Carolina who had just arrived at camp was killed and five AIM members wounded - by government fire.

On **April 26, 1973** concerted firing began again and on April 27, 1973 Aim member Buddy Lamont was fatally wounded. He bled to death while AIM medics were fired on and were unable to reach him.

On **May 7, 1973** the siege ended when AIM members and their supporters left Wounded Knee<sup>2</sup> but the violence experienced by the residents of Pine ridge did not. Dozens of murders were committed on the reserve from 1972 to 1975 which were never solved despite the massive F.B.I. presence in the area; fights, intimidation of all sorts, and gunplay were a daily occurrence. Many attributed the deaths and beatings to the F.B.I. supported GOONS.<sup>3</sup>

There is little question that the F.B.I.'s dealings with AIM and with the traditional Lakota raised many questions. In 1975 and 1976 the United States Commission on Civil Rights called for a government investigation of FBI conduct at Pine Ridge.<sup>4</sup> In 1981 Amnesty International voiced concerns about the F.B.I.'s domestic

intelligence activities directed towards AIM and recommended that a commission of inquiry be established to investigate the effect of these activities on the criminal justice system.<sup>5</sup>

2. May 8, 1973 to June 27, 1973

In the aftermath to wounded knee F.B.I. fears and concerns about AIM were if anything heightened by their strong resistance and investigative interest continued.<sup>6</sup> So did the violence against Pine Ridge residents.

On **October 18, 1973**, the Oglala Sioux Civil rights Organization issues a statement detailing the violence and decrying two more shooting deaths attributed by them to B.I.A. police and GOONS.<sup>7</sup>

On **April 24, 1975** J.E. O'Connell of the F.B.I. prepared a paper for his Director for briefing the Attorney General on plans to use F.B.I. Special Agents in a "paramilitary law enforcement operation" in the "event of a major confrontation in Indian Country". The paper discusses AIM and the situation on Pine Ridge and problems they encountered during the siege of Wounded Knee with obtaining necessary equipment from the army such as Armoured Personnel Carriers, infantry weapons, chemical weapons, gas masks and body armour. The paper concludes that all such "operations" in the future must be controlled by the F.B.I.<sup>8</sup>

On **June 26, 1975**, this was the climate on Pine Ridge when two Special Agents of the F.B.I. - Ronald Williams and Jack Coler entered the reservation. They were reported as making a straightforward arrest of AIM member Jimmy Eagle for theft and possession of a pair of stolen cowboy boots<sup>9</sup>. Somehow a firefight started.

Within 20 to 30 minutes after agent Williams radioed that he and agent Coler were being fired upon, police surrounded the reservation.

Some of the people have said that they believed that they faced another all out attack and that they had to rely on