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<http://www.usdoj.gov/usao/nd/pressreleases/2009/Peltier%20Parole.mp3>

Leonard Peltier Denied Parole

FARGO - United States Attorney Drew Wrigley announced today that convicted double-murderer **Leonard Peltier** has been denied parole by the U.S. Parole Commission, and he has been scheduled for a 15-year parole reconsideration hearing in July 2024.

Peltier sought parole earlier this year and had a parole hearing on July 28, 2009, at the federal penitentiary in Lewisburg, Pennsylvania. Peltier is serving two consecutive life sentences for the June 26, 1975, first-degree murders of Federal Bureau of Investigation Special Agents Jack Coler and Ronald Williams. Peltier murdered the agents on the Pine Ridge Indian Reservation in South Dakota. His trial was held in Fargo, North Dakota, after his attorneys convinced a federal judge to move the trial out of South Dakota.

Although parole was abolished for federal convicts in 1987, Peltier remains eligible because he was convicted before that time. The U.S. Parole Commission previously

denied Peltier's 1993 parole request and set a 15-year reconsideration date before he could again be considered for parole.

In denying Peltier parole, the Parole Commission determined that his participation in the execution-style murders of two FBI agents was a serious crime, and it would depreciate its seriousness to grant him parole at this time. Furthermore, paroling Peltier under these circumstances would promote disrespect for the law.

Factors also considered by the Parole Commission in denying Peltier parole included his new criminal conduct while serving his sentence, that is, his 1979 escape from FCI Lompoc (California), during which he assaulted a correctional officer with intent to cause bodily injury and then committed an armed robbery while on escape status. Peltier has also violated prison rules during his incarceration with eight non-drug related infractions and four drug-related infractions.

The United States Attorney's Office for North Dakota, the FBI, members of the Coler and Williams families, and the Retired FBI Agents' Association have opposed each of Peltier's parole requests for the senseless, cold-blooded murders of the FBI agents. Peltier has neither accepted responsibility for the murders nor shown any remorse for his brutal and heartless acts of violence.

U.S. Attorney Drew Wrigley submitted a 17-page letter to the Parole Commission in May 2009 opposing Peltier's most recent parole request.

<http://www.usdoj.gov/usao/nd/pressreleases/2009/05-29-2009-Peltier.pdf>

Also available at: <http://www.usdoj.gov/usao/nd/>

In the letter Wrigley argued that Peltier did not meet the prerequisites for parole under the parole statute because his release would depreciate the seriousness of the crimes he committed and promote disrespect for the law. Furthermore, Wrigley argued that paroling Peltier would jeopardize the public welfare by releasing a dangerous, unrepentant, violent criminal into society. (See Wrigley letter for details of factors supporting denial of Peltier parole.)

In seeking parole over the past years, Peltier has claimed he did not personally shoot the agents execution-style at point blank range, but has admitted he was present and did shoot in the area of the agents. In 1996 the Parole Commission determined that Peltier was, "in fact, the individual who executed the two wounded FBI agents by firing upon them at point-blank range with an AR-15 rifle." It further stated, "the Commission is persuaded that the greater probability is that you yourself fired the fatal shots." This finding by the Parole Commission was affirmed on appeal in 2003 by the 10th Circuit Court of Appeals.

In his May 29, 2009, letter to the Commission, U.S. Attorney Wrigley provided new evidence that Peltier had personally executed the agents. That evidence included sworn testimony about an admission Peltier made in 1975 pertaining to the murders.

In 2004 Arlo Looking Cloud was tried in South Dakota for the late 1975 AIM-related murder of Anna Mae Aquash. Witness Darlene Nichols testified that, in October or November of 1975, she was traveling in a motor home with Leonard Peltier, her husband AIM leader Dennis Banks, Anna Mae Aquash, and others. On one occasion when they were in the State of Washington, Peltier admitted his involvement in the killings of the agents. Darlene Nichols testified that Leonard Peltier, “. . . started talking about June 26, and he put his hand like this and started talking about the two FBI agents . . . he said the motherfucker was begging for his life, but I shot him anyway.” This admission by Peltier is corroborated by and consistent with the forensic evidence of the facts of the killing of Ronald Williams, as determined by the Eighth Circuit in its 1978 opinion, based upon the trial testimony of forensic pathologist Dr. Thomas Noguchi.

Additional evidence provided to the Parole Commission included a copy of Peltier’s 1999 CNN interview in which Peltier maintained his earlier position and denied ever having ventured near the bodies of the agents. However, when confronted with a statement by co-defendant Robideau that both Peltier and Robideau had been down by the agents’ bodies, Peltier finally admitted the truth of that account.

Wrigley stated that releasing Peltier on parole would also have jeopardized the public welfare because of his extensive violent criminal history. In the 1970s Peltier engaged in a string of armed violence across North America. Peltier had been charged with attempted murder in Milwaukee, Wisconsin, in 1972, was released on bond, and failed to appear for trial in 1974, which resulted in a warrant for his arrest. He then murdered the two FBI agents in South Dakota in 1975 while a fugitive from justice.

In November 1975 when Peltier was a fugitive for the FBI agents' murders he fired a shot at an Oregon Highway Patrol officer following a traffic stop. Peltier then burglarized a ranch in Oregon, where he stole a rifle and a pickup truck. He later fled to Canada. He was heavily armed when arrested by the Royal Canadian Mounted Police in February 1976, and said he would have blown the Mounties out of their shoes had he known they were coming to arrest him.

In 1977 Peltier was convicted of murdering FBI agents Coler and Williams. He later escaped from a federal prison in California. Peltier fired shots at pursuing Bureau of Prison employees, committed an armed robbery, and was in possession of a semi-automatic rifle when he was re-arrested by the FBI.

“Leonard Peltier’s guilt is certain and has been upheld time and time again by every appellate court,” said U.S. Attorney Drew Wrigley. “The evidence is overwhelming. And the loss suffered by the Coler and Williams families is equally

overwhelming. He killed two men, endangered many others, and has never shown a hint of remorse. The Parole Commission properly rejected Peltier's request for parole, and he will continue to serve the two life sentences he so richly deserves."

Assistant U.S. Attorney Scott J. Schneider represented the U.S. Attorney's Office at the parole hearing in Pennsylvania.

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