

### Who is Leonard Peltier?

Leonard Peltier is a citizen of the Anishinabe & Dakota/Lakota Nations who has been unjustly imprisoned for nearly 40 years.

To the international community, Peltier's case is a stain on America's human rights record. Amnesty International considers Peltier a "political prisoner" who should be "immediately & unconditionally released".

To many Indigenous Peoples, Peltier is a symbol of the abuse & repression they have endured for so long.

### What led to Peltier's conviction?

It began in the early 1970s on the Pine Ridge Indian Reservation, South Dakota, when tensions between then tribal chairman Dick Wilson & the traditionalists began to escalate. Wilson was pro-assimilation, meaning he believed Native Peoples should discard their traditions to join mainstream American society. Traditionalists, on the other hand, felt it important to maintain their culture & land base. Wilson favored those who were pro-assimilation by giving them jobs & other assistance while neglecting the needs of the traditionalists who often lived in the worst poverty.

The growing conflict prompted traditionalists to join together with the American Indian Movement (AIM), a civil rights group committed to uniting all Native Peoples in an effort to uplift their communities & promote cultural pride & sovereignty.

In response, Wilson joined with the Federal Bureau of Investigation (FBI) to destroy the movement the agency perceived as a threat to the American way of life. The result was disastrous.

In 1973, local traditionalists & AIM occupied the Pine Ridge hamlet of Wounded Knee to protest the many abuses they were suffering. (This was the same site where, less than 100 years earlier, the horrific Wounded Knee massacre was perpetrated against over 300 Lakotas, mostly women & children.) Instead of listening to the Natives' grievances, the government responded militarily, firing over 250,000 rounds of ammunition into the area & killing two occupants whose deaths were never investigated. The occupation lasted 71 days & ended only after the government promised investigations into the complaints. The

investigations never materialized & conditions on the reservation worsened.

After Wounded Knee, Wilson outlawed AIM activities on the reservation. Traditionalists were not allowed to meet or attend traditional ceremonies. Wilson hired vigilantes who called themselves Guardians of the Oglala Nation (GOONs) to enforce his rules.

The three years following Wounded Knee are often referred to as the Pine Ridge "Reign of Terror" because anyone associated with AIM was targeted for violence. Their homes were burned & their cars were run off the road. They were struck by cars, shot in drive-by shootings, & beaten. Between 1973 & 1976, over 60 traditionalists were murdered – Pine Ridge had the highest murder rate in the United States – & scores more were assaulted. In almost every case, witness accounts indicated GOON responsibility, but nothing was done to stop the violence. On the contrary, the FBI supplied the GOONs with weaponry & intelligence on AIM & looked the other way as the GOONs committed crimes.

As the situation worsened, the traditionalists asked AIM to return to the reservation to offer protection. Leonard Peltier was among those who answered the call. He & a dozen others set up camp on the Jumping Bull ranch at Pine Ridge, the home of a number of traditional families.

On June 26, 1975, two FBI agents in unmarked cars pursued a red pickup truck onto the Jumping Bull ranch. They were ostensibly looking for Jimmy Eagle, who had gotten into a fistfight & stolen a pair of cowboy boots. Gunshots rang out. While mothers fled the area with their children, other residents started to return fire. A shootout erupted between the FBI agents & the residents.

Law enforcement immediately mobilized. Within a couple hours, over 150 FBI SWAT team members, Bureau of Indian Affairs police, & GOONs surrounded the ranch.

Peltier helped lead a small group of teenagers out of the area, barely escaping through the hail of bullets.

When the shootout ended, AIM member Joseph Killsright Stuntz lay dead, shot in the head by a sniper. His death has never been investigated. The two FBI agents also lay dead – wounded in the gun battle, then shot at point blank range.

Years later, through a Freedom of Information Act (FOIA) lawsuit, it was documented that:

- the FBI had been closely monitoring AIM activities on & off the reservation & had even been preparing for "paramilitary law enforcement operations" on Pine Ridge one month before the shootout.
- the two agents had possessed a map that highlighted the Jumping Bull Ranch & labeled the family's storage cellars as "bunkers".

**NOTE:** *Over 70,000 pages of FBI documents still remain secret today.*

According to FBI documents, over 40 Native people participated in the shootout, both AIM & non-AIM. Yet only 4 persons were indicted for the deaths of the agents: 3 AIM leaders – Dino Butler, Bob Robideau, & Leonard Peltier – & Jimmy Eagle.

Butler & Robideau were the first to be arrested & tried. The jury found that Butler & Robideau were justified in returning fire given the atmosphere of terror that existed on Pine Ridge during that time. Further, they were not tied to the point blank shootings. Butler & Robideau were found innocent on grounds of self-defense.

The FBI was outraged by the verdict. They dropped charges against Jimmy Eagle so that, according to their own memos, "... the full prosecutive weight of the federal government could be directed against Leonard Peltier".

Peltier, meanwhile, had fled to Canada believing he would never receive a fair trial. On February 6, 1976, he was apprehended.

The FBI presented the Canadian court with affidavits from a woman named Myrtle Poor Bear who claimed she had been Peltier's girl friend & had witnessed him shoot the agents. Peltier was extradited to the U.S.

However, Poor Bear had never met Peltier, nor had she been present at the time of the shooting – a fact later confirmed by the U.S. Prosecutor. Despite Poor Bear's subsequent declaration that she had given false statements under duress, having been terrorized by FBI agents, Peltier's extradition was not reversed.

### How was Peltier's trial unfair?

Leonard Peltier was returned to the U.S. where his case was mysteriously transferred from the judge who had presided over the trial of his co-defendants to a different judge – one who made

rulings that severely handicapped the defense. Also, the FBI had carefully analyzed the Butler-Robideau case and, this time, they were determined to secure a conviction. The cards were stacked against Peltier & a fair trial was out of reach.

- Myrtle Poor Bear & other key witnesses were banned from testifying about FBI misconduct.
- Testimony about the Pine Ridge "Reign of Terror" was severely restricted.
- Important evidence, such as conflicting ballistics reports, was ruled inadmissible.
- The red pickup truck that had been followed onto the ranch was suddenly described as Peltier's "red & white van". (Agents who described the vehicle as a red pickup truck during the Butler-Robideau trial could no longer recollect their previous testimony.)
- The jury was sequestered & surrounded by U.S. Marshals at all times, leading them to believe that AIM was a threat to their safety.
- Three young Native witnesses were forced to falsely testify against Peltier after being detained & terrorized by FBI agents.

Still, the U.S. Prosecutor failed to produce a single witness who could identify Peltier as the shooter. Instead, the government tied a bullet casing found near the bodies to the alleged murder weapon, arguing that this gun had been the only one of its kind used during the shootout & that it had belonged to Peltier.

The above FOIA suit uncovered FBI documents that showed that:

- more than one weapon of the type attributed to Peltier had been present at the scene.
- the FBI had intentionally concealed a ballistics report that showed the shell casing could not have come from the alleged murder weapon.
- the agents undoubtedly followed a red pickup truck onto the land, not the red & white van driven by Peltier.
- compelling evidence against several other suspects existed & was concealed.

Unaware, the jury convicted Peltier. He was sentenced to two consecutive life terms.

### What has happened since the trial?

After many of the above abuses surfaced, the Peltier defense team demanded a new trial.

During subsequent oral arguments, the U.S. Prosecutor twice admitted, "... we can't prove who shot those agents".

The court found that Peltier may have been acquitted had evidence not been improperly withheld by the FBI. However, a new trial was denied on the grounds of a legal technicality.

In 1993, Peltier requested Executive Clemency from then President Clinton. An intensive campaign was launched – supported by Native & human rights organizations, members of Congress, community & church groups, labor organizations, luminaries, & celebrities. Even Judge Heaney, who authored the above court decision, expressed firm support for Peltier's release. The Peltier case became a national issue.

On November 7, 2000, during a live radio interview, Clinton stated that he would seriously consider Peltier's request for clemency & make a decision before leaving office on January 20, 2001.

In response, the FBI launched a major disinformation campaign in both the media & among government officials. On December 15, over 500 FBI agents marched in front of the White House to oppose clemency.

On January 20, the list of clemencies granted by Clinton was released to the media. Without explanation, Peltier's name had been excluded.

Since 2001, legal actions concerning a reduction of sentence & parole have failed to win Peltier's release.

### How Can I Help?

1. Write to President Obama to request clemency for Peltier: President Barack Obama, The White House, 1600 Pennsylvania Avenue NW, Washington, DC 20500.

2. Urge the U.S. Congress to investigate the "Reign of Terror" & FBI misconduct throughout Indian Country. To find out who your representatives are & how to contact them, call the Senate switchboard at 202-224-3121 & the House switchboard at 202-225-3121, or visit [www.house.gov](http://www.house.gov) & [www.senate.gov](http://www.senate.gov).

3. Also urge Congress to declassify the tens of thousands of pages of information still being withheld by the FBI for reasons of "national security".

### 4. *Be an army of one, help to educate others.*

Write letters to the editor of your local newspaper, hold video showings, & distribute literature in your area about the Peltier case. Contact us for resources, or copy & distribute this brochure!

### How can I learn more about Peltier's case?

#### Videos

- *Incident at Oglala* by Robert Redford (rent it locally or purchase via online outlets such as Amazon.com).
- *Warrior* by Suzie Baer (Cinnamon Productions; to order, call 203-221-0613).

#### Books

- *Prison Writings: My Life is My Sun Dance* by Leonard Peltier
- *In the Spirit of Crazy Horse* by Peter Matthiessen
- *The Trial of Leonard Peltier* by Jim Messerschmidt
- *Agents of Repression: The FBI's Secret Wars Against the Black Panther Party & the American Indian Movement & The COINTELPRO Papers: Documents from the FBI's Secret Wars Against Domestic Dissent* by Ward Churchill & James Vander Wall.

### How can I get updates on Peltier's case?

- Frequently visit the Friends of Peltier Web site at [www.FreePeltierNow.org](http://www.FreePeltierNow.org).
- Receive updates from Friends of Peltier. Send an e-mail to [info@FreePeltierNow.org](mailto:info@FreePeltierNow.org) to request that you be added to our mailing list. You also can subscribe to our mailing list on our Web site at [www.FreePeltierNow.org](http://www.FreePeltierNow.org).

### the message

*Silence, they say, is the voice of complicity.  
But silence is impossible.  
Silence screams.  
Silence is a message,  
just as doing nothing is an act.*

*Let who you are ring out & resonate  
in every word & every deed.  
Yes, become who you are.  
There's no sidestepping your own being  
or your own responsibility.*

*What you do is who you are.  
You are your own comeuppance.  
You become your own message.*

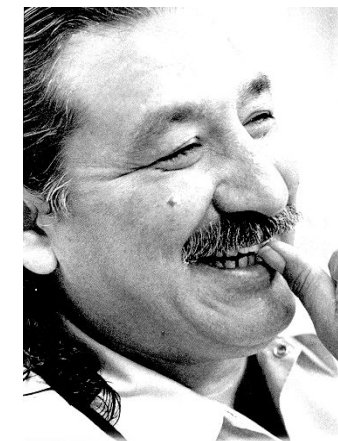
*You are the message.*

In the Spirit of Crazy Horse,  
*Leonard Peltier*

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an innocent man.

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