

# Free Leonard Peltier!

## Who is Leonard Peltier?

Leonard Peltier is a 60-year old Native American (Lakota and Ojibwa) who has been in prison for 28 years for a crime he did not commit. Not only was he convicted in a trial marked by perjury and suppression of evidence, but under federal law he should have been released 12 years ago.

### **The Pine Ridge Incident**

On February 27, 1973, members of the American Indian Movement (AIM) began a 71-day occupation at Wounded Knee, South Dakota, site of the last major massacre of Native Americans by federal troops. Their goal was to protest injustices against their tribes, violations of treaties, and current abuses and repression. The occupation touched off a three year "reign of terror" by the FBI and a vigilante group known as the Guardians of the Oglala Nation (GOONs) on the Pine Ridge Lakota Reservation, during which 64 Native Americans were murdered and over 300 others harassed or beaten. Nearly all the victims were affiliated with AIM or with traditional tribal members. None of these deaths were adequately investigated or resolved.

In May 1975, the FBI began a buildup of Special Weapons and Tactics (SWAT) team members and other agents on the Pine Ridge Reservation. On June 26, 1975, two FBI agents entered private property on the reservation, allegedly chasing a young Indian man in a red pickup truck. A number of AIM members were on the ranch at the time, invited by the Jumping Bull Elders to protect them from the GOONs. Many other people were also present.

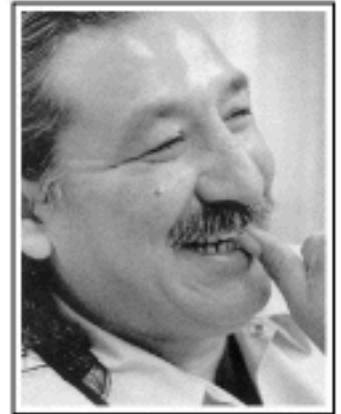
For unknown reasons, a shoot out began. When the skirmish entered, the two FBI agents and a young Native American named Joe Stuntz lay dead. Stuntz's killing (by a sniper bullet through the head) has never been investigated. The red pickup truck was never found or identified. The more than 30 AIM men, women and children on the ranch were surrounded by 150 FBI agents, Bureau of Indian Affairs police, and GOONs. They barely escaped through a hail of bullets.

AIM leaders Leonard Peltier, Dino Butler and Bob Robideau had been present throughout the incident. The federal government charged them with murder. Peltier, convinced he would never receive a fair trial in the United States, fled to Canada.

### **The Trials**

Butler and Robideau were acquitted by a jury after a key prosecution witness admitted that he had changed his testimony as a result of FBI threats.

Peltier was extradited from Canada on the basis of an affidavit signed by Myrtle Poor Bear. She claimed to have been Peltier's girlfriend at the time of the shootings, and to have been present during the shoot-out and witnessed Peltier killing the two FBI agents. The government now admits that Myrtle Poor Bear was not only not present during the shoot-out, but she didn't even know Leonard Peltier. When she sought to testify at Peltier's trial that the FBI agents had pressured her to fabricate



her statement, the judge barred her testimony on the grounds that she was mentally incompetent.

At the trial, the FBI concealed ballistic evidence showing that the rifle they claimed belonged to Peltier had not in fact fired the fatal shots. Both AIM members and FBI agents were using rifles which fired the .223 caliber rounds which killed the two agents.

There was no witness testimony that Peltier shot the two agents. There was no testimony to place him at the scene before the killings. There was no evidence as to the exact type of rifle used to commit the murders. In short, there was no reasonable evidence that Peltier did the killings. The only evidence against him was that he was one of over 30 individuals present on the Jumping Bull Ranch during the shoot out.

### **Peltier Held Illegally**

When Congress passed the "Sentencing Reform Act of 1984", they ordered the U.S. Parole Commission to set release dates for prisoners convicted under the "old system" (of indeterminate sentences and parole) by no later than October 1989, and then dissolve itself. Fifteen years after that date, the Parole Commission still exists, and Leonard Peltier is one of over 6,000 "old system" prisoners who still haven't been given release dates. Had he been given the normal release date in 1989, he would have been released from prison twelve years ago.

At the time of Peltier's 1977 trial, the government turned over roughly 3,500 pages of material to defense attorneys. The prosecution claimed that this was all they had. Since then, defense attorneys have used the Freedom of Information Act (FOIA) to obtain an additional 12,000 pages and to determine that the FBI actually has 142,579 pages of material that have not been made available to Peltier or his attorneys. Lying and evasion have characterized the government's conduct throughout the nearly 30 years of this case.

### **Peltier the Man**

Leonard Peltier is now 60 years old and his health is deteriorating, partly as a result of inadequate diet and poor medical treatment in prison. He suffers from diabetes, high blood pressure and a heart condition. He has suffered a stroke which left him partially blind in one eye.

Despite such hardship, Peltier has made remarkable contributions to humanitarian and charitable causes during his years in prison. He has played a key role in peacemaking between Native American tribes. He has worked to improve health care on reservations and to stimulate economic development. He established a scholarship at New York University for Native American students seeking law degrees and helped to establish a Native American newspaper in Washington state. He has raised his grandchildren from prison, sponsored two Central American children through ChildReach, and sponsors an annual Christmas food and gift drive for the children of Pine Ridge. He serves on the board of the Rosenberg Fund for Children. He donates his artwork to human rights and social welfare organizations to help them raise funds.

Leonard Peltier has been widely recognized for his humanitarian works and has won several human rights awards. In 2004, he was nominated for the Nobel Peace Prize and became the Peace & Freedom Party candidate for president of the United States.

For further information, contact:

**Leonard Peltier Defense Committee**

**P O Box 583, Lawrence, KS 66044-0583**

**[www.leonardpeltier.org](http://www.leonardpeltier.org); [info@leonardpeltier.org](mailto:info@leonardpeltier.org)**

This leaflet issued by the Peace and Freedom Party, which has sole responsibility for any errors in its contents.