

THE CASE OF LEONARD PELTIER

Leonard Peltier could be you, me, anyone who stands up for his family, friends, community, and beliefs. Leonard is a Native American serving two consecutive life sentences in a federal penitentiary, even though there is **NO CREDIBLE EVIDENCE** that he is guilty of anything.

The Shoot Out

On June 26, 1975 two FBI agents allegedly searching for a young Indian accused of stealing a pair of used cowboy boots spotted several men enter a red pick-up truck. They followed the truck briefly. The occupants of the truck pulled over. Shots were fired though no one knows who fired first.

Soon the situation exploded into a fire fight involving 30 or so Indian men, women, and children and over 150 FBI agents, BIA police, US Marshals and the local police known as GOONS. Two agents and a young Indian activist died. Within hours of the shootout, according to the U.S. Commission on Civil Rights which labeled it "a full scale vendetta", hundreds of paramilitary equipped, combat-clad FBI agents and US Marshals staged a dragnet through the reservation in a fever of revenge in which men, women, and children were terrified and properties and homes were ransacked. There was no investigation into the death of the Native American.

The Set-up

Leonard had been previously identified as an AIM leader by the FBI and targeted by their notorious COINTELPRO program which "neutralized" people by slander, attack, and arrest. Fearing no possibility of a fair trial and at the request of his elders, he fled to Canada where he was later arrested and extradited by affidavits manufactured by the FBI that the government now concedes were false and fabricated. Four men were initially accused of the murders. Two were acquitted and the government dropped all charges against the third to concentrate their "full prosecutorial weight...against Leonard Peltier." He was convicted and sentenced to two consecutive life terms. The handpicked judge, favored by the FBI for his anti-Indian reputation, refused evidence of self defense. Information from the acquittals of his codefendants was also ruled inadmissible. Jurors were convinced by the court that AIM "snipers" would kill them at any time. In short Peltier was convicted before his trial even began.

Government Has No Evidence

The government has subsequently changed its theory on who killed the agents and today admits they have **NO IDEA WHO KILLED THEM**. This change of theory came about during an appeal when a judge suggested to the prosecution that the evidence was, at best, merely circumstantial. The government then argued that they had tried Leonard as both the murderer and aider and abettor. According to the final decision

of the 8th Circuit Court of Appeals, Peltier's trial and previous appeals had been riddled with FBI misconduct and judicial impropriety including: coercion of witnesses, perjury, fabrication of evidence, and the suppression of exculpatory evidence which could have proved his innocence. The Court called the FBI's misconduct "a clear abuse of the investigative process". Yet they ruled against a new trial for Leonard Peltier because they were "reluctant to impute further improprieties to them (FBI)." Recently it was discovered that a terrible error had been made during the appeal by Leonard's own attorney during which he mistakenly agreed with the judge regarding the testimony of Norman Brown. What the attorney and the judge did not realize was that Brown had recanted his testimony at trial and stated he had been coerced by the FBI. He further stated that he never saw Peltier anywhere near the bodies of the agents. We also now know that other agents were stationed around the area prior to the start of the fire fight, in direct contradiction to their testimony at trial. This was discovered in September, 1995 following the release of radio communications from the South Dakota Attorney General's office. A document has been unearthed stating that almost two months prior to the day of the shoot-out, the FBI was planning "paramilitary law enforcement...on Indian land", specifically, Pine Ridge. It may also be noted that the highest buildup of agents to civilians occurred just six days prior to the tragic incident.

Conclusion

It is obvious to anyone with a conscience that the government was planning to attack the AIM encampment, perhaps in the hopes of diverting attention from an illegal land transfer, or perhaps as a way to stop Senator Frank Church's Committee from investigating the FBI's Cointelpro program in regard to Native struggles. That investigation was initiated just prior to the shoot-out. It was halted the day after "due to the deaths of the agents." With recent developments in Washington, DC proving the FBI grossly participated in illegally doctoring and manufacturing evidence to ensure criminal convictions, more attention MUST be paid to this renegade organization's past misconduct. Congressional hearings/investigations are critical!

Recent Developments

During a parole hearing in December 1995, US prosecutor Lynn Crooks admitted again that no evidence exists against Peltier. He further stated that the government never really accused him of murder and that if Peltier were retried, the government could not reconvict. The Parole Board, however, decided not to grant parole because Peltier continues to maintain his innocence (they stated that Peltier had not given a "factual and specific account of (his) actions...consistent with the jury's verdict of guilt") and because he was the only one convicted. As ridiculous as this reasoning sounds, it has thus far held up. A petition for executive clemency remains unanswered three years after being filed with the Department of Justice. The delay has been excused by government officials as a lengthy revue of a complex case. 1997

NEEDS to be the year of JUSTICE for LEONARD PELTIER. FREE LEONARD PELTIER!

WHAT YOU CAN DO TO HELP

o Write, phone, fax, and email: President William Clinton, The White House, 1600 Pennsylvania Ave, Washington, DC 20500, (202)456-1111 (hit 0 to avoid survey), fax (202) 456-2461, president@whitehouse.gov

o Join a local Support Group. Contact LPDC for locations. If no Support Group exists in your area, consider starting one.

o Contact your elected officials and ask that they support the call for clemency.

o Lobby city councils as well as local educational, religious, social, and cultural organizations in generating resolutions and proclamations.

o Copy and distribute this information.

For More Information:

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