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Seventh UA 16/19 Index: AMR 51/8258/2024 USA of July 3, 2024

## USA

### URGE CLEMENCY FOR NATIVE AMERICAN ACTIVIST

Leonard Peltier, a Native American activist, has been imprisoned in the USA for nearly 50 years. Much of this time was spent in solitary confinement. He is serving two life sentences for murder, despite serious and ongoing concerns about the fairness of his trial. Peltier has always maintained his innocence. Now 79 years old, Peltier contracted COVID-19 in 2022. He suffers from several chronic health issues, including one that could be fatal. On July 2, 2024, he was denied parole. We urge President Biden to grant Leonard Peltier clemency. This act would be on humanitarian grounds and as a matter of justice.

#### **Write to President Joe Biden urging him to:**

- Grant Leonard Peltier clemency on humanitarian grounds and as a matter of justice.

#### **Write to:**

President Joseph Biden

The White House

1600 Pennsylvania Ave NW

Washington, DC 20500

USA

White House Comment line: (202) 456-1111

Webform\*: <https://www.whitehouse.gov/contact/>

Salutation: *Dear President Biden:*

*\* A US-based address is needed for the White House webform. Please use AI USA's address when filling out:*

*Amnesty International USA*

*311 West 43rd St. 7th Floor,*

*New York, NY 10036 USA*

#### **And copy:**

His Excellency David Louis Cohen

Ambassador

Embassy of the United States of America

490 Sussex Drive

Ottawa, ON K1N 1G8

Tel: (613) 238-5335 / 688-5335 (24h) Fax: (613) 688-3082

## **ADDITIONAL INFORMATION**

Leonard Peltier, an Anishinaabe-Lakota Native American, was a member of the American Indian Movement (AIM), which promotes Native American rights. On June 26, 1975, during a confrontation involving AIM members on the Pine Ridge Indian reservation in South Dakota, FBI agents Ronald Williams and Jack Coler were shot dead. AIM Member Joseph Stuntz was also killed. Leonard Peltier was convicted of their murders in 1977 and sentenced to two consecutive life sentences. Peltier has always maintained his innocence.

Myrtle Poor Bear, a Lakota Native woman, claimed to have seen Peltier kill both FBI agents. Based on her statement, Peltier was extradited from Canada, where he had fled. However, Poor Bear later retracted her testimony, stating that it was a result of threats and harassment from FBI agents. Although not called as a prosecution witness, the trial judge did not allow her as a defense witness, claiming her testimony could prejudice the government. In 2000, she publicly stated that her original testimony was coerced.

In 1980, Peltier's lawyers received documents through the Freedom of Information Act. These documents contained ballistics evidence that could have helped Peltier's case but were withheld during the trial. In 1986, the U.S. Court of Appeal for the Eighth Circuit denied a retrial, acknowledging some improper conduct by FBI agents but refusing to attribute more wrongdoing to them. The U.S. Parole Commission has repeatedly denied parole to Peltier, even though the prosecution conceded there was no direct evidence of his involvement in the FBI agents' deaths. James H. Reynolds, the U.S. Attorney involved in the case, later supported clemency for Peltier.

Peltier suffers from multiple health issues, including kidney disease, Type 2 diabetes, high blood pressure, a heart condition, and a degenerative joint disease. A 1986 stroke left him nearly blind in one eye. In January 2016, he was diagnosed with a life-threatening abdominal aortic aneurysm. He currently uses a walker due to limited mobility and contracted COVID-19 in 2022. He remains at risk of re-infection while in detention.

Many organizations and leaders, including the National Congress of American Indians, Tribal Leaders, Indigenous Peoples worldwide, and the United Nations Working Group on Arbitrary Detention, have called for Peltier's release. In 2015, several Nobel Peace Prize winners, including Archbishop Desmond Tutu, supported his release. Peltier's attorney applied for clemency to President Biden in July 2021, but no decision has been made as of July 2024. Due to the trial issues, exhausted legal appeals, the time already served, his maintained innocence, and chronic health problems, Leonard Peltier deserves clemency.

***Please take action as soon as possible until January 20, 2025! The UA will be duly updated should there be the need for further action.***