

May 26, 2022

The Honorable Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden:

I write to urge you to grant executive clemency to Leonard Peltier by commuting the remainder of his sentence. Mr. Peltier, a Native American activist, has been imprisoned for 46 years based on a conviction that was the result of constitutional violations and prosecutorial misconduct. He is now 77 years old and suffers from a number of serious medical conditions. Commuting Mr. Peltier's sentence and releasing him to return to his home and family would finally correct this unjust sentence and end this grave injustice.

Leonard Peltier was convicted in 1977 of the murder of two Federal Bureau of Investigations (FBI) agents. A member of the American Indian Movement (AIM), Mr. Peltier moved to the Pine Ridge Indian Reservation to help protect residents during a period of extreme violence.

On June 26, 1975, FBI agents Jack R. Coler and Ronald A. Williams entered the Reservation in pursuit of a man suspected of stealing cowboy boots. At some point during the pursuit, a shootout erupted between the agents and residents of the Reservation. When it was over, the agents along with Joe Killsright, a Pine Ridge resident, had been killed.

Initially, four AIM members—Mr. Peltier, Darrell Butler, Robert Robideau, and Jimmy Eagle—were accused of murdering the agents. Butler and Robideau were arrested and prosecuted in federal court. Following a trial, the men were acquitted when a jury found they had acted in self-defense.

Mr. Peltier was later captured in Canada. He was extradited to the United States on the basis of an affidavit that was the result of FBI coercion. He was then convicted at a trial the U.S. Attorney overseeing the case, James Reynolds, has called “unjust.” Among other constitutional infirmities, the prosecution withheld critical exculpatory evidence—namely, a ballistics report that proved shell casings from the murder weapon did not come from a rifle tied to Mr. Peltier.

It is clear that our criminal justice failed Mr. Peltier and that FBI coercion, improperly withheld evidence, and other constitutional violations led to his unjust conviction.

Over the years, many have recognized the injustice of Mr. Peltier's conviction and called for his release—including Sen. Patrick Leahy; Sen. Brian Schatz; the late-Sen. Daniel Inouye; Rep.

Raúl M. Grijalva; Rep. Barbara Lee; Rep. Jesús G. "Chuy" García; Rep. Cori Bush; Rep. Emanuel Cleaver, II; Rep. Jared Huffman; Rep. Teresa Leger Fernández; Rep. Rashida Tlaib; Rep. Pramila Jayapal; Rep. Betty McCollum; Rep. Melanie Stansbury; Nelson Mandela; Archbishop Desmond Tutu; and the Dalai Lama.

I join their voices, and urge you to grant clemency to Leonard Peltier by commuting the remainder of his sentence. Thank you for your attention to this matter. I look forward to hearing from you.

Sincerely,



Mazie K. Hirono
United States Senator