



## *Oglala Sioux Tribe*

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*Office of the President*

September 11, 2023

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

Dear President Biden:

On behalf of the Oglala Sioux Tribe, I write to request that you grant clemency to an important figure to our community and a warrior for the civil rights of Indian country, Leonard Peltier, by commuting the remainder of his prison sentence. Mr. Peltier is in rapidly declining health, and, as I discuss further below, has been held in prison far too long for someone subject to convictions arising out of criminal proceedings rife with prosecutorial misconduct and due process violations. President Biden, as someone we vehemently believe to be an ally of Indian country and the leader of a country that has much to atone for with its past mistreatment of this land's first peoples, I ask that you help heal the soul of this nation by freeing a man unjustly convicted.

I begin this letter by sharing what I believe to be context important to the purported crimes Mr. Peltier committed. In the 1970s, as political violence fueled by certain federal officials tore through our community, federal law enforcement dramatically increased their presence on our reservation in a way we had never seen before. At this same time, the FBI was also stirring up fear and confusion among our members through counter-intelligence operations directed at the American Indian Movement (AIM), of which Mr. Peltier and many of our members served. Then, on June 26, 1975, the powder keg that was the chaos and fear created by the FBI's activities on our reservation ignited, erupting into the gunfire that would tragically claim the lives of two FBI officials and a resident of our community. What happened that day with respect to who fatally shot the two FBI officials largely remains unknown. I share this not to absolve anyone of responsibility for what occurred. Rather, President Biden, I share this to stress that this was not a clear-cut murder case but a murky case, with no satisfactory answers and undue focus on Mr. Peltier, who stood as a candidate for federal law enforcement to charge, given his associations with AIM.

Additionally, around and in the years following Mr. Peltier's conviction, critical evidence surfaced showing that in the course of his criminal proceedings, federal law enforcement personnel intimidated witnesses, coerced false testimony, and withheld evidence that could have set Mr. Peltier free long ago. This type of conduct is unacceptable in the United States criminal justice system.

Recent calls for Mr. Peltier's conviction to be commuted from those directly involved in his criminal prosecution only further highlight this grave injustice. One of the U.S. Attorneys who prosecuted Mr. Peltier, former U.S. Attorney James H. Reynolds, has decried Mr. Peltier's ongoing incarceration, stating, "the prosecution and continued incarceration of Mr. Peltier was and is unjust."<sup>1</sup> With a growing body of evidence contradicting the veracity of Mr. Peltier's convictions and strong sentiment—from both sides of his criminal trial—that he was unjustly convicted, I believe there is no better time than this very moment for this country to reconcile its shameful past by freeing this man.

President Biden, I recognize that commuting a criminal sentence for the types of crimes involved here will not come without its challenges and objections. But, I assure you, no case is more fitting for the type of relief our Tribe is requesting. At the time I am writing this, Mr. Peltier is in the midst of his 48<sup>th</sup> year of imprisonment. He is 79 years old. And his health is in rapid decline. What was once an unduly long sentence for a criminal proceeding lacking the integrity that we must expect from our criminal justice system has now become, in effect, a death sentence. You, President Biden, now stand in a position to right this wrong and rectify yet another injustice committed against this land's indigenous peoples.

Nearly 160 years ago, another American president faced a situation all too similar to the one at hand. Specifically, President Lincoln faced the dilemma of whether to exonerate warriors of the Dakota peoples for fighting in the U.S. Dakota War of 1862. Like Mr. Peltier, they were convicted as the result of a prosecution that was all but fair. After considering pleas for their very lives, President Lincoln approved the execution of 38 Dakota warriors—the largest mass-hanging in this country's history. Today, large swaths of the American public remember President Lincoln for the many great things he did, but Indian country will always remember him as the man who approved the execution of those Dakota warriors. The question for you, President Biden, is whether we will remember you as the President who failed to bring justice to Indian country, as so many presidents have done before you, or will Indian country forever remember you as the president who did what was right.

In short, I simply ask that you do that which the Tribe has been asking this country to do for decades and which is the only humane thing to do in this situation: free Mr. Peltier, so that he may spend what is left of his remaining days where he truly belongs—at home with his family.

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<sup>1</sup> A copy of Mr. Reynolds's July 9, 2021 letter requesting Mr. Peltier's clemency may be accessed via the link [here](#).

Today, I believe it is time for the Lakota people of Oceti Sakowin (The Great Sioux Nation) to tell their story! Mitakuye Oyasin!

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Star Comes Out". The signature is written in a cursive, flowing style.

Frank Star Comes Out  
President