

Congress of the United States
Washington, DC 20515

October 6, 2023

President Joseph Biden
The White House
1600 Pennsylvania Ave, NW
Washington, DC 20500

Dear President Biden:

We are writing to you regarding the nearly five-decade imprisonment of Leonard Peltier. Now, more than ever, bedrock principles of justice warrant your consideration of a grant of executive clemency or support of compassionate release at the Federal Bureau of Prisons.

Leonard Peltier, a Native American activist and citizen of the Turtle Mountain Band of Chippewa Indians (ND), is now in his 48th year of incarceration. He is 79 years old and in failing health. Mr. Peltier is serving two life sentences in a maximum-security federal prison for aiding and abetting in a case where his co-defendants were found not guilty on the grounds of self-defense.

Over the course of his incarceration, particularly in recent years, key figures involved in Mr. Peltier's prosecution have stepped forward to underscore the constitutional violations and prosecutorial misconduct that took place during the investigation and trial that led to his conviction. Gerald Heaney, the judge who presided over Mr. Peltier's 1986 appeal in the Eighth Circuit, called for his release in 1991 and again in 2000¹, and former United States Attorney James Reynolds, whose office handled the prosecution and appeal of Peltier's case, has called for a commute of the remainder of his sentence and observed that "his conviction and continued incarceration is a testament to a time and a system of justice that no longer has a place in our society."² In addition, the United Nations Working Group on Arbitrary Detention specifically noted the anti-Indigenous bias surrounding Peltier's detention, stating simply that he "*continues to be detained because he is Native American.*"³

Retired FBI Special Agent Coleen Rowley, in her letter addressed to you on December 3, 2022, raised how the "long-standing horribly wrongful oppressive treatment of Indians in the U.S." played into Peltier's case and, critically, the "FBI Family vendetta" behind the agency's opposition to clemency.⁴ We recognize the grief and loss that took place in both the FBI and Tribal community on that day but also recognize this opportunity for all to move forward.

¹ Gerald H. Heaney, U.S. Senior Cir. Judge, 8th Cir., *Letter to Senator Daniel K. Inouye, Chairman, U.S. Senate Select Comm. on Indian Affairs* (Apr. 18, 1991), <http://www.whoisleonardpeltier.info/download/Heaney.pdf>.

² James Reynolds, Former U.S. Attorney, *Letter to President Joseph R. Biden* (Jul. 9, 2021), <https://www.amnestyusa.org/wp-content/uploads/2023/03/From-US-Attorney-James-Reynolds.pdf>.

³ United Nations Working Group on Arbitrary Detention, *Opinion No. 7/2022 concerning Leonard Peltier (United States of America)* (Jun. 7, 2022), <https://www.ohchr.org/sites/default/files/2022-06/A-HRC-WGAD-7-2022-USA-AEV.pdf>.

⁴ Coleen Rowley, Retired FBI Special Agent, *Letter to President Joseph R. Biden* (Dec. 3, 2022), <https://www.amnestyusa.org/wp-content/uploads/2023/04/From-Retired-FBI-Special-Agent-Coleen-Rowley.pdf>

As Members of Congress, we sign this letter with a deep commitment to the crucial role we play in upholding justice for all Americans - and to also hold our government accountable when we see a case of *injustice*, as demonstrated by the long incarceration of Leonard Peltier. We stand with the Tribal Nations of the United States, Indigenous voices worldwide, and leading voices on human rights and criminal justice around the globe in support of Mr. Peltier's release. We applaud your commitment to criminal justice reform and your administration's work to address inequities in the criminal justice system and rectify the past wrongs of our government's treatment of Native Americans. We urge you to take the next step by granting Mr. Peltier executive clemency or compassionate release.


Sincerely,




Raúl M. Grijalva
Member of Congress



Rashida Tlaib
Member of Congress



Melanie Stansbury
Member of Congress



Betty McCollum
Member of Congress



Jared Huffman
Member of Congress



Teresa Leger Fernández
Member of Congress



Barbara Lee
Member of Congress



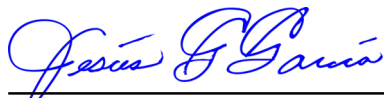
Ted W. Lieu
Member of Congress



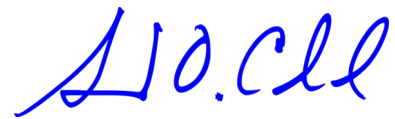
Katie Porter
Member of Congress



Eleanor Holmes Norton
Member of Congress



Jesús G. "Chuy" García
Member of Congress



Salud Carbajal
Member of Congress



James P. McGovern
Member of Congress



Pramila Jayapal
Member of Congress



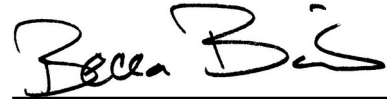
Jamaal Bowman, Ed.D.
Member of Congress



Cori Bush
Member of Congress



Daniel T. Kildee
Member of Congress



Becca Balint
Member of Congress



Mark Pocan
Member of Congress



Tim Burchett
Member of Congress



Frank Pallone, Jr.
Member of Congress



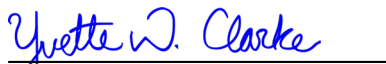
Robert C. "Bobby" Scott
Member of Congress



Alexandria Ocasio-Cortez
Member of Congress



Kevin Mullin
Member of Congress



Yvette D. Clarke
Member of Congress



Ilhan Omar
Member of Congress



Sheila Jackson Lee
Member of Congress



Emanuel Cleaver, II
Member of Congress



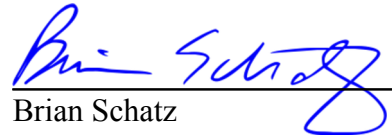
J. Luis Correa
Member of Congress



Joaquin Castro
Member of Congress



Bernard Sanders
United States Senator



Brian Schatz
United States Senator



Tina Smith
United States Senator