

The following Resolution will be considered by the Resolutions Committee at its meeting on September 8, 2022.

Submitted by: Ruth Buffalo/ND  
Patrick Hart/Chair/ND  
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*Resolution to Consider an Award of Executive Clemency for Leonard Peltier*

**WHEREAS**, Democrats have sought to use clemency powers to secure the release of those serving unduly long or unjust prison sentences; and

**WHEREAS**, the Obama administration commuted the sentences of more than 1,700 people serving unjust sentences after a thorough review of their individual cases and the Biden administration has so far used clemency powers for more than 75 individuals serving unjust sentences as part of a broader strategy to make the criminal justice system more fair; and

**WHEREAS**, the Biden administration, under the direction of Secretary Deb Haaland, is leading a historic investigation into the lasting social impacts – such as, historical and intergenerational trauma – of the federal Indian boarding school system that separated Mr. Peltier from his family at a young age; and

**WHEREAS**, Mr. Peltier is 77 years old, and has served more than 45 years in federal prison – at least five years solitary confinement – in numerous prisons across the United States; and

**WHEREAS**, Leonard Peltier is Native American, elderly and suffers from severe health conditions, including diabetes and a lethal abdominal aortic aneurysm; life ending if ruptured; and

**WHEREAS**, The Department of Justice (DOJ) has issued a national response to the COVID-19 pandemic authorizing the Federal Bureau of Prisons (BOP) to release elderly inmates and those with underlying health conditions from federal prisons; Mr. Peltier is imprisoned at the Coleman Federal Correctional Complex in Florida and qualifies for early release under BOP guidelines; and

**WHEREAS**, Mr. Peltier was convicted and sentenced to two consecutive life sentences in 1977 for the murders of Federal Bureau of Investigation (FBI) agents Ronald Williams and Jack Coler, killed on June 26, 1975, during a confrontation with members of the American Indian Movement (AIM) on the Pine Ridge Indian reservation; Joseph Stuntz, a 23-year-old member of the Coeur d’Alene Tribe, was also killed that day, and his death was never investigated; and

**WHEREAS**, Mr. Peltier was extradited from Canada based on false statements of an alleged eye witness who later retracted her testimony; and

**WHEREAS**, many evidentiary and procedural irregularities arose during Mr. Peltier's prosecution, such as alleged key eyewitness to the shootings later retracting testimony disclosing threats against the eyewitness and family by the FBI; and

**WHEREAS**, a 1980 Freedom of Information Act ruling revealed to Mr. Peltier's lawyers the prosecution withheld evidence that might have impacted Mr. Peltier's case; and

**WHEREAS**, although legal experts have criticized the trial for its failed due process, appeals for presidential consideration of clemency by distinguished Americans and justice organizations have had no success; and

**WHEREAS**, this further diminishes American Indians' faith in the criminal justice system throughout the country; and

**WHEREAS**, hundreds of tribal nations have supported early release and clemency Mr. Peltier's throughout the years, and the Turtle Mountain Band of Chippewa, of which Mr. Peltier is a member, has offered housing, elderly support, and reintegration services upon Mr. Peltier's release; and

**WHEREAS**, petitions for Mr. Peltier's release are widespread and urgent, including those who once were part of the 1977 criminal prosecution and former U.S. Attorney James H. Reynolds, having garnered over 275,000 signatures on a petition requesting President Biden grant Mr. Peltier clemency; and

**WHEREAS**, Amnesty International, a global human rights organization with over 10 million members, supporters, and activists worldwide, continues the call for Mr. Peltier's release to this day; and

**WHEREAS**, Mr. Peltier has overwhelming support from internationally respected champions of human rights, including the late Nelson Mandela, His Holiness the Dalai Lama, Mikhail Gorbachev, Mary Robinson, former President of Ireland and United Nations High Commissioner for Human Rights, the European Parliament, the Belgian Parliament, the Italian Parliament, the Kennedy Memorial Center for Human Rights, the Rev. Jesse Jackson, Rigoberta Menchu, seven Nobel Peace Prize Laureates (including Archbishop Desmond Tutu and Shirin Ebadi), Rage Against the Machine, Pete Seeger, Carlos Santana, Harry Belafonte, Gloria Steinem, and Robert Redford, representing but a fraction of those who recognize the injustice imposed upon Mr. Peltier; and

**WHEREAS**, the National Caucus of Native American State Legislators, tribal nation leaders, and the National Congress of American Indians, within our representative states and beyond, have demanded Mr. Peltier's clemency and release;

**THEREFORE, BE IT RESOLVED**, that the DNC platform states that the President should use clemency powers "to secure the release of those serving unduly long sentences;" and

**BE IT FURTHER RESOLVED**, that given the overwhelming support for clemency, the constitutional due process issues underlying Mr. Peltier's prosecution, his status as an elderly inmate, and that he is an American Indian, who suffer from greater rates of health disparities and severe underlying health conditions, Mr. Peltier is a good candidate to be granted mercy and leniency; and

**BE IT FURTHER RESOLVED**, that it is highly appropriate that consideration of clemency for Mr. Peltier be prioritized and expedited, so that Mr. Peltier can return to his family and live his final years among his people.