



15 January 2025

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

Dear President Biden,

We write to you as representatives of NDN Collective¹ and Amnesty International USA² and our respective members and supporters with renewed urgency regarding the case of Leonard Peltier (Clemency Case Number C296035 and Bureau of Prisons Register Number 89637-132), a Native American activist and a citizen of the Turtle Mountain Band of Chippewa Indians in North Dakota. He has been serving two consecutive life sentences related to a shootout on the Pine Ridge Indian Reservation in 1975, where two FBI agents were killed. We urge you to use your constitutional authority in your remaining days to commute his sentence and release him.

Serious and ongoing concerns about the fairness of his trial and incarceration have long been raised by experts in civil liberties, human rights, and from the faith community, both in the U.S. and internationally, the American Civil Liberties Union, Human Rights Watch, and the United Nations Working Group on Arbitrary Detention. Numerous respected voices have called for Mr. Peltier's release, including Tribal Nations, Indigenous leaders, and Nobel Peace Prize laureates.

Especially compelling is the number of individuals in law enforcement and the judiciary who support clemency for Leonard Peltier. Individual FBI agents have come out in support of commutation in Leonard Peltier's case. Judge Gerald W. Heaney, the senior federal judge on the Eighth Circuit Court of Appeals who presided over Leonard Peltier's appeal hearing in 1986, subsequently expressed his concerns about the case in 1991 in a letter to then-Senator Daniel Inouye, who was at that time the

¹ NDN Collective is an Indigenous-led organization dedicated to building Indigenous power. Through organizing, activism, philanthropy, grantmaking, capacity-building and narrative change, we are creating sustainable solutions on Indigenous terms.

² Amnesty International is an independent, Nobel Peace Prize-winning, global human rights movement. Amnesty International USA is the movement's U.S.-based office, with hundreds of thousands of activists, supporters, and members across the country.

Chair of the Senate Select Committee on Indian Affairs. Senator Inouye himself said in 1991 in an interview for *60 Minutes*, “I think if you add up all the evidence, and if all the truth came out that the affidavits were fabricated, that the ballistic information will show that this gun was not in any way involved – I think a reasonable jury would have found him not guilty.”

James Reynolds, the former U.S. Attorney whose office oversaw Mr. Peltier’s prosecution and appeal, has been vocal in his support for commuting Leonard Peltier’s sentence. In 2021, Mr. Reynolds stated: *“Leonard Peltier’s conviction and continued incarceration is a testament to a time and a system of justice that no longer has a place in our society... With time and the benefit of hindsight, I have realized that the prosecution and continued incarceration of Mr. Peltier was and is unjust... I believe that a grant of executive clemency would serve the best interests of justice and the best interests of our country.”* A copy of the letter former US Attorney James Reynolds submitted in support of Leonard Peltier’s commutation is attached.

Mr. Peltier is now 80 years old and in his 49th year of incarceration at the Coleman I Federal Penitentiary outside of Orlando, Florida. He suffers from severe health conditions, including increasing vision loss, and requires the use of a walker.

In April 2024, Mr. Peltier was denied compassionate release by the Bureau of Prisons. In July 2024, Mr. Peltier was denied parole by the U.S. Parole Commission. You have the unique ability to grant clemency and correct a historical injustice that has long troubled the law enforcement and judicial authorities involved in his case and appeal, civil liberties and human rights advocates and Indigenous Peoples across the globe.

This action would be a profound gesture in the interests of justice, mercy, and healing between the United States and the broader Native American community.

Sincerely,



Nick Tilsen
Founder and CEO
NDN Collective



Paul O'Brien
Executive Director
Amnesty International USA

Cc:

Jeffrey Zients, White House Chief of Staff
Edward Siskel, White House Counsel