

## RETRIAL

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Peltier's girlfriend and had seen him kill the agents. The documents were key in extraditing Peltier from Canada, where he had fled in fear of an unjust trial. Later it was found that Poor Bear had been coerced into signing the documents by FBI threats.

The FBI contrived other evidence as well, including the coercion of three other witnesses: Michael Anderson, Wilford Draper and Norman Brown, and the introduction of an earlier attempted-murder charge on which Peltier had been found not guilty.

The FBI was able to introduce the majority of its evidence, but Peltier's defense had been, and continues to be, denied that right; much of it has been locked up, and for good reason.

Originally four men were charged with the agents' deaths. Two were acquitted in 1976 when their key defensive evidence was allowed into the trial. Their acquittal was partly due to FBI misconduct. The third was also freed in 1976 after it was concluded that he was 15 miles away from the scene at the time of the shoot-out.

That left Peltier. Why is it so necessary to keep this man locked up? No doubt, it comes down to this government's fear of opening a can of worms should they allow a full investigation into the case. Not only would the FBI's tactics be fur-

ther exposed, but the U.S. government would have to answer for a good many of the wrongs committed against this country's native people. Keeping Peltier locked up is its safest move.

In February, 1977, the Minnesota Citizens Review Commission on the FBI held investigatory hearings concerning reports of FBI misconduct. The Hearing Board's final decision was that "the FBI has engaged in systematic and extensive efforts to harass, intimidate and otherwise 'neutralize' AIM," and that "the FBI is conducting a full-scale military operation on the reservation." Donald Holman of the South Dakota Criminal Justice Commission resigned soon after, his reasons similar to the Board's findings.

Gerald Heaney, a senior circuit judge sitting on the Eighth Circuit Court of Appeals who has been involved in Peltier's case and who is also dissatisfied with Peltier's treatment, sent a letter to President Bush through Sen. Inouye outlining why he thought Peltier should be freed.

The government's prosecutive theory has changed from the original first-degree murder charges to one of aiding and abetting. Why the turn-around? Federal attorneys have now admitted they're not sure who killed the agents, and that the bullet shell casings of the supposedly fatal bullets "did not belong to Peltier," thereby killing the primary piece of evidence used to convict him.

Whether one believes Peltier is innocent or not, the issue remains: Peltier deserves a retrial. Another appeal will be filed March 24 by the LPDC; the government will have 30 days to respond.

It will take an effort by citizens who care about righting this wrong to force a change. Here are ways you can help:

- Support the letter-writing campaign now under way requesting a congressional investigation into misconduct in Peltier's case by the government, FBI and the judicial system. Write to: Senate Select Committee on Indian Affairs, 838 Senate Hart Ofc. Bldg., Wash., D.C., 20510; phone: (202)224-2251.

- Support the Executive Clemency petition (previously mentioned) by writing Sen. Daniel Inouye at the above address.

- Write letters of support to: Ed Little Crow, 2646 Hawkins Lane, Eugene, OR 97405. Crow will deliver these letters to the U.N. representative set to attend the Peace and the Planet Symposium March 26-29 in Eugene. This will be a gathering of the world's indigenous elders and leaders to meet on relevant issues and interests.

- Send letters to Peltier at: Leonard Peltier P.O. W., #89637-132, P.O. Box 1000, Leavenworth, KS 66048

- Send inquiries, letters, and financial contributions to LPDC, P.O. Box 583, Lawrence, KS 66044; phone: (913)842-5774.

*Cathie Daniels is an editorial page editor for the Emerald.*



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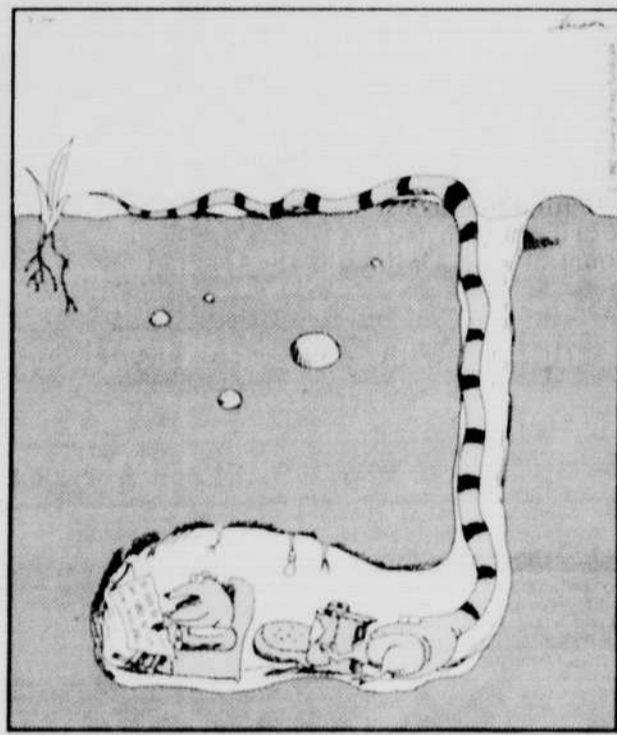
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