

Is Leonard Peltier Guilty?

The Story Of A Man; The Story Of A People

LEONARD continued from front page

ert Redford, the injustices at Pine Ridge accelerated in the years following AIM's 1972 arrival. "At the time of Wounded Knee in 1973," wrote former U.S. Attorney General and one-time Peltier attorney Ramsey Clark, "there were only a few FBI agents in the whole state of South Dakota, and frequently just one. But by 1975, there were sixty. They were deployed overwhelmingly against a small Indian population. During those two years, more than sixty Indians on the Pine Ridge Reservation — some say as many as three hundred — died violent and unexplained deaths, overwhelmingly from activity instigated by our own federal government. And there is little doubt about it."

By 1975, government efforts had overrun the reservation with the nation's highest murder rate, more than eight times as many per capita as Detroit, at the time the reigning murder capital of America. These government efforts targeted AIM members — from leaders to rank and file — who had come to Pine Ridge in 1972 as defenders of the reservation traditionalists.

As early as 1973, the F.B.I. had classified AIM "an extremist organization," according to Matthiessen's book, and attacks on individual members took many forms — from physical violence to political cronyism to legal sleight of hand.

The feds coerced Myrtle Poor Bear, a woman with a delusional background, into testifying that she saw Peltier commit the murders. They used her testimony to secure Canadian extradition of Peltier for trial when the rest of the evidence in the case was not enough.

Poor Bear had given contradictory evidence earlier — saying that she was not only not an eyewitness, but not even on the scene at the time of the incident — but when Peltier's defense team sought her testimony to show that the government had withheld exculpatory evidence, the government convinced the court that she was incompetent to testify.

But the story of the siege at the Pine Ridge Indian Reservation in Oglala, South Dakota has a longer history. On the most literal level, it centered on the deaths of two F.B.I. agents, wounded at long range in the action on June 26, 1975, and then killed close up.

No Credible Witness; Peltier Denies Pulling The Trigger

No credible source has come forward as an eye witness to the point-blank shooting and Peltier has denied pulling the trigger.

It is fair to take the history all the way back to the Wounded Knee massacre in 1890 because of AIM's 1973 occupation of Wounded Knee in remembrance of that massacre.

It also is fair to take in the incredible list of injustices and violence perpetrated on Indians in the intervening years — by civilians, by police at every level, by courts, by the collusion of the FBI's "contract corner, W.O. Brown," according to Ward Churchill, writing for the Peltier Defense Committee. Brown, it should be noted, performed an autopsy on AIM member Anna Mae Pictou-Aquash (Micmac) and failed to find the bullet hole in the back of her head.

Many in law enforcement at the time were working on the assumption that AIM members and their supporters were outlaws, and in fact, many, including Peltier were on the run from charges in many states.

"When the colonized peoples attempt to resist their oppression and defend themselves, we're called criminals," wrote Peltier in his 1998 memoir, *Prison Writings*.

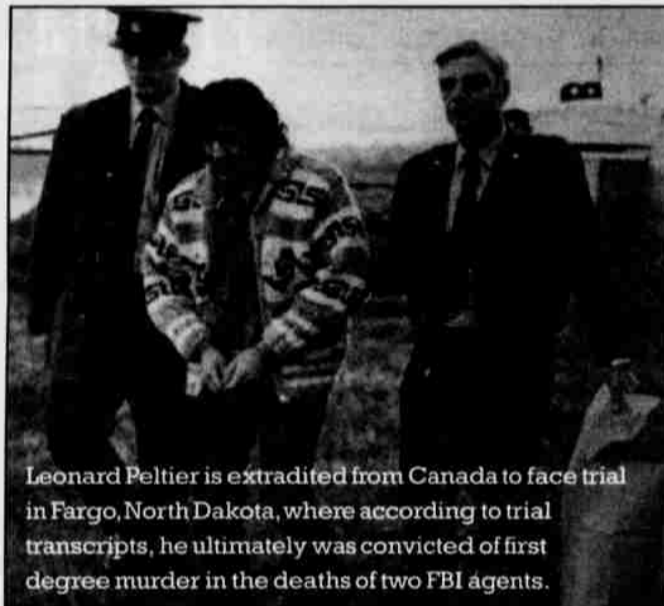
Much of the official hysteria about AIM was fueled by simple prejudice. In the end, it all came down on a small group of tough, angry, courageous and even starry-eyed Indians who, caught up in the optimism and activism of the

Governor William Janklow, one of two times that Janklow was accused of raping an Indian woman. Since the death occurred outside of FBI jurisdiction, the FBI wrote, no investigation was conducted.

The fear and loathing of that time came at the hands of FBI infiltrators like Durham and grew as the specter of infiltration flushed up to the top of AIM leaders' agendas. Before Pictou-Aquash became a suspected informer by certain AIM leaders, this same Douglass got himself assigned to work with her. Her subsequent assassination is now believed to be the fruition of the FBI's infiltration strategy.

DeMain Says Peltier Did It

None of this history, loathsome as it is, exonerates Peltier as the killer of the two FBI agents, and as the



Leonard Peltier is extradited from Canada to face trial in Fargo, North Dakota, where according to trial transcripts, he ultimately was convicted of first degree murder in the deaths of two FBI agents.

Photo courtesy of www.argenpress.info

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Wasichu: The Continuing Indian Wars, Bruce Johansen and Roberto Maestas

1960s, wanted to right the wrongs of a century of abuse.

In 2000, fending off a Congressional inquiry into the case that would have looked into federal misconduct, the FBI responded to allegations about 57 of the murder cases between 1973-75.

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The hit and run death of AIM member Jancita Eagle Deer — "standing in the middle of a remote stretch of Nebraska highway," according to Churchill — is a case in point. Last seen in the company of federal provocateur Douglass Durham, an AIM infiltrator, Eagle Deer had six months earlier testified about an alleged rape by long time South Dakota

years went by, sources began to open up to Paul DeMain (Oneida-Ojibwe), Editor of *News from Indian Country*, and a crusading reporter who had long supported Peltier.

DeMain continues to acknowledge the crass insults to justice attributable to federal participation in this case, but in 2002 in the first Indian broadside against Peltier, DeMain wrote, "it simply took a delegation of people who were tired of all the deceptions, lies and dangers to step forward and tell me the truth. 'Peltier was responsible for the close range execution of the agents...' and that was the end of that."

DeMain points to admissions from trusted but anonymous sources. Darlene "Kamook" Nichols, one time wife of AIM leader Dennis Banks and an admitted FBI informant, added to the weight of evidence during the 2004 trial of Arlo Looking Cloud for the murder of Pictou-Aquash. Peltier boasted about killing the FBI agents in October, 1975, she said on the stand.

DeMain quotes Nichols saying, "He said the (expletive) was begging for his life, but I shot him anyway."

DeMain has also put together a comparison of the many descriptions that Peltier and others presented from time to time about the incident at Oglala that day, as well as time lines to bolster his argument.

It is now nearly 30 years later and the 3,500 documents that the FBI produced at Peltier's 1976 trial, indicating that these were all that existed, have through Freedom of Information Act requests, grown to 100,000, according to Peltier's Defense Committee website.

While the question of who killed the FBI agents continues to be argued, the people that AIM came to protect are still being picked off by Tribal and federal agencies at Pine Ridge.

The stories today sound chillingly familiar. Janis Schmidt, Co-founder of the Lakota Wawokiya Legal Defense Organization and 14 years a resident of the Pine Ridge Reservation, told one recent story of two brothers.

On June 2, she said, young Oglala Sioux Tribal members Dirk and Dakota Garnier and a companion were kicked and beaten with bats and a variety of tools used as weapons by some 30 "white guys," according to testimony they gave to Schmidt for their defense. A police car went by the beating once and only stopped the second time through. During the fight, one of the white guys apparently got hit with one of the baseball bats. A week later, the Garniers learned from a reporter from the *Rapid City Journal* that he and his brother were being charged with attempted murder and aggravated assault. At press time, an effort was underway to extradite the brothers from the Pine Ridge Reservation so that they could stand trial in state court.

"The situation that I described is so silently desperate," said Schmidt. "We figure 12-15 innocent Lakotas are being sent off each month based on the number of calls we receive."

According to RE-MEMBER, "a faith based organization that exists to recall our country's treatment of the Indian people and to repair the broken pieces of that relationship," the Oglala Lakota Indians still face over 80 percent unemployment, a per capita income of \$3,400, eight times the U.S. rate of diabetes and tuberculosis, twice the national rate for suicide, three times the infant mortality rate and a murder rate that is 2.5 times the national average.

"Our human rights as indigenous peoples are being violated every day of our lives," Peltier wrote in *Prison Writings*, "and by the very same people who loudly and sanctimoniously proclaim to other nations the moral necessity of such rights."

Thirteen years later, the atmosphere remains grim for the traditional people of Pine Ridge. And the question remains — who now will defend their rights? ■