

1 **RESOLUTION # _F**

2013 FALL SESSION

3 **Legislative Action:**

4 Introduced by: (A) (E) (S)

5
6 1st Reading: _____

Referred To: _____

7 2nd Reading: _____

Committee Action: _____

8 3rd Reading: _____

Senate Action: _____

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10
11 **Executive Action:**

12
13 _____
14 ASUNM President

_____ Date

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16 WHEREAS, the Associated Students of the University of New Mexico (ASUNM) Government
17 is the representative body of the undergraduate students; and

18
19 WHEREAS, Leonard Peltier is an activist, artist, humanitarian, and writer. He is most widely
20 known for being a member of the American Indian Movement (AIM) for which his involvement
21 has resulted in him serving nearly 40 years in prison for allegedly killing two FBI agents that he
22 did not commit. For people who do not know much about Peltier’s case and particularly young
23 people he wishes to be known as, “somebody that stood up for his people’s rights and who tried
24 to stop the Termination Act and all the other crimes committed against my people;” and

25
26 WHEREAS, Peltier is widely supported by nobel laureates, scholars, foreign parliaments, civil
27 rights activists, artists, celebrities, Native American and tribal leaders, unions and other
28 individuals or organizations; and

29
30 WHEREAS, Leonard Peltier’s case has been shrouded in controversy since his imprisonment in
31 1977. He was wrongfully convicted of killing two FBI agents at Oglala on the Pine Ridge
32 Reservation in 1975. The FBI raided Oglala where Peltier and several other AIM members were
33 encamped. The agents came onto the land in an aggressive manner causing the organization to
34 believe they were under violent attack. This was a valid claim given the culture of fear that had
35 emerged from the history of the FBI training given to the Guardians of the Oglala Nation, a death
36 squad, that carried out the assassinations of Indigenous activists in Pine Ridge. Over 64 people
37 had been killed and hundreds more injured. During the raid two FBI agents were shot and
38 killed. Peltier was convicted after allegations were brought to light following the failed
39 conviction of two other American Indian Movement members for the same crime. The case and
40 following conviction was an attempt to silence the American Indian Movement and made
41 Peltier a political prisoner of the United States Government; and

42
43 WHEREAS, Peltier is innocent and has been unjustly incarcerated as punishment for the deaths
44 of the two FBI agents at Oglala. The FBI falsified evidence against Peltier in order to imprison
45 him and keep him imprisoned. The FBI has publicly admitted to holding Peltier in prison despite
46 his innocence. Peltier has never received a fair trial, and all other legal options have been
47 exhausted. Now, the only option is to demand clemency; and

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1 WHEREAS, President Obama has the authority to grant executive clemency. This is the power
2 of a President in federal criminal cases to, in Leonard Peltier's case, commute the sentence of a
3 person convicted of a crime; and
4
5 WHEREAS, Peltier is now a 71 year old elderly man living in a prison. He has a bad prostate,
6 diabetes, high blood pressure, and has suffered a mild heart attack and stroke; and
7
8 WHEREAS, Under the 8th Amendment of the U.S. constitution Peltier should be protected
9 against 'cruel and unusual punishment,' however he has been denied adequate health care and
10 his health continues to deteriorate; and
11
12 WHEREAS, Peltier has faced many violations to his constitutional rights throughout his case. In
13 normal circumstances, a single violation is enough to set someone free. We wish to see Peltier
14 live out the rest of his life in freedom with his loved ones and with access to adequate healthcare;
15 and
16
17 NOW, THEREFORE LET IT BE RESOLVED, the Associated Students of the University of
18 New Mexico call upon President Barack Obama to grant executive clemency to Leonard Peltier
19
20 NOW, THEREFORE LET IT BE FURTHER RESOLVED, that a copy of this resolution be
21 forwarded to President Barack Obama.