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Re: *Leonard Peltier*, American Indian Movement
U.S. Penitentiary - Lewisburg, Pennsylvania
Update on Disciplinary Segregation; what can be done

Dear Friends:

My office now has the complete details regarding the punishment of Leonard Peltier for alleged prison rule infractions that he did not commit. The facts lead to the inescapable conclusion that he was set up in order for the government to impose even more retribution than the nearly 35 years of imprisonment and isolation from which he continues to suffer. Further, the draconian penalties are life threatening to my client who is nearly 67 years old, has a heart condition, diabetes, and other medical problems caused by the lengthy incarceration. Racism, politics and revenge appear to be the forces driving this unjust situation.

The conditions under which Leonard is presently confined constitute cruel and inhumane treatment. In view of his advanced age and poor health, it amounts to torture. What is happening is part of the government's long history of genocide of indigenous people.

That Leonard Peltier is an activist in the American Indian Movement who stands convicted, though innocent, of killing two FBI agents on the Pine Ridge Reservation, makes all the difference. Simply put, he is unique in the federal prison system and is thus treated differently from other inmates.

This factual summary is based upon prison reports, interviews and other documents. On June 24, 2011, Leonard received through the mail a 20-pound note from a lady in Scotland. That it even arrived in his cell is suspicious because all mail, other than my legal correspondence, is opened, read and copied by prison officials. Inmates are not allowed to have money, so any currency is confiscated by the Institution Mailroom and never reaches the inmate. It is thus apparent that prison personnel intentionally allowed the money in, in violation of their own rules in an effort to frame Leonard. Upon receiving the bill, he promptly mailed it back out to a friend, writing "I guess the mailroom did not want to return it, so I will!" An officer in a June 27 report described finding the currency while reviewing outgoing mail, and concluded "that inmate Peltier was in possession of money that was not authorized." As Leonard later wrote: "I did not do anything wrong. The mailroom gave me the currency. I was trying to get rid of it, by mailing it out."

The money pretext triggered an invasion of Leonard's cell. Early on June 27, the first weekday after the 36th anniversary of the FBI shoot-out on the Pine Ridge Reservation and two days following the defeat of Custer and the 7th Cavalry 135 years earlier at the Little Big Horn (Battle of the Greasy Grass), guards searched the cell and displayed a lack of respect for sacred religious items. One discovered "two wires protruding approximately two inches from . . . the wall above the corner post of the upper bunk" and claimed to have experienced an electrical shock when he pulled on them. Leonard explained that nearly a year earlier a former cellmate, since released, was "manipulating the light fixture." They argued over it with the man apologizing. Leonard had two other cellmates since then who never mentioned anything about wires. Until the search, he reasonably believed there was no threat to anyone's safety. In fact, nei-

ther the guards nor Leonard could even see the wires because they were concealed in a corner above the top bunk bed.

During a July 21, 2011 Discipline Hearing, which was administrative so legal representation was prohibited, the presiding prison officer did not find that Leonard had any involvement in placing the wires in the cell. Nonetheless he concluded "that Peltier was . . . aware of the presence of the electrical wire [and] should have taken some sort of action to ensure that the hazard was removed." Even though the guard who searched the cell "did not sustain an actual serious physical injury," it was determined that "the prohibited act to be of the Greatest severity in nature." Consequently Leonard was found guilty of assault upon the guard and "conduct which disrupts or interferes with the security or orderly running" of the prison. These are in the most severe category of offenses that include killing, escape, setting a fire, possessing a gun, rioting, and taking hostages.

The punishment imposed on Leonard is appalling: "Forfeit Statutory Good Time: 100 days; Disciplinary Segregation: 60 days; Disciplinary Transfer; Loss of Commissary Privilege: 180 days; Loss of Visiting Privileges: 180 day." We are appealing the ruling.

The government continues to try to kill my client through endless imprisonment and isolation. Leonard suffers from bad health because of decades of confinement. Yet for over a month he has been in a small cell that is incredibly hot and miserable. It is difficult for him to sleep or even write a letter due to profuse sweating. I worry about Leonard dying because of his poor heart.

I ask that people write to Leonard. Hearing from those who care will make a difference, and remember that prison officials must read each letter. The prison needs to be flooded with letters. Leonard should know that he is not alone. The address is:

Mr. Leonard Peltier
No. 89637-132
U.S. Penitentiary Lewisburg
P.O. Box 1000
Lewisburg, PA 17837

I took this case to win. We are doing many things that have never before been attempted. My client is innocent and does not belong in prison. I will not stop until Leonard is free.

Leonard Peltier is a symbol in the fight for the rights of indigenous people everywhere. The government must not be allowed to bury him in prison in the hope that he will be forgotten, along with its ongoing shameful treatment of American Indians. We need to continue making public this outrageous situation.

Please visit us on the *Leonard Peltier Legal Defense* website: <http://www.facebook.com/pages/Leonard-Peltier-Legal-Defense/193230444056122>. Leonard appreciates your support and concern, as do I.

In the Spirit of Crazy Horse,



Robert R. Bryan

Lead counsel for Leonard Peltier