



U.S. Department of Justice

Federal Bureau of Investigation

Office of the Director

Washington, D.C. 20535-0001

January 10, 2025

The Honorable Joseph R. Biden Jr.  
President of the United States of America  
Washington, DC

Dear Mr. President:

I write to share with you a letter I sent to the Acting Pardon Attorney in March 2022, expressing my vehement and steadfast opposition to the commutation of Leonard Peltier's sentence. I hope these letters are unnecessary, and that you are not considering a pardon or commutation. But on behalf of the FBI family, and out of an abundance of caution, I want to make sure our position is clear: Peltier is a remorseless killer, who brutally murdered two of our own—Special Agents Jack Coler and Ronald Williams. Granting Peltier any relief from his conviction or sentence is wholly unjustified and would be an affront to the rule of law.

On June 26, 1975, Jack and Ron were searching for a fugitive when Peltier and others mowed them down in a barrage of gunfire. After the onslaught, Peltier approached the injured young men and brutally executed them at close range. In the aftermath of the murders, Peltier engaged in a violent flight from justice, firing shots at police officers as he eluded arrest and burglarizing a home. Following his apprehension months later in Canada, Peltier said that if he had known law enforcement officers were approaching, he would have “blow[n] [them] out of [their] shoes.”<sup>1</sup> After his trial and conviction for first-degree murder, Peltier participated in a violent escape from federal prison, during which he and others opened fire on prison employees.

For nearly 50 years, no fewer than 22 federal judges, multiple parole boards, and six presidential administrations have evaluated the evidence and considered Peltier's arguments. Each has reached the same conclusion: Peltier's claims are meritless, and his convictions and sentence must stand. Even though courts have repeatedly examined and exposed Peltier's claims as baseless, his sympathizers continue to wrongly promote him as a standard-bearer for legitimate grievances about the United States government's historical mistreatment of Native Americans. But the facts cannot—and must not—be ignored. Peltier is a ruthless murderer who has shown a complete lack of remorse for his many crimes. The overwhelming and unassailable evidence of Peltier's guilt, coupled with his persistent refusal to accept responsibility, make him wholly unfit for a commutation or pardon.

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<sup>1</sup> *United States v. Peltier*, 585 F.2d 314, 334 (8th Cir. 1978).

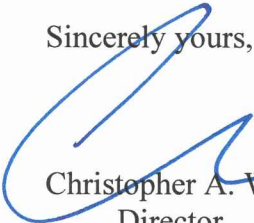
The Honorable Joseph R. Biden Jr.

Each time Peltier attempts to resurrect his claims for leniency, it leads to an inevitable swirl of misinformation and causes the fallen agents' loved ones to experience their pain anew. Despite the heartache, whenever Peltier's case comes back to the fore, Jack's and Ron's families step up to do everything they can to ensure justice is done. For Peltier's latest commutation petition, I received letters from a whole host of family members, ranging from Ron's then-98-year-old uncle and a loving cousin to Jack's still grieving widow and sons. Each shared the pain Peltier has caused them and their families and expressed how devastating it would be if he were released.

I can assure you that over the years, the resolve of the FBI family has also not slackened. The FBI Agents Association, which represents 14,000 current and former FBI employees, and the Society of Former Special Agents of the FBI, which represents thousands more, have consistently joined me in opposing Peltier's release. And although they may lack the platform of Peltier's celebrity supporters, I can assure you the FBI family is as committed as ever to ensuring Peltier stays where he belongs.

Mr. President, I urge you in the strongest terms possible: Do not pardon Leonard Peltier or cut his sentence short. It would be shattering to the victims' loved ones and undermine the principles of justice and accountability that our government should represent.

Sincerely yours,



Christopher A. Wray  
Director

Enclosures



U.S. Department of Justice

Federal Bureau of Investigation

Office of the Director

Washington, D.C. 20535-0001

March 31, 2022

Mrs. Rosalind Sargent-Burns  
Acting Pardon Attorney  
U.S. Department of Justice  
Washington, D.C.

Re: Opposition to Leonard Peltier's Petition for Commutation (C296035)

Dear Mrs. Sargent-Burns:

I write on behalf of the entire FBI family to express our vehement and steadfast opposition to the commutation of Leonard Peltier's sentence. Peltier is a remorseless killer who brutally murdered two of our own — Special Agents Jack R. Coler and Ronald A. Williams. Commutation of Peltier's sentence is wholly unjustified. It "would be shattering" to the victims' loved ones and an affront to the rule of law.<sup>1</sup>

**I. The facts of Peltier's horrific crimes are well-established and beyond dispute.**

On June 26, 1975, Special Agents Coler and Williams were searching for a fugitive when Peltier and others mowed them down in a barrage of gunfire.<sup>2</sup> Peltier's group fired at least 125 rounds, compared to just five fired by the two outnumbered agents.<sup>3</sup> After the onslaught, Peltier approached the injured young men and brutally executed them at close range.<sup>4</sup> Peltier shot Special Agent Coler twice in the head as he lay on the ground unconscious from wounds he sustained in the initial gunfire.<sup>5</sup> Special Agent Williams was on his knees, unable to stand as a

<sup>1</sup> Ltr. from Paul Coler (Special Agent Jack Coler's son) to FBI Director Christopher A. Wray (Feb. 25, 2022) (Attachment A).

<sup>2</sup> *Peltier v. Booker*, 348 F.3d 888, 896 (10th Cir. 2003) (*Peltier VI*) ("[T]he officers were on a routine law enforcement mission when they encountered overwhelming firepower from Native American activists.").

<sup>3</sup> *United States v. Peltier*, 585 F.2d 314, 318 (8th Cir. 1978) (*Peltier I*).

<sup>4</sup> *Peltier VI*, 348 F.3d at 896 (concluding that "description of the murders . . . as 'executions' and 'cold-blooded' was warranted" and "quite apt").

<sup>5</sup> *Peltier I*, 585 F.2d at 319 ("The murderer shot Coler, who was unconscious, across the top of the head. The bullet carried away a part of his forehead at the hairline. The shot was not fatal, however. The murderer then lowered his rifle a few inches and shot Coler through the jaw. The shell exploded inside his head, killing him instantly.").

result of his wounds, when Peltier shot him in the face through an outstretched hand.<sup>6</sup> The fatal shots were fired from a high-velocity, small-caliber firearm. Eyewitnesses placed the murder weapon in Peltier's hands,<sup>7</sup> and a .223-caliber cartridge retrieved from the trunk of one of the agent's cars was later linked ballistically to Peltier's AR-15.<sup>8</sup>

In the aftermath of the murders, Peltier engaged in a violent flight from justice. When Oregon State Police stopped Peltier and several associates near the Canadian border, Peltier's group abandoned their vehicles and fled, turning to fire shots at police as they eluded arrest.<sup>9</sup> The abandoned vehicles contained an arsenal of weapons, including firearms, dynamite, grenades, and other explosives.<sup>10</sup> In a bag bearing Peltier's thumbprint, officers found Special Agent Coler's FBI service revolver — a trophy Peltier had claimed from the murders.<sup>11</sup> As he continued his flight, Peltier burglarized a home, making off with a rifle and a truck. Peltier was finally arrested in February 1976 by the Royal Canadian Mounted Police. Following his apprehension, Peltier said that if he had known law enforcement officers were approaching, he would have "blow[n] them out of their shoes."<sup>12</sup> At the time of his arrest, Peltier was armed with four firearms, including the stolen rifle.<sup>13</sup>

Even after his trial and conviction for the first-degree murder of Special Agents Coler and Williams, Peltier continued his contemptible pattern of crime and violence. In 1979, Peltier participated in a prison break, during which he and his fellow escapees fired shots at officers as they fled. When Peltier was later apprehended, he had a semi-automatic rifle that matched cartridges recovered from the scene of the escape.<sup>14</sup> Peltier was subsequently convicted of

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<sup>6</sup> *Id.* at 318–19 ("The murderer placed the barrel of his gun against Williams' hand and fired. The bullet ripped through Williams' hand, into his face, and carried away the back of his head. He was killed instantly.").

<sup>7</sup> *United States v. Peltier*, 800 F.2d 772, 779 (8th Cir. 1986) (*Peltier III*) ("Norman Brown testified that he saw Peltier firing a weapon from the treeline similar to the one introduced into evidence. . . . Michael Anderson testified that he saw Peltier at the agents' cars and that Peltier was carrying a weapon similar to the one introduced in evidence. Moreover, no witness testified that anyone other than Peltier was seen firing an AR-15 at the agents' cars, or that anyone other than Peltier was seen by the agents' cars with an AR-15.").

<sup>8</sup> *Peltier I*, 585 F.2d at 319–20.

<sup>9</sup> *Id.* at 320 ("Peltier was stopped by police months later in the State of Oregon. He fled the scene, turning to fire on one of the police officers.").

<sup>10</sup> Peltier and his associates had "fourteen firearms, eight of which had obliterated serial numbers," "tool boxes containing wiring, pocket watches with wires leading out of them, tools, pliers, and empty shell casings," and "nine hand grenades." *Id.* at 322.

<sup>11</sup> *Id.* at 320.

<sup>12</sup> *Id.* at 334.

<sup>13</sup> *Id.* at 327 ("[A]t the time of his arrest, Peltier had in his possession the .30/30 rifle stolen in Oregon, other property stolen from the Oregon ranch house, two pistols, and an M-1 semiautomatic rifle.").

<sup>14</sup> *Peltier VI*, 348 F.3d at 889–90.

escape and possession of a firearm by a convicted felon and was sentenced to an additional seven years in prison.<sup>15</sup>

Multiple courts of appeals have affirmed Peltier's convictions and rejected his numerous challenges to his sentence.<sup>16</sup> On direct appeal, the Eighth Circuit catalogued the "substantial" evidence presented at trial and found that "the direct and circumstantial evidence of Peltier's guilt was strong."<sup>17</sup> Years later, the Tenth Circuit separately observed that "ample facts" showed that "Peltier personally shot Agents Coler and Williams."<sup>18</sup> Over the past 45 years, no fewer than 22 federal judges have evaluated the evidence and considered Peltier's legal arguments. Each has reached the same conclusion: Peltier's claims are meritless, and his convictions and sentence must stand.<sup>19</sup> Even Judge Gerald W. Heaney, whom Peltier claims as a supporter, authored an opinion **rejecting** Peltier's challenges to his guilt and conviction, concluding that "[w]hen all is said and done . . . a few simple but very important facts remain."<sup>20</sup>

Like his numerous court challenges, Peltier's two prior applications for parole and multiple commutation petitions — versions of which have been pending during each of the past six presidential administrations — have all been rejected or denied. Through it all, Peltier has shown no remorse for his appalling crimes.

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<sup>15</sup> *United States v. Peltier*, 693 F.2d 96, 98 (9th Cir. 1982) (*Peltier II*) ("No imaginable set of circumstances could be drawn . . . to justify the armed jail break that took place.").

<sup>16</sup> *Peltier I*, 585 F.2d at 335 (affirming Peltier's first-degree murder convictions); *Peltier II*, 693 F.2d at 98 (affirming Peltier's escape and unlawful firearm possession convictions); *Peltier III*, 800 F.2d at 775 (denying Peltier's first collateral attack); *Peltier v. Henman*, 997 F.2d 461, 468–69 (8th Cir. 1993) (*Peltier IV*) (denying Peltier's second collateral attack); *United States v. Peltier*, 312 F.3d 938, 943 (8th Cir. 2002) (*Peltier V*) (affirming denial of Peltier's motion to reduce his consecutive life sentences); *Peltier VI*, 348 F.3d at 892 (rejecting Peltier's collateral attack challenging the denial of his parole application); *United States v. Peltier*, 446 F.3d 911, 914 (8th Cir. 2006) (*Peltier VII*) (affirming denial of Peltier's motion to correct sentence).

<sup>17</sup> *Peltier I*, 585 F.2d at 319–20 & n.3.

<sup>18</sup> *Peltier VI*, 348 F.3d at 895 (rejecting Peltier's petition seeking immediate release).

<sup>19</sup> See note 16 (cataloguing decisions affirming Peltier's convictions).

<sup>20</sup> *Peltier III*, 800 F.2d at 775. In his decades-old letter, Judge Heaney suggested that "[f]avorable action by the President in the Leonard Peltier case would be an important step," **not** because he had doubt about Peltier's guilt, but as part of "a healing process" for the United States government's historical treatment of Peltier and other Native Americans. See Ltr. from the Hon. Gerald W. Heaney, Senior Circuit Judge, U.S. Court of Appeals for the Eighth Circuit, to Senator Daniel K. Inouye, United States Senate Select Committee on Indian Affairs (Apr. 18, 1991) ("**No** new evidence has been called to my attention which would cause me to change the conclusion reached in that case." (emphasis added)).

**II. Peltier's petition relies on the same misinformation and isolated statements presented in prior requests, while ignoring the clear facts establishing his guilt.**

The heinous nature of Peltier's crimes, his propensity for violence, and his complete failure to accept responsibility should disqualify him from the "extraordinary remedy" he seeks.<sup>21</sup> In his latest request for commutation, Peltier offers no new grounds for relief, merely recycling the same arguments and misinformation courts have rejected time and again.

***i. Peltier was the shooter.***

At least three separate courts have dispensed with Peltier's attempts to cast doubt on the ballistic evidence connecting him to the shots that killed the young agents.<sup>22</sup> One of those courts succinctly summarized the critical physical evidence, noting:

only the AR-15 linked to Mr. Peltier could have fired the fatal shots into the two agents, . . . the .223 casing found in Agent Coler's trunk matched the AR-15 recovered in Wichita and linked to Mr. Peltier, [and] other AR-15's present on the Reservation were fired at locations far from the murder scene. . . .<sup>23</sup>

Far from "unraveling" as Peltier suggests, the convincing proof of his primary role in the violent murders remains undisturbed.

***ii. The government has been unwavering in its view of the conclusive evidence establishing that Peltier shot Special Agents Coler and Williams.***

Peltier persists in the long-debunked claim that one of the prosecutors later admitted during an appellate argument that the government "can't prove who shot those agents." The Eighth Circuit carefully examined that statement and concluded it was a "totally inadequate basis for asserting that the government conceded that it had not proved that Peltier personally shot the agents at close range."<sup>24</sup> The court explained that when viewed in context, the comment "appears to relate" to a point the prosecutor was making about a different case altogether, one "involving

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<sup>21</sup> See Department of Justice, Justice Manual, 9-140.113 (Standards for Considering Commutation Petitions).

<sup>22</sup> *Peltier VI*, 348 F.3d at 894; *Peltier III*, 800 F.2d at 777 ("When all is said and done, however, a few simple but very important facts remain. The casing introduced into evidence had in fact been extracted from the Wichita AR-15."); *United States v. Peltier*, 609 F. Supp. 1143, 1154 (D. N.D. 1985) (rejecting Peltier's challenge to the ballistic evidence after conducting an evidentiary hearing).

<sup>23</sup> *Peltier VI*, 348 F.3d at 894 (citing *Peltier I*, 585 F.2d at 319-20; *Peltier III*, 800 F.2d at 779).

<sup>24</sup> *Peltier IV*, 997 F.2d at 468-69 ("It is impossible to conclude that, in all the circumstances [AUSA] Crooks, who had participated in the trial of the case, intended by his unartfully phrased statement . . . to abandon one of the two theories upon which the government had tried the case. . . .").

the murder of federal marshals, not the murder of FBI Agents Coler and Williams.”<sup>25</sup> Given the court’s definitive reasoning, Peltier’s suggestion that the government made some sort of concession is totally disingenuous.

**iii. Far from adding anything new, Peltier’s claims have weakened.**

Peltier’s application contains no new evidence or information. His inability to cast doubt on his prior convictions is unsurprising,<sup>26</sup> as proof of his guilt has only gotten stronger since trial. In 2004, Darlene Nichols, a former associate of Peltier’s, testified that Peltier admitted his role in the Coler and Williams murders to her in 1975 during his time as a fugitive.<sup>27</sup> Nichols said that Peltier chillingly recounted that “[the agent] was begging for his life, but I shot him anyway.”<sup>28</sup> Even Peltier’s own story has evolved from initially denying being anywhere close to the fallen agents to ultimately admitting to being near the dead bodies.

**iv. Peltier is unworthy of support.**

Peltier’s sympathizers promote him as a standard-bearer for legitimate grievances about the United States government’s historical mistreatment of Native Americans. But the facts cannot be ignored. Peltier is a ruthless murderer who has demonstrated an utter lack of remorse for his many crimes. He is unfit for commutation. “[T]hat Peltier has become a favorite cause and figurehead championed by Hollywood, the music industry, politicians and well-intended activists” despite his vicious and unrepentant history only adds to the pain endured by those who loved and lost Special Agents Coler and Williams.<sup>29</sup>

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<sup>25</sup> The Eighth Circuit further concluded that even if the prosecutor intended to refer to the instant case involving Special Agents Coler and Williams, it is “more likely, he was merely reiterating that the government did not present any direct evidence . . . since all of the government’s proof was circumstantial.” *Id.* at 469.

<sup>26</sup> In addition to the examples outlined above, Peltier’s oft-repeated claim that the trial judge unfairly excluded evidence of the events leading up to the murder misrepresents the record. The Eighth Circuit rejected that argument years ago, observing that, over the government’s objection, “[t]he district court admitted substantial evidence concerning the atmosphere on the reservation and the poor relations between the AIM, on the one hand, and the GOONS, the Bureau of Indian Affairs, and the FBI on the other hand.” *Id.* at 470 (emphasis added) (explaining that the only limitation the trial judge placed was on evidence of specific acts to avoid “mini-trials” by triggering the government’s right to present conflicting evidence).

<sup>27</sup> Nichols was testifying in the trial of Arlo Looking Cloud for the murder of Anna Mae Aquash, who Peltier and others thought was an FBI informant. *United States v. Looking Cloud*, 419 F.3d 781, 789 n.5 (8th Cir. 2005) (affirming Looking Cloud’s conviction for first-degree murder).

<sup>28</sup> Tr. Transcript at 144–45, *United States v. Looking Cloud*, 03-cr-55520 (D. S.D., Feb. 3–6, 2004).

<sup>29</sup> Ltr. from Ronald Coler (Special Agent Coler’s son) to Director Christopher A. Wray (Mar. 3, 2022) (Attachment B).

### **III. Peltier's crimes left a hole in the lives of the victims' surviving family, friends, and colleagues that now runs generations deep.**

Despite the passage of time, the pain that Peltier caused his victims' families remains and, in many ways, has grown deeper. When Peltier murdered Special Agents Coler and Williams in 1975, a young wife was left "alone" and "devastated,"<sup>30</sup> two small children were "robbed of a father," and a grieving mother "was never the same."<sup>31</sup> Now, decades later, the children are grown, having gone through life longing for their father's "presence and connection."<sup>32</sup> The families' hearts remain broken; they "will never, as long as [they] live, forget [their family member] and friend."<sup>33</sup> And there are now new generations of grandchildren and extended family who "will never have the opportunity to know and love" their relatives, who were taken too soon.<sup>34</sup>

Each time Peltier attempts to resurrect his claims for leniency, it leads to an inevitable swirl of misinformation, causing the fallen agents' loved ones to experience their pain anew.<sup>35</sup> After all these years, they understandably have difficulty understanding why there is still no closure.<sup>36</sup> Special Agent Coler's admiring younger sisters put it well:

Leonard Peltier didn't know the two men he murdered, but because of him, [those] of us who loved them have never really had a chance for closure. We are subjected to hearing and thinking about him, reliving that time more often than we should. Parole hearings, [p]ardon and [c]lemency requests, books, movies, etc. Nothing has changed regarding this case in the last 47 years.<sup>37</sup>

Despite the pain, whenever Peltier's case has come back to the fore, Special Agent Coler's and Williams' surviving family members have stepped forward to "do everything

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<sup>30</sup> Paul Coler Letter.

<sup>31</sup> Ltr. from Michael Titone (Special Agent Williams' 98-year-old uncle) to Director Christopher A. Wray (Feb. 24, 2022) (Attachment C).

<sup>32</sup> Ronald Coler Letter.

<sup>33</sup> Ltr. from Dan Williams (Special Agent Williams' cousin) to Director Christopher A. Wray (Feb. 25, 2022) (Attachment D).

<sup>34</sup> Paul Coler Letter.

<sup>35</sup> Ltr. from Peggy Coler (Special Agent Coler's widow) to FBI Director Christopher A. Wray (Attachment E) (describing her experience as a "never-ending nightmare").

<sup>36</sup> "It is all very strange to me. Strange, that after executing two defenseless men, that it could ever be considered that Peltier would get out of prison." Peggy Coler Letter.

<sup>37</sup> Ltr. from Linda Miller and Susan Gregg (Special Agent Coler's sisters) to FBI Director Christopher A. Wray (Mar. 1, 2022) (Attachment E).



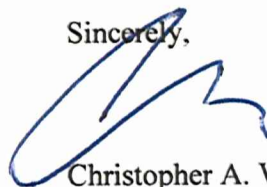
possible to keep this cold[-]blooded murderer behind bars where he belongs.”<sup>38</sup> In support of this opposition, I received letters from a whole host of family members, ranging from Special Agent Williams’ 98-year-old uncle and a loving cousin to Special Agent Coler’s still-grieving widow and sons. Each shared the pain that Peltier has caused them and their families and expressed how devastating it would be if he were granted clemency now, so many years later.

Over the years, the resolve of the FBI family has also not slackened. Prior FBI directors have weighed in forcefully against Peltier’s repeated petitions.<sup>39</sup> The FBI Agents Association, which represents 14,000 current and former FBI employees, and the Society of Former Agents of the FBI, which represents thousands more, remain staunchly opposed to Peltier’s pleas.<sup>40</sup> This letter, too, reflects a combined effort by the FBI family. Dozens of current—and several retired—FBI employees personally contributed, considering it an “honor” to work with the Coler and Williams families and to advocate on behalf of their fallen colleagues. Although they may lack the platform that some of Peltier’s celebrity supporters have had over the years, I can assure you that the FBI family’s passion and dedication to this issue remain as strong as ever.

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Given the overwhelming and unassailable evidence of his guilt, the brutality of his crimes, and his persistent refusal to accept responsibility, I urge you in the strongest terms possible to recommend denial of Peltier’s latest commutation petition. Peltier is right where he belongs, serving consecutive life sentences for his cold-blooded murders of Jack and Ron.

Sincerely,



Christopher A. Wray  
Director

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<sup>38</sup> Dan Williams Letter.

<sup>39</sup> Ltr. from FBI Director Louis J. Freeh, to Attorney General Janet Reno (Dec. 5, 2000) (“The entire episode by Peltier remains an affront to the very principles to which you and I have dedicated our lives and to which every employee in the FBI stands firm.”); Ltr. from FBI Director Robert S. Mueller, III, to Isaac Fulwood, Jr., Chairman, United States Parole Commission (July 20, 2009) (“The passage of time does not diminish the brutality of these crimes or the incalculable damage done by Mr. Peltier to the surviving families, friends, and colleagues of Agents Coler and Williams.”); Ltr. from Ernest Babcock, FBI Deputy General Counsel to Cynthia K. Dunne, Attorney for Peltier (June 22, 2016) (declining Dunne’s request to meet with Director Comey and explaining “[Peltier’s] crimes resulted in pain and loss that will forever be felt by the families of the victims and by the FBI family.”) (Attachment F).

<sup>40</sup> Ltr. from Dennis M. Lormel, President, Society of Former Special Agents of the FBI, to Attorney General Merrick Garland (Feb. 15, 2022) (“Peltier deserves no compassion in return for the executions he freely chose to commit.”); Ltr. from Brian O’Hare, President, FBI Agents Association, to Attorney General Garland (Dec. 2, 2021) (“Activists supporting Peltier use a mix of folklore, falsehoods and out-of-context statements that are designed to . . . exonerate Peltier in the eyes of the public, rather than show any true remorse regarding the murders of Agents Coler and Williams.”) (Attachment G).

# **Attachment A**

February 25, 2022

Christopher A. Wray  
Director of the Federal Bureau of Investigation  
935 Pennsylvania Ave, NW.  
Washington, DC 20535

Dear Mr. Wray,

This letter is in effort to prevent President Biden from granting clemency to Leonard Peltier. There are several reasons why Peltier does not deserve consideration for clemency. On April 18, 1977, Leonard Peltier was found guilty of the first-degree murders of both Special Agent Jack Coler and Special Agent Ron Williams and was subsequently sentenced to two consecutive life sentences in prison. Since that time the families of both Jack Coler and Ron Williams have been fighting to ensure Leonard Peltier is held accountable for his actions and the he continues to serve his prison sentence.

I was less than two years old when Peltier killed my father with his AR-15 rifle on June 26, 1975. I was immediately robbed of a father and left to witness the continuous struggle and suffering my Mother had to endure after losing her husband. She was alone, dealing with the biggest tragedy of her life, all while trying to navigate her two young sons through life. Through out the years, there have been countless times where I have longed for my Fathers presence and connection. My children will never have the opportunity to know and love their Grandfather. My Grandparents, were scarred, lost and confused due to the loss of their son, who was brutally murdered at the young age of 28. My Aunts and Uncle have been traumatized and left with the emotional turmoil due to the loss of their brother.

Even though Peltier has admitted to firing at Jack Coler and Ron Williams, he refuses to accept moral or personal responsibility and has never shown any remorse for the lives he took and the many victims impacted by his criminal actions.

It has been proven that Peltier is responsible for the murder of Jack Coler and Ron Williams. It would be shattering to the family if Leonard Peltier was granted clemency.

Respectfully,

Paul Coler

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# **Attachment B**

Ronald L. Coler  
1480 Byrd Drive  
Berwyn, PA 19312

March 3, 2022

Christopher Wray  
Director of the Federal Bureau of Investigation  
FBI Headquarters  
935 Pennsylvania Avenue, NW  
Washington, D.C. 20535-0001

RE: PELTIER, Leonard

Dear Mr. Wray,

It has come to my family's attention that Leonard Peltier is once again seeking to escape justice. On behalf of the Coler and Williams families, please relay our position opposing any form of clemency for Peltier to President Joe Biden and his administration. Leonard Peltier does not deserve a presidential pardon.

As you are aware, on June 26, 1975, Leonard Peltier murdered my father, Jack Coler and his partner, Ron Williams in cold blood. Instead of acknowledging his guilt, expressing remorse, seeking reform or taking any form of responsibility for his heinous crimes at any point during his incarceration, Peltier has made every possible attempt to escape justice and avoid punishment.

This is not hyperbole: Peltier fled the country, fought extradition from Canada, escaped from prison and was at large, armed and dangerous, for several days before being recaptured. This was painful and frightening for my family.

Even more painful has been the relentless campaign Peltier and his supporters have waged for his release from prison. Peltier portrays himself as a folk hero, political prisoner and victim of a nefarious conspiracy. The most insulting aspect of this campaign has been the implication my father, Jack Coler and his partner, Ron Williams, were party to this conspiracy and Peltier the victim.

Although Peltier has not yet achieved his goal of freedom (and we pray he never does), he has succeeded in winning hearts and minds. Not only has my family suffered the loss of my father, but we have also been forced to endure the insult that Peltier has become a favorite cause and figurehead championed by Hollywood, the music industry, politicians and well-intentioned activists who assume or believe he is being punished unfairly. Peltier allows himself to be celebrated thus. He knows his guilt.

To be blunt and make my point clear: Leonard Peltier is a cold-blooded murderer. The two men he murdered had been beaten into submission before the fatal shots were fired; my father was unconscious, and Ron Williams was attempting to surrender. Worse, the fatal shots were to the face, at point-blank range. This was a premeditated act of pure hatred. Peltier made a conscious choice to commit murder.

I hope that the President and his staff take the following into account: not every victim of murder dies. On June 26, 1975, Leonard Peltier tore apart the Coler and Williams families. He broke our hearts. The damage he did was irreparable and inexcusable. We find some comfort in the fact that justice is being served while Leonard Peltier remains in jail. On behalf of the living victims of Leonard Peltier's murders, please do not set this cold-blooded murderer free.

Mr. Wray, please share our plea with President Joe Biden and his staff. Thank you for your assistance in representing my family's position.

Sincerely,

A handwritten signature in black ink that reads "Ronald Coler". The signature is written in a cursive, flowing style with a large initial "R".

Ronald L. Coler

# **Attachment C**

February 24, 2022

Dear Director Christopher Wray,

My name is Mike Titone, and I am 98 years old. Ron Williams was my nephew. Ellen Williams was my sister and Ron's mom. She died about 4 years ago, but we were able to see each other before she passed a week later.

Ron had a desire to be an agent. He wanted to do something good. He was a good agent. He was doing something he thought was right. He didn't deserve what happened to him. It was bad, what they did to him.

Ellen was never the same afterwards. Her personality changed quite a bit. Everything didn't look the same to her. She was depressed. Nothing was important to her. Her son was number one.

Leonard Peltier should pay the maximum amount of time required for what he did. Leave it that way. I live by the old laws. I think it should remain the same.

Sincerely,

Michael Titone



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# **Attachment D**

Feb. 25, 2022

Director Wray

Regarding: Commuted Sentence for Leonard Peltier.

From: Dan Williams (first cousin to fallen Agent Ron Williams)

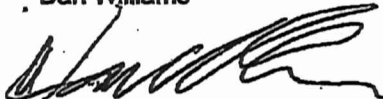
When I came home from work that day in June of 1975 there were two FBI agents at my house waiting for me to get home from work. I knew from their presence and the look on their faces that something terrible had happened to my cousin Ronnie.

Fast forward to the funeral in Glendale. All the Williams family as well as many other family members and friends, were present to grieve and support Lloyd, Ellen and Vikki (Ronnie's parents and only sibling). I was part of the funeral proceedings knowing that Ron would want me there to say goodbye. It was a very sad day for all of us, lots of crying and hugging.

As far as Peltier's murder conviction and sentence, we cannot change the outcome, but we can however, do everything possible to keep this cold blooded murderer behind bars where he belongs.

Peltier's actions have broken the hearts of all my family past and present, his FBI family, as well as anyone who ever met him. I will never, as long as I live, forget my cousin and friend.

Dan Williams



# **Attachment E**

**Note: Peggy Coler Morrill, Special Agent Coler's widow, asked the FBI to provide a copy of her prior letter. Writing Special Agent Mark Mahoney the following:**

Thanks so much Mark. I was totally correct in remembering that that letter said EVERYTHING that I wanted to say. The only corrections would be that the letter is to President Biden and it has been 46 years since that fateful day. Can you make those corrections for me and send it where it needs to go. If I forgot something please let me know. Again, thanks so much to everyone that searched for my letter.

# No Clemency for Peltier

Copy of a letter sent to President Obama and Attorney General Loretta Lynch from Peggy Coler Morrill, widow of Jack Coler

June 26, 1975 sounds like a long time ago, but to both the Coler and Williams families it has been a 41-year never-ending nightmare. It has always bothered me that the victims' names are not important or recognized, but the murderer gets all the fame and recognition. I'm writing to tell you that the victims were REAL, their names were Jack Coler and Ron Williams and they had relatives and friends who loved and cared for them. They were both in their late 20's, in the prime of their lives — hadn't even reach the age of 30 yet. Two vibrant young lives were lost that day because their executioner decided to play God and chose death over life for them, shooting Jack and Ron in the face at point blank range.

My name was Peggy Coler at the time — Jack and I had two very small sons. Our older boy had just had his 4th birthday on June 16th — 10 days before that fateful day and our younger son was only one year old. Because of his young age, he has not one single memory of his father.

Jack and Ron were partners on June 26, 1975. Their assignment was to find a person who was wanted for questioning and that person was supposed to be in a red vehicle. Unbeknownst to the Rapid City, SD FBI, Leonard Peltier was on the Pine Ridge Reservation. He was actually from a different reservation in another state. Peltier was a wanted felon for the attempted murder of a law enforcement officer. The red vehicle that Jack and Ron encountered was occupied by Leonard Peltier and 2 other individuals. The vehicle didn't stop for the Agents. As a result, the Agents gave chase; naturally the wanted felon thought they were after him. Jack and Ron were led down into a gully and ambushed. Leonard Peltier and the others in the vehicle jumped out with long-range weapons and began shooting at the agents and their cars. It was quoted in the newspapers at the time that "their cars were riddled with bullets." Several other individuals showed themselves over the ridge as they had heard gunshots. They joined in and were shooting at Jack and Ron with long-range weapons as well. The campsite for all those involved was just over the ridge where there was a cache of weapons. Jack and Ron had only FBI-issued handguns with them and those guns could not reach any distance that was needed. As you can see, they were outgunned and out-manned. Ron Williams frantically got on the radio telling all Agents that if they didn't get here quick "we'll be dead men." Jack had his own long-range weapon in the trunk of his car. While attempting to run around the car and retrieve it, he was critically wounded, rendering him unable to help Ron in the fight. Ron applied a tourniquet on Jack's arm with his shirt. He already had two bullets in his body and with his partner unable to help him at all, he had no choice but to give up and allowed Peltier and two others to walk up to them. Leonard Peltier shot them both at point blank range in the face. Ron's hand was raised to cover his face trying to ward off the bullet. My hope and prayer has always been that since Jack was already so severely injured that he was unconscious and didn't see the execution coming.

Subsequently, Leonard Peltier was eventually tried and convicted. He was given two consecutive life sentences. As far as I was concerned with two life sentences, he would be in prison until the day he dies. But the families have had to attend many parole hearings and also fight against his clemency. I was always taught and believed that a life sentence means just that. It is all very strange to me. Strange, that after executing two defenseless men, that it could ever be considered that Peltier would get out of prison.

To me, it doesn't matter what race, ethnicity, culture or whatever the person is. I am not a prejudiced person. Whether he is white, black, American Indian, Hispanic, Middle Eastern, etc., it doesn't matter — **MURDER IS MURDER**. Leonard Peltier is a murderer and should spend the rest of his life in prison — just as he was sentenced.

Please, I beg of you, do not give him clemency!

Peggy Coler

May 23, 2000

U. S. Department of Justice  
Federal Prison System  
U. S. Penitentiary  
Leavenworth, Kansas 66048-1254

Re: Peltier, Leonard  
Reg. No. 89637-132

From the time I was a very young girl I was taught the 10 Commandments. "Thou Shalt Not Kill" always stood out in my mind among them. In fact, I couldn't even imagine how anyone could possibly ever take the life of another human being. In addition to this, I was also raised with the assurance that if someone did commit the heinous crime of murdering another, that he would be put to death himself or sentenced to life imprisonment. Either way, the murderer would never again see the light of day. A life for a life, so to speak!

On June 26, 1975, my whole world came crashing down. My husband and his partner were both executed by Leonard Peltier at point blank range. How can I ever explain my resulting feelings—words are truly inadequate—*despair,* disbelief, devastation, overwhelming sadness and fear. How could any human being murder another? And the manner in which Jack and Ron were executed was absolutely unthinkable!! How could I ever live with the knowledge of how Jack suffered? Besides facing a life alone without my spouse, in the blink of an eye I had become a single parent with the responsibility of raising two small sons to manhood all by myself. Our older son had just celebrated his 4<sup>th</sup> birthday 10 days previous to his Dad's murder. Our younger son wasn't even 2 years old and as a result would have absolutely no memories of his father! How would I ever explain Jack's death to our sons?

Then came Leonard Peltier's trial, conviction and sentencing—two consecutive life sentences. Relieved?—YES—definitely! Nothing could ever bring back my husband or Ron Williams, but at least Leonard Peltier would never again experience life as a free man. That was very reassuring to me. He had taken not only one life, but two, and didn't deserve a life of his own.

Now I ask you, why am I writing letters to you? Why <sup>did</sup> am I flying to Kansas City to make an appearance before the Parole Board? Why do we victims have to do anything at all? Weren't we told that Leonard Peltier would be serving 2 consecutive life imprisonments? I don't <sup>understand</sup> get it! I believed what you said—we all did. Why don't you keep your word to us, the victims?

Every letter we write or appearance we make results in the reopening of <sup>Painful</sup> painful wounds suffered 25 years ago. Is that fair to us? We just wish our wounds could remain scars and we could go on living our lives with the assurance that Leonard Peltier is indeed paying with his life for the two brutal murders he committed. Please, I beg of you, do not release Leonard Peltier from prison.

Peggy Coler  
Widow of Jack Coler

Eric H. Holder  
Deputy Attorney General  
U. S. Department of Justice  
950 Pennsylvania Ave. NW  
Washington D. C. 20530

December 5, 2000

Dear Mr. Holder,

As the widow of Jack Coler, I request that President Clinton read my letter. He owes this to me and to the other family members who have suffered immeasurably from the brutal cold-blooded murders of their loved ones by Leonard Peltier.

From the time I was a very young girl I was taught the 10 Commandments. "Thou Shalt Not Kill" always stood out among them. In fact, I couldn't even imagine how anyone could possibly ever take the life of another human being. In addition to this, I was also raised with the assurance that if someone did commit the heinous crime of murdering another, that he would be put to death himself or sentenced to life imprisonment. Either way, the murderer would never again see the light of day. A life for a life, so to speak!

On June 26, 1975, my whole world came crashing down. My husband and his partner were both executed by Leonard Peltier at point blank range. How can I ever explain my resulting feelings—words are truly inadequate—despair, disbelief, devastation, overwhelming sadness and fear. How could any human being murder another? And the manner in which Jack and Ron were executed was absolutely unthinkable!! How could I ever live with the knowledge of how Jack suffered? Besides facing a life alone without my spouse, in the blink of an eye I had become a single parent with the responsibility of raising two small sons to manhood all by myself. Our older son, Ronnie, had just celebrated his 4<sup>th</sup> birthday 10 days previous to his Dad's murder. Our younger son, Paul, wasn't even 2 years old and as a result would have absolutely no memories of his father! How would I ever explain Jack's death to our sons?

Then came Leonard Peltier's trial, conviction and sentencing—two consecutive life sentences. Relieved?—Yes—definitely! Nothing could ever bring back my husband or Ron Williams, but at least Leonard Peltier would never again experience life as a free man. That was very reassuring to me. He had taken not only one life, but two, and didn't deserve a life of his own.

Now I ask you, why am I writing a letter to you? Why do we victims have to do anything at all? Weren't we told that Leonard Peltier would be serving two consecutive life imprisonments? I don't understand! I believed what you said—we all did. How can the president possibly be considering giving clemency to such a violent murderer—someone who would kill two FBI agents at point blank range in cold blood???? It is absolutely inconceivable that this would even be a consideration for a man who committed such heinous crimes. Is President Clinton aware of the words Peltier spoke to the Canadian Mountie who arrested him in Canada over a year after the reservation murders? And I quote, "If I had known who you were, I would have blown you right out of your boots". Does this sound like a peaceful man to you? Is the president aware that Peltier was a wanted felon at the time of these murders? He was wanted on a federal warrant for the attempted murder of a law enforcement officer and for fleeing prosecution for that crime. Jack and Ron were searching for a burglary suspect who was suppose to be in a red vehicle. Since Leonard Peltier was on the reservation in his red vehicle, the young agents were certainly in the wrong place at the wrong time. When they made an attempt to stop Peltier's vehicle, naturally Peltier, who was a wanted felon, assumed he had been found. As a result he gave them chase and led them into a valley where all his fellow AIM members were camped out over the ridge with weapons galore. Jack and Ron were ambushed! Is the president aware that Ron Williams was begging for his life when he was shot right in the face!!!! (His hand was in a defensive position trying to cover his face). Is he aware of the fact that Jack and Ron never killed or injured anyone, yet their bodies were hit by a total of



seven bullets—3 of those shots at point blank range. Their cars were hit at least 125 times. Is he aware of Ron Williams' last radio call, "If you don't get here quick, we'll be dead men!? Does that sound like an aggressor to you—as the defense would have you believe? In fact just the state of Jack and Ron's bodies and cars points to the real aggressor! There could be NO doubt.

Every letter we victims write or appearance we make results in the painful reopening of wounds suffered 25 years ago. Is that fair to us? We all just wish our wounds could remain scars and we could go on living our lives with the assurance that Leonard Peltier is indeed paying with his life for the two brutal murders he committed. Please, I beg of you, do NOT grant clemency to Leonard Peltier.

Peggy Coler



Widow of Jack Coler

Christopher Wray, Director of the FBI

Sir,

47 years ago Leonard Peltier took the life of our brother, SA Jack Coler. Of course it was devastating to all of the families and those who knew and loved both Jack and Ron Williams.

Jack was 28, he left a wife and two babies. He was our parents oldest child, our big brother, we all looked up to him. Jack's death left a huge void in all our lives, he was a good man.

Leonard Peltier didn't know the two men he murdered, but because of him of us who loved them have never really had a chance for closure. We are subjected to hearing and thinking about him, reliving that time more often than we should. Parole hearings, Pardon and Clemency requests, books, movies, etc. Nothing has changed regarding this case in the last 47 years. Personally we wish he would just go away and we would not have to think of him anymore. We really can't think of a nicer way to say it.

Thank you for your time.

Linda Miller and Susan Gregg

# **Attachment F**



U.S. Department of Justice

Federal Bureau of Investigation

RECEIVED  
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Office of the Director

Washington, D.C. 20535

December 5, 2000

Honorable Janet Reno  
The Attorney General  
Washington, D.C.

Dear Madam Attorney General:

From recent press accounts it seems certain that the President will review and decide the clemency issue regarding Leonard Peltier before the end of this Administration. If past practice is indicative, he will decide the issue before the upcoming holidays. Accordingly, this matter is of extreme urgency to the FBI.

As you know, I have both spoken with you and written you about our view on this possibility. There is no issue more strongly opposed by the rank-and-file of the FBI than the prospect of releasing this murderer of two young FBI Agents. There is no dissent within our agency on this point, only the widespread belief that the criminal justice system of the United States rightly convicted and repeatedly affirmed that Peltier is nothing other than a cold blooded killer who shot two ambushed and wounded FBI Agents at point blank range as they lay helpless before him.

I have spoken to many, many people within our organization about the possibility Peltier would be freed. Our employees' request to you is that you do everything within your power to persuade the President not to take this action. However strongly I may agree with them about this issue, this letter represents the voices of thousands of FBI employees everywhere. I merely have the honor of representing their position to you.

I also ask, please do not let this happen. I respectfully request that you communicate the strongest possible position against the prospect of Peltier's release directly to the President. I, likewise, intend to do so because respect for the rule of law calls for it, our employees demand it, and the families of the two slain Agents deserve it.

Honorable Janet Reno  
The Attorney General

The families of these two fine Agents have always made the same request.

Agent Coler, 28, was survived by his wife and their two young children, Paul, then age one, and Ron, then age four. In 1994, Agent Coler's widow, Peggy, wrote to the FBI explaining her position on a possible commutation of Peltier's sentence.

In that letter, Mrs. Coler emphasized: "I am speaking for the entire Coler family when I state that we are unanimously opposed to any commutation of Leonard Peltier's sentence. He committed two brutal murders of young law enforcement officers in the prime of their lives.

"I cannot begin to explain adequately the devastating effect Jack's murder has had on me and my family. How does a young widow explain to her sons of ages 4 and 1 why they will never see their daddy again?

"How could I begin to explain to them that not only was their daddy shot to death, but it was done at point blank range while he lay unconscious on the ground."

The survivors of Agent Williams, 27, included his mother, Mrs. Ellen Williams. Also in 1994, she told the FBI she also opposed commutation of Peltier's sentences: "His release back to society will add to the list of grieving loved ones as I am convinced he will commit a violent act against others. He's a very violent man."

Mrs. Williams told the FBI, "As a mother who has lost her son you try to remember your child as he was. However, all I can think of is the last minutes of Ron's life and how scared he must have been." She said the impact of losing her son is immeasurable and "too painful and personal to express."

Because this matter is of such enormous importance to the Department of Justice, FBI, and state and local law enforcement agencies nationwide, a detailed account of the case follows.

On June 26, 1975, Agents Coler and Williams, in separate cars, were searching on the Pine Ridge Indian Reservation in South Dakota for a fugitive--not Peltier--who was being sought on a robbery warrant and believed to be in a red car.

Honorable Janet Reno  
The Attorney General

The events that followed are described in the opinion of a three-judge panel of the Eighth Circuit Court of Appeals that unanimously rejected in 1978 a Peltier appeal from his murder convictions.

"The Agents were following three individuals riding in a red and white van that had entered the compound shortly before them," the Eighth Circuit opinion said.

"The van stopped at a fork in the road leading to Tent City. The Agents stopped at the bottom of a hill. Williams advised Coler on the radio that the occupants of the van were about to fire on them. Firing commenced. Other AIM (American Indian Movement) members who were present at the Jumping Bull Compound or Tent City thereafter joined in the shooting.

"The Agents took heavy fire. Over 125 bullet holes were found in their cars. In contrast, only five shell casings attributable to the Agents' guns were ever found at the scene.

"Both Agents were wounded by bullets fired from a distance. Special Agent Coler was wounded by a bullet that traveled through the trunk lid of his car and struck his right arm.

"The force of the bullet almost took his arm off, rendering him completely disabled and causing him to lose blood rapidly. He crawled to the left side of his car, away from the gunfire.

"Williams was shot in the left shoulder. The bullet traveled from his shoulder, under his arm and into his side. Although wounded, Williams removed his shirt and attempted to make a tourniquet for Coler's arm. Williams at some point was also shot in the right foot.

"These wounds were not fatal. The Agents were killed with a high velocity, small caliber weapon fired at point blank range.

"Williams attempted to shield his face from the blast with his right hand, turning his head slightly to the right.

"The murderer placed the barrel of his gun against Williams' hand and fired. The bullet ripped through Williams' hand, into his face, and carried away the back of his head. He was killed instantly."

Honorable Janet Reno  
The Attorney General

"The murderer shot Coler, who was unconscious, across the top of the head. The bullet carried away a part of his forehead at the hairline.

"The shot was not fatal, however. The murderer then lowered his rifle a few inches and shot Coler through the jaw. The shell exploded inside his head, killing him instantly," the Eighth Circuit opinion said.

An exhaustive investigation by the FBI was summarized in a 20-page report titled "RESMURS" (an acronym for "Reservation Murders"). It said:

"An examination of the physical evidence concluded that Agents Williams and Coler had been killed at close range by a .223 type bullet. According to witnesses, Peltier was identified as the only person in possession of a weapon that would fire a .223 bullet type at the time of the murders. The weapon was an AR-15."

A 39-page summary of the case was prepared from the trial record by the United States Attorney's Office for the Director of North Dakota, which prosecuted Peltier. It said the investigation showed that only five rounds had been fired by the two FBI Agents.

After being fired upon, Agent Coler had opened the trunk of his car to obtain his long weapons and it was apparently in that sequence of events that he suffered his first terrible wound by a bullet that pierced the trunk lid and hit his arm.

A few minutes later, Coler was unconscious from his wound and Williams also was gravely wounded.

The report by the U.S. Attorney's Office said, "It would appear that at this point, SA (Special Agent) Williams attempted to surrender. This is, of course, an assumption, but it is supported by the physical evidence.

"Williams still had ammunition, as is shown in the autopsy photos...he still could have fired his handgun with his good arm..." the report said. It added that there was no other explanation for how the killer could have gotten close enough to Agent Williams to shoot him at point-blank range.

When he was murdered, "Williams was probably not standing, because of his foot wound, and as shown by mud on the knees of his trousers," the report said.

Honorable Janet Reno  
The Attorney General

Agent Coler was shot in the top of the head and then shot in the head again, the report said. It added: "SA Coler's blood was splattered against the car.

"One of the cartridges from one of these fatal shots was ejected into the open trunk of Coler's car," the report said.

The shell casing was a .223 caliber and was a major piece of evidence in convicting Peltier of the murder charges. The government contended that the shell casing had been ejected from the AR-15 rifle used to murder the two Agents.

"Witness testimony established that Peltier was the only person carrying an AR-15 rifle at the time of the murders and Peltier was seen at the location of the Agents' bodies carrying his AR-15," the RESMURS report said.

In all, four witnesses identified the AR-15 as Peltier's weapon.

In one of its opinions rejecting a Peltier appeal, the Eighth Circuit Court of Appeals said, "According to the doctor who performed the autopsies, the Agents were shot with a high velocity, small caliber weapon.

"Peltier carried his AR-15 out with him when he and the other participants of the shooting escaped from the reservation and fled to the Rosebud Reservation, where they remained for some time before splitting up," the Eighth Circuit said.

Michael Anderson, an AIM member who admitted shooting at the cars of the two FBI Agents, became a witness for the prosecution. Among other things, Anderson testified that he saw Peltier standing by the cars of the FBI Agents. "Peltier at the time was holding an AR-15," the Eighth Circuit said.

Anderson also said that he himself loaded a car with weapons, including an AR-15 rifle, before he and two other men left the Rosebud Reservation. Peltier fled in another direction.

In September of 1975, Anderson and others were in a car that blew up on the Kansas Turnpike near Wichita when exhaust heat apparently set off explosives in the trunk.



Honorable Janet Reno  
The Attorney General

Investigators searching the car's wreckage found Agent Coler's .308 rifle and an AR-15 rifle later termed the "Wichita AR-15" by the courts. The Eighth Circuit said it was "the AR-15 the government contended Peltier used on the day of the murders."

The Eighth Circuit continued: "Ammunition components linked ballistically to the same AR-15 were found at the crime scene. The (government's) ballistics expert was unable to fire the AR-15 because it had been damaged in the explosion on the Kansas Turnpike.

"However, he was able to remove the bolt from it, place the bolt in another AR-15, and test fire the replacement AR-15.

"The expert testified that a .223 cartridge casing found in the trunk of (Agent) Coler's car had been loaded into and extracted from the AR-15.

"He also testified that a .22 caliber copper bullet jacket found in the ground underneath the bodies of (Agents) Coler and Williams had rifling impressions consistent with the rifling of the barrel of an AR-15," the Eighth Circuit said. The Court said there was no testimony to indicate that two men seen with Peltier at the crime scene at the time of the murders had a weapon that fired .22 caliber bullets.

The RESMURS report also discussed the shell casing found in the trunk of Agent Coler's car and the AR-15 rifle. It said at one point: "An examination by the FBI Laboratory made a positive match with a .223 shell casing found in the trunk of Agent Coler's car and marks produced by the extractor of Peltier's AR-15."

At another point, the RESMURS report said: "The .223 shell casing recovered from the trunk of Agent Coler's car had identifiable extractor markings which were made by the rifle that fired one of the bullets. These extractor markings on the casing matched the AR-15 rifle that was recovered in Kansas from the car that exploded and contained Peltier's associates.

"An AR-15 is a semi-automatic rifle which fires a .223 caliber bullet. This caliber is a small, high-velocity bullet that is consistent with bullet fragments found in and under the Agents' bodies," the report said.

Honorable Janet Reno  
The Attorney General

In 1986, the Eighth Circuit rejected another appeal by Peltier. The opinion was written by Judge Gerald W. Heaney, and it contained this passage:

"When all is said and done, however, a few simple but very important facts remain. The casing (from the trunk of Agent Coler's car) introduced into evidence had in fact been extracted from the Wichita AR-15. This point was not disputed; although the defense had its own ballistics expert, it offered no contrary evidence."

After Peltier's appeals to the Eighth Circuit were rejected and the Circuit affirmed his convictions, Peltier twice sought to have the U.S. Supreme Court grant him hearings and overturn his convictions. The Department of Justice vigorously opposed Supreme Court review of Peltier's convictions, and the Supreme Court denied both of Peltier's petitions for writs of certiorari.

In February of 1979, Solicitor General Wade H. McCree, Jr., formerly a Judge of the U.S. Court of Appeals for the Sixth Circuit, submitted to the Supreme Court the Justice Department's first brief in opposition to Peltier's initial certiorari petition. The Solicitor General's brief described in detail Peltier's flight from the Rosebud Reservation in the aftermath of the murders, as did the RESMURS report and the study by the U.S. Attorney's Office for North Dakota.

Peltier and associates were in two vehicles when he was stopped by police in Oregon. Peltier fired a shot at a police officer and fled; Peltier stole a rifle and pickup truck from an area resident; and he continued on to Canada. Months later, the Royal Canadian Mounted Police (RCMP) apprehended Peltier in Canada and he was extradited to the U.S.

The Solicitor General's brief emphasized that Peltier believed that the two FBI Agents who were murdered at the Pine Ridge Reservation were seeking to arrest him on a Wisconsin state warrant charging attempted murder. In fact, the FBI Agents were trying to arrest another man on the reservation for robbery.

Solicitor General McCree told the Supreme Court: "The following evidence linked petitioner (Peltier) to the murders:

"(1) Petitioner had a motive to kill the Agents, since he believed that they were on the reservation to arrest him on a state warrant charging him with attempted murder;

Honorable Janet Reno  
The Attorney General

"(2) Petitioner was an occupant of the van that the Agents had followed onto the reservation;

"(3) Petitioner was seen, just prior to the moment that the wounded Agents were killed, standing by their automobiles with two other individuals, Robert Eugene Robideau and Darrell Dean Butler, holding what ballistic and other evidence identified as the murder weapon;

"(4) On the evening after the murders had occurred, Petitioner was overheard discussing certain details of the murders with Robideau and Butler;

"(5) Petitioner fled first the reservation, then South Dakota, and finally from the United States to Canada, resisting arrest with deadly force when he was stopped in Oregon in the course of his flight; and

"(6) At the time of Petitioner's attempted arrest in Oregon, the revolver of one of the slain Agents was found, in a bag bearing petitioner's thumbprint, in the vehicle in which he was riding."

In searching the two vehicles used by Peltier and his companions in Oregon, police found 14 firearms, a large number of bullets, and nine hand grenades.

Solicitor General McCree expanded on key points later in his brief. For example, McCree said: "Petitioner's claim that he was prejudiced by the improper admission of evidence of other crimes and other weapons was subjected to particularly close and exhaustive scrutiny by the Court below. There is no reason to disturb its careful conclusions.

"The evidence that petitioner was wanted on a state attempted murder charge was plainly relevant, as the Court of Appeals held...to establish the motive for his murder of the Agents."

The Solicitor General emphasized the events in Oregon during Peltier's flight:

"The evidence concerning Petitioner's resisting arrest in Oregon by the use of deadly force and subsequent theft of a rifle and pick-up truck from a nearby residence was admissible to show proof of flight, which in turn was relevant to show his consciousness of guilt...."

Honorable Janet Reno  
The Attorney General

"As the Court of Appeals noted...Petitioner fled the Pine Ridge Indian Reservation immediately after the murders and remained a fugitive until he was arrested in Canada seven months later; the Oregon events were a continuation of that immediate flight.

"The two vehicles in which Petitioner and his companions were proceeding at the time of the attempted arrest were traveling arsenals linked by communications devices and codes manifestly designed to avoid arrest..."

"More important, one of the vehicles contained evidence (Agent Coler's revolver) directly linking Petitioner to the murders.

"In addition, Petitioner's theft of a vehicle and a firearm immediately after being separated from his means of transportation and his arsenal, other than the sidearm he used to effectuate his escape, was relevant to show the continuing flight.

"In short as the Court below correctly held..., the test enunciated in United States v. Myers...for determining the probative value of flight as circumstantial evidence of guilt was fully met in this case," Solicitor General McCree said.

In 1987, the Department of Justice once again firmly opposed another Peltier petition to the Supreme Court.

This time, a detailed brief was filed by Solicitor General Charles Fried, formerly a professor at the Harvard Law School. Fried said there was no merit to Peltier's claims. Once again, the Supreme Court dismissed Peltier's petition without comment.

The RESMURS report and the report of the U.S. Attorney's office for North Dakota both described Peltier's violent behavior and threats in his flight from South Dakota to Canada before his arrest.

In November 1975, the U.S. Attorney's Office report said, a Plymouth station wagon and a recreational vehicle (RV) were stopped by Oregon State Trooper Ken Griffith.

"Peltier exited the RV, fired at Griffith, and fled. Trooper Griffith fired at Peltier as he scrambled over the highway fence. He believed he hit Peltier."

Honorable Janet Reno  
The Attorney General

"SA Coler's revolver was found in a bag with Leonard Peltier's fingerprint on it, under the front seat of the RV."

Later, the report said, Peltier's fingerprints were found in a burglarized ranch house in the area.

"He (Peltier) acknowledged to Mounties (RCMP) he had been shot in Oregon as he escaped over the fence after having fired at the patrol officer.

"When asked if he knew what he was wanted for, he said yes, 'the two FBI Agents were shot when they came to a house to serve a warrant...' Peltier identified the warrant as the attempted murder charge in Milwaukee, Wisconsin," the report said.

In its description of the case, the RESMURS report said that Peltier was hiding at an Indian Reservation in Alberta, Canada, when arrested by the RCMP.

"Peltier was heavily armed at the time of his arrest, and stated he would have blown the RCMP out of their shoes if he had known they were coming for him," the report said.

At his sentencing on the two murder convictions, Peltier said he was a victim of discrimination because he was an American Indian.

Chief U.S. District Judge Paul Benson told Peltier: "You profess an interest and a dedication to the native people of this country, but you have performed a great disservice to those native people."

It also is important to note that all four of the government trial witnesses who placed Peltier at the scene of the murders are American Indians.

In addition, there is this account in the report of the U.S. Attorney's Office on the apprehension of Peltier at the camp of Chief Small Boy on the Indian Reservation in Canada:

"At the time of his arrest in Canada by the Mounties, the defendant was heavily armed.

"When asked by Chief Small Boy what he would have done had he known the Mounties were coming, he said he would have blown them out of their shoes."

Honorable Janet Reno  
The Attorney General

"When the Chief asked if he would have started a fire with the Chief's grandchildren present, the defendant (Peltier) answered only, 'Well, it's my life.'"

After Peltier's convictions for murdering the two Agents, he escaped from a federal prison where he was serving his two life terms. After being apprehended, he was convicted of escape and being a felon in possession of a firearm.

The U.S. District Court in the Central District of California sentenced Peltier to five years in prison on the escape count and two years in prison on the firearms count.

Notably, the court said that the two terms would be served consecutively to Peltier's two consecutive life terms.

In his appeal, Peltier claimed that he escaped because the government planned to harm him in prison.

The Ninth Circuit Court of Appeals, in affirming both of Peltier's escape-related convictions, said: "No imaginable set of circumstances could be drawn from the offers of proof to justify the armed jail break that took place."

As noted above, Judge Gerald W. Heaney of the Eighth Circuit wrote the 1986 opinion affirming Peltier's convictions for the two murders. In doing so, he obviously had no doubts of any legal magnitude concerning Peltier's guilt.

In 1991, Judge Heaney said in a letter to Senator Daniel Inouye that there should be "favorable action" by the President in any petition for leniency that Peltier might file. In his letter to Senator Inouye, however, Judge Heaney made this statement that strongly supports the Peltier convictions: "no new evidence has been called to my attention which would cause me to change the conclusion reached in that case."

On this very point, U.S. Attorney John Schneider of North Dakota told the Pardon Attorney in a March, 1994, letter that Judge Heaney had reaffirmed in a television interview "that he believed Peltier got a fair trial." In that television interview, Heaney said: "I believe he (Peltier) got a fair trial."

Honorable Janet Reno  
The Attorney General

Since his conviction, Peltier has filed many appeals. All were rejected. His convictions have been affirmed. He has twice sought review by the Supreme Court, which twice denied his petitions without comment.

It is important to list all of these court actions to show the consistent positions of the federal judiciary in denying Peltier's motions and appeals. The listing:

\* Peltier appealed his conviction to the Eighth Circuit. His conviction was affirmed (1978). Certiorari was denied by the U.S. Supreme Court (1979).

\* Peltier filed another motion to dismiss Judge Benson. It was denied. Peltier then sought review by the Eighth Circuit. The Eighth Circuit denied Peltier's motion (1984).

\* Peltier appealed to the Eighth Circuit the District Court's decision on the firearms teletype issue. The Eighth Circuit affirmed the District Court and denied Peltier's motion for a new trial (1986).

\* The Supreme Court denied Peltier's certiorari petition (1987).

\* Additional filings by Peltier at the Magistrate and District Court levels resulted in his motions being denied. Peltier appealed again to the Eighth Circuit, which once again rejected his appeal (1993).

Peltier has not filed a new certiorari petition, instead apparently now deciding that the only way he will be released from prison is by executive clemency.

For reasons documented in great detail, Peltier should not receive executive clemency or a commutation of his sentences.

It would be the greatest metamorphosis in the history of criminal justice if Peltier could convince the nation that, as he claims, he is completely innocent of everything, or even that he is undeserving of the punishment imposed.

But in fact there is no change: he was convicted of murdering two FBI Agents; he shot at an Oregon Police Officer; he escaped from prison and was armed with a rifle when recaptured.

Honorable Janet Reno  
The Attorney General

Peltier must be hoping to capitalize on the gambit used by other violent criminals to be freed from prison: that the passage of time will diminish public outrage at the crimes, and that the public's memory will grow dim and vague about the offender's cruelty and the dreadful murder of the innocent.

But there are some persons who will never forget the murders for which Peltier was rightly convicted, some persons for whom there is no medicine on Earth that can ever cure their life-long pain.

And so, as the concluding argument against clemency for Peltier, here is the text of the letter sent to me on June 7, 1994, by Agent Coler's widow, Peggy, and their two sons:

"I am speaking for the entire Coler family when I state that we are unanimously opposed to any commutation of Leonard Peltier's sentence. He committed two brutal murders of young law enforcement officers in the prime of their lives. Where would the justice be if Peltier was freed from jail after serving only 17 years when he stole a good 50 years of life from each of his two victims? There was enough evidence at his trial to convict him of double murder and sentence him to two consecutive life sentences. And that's where Peltier should remain for the rest of his life--in jail!

"Leonard Peltier is a dangerous individual who was wanted on a felony warrant for attempted murder of a law enforcement officer at the time he murdered Jack Coler and Ronald Williams. Following the FBI Agent killings, he was also wanted on another felony warrant for attempted murder of a law enforcement officer in Oregon as he was attempting to escape to Canada. Does this sound like a man that should be put back on the streets?

"I cannot begin to explain adequately the devastating effect Jack's murder has had on me and my family. How does a young widow explain to her sons ages 4 and 1 why they will never see their daddy again? How could I begin to explain to them that not only was their daddy shot to death, but it was done at point blank range while he lay unconscious on the ground? What kind of a human being blasts two point blank range bullets into a helpless man?

"Paul, our younger son, was not quite two years old at the time. It tears him apart that he doesn't have one single memory of his dad. Imagine that--he can look at pictures but



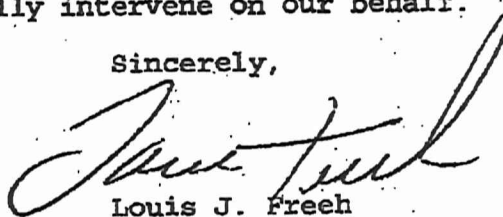
Honorable Janet Reno  
The Attorney General

remember absolutely nothing! Our older son, Ron, was 4 years old. He has dim memories at best and has deep regrets that he was robbed of the opportunity to really know his dad.

"These are the words of Ron: 'This man murdered my father and left my mother alone in the world to raise 2 young children. He has been portrayed as a victim, an innocent man, a political prisoner, even a hero. He is a murderer--a cold blooded killer who shot my dad in the face at point blank range. The thought of Peltier going free makes me sick. How could anyone let him go free?'"

Nothing has changed since I received these heart-stricken words. The facts remain horrendous. The crimes remain sickeningly brutal. The entire episode by Peltier remains an affront to the very principles to which you and I have dedicated our lives and to which every employee in the FBI stands firm. We all urge you to personally intervene on our behalf.

Sincerely,



Louis J. Freeh  
Director



U.S. Department of Justice

Federal Bureau of Investigation

Office of the Director

Washington, D.C. 20535-0001

July 20, 2009

Mr. Isaac Fulwood, Jr.  
Chairman  
United States Parole Commission  
5550 Friendship Boulevard  
Chevy Chase, MD 20815

Dear Mr. Fulwood:

I am writing to oppose the Parole Commission granting parole to Leonard Peltier, who is serving consecutive life sentences for the 1975 murders of FBI Special Agents Jack R. Coler and Ron A. Williams. The FBI, the broader law enforcement community, and the American public share the belief that the murder of a law enforcement officer in the line of duty is a particularly heinous crime. Such a murder should receive the most severe punishment, because it is not simply the murder of an individual but an assault on civilized society and the rule of law. Mr. Peltier murdered not one officer but two, and the circumstances surrounding these murders could hardly be more brutal. Accordingly, the FBI urges that Mr. Peltier not be granted parole.

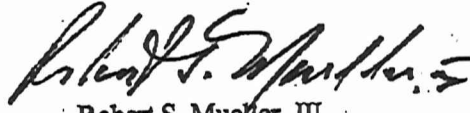
Special Agents Coler and Williams were each younger than 30 years old when they followed a van as part of a robbery investigation to the Pine Ridge Indian Reservation. The van stopped, and its occupants and others began to fire at the Agents. Mr. Peltier incorrectly believed the Agents had followed him to the Pine Ridge Indian Reservation in order to arrest him on a Wisconsin warrant for attempted murder. The barrage of gunfire grievously wounded both Agents (over 125 bullet holes were found in their cars; collectively they fired only five shots). As they lay on the ground, Mr. Peltier executed them at point-blank range. The evidence showed that Agent Williams held his hand in a defensive position in a desperate attempt to shield his face from Mr. Peltier's AR-15 rifle. Mr. Peltier placed the barrel of his gun against Agent Williams' hand and fired. The bullet ripped through the Agent's hand, entered his face, and killed him instantly. Mr. Peltier then shot Agent Coler, who lay on the ground unconscious. The first bullet blew away part of his forehead, but did not kill him. The second shot went through Agent Coler's jaw, exploded inside his head, and killed him instantly.

The brutality of this crime is obvious and sickening, and the evidence at trial overwhelmingly demonstrated Mr. Peltier's guilt. Since his trial and his most recent parole hearing, however, additional evidence has been developed of the cold-blooded nature of this crime. During the 2004 murder trial of Arlo Looking Cloud, a government witness testified concerning the murders of Special Agents Coler and Williams. The witness testified that following the murders, she fled South Dakota with Mr. Peltier and others. While on the lam, Mr. Peltier admitted to her that one of the Agents was begging for his life when he killed him.

Mr. Isaac Fulwood, Jr.

The passage of time does not diminish the brutality of these crimes or the incalculable damage done by Mr. Peltier to the surviving families, friends, and colleagues of Agents Coler and Williams. These men were dedicated law enforcement professionals taken from us and their families in the prime of their lives by the cowardly actions of Mr. Peltier. Mr. Peltier has served a substantial amount of time in prison, but he has not repaid the debt he owes to society. The life sentences he was given he earned. On behalf of all of the employees of the FBI, I respectfully request that he not be granted parole.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Robert S. Mueller, III".

Robert S. Mueller, III  
Director



U.S. Department of Justice

Federal Bureau of Investigation

Office of the General Counsel

Washington, D.C. 20535

JUN 22 2016

Cynthia K. Dunne, Esquire  
14 Edgewood Road  
Scarsdale, NY 10583

Dear Ms. Dunne:

Thank you for your May 4, 2016 letter and supporting materials regarding the case of Mr. Leonard Peltier.

The FBI continues to support the decision that Mr. Peltier serve out his full sentence for the murder of two FBI Special Agents, Special Agent Ronald Williams and Special Agent Jack Coler, in 1975.

The FBI stands behind the conviction, and the facts of the case have always strongly supported Mr. Peltier's guilt. We cannot and will not advocate for the early release or clemency for Mr. Peltier as his crimes challenge the rule of law our criminal justice system is based on. Moreover, his crimes resulted in pain and loss that will forever be felt by the families of the victims and by the FBI family.

Sincerely,

Ernest Babcock  
Deputy General Counsel  
Office of the General Counsel

1- Mr. Marvin Garbus, Esq.

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# **Attachment G**



## **SOCIETY OF FORMER SPECIAL AGENTS OF THE FBI, INC.**

3717 FETTLER PARK DRIVE • DUMFRIES, VIRGINIA 22025-2048  
(703) 445-0026 • FAX (703) 445-0039 • WWW.SOCXFBI.ORG

February 15, 2022

The Honorable Merrick Garland  
Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue  
Washington, D.C. 20530 -0001

Re: Leonard Peltier – Clemency Petition

Dear Attorney General Garland:

This letter expresses the staunch opposition of the members of the Society of Former Special Agents of the FBI to Leonard Peltier's latest plea for clemency. The Society of Former Special Agents of the FBI is a non-profit membership organization of current and former Special Agents of the FBI. The Society consists of approximately 8,500 members and has been in existence for more than 80 years.

We understand that Mr. Peltier has renewed his application for clemency and that a support group continues to actively advocate for his release from federal prison. We wholeheartedly believe his petition for clemency should be denied for numerous compelling reasons. Peltier was lawfully convicted of the murders of Agents Coler and Williams in federal court. The Court imposed consecutive life sentences. Since then, over a dozen appeals have been considered. None have altered Peltier's conviction and sentencing.

On June 26, 1975, FBI Agents Jack Coler and Ronald Williams were engaged in a fugitive search on the Pine Ridge Indian Reservation in South Dakota. American Indian Movement members, including Peltier, caught Agents Coler and Williams in a crossfire while they walked through an open field. Peltier approached the critically wounded Agents and purposefully executed them at point-blank range. This was an outrageous example of the premeditated murder of federal law enforcement agents.

Over the years, Peltier has made many outrageous and self-incriminating public statements that strongly reinforce his unrepentant and remorseless guilt. Such declarations include: "And really, if necessary, I'd do it all over again because it was the right thing to do" (2010); and "I don't regret any of this for a minute" (2014). Further, Peltier has not been a model prisoner. In addition to numerous disciplinary actions, in 1978, he was involved in an armed escape from Lompoc Penitentiary, resulting in potentially lethal shots being fired at correctional officers. For this post-conviction violent criminal act, Peltier received an additional seven-year consecutive sentence.

The families, friends, and professional associates of Agents Coler and Williams continue to suffer from the loss of two fine young men who were brutally murdered in the line of duty. Peltier made a conscience decision to execute the two seriously wounded agents. There is no clemency for them or their families. In the current environment of violence against law enforcement officers, clemency for this coldblooded murderer will send the wrong message for possible future acts of violence.

Clemency should be reserved for non-violent offenders who have proven they have been rehabilitated. In stark contrast, Peltier is a vicious repeat felon whose statements do not support any credible level of remorse for his crimes of extreme violence. His remarks are indicative of a continued lack of regret for his murderous acts on that infamous day. Peltier is once again seeking consideration and mercy but showed no compassion to Agents Coler and Williams. Peltier deserves no compassion in return for the executions he freely chose to commit.

This is not a situation of wrongful conviction or sentencing. Leonard Peltier has been afforded his rights and due process. Time and again, the weight of the evidence has supported his conviction and his life sentence. We respectfully urge you to reject Mr. Peltier's petition and recommend to the President that his application be denied. Thank you for your attention in this very crucial matter.

Sincerely yours,



Dennis M. Lormel

President

# **Federal Bureau of Investigation**

## **Agents Association**

December 2, 2021

The Honorable Merrick B. Garland  
United States Attorney General  
United States Department of Justice  
950 Pennsylvania Ave., N.W.  
Washington, D.C. 20530

Dear Attorney General Garland:

I write today on behalf of the FBI Agents Association (FBIAA), the voluntary professional association currently representing over 14,000 active duty and retired FBI Special Agents. The FBIAA is concerned that advocates for convicted murderer Leonard Peltier are working to mislead the public, the Department of Justice, and the White House in an effort to secure executive clemency for Peltier.

While we are confident that neither you nor President Biden have any desire to betray the families and colleagues of FBI Special Agents Jack Coler and Ronald Williams, who were murdered by Peltier, we want to make certain that the record is clear regarding Peltier and the need to reject any of his requests for clemency.

Despite efforts by activists to distort facts in order to justify clemency, the evidence regarding Peltier's guilt is clear, and dictates that Peltier should serve his full sentence:

- On June 26, 1975, Leonard Peltier was involved in an unprovoked attack on FBI Agents Jack Coler and Ronald Williams while they were searching for a fugitive on the Pine Ridge Indian Reservation in South Dakota. Both agents were caught in an open field in a deadly crossfire by members of the American Indian Movement. Both agents were critically wounded and then summarily executed with rifle shots at point-blank range, killing them instantly and mutilating their faces.
- Leonard Peltier was convicted of first-degree murder and aiding and abetting in those murders and sentenced to two consecutive life sentences. Through well-over a dozen appeals, twice reaching the U.S. Supreme Court, every aspect of Peltier's trial has been reviewed in minute detail and his conviction and sentence have been upheld in every instance.
- Peltier has been far from a model prisoner, and would never be considered a candidate for clemency but for his status as a political celebrity. Peltier has been punished numerous times for violating prison rules. In 1978, he was involved in an armed escape from Lompoc Penitentiary, during which shots were fired at prison guards. For this post-conviction criminal act, Peltier received an additional seven-year consecutive sentence.

**Post Office Box 320215 • Alexandria, Virginia 22320**

**A Non-Governmental Association**

**(703) 247-2173 Fax (703) 247-2175**

**E-mail: [fbiaa@fbiaa.org](mailto:fbiaa@fbiaa.org)**

**[www.fbiala.org](http://www.fbiala.org)**



**Federal Bureau of Investigation**  
*Agents Association*

- Peltier does not have a credible argument for clemency. One of the requirements for Executive Clemency, as described by the U.S. Attorney's manual, is that a prisoner has accepted responsibility "for his or her criminal conduct and made restitution to its victims" and that "A petitioner should be genuinely desirous of forgiveness rather than vindication." Peltier's supporters have decided to re-litigate the Peltier case rather than satisfy this requirement. Activists supporting Peltier use a mix of folklore, falsehoods and out-of-context statements that are designed to both exonerate Peltier in the eyes of the public, rather than show any true remorse regarding the murders of Agents Coler and Williams.

The FBI is a family bound close by a common commitment to make any necessary sacrifice to protect our country. The effort to lionize the murderer of Special Agents Coler and Williams remains an ongoing source of pain for the FBI family. Special Agents Coler and Williams made the ultimate sacrifice, and that sacrifice should be honored—Peltier should serve the full sentence for his heinous crimes.

We thank you for your consideration of these sincere concerns, and we hope you will share our thoughts with any officials considering leniency for Peltier.

Sincerely,



Brian O'Hare  
President

CC: FBI Director Christopher A. Wray

Post Office Box 320215 • Alexandria, Virginia 22320  
A Non-Governmental Association  
(703) 247-2173 Fax (703) 247-2175  
E-mail: [fbiaa@fbiaa.org](mailto:fbiaa@fbiaa.org) [www.fbiaa.org](http://www.fbiaa.org)