

*Federal Bureau of Investigation  
Agents Association*

December 29, 2016

Neil Kerwin  
President  
American University  
4400 Massachusetts Ave., NW  
Washington, DC 20016-8060

Dear President Kerwin:

I write today on behalf of the FBI Agents Association (FBIAA), a voluntary professional association currently representing over 13,000 active duty and retired FBI Special Agents. We write to express our concern regarding the decision by American University (AU) to proudly display a statue of convicted murderer Leonard Peltier in an outdoor area, and to announce that decision by repeating slanted and misleading claims about Peltier's murder convictions.

The message being sent by AU to FBI Special Agents and their families, past and present, and to all members of the law enforcement community, is both clear and troubling—AU has decided to advance the political arguments of activists with little concern for providing all of the facts or considering the views of law enforcement.

The fact that the display is a political statement, rather than simply a display of art, is made clear in the press materials released by AU in connection with the display.<sup>1</sup> The AU press release notes that the display is “part of a major clemency push by [Peltier] supporters” and that the installation is intended to “raise awareness for Peltier's plight and pardon request.” The press release from AU also includes misleading descriptions of Peltier's case and a variety of hyperlinks to activist groups that have created a cottage industry dedicated to misleading the public about Peltier. The press release does not, however, mention the names of the murdered FBI agents, the circumstances surrounding their execution, or the exhaustive judicial process already utilized by Peltier.

The FBIAA believes that AU should remove the installation, and that AU has a responsibility to share additional facts with students and the public.

---

<sup>1</sup> <http://www.american.edu/media/news/120716-Peltier-statue.cfm>

*Federal Bureau of Investigation  
Agents Association*

Relevant facts regarding Peltier and his convictions include:

- 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 has 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.
- 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, and now AU, have decided to re-litigate the Peltier case rather than satisfy this requirement. AU has repeated the familiar mix of folklore, falsehoods and out-of-context statements that are designed to both exonerate and lionize Peltier in the eyes of the public, rather than show any true remorse regarding the murders of Agents Coler and Williams.

The FBI/AA is committed to protecting the Constitution, and we appreciate the right to free expression. However, with that right comes a responsibility to consider the consequences of speech. AU should not use its property to celebrate the man convicted of murdering FBI Special Agents Coler and Williams, nor should AU have announced the display of the statute by disseminating misleading propaganda from activists supporting Peltier.

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*

The FBIAA hopes that AU will remove the statue and ensure that descriptions of Peltier and his case include an accurate and a thorough description of his convictions and the legal processes that have been exhausted by Peltier.

Sincerely,

FBI Agents Association

A handwritten signature in black ink, appearing to read "Th. F. O'Connor". The signature is written in a cursive style with a large initial "Th" and a distinct "O'Connor" part.

Thomas O'Connor  
President