

What follows are the letters and emails exchanged with M. Wesley Swearingen regarding Leonard Peltier:

February 1, 2005

**NPPA letter to Swearingen requesting additional information regarding his quote on a Peltier website.
(PLEASE SEE LETTER BELOW)**

March 1, 2005

**Swearingen letter confusing the takeover of Wounded Knee (1973) with the murder of Agents Coler and Williams at Pine Ridge in 1975. "...by putting innocent men such as Pratt and Peltier in jail for murders they did not commit."
(PLEASE SEE LETTER BELOW)**

----- Original Message -----

From: WESSWEAR@aol.com

To: justice@noparolepeltier.com

Sent: Monday, March 21, 2005 11:09 PM

Subject: Coler and Williams by Wes Swearingen

Dear Edward:

I have mailed a 4 page letter today in answer to your second letter. If you have any questions, let me know.

Wes Swearingen

----- Original Message -----

From: WESSWEAR@aol.com

To: justice@noparolepeltier.com

Sent: Wednesday, March 23, 2005 12:30 PM

Subject: Peltier

Ed,

You may receive my letter today, providing the weather does not slow the mail.

I am not in favor of Peltier being released. In fact, I think he should be serving two sentences consecutively.

What I have said about Peltier being wrongfully convicted may have been wrongfully interpreted.

if Robideau actually shot the agents, as he now claims, how could Peltier be guilty of pulling the trigger?

if Peltier was convicted of conspiracy to commit murder, why are the conspirators not in jail with Peltier?

This may seem like a play on words, or a matter of semantics, but **if** Peltier did not actually shoot Coler and Williams, then wasn't he wrongfully convicted?

One reason I don't like to keep up with the Peltier case is that it bothers me more to think about a nice young man, as I knew Williams to be as a clerk, and the Bureau sending two inexperienced agents into harms way, not properly armed with no backup, than to think of Peltier being released if he didn't pull the trigger.

If you want to help Coler's son, why don't you help the victim's families by having the Bureau face up to its culpability in a wrongful death suit and make the Bureau pay for the wrongful deaths?

When I was in Paintsville, Kentucky, in 1963, an escaped federal prisoner, who had been in jail for killing an FBI agent, was reportedly in the Hazard, Ky, area, where [REDACTED] was also a lone RA. The escapee claimed he would not be taken alive.

I asked the SAC to send us two shotguns. He refused because Bureau rules prohibited an RA, without a vault, from possessing shotguns.

I said, "Okay, I'm going to borrow two shotguns from friends here in Paintsville."

The SAC said, "Oh no you're not. It is against Bureau rules to borrow firearms."

I said, "Okay, I'm instructing my wife to sue you, J. Edgar Hoover and the FBI, if I'm killed looking for this escapee."

The SAC ordered me to drive to Louisville, which was an all-day-trip back in 1963, to pick up two shotguns and several boxes of ammo.

I literally road shotgun while [REDACTED] drove the car when we looked for this escapee.

I carried a loaded shotgun while questioning relatives.

The man we were looking for was later arrested in Tennessee. When he was arrested, he told the FBI agents in Tennessee that, "That FBI man in Kentucky is nuts. He was hunting me with a loaded shotgun?"

During one of our searches in the woods on the side of a heavily wooded mountain, the Kentucky State Police Lieutenant, who had brought along several troopers, asked me, "What do we do if this man reaches for a cigarette?"

I answered, "If I'm there, he won't live long enough to smoke it."

The KSP lieutenant said, "That's good enough for me."

I'm sorry if I have ruined your day, but maybe now you understand how I feel every time I think of agent Williams being shot to death. It did not need to happen if the SAC had had balls enough to send properly equipped and experienced agents into harms way.

Maybe you knew [REDACTED], SAC of the security division in New York City?

When [REDACTED] men were looking for Bernardine Dohrn, after the townhouse explosion in 1970, [REDACTED] told his men to get Wes Swearingen from the criminal division to lead any raids. A friend told me that [REDACTED] said, "Wes Swearingen has balls."

How many SACs do you know who would describe one of his agents as "Having balls?"

Have a nice day.

Wes

----- Original Message -----

From: [Ed Woods - NPPA](#)

To: WESSWEAR@aol.com

Sent: Wednesday, March 23, 2005 7:37 PM

Subject: MWS; Peltier

Wes: Thanks for the note and I'm waiting for your letter. I'd like to respond to them.

Be well.

Ed

March 21, 2005

(PLEASE SEE LETTER BELOW)

Swearingen letter in response to the NPPA March 1, 2005 letter in which he states "I have not kept up with the Peltier case because my knowledge was always hearsay and not admissible in court."

However, in his own quote from Peltier websites he stated:

"I was an FBI agent in Los Angeles when Leonard Peltier was convicted, & I know from **FBI documents that I read** and from **statements made by** fellow FBI agents that Peltier was wrongfully convicted..." (emphasis added)

Swearingen responds to questions from the NPPA letter and poses seventeen (17) of his own.

----- Original Message -----

From: [Ed Woods - NPPA](#)

To: WESSWEAR@aol.com

Sent: Friday, March 25, 2005 6:47 PM

Subject: Wes...3/21 letter...Re: Peltier

Wes: I received your letter today. Thank you and I will respond. I prefer real letters in matters like this because, I believe, they are more personal; emails are good, but for the mass-media crowd.

Have a great weekend, and you'll hear from me soon.

Regards,

Ed

March 30, 2005

(PLEASE SEE LETTER BELOW)

NPPA response to Swearingen's March 21st letter and questions.

----- Original Message -----

From: WESSWEAR@aol.com
To: justice@noparolepeltier.com
Sent: Friday, April 01, 2005 11:36 AM
Subject: Same old subject

Dear Ed:

Your letter arrived yesterday and I agree with everything you wrote.

I have to run today, but will write to you again in about a week. My wife and I are going to Cabo San Lucas for a week on Monday.

Our different careers don't surprise me because I saw the difference with several good friends who were lucky enough to work criminal cases all their careers. Many friends have no idea what I'm talking about when I mention FBI abuses. I myself could not believe what I was seeing when I worked on the Racial Squad in Los Angeles.

Although only about a dozen agents were diehard racists, urged on by J. Edgar Hoover and his sycophants on the Racial Desk at the Bureau, just a handful of bad apples are enough to spoil the whole bushel. In fact, the whole LA office was nothing like Memphis, Chicago, Louisville, or New York City.

One other point -- If the FBI had planned an attack, as Peltier claims, there would have been a whole lot of dead Indians at Pine Ridge. Peltier is a joke, as is Bob Robideau.

Must go for now. Take care.

Wes

----- Original Message -----

From: Ed Woods - NPPA
To: WESSWEAR@aol.com
Sent: Monday, April 18, 2005 4:44 PM
Subject: Wes...Cabo St....

Wes: Just checking in. Hopefully your vacation was enjoyable. Nothing like your sailing days I'll bet. Your book made it very clear how much you enjoyed the sea. I grew up on the water (Long Island) and haven't been thrilled about being land-locked in Ohio.

Was wondering if you had a chance to respond to my last letter.

Regards,
Ed

----- Original Message -----

From: WESSWEAR@aol.com

To: justice@noparolepeltier.com

Sent: Monday, April 18, 2005 8:35 PM

Subject: Re: Wes...Cabo St...

Ed,

Cabo was great.

I haven't had a chance to respond to your last letter.

Actually, there is not much to respond to because I agree with nearly everything you said.

The big question is who actually pulled the trigger that killed both agents? It doesn't seem to be very clear who did what. I think all those who were present are guilty of a conspiracy to commit murder and they should be in jail. But that doesn't identify who pulled the trigger.

I'll read your letter again and then respond.

Have a good one.

Wes

----- Original Message -----

From: Ed Woods - NPPA

To: WESSWEAR@aol.com

Sent: Saturday, May 14, 2005 12:05 PM

Subject: Wes...Happy birthday...Favor 1

Wes: Hope all is well. Wasn't sure if you were going to respond to my last, but if you've been busy, I understand.

Since we did have some meaningful dialogue I have a favor to ask. If you would be willing to consider it, let me know, and I'll ask in a follow-up email.

Have a great weekend (but I guess when you're retired, everyday hopefully is like a weekend). I'll be glad when I'm there.

Also, realized that you have a birthday coming up. Have a great one.

Regards,
Ed

----- Original Message -----

From: WESSWEAR@aol.com
To: justice@noparolepeltier.com
Sent: Saturday, May 14, 2005 4:48 PM
Subject: Re: Wes...Happy birthday...Favor 1

ED,

Thanks for the birthday expression.
Sure, I'll consider your request for a favor.
I have been very busy buying a new house and packing.
I hate moving. I also have other projects going, so it may take a while before I respond to any request.

Best regards,

Wes

----- Original Message -----

From: Ed Woods - NPPA
To: WESSWEAR@aol.com
Sent: Sunday, May 15, 2005 6:50 PM
Subject: Re: Wes.....Favor 2

Wes: I agree, moving is a royal pain. I guess we were fortunate and kept the major moves to a minimum, and I have no intention of leaving here.

I was going to set off on another of my long-winded explanations but feel now that is not necessary to make this request.

I think its apparent how you and I feel about Peltier's guilt and that he should remain where he is. We've both made that pretty clear. I understand your anger towards the Bureau (I've read your book three times and that coupled with your letters and emails explains why you feel the way you do). But if we could set that aspect aside for the moment **we still have the quote that appeared on the home page of peltiersupport.org** (which for some reason is not up at this time) and in a Peltier petition and on the LPDC website.

Considering what we now know and believe about Peltier's guilt, **would you be willing to ask them remove that quote?**

Regards,
Ed

----- Original Message -----

From: WESSWEAR@aol.com
To: justice@noparolepeltier.com
Sent: Monday, May 16, 2005 10:41 AM
Subject: Re: Wes.....Favor 2

Ed,

Yes, I will ask them to remove my quote.

When I wrote it, I did not know that Bob had confessed to killing the agents. I now see Bob as a con artist hoping his confession, which he can't be prosecuted for, will help Leonard to get out of prison.

I am so mad at the defense team that I deleted my address from their e-mailing several months ago.

I am still not happy about the way the prosecution went in this case.

I don't like the way the Bureau treated Ron, but if the Peltier group is going to twist my words and say the Bureau planned an ambush, then they can forget about quoting me for anything. There is no way the Bureau **planned** an ambush.

Our move is only three miles up the road, but it still is irritating work.

Have a good one.

Wes

----- Original Message -----

From: WESSWEAR@aol.com

To: justice@noparolepeltier.com

Sent: Monday, May 16, 2005 11:09 AM

Subject: Favor

Ed,

Here is a copy of the e-mail to Peltier's defense team.

Let me know if it was attached properly.

Wes

Subj: Quotation
Date: 5/16/2005 7:58:34 AM Pacific Standard Time
From: WESSWEAR
To: lpdc@freeleonardpeltier.org

Dear Defense Team,

Please remove any and all quotations you may have that were made by me from your website and any other site where these quotes may appear.

Sincerely,

M. Wesley Swearingen

FBI - Retired

----- Original Message -----

From: [Ed Woods - NPPA](mailto:Ed.Woods@NPPA.org)

To: WESSWEAR@aol.com

Sent: Monday, May 16, 2005 6:42 PM

Subject: Wes.....Favor 2...thank you...

Wes: You are a gentleman and a man of your word. If you would have no objections, I would like to acknowledge you on the NPPA website. If you would like, **I'll send it to you before it's posted.**

Three miles? May as well be 3000 ;-)

Best,
Ed

----- Original Message -----

From: WESSWEAR@aol.com

To: justice@noparolepeltier.com

Sent: Tuesday, May 17, 2005 10:05 AM

Subject: Re: Wes.....Favor 2...thank you...

Ed,

That is fine with me.

I'll try again to get a e-mail through to the Defense Committee.

Packing and unpacking is the ugly part of moving. Especially unplugging and re-plugging the computers and printers. I have three PCs.

Take care,

Wes

----- Original Message -----

From: WESSWEAR@aol.com

To: justice@noparolepeltier.com

Sent: Tuesday, May 17, 2005 10:28 AM

Subject: Quotes

Ed,

I have also sent e-mails to LGSP and INFO at the Peltier.org addresses.

I used to have the address of the attorney who sent out e-mails. After Ward Churchill opened his big mouth, I removed my name from the **attorney's mailing list** and now I don't have his address. If you have the attorney's e-mail address, **I'll also send him a request to remove my quotes.**

Have a good one.

Wes

----- Original Message -----

From: WESSWEAR@aol.com

To: justice@noparolepeltier.com

Sent: Wednesday, May 18, 2005 11:25 AM

Subject: Quote

Ed,

Two e-mails sent yesterday to Peltier's support groups have not been returned, so they received the message to delete my quotes.

Wes

----- Original Message -----

From: Ed Woods - NPPA

To: WESSWEAR@aol.com

Sent: Wednesday, May 18, 2005 7:29 PM

Subject: Re: Quote..2

Thanks.

Hope the move is about over.

I'll send you the essay over the weekend.

Barry Bachrach's email is:

[REDACTED]

Be well,
Ed

----- Original Message -----

From: WESSWEAR@aol.com

To: justice@noparolepeltier.com

Sent: Wednesday, May 18, 2005 9:12 PM

Subject: Re: Quote..2

Ed,

I have sent Barry an e-mail requesting that he also delete any and all quotes from me that he may have placed on any website supporting Peltier.

Wes

----- Original Message -----

From: WESSWEAR@aol.com

To: justice@noparolepeltier.com

Sent: Thursday, May 19, 2005 10:22 AM

Subject: Peltier

ED,

Barry sent a e-mail saying the Peltier website has been shut down.

He did not explain why. **He will check to see if my quotes appear anywhere else.**

Wes

----- Original Message -----

From: Ed Woods - NPPA

To: WESSWEAR@aol.com

Sent: Thursday, May 19, 2005 8:29 PM

Subject: Wes...Website update...

Thanks again. I'm still curious about why that website has been shut down. It seems to me that it's a major set back in the Peltier debate.

What follows is what I had in mind for the NPPA website. I wanted to keep it short and to the point. It will go in the Debate Continues section as the next editorial essay. The webmaster will take a week or so to upload it, that's why it's dated for the 30th. The highlights will be links to previous essays. **Please let me know if you have any problems with it.**

Hope the move is over.

Regards,
Ed

**M. Wesley Swearingen:
No longer supports Leonard Peltier: May 30, 2005**

A dialogue between the NPPA and M. Wesley Swearingen was precipitated by a quote that appeared on the Peltier Legal Team and Leonard Peltier Defense Committee websites. The quote stated that Leonard Peltier was "wrongfully convicted."

By way of a brief background, Wes Swearingen served two years in the United States Navy, 1945-46, graduated from Ohio State University with a degree in Business Administration and entered the FBI in May, 1951 at the fairly young age of twenty-four. After completing the FBI Academy he served in several field offices: Memphis for one year, Chicago, July 1952 to January, 1963, with a break in service between June, 1960 and May, 1961, Louisville, including the Paintsville and London Resident Agencies between 1963 and 1968, New York, 1968 to May, 1970, and Los Angeles from May,

1970, (with an assignment to the “racial squad” between December, 1971 through August, 1973), until his retirement on May 20, 1977.

In 1995 his book, FBI Secrets; An Agent's Exposé was published, within which he severely criticized the FBI and its Counterintelligence Program (Cointelpro).

A careful review of Exposé occasionally raises more questions than it answers, however, in deference to Wes Swearingen, he stated that the publisher, South End Press, reduced his manuscript from 400 to 200 pages and “literally butchered” his book by removing important details and deleting vital information. He also wanted to have Ward Churchill's introduction removed from subsequent reprints of the book.

As severe as his criticism of the Bureau may be, there is a significant difference however between Wes Swearingen and the many others who attack the FBI; unlike them, he speaks from personal knowledge and experience which lends validity and credibility to his claims.

But the nexus of our discussion was the history of Peltier's case.

A lengthy dialogue began on February 1, 2005 with a series of letters and emails where we discussed various aspects of the Peltier case and the murder of two young FBI agents. We focused on much of the folklore which enhances the Peltier myth and significant public statements made by Peltier, Dino Butler and Robert Robideau. For the moment we were able to set aside Bureau issues and concentrate on the matter of Peltier's guilt and culpability.

That dialogue ended with a request for him to reconsider his previous quote and perhaps ask that it be removed from the Peltier supported websites.

After, no doubt, careful consideration of the facts, he did just that, no longer lends his support to the campaign to free Peltier, and believes that Peltier should remain in Leavenworth for his participation in the brutal murders of Jack Coler and Ron Williams.

Wes Swearingen has proven himself to be a gentleman and a man of his word.

“In the Spirit of Coler and Williams”

Ed Woods

NPPA

----- Original Message -----

From: WESSWEAR@aol.com

To: justice@noparolepeltier.com

Sent: Friday, May 20, 2005 1:47 AM

Subject: Re: Wes...Website update...

Ed,

Your statement of the facts and how I feel is very accurate. I have no problem with it going to a website.

Wes

----- Original Message -----

From: [Ed Woods - NPPA](mailto:Ed.Woods@NPPA)
To: WESSWEAR@aol.com
Sent: Friday, May 20, 2005 5:24 PM
Subject: Re: Wes...Website update...2

Wes: Thank you. Please stay in touch and hopefully someday we can get together for dinner. I haven't been flying as much but still will travel with the company, if I get out to either San Diego or LA I'll give you a call. Good luck with the new home.

Best,
Ed

----- Original Message -----

From: WESSWEAR@aol.com
To: justice@noparolepeltier.com
Sent: Friday, May 20, 2005 9:56 PM
Subject: Re: Wes...Website update...2

Ed,

That sounds like a great idea.

Wes

----- Original Message -----

From: [Ed Woods - NPPA](mailto:Ed.Woods@NPPA)
To: WESSWEAR@aol.com
Sent: Tuesday, June 07, 2005 9:17 PM
Subject: Wes...LPDC Website

Wes: Hope all is well.

This was brought to my attention, apparently the LPDC hasn't honored your request.

http://www.freepeltier.org/0_supporters.htm

Regards,
Ed

----- Original Message -----

From: WESSWEAR@aol.com

To: justice@noparolepeltier.com
Sent: Wednesday, June 08, 2005 7:52 AM
Subject: Re: Wes...LPDC Website

Ed,

I'm going out of town for a few days. I'll check on it when I get back. Thanks.

Wes

----- Original Message -----

From: WESSWEAR@aol.com
To: justice@noparolepeltier.com
Sent: Saturday, February 04, 2006 9:13 PM
Subject: Re: Touching base...Re: Wes...LPDC Website

Ed,

All is well. Just got back today from a three week vacation.
What a stack of mail to go through!.

Wes

LETTERS EXCHANGED WITH SWEARINGEN FOLLOW.

Edward Woods
P.O. Box 54667
Cincinnati, Ohio 45254-0667
February 1, 2005

Mr. M. Wesley Swearingen
[REDACTED]
[REDACTED]

Dear Mr. Swearingen:

I'm writing with a request for additional information from you, but some background and explanation is appropriate:

I retired from the Bureau after thirty years spending the first half in the NYO and the remainder in Cincinnati. I had a productive and rewarding career working criminal matters and organized crime for eight years in New York. Prior to the Bureau I was a Green Beret officer and since retiring fly a corporate jet.

In April, 2000 I became involved in the Peltier matter, prompted by coincidentally meeting Jack Coler's younger son. I had never even stepped foot on an Indian Reservation, worked any kind of related cases, AIM, etc. nor met either Jack Coler or Ron Williams.

I've read your book and researched on the Internet to determine the source of a quote attributed to you on peltiersupport.org:

I was an FBI agent in Los Angeles when Leonard Peltier was convicted, & I know from FBI documents that I read & from statements made by fellow FBI agents, that Peltier was wrongfully convicted of murdering two FBI agents just because the agents investigating the case wanted someone to pay for killing the two FBI agents. I know, for a fact, that the FBI is also covering up its culpability in the death of the two FBI agents.

M. Wesley Swearingen
Author of *FBI Secrets: An Agent's Expose*

I have corresponded with Peltier attorney Barry Bachrach on numerous occasions and wouldn't doubt for a moment that the above quote is yours, and accurate.

I would like to make a straight-forward request and ask whether you would be willing to expand on the above quote. Would you be willing to answer the following questions?

1) What specific documents had you seen proving that Peltier was wrongfully convicted?

2) Can you identify the "fellow FBI agents" who made these statements to you? Certainly enough time has passed that their anonymity should not be a problem.

3) Can you provide what these agents told you, specifying when, where and exactly what was said to support your belief of a wrongful conviction?

4) What evidence are you knowledgeable of to support "...for a fact, that the FBI is also covering up its culpability in the death..." of Agents Coler and Williams.

Thank you for your time and attention in this matter and I look forward to hearing from you.

Perhaps, if you prefer you could contact me by email at justice@noparolepeltier.com. If you choose to use email, please be sure to respond to the spamarrest.com message so I can be sure to receive your response.

Sincerely,

Edward Woods

M. Wesley Swearingen
[REDACTED]
[REDACTED]

March 1, 2005

Mr. Edward Woods
P.O. Box 54667
Cincinnati, Ohio 45254-0667

Dear Mr. Woods:

In your letter dated February 1, 2005, you state that you "never stepped foot on an Indian Reservation, worked any kind of related cases, AIM, etc. nor met either Jack Coler or Ron Williams."

I knew Ron Williams as a clerk in the Los Angeles FBI office in the early 1970s. I was shocked to hear that he was killed at Wounded Knee. I, too, was mad that he had been killed. I was even angrier and more shocked that an inexperienced agent, like Ron, who was not qualified to lead other agents in a dangerous raid, would be working in what was reportedly a "war zone." Several agents from Los Angeles, who had gone to Wounded Knee on special assignment, told me what was happening and how the investigation was going. Did you talk to any agents from New York City or Cincinnati who went to Wounded Knee, or were present at Pine Ridge?

If you worked criminal matters in New York City and Cincinnati for 30 years, then you know that the Bureau never sends inexperienced agents out on a raid to arrest a bank robber, especially in an area such as Wounded Knee, where weapons were so prevalent. Why were Jack Coler and Ron Williams not properly armed? Why did they not have back up? Why did they not wear bullet proof vests in such a hostile area?

You of all people, having been a Green Beret officer, should know that the Bureau sent two inexperienced, under armed and improperly equipped agents into harms way at Pine Ridge.

It has been 28 years since I retired from the FBI and 33 years since I worked on the Racial Squad in Los Angeles. There is no way that I could remember details "specifying when, where, and exactly what was said," to support my belief of a wrongful conviction. I was convinced at the time Peltier was convicted that the FBI did its best to convict an innocent man.

FBI agents, and other sources, who gave me certain information, made me promise never to divulge their identity. The FBI itself asked me not to identify certain agents' names in my book. You certainly do not have the authority to claim that "enough time has passed that their anonymity should not be a problem." I don't think these agents care what you think about enough time having passed that their anonymity should not be a problem. Has it ever occurred to you that someone may want to kill another FBI agent for wrongfully convicting Leonard Peltier?

If you want to learn what actually happened in the Peltier case, I suggest you read all of the FBI documents that have been released to date, and then read the thousands of documents that have not been released by the FBI. What is the FBI hiding that they have to withhold thousands of documents relating to the killing of Jack Coler and Ron Williams?

I began to help Geronimo Pratt's attorneys in 1979. The FBI claimed from 1979 to 1997, in several court hearings, that Geronimo Pratt was guilty of murder. I attended a court hearing in Los Angeles in 1984 and heard my fellow agents testify that Pratt was guilty of murder. The FBI denied that they had paid the Oakland police to operate an illegal wiretap, having received information from that tap that placed Pratt in Oakland at the time of the murder. This all came out in a hearing in 1997, when an honest judge ordered the FBI to produce the original documents. Some of the same agents who framed Pratt worked AIM cases. Pratt was released in 1998, pending a new trial. The Los Angeles District Attorney did not retry Pratt, because the FBI informant perjured himself during the 1972 trial. Pratt sued the Los Angeles Police Department and the FBI, and in 2000 he won a settlement of \$4.5 million.

It was a terrible tragedy that Coler and Williams were killed, but it is even more of a tragedy that the FBI has forfeited its motto of fidelity, bravery and integrity by putting innocent men such as Pratt and Peltier in jail for murders they did not commit.

I have been told by three high ranking AIM members, on three separate interviews, that Leonard Peltier did not kill Coler and Williams, but that Peltier does know who killed them. Peltier refuses to identify the person or persons on the matter of principle.

It does not matter to me whether Peltier wishes to serve time in prison to protect his friends. That is his business. In fact, he should be serving time because he will not identify the guilty individuals. I have more important things to do than think about Peltier. Coler and Williams are gone. Nothing will bring them back. Convicting a hundred AIM members will not bring them back.

I want to make it perfectly clear that I am not supporting Peltier's release. If Peltier wants to identify and help convict the persons guilty of killing Coler and Williams, then he should be released when the guilty parties go to jail. In the mean time he can stay where he is.

Mr. Bob Robideau should also be in jail, not because he is guilty of killing the agents, but because he is guilty of withholding evidence about the person who did kill the agents.

What did the FBI gain by tarnishing its image in such a questionable manner? The Ron Williams I knew would not want to put an innocent man in jail just to get even for the fact that he is dead.

Sincerely,



M. Wesley Swearingen

M. Wesley Swearingen
[REDACTED]
[REDACTED]

March 21, 2005

Mr. Edward Woods
P.O. Box 54667
Cincinnati, Ohio 45254-0667

Dear Mr. Woods:

Thank you for your cordial response to my letter that some might consider rather blunt.

I will answer your second question first, about my book and AIM, because that is the one which has bothered me the most, lately. South End Press cut the manuscript from 400 pages to under 200 pages because they wanted the book to be no more than 200 pages. I had selected two other best selling authors to do the preface, but South End Press insisted that Ward Churchill do it because Churchill is one of their most popular and lucrative writers. With the recent flap over Churchill, I was about to request South End Press to remove Ward's name from my book. However, South End Press sent out an e-mail supporting Ward Churchill for what he had said about the victims of September 11, 2001, and that precluded any attempt to have Churchill's name deleted from future copies of my book.

I limited my book to what I had personal knowledge about. Churchill asked in the preface why I did not write about the FBI's war against drugs. The FBI that I knew did not have any investigative responsibility for drugs, therefore I did not write about narcotics because I knew nothing about any drug related investigations. The FBI did not have a classification for drugs.

South End Press literally butchered my book. At one point, I was so angry with South End Press that I wrote a letter saying that I hardly recognized my own manuscript. Some SEP editor kept changing the words United States Attorney to the Attorney General. I think I caught all of the errors. There are times now when I attempt to refer to certain details, which were in the original manuscript, only to find that South End Press deleted what I consider vital information. Another sore point was the fact that all the editors were women with an axe to grind for women's lib.

Any sympathy that I may have had for Leonard Peltier has been totally destroyed by Ward Churchill's recent comments about the victims of 911.

I have not kept up with the Peltier case because my knowledge was always hearsay and not admissible in court. I was not aware that Bob Robideau admitted publicly, and to you personally, that he is the one who killed Coler and Williams.

This may sound like a stupid question, but if Robideau has admitted to killing Coler and Williams why isn't he in jail? If the FBI can prove that Butler, Peltier and Rubideau were all present when the agents were shot, the matter of a conviction for conspiracy or aiding and abetting in assaulting a federal officer should be a slam dunk, barring the statute of limitations. In this case there should be a continuing offense of misprision of a felon.

Maybe Robideau is jerking everyone's chain by claiming he killed Coler and Williams because he knows he cannot be tried twice for the same murder?

Maybe the U.S. Attorney should be a little creative and try Robideau for conspiracy to assault a federal officer? I don't know whether Robideau was tried for murder or for conspiracy to commit murder. If he was tried for murder and acquitted, then he should be tried for conspiracy. If he was tried for conspiracy and acquitted, then he should be tried for plain murder. Why does anyone have to know who actually fired the fatal shots? As you know, in a conspiracy, only one person has to commit an overt act for all of the conspirators to be guilty.

If Butler, Peltier and Robideau were present at the scene, why are the three not in jail for conspiracy to assault a federal officer? This seems like a no brainer.

No one, neither the FBI nor the Indians, nor critics for both sides, seem to know who did what to whom. I have heard what agents in Los Angeles have said, I have seen Robert Redford's movie "Incident at Oglala," and I have read Matthiessen's book In The Spirit of Crazy Horse.

I have several questions of my own:

1. Why were Coler and Williams in separate cars?
2. Why did they not have the Bureau's Thompson submachine guns, which they have been trained to use?
3. Why did they not have any automatic weapons?
4. Why were two obviously green and inexperienced agents permitted to travel alone to an area that was known by the FBI to be dangerous?
5. Why were they not wearing bullet proof vests?
6. Why were there so many agents in the RA office listening to the radio communications when they should have been out helping Coler and Williams on an arrest?
7. Why didn't the Bureau send experienced agents, with backup and automatic weapons, to assist Coler (28) and Williams (27), when there were over 100 agents in the area?
8. Why didn't the agents ask for assistance from the Indian police, known as the Goons? When I worked in a one-man RA and needed help with an arrest, I regularly asked a local police officer, a Sheriff, or a Kentucky State Police trooper for assistance.
9. Why didn't Coler and Williams drive away as soon as the first shot was fired?
10. Why did Coler and Williams not have tear gas canisters?
11. Why, if they had tear gas, did they not use it?
12. Why didn't Coler and Williams have smoke screen canisters?
13. Why did Coler get out of the car and open the trunk instead of driving away after the first shot was fired?

14. Why did Coler have to open the trunk to get additional weapons?
15. Why didn't Coler and Williams have rifles and shotguns on the front seat of their cars?
16. Why did Coler and Williams drive into a dangerous area on nearly empty tanks of gas?
17. Why did Williams think of having enough gas, and take time to talk about it on the radio, when he should have been leaving the area immediately after the first shot was fired?

I have many more questions, but I think you get my point?

It makes me mad as hell every time I think of the Bureau allowing two young agents age 27 and 28 to drive around alone in such a dangerous area without being properly armed.

Now to your first question:

Knowing that the final killing of the agents comes down to the three of them, Peltier, Robideau and Butler, would my opinion concerning their actual guilt be changed at all?

Absolutely. All three of them should be in jail for conspiracy to murder, since it is not known who actually fired the fatal shots.

If Robideau has admitted to shooting the agents then obviously Peltier did not pull the trigger and therefore he is innocent of shooting them. I did not say he was innocent of conspiracy to commit murder. As the head of AIM he is, or was, in a conspiracy with other members to do whatever they did regardless of whether he was at the scene, or not.

If I understand correctly what you are saying, then Peltier did not actually pull the trigger, but he is taking the rap for Robideau, who claims now that he, Robideau, did kill Coler and Williams.

I have no problem with Peltier being in jail for conspiracy if Peltier was actually there when Robideau pulled the trigger.

The circumstances surrounding the alleged shoot-out are weird. Coler and Williams hardly fired their weapons and yet there were some 125 holes in the two bureau cars. One person, or just three persons, could not fire 125 rounds without killing the agents early on, unless they were merely trying to scare the agents and were taking pot shots at the cars. If you or I had been in such a fight, we would have emptied our weapons before someone walked up and shot us at close range. I can assure you that if I had been in such a shoot-out there would have been a hell of a lot of dead Indians and I would have gone through several boxes of rifle slugs and double ought buck before anyone could shoot me point blank in the face. If Williams actually held up his hand to protect his face, why didn't he shoot the person who shot him? If I had the strength to hold up my hand, I certainly would have had the strength to shoot the son-of-a-bitch who was planning to shoot me.

If I had been in Williams and Coler's shoes at the age of 27 or 28, I may have responded exactly as they did. That is exactly why such young and inexperienced agents should not have been alone in separate bureau cars. However, from my very first day of firearms training at Quantico, I

thought of the paper targets as human beings. I programmed myself to think I was shooting a human when I fired at a silhouette target, because I did not want the day to come when I had to shoot another human being and take time to think about it.

Hoover's FBI was adamant about not drawing your weapon unless you intended to kill someone. I don't know about Coler, but Williams was in the bureau when Hoover was still alive and Williams learned the mind set as a clerk in Los Angeles. The only SAC that I ever heard say that it was okay to shoot a subject was Guy Banister in Chicago in the early 1950s. Banister made the statement, at his first agent's conference in Chicago, that any agent who shot a subject could use his office to dictate a memo to Hoover and that agent could put his feet up on his desk while dictating the memo to his secretary. Banister, as you may not know, is the SAC who wrote to Hoover saying that the Bureau had divorced itself from the field many years ago and has been living in a state of adultery ever since.

If Guy Banister had been in charge at Pine Ridge, Coler and Williams would still be alive.

Many Hooverites had the idea that hardened criminals were supposed to wilt in their tracts when they heard an agent shout "FBI!" That mood began to change in the 1960s. By the 1970s criminals were beginning to revolt against being arrested and agents began to retire by the hundreds, literally for fear of their own safety. Hoover's FBI was not trained or equipped to handle the Indian uprising at Wounded Knee. I'm sorry that Coler and Williams had to be the ones who proved that the FBI was not up to the task. I hope, for the sake of today's agents, that the FBI is prepared not to take any crap from the tough guys.

Very few first office agents would have taken control of the situation at Pine Ridge. One exception that comes to mind is Guy Berado, whom you may know from your years in New York City. Berado and I were first office agents in Memphis in 1951. Had Berado been at Pine Ridge with Coler and Williams then Peltier, Bobideau and Butler would most likely be dead and Coler and Williams would still be alive.

I have the highest admiration for the Green Berets. If you had been at Pine Ridge with Coler and Williams, I feel strongly that they most likely would still be alive.

I know that many agents hate to believe it, but the Bureau dropped the ball at Pine Ridge.

I hope that you are enjoying your retirement even though Pine Ridge is tearing at you very heart and soul.

My e-mail address is wesswear@aol.com. If you have additional questions feel free to write.

Best wishes,



M. Wesley Swearingen

Edward Woods
P.O. Box 54667
Cincinnati, Ohio 45254-0667

March 30, 2005

M. Wesley Swearingen
[REDACTED]
[REDACTED]

Dear Wes:

Thank you for your recent letter and email. I appreciate the time it took to write so we can continue to discuss the Peltier matter, which is obviously important to both of us.

Before I begin, after reading your book now for the second time, I'm still amazed, if that's the right word, that two men could serve long careers in the same Bureau and walk away with completely different experiences and feelings. I know of course it was the timing of those years, earlier and later, and the type of work we each did that made all the difference.

To answer your email questions first, actually I do know of an SAC who talked about an agent as having a pair; he was referring to me. It was [REDACTED] later in the evening of January 15, 1996. After a long investigation of a Bureau Major Case I was chasing down one of the two leaders of a White Supremacist bank robbery gang who were responsible for twenty-six robberies in nine States. While one of the two leaders was trying to escape I deliberately crashed into his van with my Bureau vehicle, driving him up on a snow bank. He smacked his face on the windshield but bailed out anyway and my supervisor (who is a very close friend) and I chased him for another fifty yards or so before he surrendered. He had a loaded nine-millimeter. After a non-stop two and half days and a three-state trek, we got the other leader after a hellacious shoot-out with our SWAT team. The remaining five were grabbed without incident in Pennsylvania several months later based on the longest interview of my career with the first subject. The interview lasted fourteen days, eight to ten hours a day resulting in a ninety-nine page 302. I appeared, along with others, in an A&E special about the case. (The funny part was the memo explaining why I deliberately caused \$1,800 damage to a Bureau vehicle. It was never an issue.)

I know at least one other previous supervisor made that same comment after I shot a bank robber in Queens in 1978.

Enough of the war stories (but sometimes I do miss it, especially experiences like testifying against John Gotti). I know you have them too. For now I'll just fly a \$26m jet around the country, take in the sights; and deal with Peltier.

Your other question relates to the issue of who actually pulled the trigger.

I'm not absolutely certain whether Robideau and Butler were charged with conspiracy, but since they were acquitted, the Aiding and Abetting against Peltier may have been the only way to go, since by that event, there were no more co-conspirators with which to try Peltier. But aiding and abetting is another matter. The 1993 Eighth Circuit decision included the wording; "(A) The Government tried the case on alternative theories; it asserted that Peltier personally killed the agents at point blank range, but that if he had not done so, then he was equally guilty of their murder as an aider and abettor." So, as I believe you do also, Peltier is where he belongs because of his participation in the murders.

I have spent a great deal of time answering many, if not most, of the questions that have come up concerning Peltier, so please forgive me if I make reference to those editorial essays as I continue.

To make certain that I'm not misquoting the appellate court decision, the entire text can be found at <http://www.noparolepeltier.com/997.html>, along with all the other court decisions.

I think you would be very disturbed to see exactly what Robideau said to me regarding Jack and Ron's deaths...it shows him for the low-life he really is. This essay recaps Robideau's emails and public statements and reviews in detail the issue of self-defense: <http://www.noparolepeltier.com/debate.html#self> What they've done is reinforce the theory that they were all there, although, I personally think Peltier fired those fatal shots. But that's just my opinion based on what I've learned about the three of them. I have also stated that the motivation, aside from the possible Indian history connection to the anniversary of the Little Big Horn and killing Custer (frankly, I don't give Peltier that much intellectual insight), but more simply put, and universal to criminals like him that you and I have seen over the years: Dead men make poor witnesses.

Before I respond to your list of questions, because they raise some important points and I think there are a few areas that need to be clarified, you mentioned that you watched "Incident" and read "Spirit." I did too, many times, in addition to everything the LPDC had on their website, then and since, and I came to the inescapable conclusion that it just didn't add up. There has been so much folklore surrounding the Peltier myth that someone had to start pointing these things out, and that's what I've been doing for the past five years (come this April 30th).

"Incident" doesn't deserve much discussion because it was, by their own admission, a screenplay of "Spirit," including all its flaws. Did you know, for instance, that Matthiessen was on Peltier's payroll when writing the book? So much for objectivity, and that even people like Harvard professor Alan Dershowitz attacked the book for its lack of credibility and balance. Please take a look at <http://www.noparolepeltier.com/response.html#4>.

And, of course, there was Peltier's alibi; the fable of Mr. X and the infamous red pickup that Matthiessen and Redford bought into until Dino Butler came out publicly in 1995 and said it was a lie. Please see <http://www.noparolepeltier.com/lie.html>.

Your list of questions is obviously compelling, made the point, and perhaps should be answered as they relate to the Bureau's failing to adequately prevent such an event in the first place. I haven't gone there though for a couple of reasons; my efforts have been to uncover and refute the erroneous and often outrageous claims made by Peltier, the LPDC, the International Peltier Forum and the Peltier Legal Team (PLT). But I've chosen to challenge the Peltier forces while keeping the memory of Jack and Ron alive rather than get into the Bureau debate. I've also stayed away from the AIM issue, and even the Anna Mae Aquash trial last year. There are others more capable and knowledgeable than I am to fight those battles.

As for the specific questions;

6. Why were so many agents in the RA office listening to the radio communications...

Actually there were only a few: Ed Skelly, George O'clock, and John McCarty (I can't be certain about Fred Coward), along with stenos, Linda Price and Ann Johnson.

7. Why didn't the Bureau send experienced agents... when there were over 100 agents in the area?

Actually that "100 agents" is pure LPDC misinformation. It's simply not true, and never was. I addressed this issue in the Myth essay which was practically a line-by-line review of Peltier's book, Prison Writings. <http://www.noparolepeltier.com/myth.html> For example:

What happened that day, according to Leonard Peltier's own account was "...a planned paramilitary assault on the Pine Ridge reservation."¹⁸ [where] "...scores, even hundreds, of FBI agents..." [were] "in place at least twenty minutes before..."¹⁹ [They] "...were all lying in wait in the immediate vicinity,"¹⁹ [while] "The government had been preparing for a major act,"²⁰ [and], "Maybe they figured they could come in and finish us off after the two agents had drawn our fire, giving them the excuse they needed."²¹ [And], "There were dozens, maybe hundreds, of FBI, local lawmen, GOONs, and white vigilantes out there, suddenly appearing within minutes as if from out of nowhere, and they were all gunning for us. And two of their buddies lay injured, probably dead, in the crossfire zone between us."

I continued with this, but there's a lot more;

Peltier supports all this by claiming that Freedom of Information (FOI) "documents"²³ confirmed that a virtual army of lawmen were laying in wait. This, perhaps more than anything else Peltier has claimed, had no basis in fact and served only to escalate the importance of the developing Myth.

The very nature of the emergency radio calls for help by Agent Williams further proves that this was not a preplanned event. Had it been otherwise, as Peltier claims, the Agents would have simply called in the phantom army of law-enforcement that allegedly surrounded Pine Ridge. However, the Agents were unwitting victims of Leonard Peltier and others who first pinned them down in a deadly crossfire and then executed them. Even Matthiessen, who probably spent more time than anyone else researching Peltier's case, disagrees with the preplanned scenario (but not before he mindlessly repeated the same claim). Matthiessen, within the six hundred pages of ITSOCH, came to his own inescapable and infinitely more logical conclusion. Because of the location of the agents' vehicles he recognized that they were caught by surprise, out in the open, and taken under fire. The position of their cars on a muddy road in an open area belied anything other than a spontaneous event.

Wouldn't it have been an obvious set up had there really been a 100 agents—locked and loaded and ready to go? I would think so, instead of Ron pleading for assistance, and the nearest help, Gary Adams and a BIA officer, twelve miles away. Remember too that Adams was fired upon (by Norman Brown, "I had him in my sights, you know" he says in "Incident"), had his tires shot out, and when he tried to back out towards Highway 18, lost control, and got stuck in the mud.

8. Why didn't the agents ask for assistance from the Indian Police, known as the Goons?

They could have sought more agent assistance (agents were spread out quite a bit that day covering their own leads), from the thin ranks of the Bureau of Indian Affairs police, but Tribal Police loyalties were in question, and the GOONS, Guardians of The Oglala Nation, were something else again and part of the reason why Pine Ridge was a dangerous place to begin with. It was the Traditionals against the corruption of Dick Wilson and his gang. Although there are claims from the Peltier camp that the FBI armed and supported the GOONS (another word for vigilante), I have yet to see any definitive proof supporting this.

You mentioned that Peltier, "(was) the head of AIM..." at that time. Actually, Peltier came to the movement very late, just two years before the shooting and from a background as a petty thug and womanizer, then as an AIM bodyguard. He was the boss, I guess, of the tent-city camp of AIM followers on the Jumping Bull property, but aside from Butler and Robideau, who were all close to 30, the rest were teenagers, women and some children. It was murder that gained him notoriety and infamy.

I would feel remiss to second-guess Jack and Ron about why they didn't do this or that, but I think your assessment was very astute, "(you) may have responded exactly as they did." And perhaps I would have too. I'd like to think not, but we're looking back from the here and now; me approaching 59 and you 78, and we'd like to think that because of our experience and self-image we would have taken at least one, or all three of them, with us. I'd like to think that anyway. But I also believe that central to the confrontation was their surprise and how quickly things developed.

There was “an especially violent overnight thunderstorm” (Prison Writings), so maybe turning around on that narrow dirt path (can’t really call it a road) wasn’t an option (I was there last summer and saw it for myself—please see the Pilgrimage essay). Peltier, Norman Brown and Joe Stuntz laid down a continuous barrage of rifle fire—the range, some hundred-plus yards, only added to the ineffectiveness of handguns, and then, from another direction, Butler, Robideau and several others, with more rifle fire, pretty much neutralized them quickly. (Please see the review and concession by the LPDC over the “crossfire” issue: <http://www.noparolepeltier.com/debate.html#13>).

The best guess is that Jack’s arm was nearly torn-off early-on, and Ron, now wounded three times and seeing Jack near death, as he tried to save him with a tourniquet (please see “White Flag” essay), only hoped that they would be able to surrender. Ron guessed wrong. He was up against a cold blooded murderer and his two accomplices.

On other matters: I understand your concern with Churchill’s association with your book. He’s an absolutely despicable human being. And I’m being generous. I addressed Churchill’s incompetence in an essay four years ago. <http://www.noparolepeltier.com/debate.html#6>. (There is a lot of discussion in the Debate Continues section of the website.)

I also understand the problems you had with South End, which is very unfortunate and obviously frustrating for you, and may explain some of the concerns I had with certain areas of Exposé. Perhaps some things were presented, or edited, not to your liking.

Yes, I did know ██████████ (not that he really knew me); he was pretty much a legend when I got there, second office, in 1974.

There are many ironies about all this, it wasn’t until two years into the Peltier matter that I confirmed that my great-grandfather was a full-blood. Something I’m very proud of and which comes through in the Pilgrimage essay. That was the first time I was able to really tell my personal feelings and involvement with Peltier.

Bringing this letter to an end, I would hope that you also believe Peltier deserves to be in Leavenworth for his participation in the murder of Jack and Ron. At least some of the things you’ve said indicate that. But, I’m concerned with the appearance that this may be at odds with the quote on the PLT website. In that quote you point to two different sources; documents that you read, and statements made by fellow agents.

Regarding the documents (I know that not everything has been released under FOIPA—and I’ve taken the position that everything should be because it’s

certainly overdue; and I don't believe there is anything there that would change things). Nothing I've read alters the basic facts about the shooting. A specific example is a scam Peltier tried to pull with an FBI memo dated April 24, 1975. He claimed that memo was the basis for the *pre-planned paramilitary attack* on Pine Ridge that day (see below for another excerpt from the Myth essay to explain this further).

The second source in the PLT quote is what those Los Angeles agents may have said about Peltier being wrongfully convicted. It would appear at this point, with us both having the benefit of 20-20 hindsight and a thirty year history of the entire case, that maybe they were mistaken, or perhaps just offering an opinion. It's just a thought, but something that troubles me.

Sorry for rambling on and I hope I made own final point clear enough.

In the interim, be well and continue to enjoy your retirement, and I look forward to hearing your thoughts and continuing our discussion.

Regards,

Edward Woods

Re the pre-planned raid:

The FOI document Leonard Peltier refers to is an internal FBI memo dated April 24, 1975 entitled "The use of Special Agents of the FBI in a paramilitary law enforcement operation in the Indian Country." The purpose of this position paper is stated in the very first sentence: to brief the Attorney General, "...on the role of the FBI in the event of a major confrontation in Indian country...."²⁵ The memo clearly states the problems the FBI encountered in coordinating the siege of Wounded Knee II in February 1973, by still attempting to establish a clearly defined chain of command structure and decision making process. The memo shows that no less than a dozen agencies: Department of Justice attorneys; United States Attorney; White House officials; Department of the Interior; FBI; Bureau of Indian Affairs; U.S. Marshal's Service; Public Information Officers; Community Relations Service; Department of Defense; U.S. Army; Tribal Police; in addition to church and social groups and the press; all contributed to a situation that FBI officials regarded as detrimental to resolving what was first and foremost, a hostage situation. Conflicting directives emanated from a lack of continuity, divided authority, and an indefinite command structure that fostered confusion during the seventy-one day siege. The FBI wanted, but apparently did not secure, the operational direction and leadership role it desired to remove any political influence and considerations from what was essentially a tactical law-enforcement operation.

This position paper was reviewed by a number of FBI officials as is evident by the eight (8) sets of initials at the end of the memo. In addition, a handwritten notation at the bottom of the cover page, and a date of August 14, 1975, clearly indicates that there were still questions about control and accountability even after the shooting at Pine Ridge.²⁶ Those conflicts and problems are replete within the memo, but what is most significant

about this government document is not its content, but when it was prepared. It demonstrates that the government was still arguing internally about authority and control of major incidents in Indian country a full two years after Wounded Knee II.