



No Parole Peltier Association Newsletter

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"In the Spirit of Coler and Williams"

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Dear Supporters:

Created many years ago, the FBI maintains a Hall of Honor recognizing agents who have died in the line of duty either from direct adversarial action or during the performance of law enforcement activities.

A recent addition to the adversarial list was Special Agent Leonard W. Hatton, who, on September 11th while people were evacuating the WTC towers, joined first-responders in efforts to rescue trapped civilians. In other words, while others rightly fled the carnage, Lenny joined the other heroic police, fire and EMS personnel and ran into the burning buildings. The latest addition to the list was SA Barry Lee Bush, killed by a bank robber in New Jersey in 2007.

Although most everyone is familiar with the names of the 9/11 hijackers, the murderers of other agents would scarcely be known or recalled by anyone.

Thanks to the efforts of a local FBI agent, the memory of #7 on the list, SA Nelson B. Klein, was recently recognized when it was discovered that SA Klein's gravesite and headstone was in desperate need of repair. As a result, funds were raised from current, former and retired agents and employees, FBI associations in the Cincinnati area, and others. A new headstone was erected to honor SA Klein's sacrifice at the hands of a car thief in 1935 during the FBI's heyday of running boards and Tommy Guns. But no one would recall the name of his killer.



Of the 34 on the adversarial list, this author knew one personally; SA Charles (Chuck) Elmore was a classmate at the FBI Academy, Quantico, Virginia in 1972. On August 9, 1979 Chuck and SA J. Robert Porter were gunned down by a crazed gunman who entered the El Centro Resident Agency in California. On the same day in Cleveland, Ohio, #22, SA Johnnie L. Oliver, was killed in the line of duty by a fugitive.

No one would probably recall the killers' names.

Of course numbers 20 and 21 on the list are very familiar to NPPA supporters.

It's logical to assume that very few citizens would remember the names of those who killed the agents listed in the Hall of Honor, except one. Many civilians know the name of Leonard Peltier and not a day passes where the sacrifice of Jack Coler and Ron Williams isn't denigrated and marginalized by the likes of Peltier and his supporters who base their opinions and assumptions on erroneous propaganda and folklore surrounding the Myth of Leonard Peltier. (Please see <http://www.noparolepeltier.com/myth.html>)

Peltier update: The new LPDOC website has been reorganized, however, its mission and purpose has not changed. Peltier is always looking for supporter's money and continues claims to tax-deductible donations and charitable activities. For a detailed review of Peltier's history in this regard please see the Editorial Essay, Peltier Donations Scam? Fraud? <http://www.noparolepeltier.com/debate.html#fraud>

One interesting addition to the new LPDOC "Donation" approach is:

“...and that in addition to other legal expenses incurred by Leonard for FOIA action, as well as other legal strategies—including unrelated federal appeals and suits, upcoming parole actions, and the outstanding petition for clemency being employed to win his freedom.”

■ The likelihood of clemency from President Bush doesn't even measure on the reality scale. Even if there is a President Obama, as the history of the clemency issue has demonstrated, nothing would be done until the end of his first term, and usually then only if he is not reelected. The Clinton pardons remain the low-point in presidential clemency history and as hard as the old LPDC tried, even President Clinton recognized that Peltier was not a candidate for political consideration of any kind. (Please see Editorial Essay “Clemency the lynchpin” <http://www.noparolepeltier.com/debate.html#free>)

■ Peltier's as yet unscheduled first public parole hearing at Lewisburg is of grave concern to Peltier and the LPDOC. It will be interesting to see what types of disruptive activities, letter writing campaigns, etc., they may engage in for this seminal event in Peltier's long association with the criminal justice system.

■ “Unrelated federal appeals and suits” Unrelated? Unrelated to what; the facts surrounding Peltier's crimes and convictions? Without any further explanation of this bizarre statement the word *frivolous* comes to mind. But considering Peltier's appeals history, this should be no surprise. (One good example of this was Peltier's 2002 federal civil suit filed against this author, former FBI Director Louis Freeh, and others, for preventing a fair hearing on his claims for both executive clemency and federal parole. The suit was dismissed.)

Illegal solicitations: As has been pointed out previously, the LPDOC may have already broken North Dakota law and continues to claim that donations (“Send a check or money order made payable to “LPDOC” to the below address.”) are legal—because, “As with any nonprofit, your donations are tax deductible...” and further that, “Our 501(c)3 application is pending.”

Perhaps they have yet to realize that a nonprofit corporation does not make Peltier a charity, and just because their 501(c)3 application **may** be “pending” that doesn't give them the legal right to solicit tax-exempt funds

because they clearly state that “All proceeds benefit Leonard’s defense fund.” There are laws against this sort of enterprise and some may call it fraud.

We’ve been down this crooked path before because for many years the old LPDC tried the same thing until the IRS stopped those tactics. North Dakota has some fairly narrow and rigid requirements before organizations can claim charitable benefits. Leonard Peltier may be a lot of things, but a tax-deductible legal charity isn’t one of them.

(In 2000, the former LPDC’s fund raising scheme involve what they described as “our 501(c)3 fiscal sponsor,” which was a third party entity that **funneled** the money **back** to Peltier. In many circles a process such as this sounds suspiciously like money laundering. The LPDC stopped doing that but never admitted publicly whether the IRS had a hand in stopping that kind of activity on Peltier’s behalf. The LPDC, back then, also dropped the “tax-deductible” references for money “donated” to Peltier.)

PayPal: The LPDOC may have changed its appearance from the former LPDC, but its goal is the same, and previously PayPal saw through the sham and prevented them from using the PayPal process to donate money and sell items on behalf of Peltier’s questionable fundraising activities. In response, on July 4, 2004 the LPDC stated:

“Designating Leonard Peltier as being “notorious for committing murderous acts,” PayPal has now deprived us of our online fundraising capability. Our accounts have been closed preventing us from receiving donations electronically and we have been told that our funds collected through the online service may be frozen for up to 180 days.”

Today, however, the LPDOC advertises that donations can be made online because they are “PayPal Verified.”

PayPal has stringent use requirements that include prohibitions against “the financial exploitation of a crime” and require pre-approval for “collecting donations as a charity or non-profit organization.” It couldn’t be any more apparent that Peltier is profiting from his crime (even to the extent of allegedly paying his legal bills; considering though that his attorney’s work

for him, pro bono), and he certainly is not a charity and not qualified under non-profit laws in North Dakota.

In 2003 one of the many former LPDC Directors, Bob Free, called for some openness and honesty concerning Peltier's finances. He said "Transparency regarding accounting and decisions will be posted on the web," Of course, that never happened. Even those loyal to Peltier (forever how long they may last) were troubled by the finance issue. It didn't take the NPPA long to uncover the sham of some of Peltier's alleged charitable activities. But Peltier's finances have remained a dirty little secret, first in Lawrence, Kansas, then El Paso, Texas and now Fargo, North Dakota. Peltier wouldn't dare be honest about the money; where it comes from, who's getting it, and how it's being spent. To do so would prove either one of two points: That Peltier's financial intake is embarrassingly weak along with his dwindling support; or perhaps a great deal of money has been conned out of the public (and supporters) over the years and he and the LPDOC would be hard pressed to account for it. (See the "It's all about the money" section of Editorial Essay <http://www.noparolepeltier.com/debate.html#free>)

PayPal has apparently been deceived by the LPDOC. The metaphorical wolf in sheep's clothing, is still a wolf, or more aptly in this instance, a jackal. Time will tell whether this too shall be corrected.

"In the Spirit of Coler and Williams"

Ed

Ed Woods

This newsletter will be provided to NPPA subscribers in place of the previous periodic emails sent through the bravenet.com listserve. Any individuals who wish not to receive this newsletter need only advise us and they will be removed. For those who desire to receive these updates as we approach this important phase in the Peltier matter, please forward the newsletter to others so they may also receive updates.

Fallen FBI agent honored with new gravestone, salute

By Brenna R. Kelly
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Was shot to death on duty in 1935

SOUTHGATE – Growing up, Kathryn Stemmer would often look at the photo of the tombstone her grandmother kept with a FBI plaque, honoring her grandfather. That tombstone simply read: Klein.

On Saturday, Stemmer stood in front of the gravestone newly decorated with a bronze FBI shield and inscribed to honor FBI Special Agent Nelson Klein “killed in the line of duty August 16, 1935.”

“I know Grandma would just be thrilled,” said Stemmer, of Anderson Township. “She always said he was just an honorable, wonderful, loving man.”

Seventy-three years to the day after Klein was killed while trying to arrest a criminal in Indiana, nearly 100 FBI agents, police officers and family stood on a hill in Southgate’s Evergreen Cemetery and remembered the 37-year-old agent.

“Nelson Klein paid the ultimate price that any law enforcement officer can pay,” said David Lichtenfeld, a retired FBI agent. “We are here to honor him as a brave law enforcement officer who has given his life for his country.”

After a black cover was lifted off the gravestone, a bagpiper played “Amazing Grace” and the crowd joined Cincinnati Police Sgt. Tom Waller in a shot of whiskey to toast



Klein

Klein.

“Nelson we honor you and thank you,” Waller said. “Your death shall not go unmarked.”

The service was the culmination of an effort to refurbish Klein’s gravesite after FBI agent Tim Tracy discovered this year that the stone had fallen over and made no mention of Klein’s service.

Tracy, who works in Fort Mitchell but is assigned to the Louisville office, had saved a newspaper article about Klein and thought the bureau might want to name a new FBI building in Louisville after the fallen agent. When he found the tombstone, he knew something had to be done.

Local retired FBI agents and current agents raised money to have the stone reset, add the FBI shield and the inscription to the monument, which was intended to be for a family plot. Lewin Monument in Fort Mitchell also helped.

“It was our privilege and honor to do it for him for what he did,” said Richard Coy, Chairman of the Cincinnati chapter of Former FBI Agents. The effort has now sparked a nationwide effort to find the graves of the other 34 agents killed

as a result of adversarial action and make sure they are marked and taken care of, Coy said.

On Aug. 16, 1935 Klein and his partner tracked George W. Barrett, who was wanted in connection with a car theft ring, to West College Corner, Ind. Klein ordered Barrett to surrender, but instead he fired at the agent. Klein was struck six times but was able to return fire, wounding Barrett in the legs so he could be captured.

Klein was the first FBI agent killed in the line of duty after Congress made it a capital offense to kill an FBI agent. Barrett was tried, convicted and hanged seven months after Klein’s death.

“We hopefully righted a wrong situation and his memory will go on now,” Coy said. When a new FBI building opens in Kenwood in 2010 there will be some type of memorial to Klein, said Keith Bennett, special agent in charge of the Cincinnati office.

When Klein died he left three children, an 8-year-old Nelson “Bud”, 6-year-old Richard and 3-year-old Barbara.

His only surviving child, Richard, who lives in Georgia, said Saturday that he has seen a picture of the refurbished gravestone.

“It’s tremendous, I think it’s quite an honor,” said Klein, 79.