

# *Inside the high-security Black Site where Leonard Peltier is incarcerated*

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By Silja J.A. Talvi \*\*\* Published by TRUTHOUT

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The prison where the Indigenous activist is held has been in a near-constant state of lockdown for almost four years.

Unbeknownst to most protesters who gathered at the White House on the occasion of Native American political prisoner Leonard Peltier's 79th birthday, Peltier wasn't able to celebrate, much less receive reports on how the well-attended event was progressing.

That's because Peltier, who is now spending his 48th year in captivity, was sitting on his bunk, across from his cellie, "locked down" in a cramped and concrete maximum-security cell designed for one man.

The Bureau of Prison's "lockdown" phenomenon has spread to other federal facilities, but nowhere is as pronounced and as repressive as at USP Coleman I, part of the nation's biggest federal prison complex, FCC Coleman, which consists of four prisons of various security levels. (Female prisoners were transferred out of the camp permanently in 2021 after it was revealed that corrections officers had raped innumerable women.)

FCC Coleman functions like a military complex, complete with cellphone dampening technology, audio and visual surveillance, heavily armed guards and gunfire "practice" sessions, which have left surrounding neighborhood residents concerned about why, precisely, guards are practicing with live fire.

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The BOP has admitted to the live fire training sessions at USP Coleman I, which was held during the longest single period of the lockdown: five weeks from July 9 to August 14, 2023. During this time period, the people incarcerated there were initially told that they were not being punished, and that the measures were temporary. Those reassurances were the last of their kind, and incarcerated people no longer receive any explanation or justification for their plight.

Family and friends, who have often been unable to reach their loved ones, have received no explanation for the constant lockdowns, which began on the heels of what should have been a return to regular operations after roughly three years of "restricted housing" and "modified operations" related to the COVID-19 epidemic. During this time, the people incarcerated at USP Coleman I had no physical visitation with approved visitors, although they were able to access phones and email.

Attorneys who have inquired after their clients have had many visits canceled throughout 2023. In addition, Peltier's lead attorney, Jenipher Jones, Esq., said her legal mail to another client is often returned with no explanation attached. BOP protocol is that when mail is returned, there is an explanation given for how the mail violated prison rules. To make matters worse, her client's postal mail often never reaches her.

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Within the BOP, all regular postal mail has long been subject to a process by which staff open envelopes, read the contents and scan copies of the letters before giving those low-resolution copies to prisoners. Legal mail is supposed to be an exception, but people imprisoned in several BOP facilities say legal mail has been surveilled in new ways as a standard practice since the COVID pandemic began: At FCI Tallahassee, a federal women's prison in Florida, even legal mail is now opened by staff, but not in front of prisoners as it should be if contraband is suspected. (Other BOP prisoners especially on the West Coast say that legal mail continues to be handled as it should be: Staff are not allowed to read the content of legal mail. But if it's decided that there's a suspicion of contraband being sent in, then the legal mail is opened in front of the prisoner to check for illegal substances, etc., so as to ensure attorney/client privilege insofar as the written content of legal documents is protected.)

This means that in prisons that aren't respecting the right of every person to private legal counsel, prison officials can hypothetically be tipped to sexual abuse allegations in violation of the Prison Rape

Elimination Act, class-action lawsuits or any number of legal issues which should fall under attorney/client confidentiality.

As investigations from the Associated Press and The Appeal have made clear, a culture of retaliation within the federal prison system has resulted in the fact that prisoners are afraid of disclosing too much about what they are enduring. Former BOP Director Michael Carvajal was forced to resign in January 2022 because of revelations of widespread abuse within the federal prison system, including the arrests, sentencing and convictions of more than 100 BOP workers since 2019. His replacement, BOP Director Colette Peters, promised a new and more transparent era for the BOP. Thus far, critics within Congress have been outspoken about the lack of progress under Peters' leadership.

The situation at USP Coleman I certainly hasn't improved since Peters took the helm. Family and friends of people imprisoned at USP Coleman I are saying that, where they once received daily or weekly calls, emails and letters, they now go long periods of time with no contact whatsoever. People incarcerated at Coleman I tell a similar story of once having received frequent communications from family members, but now going long periods without receiving outside mail.

When given the opportunity to comment on this situation, the BOP Public Affairs Office responded:

All Adults in Custody (AIC) at USP Coleman I are afforded communication privileges through written communication by way of the U.S. Postal Service. The Federal Bureau of Prisons recognizes the importance for Adults in Custody (AIC) to maintain family and community ties and continually encourages AICs to participate in visitation as one means of achieving this. However, the safety of employees, AICs, and the public is one of our highest priorities, and sometimes the modification or temporary suspension of visitation is necessary.

Under these lockdown conditions, incarcerated people like Peltier are (sometimes) given three 10-minute showers per week, but they claim that "recreation" (i.e., the guaranteed right to have some form of exercise outside of one's own cell) has been nearly nonexistent. As a result, many or most days are spent in 24-hour isolation. (Although most men are double-celled, the term isolation is still used as the prisoners have no contact with family, friends or other prisoners as they would in normal general population conditions.)

A total lack of opportunity to exercise one's body is a violation of BOP regulations pertaining to even the most secure federal facilities such as the notorious supermax prison, ADX Florence, and two secretive Communication Management Units created as a response to the "war on terror."

In all BOP prisons, imprisoned persons are supposed to be given at least one hour of recreation time, albeit often in depressing, concrete-walled environments. Depending on the prison, this may mean the opportunity to simply walk or run, while other prisons allow prisoners to lift weights or play sports.

Dawn Lawson, Peltier's personal assistant for several years, was adopted into a Lakota family after her own torturous experience of being sexually assaulted at a federal prison. According to Lawson, she ended up at an "Indian recovery center" in South Dakota, and this led to an eventual friendship with Peltier. Although she is severely and chronically ill, Lawson sends daily email and post to Peltier. Lawson shared that she would normally get multiple emails back from Peltier daily, but now often goes days and weeks without hearing back.

Lawson shared that she would normally get multiple emails back from Peltier daily, but now often goes days and weeks without hearing back. Lawson, who knows the most about Peltier's situation over the last several years, explained that sometimes he is not able to make phone calls because he cannot hold his own against much younger men fighting over the one or two working phones, where there were once many. Fortunately, some of the men respect his status as an elder and spiritual leader and try to help him get through to his attorney and his assistant, said Jones, Peltier's attorney. "The situation breeds a total

sense of helplessness,” added Lawson. “They are killing these men.”

Lawson is not exaggerating. During the course of this investigation, many men have sent word to a spokesperson for the prisoners who, in turn, reported through his attorney that, according to their count, a total of 16 men have died in the FCC Coleman complex in 2023, under unknown and sometimes suspicious circumstances. Because this spokesperson (and the prisoners who have communicated these details to him) fear retaliation, Truthout is not revealing their names.

Men are doubly impacted if they are in the Security Housing Unit in addition to being on lockdown. As communication from the SHU under lockdown is even more limited, almost nothing is known about these men other than the fact that one man recently died by suicide. The BOP has refused to comment on the suicide, citing privacy, security and safety concerns.

Another concern is that men who already suffer from mental health issues are deteriorating, as the rounds that guards used to take to monitor their well-being have lessened or no longer happen at all, according to the same prisoner spokesperson. Others, who did not struggle with mental health issues previously, have begun to speak of ending their lives.

The constant lockdowns made it difficult for me to build prisoner networks within USP Coleman I, as I have done for decades in various jails and prisons across the country, but fortunately, prisoners, lawyers, and advocates were still able to share their experiences. In so doing, they also spoke of pent-up aggression and frustration manifesting in fights on a scale never seen before. Consider that these men are locked down for days or weeks on end without the ability to shower regularly or to exercise at all. When they are released simultaneously into the room containing one or two working phones, fights can understandably break out quickly. In a matter of minutes, yet another lockdown is instituted, and the cycle begins again.

Although the BOP denies all of this, it is hardly far-fetched that arguments and physical altercations can break out between traumatized prisoners desperate to reach their loved ones very quickly, leading to severe injuries as in a case in 2022 in which a Coleman prisoner lost an eye and another was flown to a hospital.

A new normal began with COVID, said Victoria Law, a journalist and frequent Truthout contributor who specializes in the United States criminal legal system and has a forthcoming book on COVID and prisons, slated for publication in 2024. “The COVID pandemic was a prime opportunity for the prisons to double down on punitive measures and then to keep them going,” said Law in an interview with Truthout.

“They used the pretense of the pandemic to say that this was all for the health and safety of prisoners, but the pandemic allowed jails and prisons to make the institutions more onerous. It became the ‘new normal,’” Law said.

According to The Marshall Project and Solitary Watch, 300,000 prisoners were held in some form of solitary at the height of the COVID pandemic, compared to the usual number which ranges from 50,000-100,000. (The Bureau of Justice Statistics doesn’t keep tabs on this number, so the wide range is the result of differing analysis.)

The picture becomes even more grim when January 2022 is taken into account. It was then that the BOP “accomplished” something rather troubling; the agency locked down all of its prisons for roughly a week — including women’s prisons — in response to an MS-13 gang fight at a Texas prison in which two men were killed. Essentially, 150,000 individuals were suddenly confined to some form of solitary after an incident in just one facility in one state.

The lockdown precedent was actually set in June 2020, with the first nationwide federal prison lockdown in 25 years. In response to protests across the U.S. following the death of George Floyd, an unarmed

black man killed by police in Minneapolis in May 2020, the BOP decided that the unrest could spill into prisons. Until this point, the BOP had considered national lockdowns an extreme and clearly unnecessary measure, even if fights occurred between prisoners, as this is a daily occurrence in most men's prisons.

The current situation at Coleman is undoubtedly the worst within the entire, sprawling BOP system. But many other states seem to be taking note, and have also instituted total lockdowns, including one that dragged on for many months in Wisconsin. Although it's unclear what the current status of the lockdown is right now, what is known is that, as of August 2023, male prisoners had already suffered extreme lockdown restrictions for more than four months.

Paulette D'Auteuil-Robideau, Peltier's cousin, lives in Gainesville, Florida, not far from Coleman. She serves on the board of the new Leonard Peltier Ad Hoc Committee, as well as the Jericho Movement for Political Prisoners. D'Auteuil-Robideau has traveled across the world to talk to audiences about Peltier and the plight of political prisoners, the existence of which the U.S. continues to officially deny.

The Leonard Peltier Ad Hoc Committee is the only organization that Peltier currently authorizes to speak on his behalf, sell his artwork, and to manage the donations that help cover his legal expenses and meager commissary budget.

D'Auteuil-Robideau told Truthout that guards have clearly been using lockdowns as a way of extending their weekends, as many lockdowns "coincidentally" begin sometime on Thursday and end, however briefly, on Monday or Tuesday.

In addition, D'Auteuil-Robideau said she is worried that Peltier has paid an egregious cost with his health. Diagnosed with diabetes a few decades ago, Peltier was able to get the disease under control by exercising regularly and supplementing the sugar and carb-laden prison diet with commissary products, as well as drinking more bottled water.

Peltier's diabetes eventually went into remission, but it returned after the imposition of COVID restrictions and the 2023 lockdowns, which have limited Peltier's diet to what is shoved through his cell door. Moreover, both D'Auteuil-Robideau and Peltier's attorney said that since there is no medical line during lockdowns, he must rely on nurses remembering to do a finger stick test once daily, and that Peltier has not been given glucose tablets or juice to help him if he begins to go into a diabetic coma.

Once again, the BOP flatly denies that this is true, and says all incarcerated people have access to medical and dental care, including glucose tabs and diabetic dietary meals.

But Peltier has already lost all of his teeth over the past 10 years at Coleman, as Jones explained, and he has not been given prosthetics, making food very difficult to eat. Dental and medical care are bad under the best of circumstances, she said, but under lockdown, they are nearly nonexistent.

Because of the size of the cells, the aging Peltier has not been able to move more than a few inches in two directions each day, and his body is suffering for it. But Peltier isn't just concerned for himself.

"These lockdowns are killing us old guys," Peltier told Truthout through his assistant during a brief lockdown break in September.

In August 2023, Peltier said he witnessed through his cell window another person incarcerated at Coleman I being taken from a nearby cell on a stretcher, as the lack of exercise had atrophied his muscles to the point that he could no longer walk. According to Peltier, prisoners have spoken of other similar incidents throughout USP Coleman I, where nearly 1,500 prisoners are held.

"These lockdowns are killing us old guys," Peltier told Truthout through his assistant during a brief lockdown break in September. "Not enough exercise for our legs. I had a hell of a time walking the yard."

Even with my walker, I had to stop and rest often.”

Jenipher Jones, who has served as Peltier’s lead attorney since May, concurred that Peltier’s health has suffered as a result of the lockdowns.

When asked to respond to these allegations, a representative from the BOP’s Public Affairs office offered this statement:

While we do not comment on anecdotal accusations, we can tell you this is absurd and untrue. While for privacy reasons we cannot speak about the conditions of confinement for any individual, I can tell you the Federal Bureau of Prisons (FBOP) provides essential medical, dental, and mental health services in a manner consistent with accepted community standards for a correctional environment. The FBOP uses licensed and credentialed healthcare providers in its ambulatory care units, which are supported by community consultants and specialists. All incarcerated individuals have daily and regular access to psychological and medical care.

“Being in such a small space at my age is ... like torture. Your body gets to hurting from lack of exercise and movement.”

In late May, Peltier sent a group email to some of the people he is allowed to keep on his approved email list (the prison only allows him to maintain a maximum of 30 approved contacts). Lawson, his personal assistant, shared a copy with Truthout. Peltier had just been released from yet another lockdown and wrote that “being in such a small space at my age is not ... pleasant to have to go through. It is like torture. Your body gets to hurting from lack of exercise and movement.”

Peltier’s current legal team complains that the ongoing lockdowns at Coleman I are routinely impeding their ability to meet and speak with their client. In addition to lead attorney Jones, the legal team also includes two other lawyers in New York and Florida. Attorney Kevin Sharp represents Peltier separately on a current compassionate release petition.

Jones is a civil movement and human rights attorney and managing partner at A People’s Law office/For the People, LLC. Her work challenging the system of mass incarceration has resulted in binding affirmative federal law regarding the constitutional rights of prisoners in the U.S. Jones specializes in litigating complex civil litigation cases involving the rights of political prisoners, employment discrimination and law enforcement/correctional officer misconduct. Jones also teaches law students regarding constitutional carceral law and “movement” lawyering, and is the current chair of the National Lawyers Guild Mass Defense Committee and joint chair of the Mass Incarceration Committee.

Jones told Truthout that regardless of what the BOP says about the availability of legal meetings for all prisoners who ask for them, she has not been granted regular access to legal meetings with her client. Because of the nonstop lockdowns, Jones said she has only been able to visit Peltier twice between May 2023 and September 2023 and is only able to speak to him when he is briefly let off lockdown.

Unidentified Coleman staff warned Dan Battaglia, Peltier’s adopted nephew, of a “summer of lockdowns” when he called to inquire about visiting his uncle. USP Coleman I also began demanding background checks on attorneys, although such procedure had previously been unheard of. The BOP Public Affairs office flatly denied this assertion in a statement to Truthout. Jones said that, starting in August, Coleman finally stopped requiring background checks on attorneys and returned to just asking for proof of Bar membership.

Jones told me that her most recent visit with Peltier, which occurred in early September, was a traumatic experience which left her deeply troubled and worried for the safety of all the men imprisoned in Coleman, including Peltier and one other client she works with there. Jones said she made a trip to Coleman for a three-day visit. The first two days went well, but on the third day, Jones was left waiting for Peltier for two

hours as the staff attempted to force her into meeting her client in the general visiting room, which affords none of the privacy guaranteed to lawyers and their clients.

Although the prison staff eventually relented and allowed Jones and Peltier to sit in a private room intended for legal visits, Jones said she had spent no more than 20 minutes with Peltier when an “institutional emergency” was announced, possibly because of the presence of a film crew that had been pre-approved to film in certain areas for a Peltier documentary.

Chaos broke out, Jones said, with guards rushing to hand back IDs to visiting families. Children were crying and screaming, and one adult visitor was left in a corridor within the prison as a heavy steel door began to close, threatening to lock him in. Jones said a 4-year-old child who saw the man and squeezed between the door jamb and the steel door to try to save him from being locked inside narrowly escaped getting crushed by the door herself.

All the while, Jones said, the corralled prisoners stood together, screaming out to the gathered attorneys and loved ones: “Help us! They do this to us all the time! Please help!” Jones recalled them yelling in anguish, with pained and desperate expressions. As a result, Jones was never able to see her other client and returned home in a state of shock.

In the time since then, leading up to the week of September 18, prisoners received a total of roughly six hours out of their cells before being locked down again, according to a Truthout analysis.

As Peltier made clear in a discussion with his attorney (a portion of which Peltier allowed to be shared with Truthout for this article), he and the other prisoners at Coleman I could not perceive any reason for an institutional emergency on the day his legal meeting with Jones was interrupted; prisoners were locked down regardless. Finally, during one rare hour of time in the yard, Peltier spoke of being so physically weak from nearly 10 months of lack of movement that he could barely walk, even with his walker.

Jones, meanwhile, told Truthout she believes that Coleman has essentially become a “black site,” as almost nothing is known about what is happening inside, and prisoners have clearly lost their right to communicate freely with the outside world.

One of the U.S.’s longest-suffering political prisoners, Peltier — a member of the Turtle Mountain Chippewa tribe who is of Lakota and Dakota descent — considers himself a spiritual warrior whose commitment to Native peoples and human rights is unbreakable. He received a double life sentence for the alleged murder of two armed FBI agents in a shoot-out on the impoverished Pine Ridge Indian Reservation in 1975, and has spent roughly 48 years in prison despite an abundance of evidence that the FBI coerced, harassed, and manipulated testimony and ballistics evidence during his 1977 trial.

In the full statement he wrote to be delivered to assembled protesters on September 12, 2023, Peltier stated:

Everything has been done to break my spirit. Every last shred of evidence used to convict me has been proven false. Because of this false evidence and unfair trial, even the International Criminal Court has noted the deep injustice of my case.... The trial was ... riddled with racism by the presiding judge and the suppression of key evidence. Not to mention being separated from my co-defendants. I was placed on death row and in solitary confinement to coerce a false statement, which I refused to give. Just for defending myself and my people against a colonial state massacring and terrorizing my people. In 1976, I was protecting people from being murdered. There were over 60 people killed. The federal government will not investigate those murders because our killers, the GOON Squad, admitted that the FBI was supplying the weapons and ammunition used against us. A trail of bodies, that era tinged and stained in blood. Mass sterilizations of all genders were taking place. Our children kidnapped. Our language and right to bear arms, forbidden. This is nothing short of genocide. I will never forget. Colonization requires erasure: genocide, homicide and extermination. They wanted nothing less than the extermination of our



people, and uranium. They wanted to force the mining on our reservation. Disrespecting the land, poisoning the waters, which still causes high rates of cancer. I stood in their way.

Notably, as Peltier was sentenced before the passage of a sentencing reform bill that essentially eliminated federal parole, he should have already been paroled. All recent presidents have rejected his applications for clemency, despite decades of outcry from world leaders and a powerful July 2022 statement from the United Nations Human Rights Council's Working Group on Arbitrary Detention calling for his release, noting that anti-Indigenous racism is a primary factor in Peltier's continued incarceration.

Coleen Rowley, a retired FBI special agent, recently became the first intelligence insider to argue for Peltier's release. "Retribution seems to have emerged as the primary if not sole reason for continuing what looks from the outside to have become an emotion-driven 'FBI Family' vendetta," Rowley wrote in a letter sent to President Joe Biden in December 2022. "Enough is enough," Rowley added. "Leonard Peltier should now be allowed to go home."

Native Americans and Alaskan Natives are grossly over-represented in juvenile facilities, jails, state and federal prisons. Currently, Indigenous people are locked in prisons at a rate of 763 per 100,000 people, double the national rate (350 per 100,000) and more than four times the rate of white Americans (181 per 100,000). In addition, the Bureau of Indian Affairs has increased the number of Natives imprisoned in "Indian jails" over the past two decades.

The most frightening aspect of the constant lockdowns at Coleman I is that the prisoners there never know how long they will be isolated. Lawson, Peltier's personal assistant, has gotten to the point that she checks his BOP prisoner profile every single day when she doesn't hear from him to see if he is listed as deceased.

Peltier is certainly no stranger to isolation, as he has already spent at least 15 years in solitary — including a stint on death row, the rationale for which was never explained to him. But Peltier told Truthout that the conditions that he and his fellow prisoners have endured this year at Coleman I have surpassed anything he has ever experienced, even in many of the most oppressive prisons in the U.S.

"We live under worse conditions than those in solitary confinement," Peltier told Truthout in an email communique passed on by Lawson. Being locked down 24/7 "in a cement and steel box is even illegal for dogs or other animals," he emphasized.

According to Peltier and the prisoner spokesperson whose identity is being protected, as well as Lawson and Jones, there have been extended lockdowns every month from January onward. One month, July, was locked down completely, with no opportunity to move whatsoever but a few inches inside one's own cell.

That five-week lockdown began on July 9 and didn't end until August 14, 2023, as the BOP itself verified, in addition to Truthout's monitoring of the situation. During this time, Peltier wrote that each prisoner's commissary budget was reduced to \$25. "We received it two times (in July and August), and \$25 isn't much with today's prices," he told Truthout. The BOP countered that commissary has been available to all prisoners on a rotating basis.

Peltier is referring to the fact that BOP prices for many commissary items have increased this year by as much as 300 percent, according to BOP prisoners in various institutions. "Our food rations have been cut drastically," Peltier added, noting that this makes commissary purchases even more important for those who can afford them. In another response, Peltier emphasized that he had to resort to taking "sink baths." "Our food rations have been cut drastically," Peltier added.

Jones has noted that prisoners have not had adequate hygiene products throughout the year, increasing the risk of communicable diseases. Food trays are delivered to the cells through slots, sometimes

consisting of brown lettuce and green baloney, according to Lawson. Under normal conditions, Coleman I prisoners eat together at the chow hall.

This is the life that Peltier and all other USP Coleman I prisoners have lived under for most of 2023, with no end in sight.

Jones was told, at one point, that the reason for the five-week lockdown had to do with a discovered plot to attack guards by gang members who were subsequently relocated to other prisons. It is unclear, however, why the lockdowns have continued even after the people who supposedly developed the plot were removed from the premises.

“We are actually being punished for nothing,” Peltier told Truthout, via Jones, in answer to prepared questions Truthout sent in the event the lockdown might be lifted once again.

In this case, Peltier was let out of his cell for less than four hours on September 19, 2023, and informed Truthout through Jones that, “They wouldn’t even let me go to the shower on Monday because I need my walker, and they wanted me handcuffed.”

Among the other indignities that Peltier continues to suffer are full cavity searches before and after meetings with legal counsel, as well as X-rays after family and friend visitations (on the rare occasion that he gets them). Curiously, Peltier was given years of radiation “therapy” despite having no medical condition that would have required such a procedure. Jones and Lawson are both concerned that the cumulative radiation has wreaked havoc on his body.

For Peltier, days like this are like most others in 2023. But these days have not been ordinary or predictable. Nor have they been carefully timed with movements between cells and showers, the recreation yard, programming, medical lines, an art room or a sweat lodge. The latter two, in addition to outside recreation time, mean the most for Peltier, whose half-century in prison has given him very little by way of joyful moments. The very title of his book, *Prison Writings: My Life is My Sundance*, is a reference to the once banned spiritual practice of hanging from hooks that are pierced through the skin, a powerful spiritual sacrifice ritual in which Peltier has participated.

Whether Coleman is a harbinger of things to come has yet to be seen, but the trend toward keeping prisoners isolated from media, family and legal counsel has led Jones to devote herself to Peltier’s case, working on it seven days a week. A soft-spoken woman with profound insight and dedication, Jones told Truthout she fears that the BOP will continue to expand the methods by which outspoken prisoners (and those who support them) are repressed, tortured or even killed.

“We do not throw away anyone,” said Jones in reference to prisoners across the nation. “No matter what they may or may not have been accused or convicted of. And so, while we will work with the Bureau of Prisons where we can, we unwaveringly stand with men of USP Coleman I and will utilize every available lawful means to vindicate their constitutional and human rights, thus the rights of everyone, including ourselves.”

“We do not stand apart from the men of USP Coleman I or any prisoner,” Jones added with tremendous conviction. “Their fate is our national lot.”

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<https://www.radiohc.cu/index.php/en/noticias/internacionales/335570-inside-the-high-security-black-site-where-leonard-peltier-is-incarcerated>



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