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## Little Rock Reed

Little Rock (Timothy) Reed<sup>1</sup> was born in Illinois in 1961. Abused as a child, he became involved with drugs early in his life and was first imprisoned at age eighteen. In 1982, he was convicted of theft and burglary, and was sentenced to twenty-five years in the Southern Ohio Correctional Facility at Lucasville. While incarcerated, Little Rock, who identified as Lakota Sioux, began studying law and became an outspoken activist, writer, and advocate for Native American and prisoners' rights. In 1993, he co-authored a collective statement by Native American prisoners, former prisoners, and spiritual leaders entitled *The American Indian in the White Man's Prisons: A Story of Genocide*. Following his parole in 1992, he founded the Native American Prisoners' Research and Rehabilitation Project. Charged with a parole violation linked to his activism, Little Rock fled Ohio and settled in New Mexico, where he began working at the Center for Advocacy for Human Rights. Although Ohio authorities declared him a fugitive and hunted him down, New Mexico's highest court refused to extradite Little Rock. The U.S. Supreme Court overruled the New Mexico Court's decision, and Little Rock was returned to Ohio in early December 1998, but was released later that month to serve the remainder of his parole in the community. Little Rock Reed died in a car accident in New Mexico on January 15, 2000.

### Note

1. "Little Rock" is the name the author took for spiritual and social purposes; "Timothy Reed" is his birth name.

### References

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## The American Indian in the White Man's Prisons: A Story of Genocide

### 1989

. . . I am going to describe the spiritual significance attached to the immediate relief I am seeking. My reason for this is so that this court will possibly be able to understand how important these things are to me and my people . . . and the injurious effects the denial of these things are having on me and my people. I will describe, or explain, why the Defendants have no legitimate reason for continuing to deny us these things. I will begin with the sacred pipe, as to have an understanding of what the sacred pipe means to me and my people will make it easier for you to understand the other things I will describe. I am not a spiritual leader, and there may be some things that I am unable to elaborate on because of my little knowledge; but this is my personal testimony, and I speak from my heart.

The sacred pipe is at the center of my religion. We call it *caupa wakan*. It is a gift that was given to my people by the Great Spirit, through a messenger. This messenger instructed us in the meaning and use of the pipe. This messenger wasn't just a person, but a holy spirit woman. She told the people that this pipe was to be used in prayer. It is constructed like this: The bowl of the pipe is made of sacred *inyansha*, red stone. This stone is very sacred and it is only found in one place in the world, up in what is now Minnesota. A long time ago there was a flood, a great flood. This flood covered the whole earth because the Great Spirit was unhappy with the human race, the wickedness of man. So the Great Spirit cleansed the earth with this flood. The weight of the water crushed the people, and at that time my people were located in Minnesota. The blood of the people ran out onto the earth and over a long period of time it congealed and turned to stone. This is the sacred *inyansha*, the stone which we are to use to make the bowl of the sacred pipe. The bowl of the pipe represents the blood of the people, and it represents the earth, which we think of as our mother, our true mother, because she sustains us with all the nourishment we need to stay alive and healthy. The bowl of the pipe reminds us that we

are of the earth, we are tied to the earth, and we must love and take care of our mother just as she does us.

The stem of the pipe is made of wood, and it is long and straight. . . . It represents all that grows upon the earth: the trees, the grasses, the flowers, and all that grows upon the earth. It also represents the straight path that we want to walk in this life: the straightness of character and the virtuous qualities we strive to achieve in this life, and which we know the Great Spirit wants us to strive for.

There may be animal parts, such as the hide of a deer, or perhaps an etching on the pipe that is of an animal. These represent all the animals on the earth: the deer, the buffalo, the coyote, the wolf, the snakes, the insects, the fish, and all the other animals of the earth.

There may be an eagle feather attached to the pipe, or perhaps some other bird feather. This, as well as the smoke of the pipe, represents all that lives above the earth: the winged creatures, the sun, the moon, the clouds, the air, and all that resides above the earth. In my own way of perceiving, I believe this also represents all the waters, the rivers which are the lifeblood of our mother earth, because the clouds represent the rain which nourishes and purifies.

When we place the tobacco into the bowl of the pipe, each tiny grain represents some aspect of the universe: There is a grain in there for you and for me, and for all peoples, the rocks, the grasses and trees, the animals, the winds, and every living thing in the universe. And when we smoke the pipe we are praying; the smoke carries our prayers to the Great Spirit. We are praying for the coming together, the harmony, the healing of all peoples, and of all parts of the universe. And we are giving thanks for all that we have. . . .

These things are all very important to us; they are our way of life, our religion. I need the spiritual guidance—as do the other brothers in the prison here—which can come only from a Native American spiritual leader who is able to understand my culture, my religion, my way of life. I feel like an alien in here because this whole prison system is created in such a way as to cut me off from my culture, my religion. There is no way I can describe the effect it has had on me to be forcefully separated from my very way of life. The values of the white man, I don't understand. I don't understand a culture that believes that it is good to fight one another for wealth, for material things. I don't understand the white man's philosophies, which believe that we are superior to the earth, our mother, and that we must destroy her so that we can get rich with material things, or that we are above the other animals, or that one race is superior to another. These things I don't understand, but it is the way of the white man, and it is the

way these prisoners are taught to be so that they can function properly in the white man's society when they are released. But I don't let these things touch me, because I know in my heart that the way of my people is the way the Great Spirit wants me to be. But it is hard on me in here to be deprived of an opportunity to join with my Brothers so that we can worship the Great Spirit [together], and so that we can help each other to renew our spirits. None of us were walking in balance when we were out there in the free world, otherwise we wouldn't be here now. We need the guidance that can come only from our spiritual leaders, and from our spiritual rites.

Imagine that you are a Christian and that you are placed in an environment where nobody but a small handful of people are Christians, and that those of you who are Christians are separated from one another because the officials don't want you to have an opportunity to ever see one another, and that all religious leaders in the free world are invited to come into the prison with the exception of any who are Christian, and that they are barred from entering, and that you are prohibited from having a bible or a crucifix. Imagine what that would feel like, and let the feeling sink down into your bones, your heart, your mind, your guts, and that it is with you every day, every night, every minute. And that you are constantly ridiculed or punished for any attempt to practice your beliefs. If you can realize how that would feel, then and only then can you have any idea of how it is for me and my people in this Iron House. But even if you have an idea, it is only a small idea, because you could never know what it is like until you have lived it. It is hard, and every single day before I go to sleep at night I pray to the Great Spirit, Wakan Tanka, and I ask that some miracle take place so that the officials in this prison system will become enlightened enough that they can someday know that my people are human beings who deserve a little bit of freedom. You have taken our land; you have taken our children forcefully from the reservations and placed them in the BIA [Bureau of Indian Affairs] boarding schools and punished them for doing anything Indian, and have set them loose into your cities after programming them into being ashamed of their heritage; you have murdered our women and children and our elders after smoking the sacred pipe in friendship; you have broken and continue to break your treaties with my people so that your oil companies can come onto the little bit of land that is left to us—we don't "own" the land. It never did belong to my people. We belonged to it and it is our duty to take care of her for the generations to come. We must take care of her if she is to take care of us.

Your people have caused much suffering to my people. The least you could do is live up to your laws by letting us worship God in the way God has instructed us to. You will all always be in my prayers, even though you

usually do such wrong to me and my people. May Tunkasila Wakan Tanka have pity on you after all you have done and all you condone today. May he forgive you for destroying the earth he has given us to share as Brothers. May he forgive those who feel they are so superior that they even stand between God and those who wish to worship in accordance with God's will. I pray for you.

I sincerely believe everything I have told you in this affidavit. The religious beliefs I profess to have are my true beliefs, and I should not be deprived of the right to my religious practices. They are sacred, and the Great Spirit gave them to me. Who is so superior that he will take away that which the Great Spirit has given me?<sup>1</sup>



As a result of humanitarian outcries in the latter nineteenth century, the United States shifted from the policy of outright military extermination of Indian peoples to that of forced assimilation. While there could be hundreds of volumes written about the actions of the United States government to serve its assimilative intent, I will only briefly touch upon how the United States has attempted to achieve this end through the suppression of tribal religions.

Early on in the assimilation campaign, it was apparent to U.S. political and Christian leaders that the political and religious forms of tribal life were so closely intertwined as to be inseparable, and that in order to successfully suppress tribal political activity it was imperative to suppress tribal religious practices as well. To that end, nearly every form of Indian religion was banned on the reservations by the mid-1880s, and very extreme measures were taken to discourage Indians from maintaining their tribal customs. The discouragement usually came in the form of imprisonment or the withholding [of] food, thus starvation. As observed by [Peter] Matthiessen, "on pain of imprisonment, the Lakota were forbidden the spiritual renewal of traditional ceremonies; even the ritual purification of the sweat lodge was forbidden. They were not permitted to wear Indian dress or to sew beadwork. . . ."<sup>2</sup> And as stated by [Vine] Deloria:

Even Indian funeral ceremonies were declared to be illegal, and drumming and any form of dancing had to be held for the most artificial of reasons. The Lummi Indians from western Washington, for example, continued some of their tribal dances under the guise of celebrating the signing of their treaty. The Plains Indians eagerly celebrated the Fourth of July, for it meant that they could

often perform Indian dances and ceremonies by pretending to celebrate the signing of the Declaration of Independence.<sup>3</sup>

In 1878 the first Bureau of Indian Affairs (BIA) boarding school was founded, which marked the beginning of a systematic attack on Indian religions and cultures through the de-Indianization of the children. Many of the "children were captured at gunpoint by the U.S. Military and taken to distant Bureau of Indian Affairs boarding schools."<sup>4</sup> English names were assigned to replace [Indian] names and even [Indian] hairstyles were forbidden under penalty of criminal law.

Those [Indians] who resisted this colonial rule were labeled "Hostiles" and were subjected to arbitrary criminal punishment, including imprisonment and forced labor, as determined by the [BIA] agent. Mass arrests of "Hostile" leaders were ordered and many served lengthy sentences at the U.S. prison at Alcatraz and elsewhere. . . .<sup>5</sup>

Thus Tullberg indicates to the reader that we are not talking about ancient history here, since Alcatraz prison was not erected until 1934.<sup>6</sup>

The speaking of tribal languages was a physically punishable offense in the boarding schools and continues to be so in some of the schools.<sup>7</sup> Christianity was forced upon the children and continues to this day to be stressed over tribal religions in the boarding schools. The predominant purpose of the schools has always been to Americanize Indians and to make them ashamed of their people and their heritage. In an 1897 letter to the Secretary of the Interior, the Commissioner of Indian Affairs, E. A. Hayt, observed that the best results of this objective are achieved "by a removal of the children from all tribal influence during the progress of education."<sup>8</sup> As stated by Peter Farb:

The children usually were kept at boarding school for eight hours, during which time they were not permitted to see their parents, relatives or friends. Anything Indian—dress, language, religious practices, even outlook on life—was uncomprisingly prohibited. Ostensibly educated, articulate in the English language, wearing store-bought clothes, and with their hair cut short and their emotions toned down, the boarding school graduates were sent out either to make their way in a white world that did not want them, or to return to a reservation to which they were now foreign.<sup>9</sup>

[And as explained by Grobsmith:]

Children living in boarding schools during the year were sometimes sent to work as domestics in non-Indian homes during the summer to keep them from their relatives and traditions, a policy that became known as "legalized kidnapping."<sup>10</sup>

Many children would climb out the windows of the boarding schools in an attempt to return to their families; many died of exposure during their attempts. Punishment for recurrent runaways commonly included being placed in dark, locked closets, or having balls and chains attached to their ankles so as to humiliate them in front of the other children and to discourage the children from further attempts to return to their families. The runaways—and consequently, the deaths from exposure—became so numerous that many of the schools barred their windows to keep the children in.<sup>11</sup> Powerful tranquilizing drugs such as Thorazine were also used for disciplinary purposes.<sup>12</sup> Supreme Court Justice [William O.] Douglas pretty well summed it up in 1973:

[T]he express policy [of the schools was] stripping the Indian child of his cultural heritage and identity: "Such schools were run in a rigid military fashion, with heavy emphasis on rustic vocational education. They were designed to separate a child from his reservation and family, strip him of his tribal lore and mores, force the complete abandonment of his native language, and prepare him for never again returning to his people."<sup>13</sup>

In recent years, Indian people have had a little more say about how things should be run at the boarding schools, and the conditions are improving, albeit slowly.

In 1978, the United States Congress passed the American Indian Religious Freedom Act, stating that "the United States has traditionally rejected the concept of a government denying individuals the right to practice their religion" and recognizing that "the religious practices of American Indians (as well as Native Alaskan and Hawaiian) are an integral part of their culture, heritage, and tradition, such practices forming the basis of Indian identity and value systems."<sup>14</sup>

Although the United States pays lip service to the rights of Native Americans to religious freedom, those rights are drastically interfered with in practice. For example, for many American Indians, America's prisons have replaced the old boarding schools. Indian prisoners around the country have been fighting a long, hard battle for religious freedom in the last

two decades, and the battle will not end until the Indians have prevailed in forcing the administrators of every prison, reformatory, and jail on this land to recognize and comply with the American Indian Religious Freedom Act and corresponding laws. The battle has thus far cost the taxpayers millions, perhaps billions, of dollars in litigation; and although the litigation has resulted in generally consistent victories for the Indian prisoners, many officials persist in denying Indian prisoners their established rights, and the senseless litigation continues.<sup>15</sup>

Let's take the Southern Ohio Correctional Facility (SOCF) for example.<sup>16</sup> Before we continue, however, let's clarify the law. In 1972, the United States Supreme Court established that "reasonable opportunities must be afforded to all prisoners to exercise the religious freedom guaranteed by the First and Fourteenth Amendments without fear of penalty."<sup>17</sup> There is not a warden, superintendent, or administrator of any prison or jail in the United States who is not aware of the decision in the above case, and this is because American tax dollars are spent to pay government attorneys to keep such officials apprised of the laws.

The Indian prisoners in the Southern Ohio Correctional Facility are denied all reasonable opportunities to practice their spiritual beliefs, even to the extent that all Indian spiritual leaders are barred from entering the prison for any religious purposes. The Indian prisoners are prohibited from using the SOCF religious service facility for congregational worship and are systematically separated from one another so that they may never meet, even informally, for any religious activities. They are denied access to and use of any and all sacred objects or herbs for purification. Their hair, which is sacred and should not be cut, is cut by physical force if necessary, and such necessity results in one's being placed in solitary confinement for a minimum of six months, as does any other attempt to practice Indian religious beliefs—even when the prison chaplain is in absolute support of the Indian prisoners.

In the end of May 1988, *The Cincinnati Enquirer* published an article related to litigation pending in the federal district court in Cincinnati concerning these issues at SOCF. In that article, the Assistant Attorney General, Christian B. Stegeman, was quoted as stating that the Indian prisoners in SOCF were permitted to meet on a weekly basis for pipe ceremonies and that any Indian spiritual leaders wishing to do so could enter the prison to conduct ceremonies provided they are granted prior approval by Dr. David Schwarz, the Religious Administrator for the Ohio Department of Rehabilitation and Corrections. When the Indian prisoners wrote to *The Cincinnati Enquirer* informing them that David Schwarz refuses to grant approval of any Indian spiritual leaders to enter the prison, and that the Indian prisoners are in fact prohibited from meeting for any

ceremonies, they did not receive a response to their correspondence, and *The Cincinnati Enquirer* made no effort to correct the misinformation it had published, or even to investigate the veracity of the Indian prisoners' claims. For these reasons, the readers of *The Cincinnati Enquirer* to this day believe that the Indian prisoners at SOCF have weekly ceremonies with spiritual leaders. The Indian prisoners have also submitted documentation to the Associated Press in Columbus verifying these allegations, as well as allegations that the Ohio Attorney General's Office has used a fraudulent Indian chief of a nonexistent Indian tribe as an "expert" witness against Indian prisoners in previous litigation in Ohio.<sup>18</sup> These attempts to gain support by and through the Ohio media have been futile. The Indian prisoners in SOCF have no support in the state of Ohio because they have no access to the media and the public is unaware of what is taking place.

The Ohio officials have been claiming for several years now that any interest the Indian prisoners at SOCF have in the freedom of religion is miniscule in comparison to the state's interests in maintaining security and order within the prison. For several years now, this author, a mixed blood Indian prisoner in SOCF who is the elected representative for the Indian prisoners at SOCF, has been asking the officials of this state for some explanations as to how any of the requested religious practices can possibly present a threat to the security and order of the prison. An example of his inquiries is as follows (a letter to the Director of the Department of Rehabilitation and Corrections, copies of which were sent to the Ohio Attorney General's Office, the governor, the Associated Press, and various prison officials):

For the past couple of years I have made repeated attempts to practice my religion, as have several other American Indians in the Southern Ohio Correctional Facility. The officials here, as well as Dr. David Schwarz, refuse to permit any Native American practices in this institution, and the officials have not yet made one attempt to give me any reason or justification for this absolute deprivation of our religious freedom. I have been through the grievance procedure also, and no official in the state of Ohio has yet responded to my questions: 1) Why are the Native Americans in SOCF not permitted to have any spiritual leaders enter the prison to conduct religious ceremonies on a parity with the religious leaders of the other religious denominations at SOCF? 2) Why are we not permitted a designated time and place to meet for prayer meetings and other religious activities as the groups of other religious denominations are permitted

to do so? 3) Why are we not permitted to have access to any sacred objects for personal or group use as the prisoners of the dominant religions are permitted to do? 4) Why are spiritual leaders not permitted to send cassette tapes of religious teachings, as contributions to the SOCF Religious Services Department, when this is permitted for the other religious denominations at SOCF and when the prison chaplain, O. Franklin Johnson, has stated that he would be willing to inspect any such tapes to assure that they are of a religious nature, and when such tapes would become property of the SOCF Religious Services Department?

Supposing that these practices and activities are viewed by the administration as a potential threat to security within the prison, how is a threat presented? Chaplain O. Franklin Johnson has stated that he would be willing to hold any and all religious objects in his office while not in use for religious services, and that he is willing to supervise the use of all the objects. This being as it is, the practices and objects we are requesting are very similar to the objects and practices that are permitted for the dominant religious groups, and there is no security risk involved. I fail to see how a threat is presented in permitting American Indian spiritual leaders to enter the prison to perform functions on an equal basis with the religious leaders of the dominant religions, especially in light of the fact that Christian denominations are permitted to have guests enter the prison to entertain them with music when said guests are not even spiritual leaders, and said guests are permitted to bring with them objects such as electric guitars—and there is no religious object we [N]ative Americans have requested access [to] which presents a threat to security as an electric guitar would. Moreover, guests are permitted into the institution for recreation activities such as baseball, and they are permitted to bring in with them baseball bats, and certainly there is no object we have requested which poses a threat to security as a baseball bat would. . . .

There are various other religious practices we would like to undertake and which we believe we are entitled to, but I have limited this request to only those practices and objects which in no way present any security problems for the administration. I would also like to bring to your attention that these practices and objects are permitted in the majority of the maximum security prisons in the United States and Canada, and while I have read numerous cases that have arisen around the country

concerning these specific practices, I have not yet seen one case in which the courts have not granted every bit of the relief sought in this request.<sup>19</sup>

To date, the Director of Corrections, the Religious Administrator, the governor, the Attorney General's Office, and the prison officials at SOCF have refused to respond to the questions set forth in the above letter and to various similar letters, and the Director of Corrections and the Religious Administrator have never acknowledged receipt of these communications addressed to them, and generally fail to respond to any correspondence from Indian spiritual leaders and organizations who support the Indian prisoners at SOCF. Without a doubt, there is no logical explanation for their failure to offer reasons for the absolute deprivation of any and all Indian religious practices at SOCF [other than] that these officials are racists, ethnocentric, and still hold fast to the policy of forced assimilation of American Indians.

A number of prisons around the country have established adequate spiritual/cultural programs for the Indian prisoners. At the Sioux Falls maximum security penitentiary in South Dakota, for example, the Indians had formed a group ten years ago called the Native American Council of Tribes (NACT). The NACT is permitted to have a "Voice Class," the purpose of which is "to help the younger inmates to learn to express themselves, voice their feelings, learn more about the traditions of their people, the importance of setting good examples, learning through education, and discouraging the use of alcohol and drugs."<sup>20</sup> They are also able to have language classes on a weekly basis which help the inmates to improve communication skills in their traditional Indian language. The NACT also holds a pow-wow at least four times a year that is held outdoors (weather permitting), and outside guests—friends, relatives, guest speakers, etcetera—are invited to attend. They have singing, drumming, traditional and fancy dancing, a traditional meal, and a craft giveaway to honored guests. The pow-wows generally last for four hours, but have been held for much longer periods on special occasions. The NACT "is also involved in efforts to provide instruction on alcoholism and drug abuse through the Red Road Approach to Recovery, an AA [Alcoholics Anonymous] type of program geared to Indian prisoners."<sup>21</sup> Indians with trustee status are sometimes permitted to take furloughs to attend the annual sun dances on the reservations. Many traditional items of religious significance, including eagle feathers, the sacred pipe, hobby craft items to make traditional objects such as beads, feathers, teeth, claws, etcetera, are permitted for the Indian prisoners in Sioux Falls. Herbs such as cedar, sage and sweet grass are allowed for ceremonial use, as are traditional clothing

items. The NACT has a sweat lodge for purification ceremonies that is available on a daily basis. Medicine bags are allowed to be carried anywhere but to contact visits, and headbands are allowed anywhere. The Indian prisoners are allowed to make their own drums of buffalo or elk hide, constructed in the traditional way, and to use the drums at pow-wows and during recreation periods.<sup>22</sup>

Many other prisons have similar programs for the Indian prisoners. Such programs have proven to be a success in the rehabilitation of Indian prisoners.<sup>23</sup> For example, almost all Indian prisoners are in prison because of alcohol- and/or drug-related offenses.<sup>24</sup> There is a consensus among experts in the field of alcoholism treatment that the standard AA program is generally a failure where American Indians are concerned,<sup>25</sup> and many believe that the most effective treatment for Indians with alcohol and drug problems are those programs that integrate a variety of traditional Indian activities and elements into their treatment strategies.<sup>26</sup> "Increasingly, evaluators, treatment personnel, and potential clients deplore the Anglo cultural bias of existing alcoholism intervention programs and call for the integration of more traditional (American Indian) forms of healing practices into programs with . . . Native American clients."<sup>27</sup>

In the mid-1970s, when the people involved in the Seattle Indian Alcoholism Program recognized that over 90 percent of the Indians in jails and prisons in the state of Washington were there for alcohol-related offenses, they set up cultural-specific programs in the four major prisons in the state. These programs are much like the program at the Sioux Falls prison, and consist of tribal religious practices as the main intervention strategy, and counseling with medicine men and Indian spiritual leaders. Within four years after these programs were established in Washington's prisons, the proportion of Indian prisoners in the state's prisons had dropped from 5 to 3.5 percent.<sup>28</sup> With statistics like this, the relevance of and need for spiritual/cultural programs for the Indian prisoners can hardly be refuted. In fact, it would seem that such statistics would encourage prison officials to actively seek the establishment of such programs with the tax dollars they are currently wasting in their attempts to defend the suppression of the Indian religious practices that could be accommodated through the programs. Such action would be consistent with the asserted concerns of the high recidivism rates. As observed by [Richard] Seven in the *Seattle Times*: "For prison officials, the [purification ceremony of the sweat] lodge and other religious programs are ways to reduce the high rate at which released inmates commit crimes."<sup>29</sup>

Robert Lynn, religious program manager for the Department of Corrections, says inmates in Oregon prisons who were actively involved in religious programs over several years in the late [19]70s had a recidivism

rate of 5 percent, compared with the national rate of close to 75 percent at the time.<sup>30</sup>

It should also be noted that in the prisons where these religious practices and activities are permitted, there is general agreement among the officials that such programs and activities present no more of a threat to the security and order of the prison than do the Christian programs and activities, and as the Washington [S]tate [C]orrectional [P]rogram administrator has stated, such programs and activities are "good for the institutions and [are] good for the offenders."<sup>31</sup> And as stated by William Hoffstetter:

It has been my experience based on twenty years of juvenile and adult correctional work, both as a clinical psychologist and program administrator . . . the more an inmate is involved in his own rehabilitation process the more effective will be the outcome.<sup>32</sup>

We Indians think that's pretty sound logic, especially since the prison officials around the country who deny us our religious freedom do so because they lack any knowledge about our ways of life. How can a prison official know what rehabilitation process will be effective for any inmate when the value systems and beliefs held within the cultural background of the inmate are contrary to those of the culture to which the prison official belongs? It is impossible unless the official is willing to sit down with the inmate in an attempt to bridge that cultural gap. Repeated displays of insensitivity and indifference to the laws and to the needs of the Indian prisoners by prison and government officials such as those in Ohio serve only to make the prisoners more bitter toward the society those officials represent. I know for a fact that this is detrimental to everyone concerned—and everyone unconcerned.

In closing, I'd like to reiterate a message from the California Supreme Court:

[T]he right to free religious expression embodies a precious heritage of our history. In a mass society, which presses at every point toward conformity, the protection of a self-expression, however unique, of the individual and the group becomes even more important. The various currents of the sub-cultures that flow into the mainstream of our national life give it depth and beauty. We preserve a greater value than an ancient tradition when we protect the rights of the Indians who honestly practice an old religion. . . .<sup>33</sup>

We feel that to do less than to help us preserve our traditional ways is no less than forced assimilation. The United Nations General Assembly has a word for that. It is called genocide.<sup>34</sup>

### Notes

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1. Timothy Reed, Affidavit attached as Exhibit-A to Plaintiffs Motion for a Temporary Restraining Order and/or Preliminary Injunction, filed January 10, 1989. *Reed v. Celeste et al.*, Case No. C-1-88-1048. U.S. District Court for the Southern District of Ohio, Western Division (January 10, 1989), 6–8, 16–18.

2. Peter Matthiessen, *In the Spirit of Crazy Horse* (New York: Viking, 1983), 21.

3. Vine Deloria, Jr., *God is Red* (New York: Dell, 1973), 252.

4. S. M. Tullberg, et al., "Violations of the Human Rights of the Hopi People by the United States of America," in *Rethinking Indian Law*, ed. National Lawyers Guild Committee on Native American Struggles (New Haven: Advocate, 1982), 163.

5. *Ibid.*

6. *Editor's note*: Alcatraz Island, 1.5 miles off the coast in San Francisco Bay, California, began its life as a prison in 1868 when it was designated as a residence for military offenders. In 1934 Alcatraz was reopened as a federal prison for those prisoners declared the most dangerous. Although legendary mobsters Al Capone and George "Machine Gun" Kelly were held on the island, most of its prisoners were unknown convicts. The island was the first large-scale, super-maximum security prison in the country, and later served as a model for the federal prison at Marion, Illinois. Alcatraz Prison was closed in 1963. In three separate occasions between 1964 and 1969 the island was occupied by groups of Native American Indians, who claimed rights to the island based on historical (unhonored) treaties between American Indian tribes and the U.S. government. For more information on Indian occupations of Alcatraz, see *American Indian Activism: Alcatraz to the Longest Walk*, eds. Troy Johnson, Joane Nagel, and Duane Champagne (Urbana: University of Illinois Press, 1997).

7. Ann H. Beuf, *Red Children in White America* (Philadelphia: University of Pennsylvania Press, 1977), 32.

8. William E. Coffey, *Sleeping Giants* (Washington, D.C.: University Press of America, 1979), 5.

9. *Ibid.*, 8.

10. Elizabeth S. Grobsmith, *Lakota of the Rosebud: A Contemporary Ethnography* (New York: Holt, Rinehart & Winston, 1981), 15.

11. Coffey, 8.

12. Robert Burnette and John P. Koster, *The Road to Wounded Knee* (New York: Bantam Books, 1974), 53.



13. R. Rice, "Native Americans and the Free Exercise Clause," *The Hastings Law Journal* (July 28, 1977): 1509-536.
14. Public Law 95 341, 25 U.S.C., Sec 1996.
15. As one example, in the state of Nebraska, "because of the wealth of litigation (initiated by) . . . Native American inmates, Judge Warren Urbom assigned one law firm to serve as a clearinghouse for complaints stemming from alleged violation(s) of religious freedom rights (Grobsmith, in press, 9). Grobsmith's articles cited here will appear as chapters in her next book, *Indians in Prison: A Study of Incarceration among Native Americans*. [Elizabeth S. Grobsmith, *Indians in Prison: Incarcerated Native Americans in Nebraska* (Lincoln: University of Nebraska Press, 1994).]
16. While the Southern Ohio Correctional Facility makes for some dandy examples of the persecution of American Indian prisoners by government officials, it should not be construed as an exception to the norm. Indian prisoners are treated similarly in a great many of the prisons in the United States and Canada.
17. *Cruz v. Beto*, v. 405, US. 319 (1972).
18. The fraudulent Indian chief's name is Hugh Gibbs, alleged "Principal Chief of the Etowah Cherokee Nation." The actual Principal Chiefs of the Cherokee Nation have indicated that they do not know who Hugh Gibbs is, and have never heard the term "Etowah" except with reference to an animal mound in Georgia. Moreover, Gibbs has testified (or submitted affidavits) that being the Principal Chief of the Etowah Cherokee Nation, he has knowledge of all the laws and customs and traditions of "the various" Indian tribes and nations, which is absurd in itself, as there are as many Indian tribes and nations, each being distinct from the others, as there are member-nations of the U.N.—with several hundred extras! He had perjured in his testimony where he pretended to have the authority to speak on behalf of the Lakota Nation [and] concerning the Lakota religion, the authorization of which every Indian knows must come from the Traditional Circle of Elders, which Hugh Gibbs has never sought nor received. Gibbs has also appeared on Ohio's public broadcasting/educational station (Channel 34, Columbus, Ohio) under the guise of representing the view of Indian people in general, and has condoned the desecration of sacred burial grounds in such interviews—something *no* Indian condones.
19. Reed, Letter to George Wilson, Director of the Ohio Department of Rehabilitation and Corrections (October 27, 1988).
20. W. Coppola, et al., eds., *Thunderbird Voices Speaking* (Highbridge, NY: Thunderbird Free Press, 1988), 27.
21. *Ibid.*, 25.
22. *Ibid.*, 29.
23. This evaluation has been relayed to the author through correspondence with numerous prison officials and counselors, researchers, spiritual leaders, Indian prisoners, and exprisoners who have had contact with spiritual/cultural programs in prisons in at least twenty states.
24. Elizabeth S. Grobsmith, "The Relationship between Substance Abuse and Crime Among Native American Inmates in the Nebraska Department of Corrections," *Human Organization*, Vol. 48, No. 4 (1989): 285-98.

25. Dwight B. Heath, Jack O. Waddell, and Martin D. Topper, *Cultural Factors in Alcohol Research and Treatment of Drinking Problems* (New Brunswick, NJ: Journal of Studies on Alcohol, Center of Alcohol Studies, Rutgers University in cooperation with the Smithsonian Institution, 1981), 1.
26. See, for example, the results of the studies conducted by the Alcohol & Drug Study Group of the American Anthropological Association, which were observed by Weibel-Orlando (1985): 219-23. Native American involvement and staffing are essential to the success of substance-abuse treatment programs. See Provincial Native Action Committee, "Native Alcoholism Programs," unpublished report of the Provincial Native Action Committee (Edmonton, Alberta, Canada: 1974); E. J. Turner, unpublished testimony prepared for hearings by the State House Institutions Subcommittee on Alcoholism and Drug Abuse, 1977. For discussions on the success in the implementation of traditional Native American elements into the treatment modalities, see J. Albaugh and P. Anderson, "Peyote in the Treatment of Alcoholism among American Indians," *American Journal of Psychiatry*, Vol. 131, No. 11 (1974): 1247-50; L. Bergman, "Navajo Peyote Use: Its Apparent Safety," *American Journal of Psychiatry*, Vol. 126, No. 7 (1971): 695-99; J. Howard, "The Plains Gourd Dance as a Revitalization Movement," *American Ethnologist*, Vol. 3 (1976): 243-59; G. Jilek, "Native Renaissance: The Survival and Revival of Indigenous Therapeutic Ceremonials Among North American Indians," *Transcultural Psychiatric Research Review*, Vol. 15 (1978): 117-47; and R. D. Walker, "Treatment Strategies in an Urban Indian Alcoholism Program," in *Cultural Factors in Alcohol Research and Treatment of Drinking Problems*, eds. Dwight B. Heath, Jack O. Waddell, and Martin D. Topper (New Brunswick, NJ: Rutgers Center of Alcohol Studies, 1981).
27. Joan Weibel-Orlando, "Culture-Specific Treatment Modalities: Assessing Client-to-Treatment Fit in Indian Alcoholism Programs," in *Treatment and Prevention of Alcohol Problems: A Resource Manual* (Los Angeles: Academic Press, 1987), 264.
28. R. D. Walker, "Treatment Strategies in an Urban Indian Alcoholism Program," *Cultural Factors in Alcohol Research and Treatment of Drinking Problems*, eds. Dwight B. Heath, Jack O. Waddell, and Martin D. Topper (New Brunswick, NJ: Journal of Studies on Alcohol, Center of Alcohol Studies, Rutgers University in cooperation with the Smithsonian Institution, 1981).
29. Richard Seven, "Ritual of Rebirth; Sweat Lodge Reaffirms Indian Inmates' Heritage," *The Seattle Times/Seattle Post Intelligencer*, January 24, 1988.
30. *Ibid.*
31. "Native American Prisoners Seek Religious Rights Legislation," *Shaman's Drum* (mid-Fall 1988): 14.
32. Hoffstetter, *Criminal Rehabilitation . . . Within and Without the Walls*, eds. Edward M. Scott and Kathryn L. Scott (Springfield, IL: Thomas, 1973), 53.
33. *People v. Woody*, 40 Cal. Rprt. 69 (1969).
34. *Editor's note*: Little Rock Reed, Lenny Foster, and Art Solomon co-authored a book, that shares the title of this piece, to help promote collective efforts to convince Congress to pass legislation that safeguards the rights of Native American prisoners to freedom of religion and to culturally sensitive substance