

From The New Abolitionists: (Neo) Slave Narratives and Contemporary Prison Writings. Edited by Joy James. SUNY Press: Albany, NY, 2005.

Little Rock Reed

Little Rock (Timothy) Reed 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 Mans 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: "Little Rock" is the name the author took for spiritual and social purposes; "Timothy Reed" is his birth name.

[.....]

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 its 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."² 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.³

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."⁴ 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 ...⁵

Thus Tullberg indicates to the reader that we are not talking about ancient [;] history here, since Alcatraz prison was not erected until 1934.⁶

The speaking of tribal languages was a physically punishable offense in the boarding schools and continues to be so in some of the schools.⁷ 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."⁸ 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 uncompromisingly 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.⁹

[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."¹⁰

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.¹¹ Powerful tranquilizing drugs such as Thorazine were also used for disciplinary purposes.¹² 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."¹³

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."¹⁴

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.¹⁵

Let's take the Southern Ohio Correctional Facility (SOCF) for example.¹⁶ 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."¹⁷ 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.¹⁸ 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 Native 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.¹⁹

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."²⁰ 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."²¹ 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 sweetgrass 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.²²

Many other prisons have similar programs for the Indian prisoners. Such programs have proven to be a success in the rehabilitation of Indian prisoners.²³ For example, almost all Indian prisoners are in prison because of alcohol and/or drug-related offenses.²⁴ 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,²⁵ 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.²⁶ "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."²⁷

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.²⁸ 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."²⁹

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.³⁰

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."³¹ 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.³²

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 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 practices an old religion....³³

We feel that do do less than to help preserve our traditional ways is no less than forced assimilation. The United Nations General Assembly has a word for that. It is called genocide.³⁴
(References not included: see original text)