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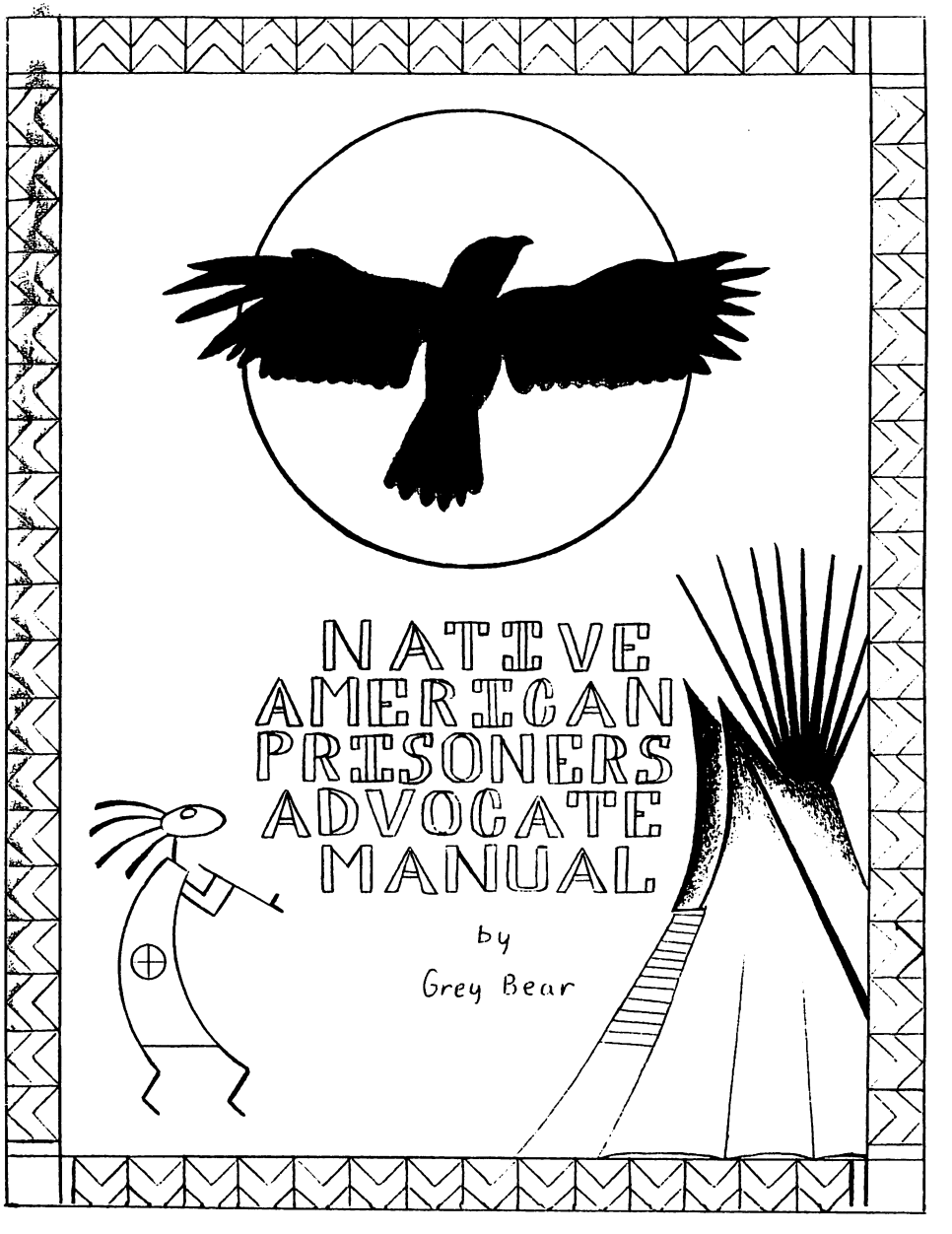


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The contents of this paper may be copied for educational purposes.

Gabriel Sharp #219957
A.S.P.C. - CACG
P. O. Box 9600
Florence, Arizona 85132

difficulties with property and the outright ignorance and indifference to Native American spiritual practices. Most of the lists are only available to the chaplain. Corn pollen is not available from approved vendors. Beadwork and beaded necklaces are restricted. Our water drum is contraband.

20. N. 1996 policy had provision but was removed.
21. N. Only allowed inside chapel and with spirit Advisor.
22. U. Policy allows for activities, but not for Native Americans by application. I asked for both a talking circle and a class for the Native American culture but both were denied.
23. N.
24. N.
25. U. Emergency visit stated.
26. Most of the rights we had from 1994-1996 have been removed from policy.
27. N. Chaplain tells Native Americans they have to "prove" their tribal membership before they can join the sweat lodge.
28. Y. There is only one that we know of.
29. N.
30. N. Religious area locked up unless sweat lodge ceremony despite request for talking circle.
31. N.
32. N.

Arizona Survey Results (for 2 Facilities)

1. General.
2. Y. Also online.
3. Y. There is only one.
4. N. Not written clearly.
5. Y. Sweat lodge once per week (may be held). Some units may have fewer ceremonies for various difficulties.
6. Y. Any hair length. Must keep tied.
7. Y. Headbands allowed during ceremony.
8. N. Adequate tools provided.
9. N. Varies with each unit.
10. N. Volunteers provide rocks at admin. discretion.
11. N. Staff unknowledgable of Native spiritual practice.
12. Y. Stated in policy, however not followed in practice.
13. Without proper policy set to protect our rights, Staff will continue to substantially burden Native American spiritual practice.
14. N. Native American religious items are routinely mishandled and desecrated throughout ADOC.
15. N. Policy too vague.
16. N.
17. N.
18. N.
19. A. N N N B. N N N C. Y U U N U N N N U N U N N
    D. Y N Y N Y Y Y Y N Y Y N

    Comment. Technically none of these items are listed on ADOC religious policy. We face major restrictions on many items through

Aknowledgement

This work was crafted with information provided from many various sources and experience. This work is part of a forth-coming book entitled Native American Religious Rights in Prison. I would like to say thank you to Migs Clac, Barrios Unidos, Lenny Foster, the Native American Rights Fund, and the Native American Rights Fund Library for their assistance with gathering information. Special thanks to Patricia Nevarez for putting up with my endless demands and bearing our amazing son, Joshwai.

This work is dedicated to the spirit of Walter Echo-Hawk.

Mitakuye Oyasin.

Gabriel Sharp, Grey Bear,
Mohave Indian
June 2010

-Available Now-

∘Native American Prisoners Journal∘

We currently have an ongoing project with the N.W. Chicago Zine Distro/ Publisher, P.O. Box 154, Fox River Grove, IL, 60021 to publish the Native American Prisoners Journal. Our goal is to some day be able to obtain true Freedom of Religion for Native American prisoners. We could use stories and submissions from prisoners and advocates.

All these sources of information are free to prisoners from Zine distributors who need your help to make this possible. Their information is at the back of this manual.

If you would like to submit an article or donation for the Native American Prisoners Journal write to:

Send donations or articles to:
Native American Prisoners Journal
C/O Patricia Nevarez
PO Box 67147
Phoenix AZ 85082

For issues of Native American Prisoners Journal:
NW ~~CHICAGO~~ ABC
~~ZINE DISTRO~~
~~PO BOX 154~~
~~Fox River Grove, IL 60021~~

Schools / Legal Information

Blackstone Career Institute P.O. Box 899 Emmaus, PA 18049-0899	· This is a good school for your paralegal certificate.
Lewisburg Prison Project 434 Market Street, ste 307 Lewisburg, PA 17837	· Great legal resources. Send SASE for information.
National Lawyers Guild 132 Nassau Street # 922 New York, NY 10038	· Get a free Jailhouse Lawyer Handbook.
Prison Legal News PO Box 2420 West Brattleboro VT 05303	· The best source for affordable legal news.
Rio Salado College Incarcerated Distance Learning 2323 West 14th Street Tempe, AZ 85281-6950	· Correspondence courses for certificate or Associates degree.
Adams State College 208 Edgemont Boulevard Alamosa CO 81102	· Associates and Bachelors degree programs.

Write to your tribe for scholarship information.

Zines and Resources

NW Chicago ABC Zine Distro PO Box 154 Fox River Grove IL 60021	· Great Zine Distro, helped me get started.
South Chicago ABC Zine Distro PO Box 721 Homewood IL 60430	· Anthony Rayson Overworked and unpaid. Send for catalog.
Eugene ABC Suite # 1 EMU U of O Eugene OR 97403	· Send for Zines.
Con Communications, Inc. P.O. Box 362 Putnam CT 06260	· Many services. Ask for a list. Tell them I referred you.
Anthroposophy Society in America 1923 Geddes Ave. Ann Arbor MI 48104	· Friends of mine. Spiritual books on Anthrosophy.
Shenandoah News 736 W. Oklahoma St. Appleton, WI 54914	Interesting articles about Native America.

Testimonies before Senate.

"There is a need for our legal system to protect Native American religious freedom. We can only regret the enormous loss to our nation's heritage caused by a long history of government suppression of tribal religions. The challenge before Congress is to safeguard what little remains. After 500 years since the arrival of Columbus, the time is long overdue for society to grant respect and equal protection to the religious freedom of those who were here first."

Walter Echo-Hawk, 1992

"American Indian Religious Freedom Act of 1979 has not assured religious freedom."

Lenny Foster, 1992

"Rules seem to change from institution to institution at the whim of those in control."

Ted Means, 1993

"Inmates who request services or try to correct inconsistencies often become targets of the administration and are transferred."

Vernon Bellecourt, 1993

Articles

"Interior, Justice to meet with Indians."
The Washington Times Mar. 22 1994.

"(Navajo Nation President Peterson) Zah wants unity for religious freedom."
The Navajo-Hopi Observer Mar. 23, 1994.

"Inmate rights violated."
Navajo Times Mar. 31, 1994.

"Rights denied to Native Americans. panel says."
University Daily Kansan Mar. 31, 1994.

"Pronounced need exists for an Attorney General Directive and a national litigation strategy to protect free exercise rights of Native American prisoners, with strong support from Indian Tribes and practitioners of Federal Indian Law. As no other segment in American society, Indian prisoners are acutely subject to government restrictions on the freedom of worship. Their right to worship in totalarian prison environments is the most heavily regulated civil liberty in the United States. Further, a host of criminal justice studies should be performed to better understand these forgotton Americans and to develop appropriate criminal justice programs." Walter Echo-Hawk, Study of Native American Prisoner Issues, National Indian Policy Center, The George Washington University, Washington D.C. 1996.

Friends of the Red Nation.

Barrios Unidos
1817 Soquel Avenue
Santa Cruz CA 95062
- Great organization! Good model for advocacy.

National Native American Prisoners Rights/Advocacy Coalition C/O Len Foster
P.O. Drawer 709
Window Rock AZ 86515
- Navajo Nations Corrections project.

South Dakota Prisoner Support Group
PO Box 3285
Rapid City SD 57709
- Another good model for spiritual growth and advocacy.

The Red Heart Warrior
PO Box 4362
Allentown PA 18105
- Inspirational Newsletter for the Red Nation.

Native American Rights Fund Library
1506 Broadway
Boulder, Colorado, 80302
- Helped with resources. Does not provide legal consultation.

Navajo Times
PO Box 310
Window Rock AZ 86515
- Good Newspaper. Alot of Crucial articles.

Map for Spiritual Advocacy.

1. Gather resources and data.
   - A. Create a knowledge base of notes, kites, memos, and keep a journal.
   - B. Write out to advocates and organizations and ask for resources.
   - C. Write respectful questions to the Chaplain and administrators.
2. Confront the issues. Negotiation.
   - A. Establish yourself as someone who will write the issues and let the problems be known.
   - B. Try to come up with reasonable solutions and alternatives.
   - C. No matter how bad you can perceive things to get, expect worse.
3. Self-purification.
   - A. Learn self-control, discipline, and humility in the face of great adversity.
   - B. Share this knowledge with fellow Natives.
   - C. Become self-reliant, depend only on yourself.
4. Written Action. Work within your means.
   - A. Be careful and wise when you write.
   - B. Write letters to fellow advocates.
   - C. Write press releases and a newsletter.
   - D. Get networked and write articles.
   - E. Refuse to give up. Find a way.

1. The Forgotton Americans

"Regardless of what you were born or brought up to be, regardless of what you have done or failed to do, regardless of anything-- You can be the person you choose to be. The past is history. It explains how things got to be the way they are, but it doesn't determine the future." - Tom Big Warrior



Native American Rights Survey

Name:
State:
Facility:

1. Does system have a written policy specific to traditional Indian religion or a general policy that is faith neutral? Specific/General -Circle One-

•The following questions circle Yes/No/Unclear

2. Does system have written policy easily accessible by inmates to view? Y-N-U
Comment:

3. Does policy Guarantee Indians access to traditional religious leaders on a basis similar to that afforded to inmates of other religions? Y-N-U

4. Does policy allow access to sacred objects? Y-N-U

5. Does policy allow Indian access to traditional Native religious sweat lodge? Y-N-U
Specify:
Frequency:
Comment:

6. Does Policy allow traditional hair length for religious purposes? Y-N-U

The Eagle Rises.

The survey included in this document is a vital part of the information gathering Stage. With it you will know where you Stand. Make copies, fill it out, and send them everywhere that might help. The survey represents the truth. The truth is a source of strength.

Do not corrupt the truth with exaggeration or deception, or it will weaken your cause. Be wary that the system will be afraid of the truth and try to discount it. Never hesitate in spreading the truth. Doing nothing leads to nothing. The entire reason we have lost so many rights is because of inertia.

So act now, brothers and sisters, our voice will be heard!

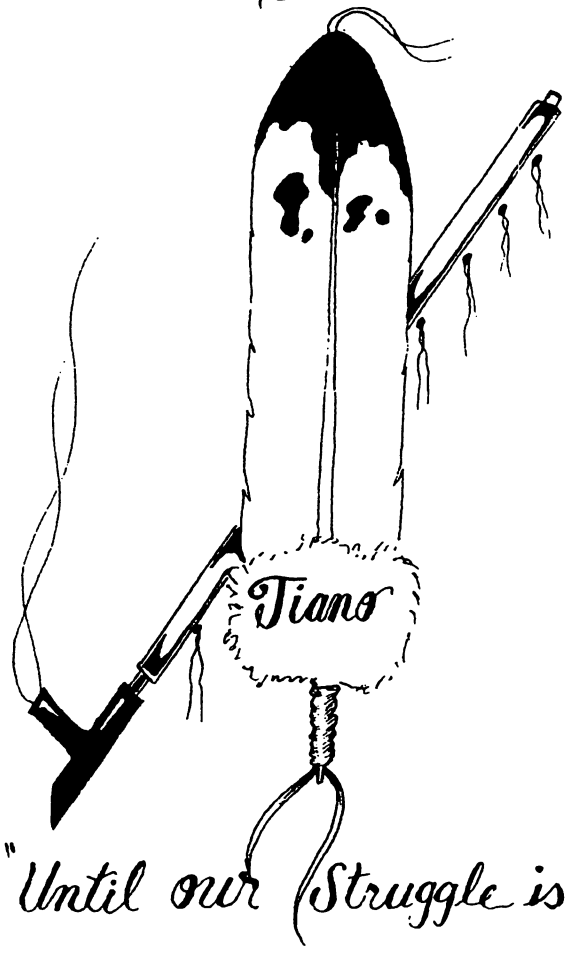
HOW MUCH MORE MUST SHE ENDURE?

Heal the Earth...



is going to stand up for the children of Mother Earth and Father Sky, for all of us.

May the Creator Stand Us Tall...



"Until our Struggle is Won."

irontipiwarrior@yahoo.com

7. Does Policy allow wearing of head bands for religious purposes?: Y-N-U

   - specific provisions
   - sweat lodge

8. Does Policy state proper tools necessary to conduct ceremony (sweat lodge)? Y-N-U

9. Does Policy provide for enough wood to conduct ceremonies on a weekly basis? Y-N-U

10. Does policy provide for other materials such as lava rocks necessary for the sweat ceremony? Y-N-U

11. Are proper procedures set to protect the sweat lodge and religious area from desecration? Y-N-U

12 Does Policy state that sweat lodge location be private and secure? Y-N-U

13 Additional comments on sweat lodge:

- Religious items/sacred items

14. Does Policy provide proper safeguards to protect religious items? Y-N-U

15. Does Policy explain specifically what a sacred object is according to Native American spiritual beliefs? Y-N-U

16. Does Policy provide for visual inspections only for natural objects and blessed items? Y-N-U
17. Does policy protect Eagle Feather? Y-N-U
18. Does policy protect medicine bag? Y-N-U
19 Does policy specifically provide for access to the following:

A. Drums	Hand Drum	Y N
	Water Drum	Y N
	Pow Wow Drum	Y N
B. Musical Instruments	Flute	Y N
	Gourd	Y N
	Other instruments	Y N
C. Spiritual Items	Head bands	Y N
	Beadwork	Y N
	Choker/Medallion	Y N
	Feather (Eagle)	Y N
	Ceremonial pipe	Y N
	Medicine Bag	Y N

8

find a journalist to add as a resource. Let your family know about your cause and try to enlist their help.

In order to create any kind of change within a system, you must generate an enormous amount of tension. You will find more opponents to your actions than people willing to help. But the people who can see where you are going are the ones who will help.

Always keep writing. Read history, then start making it. Start an information network, and share your struggle with the whole world to see. Ultimately your biggest asset will be your actions. Follow the Red Road.

The prison is the last outpost for dignity and human survival, in this bleak place Native American prisoners are the final guardians of the Sacred Hoop. There is no "correction" in this system, only corruption. There is no "rehabilitation," only recidivism. There is no justice, only injustice. It is up to us few, the survivors of the system and the advocates who can see where humanity

copy alot and mail out many letters. Turn your reports into zines, booklets, and newsletters then send them out to a zine distributor who will help you. Try to get family to help with getting a P.O. Box and other access to the outside world.

If you don't have family to help, keep writing and asking for assistance. There are some services, like Heavenly Letters and con communications that can help you get established for a low cost. Ask around for services that can help type letters. Finding help can be a life long process, but as you move on you grow in knowledge.

The fourth step is to start writing and sending everything out. This is where you have the process of writing and publishing down to a method. Save copies of everything you write and publish it as a book later on.

For the media, make an information packet carrying a report and press release.

You can ask to remain anonymous although your letters may be read going out. Base your information on verifiable facts. Send out to someone that can make copies and send out letters.

Write to your tribal Newspaper and

• Does policy specifically provide for access to the following:

C. spiritual items (continued)	Bones, animal	Y N
	Fur	Y N
	Sea shell	Y N
	Candle	Y N
	Tobacco Ties	Y N
	Medicine Bundle	Y N
	Other items	Y N
D. Herbs		
	Sage	Y N
	Sage, various	Y N
	Cedar	Y N
	Cedar, various	Y N
	Tobacco	Y N
	Tobacco, mixed	Y N
	Sweetgrass	Y N
	Kinni Kinnick	Y N
	Mint / spearmint	Y N
	Corn Husks	Y N
	Corn Pollen	Y N
	Corn Meal	Y N

Any other herbs for varied beliefs _____

_____

19.
Comments:

• Other Ceremonies

20. Does policy state provisions for a pipe ceremony? Y-N-U

21. Does policy state provisions for a talking circle? Y-N-U

22. Does policy state provisions for classes or extra curricular activities for Native Americans equal to other religions? Y-N-U

23. Does policy state provisions for a Pow Wow ceremony? Y-N-U

24. Does policy state provisions for special ceremonies? Y-N-U

from the members of the group and ask for resources. You are always the number one person in your situation. Keep a list of addresses and names of those who can help.

The second important thing to do in a writing campaign is to gather facts. Identify all the issues and ask who, what, where, and when. Also identify similar issues and the history behind any situation. Have the same issues happened before? How have these issues been handled in the past? Send respectful Kites to the appropriate officers to gain answers locked in stone. Save and file all paperwork. Go to the library and copy the latest grievance and religious policies. Save important documents by sending copies home. Ask for help from others when you need it. Don't use hearsay or make accusations when writing Kites, just ask questions.

The third step is to identify paths to distribute your words. Write reports of the facts you've gathered and send them to the different advocates you think can help. You will have to hand

The fourth and final measure is written action. In any prison system you must be careful what you do. The time you act out against the system the system may react by fabricating a reason to send you to the hole, then shipping you out to the next unit.

One way to coax change in a system is to resort to a writing plan. First identify your resources with people who can help. Second, identify and gather the facts of what is going on. Third, identify ways to spread your words. Fourth is to write and mail everything out.

The first thing to do in a writing campaign is to identify people that can help you. Create a monthly newsletter or pamphlet informing the public of the issues. See if you can get help writing and hand copying information from friends. You may spend alot of time hand copying information. Seek facts and resources from people who have been around for awhile. Look for old documents relating to your problems. Mail out letters asking for help from every prisoner advocacy group you can find. Establish rapport

25 Does policy provide for crisis counseling for Native Americans? Y-N-U

26. Overview of ceremonies/comments:

• Other considerations

27. Does policy provide equal opportunity for sweat lodge membership at the discretion of the members? Y-N-U

28. Does policy provide equal access to Spiritual Advisors and religious leaders? Y-N-U

29. Does policy provide for equal observance of American Indian days Sept. 24-25 or other tribal holidays? Y-N-U

30. Does policy allow access to Native American religious area equal to that of other religions? Y-N-U

31. Does policy provide any resource or training for staff to understand Native American beliefs such as the Sun Dance way, ceremonial conduct, and moontime traditions? Y-N-U

32. Does policy provide provisions for Christian Indians to practice both Native American and Christian ceremonies? Y-N-U

33. Other considerations to be listed:

The above and preceding knowledge is correct to the best of my knowledge on this date: _____

Personal information will be kept confidential.
- Keep copies for your records.

Please send this completed survey to:
1. Your local spiritual advisor
2. Native American Survey Project
   C/O Patricia Nevarez
   PO Box 67147
   Phoenix AZ, 85082

were denied access to wood. They told us we could use their "Multi-denominational" Christian chapel to play our instruments but we chose to ignore the invitation and refused to allow ourselves to redefine our traditions for the christians. We chose to smudge, pray, and play our drum outside. With our smudge we became the connection to Father Sky from Mother Earth. With our prayers we asked the Creator to help the oppressive administration to see the error of their ways. With our drum we became the heartbeat of Mother Earth and sang to the Creator for our ancestors and for the sacred Hoop.

By standing up for ourselves we risked and lost everything they could take, but we gained much more in return. We gained footing toward, the Red Road and as a group are more connected with our ancestors. Although you may place a boulder in the middle of the river to divert the stream, the boulder wears down over time. You must make your choice to be either the boulder or the river.

to terms within yourself about who you are, what you are trying to do, and how you must do it. This is a very important stage. We are only cattle to the system. Do the cattle ever argue with the rancher? We must become resolved to communicate with the outside world. Pressue and tension must be built with the ranch owners not from us, but from your main audience, the outside world.

Any form of action directly or indirectly versus the system may be cause for our persecution, so we must be indirect as possible after gathering the information you need.

Who we are is a nation of independant brothers and sisters who join together in inter dependance with our traditions. One time we were denied access to our wood to have a sweat because of the officers lack of communication with each other. Rather than let that upset us we came together in a group activity. Another time we were locked out of the sweat lodge area completely because we

The Forgotton Americans.

In order to understand or Know there is a problem with anything, you must start with factual data. The data is best if analyzed from more than one perspective and viewed with a critical eye. In 1992 the Native American Rights Fund conducted a survey of different state and federal prisons. From the survey, N.A.R.F. was able to accurately draw conclusions that assisted in advocacy for Native American Freedom to practice religion.

In any society there are often two groups that distinguish themselves as adversaries. There are those who value freedom at any price, and then there are those who take away freedom for a profit.

You will find yourself on the side of the caged bird. You will often find yourself alone. Be prepared to be misunderstood, ostracized, and seldom rewarded for your efforts. Sometimes it will seem as if there will be no end in sight. You must learn patience and endless fortitude.

On the other side of the equation is the very system society has created to "correct" itself. This system has created a creature that profits from greed and human suffering. This system keeps itself fed by promoting recidivism and enacting inhumane, disparate, and excessive sentences. The tax payer is left to pay the bill for the prisoncrats feast. Lost in the process are the people who were the first Americans.

The only solution that presents itself is for individual Native Americans to take an initiative and become independant activists for the free exercise of religion. NO organization is necessary. The only requirement is the will to become a record keeper of valuable documents and become a freelance writer. The Creator has endowed all creatures with the ability to communicate and have a voice. Although this person or that person may disagree with the actions that are done and said the most important thing to consider is the goal at the end of the Red Road.

already is. No matter what, keep moving forward. It is your actions that change things, do not get stuck in waiting for something to happen. Doing nothing leads to nothing. Often times officials will use stall tactics or refuse to admit there is a problem. Sometimes The only negotiation you can attach from administration is by writing kites and running a grievance all the way You may benefit by writing to different officials. Always be respectful and ask specific questions. Do not be afraid to write, the only bad question is the one you never ask. Negotiation may lead to false promises, dead ends, or outright denial. Things that may get fixed today may revert back tomorrow. A valuable part of this stage is the additional gathering of paperwork. Be sure to sort and organize every kite and memo. Write down a timeline of any events or major answers.

The third stage described by Martin Luther King, Jr. is the self purification stage. You must come

spread the issues are and how deep the problems go. Who has done what to deal with the issues? Who has been involved and what is the history on the issues? Write inmate letters asking for answers and information. Talking face to face with officials involved is often valueless unless you can get written confirmation of facts. You may find officials who will try to help. They will face the same walls you face raised by administration.

Try to gain more information than you give. Write down important dates, times and names of officials involved. Keep a journal and write yourself memos. Once you are able to accurately assess a situation and all of its components move on to the next step.

The second step on the quest for Free Exercise of religion is the negotiation stage. Negotiation involves communicating a problem, placing the issues of the problem in front of both parties on a table, and finding a solution to the problem. At this point you are not stirring up the water, but turning on the lights of the truth. You are pointing out how murky the water

The survey is a vital tool to see exactly where your system stands. The survey provided here is a Key to Knowledge. After you fill it out it has no worth until you share it. When people become aware of the state of things it will be up to you to become the educator. You are the foremost expert of where you stand. Only you and you alone have the ability to walk in your shoes. Where will you go?

Try to send the survey out to family for safe keeping. Send your family preaddressed envelopes of all the places you want copies sent to. If family is not available to do this, then manually hand copy the survey and make carbon copies using a piece of notebook paper colored on one side with pencil. It is good to make at least 5 copies and send them out to various advocacy groups.

It is also important to ask for resources and listings of other agencies in or around the state where you are located. Contact tribal newspapers to find journalists to write to for your cause. Try to stay out of trouble by not saying too much. Find people on the outside who will help you.

This is a struggle not just for the emancipation of spiritual rights, but the struggle for the soul of humanity. You may find yourself taking one step forward to find yourself sliding two steps back. You will find yourself feeling fear, desperation, and disappointment time after time. Any action you take is always positive no matter the outcome. Your enemies are time, procrastination, and inertia. You will find that doing nothing leads to nothing. You are your own worst enemy.

It is time to act, brother, we will meet up on the Red Road. Bring your jacket and your sacred pipe. The weather's cold, and it's going to be a long night...



VOICES FROM THE IRON HOUSE

what needs to be said. You may find the grievance system to be a Kangaroo court. It is a necessity that will help gather paperwork. Study any legal books you can and review the grievance process before you get started. Don't ever wait to appeal to the next level.

Martin Luther King, Jr., in his letter from Birmingham jail, identified four important steps to take in any non-violent campaign for freedom and equal rights. First, you must collect the facts and data of an adverse situation. Second, you must engage in communication and negotiation with the affected parties. Third, you must engage in preparation and self-purification. Fourth is engaging in direct action. The direct action I will describe here is a written campaign as prison officials benefit from any kind of physical protests. No matter how much you lose from any action, you will always gain in knowledge and perseverence.

The first step is to find out the facts. You must find out how wide

still bearing the scars.

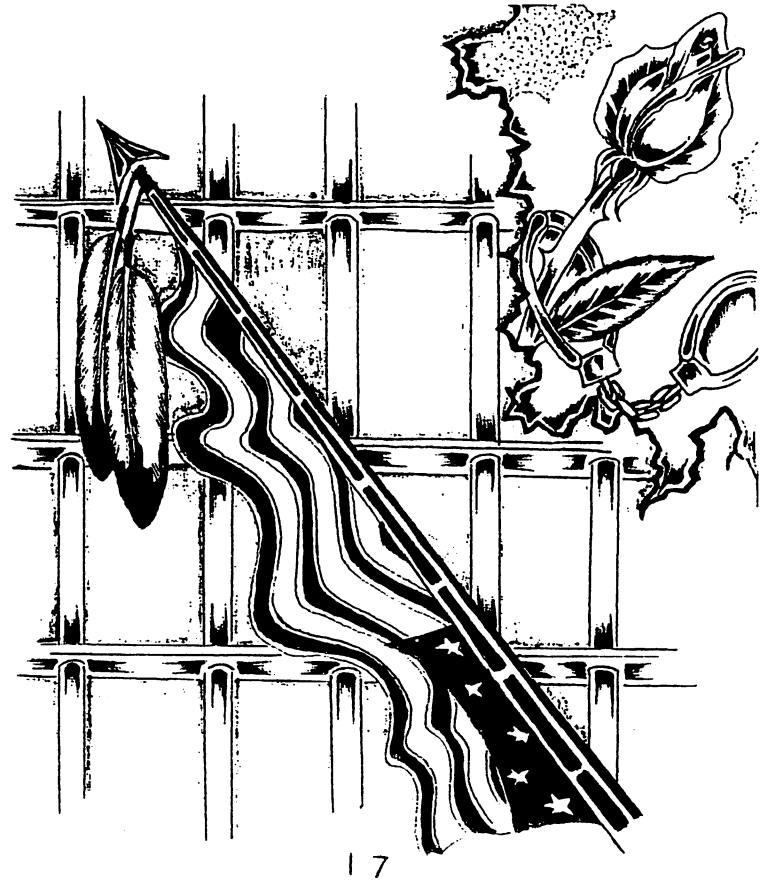
Besides physical retaliation, we have much to fear from psychological retaliation. Writing a kite or complaining against an officer is guaranteed to result in excessive searches and property loss. Rules will be enforced that weren't enforced before. Grievances are sometimes answered with diesel treatment, getting shipped to another unit.

There are few ways to solve issues in prison. The first thing to do is talk to the party you are having conflict with. The best way to do so is with an inmate letter asking for help with the matter. Ask for a simple solution and provide a reasonable alternative. If no solution presents itself consider running a grievance. If you have multiple issues involving a single theme, such as religious rights, you may want to address them all at the same time. Expect major opposition from officers. Always act with respect though you may receive none, and never raise your voice or say more than

2. The Boulder and the River

"Are we going to go on for another two hundred years, or even another five, the way we are without doing something for our Indian people?"

Dennis Banks



The Boulder.

On March 7, 1992, in Portland, Oregon the Select Committee on Indian Affairs United States Senate One Hundred Second Congress held an Oversight hearing on the needs for Amendments to the American Indian Religious Freedom Act. Walter Echo-Hawk, Vine Deloria, Lenny Foster, Wanbli Circala, Wallace Black Elk, and other Native American spiritual leaders, advocates, and inmates testified of the atrocious treatment and indignities Native American inmates had to suffer from the oppression of their religious spiritual and traditional practices. Ironically, we had things better then than we do now.

In Arizona, the Department of corrections (AZDOC) contracted Rose Ann Kisto to write a manual on Native American Religious Practices. Some of this manual was used in AZDOC policy.

As a result, policy was added to placate and silence the Native American prisoners from 1994-1996. Eventually, however, most of the policy and its attachments protecting Native American rights disappeared. Today, we are worse off than when we started. The Religious Land Uses and Institutionalized

at something when adversity strikes you head on, but you keep moving forward. You always keep in mind things may get worse before they get any better.

On April 16th, 1963, Martin Luther King was jailed for non-violent protests he was part of in Birmingham, Alabama. During the protests, police blasted the protesters with streams from fire hoses and released police dogs on them. Many of the protesters were women and children. Photographs were taken and seen around the world. President Kennedy intervened in the issues and eventually equal rights were achieved.

I knew a Native American brother who had been locked down for over 20 years. When he first entered prison he refused to have his hair cut in conformity to the rules. So, he was held down forcibly while guards shaved his head then taken to solitary confinement. While he was in the hole the guards opened the cell door and four inmates from another race entered his cell. They beat him down viciously. 20 years later he walked out of the gates of the prison

We are human, despite the way they treat us.

Becoming an advocate for Native American spiritual rights comes with an excessive degree of disappointment and frustration. So much so that tension becomes your coffee, oppression the air you breathe, and disappointment your best worst friend.

You must expect all this even if you achieve any kind of freedom, there is always a bigger fight around the corner. There is no shortage of adversity for people with brown skin color in America.

It is important to set a goal, and take steps to achieve that goal. Sometimes after you act you may find yourself even farther back than before. What you must never do is stop or slow down. Failure can only be a lesson, you must pick yourself up, dust yourself off, and jump back in.

The greatest leaders are the ones who took risks, missed, and recovered. You cannot become good at anything until you become weathered to the despairing sting of failure. You only are a master of failure and recovery, never of success. You can only become great

Persons Act has done little to stop the flow of the river, resulting in the system wide disintegration of Native American spiritual rights in prison.

Arizona DOC's Anti-Indian policy in 2010.

-Changes from old ('94-'96) to new policy in AZDOC-

- Provisions in policy say to provide sweat lodge area that is private and secure. This is not always followed.
- Wording in policy changed from "sweat lodge ceremonies shall be held on a weekly basis to ceremonies may be held on a weekly basis." often times reducing the amount of ceremonies.
- There have never been provisions for firewood, causing major complications.
- Talking Circles removed from policy.
- Pipe ceremony removed from policy.
- Pow Wow ceremony removed from policy.
- Currently there is no specific protection for sacred items. Religious items are routinely mishandled and desecrated by staff.
- Musical instruments (traditional) are allowed at the whim of administration, we are denied the right to have a water drum.
- We are allowed very limited list of herbs for smudging. We are denied any use of additional herbs unless we can "prove they are ceremonial."

- Beadwork is denied.
- Ceremonial Choker necklace is denied.
- Officers and Chaplain have no guidelines for searching sweat lodge to prevent intentional and unintentional desecration.
- very few Spiritual Advisors are available to visit inmates.
- Native Americans who also practice Christianity are repressed.
- Officers and chaplain have not a Knowledged Moontime tradition beliefs, we have been accused of being discriminative.
- Arizona Department of Corrections issued a memo locking Natives out of their spiritual area. Our access is severely limited. We are only allowed one day a week for a sweat lodge ceremony-only if there is firewood available. If there is no firewood then we are told we can only use their "Multidenominational" Christian Chapel for a Talking Circle. How are we supposed to smudge and pray for Father SKy and Mother Earth in there? They tell us to play our drum in their chapel. We refuse to be Christianized by them. They took our water drum!
- We are not allowed to assist in preparing the sweat lodge grounds for ceremony.

3. Return of the Pipe and Drum

"We must always fight for what we believe in. We must never tire in our fight. It does not really matter how we fight, what matters is what we are fighting for."

Dino Butler



Works Cited for "Religious Policy."

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These are just issues in Arizona. Many states are far worse. The penal logical system is ultimately a Christian based machine. Christian-based programs are promoted in prisons while indiginous spiritual practice is oppressed.

A lack of policy for Native American religious rights causes a substantial burden to our Free Exercise of Religion. Policy regarding our sweat lodge, medicine bag, herbs, tobacco ties, the sacred pipe, Talking Circle ceremony, Pow-Wow ceremony, private worship, special ceremonies, ceremonial codes of conduct, conduct on Native American religious grounds, traditional instruments, beadwork, and other important aspects of our religion must be added to religious policies in order to protect our rights.

The only way to protect our rights at this point is for individual Natives and their families to start and join grassroot organizations to educate the free world of the ongoing atrocities committed daily against Native American religious practices.

Native American Prisoners need tribal members to volunteer as Spiritual Advisors to come to

the prisons and promote a healthy state of well being. Indian Tribes need to develop outreach programs to prisons that promote education, traditions, and healthy living.

Very few, if any, Native American seek Tribal scholarships to educate themselves while they are incarcerated I have seen too many Native brothers come back into the system because of recidivism. The only way to combat this is with education. Spirituality helps, but the only thing you carry out with you to increase your chances in life is an education.

So it is up to us, brothers and sisters, to set the example. We must find a way. If we don't, things will continue to spiral downward. If we don't act, all will be lost. All of our rights will be gone. The situation only gets worse with time.

and mindful of the rules. You should not use hearsay, be deceptive, or lie on any paper work. When you write and gather paperwork you involve officials by pointing out a problem. If they refuse to address the issue, their answers are evidence they should have known the problem. Their lack of action is provable by their response. If you get an adverse action committed against you as a response, such as retaliation, be sure to write down and date everything. You may need the information for a declaration or for additional grievances.

If your actions will effect your religious group, you should always inform them of your actions and seek counsel before you act. If you are requested to stay inert, you may want to try alternatives, such as writing to newspapers and legislators. Write everywhere you can to find advocates for your cause and advice.

justify religious infringement. In order to prove a First Amendment violation you must prove that your exercise of religion has been substantially impaired.

Arizona's Revised Statute 41-1493.01 strongly protects the Free Exercise of religion. Any rule that impacts religious practice is affected. Government cannot substantially burden the practice of religion of anyone. The only exception is if the burden is both "1. In furtherance of a compelling governmental interest." and, 2. "The least restrictive means of furthering that compelling governmental interest."

The Prisoners Litigation Reform Act requires that you exhaust the prisons grievance system. This actually works for you, it generates paperwork you can use as evidence. Be sure to make copies of everything every step of the way. Don't expect to receive any paperwork back from what you submit. Make copies of everything

Be respectful when you write kites

The River.

"One cannot change a river." I have been told. "Why change a river? No matter what you do the river will always be the same!"

Why is it we humans place limitations on ourselves before we even try. We stand there, staring at the river while the beaver proceeds to make a lake.

When humans set out to change the river they waste time, energy and money. We look at the shovel, and quit before we even start. Rather than setting a goal, we set up excuses to do nothing. We attach most of our effort into keeping things the same.

To change the river you must divert the flow. Rocks, boulders, and trees will cause the water to stop, and flow in new directions. As the water runs it carves new streams, a new river is formed. The entire system alters to a new direction.

So what is the effect? Do the animals all die and the plants stop growing? Mother Earth takes a deep breath and adapts. The river creates a pond, the pond becomes a lake, new plants sprout and a new balance is created.

We are each a river, we are tributuaries of humanity. When rocks fall from the cliffs of adversity we must each adjust our flow and balance. Humans flow like the course of water on Mother Earth. We are each responsible for the changes we make. We are each responsible for the changes we don't make as well. You can never control the flow of the water, but you can always change yourself.

If you ever find yourself in a difficult situation that can't be altered, you can always adjust your own factors. Depending on others to help you change creates dependance. You must haul your own rocks. Doing so builds strength, patience, and fortitude.

Mother Earth carries us. Father sky blesses us with life. We flow through life with time and circumstance. We alter ourselves through the choices we make. Our actions create and change our balance. Together we create the great river of humanity.

the regulation? 4. Are there obvious easy alternatives to the regulation that would not restrict your right to free expression? Is there an alternative?

You may want to answer these questions in a brief. A case that had a major impact on religious rights is O'lone v. Estate of Shabazz. The outcome of the case was that prison regulations that restricted rights could be upheld if they were reasonably related to a "legitimate penalogical objective" such as security, order, and monetary concerns. Congress enacted the Religious Freedom Restoration Act in 1993 as a response to protect religious freedom. The act was stricken down in state courts as unconstitutional, but was eventually replaced by the Religious Land Use and Institutionalized Persons Act

In 2000, Congress enacted RLUIPA 42 U.S.C.S § 2000CC. This act of Congress states that prison regulations impinging on religious freedom must utilize the least restrictive means and have a compelling interest. Security reasons are usually what prisons use to

Religious Policy.

Are regulations and policies grievable? Can policies be changed in court? Of course they are. If the court finds a regulation or policy unconstitutional you can get it changed.

Many prison cases involving 1st amendment rights are directed by the Turner v. Safely case law standard. Through this case the Supreme Court developed a measure called the Turner test.

The Turner test consists of the following guidelines: 1. Is the regulation reasonably related to a legitimate neutral government interest? In other words, does the rule make sense, and is it non-subjective to different groups beliefs and ideas? 2. Does the regulation leave open another way for you to exercise your constitutional rights? This means that the prison must have an available alternative for you to practice your beliefs (in regard to religion), they can't just blanket you out completely. 3. How does the regulation impact other prisoners, prison guards, officials, and prison resources? What are the effects of changing

Writing a complaint.

When you write paperwork on an issue officers may take it very personal. In a way they may perceive it as a personal injury, a push that comes to shove. You are pointing your finger at them and making an accusation.

So when you write, always try to be respectful. Present only the facts and do not try to lead the reader. Try to persuade with facts rather than perception. Make a rough draft then go back over it and remove any emotional or opinionated statements. Be wary that officers may not confirm any statements they made to you. There is a chance that if you try to repeat their statements on paper you will receive a ticket for lying

It is best to use general statements in some situations. An example of this is "Officer Blank, on 10-10-10 had gathered all the workers from the VEC together. He used harsh language that I consider abusive toward us." The counselor will ask you "well, what did he say?" At which time you should detail what you believe was said. If you should escalate the issue to an informal grievance then

you should detail everyone who was involved and everything that happened. if you try to add anything later on during the grievance process it will be unusable in court. The only way you can add more issues and more people to the equation is to start an additional grievance.

Be aware that the officer and the system are only going to try to point themselves in the best light. They will try to turn things against you. The only facts you will be able to prove are the ones you gather. Try to do as much information gathering with written inmate letters as you can before escalating to a grievance.

Words are easily manipulated, and the people you complain to will take their own point of view. The guardians job is to always protect the system. We are seen as a hindrance. We walk into the realm of the grievance system as a bunch of "rabble rousers" We are seen as "Wild Indians" with our "pagan" rituals. They wonder why we should even have a sweat lodge

that you tried your best to solve the issue in a humble manner. At the end of the letter offer thanks and respect for help in the matter. offer a realistic and simple solution.

It is best to only tell your issues to those you know and trust. You will also find some people who will say "Someone ought to do something," Yet do nothing. And then when you act there are people who will say, "You shouldn't have done anything!" Don't expect anyone to help you or save you from trouble. If no one will walk with you towards the goal of spiritual freedom, walk-alone. You won't be. There are many who support your cause. Keep your head up and walk tall.

VOICES FROM THE IRON HOUSE

the issue. The only thing you can ever expect back is indifference and sometimes repercussions.

There is a Russian saying, "If you are afraid of wolves then don't walk in the forest." When you feel the cold hands of oppression from atrocities committed by the system, we are all feeling it too. If any system is allowed to corrupt the First Amendment Freedom to practice religion, every member of society will be affected. You and I are on the front lines. Our actions will decide the freedom of choice for our children. It is your choice to either stay in your bed or to walk out in the rain to face the lightning.

The best thing to do to prevent adverse actions from your writings is to start out by saying that you are having difficulty with a situation and that you could use their help to fix it. Show no animosity and be factual about your presentation. Show good effort

in the first place.

I don't know of any church where the chaplain stands at the door with a list in hand, making sure everything matches the list. "That bible is not from an approved vendor," or "it has too many pages," or "it is not the right color!" in the same manner they do with our religious items.

We get this constantly with our spiritual objects. If we get any variation of sage plant, such as california sage or white sage, property officers treat those herbs as contraband and we are denied having them. Yet if I want any variation of Bible there is no problem.

Situations like this exist with virtually every aspect of Native American tradition and ceremony in prison.

In order for non-practitioners of the Native American Faith to understand our viewpoint you must explain things from their viewpoint. Herbs are like pages from the bible. The sweat lodge area is like a church. Talking Circles are like bible studies. We cannot practice our religion in their "Multi-denominational" Christian Chapel because it is

impracticable to build a sweat lodge in it. We do not have Talking circles in their religious grounds because our smudging would set off their fire alarms. We do not sing in their church because our voices would be muffled from Father Sky, the Great Spirit, and our drum would not be felt as the heartbeat of Mother Earth.

When you are ready to write start out with a rough draft. Try to be as thorough as possible and include any events and conversations you had. Include all officers involved. Connect actions with the day and time they happened. Write factual with as little opinion as possible. Your respectful opinion might be shared in the conclusion. Separate paragraphs by different times and events. Just explain what has happened. Don't attempt to "twist" the facts. Use a "less is more" approach. Try not to use more than one kite. Try not to lose your audience or say too much. Do not ever use abusive language

or make a statement that could be perceived as a threat.

Once you have finished the rough draft have someone spell check for you. Draw a line through irrelevant sentences. Either omit or rewrite anything that needs to be changed. Verify all the dates are correct. Remove anything that might get you in trouble. Do not include any hearsay. You can only say what you've heard and said as a fact, not what someone else has. Have a friend read it to make sure the presentation is right. If that person does not understand what you are trying to say then no one else will.

The ending conclusion should provide a reasonable solution to correct your issues. Don't ever bother asking for an apology, because you will never receive one. Don't expect an independant review of the matter or for any money to be spent to fix anything. They may not ever even address