

Stand Up *for Your People*

SECOND EDITION

GABRIEL SHARP

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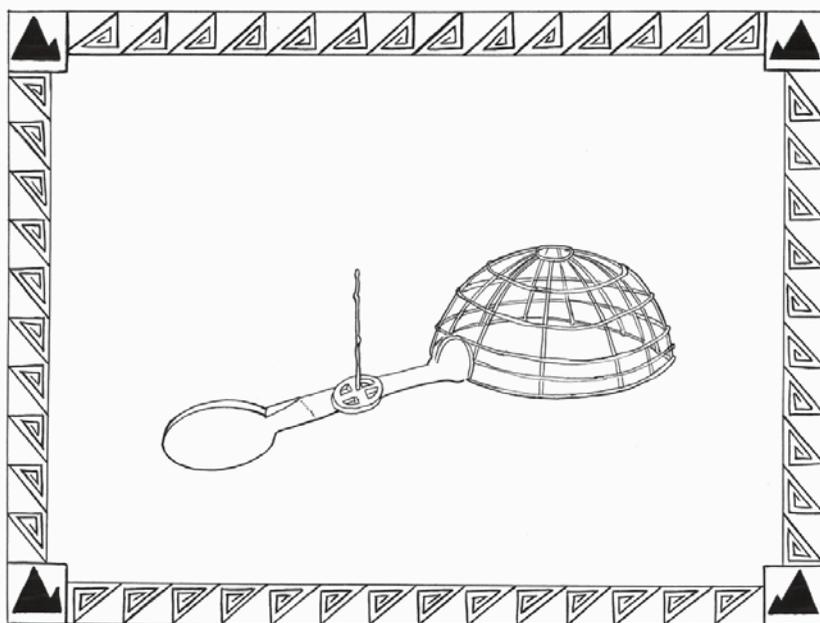


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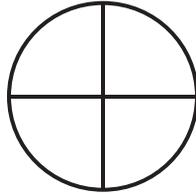
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THE NATIVE AMERICAN SWEAT LODGE



CHAPTER 1



THE SWEAT LODGE RITUAL

Building a Sweat Lodge in Prison

When building and blessing a sweat lodge in prison, if possible, a Native American Spiritual Advisor is the best person to consult. If an advisor is not available within the prison system, there may be Native American inmates who have adequate experience to build and bless a sweat lodge at the discretion of the group.

The sweat lodge should be located in a quiet area that has low foot-traffic. The area should be at least fifty-feet by fifty-feet, with a fence around it to protect the sacred area from desecration. Once the physical area of a sweat lodge is established, it is considered sacred land by the Native Americans. When a Native person walks onto the religious area, it is as if he/she is stepping back into their homeland.

The land, willow poles, lava rocks, firewood and accompanying utensils used to perform a sweat ceremony are all considered sacred and when building the lodge, Native American protocol needs to be followed.

The components required to build a sweat lodge in prison are:

- Tarps and blankets – The number depends on the size of the sweat lodge and the size of the blankets. Generally, fifteen to twenty large blankets.

- Twenty willow poles – The poles should be replaced annually.
- Lava rocks – The rocks should be replaced every six to twelve months.
- Four – 12” rock forks – Used to move hot rocks.
- Firewood – Need to have a regular supply based on sweat frequency.
- Shovel, pitchfork, hose, two large water buckets and a dipper (buffalo horn or gourd).

The frame of the sweat lodge is built in a dome shape using the willow poles. The frame is configured so a doorway will open to the east. Most sweat lodges are designed this way because the sun rises from the east and represents the power of the Creator. Several layers of blankets are then placed over the framework and a door is made over the frame doorway. A person outside the sweat lodge is designated to help open and close the *flap* (door) for those sweating inside.

Sweat Ceremony in Prison

The Arizona Department of Corrections allows sweat ceremonies for its inmates, but some states do not allow sweat lodges for incarcerated Native Americans. A group of inmates who were part of the Massachusetts Native American Spiritual Awareness Council filed a claim stating that they were subject to discrimination by prison administrators. In the 1995 court case, Trapp, et al. v. Dubois, et al. was able to obtain a sweat lodge through the court system. This is one example of several court cases where Native American prisoners had to sue the prison for their religious rights.

From start to finish it takes about four hours to set up, conduct the ceremony, have a prison count and return the equipment. Once a ceremony has been started it cannot be interrupted. However, the conductor does plan for the Native Americans to take a break in between each sweat lodge round and for prison head counts.

Every Saturday morning, the Native Americans are released from their prison cell early so they can eat breakfast, then head to the sweat lodge ground. The fire starters are the first people to arrive so they can prepare the fire pit in advance of the other inmates arriving. The fire starter's responsibility is to gather the wood, jugs, buckets and blankets. To make the fire pit, they count the number of lava rocks that the conductor has requested for the sweat ceremony. The wood is sorted and the fire starters begin to build a fire by adding wood to make it the size needed, adding rocks as they build. After the fire pit is ready, blankets are placed over the entire *inipi* (Lakota word for sweat lodge). When the *inipi* is ready, the fire starters wait for their brothers to arrive from the *chow hall* (cafeteria) and prepare for the sweat.

The Sweat Lodge Ritual

There are different ways to learn about the sweat lodge ritual including oral tradition, participation or by reading books. For inmates, the prison will usually have a process to allow books to be delivered from the outside. Grey Bear recommends *The Sacred Pipe*, recorded and edited by Joseph Epes Brown, which can be ordered from a variety of stores. There are several stores where Native American books can be mail ordered. Oral history or talking to other Native Americans about the sweat ceremony is also a great way to learn because tribal history can be shared.

But the best way to learn about a sweat lodge ceremony, is to participate in one. Everyone who participates in a sweat lodge ceremony needs to remember that it's not an endurance test to see who is the bravest, strongest, or how long one can stay inside the *inipi*. Every Native American brother's sweat lodge ceremony is different, so in prison, the brothers teach and learn from each other. Since there are different ways to conduct the ceremony due to the many different tribes represented in prison, an intertribal ceremony is conducted. When a Medicine Man enters a prison from the outside, he sweats and passes his teachings onto the brothers when he conducts the ceremony. When he speaks, all participants listen to what he is saying as it helps others to conduct the ceremony when he isn't present.

“I’ve conducted sweat lodge ceremonies and have been the conductor’s helper. Every time I sweat, conduct, or am a helper, I learn something new. After my release, I taught my Native American friends how the sweat lodge ceremony is conducted in prison and passed on what I learned, so they can pass it on to their children,” Grey Bear states.

Sweat Ceremony Preparation

Each conductor runs their sweat lodge ritual according to the way they have been taught, so each sweat is conducted differently. While the inmates change into the clothes they will wear during the ceremony, they prepare themselves by socializing and practicing Native American gourd and drum songs. The conductor gathers his shell that holds sage, cedar or sweet grass, and blesses the ceremonial grounds. The conductor’s helper goes to the fire pit with his pinch of *kinnikinnick* (special tobacco), stands to the east and offers a prayer and places the *pinch* on the fire pit wood. The helper then places a pinch of the kinnikinnick on the wood in the fire pit in a clockwise direction for each of the Four Directions. East, South, West and North. From the east, he then offers a pinch to the Creator and places it in the center of the wood pile.

While the helper blesses the fire pit, wood and rocks, the conductor blesses the grounds, inipi and altar. The conductor then places the shell he was using on the altar and joins his helper on the east side of the wood by the fire pit. The conductor lights the fire from the east and they move clockwise around the wood, lighting the fire. Then they bless the sweat lodge. The entire process takes about thirty minutes before the rocks are ready and the brothers can enter the sweat lodge.

The conductor will roll more kinnikinnick in a cornhusk, light it, then enter the inipi through the left side of the entrance way. He crawls on his hands and knees clockwise until he is sitting by the entrance way. The fire pit is a three-foot diameter circle located in the center of the sweat lodge where the hot lava rocks are placed. All movement in a sweat ceremony happens clockwise in honor of the Sun and the Cycle of Life. Clockwise is also known as *sunwise* to Native Americans.

The helper enters from the left side and sits down to the left of the entrance way while the conductor sits to the right of it. Both are facing inward toward the fire where the rocks will be placed. Above them, in the center of the sweat lodge is the Sacred Hoop. This is a circle of willow poles on the roof and is said to be a pathway to the universe, a conduit to the spirit world, or a connection to the Creator.

A fire starter pulls the blankets over the opening, thus closing the entrance way of the inipi. This makeshift doorway is also called *the flap* and makes the sweat lodge dark inside. The conductor lights a *rolled smoke* (cigarette) made from kinnikinnick and offers the smoke as a blessing to the Creator, Mother Earth and the Four Directions. He says a prayer out loud and smudges himself at the same time by fanning the smoke onto himself. When he is done saying his prayer, he passes the kinnikinnick to his helper, who then says his own prayer. The two remain in the inipi until the Kinnikinnick is almost gone and they have both recited their prayers.

The two call out for the fire starter to lift the blankets. The conductor exits the sweat lodge from the right side, takes the remaining Kinnikinnick smoked, and walks sunwise around the fire pit where the fire is burning, and gives the rest of the Kinnikinnick to the fire as an offering.

The conductor's helper crawls sunwise in the inipi and exits out the right side. The conductor takes a cup of water from the bucket of water used during the ceremony to make steam and makes a water line from inside the inipi, over to the altar and fire pit, which are located directly east from the sweat lodge door. The water line represents an umbilical cord from Mother Earth's womb, which is represented by the sweat lodge and is connected to the fire that heats the rocks.

Once the water line is made, everyone waits until the wood is ready for the sweat ceremony to start. While the brothers wait for the ceremony to start, they sing Pow Wow songs, Peyote song, and Bird Song using a large drum, a small drum, gourds and instruments. They take off their shirts, so they are only wearing their gym shorts when they enter the lodge. The ADOC

has dress requirements which state that male inmates must wear orange gym shorts during a sweat ceremony.

The fire starter will tell the conductor when the rocks are ready, who in turn will tell all the Native brothers it's time to start the sweat ceremony. The conductor says a prayer to the Creator before he enters the inipi. Following sunwise protocol, the conductor is the first to enter. One by one all the other Native brothers enter the same way and sit on the north, west and south sides of the inipi, wherever there is a place to sit. Once everyone is seated, the helper is the last to enter the inipi and sits south of the doorway.

The fire starter then hands the herb-filled shell to the helper, who then passes it to the brother sitting on his left. The shell is passed brother to brother sunwise until it reaches the conductor. The fire starter then hands the *rock forks* to the helper inside the inipi. Rock forks are wood sticks that are about one inch in diameter that are split into prongs at the end. The fire starter or his helper, remove the rocks out of the hot coals using a shovel and metal rake, transferring the glowing red hot rocks onto another shovel. The ashes are blown or brushed off with a rag before they are taken to the inipi to prevent the ashes from blowing loose in the sweat lodge.

When the fire keeper's helper takes the shovel with seven rocks into the inipi, he stays south of the water line. When he gets to the entrance, he lets the conductor and his helper know he is there by saying loudly, "Aho! Rocks!" which means, "Here are the rocks!" As he brings the rocks into the inipi, he touches the shovel with the rocks to the pole that is in the center of the altar. The pole or staff in the center of the altar is called the *staff of life*. The conductor or his helper guide the shovel with the glowing rocks to the edge of the rock pit. The helper then uses the rock forks to remove the rocks from the shovel and places them into the rock pit.

The conductor takes the first rock and motions it in a clockwise round motion in the rock pit which is in front of him and sets it in the center. The first rock represents the Universe or Grandfather. The second rock represents all the children in

the world and is placed to the east of the fire pit. The third rock is positioned to the south and it is for the women in the world. The fourth rock is placed to the west and represents medicine or healing. The fifth rock is positioned to the north and is for the warriors, those who have fallen in battles and for the ones who are fighting now.

Next, a rock is placed between the north and east rocks for Mother Earth and the last rock is placed between the east and south rocks for the Native inmates and their people (family and friends). Each time the conductor's helper places a rock in its respective spot, he makes a sunwise circle with it. Then the conductor teaches the attendees about a tradition that he has learned from others.

Once all the preparation is completed, the sweat lodge ceremony is ready to begin.

Rules to Sweat By

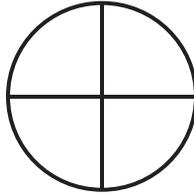
When Grey Bear arrived at the prison and met his Native American brothers for the first time, he was handed a piece of paper with the following rules for participating in a sweat lodge ceremony. He doesn't know who wrote the rules or when they were written, but anyone who participates in a sweat ceremony is handed the following guidelines.

- No card playing or game playing during any ceremony.
- No radios, TVs, or tape recorders played during any ceremony.
- No arguing or fighting around sacred grounds and during a ceremony.
- No drugs or alcohol around the sacred grounds or used during a ceremony.
- No one under the influence of drugs or alcohol in the sacred grounds or present in any ceremony.
- No physical or verbal abuse or disrespect shown to anyone present in the sacred grounds or around the sacred items at any time.
- No cussing around sacred grounds and items.

- No spitting, sitting, standing on, or throwing of sweat lodge rocks and wood.
- No cigarette butts or trash thrown in the sweat lodge fire pit at any time.
- Always offer tobacco (even if it's from a cigarette) to the outside people who attend a ceremony with you.
- No disrespect or discrimination shown to any brother or sister regardless of tribal affiliation or blood quantum.
- Feathers are not to touch the ground, except when placed on the altar in a respectful manner.
- Everyone attending the ceremony must help in the preparation, each person takes responsibility for getting water, wood, assisting the pipe holder, tending the fire, etc. in a quiet and cooperative manner. No one is to sit around.
- Keep the sweat lodge area clean and neat at all times.
- Keep all the sacred items in a clean area, protected from other people, and in a place where they will not be abused.
- No negative talk about women or disrespect shown towards them at any time, including other female inmates, female staff and female visitors.
- No women on their moon (menstrual period) allowed around the sacred items and grounds during their flow and for at least four days afterwards, including female staff.
- Do not use the ceremonial times as a way of getting out of your cell or dorm. Everyone present at a ceremony must participate.
- Show respect to all brothers and sisters on the yard twenty-four hours a day, every day.

During Grey Bear's years in prison, he saw all these rules broken by the Native inmates, including himself. What is important to realize when one messes up, admit that you can do better, then make the right decision the next time an opportunity presents itself.

CHAPTER 4



ARIZONA DEPARTMENT OF CORRECTIONS (ADOC) AND THE NATIVE AMERICAN SWEAT LODGE

Desecration of a Sweat Lodge

In 2009, at an Arizona Department of Corrections prison, two security officers and the Chaplain desecrated the sweat lodge during a quarterly search when no code of search conduct was followed. During the search, a female officer entered the sweat lodge area, holes were smashed into the sides of the purification chamber, artwork was wiped out on the spiritual grounds and the sacred rocks were touched. The outcome was the desecration and vandalism of the brother's sweat lodge and religious items. The inmates felt that the guards entered the lodge with contempt and negativity on their mind.

Had any of the sweat lodge members been present, none of this would have happened. In the past, one or two Native American inmates were present during the searches. They would be permitted to move the items that had to be searched. It is the chaplain's responsibility to ensure that Native American religious protocol is followed and on this particular day he failed to protect the sacredness of the lodge area and the religious objects. The officers and the Chaplain seemed to invent the search protocol, as no proper chain of evidence was followed. The guards sifted through the sweat lodge area without

understanding the necessity to protect its nature, so the physical damage to the sweat lodge was unjustified. There was no need to damage the sweat lodge and dig in the grounds around it.

In front of the lodge area was a twenty foot by ten foot sandy area where Eagle had drawn Native American symbols in the sand. While performing the search with metal detectors, the officers wiped out the religious symbols that were sculpted in the earth in front of the sweat lodge area with their feet in a malicious manner. The officers used a shovel to dig inside and around the sweat lodge area because they said the metal detector was *set off*.

According to Grey Bear, “In prison, correctional officers and inmates communicate about things that prison administrators wish they didn’t. One of the officers who watched the search take place, spoke to me and other Native Americans about what transpired. Also, a Native American inmate who worked in the kitchen watched the search being conducted through the window.”

The Chaplain who had no knowledge of Native American religious practice, also spoke to the Native American prisoners about the search. When Native American prisoners asked the correctional officers for the metal items found, nothing was produced. When asked why the guards obliterated the artwork symbolizing their culture, no answer was given. One of the correctional officers who witnessed the search told the Native inmates privately that the other officers were joking around on the grounds and the female officer started dancing on the sweat lodge grounds, mocking Native Americans.

Holes were smashed into the side of the purification chamber. A small one-foot tall wall was built around the sweat lodge to help keep in the heat. Correctional officers used shovels to dig several holes in the wall and on the area around the sweat lodge. The officers desecrated the sacred rocks, their ancestors, by touching them. The rocks should only have been touched by the Chaplain, as this is his duty.

Then, without consent from any Native American, a female officer entered the sweat lodge. No Native American inmate

was consulted before she entered the premises. She was asked whether she was having her menstrual period (moontime) around the time of the search and it was determined by the Native American prisoners, that that was the case. She should have stayed away from the sweat lodge. It turns out that when she touched and entered the sweat lodge, it became desecrated, causing it to be unusable. If the Chaplain knew that a menstruating female would desecrate the sweat lodge, the situation could have been avoided. *Note:* Females are allowed to enter some sweat lodges, but not others, depending on the beliefs of the practitioners.

After learning about the events that occurred, the approximately fifty Native American prisoners contemplated retaliating against the Chaplain and correctional officers. All options were put on the table in a series of discussions. One of the proposed responses was to smash all the windows of the multi-faith room (prison chapel). Other options included violence which would lead to a lot of brothers being segregated and removed from the yard as a result. There were some who wanted to retaliate against the female officer and others who wanted to retaliate against the Chaplain.

Grey Bear explains, “Still new on the prison yard, I adopted the role of liaison between the Native American prisoners and the Chaplain and stepped forward into the center of this controversy to prevent my fellow brothers from starting a riot. At the next circle I spoke up in a loud voice, ‘I know what to do!’ My option was to file grievances to prison administration. The grievances would go up the entire chain of command, starting with the Chaplain, then up to the Warden, then to the Pastoral Activities Administrator, and finally to the Director of the Arizona Department of Corrections.”

Officers took photographic evidence of the damage to the sweat lodge only after the inmates requested photos be taken. When the brothers asked for copies of the photos, none were produced, so it is unknown if the pictures were saved as documentation. The Lieutenant stated at the time that an Information Report (IR) would be conducted.

Grey Bear states, “The worst part of the entire event was the state of minds of the officers. They joked and danced on the sweat lodge area and their behavior was disrespectful. In my opinion, they spread this state of mind onto what little we had, our religious values and our dignity. The brother’s complaints indicated the correctional staff’s indifference to our beliefs and emotions.”

One officer was known to be a very disrespectful person and mistreated inmates. If the Native American prisoners had a say in it, this officer would have never been allowed to enter the sweat lodge grounds. Predictably, it was the same officer who started dancing next to the sweat lodge during the search.

The Saturday following the incident, the Chaplain and Lieutenant addressed the inmates at the sweat lodge area. The Chaplain admitted that he was new to the position and stated that he did not have much knowledge of Native American religion, but he was learning on his own time. He indicated that he did not want to be involved in taking an inventory of the religious items, because he *did not have the proper training*. The guards also did not have the proper training, permission and respectful state of mind to do so.

Since the Chaplain did not have a clue regarding Native American beliefs and his role in handling the sacred items, he was unable to protect them. The Lieutenant indicated that he was not present at the time of the search but made the statement that the search could have been conducted in a better manner. At the time, the Lieutenant had been one of the few high-ranking officers who had shown any empathy for the situation. He indicated he would write an IR about the incident.

So, the sweat lodge was laid to rest by dismantling it. The willows were given back to Mother Earth and Father Sky. The Native brothers continued to sing, pray and smudge every Saturday, but there were difficulties. After the grievances about the sweat lodge desecration were filed, prison officials retaliated by reducing the inmates time for ceremonies, removing the water drum and blocking the use of the sweat lodge grounds for

talking circles. When told to have their weekly talking circles in the multi-faith room, all the Native American prisoners refused. Instead, against the prison Chaplain's wishes, they held them outside on Mother Earth and stood their ground for their beliefs.

Grievances

The Native American beliefs were shared with many members of the administration through letters, also known as *kites* every time a violation occurred. There were several Native Americans on Grey Bear's yard who would send kites to the religious administration. There were around a dozen kites sent; however, those letters seemed to have disappeared. Staff would not admit that they received them and did not place the information in the chaplain's office, where they were supposed to be kept.

The first of several grievances over the discriminative treatment of the Native American group by prison officials was filed shortly after the incident. After a year of grievances and several conversations with officials, Grey Bear was able to understand the general opinion of Arizona's prison officials as it related to the Native American religious rights.

First, the grievances they submitted were returned with a *big red NO* stamp denying relief to their issues, quoting that ADOC was following policy as it was written. Then ADOC simply avoided responding to any issues brought up concerning Native American religious practice. Grey Bear found himself in the chaplain's and prison supervisor's office several times; and sometimes the prison warden was there to discuss these issues with him. Grey Bear told the ADOC Administration that they were violating Native American religious rights. They tried to intimidate him, but he still wrote dozens of inmate letters and grievances to expose ADOC for violating their rights. Eventually, every response from ADOC that Grey Bear received was submitted to the US District Court. With no resolution in sight, Grey Bear sued the Arizona Department of Corrections by himself, but on behalf of all his Native brother's religious rights.

Post Incident Report Outcome

Relating to grievances from May 2009 regarding the sweat lodge issues, the private prison failed to explain why its officers did not use *appropriate respect* when handling religious items. Instead they retaliated by locking up two of the Native American prisoners' main spiritual representatives. The following day, the prison officials called a meeting with thirteen lodge members and other prison staff to inform the Native brothers that a *memo* prevented them from using the sweat lodge area for anything but sweat ceremonies.

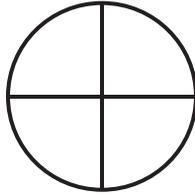
In June 2009, the gates were welded shut on the small fence surrounding the lodge area and the inmates were told to stay out or be penalized by being sent to the hole. At the time, several of them were questioned, threatened and harassed by the correctional officers. Inmates were summoned individually and interrogated by a high-ranking correctional officer. In mid-June, Eagle, the main spiritual representative and pipe holder who ran the sweats, was sent to the *hole* (administrative segregation). At the beginning of August, the brothers were informed Eagle was sent to another unit.

With the loss of their pipe holder, Walks in Faith, Grey Bear's cousin, became the new pipe holder. He sent an inmate letter to the Chaplain and prison administration requesting an additional drum. As a result of his inmate letter, the Chaplain was told by his superior to throw away the only instrument they had, the kettle drum. Their sacred instrument was treated like trash by the administration. For months the Native inmates were without any musical instruments for their ceremony, and because of this action, they decided to stand up for their people.

COURT CASES



CHAPTER 3



FILING THE COURT CASE

Grey Bear obtained a 1983 Civil Rights Complaint Packet from the prison library in March 2011, made a copy and started to complete it. The form is required to be filled out by the federal court system. Grey Bear read in legal magazines and books that completing the Complaint Packet was the way to seek remedy for the Native American religious practitioners if a civil right was violated. RLUIPA was the way to go.

The civil rights form for Arizona, which is in the 9th Circuit, came with instructions, but Grey Bear still consulted other prisoners who had filed lawsuits for other issues on how to complete the forms. The ADOC policy required that a paralegal be available for consultation, so Grey Bear submitted the required request and met with the paralegal twice. They did not offer any information about what to write about the case, but did help by double checking that all the required information was filled out.

Grey Bear listed himself as the Plaintiff and all the prison officials who were involved in the denials of Native American rights as the Defendants. The defendants started with the Chaplain, then the Warden, other Administrators and the Pastoral Activities Administrator who answered the grievances. Grey Bear did not ask for a jury trial because he learned that other lawsuits for inmates on similar issues were won without juries.

The prison address was listed for the plaintiff. The form asked if the plaintiff (Grey Bear) had filed any prior lawsuits. He hadn't.

The difficult part was completing the *Statement of Claims*. Grey Bear had filed many grievances on behalf of the Native American prisoners, but only those that had been sent to all of the defendants could be used in the case.

For example, the kettle drum grievance had been submitted in a timely manner to the Chaplain, the Warden, and the Pastoral Activities Administrator and all were denied; so, this complaint could be filed in federal court. Grey Bear made eight separate statement of claims and each issue had to have occurred within one year of the submission date. Each claim had its own specific relief which was completed on the next section of the form. Grey Bear submitted the required information handwritten as small as possible, so that all the claims and relief fit on the form.

He filled out all the information and had it notarized at the prison library. On May 9, 2011 Grey Bear sent the several required copies to the court and his case was filed. Several months later, the court sent him an official memorandum stating that the packet had been reviewed and Gabriel (Grey Bear) was sent another packet to complete. He needed to complete more forms so all the defendants could be served with a summons. Since a three-hundred-and-fifty dollar fee was required to file, Grey Bear learned that the fee could be paid with payments, also known as *In Forma Pauperis*. A payment was made from his paycheck every week while he worked in the prison washing dishes and cleaning the cafeteria.

Grey Bear made copies of all the inmate letters and grievances that involved the claims and submitted it to the court during the *discovery* process. Discovery is when the court asks for all the evidence of the case from both sides. Again, Grey Bear paid all the required court paperwork fees with his own money.

The court first had to decide if the case was valid, then give the plaintiffs and defendants instructions on how to proceed. The court checked to ensure that the grievances were sent to all the Defendants involved in a timely manner. Then the defendants were given a chance to respond to the Plaintiff's complaint. The judge was aware that the Plaintiff was a prisoner and did

not have legal training, but gave the Plaintiff time to correct paperwork errors that were submitted to the court.

Grey Bear had to rewrite his claims in a way that was clear to the court; this time he used legal citations which he gathered from legal books in the library. He had taken the Blackstone paralegal course while incarcerated and was able to write a sufficient case to *pass summary judgement*, which means that if the allegations in the complaint were true, then the Plaintiff would have a valid case which should be remedied by the Defendant. Each submission of paperwork to the court was followed up and it took months until the court was satisfied. Then the other side had time to respond to the allegations.

Grey Bear received a positive judgement on four of the eight claims for the summary judgement. At one point he received a letter from the Perkins Coie Law Firm stating that they would like to represent him and the case *pro bono*, (without a fee). Grey Bear met with three lawyers in the prison visitation room who would represent the Native American prisoner's religious rights in this case. The three attorneys (one woman and two men) worked with Gabriel from this point forward to file the correct forms, find more discovery objects for the case, and create a pre-trial brief for the court case.

They documented all aspects of the sweat lodge and its desecration in the discovery process and took photos of the lodge area and religious chapel at the prison. They contacted the prison repeatedly to see if a settlement could be worked out before the case went to court. The settlement process did not bear fruit, so the Plaintiff, Defendants and all their lawyers met for a bench trial at the federal courthouse in Phoenix, Arizona.

There were several days of testimony. The Plaintiff and Defendants called on the ADOC Chief of Security, the Pastoral Activities Administrator, the Chaplain at the prison, and several Native American Spiritual Advisors.

For the plaintiff, Grey Bear was the first person to testify. He was shuttled several times from the Florence prison to Phoenix. Initially, it was a very stressful experience and he lost a lot of

sleep over it. He prayed to the Creator to assist him and the lawyers in this case. He was allowed to return to the federal court for the opening and closing deliberations, and several months later for a procedural issue.

Leo Killsback, from the Northern Cheyenne Nation and an Assistant Professor of American Indian studies at Arizona State University testified on the religious practices of Native Americans. Lenny Foster, Director of the *Navajo Nation Corrections Project* testified regarding his experiences on building sweat lodges in Arizona and other state prisons. He also discussed how the kettle drum was allowed in federal prisons and how the kettle drum was no longer allowed in Arizona prisons. When Lenny Foster entered the courtroom, the lights in the room flashed and the court recording system shut down, causing a significant delay in the proceedings. Grey Bear felt it was the power of God that overloaded the system.

FINAL WORD

The history of Native American religious practice in prison is written largely through court cases in which Native American religious rights were oppressed. History needs to be created by changing this trend and it can be accomplished through activism.

The return of religious rights for Native American prisoners will depend largely on the actions of the people. Help is needed to spread the word and it is time to *stand up for your people*.

Some of the events and names in this book have been changed to protect people from retaliation. The prison officials mentioned are not bad people within their own realm of understanding; but as I have experienced in the past, the worst kind of evil is that which is blind to its own evil acts.

Prison, ultimately, is a system based on greed. There are many individuals who profit off human misery in America and many who are selectively blind to the ways of the system. But there are those who are perfectly aware what is happening. It is up to Native Americans who have experienced injustice to share this awareness and enact a plan of change for the system. The changes that need to happen will take a lot of work and time, and the steps for change will happen slowly with great effort.

Many of my Native American brothers who were involved in the events mentioned in the book are no longer at the same facility or have been released; everyone has moved on. I too, have been released since the events took place, leaving me with my pencil and a pad of paper in order to create change for the benefit of Native American prisoners.

While incarcerated, two other Native Americans in Arizona have informed me they filed lawsuits over the desecration of the

sweat lodge and their religious items. They told me privately, because they were afraid of retaliation from other brothers and the prison system. Whether they won or lost, the important thing is that they did the right thing and stood up for their religious freedom and rights; they can move forward.

This is a struggle not just for the emancipation of spiritual rights, but a struggle for the soul of humanity. Sometimes it can feel as if one step forward leads to two steps backward. The feelings of fear, desperation and disappointment may occur time after time; but keep moving forward. Any action taken is always positive, no matter the outcome. Don't let time, procrastination and inertia become an enemy of the fight. Doing nothing leads to nothing and self can be your worst enemy.

It is time to act, brothers and sisters; let's meet up on the Red Road!

We do this for our people, the Red Nation, the First People.

Aho!
To all our relations,
And the Great Spirit

Aho!
Grey Bear

ABOUT THE AUTHOR

Gabriel Sharp (Grey Bear), a Mohave Indian of the Colorado River Indian Tribe in Parker, Arizona was raised by his mother in Tempe, Arizona. From the time he learned how to read, he realized that he had an insatiable thirst for knowledge that would never be fulfilled. He had read the Encyclopedia Britannica and Webster's dictionary by the first grade. Both of his parents had master's degrees from Arizona State University, and he grew up reading books on psychology, spirituality and Native Americans. He also had a love of drawing, writing and storytelling.

At age eighteen, he joined the Army. He earned a certification as an Emergency Medical Technologist during military combat medic school at Fort Sam Houston, San Antonio, Texas; and then become certified as an x-ray technologist when he served as an Army Reservist. After bootcamp, combat medical school and radiologic technologist school, he returned to Phoenix. He trained as a nursing assistant and he worked in a nursing home for a short time.

In 2007, Gabriel was sentenced by the State of Arizona and incarcerated for ten years flat; with no chance for parole, clemency or justice. While incarcerated, he trained to become a paralegal and obtained his certificate from Blackstone Career Institute. He also obtained an Associate Degree in General Studies.

After years of religious retaliation and abuse from the prison system, he found himself at a crossroads. Gabriel wrote for the prison school's newsletter where he also taught English, so he decided to use his experience and *take on* the Arizona Department of Corrections concerning its inequitable treatment of Native American's and their religious freedom.

Released in 2017, Mr. Sharp continues his education today as he studies for a bachelor's degree in electrical engineering. He and his life partner, Patricia, have a son. He wrote the book, *Stand Up for Your People*, in hope of educating and energizing incarcerated Native Americans to fight for their rights to practice their faith to the Creator.

“So, from the outskirts of society, the part no one wants to admit exists, Native American prisoners find ourselves as the forgotten Americans. Racial injustice and religious intolerance thrive in America’s penological system. This system profits from human misery. America has more prisoners than any other country on this planet. Many Native Americans have been incarcerated or have family members that have been incarcerated. It is time to stand up for the rights of the Native American people who are affected by this system.”

Grey Bear