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Through His Eyes: Life in the South Dakota State Penitentiary

Melissa Leal and Robert Angelo Horse

And when you have read Fanon's last chapter, you will be convinced that it would be better for you to be a native at the uttermost depths of his misery than to be a former settler.¹

—Jean-Paul Sartre

In April 2013, I received a letter from an inmate at the South Dakota State Penitentiary in Sioux Falls, South Dakota. The letter was on letterhead from an organization called Native American Council of Tribes, Inc. The letter's author was inmate #13466, Mr. Robert A. Horse, President. In the letter Robert wrote that the Native American Council of Tribes was one of the first prison organizations for Native Americans. It was established in 1976 by Sioux inmates in an effort to strengthen spiritual ways and culture behind the walls of the penitentiary. Robert informed me that 27 percent of the inmates in the Sioux Falls State Penitentiary are Native American. In this letter, Robert thanked me for the work that I do with youth, of which he was made aware through an article in *Indian Country Today*. He also invited me to an upcoming spiritual conference and powwow. I was hesitant to write Robert back, but I was impressed by the professionalism of the letter and the fact that an article about me had reached such an isolated population, so I took a chance and sent him a letter. Eventually Robert and I were able to speak on the phone, and he again invited me to attend the spiritual conference and powwow. My

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travel and living arrangements would be paid for by the Native American Council of Tribes, Inc. As the president of a nonprofit organization, Robert was able to apply for grant funding. This grant funding paid for my trip from Sacramento, California, to Sioux Falls.

My visit to the South Dakota State Penitentiary in Sioux Falls was a life-changing experience. Upon returning home, I wrote a letter to the warden.

September 24, 2013

Dear Warden Young,

Last week I had the honor of being a guest speaker and visitor for the Native American Council of Tribes' Spiritual/Cultural Conference and Powwow at the South Dakota State Penitentiary in Sioux Falls. I am writing this letter because I am so grateful to have been given this experience in my lifetime. I live in Sacramento, California and I was made aware of the Native American Council of Tribes through being contacted by the President, Mr. Robert Horse subsequent to being featured in an article in *Indian Country Today* about my research and work in the field of Native American Studies. Currently, I am a GED instructor for the Greater Sacramento Urban League, the Program Educator for the Title VII Indian Education Program at the Elk Grove Unified School District, and an adjunct faculty member at California State University, Sonoma.

I am asked to speak at many events and conferences, in many different places. However, this is the first time that I have been asked to come to a prison. I have experience working with parolees in adult education, but never within the walls of a penitentiary. As you can imagine, I was extremely nervous and really didn't know what to expect. It was my first time in South Dakota, my first time in a prison, and I had traveled alone. I was able to attend the conference due to the efforts of Mr. Horse who wrote and successfully acquired a grant through the Seventh Generation Fund that covered my travel expenses. Mary Montoya was also very helpful at coordinating and communicating with me through email and over the phone.

The purpose of this letter is to extend my appreciation to the leadership of the South Dakota State Penitentiary in allowing the Native American inmates to practice their culture and to maintain their spirituality. This letter is also to inform you of how respectful, friendly, and appreciative all of the inmates were who attended this event. I don't believe that I have been treated better anywhere else. I hope that these types of events and activities are allowed to continue and that you are able to recognize the impact that they have not only on the inmates, but on the people like me who are allowed to be a part of them.

Rehabilitation through evidence-based practices is part of the mission of the South Dakota Department of Corrections. Mr. Robert Horse and the other members of the Native American Council of Tribes are definitely utilizing these practices in hopes of becoming productive citizens and contributing members of their respective tribal communities. They have shown that they can be positive leaders, successful planners, and respectful to each other and to their outside

guests. My time at the South Dakota State Penitentiary was truly humbling. I hope that my message was heard and that I inspired at least one person to find the beauty in living life in a balanced way.

Sincerely,

Dr. Melissa Leal

Since my first visit, I have returned two more times to present and to participate in the powwow. My last visit was in a different part of the prison named the Jameson Annex. The Jameson Annex is a separate section of the prison that is supposedly more secure or “maximum security.” Mr. Horse had recently been moved to the Jameson Annex as punishment. His work as the president of the Native American Council of Tribes made him a target for guards and inmates who could accuse him of causing problems and organizing within the walls of the prison. When he entered the Jameson Annex, he eventually was voted in as president of the Lakota Dakota Nakota Spiritual Group, a nonprofit organization run by inmates similar to the Native American Council of Tribes. The location may have changed, but the experience was the same for me and the work that Robert has set out to do has continued. The following section of this paper will include an interview with Mr. Robert Horse through mail correspondence. (Robert’s letters have been edited for grammar and spelling.)

Who is Robert Horse and how did he come to be known as #13466?

[Robert Horse]: I am Oglala Lakota and Northern Cheyenne. At the time of this writing, I am 31 years old and I have been incarcerated since I was 16 years old in the South Dakota State Penitentiary. I am serving a 15 year sentence for aggravated assault and a 25 year sentence for first degree robbery, sentences to be served CONSECUTIVELY! South Dakota law states that I would need to serve 20 years before I can be released, which is four years more that I had been alive before coming to prison. The charges stem from a plea bargain, or plea agreement called an “Alford” plea which gave me the ability to resolve the criminal case without trial.

According to LegalZoom, An Alford Plea is:

a guilty plea of a defendant who proclaims he is innocent of the crime, and admits that the prosecution has enough evidence to prove that he is guilty beyond a reasonable doubt. It is entered when an accused, together with his attorney, has made the calculated decision to plead guilty because the evidence against him is so strong that it will likely lead to conviction. Typically, it results in a guilty plea of a lesser crime (i.e. second degree murder rather than first). Some states see the Alford Plea invoked frequently, such as Louisiana, Michigan, Missouri, Pennsylvania and Ohio—however, the United States Military, along with Indiana and New Jersey forbid its use entirely.²

Describe your life before you were arrested for this crime.³

Poverty is the running theme in my life, like so many others. My parents grew up on the reservations. On the reservations, jobs are scarce, alcohol and substance

abuse is believed to help escape the cold reality of life, and despair is common. Like many other Native women, my mother was raised to cook, make do with what is available, and learned to live without parents. My father was a quiet man but learned to work with horses and found odd jobs off the reservation and often experience racism that is so prevalent in the border towns in South Dakota. My parents met through my mother's older brother. My father and my uncle were both in the United States military with each other. This is the same time that the Red Power Movement started to reach its peak.

The 71 day siege at Wounded Knee was in National and International news. Both of my parents played a part in the American Indian Movement by transporting food, messages, and volunteering where they could. Their participation instilled a sense of pride and usefulness that they were eager to explore. Their eagerness to explore took us to Sacramento, California. We lived in a house off of Franklin Boulevard. To me it was the heart of the city, populated by a mixture of people and elements that made up a diverse whole. This experience had a major impact on my life. In our neighborhood there were Blacks, Whites, Vietnamese, Mexicans, and LGBTQs, prostitutes, pan handlers and everybody in between. Being exposed to this diversity had a positive and negative impact on my life.

It was around this time when I got introduced to minor criminal activity in the local neighborhood; starting fires, stealing bikes, and imitating gang members. My father also began to fall into the "hood" lifestyle which included drugs and other criminal activity. Our home began to come undone. My mother was faced with a difficult choice . . . to stay or go back to the reservation. She decided to go back and I followed her. At the time of my incarceration, I was living on Pine Ridge Reservation and being supervised by my older brother. I had been to several different schools and I was always considered the "new kid" in school. My outgoing personality helped me meet people and create relationships with them.

Describe how you felt when you first entered the prison in Sioux Falls.

The first day that I arrived in one of the oldest prisons in America was a day that will forever be in my memories. Cold reality suddenly came to me while fixing my prison bed with military precision and hearing all the noise and steel clinking and then realizing this is now my home! When many 16 year olds were in school learning, running the halls, and wondering who is taking who to prom, I was now inmate #13466. As time went on, some prisoners realized my age and probably had sons my age. They advised me to find a routine, which means find something to keep your mind occupied. I quickly found the majority of the prisoners will share their stories of who consumed the most alcohol and drugs, who had slept with the most women, and exchanged ideas on how to be better criminals. I was always amazed that after all the bragging to each other, they always had a moment that they remembered their children and the lives they left behind.

How did you become involved in ceremony and spirituality behind the prison walls?

I began to look deep within myself, and began to delve deeper into my spirit. Faces of my mother and father and family began to be a common occurrence in my mind and prayers. I had come to realize that negative actions in life and all the poverty, pain, violence, and the history of Native America has deeply affected us. During one of our recreation periods a much older Native man approached me and wanted to talk. This was an awkward moment because in prison you have to be prepared for the worst. When we began to talk, he asked me if I knew the struggle and history of our people. I told him I only know some. He began to tell me that my father and uncle were members of the American Indian Movement, and it's part of my duty now to learn our culture, history, and language. He told me to start attending our ceremonies, and gave me several books about culture. The inipi (sweat lodge) days here are the best because I felt I was closer to the Creator, and that my prayers would be heard. I remember feeling a peace I never felt before and how the smoke from the sweet grass braid began to purify my spirit. My journey began inside the inipi and continued when a friend from Germany started sending me books on topics that have forever molded my revolution and outlook on life. Every now and then, a spiritual leader will come inside the walls and share spiritual knowledge, and bless us as Native men trying to walk in the footsteps of our ancestors. I also started having dreams and in my dreams Native people were waiting in long lines. Their faces seemed very frail and their heartache was so thick it could be touched. When I approached them, many started calling out for help, calling out for food, and the children's eyes would make any man cry. They surrounded me and started to speak to me in Lakota but I did not understand and I became angry at the state of my people, then I wake up.

What is most difficult thing about being incarcerated and how do you deal with it?

One thing is for sure inside prison, the loss of loved ones is the most devastating because tears are not allowed and sympathy is never found. You mourn in secrecy and your only refuge is inside the inipi. The loss of my father, sister, and niece began to make me open my eyes more and how the inability to mourn will last my lifetime. Many of the older Native American prisoners from the 70's and 80's favored me in my situation because when many of my fellow peers or prisoners were stuck in the cycle of the prison (convict mentality, gangs, substance abuse and violence) I was re-educating myself. When many of the brothers and non-Native American prisoners were draining their spirits, I was finding mine. I was always given advice and guidance by the older brothers and by friends and family who encourage me to continue with my journey. I have always been put into leadership positions within the councils and other events our organizations sponsored. I knew I wanted to give more and provide more towards culture, family bonding, language revitalization, history, and other tools to build people up on the inside. I began to do research on nonprofit organizations, grants, ethics, laws, and new ways to expand our reach as an organization. I want to help

our people inside a state that has the largest Native American prison population in the USA.

How has the American Indian Religious Freedom Act allowed you to help people?

In my research and re-educating, I learned about the American Indian Religious Freedom Act. I understood that it gave us the ability to pray as our ancestors. I was truly amazed it was barely in 1978 that we, as indigenous peoples in the USA, were given the opportunity to pray and practice a way of life that has sustained people of this continent for millennia. With help from the Native brothers years ago who paved the way with their sacrifices for religious freedom I began to practice these rights. I started to organize the powwows and cultural conferences in hopes that the feeling and spirit was with us during these ceremonies. I wanted my fellow inmates to get the opportunity to experience culture and give them time away from the environment that breeds more criminality. In addition, through self-education of letter writing, I began to reach out to speakers and teachers that could share information about culture, history, addiction, language revitalization, suicide prevention, and spiritual healing.

Describe one of your most memorable moments at these events.

During one of our December Family Powwows, with my new found skill of writing grants, I was able to purchase toys for the children of the inmates and made it seem like their fathers had given them a Christmas Gift. The look on the children's faces was priceless. Although I do not have children of my own, I wanted to create that bond for the families and practice one of our most vital values as Lakota—compassion. I had read that our Native families never spend family time with each other and that children raised without fathers are less likely to go to college and graduate. I also read that daughters without fathers are more prone to search for father figures in men which often lead to dysfunctional relationships. At the start of each event and during preparation, I pray for Creator's help and I thank my ancestors for this opportunity to touch lives in a way that I will always remember!

How does it make you feel to be in this position and is there a negative consequence for being in a leadership position in this setting?

Sometimes I forget I am a prisoner during these special events with family, friends and supporters. I know after each event, I have to make the long and lonely trek back inside the belly of the beast and wait for another opportunity to make an impact or do my part in mending the family hoop for Native peoples that are in the grip of incarceration. With good times and good opportunities come dark times and real struggles inside the walls. As I continue my journey I have faced racism and discrimination. I have always been the target because I was the face of success and the face that says it's possible when it comes to organizing events for our people on the inside. My cell has been searched two to three times a day and I am forced to put everything back together in my 6X9 cell. I have been passed up for jobs that were originally created for prisoners that are serving short sentences,

but now only hire prisoners serving life sentences and prisoners that will not see their parole dates for another 60–80 years. I have come to realize the jobs are a tool to keep prisoners from exercising their constitutional rights, and keep their prison labor force running full speed all of the time. Education is non-existent and Pell Grants for prisoners are no longer available. Statistics show that education dramatically reduces chances of recidivism and for Native American prisoners; education can mean a brighter future for the 7th Generation.

What are you currently working on and what are your future goals?

Through experience, education and remembering my dream of my people, I wanted to create something that will bring awareness, change, prevention, and hope to the Iron House Nation. So, with the help from supporters and volunteers I founded Mazatipioyate (Iron House Nation) which consists of a website and a Facebook account. Through social media I hope to save Native American youth from becoming the next prisoner by creating awareness, and prevention initiatives. Through these efforts, myself and my supporters, will also bring awareness to the issues that plague our homelands and communities. With hard work and dedication we can turn the tide of incarceration for Native Americans.

MOVING FORWARD

Robert Angelo Horse, inmate #13466, has huge dreams. These dreams revolve around preventing Native American youth from entering the criminal justice system. Robert believes that by bringing awareness to issues that affect Native communities in South Dakota and encouraging the exchange of cultural and spiritual teachings, we can change the statistics. With my help and the help of a few other individuals, Robert has created a website and Facebook page for Mazatipioyate (Iron House Nation). The website, www.mazatipioyate.com, is in the beginning stages and will continue to grow and improve. Mazatipioyate was formed to shed light on the many social ills and new-age addictions plaguing Indigenous homelands and communities in the United States. With incarceration numbers reaching alarming rates, the Iron House will be the end result for many of our youth. Mazatipioyate hopes that by walking in the steps of our ancestors, reaching out to the world for help, and unifying with the spirit of compassion, we can begin to mend our sacred hoop of life. Robert says “the futures of the indigenous peoples and our youth should not be as prisoners and our homes should not be prison cells!”

I mentioned that my visits to the prison in Sioux Falls have been life-changing. My first visit brings back so many thoughts and feelings that I carry with me as I go to other communities and work with youth. Etched in my mind is a vision of the pipe ceremony that I attended as a guest. I sat on the floor of a gymnasium, deep in the heart of the prison, with about one hundred other people. Ninety-eight percent of the people in the circle were Native American men in tan outfits, inmates with numbers and sentences. Young and old men, sons, brothers, husbands, fathers, basketball players, students, traditional dancers, drummers, singers, and pipe carriers surrounded me. I looked at each of their faces and I tried to remember them. I knew

at some point I would leave and they would stay behind, unsure of what was in their path. I was going home and they would not be able to do so. I was going to be able to kiss my mom and hug my dad. They did not have that privilege. As I sat waiting to board the airplane on my way home, I wept for those men. I remembered each of their faces and I prayed for them and the people that loved them. They had treated me as a guest and respected me as a sister while I was there, and I knew that if I could do anything for them it was to tell this story and assist individuals like Robert to spread the message and shed light on life behind the walls of a prison. There is hope for these Native people, even in the depths of their misery; they have their culture and this brings them joy and reminds them of their strength.

NOTES

1. Frantz Fanon, *The Wretched of the Earth* (New York: Grove Press, 1963), 29.
2. Renee Hykel Cuddy, Esq., LegalZoom (November 2011), <https://www.legalzoom.com/articles/the-alford-plea-guilty-but-innocent>.
3. The remaining responses to the questions in bold text were taken from Robert Horse's letters.