

**Manual of
Native American Religious Practices
In Secure Confinement**

Prepared for the
Nebraska Commission on Law
Enforcement and Criminal Justice
Lincoln Nebraska

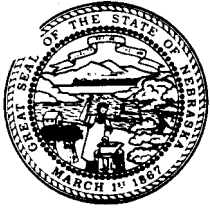
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STATE OF NEBRASKA



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Governor

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November 8, 1994

Ms. Virginia Hutchinson
NIC Jail Center
1960 Industrial Circle, Suite A
Longmont, CO 80501

Dear Ms. Hutchinson:

Per our conversation, I release the "Manual of Native American Religious Practices in Secure Confinement" to the NIC Information Center. It was produced in conjunction with technical assistance activity NIC 94-~~1160~~⁵.

Sincerely,

A handwritten signature in cursive script that reads "Mark D. Martin".

Mark D. Martin, Chief
Jail Standards Division

MDM:jtr



U.S. Department of Justice

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DISCLAIMER

Ref: NIC TA No. 94-J1160

This technical assistance activity was funded by the Jails Division of the National Institute of Corrections (NIC). The Institute is a federal agency established to provide assistance to strengthen state and local correctional agencies by creating more effective, humane, safe and just correctional services.

The resource person who provided the onsite technical assistance did so on a contractual basis, at the request of the Nebraska Commission on Law Enforcement and Criminal Justice, and through the coordination of NIC. The direct onsite assistance, the subsequent report, and the Manual of Native American Religious Practices in Secure Confinement” are intended to assist the agency in addressing the issues outlined in the original request and in efforts to enhance the effectiveness of the agency.

The contents of this manual reflect the views of Michael Guilfoyle and Rose Ann Kisto. The contents do not necessarily reflect the official views or policies of the National Institute of Corrections.

Further, this manual lists of sources of information and supplies related to Native American religious practices. In some cases, vendors are mentioned. Their inclusion in this document is in no way an NIC endorsement of the vendors or the products. They are included only as a reference on subject matter for which there is sometimes a scarcity of information available to corrections practitioners.

MANUAL OF NATIVE AMERICAN RELIGIOUS PRACTICES
IN SECURE CONFINEMENT

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PURPOSE OF MANUAL

The purpose of this Manual is to provide basic information and guidance about the religious practices of Native American Indians in secure confinement. The material presented is intended to:

- 1) enhance the knowledge of both institutional staff and Native inmates:
- 2) to foster increased understanding and sensitivity;
and
- 3) to assist in the establishment of policy and procedures that reasonably accommodate traditional Native practices without jeopardizing order and security.

RELIGION AS A REHABILITATION TOOL

Indians in Crime

Since the erosion of the traditional tribal justice forum to address their own wrong-doers and the replacement by a non-Indian system of justice, the involvement of Indians in crime has become disproportionate in contrast to all other U.S. races.

The Indian offender reflects the worst of all social conditions affecting American society today; he or she comes from an ethnic group who have the:

- * highest suicide rate among teenagers
- * highest adult arrest rate
- * highest criminal conviction rate
- * highest alcohol-related crime rate
- * highest rate of assault-related crimes
- * highest disproportionate sentencing rate
- * highest inmate suicide rate in many states
- * highest offender recidivism rate
- * highest economic poverty rates on & off reservations
- * highest high school drop-out rate
- * highest alcohol-related abuse, medical conditions, and death rates
- * highest incidence of single female heads-of-households with minor children
- * least amount of federal and state funding for alternatives to detention on reservations and in urban areas
- * least amount of federal and state funding for juvenile and adult inmate rehabilitation programs
- * least effective legal resources available for representation
- * least number of Indian personnel in state and federal jails and prisons in proportion to state and inmate populations

(Guilfoyle, 1988; Kisto, 1994)

Indian Offender Rehabilitation

Religion was once believed to play a major role in both punishment and rehabilitation of the people who had violated society's norms and needed to be placed under control. Indeed, the very word "penitentiary" designates an institution where we place people until they show penance and repent. From its very inception in 1870, the American Correctional Association has recognized and emphasized the role of religion in the correctional process. (Deloria, 1992)

Clearly, as seen in the multitude of religious programs in American jails and prisons today, the teaching and practice of religion is a valuable vehicle towards helping the offender to "correct" him or herself and thus return to society as a productive, secure, and law-abiding individual. Inmates have a variety of religions from which to choose to participate in. For the American Indian inmate there are other options not as familiar and conventional as most jails and prisons offer, yet nonetheless, just as important and purposeful. Having such options for American Indian inmates is the result of state and federal mandates which afford American Indian inmates an equitable opportunity to practice their religions while in secure confinement.

The added benefit, outside of standard rehabilitation concerns, for American Indian inmates is that the practice of religion, primarily traditional and intertribal ceremonies, has proven to be the only successful rehabilitation tool for American Indian inmates. This is because religion has been the foundation of all American Indian cultures in pre-history, history, and contemporary times. Without a religious oriented society, the ancient pre-historic Indian cultures of North, Central, and South America could not have had a society in which the development of written language, astronomy, calendars, agriculture, and architecture premiered while other world civilizations lay in their infancy. Through scientific evidence and the Indian oral tradition, religion has proven to be the key foundation of Native culture since time immemorial. And in today's industrialized, multi-cultural society, it is even more imperative that Indian inmates have the opportunity to access the religious practices of their choice in order to rebuild their wholesome lives.

NATIVE AMERICAN INDIAN IDENTIFICATION

policies pertaining to which inmates may participate in Indian religious worship services vary from state to state and within the federal systems. Some systems require the participants to be of American Indian descent: others have no specific requirements or restrictions.

The following information provides guidelines for use in those systems which choose that participants be of American Indian descent. When developing and utilizing such policies and procedures it is important to take into consideration certain historical and special factors, as described below.

Historical Factors

Not all tribes in the United States are federally recognized. Some chose not to have a treaty relationship with the U.S. government. Instead, they entered into relationships with State governments. These tribes are still considered to be "American" tribes.

State and Federally recognized tribes have specific enrollment criteria for membership. Contrary to the popular myth that all Indians are automatically enrolled upon birth, the reality is that the enrollment process may take up to 3 to 4 years to complete.

Another important factor concerns the high incidence of Indian adoptee and foster children and its impact on tribal enrollment and recognition. Adoptive and foster care placements of Indian children have occurred at a rate of up to 19 times as that for non-Indian children. These placements have almost always been made to non-Indian homes. (Myers, 1980) This situation results in great difficulty for these groups of Indian adults to secure court documents required by tribes for the enrollment and recognition process. Some of these individuals do not even know from which tribe they are descended, thus further complicating the process.

Several tribes have special citizenship rights. For example, many Canadian Indians are afforded dual citizenship in both Canada and the United States per the Jays Treaty Act. They have the same constitutional rights and protection while residing in the United States, even when that residency is in a State or Federal jail or prison. Other tribes once had a land base which covered areas now in the United States. For instance, the Gadsdon Purchase divided indigenous tribal lands in Mexico and the United States. Members of the tribe still living on traditional lands now within Mexico are eligible for enrollment or recognition in the United States and are afforded the same tribal rights, including the right to worship while in the United States. Some of these tribes include Yagui, Tigua, Kickapoo, Cocopah, and Tohono O'Odham.

RELIGION AS A REHABILITATION TOOL cont.

Incarceration as a Factor

In many jails and prisons intake officers are not culturally sensitive and competent. They are permitted to impose their personal attitudes and misconceptions when encountering an Indian inmate during the intake process. Rather than asking an inmate what ethnic identity and religious preference they identify with, the officers take it upon themselves to make such determinations. For example, an inmate with a Spanish surname is assumed to be "Mexican and Catholic." Such errors result in complicated obstacles to overcome when the inmate attempts to change their jail or prison files to reflect actual ethnic and religious identification.

Another important consideration is the fact that some Indian incarcerated have lived in urban areas for most, if not all, of their lives. Many Urban Indians have little or no positive experience with their tribal culture and religion. They have encountered discrimination in the public school system and social arena, leaving them in some cases ashamed of their Indian heritage. When entering secured confinement they may not choose to acknowledge their Indian identity in fear of further discrimination and mistreatment. They too encounter problems later when they want to change their ethnic identification.

Solutions

In determining Native American Indian ethnicity of an inmate a set of established criteria needs to be used.

The inmate needs to meet one of the following criteria:

- (1) A descendent of a U.S. federally recognized tribe as evidenced by a valid BIA or Tribal enrollment document for self, natural parents, or grandparents.
- (2) Is presently a member of a U.S. Indian Community. Includes Alaskan, Aleut, and Hawaiian Natives: State recognized tribes: Canadian Indians; and tribes in Mexico recognized by their U.S. counterparts.
- (3) Is presently recognized by an agency or institution serving American- Indians while pending formal tribal enrollment or recognition. Includes verification of client status by U.S. Indian Health Service, federally funded Urban Indian Centers, and accredited Indian Churches.

Verification should be facilitated through the Chaplain who needs to fully utilize Indian Community resources (such as Tribes, Urban Indian Centers, Indian Commissions, etc.).

NATIVE AMERICAN RELIGIOUS SERVICES IN A CONFINED SETTING

Various ceremonies of the free worship of incarcerated Native Americans are generally discussed here. Descriptions of objects and other religious paraphernalia that are central to the practice of Indian religion are provided. Ceremonial purposes, cultural aspects, and the spiritual beliefs of Native Americans are reviewed with recommended correctional policy and procedures for appropriately working with them in secure confinement are also provided.

The Oral Tradition

The Native American religions have endured centuries of oppression by the dominant society by holding fast to their spiritual, cultural, and oral traditions. Unlike many other major religions, the American Indian tribal and intertribal religions do not have a written holy book. The history of the faith and instruction is passed orally from generation to generation.

However, in today's changing world, it has become necessary in at least the case of Indians in secure confinement to have written materials by which to guide and gauge their participation in traditional religious ceremonies. A Manual such as this one along with the materials in the Appendices can adequately provide basic information. This process is complimented then by interactions with outside spiritual advisors and the sharing of knowledge in the ceremonies by the inmates.

In the jail and prison setting, it is critical that Chaplains and other staff to recognize that an outside spiritual advisor is not required to attend each and every Native American Indian worship service. When Advisors are available, they provide in-person and written instruction and guidance. The Indian inmates then follow their guidance and continue to hold the ceremonies in between visits from the advisors.

It is customary within intertribal Indian religious practices, that the participants take turns carrying out the various responsibilities associated with each ritual of the ceremony. To untrained staff this may appear that one or more inmates are taking a leadership role, however, this is not the case. It is imperative that staff recognize that at no time do the Native American Indian inmates who are worshipping together supervise each other. All of the participants serve prescribed functions, and each is responsible for the ceremony as a whole.

Perspective on Culture and Spiritual and Its Applications

For American Indians, culture and spirituality are inseparable. Thus, such practices as the wearing of long hair and headbands and the practice of certain arts to symbolically decorate sacred objects (such as beadwork and leather craft) are as much statements of religious belief and spirituality as they are expressions of

culture. These and other spiritual practices affirm an identity with a people, a geography, and a relationship with God.

Natural objects such as stones, shells, feathers, bones, and claws have major roles in Indian spiritual practices because they are reminders of certain principles and qualities and serve as reservoirs of spiritual power. (In the same manner as the holy books, prayer beads, and candles of the Christian and Jewish faiths). The specific objects chosen by an Indian to express their religious faith will vary according to personal tradition or vision. (In part, FBP, 1992)

Native American Faith Group

Secure confinement institutions allow for the recognition and practice of various religious worship practices and services. The numerous religions can be categorized into either a Religion/Denomination, Religion, or a Faith Group.

Examples:

<u>Religion/Denomination</u>	Christian/Catholic, Christian/Baptist
<u>Religion</u>	Jewish, Muslim, Wicca
<u>Faith Group</u>	Native American

The religious practices described in this Manual represent those most commonly exercised in confinement by inmates choosing Native American as their religious preference. Their individual and collective participation, henceforth, is considered to be those of the "Native American Faith Group", organizationally under the institution's Department of Religion, where such practices best understood, supported, and protected.

The Worship Services: Sweat Lodge Ceremony

Purpose: This is a ceremony of purification and is a powerful experience that helps participants to learn, grow; heal, and be' cleansed. The Lodge represents a womb where participants enter to return for ritual purification, strength, and guidance, and for physical, mental, emotional, and spiritual healing. The participants offer their suffering, songs, and prayers for those who are sick, those who need help (including themselves), and for all creation;

Special Considerations:

Jail: Considerations for having .a Sweat Lodge in a jail must encompass the following:

- * What inmates will be allowed to use the Lodge? Indian only or any inmate?
- * Who will conduct the Sweat Lodge Ceremony? Indian inmate, non-Indian inmate, or only an outside spiritual advisor?

These considerations must be taken into account as they will affect the security and proper use of the Lodge and participants. It is impractical to expect non-Indian 'jail staff to have enough experience and knowledge about Indian religious ceremonies to determine which inmates can properly conduct a religious ceremony. On the other hand, it is difficult in areas where very few or no near-by Indian communities exist which can provide a bonafide Indian spiritual advisor to assist with conducting the ceremonies.

The best approach to this issue is for the jail to develop a reliable resource network of Indian spiritual advisors or consultants to whom they can seek advise and guidance. Most States have an Indian Affairs Commission, Indian Tribal Councils, Urban Indian Centers, and a Jails Commission to which the network can be founded on.

Prison: Current law directs state and federal prisons to provide reasonable access to religious worship services for the various religions, including the use of the Sweat Lodge by the Native American Faith Group. Through successful litigation, most state and federal prisons in this country permit Sweat Lodges in all custody units. Various policies and procedures abound, regulating all aspects of the use and purpose of the Lodge within an institution or system. The presence of these Lodges has positively affected the rehabilitation process of the Indian inmates who participate and most security personnel accept the Lodge's presence.

Description of Sweat Lodge Area

In secure confinement the Lodge should be located in a fenced and locked area, away from general population traffic, and within sight of guard towers, guard stations, or cameras. An area of at least 50 x 50 feet is needed.

The Sweat Lodge is domed shaped structure, about 10' to 20' feet in diameter, made of willow branches-lashed together with twine, cloth, or bark. It is covered with tarpaulins, blankets, or canvas to keep heat in and light out. In the center of the Lodge is a hole where rocks are placed that have been heated in a fire pit outside. The doorway must face east or west according to the traditions of the outside spiritual advisor who erects the Lodge. Outside the Lodge a small earthen mound made from the earth removed from the Lodge's center rock pit is made into an altar. Beyond the altar is the fire pit for heating the lava rocks used in the ceremony. The fire pit is about 6' to 10' in diameter and 2' to 4' deep with a back fire wall made of the earth dug from the pit mixed over time with some of the broken lava rocks.

Rocks are heated in the fire pit, then in small groups are brought in with a pitch fork or shovel into the Lodge. A pair of sturdy sticks, 10" to 14" long and forked at the ends or a deer antler, is used to move the rocks off the pitchfork or shovel and into the rock pit. The door flap is then shut securely. Interspersed

between prayers and songs, water is poured from a bucket inside the Lodge onto the hot rocks to create a symbolic steam. This process is repeated four times with the door opening in between each round.

Description of the Ceremony

At least half a day, if not an entire day, before the ceremony the participants should fast. All planning to participate must be present to prepare the ceremonial grounds. In higher custody units where inmates are permitted to use the Lodge only one inmate at a time, the first one is expected to make the fire and prepare the grounds with the subsequent participants keeping the fire going until the last participant who is expected to close the area properly.

The ceremony begins when the fire is lit. While the rocks are heating, which usually take 1 to 2 hours, the participants help with the general maintenance of the area, cutting firewood, hauling water, and making tobacco ties. No loud talking, cursing, card or game playing, and eating is permitted.

When the rocks are thoroughly heated, the participants enter the Lodge with their tobacco ties (if used, these are small pieces of colored cloth wrapped around a pinch of tobacco and connected with string -- they possess much symbolic and ritual meaning). The rocks are passed in by the Fire Keeper. Sometimes the Fire Keeper remains outside the Lodge while at other times he or she also enters the Lodge. The Fire Keeper then closes the door and a round begins. Four rounds of 30 to 45 minutes take place with 5 to 15 minute intervals where the door is opened so the Fire Keeper may attend the fire and bring in more rocks.

After the fourth round the participants leave the Lodge, shake each other's hands, place their tobacco ties in the fire pit, then quietly cool off with water and air. After 15 to 30 minutes a ritual sharing of food takes place. In secure confinement this is usually comprised of snacks the inmates have donated for the ceremony or a bag lunch provided by the institution kitchen. Then a circle is formed and a closing prayer offered.

All participants help clean up the area before leaving. In some units the coverings of the Lodge are removed and stored at that time or the next day after they have dried off. The fire is extinguished and water bucket and tools put away.

Institutional Procedures

Outcount: Institutional inmate counts will inevitably take place during this worship service which lasts between four to eight hours. It is imperative that the inmate participants not be required to leave the Sweat Lodge area to return to their rooms or cells for count. This decreases the actual time in the service in addition to leaving a fire unattended.

A more feasible and practical approach is to have an outcount. In this process the participating inmates are required to sign an outcount list at the unit control station and then post their institutional i.d. cards on the fence at the Sweat Lodge grounds. In this manner, security staff can check the outcount list against the i.d. cards posted without interrupting the ceremony. The only time a visual count should be made is when the outcount list doesn't match the i.d. cards. In that event if the inmates are inside the Lodge with the door flap closed, security needs to wait, usually no more than 20 minutes for the door to open and then may call out the inmates for a visual count.

Tool Storage: Tools including rakes, shovels, pitchforks, water bucket and cup or ladle, water hose, and tarps/blankets should be stored at or- nearby the Sweat Lodge area in a locked cabinet or shed. These items should only be checked out by the Lodge participants on the assigned day of use.

When security staff need to search the tool locker or shed, an Indian inmate and Chaplain should be present to answer any questions pertaining the condition and use of the tools.

This process also decreases the opportunity for inmates, participants of the Lodge and others, to hide contraband in the tool locker or shed.

Searches: Search of the Sweat Lodge area, including the interior of the Lodge, the fire pit, tool storage area, woodpile, rock pile, and perimeters should be conducted with at least two Indian inmate (who participate regularly) and the Chaplain present. In this manner questions by security regarding use of the area can be readily explained. In addition, this process decreases the opportunity for inmates, whether participants or not, from hiding contraband in the area.

Other Logistics

Attire for Males: Gym shorts with plain t-shirt and two towels. Shoes can be worn to the Lodge area, then removed. Shirt is removed before entering Lodge. Jewelry, watches, and headbands are placed on the altar. No nudity permitted.

Attire for Females: Gym shorts with plain t-shirt or plain housedress. Two towels. (Shirt is not removed). Shoes can worn to the Lodge area, then removed. No perfume or make-up worn. Jewelry, watches, headbands, and hair barrettes are placed on the altar. No nudity permitted.

Tools & Equipment Required:

1 shovel	1 rake	1 pitchfork
1 water bucket	1 axe & file	1 water dipper or cup
sacred herbs	lava rocks	drum/drum sticks
firewood	20 tarps/blankets	20 willows
water faucet/hose	sacred items (feathers, Pipe, etc.)	

Excess broken rocks need to be taken out of the institution grounds at least twice a year; fresh rocks provided about every other month (40-80 at a time, about the size of a volleyball); the Lodge rebuilt once a year (willows are replaced); and approximately one cord of firewood provided per month (natural wood is preferable, however, unpainted/untreated lumber and pallets are acceptable).

Space Required: An area of at least 50 x 50 feet, in a secluded and secure location. The area needs to be fenced and locked when not in use. If near public or institution traffic view, a mesh cloth screen draped on the fence can be used for privacy, yet provides enough view for security.

The Sweat Lodge grounds are equal in importance and nature as a Chapel. It should be equal in useful area (size) and convenience as a Chapel, and should be respected and treated by prison staff in the same manner as a Chapel.

Time Required: At least four (4) hours and up to eight (8).

Frequency: At least once per week. May be in addition to or substitution of the Talking Circle Ceremony.

The Worship Services: Talking Circle Ceremony

Purpose: The traditional Talking Circle is a very old way of bringing Native peoples of all ages together in a quiet, respectful manner for the purposes of religious teaching, listening, learning, sharing, and healing. When approached in the proper manner, the Circle can be a very powerful way of establishing a balance between the Mind, Body, Heart, and Spirit. One could call it a very effective form of Native group therapy. (Linkages, 1987)

Special Considerations:

Jail: In the jail setting the Talking Circle can be best compared to an Inmate Bible Study. Indian inmates gather in a group to collectively study religious tenants and worship. Services should be held at least once a week in a room or outdoors with no interference from other inmate or staff traffic, yet within view of security or periodically checked. Inmates will need to be able to burn sacred herbs and/or the Sacred Pipe. In smoke-free rooms, the burning of herbs and smoking of the Pipe can take place outdoors and then the Circle moved back inside to continue.

If there is a lack of community Indian spiritual advisors to be present for the Talking Circle, the worship service needs to take place regardless. So long as the Indian inmates are checked on by security and occasionally throughout the month by the Chaplain to ensure that the worship service is being used to teach, learn, and share about religious tenants, the Indian inmates can conduct the ceremony. In this process it is important to note that the Indian inmates take turns giving the opening and closing prayers and in no way does this indicate inmates supervising the other inmates.

It is helpful to the Circle of Indian inmates if the Chaplain assists with providing written, audio, and video aids about Indian culture and spiritual beliefs. (See Appendices for appropriate materials).

Prison: In the prison setting, Talking Circles can take place at least once a week, most appropriately at a different time than the Sweat Lodge Ceremony.

The same arrangements as described above for Jails applies here, also.

Description of Materials Used

The Talking Circle implements include a Sacred Bundle. The items in the Bundle are used to assemble an Altar which is the integral centerpiece of the ceremony. The Sacred Bundle is the property of the Faith Group as a whole and should never be disassembled or removed in any part from the unit unless specifically removed by an outside spiritual advisor or medicine person familiar with the Group and participants.

The Bundle usually contains the following:

Seashell	Candle
Cloth	Sacred Herbs
Feathers, animal parts	
Sacred Pipe	

In a jail, the Bundle can be kept with the Chaplain, securely locked in a cabinet, and checked out for worship services. In a prison, the inmates take turns caring for the Bundle, rotating turns every three months and assuring that they have attached a list to the box it is generally stored in that it is Faith Group's property and they have the written permission of the Chaplain to keep it in their room or cell.

Description of the Ceremony:

This ceremony generally takes place at either the Sweat Lodge grounds or in a classroom or chapel. Participants enter the area, remove their shoes, jewelry, watches, and hair barrettes (headbands may remain on). Then they sit in a circle, preferably on the ground or floor.

Pre-decided among the participants, certain individuals will fulfill the obligations of the: Bundle Keeper, Cedar Keeper, and Helper. The Bundle Keeper carries and cares for the bundle items, and at the ceremony itself opens the Bundle and sets up the Altar. The Cedar Keeper while at the ceremony keeps the cedar and other sacred herbs smoldering in a seashell throughout the duration of the ceremony. And the Helper assists both Bundle Keeper and Cedar Keeper with the setting up and taking down of the Altar and bringing sacramental water to the ceremony.

All sit or stand quietly while the Bundle is opened and the Altar set up. The sacred herbs and candle are lit and all sacred items including a cup of water is placed on the Altar. Inmates may add their personal medicine bags, feathers, photos of loved ones, and headbands to the Altar (of which are returned after the ceremony to the prospective owners). The smoldering herbs are passed around the circle of participants clockwise, each smudges him or herself. When the shell returns to the Bundle Keeper, he or she offers an Opening Prayer out loud.

Then all sit and the Bundle Keeper opens the discussion. He or she holds a sacred object, usually a feather, and while holding it speaks. This is symbolic indicating that the person holding the sacred object may speak freely without being interrupted by the other participants. Others may nod or quietly say a word of agreement or acknowledgement in response to the speaker's oration.

The focus at this point should be on a spiritual and emotional development topic and how the speaker relates to these. Most participants speak for no more than a few minutes before passing the sacred object to his or her left, clockwise, and the next speaker shares. Any participant may elect not to speak out loud and may pass the object onto the next person.

When the object returns to the Bundle Keeper then he or she announces that an open discussion may take place where the participants continue on the main theme or develop one and may speak at random in response to the topic.' Topics can include using spirituality to address substance abuse recovery, emotional coping in the confined environment, interpersonal relationship skills, anger management, and dealing with grief, guilt, and shame. Oftentimes when an outside Spiritual Advisor is in attendance, a film may be incorporated into the ceremony.

At least 20 minutes before the ceremony is scheduled to end, the Bundle Keeper announces a closure and offers a closing prayer. While everyone is still quiet and attentive, the smoldering herbs are passed around one more time. When it returns to the Bundle Keeper, the cup of water is passed around, clockwise, each participant sipping a small portion, if they choose to, with the Bundle Keeper drinking the last portion. The Cedar Keeper then empties the ashes outdoors and the Bundle Keeper, Cedar Keeper and Helper put the Altar away. Then everyone shakes hands or hugs and the ceremony is considered finished.

If there is enough time, a business meeting may ensue at this point to discuss Faith Group matters and re-appointment of ceremonial positions. At no time, however, is this time or earlier during the ceremony, to be used for gossiping, arguments, or complaining about the institution or other inmates.

Institutional Procedures:

An outcount should be conducted so as to not interrupt the worship service.

Other Logistics:

Space Required: Sweat Lodge area (on the outside of the Lodge, not inside), or classroom or chapel when other services are not taking place.

Time Required: Two to three hours.

Frequency: At least once per week.

The Worship Services: Private Worship

In the jail setting private religious worship by Indian inmates needs to take place in a room or outdoor area where the inmate will not be disturbed by other inmates and staff. Quiet prayers, smudging with smoldering sacred herbs, and fasting are the primary forms of private worship.

In the prison setting, private worship usually takes place in the form of morning and evening prayers. Especially for those inmates in lockdown and in units where there are no other Indian inmates interested in participating, it is important to permit the Indian inmate to worship.

The Worship Services: Special Ceremonies

Individual Clergy Visits:

On occasion an Indian inmate will request to privately meet with a medicine man, medicine woman, or Indian clergy person. Usually such requests are for urgent reasons,.. This is when it is important that institution staff and Chaplains have a reliable network established with nearby Indian Communities in order to call upon an appropriate advisor. Caution should be taken when the advisor is a relative or close friend of the inmate as this may present a security risk and conflict of interest. If special ceremonies cannot be arranged in a reasonable amount of time due to the lack of available Indian spiritual advisors or clergy, the inmate should be encouraged to participate in the Sweat Lodge, Talking Circle, Church services or private worship as often as possible.

Pow-Wow Ceremony:

The Pow-wow is a day of traditional dancing, singing, speaking, and praying in word, song, food, and music in honor and appreciation for all that lives through the grace of the Creator. The Pow-wow is not a celebration or party, rather, it is a ceremony.

Most jail systems cannot accommodate a pow-wow due to the high transition and movement of inmates. However, in the prison setting, annual pow-wows have been a recognized religious event in most state and federal systems. For detailed information on this religious event, refer to the Appendices, section on Consultants, and make inquiries to those individuals.

Explanation and Use of Common Objects

The following objects are commonly used in group and private worship services.

Medicine Bass: Traditionally, many American Indians carry, wear, and maintain a medicine bag. The medicine bag may contain such natural objects as stones, animal parts, or herbs. It represents an extremely personal relationship between the Creator and the wearer. Usually a medicine bag is 2" to 6" square or rectangle, made of leather, and is worn about the neck or kept in one's personal possessions.

In custody units where inmates are permitted to wear or carry religious medallions, medicine bags should be considered as a medallion and be permitted. In lockdown and suicide watch cells where usually no medallions are permitted, medicine bags should be made accessible to the Indian inmate on a scheduled basis, in a safe setting, and in the same manner that other religious paraphernalia for practitioners of any faith are made available (i.e., medallions, holy books, etc.).

In the jail and prison setting care should be taken to ensure that the Indian inmate's spiritual beliefs related to the medicine bag are not violated. In search procedures, staff should ask the Indian inmate to open their medicine bag for visual inspection. The Chaplain should be present at all inspections. Neither the bag nor its contents should be touched by staff.

Sacred Herbs: The burning of sacred herbs is a widespread daily practice for those who are deeply involved in Indian spirituality. The four most sacred plants common to most tribes are: sage, cedar, sweetgrass, and tobacco. These herbs are burned in small portions, usually within a sea shell or small non-metal bowl. Tobacco is smoked in a Sacred Pipe, corn husks, or commercial rolling paper.

In the secure confinement setting it is important that staff familiarize themselves with the aroma and appearance of these herbs as to not confuse them with marijuana. Indian inmates wishing to burn these in personal worship should be informed of appropriate areas which are not smoke-free zones (including exercise cages in lockdown units), while at the same time they should be afforded privacy as to not arouse the interference of other inmates and staff.

Sacred Pipe: The Sacred Pipe is the cornerstone of the spiritual teachings of most Indian tribes. A high degree of reverence is given the Sacred Pipe. Security staff need to accord the Pipe the same respect they would give to the Christian Eucharist and Bible, the Muslim Qur'an, and the Jewish Torah.

In secure confinement the Pipe is used by Indian inmates in group and individual worship. In the jail setting the Pipe can be stored with the Chaplain, in a locked cabinet, and checked out by Indian inmates who are provided a private place at least once a week to pray with the Pipe. The area needs a non smoke-free zone.

If the Pipe is brought in by community or family members of an individual inmate it should be noted in writing if the Pipe is for use by only that inmate or if other Indian inmates may use it. In addition, the written statement needs to clearly indicate if the Pipe will leave the institution when the inmate is released or if the Pipe is considered to be donated to the institution for indefinite use. If the Pipe is donated, as it is in many prison institutions, it must remain in the prison and be made available for use by individual and groups of Indians. In the prison setting such Pipes are considered the property of the institution with explicit use only by the Indian inmates. An Indian inmate is permitted to take care of the Pipe in this instance, keeping it in her or his possession, and then passes the Pipe onto another Indian inmate when released or transferred. Documentation is kept by the prison Chaplain as to who is caring for the Pipe at any one time.

Long Hair and Headbands

Long Hair: In the vast majority of Indian cultures, the wearing of one's hair in a long, uncut, and trimmed fashion, represents a connection to the Spirit World. The hair symbolizes a path from the human form to the spirit form. The traditional hair styles which can reasonably be accommodated in secure confinement include a pony tail, two braids, one braid, and loose under a headband.

Headbands: The headband for the American Indian has a significant role in all traditions. The headband completes and signifies the Circle for the wearer. It is believed to maintain oneness with order, conveying clear and respectful thinking. The headband may be worn everyday or on special occasions. Headband colors have universal meanings of symbolic significance; with the six primary colors being black, red, yellow, white, green, and blue. (In part, FBP, 1992)

In secure confinement it is reasonable to require that Indian inmates who choose to wear headbands to use those made of solid colored cloth or plain old-fashioned bandanna patterned cloth (paisley design). Headbands are significantly folded four or six times, making a band of about 1" to 3" wide. Headbands can also be constructed of leather strips, either plain or decorated with beads and no more than 3 inches wide.

In a jail setting where inmates are housed temporarily in dorms where there is prominent danger of a headband being used by or against another inmate as a weapon (for choking), the Indian inmate should be afforded the opportunity to worship privately at least once per week. At this time he or she can wear the headband. When not in use, it should be stored in Property or with the Chaplain.

Tobacco Ties: Tobacco ties are small colored pieces of cloth (1" to 3" square) tied together on a string (1" to 2" long) containing tobacco. They symbolize the gathering and sending of prayers. They can be made in the Sweat Lodge Ceremony and in private prayers. After the ceremony they are burned, thus, representing the sending of prayers. They are similar to the Catholic use of vigil candles.

In the jail setting tobacco ties are most appropriately used only for the Sweat Lodge Ceremony. The cloth, string, and tobacco can be stored with the Chaplain in between services.

In the prison setting construction and use of tobacco ties can safely be the responsibility of the Indian inmates.

Native American Religious Paraphernalia:

The following list encompasses the typical items used in the Native American Indian Faith Group and individual worship services in secure confinement. These items are provided through the institution's Department of Religion, supportive staff (primarily for firewood and rocks), the Indian Community, and families of the inmates. The Chaplain should be the primary inspector of all items mailed and brought to the institution in person. No items should be given directly to the inmates by family members and never through Visitation.

Musical Instruments:

Drum Hand drum - made of wood and covered on one or both sides with rawhide, 6" to 20" diameter. Water drum - an iron kettle with detachable leather covering, tied on with 4' to 6' thin rope, 6" to 14" diameter, and 7 to 20 marble-sized rocks are placed in the drum before adding water and attaching the covering. Drum sticks accompany each drum, lengths are 8" to 15" long, with soft padding made of rolled leather on one end and should be non-removable.

Implements:

Sacred Pipe Consists of two separable pieces: a bowl and a stem. Bowl made of stone (not antler or bone): stem made of wood (not antler). They are not stored connected together. Stored in a leather bag (called a Pipe Bag) or cloth wrappings. Sacred herbs such as tobacco or kinnickinnick are smoked in the bowl and the residual ashes deposited on the ground or burned.

Medicine Bags	Usually made of leather, but can be made of cloth. Most are 2" to 6" square or rectangular. Larger bags are made for storing herbs and Pipe, can be up to 12" in size. Personal bags contains religious objects such as stones, sacred herbs, and animal parts and are worn around the neck at all times except when in the Sweat Lodge.
Candles	Used in the Talking Circle Ceremony. Represents one of the four Sacred Elements (Fire, Water, Earth, Air).
Medallions	Represents clan or tribal affiliation and personal vision. Necklaces or chokers made of beads, bone, shells, fur, leather, and/or porcupine quills. Never made for sale or trade. worn to Talking Circle and Sweat Lodge, then removed before going into the Lodge (placed on Altar).
Headbands	of cotton cloth, solid or paisley patterns. Colors are black, red, yellow, white, green, and blue. Worn by both males and females at any time.
<u>Sacred Herbs</u>	All are non-narcotic (except for tobacco), non-toxic, non-hallucinogenic, and are legal substances.
Sage	Genus Artemisia. Leaves and flowers are burned.
Cedar	Genus Cedrus, various species. Leaves, twigs, and berries are burned.
Tobacco	Genus Nicotiana, esp. N. tabacum. Leaves are smoked, tied into tobacco ties, and sprinkled on the ground.
Sweetgrass	Genus Covillea mexicana. Burned.
Kinnickinnick	Genus Kinukkinuk. Leaves are mixed with tobacco for smoking.
Corn Pollen & Corn Meal	Genus Zea mays. Pollen from flowers; ground kernels. Sprinkled into the wind or ground, smudged on the body as part of prayer offerings.
<u>Animal Parts</u>	
Feathers	Of all birds, single or in natural form as in a tail or wing portion. Used loose or bundled and bound with cloth or leather and often decorated with beadwork.
Bones	Buffalo skull, kept on the Sweat Lodge Altar at all times; small bird or animal bones kept in a medicine bag.

Leather/
Fur From all types of animals. Used in construction of medicine and Pipe bags. (Includes porcupine quills).

Sea Shells my open, shallow type. Size varies from 3" to 10" in diameter. Are hand held to burn sacred herbs in and drink ceremonial water from.

construction
Materials

Items used to construct and decorate religious paraphernalia not considered to be hobby craft: beads, beading needles/thread/looms/beeswax, and sinew. No religious articles are to be sold or traded. (This list does not include tools such as scissors, awls, hole punches -- these need to remain as tools checked out and returned to the appropriate sources by the inmates).

Educational
Materials

Video tapes, audio cassette tapes, non-fiction books, and newsletters. Subject matter must be related to Native American Indian culture, history, or religion. (See Appendices for suggested materials).

CRISIS COUNSELING - SUICIDE PREVENTION & INTERVENTION

The concept of guilt and shame is perceived much differently in many Indian cultures than in the dominant society. This conflict is compounded when the individual is incarcerated which can then turn into suicidal contemplation, threats, and attempts.

It is imperative for jail and prison staff and Indian inmates alike to be aware of the signs of unchecked stress in an Indian inmate. Such signs can include joking about suicide; actual threats and attempts: extreme nervousness, anxiety, or depression; and/or obsessive talk about death.

Staff and inmates should report their concerns immediately to the Chaplain who should secure a spiritual advisor, medicine man, medicine woman, or Indian clergy person to meet with the inmate immediately.

In such an emergency situation, these individuals should not be barred from immediate access to the Indian inmate in crisis. In meeting with the Indian inmate in this situation a contact-visit must be permitted: if the inmate is sedated or overly anxious, he or she may be shackled, yet still be able to hold hands with the advisor, medicine person, or clergy person. Their meeting place must be quiet and undisturbed, yet within view of security.

RECOMMENDED POLICIES & PROCEDURES

Sample Policies:

INSTITUTION: (Enter Name)
SUBJECT: Religion
SECTION: Religious Activities
RESPONSIBILITY: Chaplains, Wardens, Deputy Wardens, and Administrators shall ensure compliance with these procedures.

PROCEDURE: Type of Religious Group

- 1.0 - Religious Activities involving individual and group worship by Native American Indian inmates shall be called "Native American Faith Group".
- 1.1 Native American Indian inmates may select "Native American Faith Group" as their as their religious preference.
- 1.2 Native American Indian inmates, regardless of stated religious preference are not prohibited from participating in other religious worship services.

PROCEDURE: Participation in Native American Faith Group

- 2.0 The only requirement for inmate participation in the Native American Faith Group religious activities is Native American Indian ethnicity.
- 2.1 Determining Native American Indian ethnicity: For inmates currently not identified as Native American ethnically and they so desire to change their ethnicity to Native American, the following process will be used:
 - 2.1.1 Chaplains will refer names to an appropriate community agency specializing in American Indian affairs or contract or regular employee of the institution hired in the capacity of a Spiritual Advisor or Coordinator to the Indian religious services for verification as "ethnic Native American Indian".
 - 2.1.2 The agency/advisor will determine if the inmate is "ethnic Native American Indian". The agency/advisor may recommend to the Chaplain that temporary approval (90 days) in order that the inmate may attend Native American Faith Group activities. After sixty (60) days, the status must be either Approved, Extended (for no more than one additional sixty days), or Denied.

2.1.3 During the sixty day period, the agency/advisor will seek to verify inmate claims, using one of the following three criteria as evidence that the person is:

(A) Be descended from a U.S. federally recognized tribe as evidenced by a valid BIA or Tribal identification document for self or natural parents or grandparents.

(B) Is presently a member of a U.S. Indian Community. Includes Alaskan, Aleut, and Hawaiian Natives: state recognized tribes; Canadian Indians; and tribes in Mexico recognized by their U.S. counterparts.

(c) IS presently recognized by an agency or institution serving American Indians while pending formal tribal enrollment or recognition. Includes verification of client status by U.S. Indian Health Service, federally funded Urban Indian Centers, and accredited Indian Churches.

2.1.4 If the agency/advisor is able to establish the above criteria on an inmate, the agency/advisor will provide a notarized statement to the Chaplain who will then facilitate the change in inmate records (both written and electronic).

PROCEDURE: Native American Faith Group Activities

3.0 Inmate Attendance

3.0.1 Inmate attendance in Native American Faith Group services shall be voluntary.

3.0.2 Participants shall be excused from work assignments and school to attend regularly scheduled and specially scheduled Faith Group services.

3.0.3 An outcount of participants shall be taken before a group worship service commences, so as to not interrupt services once they begin.

3.0.3.1 Participants may be notified of an emergency count or termination of the worship service in the event of a major lockdown; in this event, security is not to open the Lodge door, rather, the inmates are to be asked to come out.

3.0.4 Regularly scheduled services shall take place without a mandate that an outside spiritual advisor be present, except in protective segregation and super-maximum units. The inmates shall share in the

responsibilities of operating the worship service, so that at no time is any inmate considered to be assigned as a supervisor to the other inmates.

3.0.5 Participation in segregation super-maximum units may be turned out in groups of one to three inmates for participation, at the discretion of the warden.

3.1 Sweat Lodge

3.1.1 Purpose - The Sweat Lodge worship services are a rite of purification and spiritual, mental, physical, and emotional healing.

3.1.2 Location - The designated area in which the Sweat Lodge is located is considered sacred. The sanctity must be observed and preserved, not only by inmates, but staff as well.

3.1.2.1 Construction - The Lodge shall be located in an area no less than 50' x 50'. Initial construction and annual rebuilding shall proceed with the guidance of an approved outside spiritual advisor. The area should be fenced it and locked. A fenced and locked storage area will be constructed within or adjacent to the Lodge for the storing of tarps, tools, firewood, and water buckets.

3.1.3 Schedule - Sweat Lodge worship services shall occur at least once per week for a minimum of four hours; additional services and time are at the discretion of the warden.

3.2 Talking Circle

3.2.1 Purpose - The Talking Circle worship services provide an opportunity for religious education and group worship.

3.2.2 Location - To take place at the Sweat Lodge grounds or in a designated classroom or chapel where other services or activities are not taking place at the same time. The burning of sacred herbs shall be permitted either indoors or outdoors, per fire code policies.

3.2.3 Schedule - Talking Circle worship services shall occur at least once per week if the unit cannot house a Sweat Lodge, or combination (same day, in addition to, or alternating) with the Sweat Lodge services if the unit does have a Lodge.

3.3 Private Worship

- 3.3.1 Native American Indian inmates are permitted to smudge with sacred herbs in a designated outdoor area during regular traffic hours. They should be afforded privacy without distractions from other inmates and staff.
- 3.3.2 Inmates in lockdown status are permitted to smudge with sacred herbs in the exercise cages or visitation area. They should be afforded privacy without distractions from other inmates and staff.
- 3.3.3 Any Native American Indian inmate requesting a special individual clergy visit from a spiritual advisor or clergy shall make his or her request to the Chaplain. The Chaplain shall respond promptly by contacting advisors/clergy and visiting with the inmate to assess any suicidal emergency needs.
- 3.3.4 Any assessment by an inmate or staff indicating that an Indian inmate may be in danger of suicide shall be immediately referred to the Chaplain and Psychologist: the Chaplain shall immediately attempt to secure a spiritual advisor or clergy for a religious visit immediately and the Chaplain shall visit with the inmate to provide support.
- 3.4 Special Ceremonies
 - 3.4.1 Pow-wows - If approved by the warden, one annual pow-wow make take place per complex or single/combination of same custody levels (and divided by gender of inmates).
 - 3.4.1.1 Pow-wows are to be coordinated through the Chaplain's office.
 - 3.4.1.2 The inmate participants must provide as much as possible funds and materials for the pow-wow, making preparations at least one year in advance including fund raising activities (food sales) which shall not be treated the same as a club or banquet function.
 - 3.4.1.3 At least four hours and up to eight hours are needed for a pow-wow. Activities will include outside guests (not listed on an inmate's visitor list), inmate visitors, traditional American Indian dancing, drumming, singing, speeches, and feast (food provided by the inmates and institution and/or outside contributions. Institutional provided food and serving supplies shall not exceed the value of the regular planned meal it replaces for those inmates in attendance.

PROCEDURE: RELIGIOUS DRESS CODES

4.0 Long Hair

4.0.1 Any inmate properly identified as Native American Indian may wear his or her hair in a long, uncut but trimmed, fashion, tied back in a ponytail or braid(s). This procedure is applicable regardless of the religious preference and participation of the inmate.

4.0.2 Participants in the Sweat Lodge and Talking Circle worship services may wear their hair loose during these services.

4.1 Headbands

4.1.1 Any inmate properly identified as Native American Indian may wear a headband around his or her head (but not on top of the head or in a hat or necktie fashion). This procedure is applicable regardless of the religious preference and participation of the inmate.

4.1.1.1 Native American Indian inmates may wear a headband at any time, including in the visitation area.

4.1.1.2 Inmates wearing headbands shall cooperate with a visual inspection of the headband, which involves the inmate removing his or her headband and unfolding it completing for the visual search by staff.

4.1.1.3 Native American Indian inmates may have in their possession up to four (4) headbands of six selected colors (being: black, red, yellow, white, green, blue) in a solid or paisley pattern only.

4.1.1.4 Headbands are to be worn folded in a band no wider than 3".

PROCEDURE: Native American Faith Group Property

5.0 Individual

5.0.1 The following are approved materials for Native American Indian inmates. All items will be inventoried in compliance with policies/procedures regulating inmate property.

5.0.1.1 Medicine Bag - constructed of leather or cloth, not to exceed 4" x 4" limited in number up to four, and shall be closed with a drawstring. Contents may include any number of the items listed below.

- 5.0.1.2 Storage Bags - constructed of leather or cloth, not to exceed 12" x 12" except for the Sacred Pipe Bag, which may be large;. Closed with a drawstring. Used to store primarily sacred herbs, feathers; and Sacred Pipe.
- 5.0.1.3 Medallions - Necklaces or chokers, not exceeding 30" in length when outstretched, made of beads, bones, stones, shells, fur, leather, and/or porcupine quills and strung on cotton or leather string. May not be sold or traded. Worn at any time.
- 5.0.1.4 Headbands - up to four in any of six permitted colors of black, red, yellow, white, green, blue: solid or paisley print pattern only; worn at any time.
- 5.0.1.5 Sacred Herbs - up to 8 ounces at any one time of sage, cedar, tobacco, sweetgrass, kinnickinnick, corn pollen, and corn meal. Kinnickinnick must be from an approved vendor with ingredients listed and sent in a sealed commercial package.
- 5.0.1.6 Animal Parts
 - 5.0.1.6.1 Feathers - any type of bird, up to 6 single feathers, one intact wing, and one intact tail.
 - 5.0.1.6.2 Bones - up to 12 pieces of small size, no longer than 5".
 - 5.0.1.6.3 Leather/fur - up to 8 pounds loose until constructed into medicine, herbs, or Pipe bags.
 - 5.0.1.6.4 Seashells - up to 2, open shallow type, no larger than 10" across open ended diameter.
 - 5.0.1.6.5 Sacred Pipe - up to 1, bowl must be made of stone and stem of wood, and detachable from each other.
- 5.1 Group
 - 5.1.1 The following items are held in common by the Native American Faith Group within one unit and may not leave the unit or institution with any one inmate for any reason. They will be inventoried with the Chaplain.

- 5.1.1.1 Drums - Hand drum - made of wood and covered on one or both sides with rawhide, 6" to 20" diameter. Water drum - an iron kettle with detachable leather covering, tied on with 4' to 6' thin rope, 6" to 14" diameter, and 7 to 20 marble-sized rocks are placed in the drum before adding water and attaching the covering. Drum sticks accompany each drum, lengths are 8" to 15" long, with soft padding made of rolled leather on one end and should be non-removable.
- 5.1.1.1.1 Storage of hand drums should be with designated inmates and inventoried with the Chaplain. Should the inmate leave the unit, the Chaplain will take possession of the drum until another Indian inmates is designated by the Faith Group members.
- 5.1.1.2 Candles - Used in Talking Circle Ceremony, any color and no larger than 3" base x 6" height.
- 5.1.1.3 Sacred Bundles - May contain Sacred Pipe and Pipe Bag, Herb Bags and herbs, Altar Cloth, seashells, candle, feathers, animal parts, leather and fur.

PROCEDURE: Construction of Religious Items

- 6.0 Materials including only beads, needles, thread, leather, and fur used to construct and decorate any of the religious items in policy are not to be considered hobbycraft (excluding hand tools such as scissors, glue, etc.).
- 6.0.1 Up to 10 pounds of the construction materials in 6.0 are permitted at any one time. No items are to be made for sale or trade.

PROCEDURE: Handling of Incoming Religious Items

- 7.0 Items provided by vendors and family/friends of inmates shall enter the institution through the mail room. If packaging boxes are not labeled "religious articles" then the contents are subject to search without compliance with policy 8.0.
- 7.0.1 When the mail room staff are in question as to the identity or purpose of an item, they are to contact the Chaplain immediately for assistance before continuing the incoming process.
- 7.1 Items provided by institutional approved spiritual advisors shall enter through the Chaplain, in person and through the mail. The Chaplain shall promptly distribute all items to the designated recipient.

7.1.1 The only exceptions to 7.1 is in the case of Sweat Lodge materials such as willows, rocks, and firewood, and Group items such as sacred herbs and a Sacred Pipe. This occurs only when an approved spiritual advisor brings such items in person into the unit and for Group use only. The advisor shall cooperate with all visual inspections by security and chaplaincy staff.

7.2 Inmates may not receive religious articles directly from their family, friends, and other visitors.

PROCEDURE: Search and Seizure of Religious Areas and Items

8.0 Security Searches - All searches shall be implemented out of concern for contraband and the safety of the institution only.

8.0.1 If contraband or the safety of the institution is suspected, security staff are to follow the procedure below in inspecting religious articles and worship areas, whether such a search takes place in an inmate's room/cell, on the inmate's body, or in a worship area:

8.0.1.1 Security staff secures the presence of the following individuals: Chaplain or his/her designated substitute in the event he/she is not in the institution and the inmate in question or if in a worship area at least two of the regular participants.

8.0.1.2 The inmate(s) shall remove the contents of any storage bags or boxes and spread the contents before the observers. Security and inmate(s) shall ask and answer all inquiries in a cooperative manner.

8.0.1.3 Handling of the items will be limited to the inmate(s) only.

8.0.1.4 When inspecting the Sweat Lodge grounds, the inmate(s) shall cooperate in digging/sifting through the ground and spreading firewood and tarps out for viewing.

8.1 Seizures

8.1.1 If contraband is definitely identifiable, such as in the case of weapons, security staff shall take such items and give them to the officer in command.

8.1.2 If contraband is only suspected and cannot be clearly identified, 'such as in the case of drugs, the said item(s) shall be given to the Chaplain for storage until clear identification can be made.

- 8.1.3 If the said items are determined to not be contraband they will be returned to the inmate intact and unmolested.
- 8.1.4 If the said items are determined to be contraband, then items 'considered contraband because they are not on the approved list of religious articles are to be held in the mail room for up to 60 days in order that the inmate may release them to an outside person: if the items are contraband because they fall within a breach of security per related policy, then such policies will be implemented (such as in the case of weapons or illegal drugs).
- 9.0 Mishandling - To assure inmate cooperation and smooth institutional operations, the sanctity and sacredness of the religious items and associated worship services shall be respectfully upheld by staff.

Staff Training

All secure confinement institutions have as their mission to confine offenders in an environment that is "safe, humane, and appropriately secure," and which offers offenders opportunities for "self-improvement to facilitate their successful re-entry into the community." (FBP Journal, 1992) Staff training and education is the key to preparing personnel to meet this mission.

When addressing the specific security and rehabilitation issues related to American Indian inmates, staff training needs to be designed in a manner that fosters respect for the unique, culturally defined needs of Native American Indian inmates. The cultural competency development of the correctional program and staff working with the Native American is one that demonstrates sensitivity to and understanding of cultural differences in program design, implementation, and evaluation.

The sensitivity and professionalism of correctional staff and the institution's service capacity can be enhanced and expanded by a staff training program which includes the following components:

- (1) Semi-annual Workshops - minimum of three hours in length, presented by an American Indian consultant(s) who are well versed in Indian Criminal Justice and Corrections, and Indian religious practices.
- (2) Video Tape Library - consisting of at least five relative and informative videos which staff may view at any time (see Appendices for suggested tapes).
- (3) Literature Resources - Collection of relative and informative literature which staff may review and consult at any time (see Appendices for suggested resources).

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APPENDICES

Recommended Reading & Viewing

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