

Indigenous Dispossession, Resistance, and the Carceral State in Atlanta

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ARGUMENT & THESIS

Prison administration at the Atlanta Federal Penitentiary in the early twentieth century was regarded as a model for others in the country to follow. Though it served relatively few Native American inmates, those inmates underwent a *de facto* systemic process dispossessing their lands, functionally sentencing them to poverty, for those that resisted Federal expansion on Native Americans. This helps frame our current carceral system by examining its birth through this lens.

Native Americans faced Federal “Incorporation”

The Dawes Act (1887) reassigned territory from collectively-held tribal lands to individualized plots of land for families. Land could not be sold until the early 1900s, but now it wasn’t at the direct control of the tribal councils.

At the same time, policing in the territories was tribal-based until it slowly became Americanized as a condition for territory.

Release from Prison Contingent on Land Sale

Native Americans frequently received offers to purchase their land while in prison.

Those facing longer sentences would request, and were almost always granted, permission to write special letters to transact the sale above their allotted amount.

Once deed was signed over, most of the money went to purchase representation for pardons, parole, or commutation – which they received.

Resistance Led to Consequences

Resistance in the prison took part in various ways, including speaking out against guards or simple misbehaving. Inmates also refused offers to buy their land despite their situation, choosing to stay in prison and not play their role in the punitive process – such as Roscoe Hamilton.

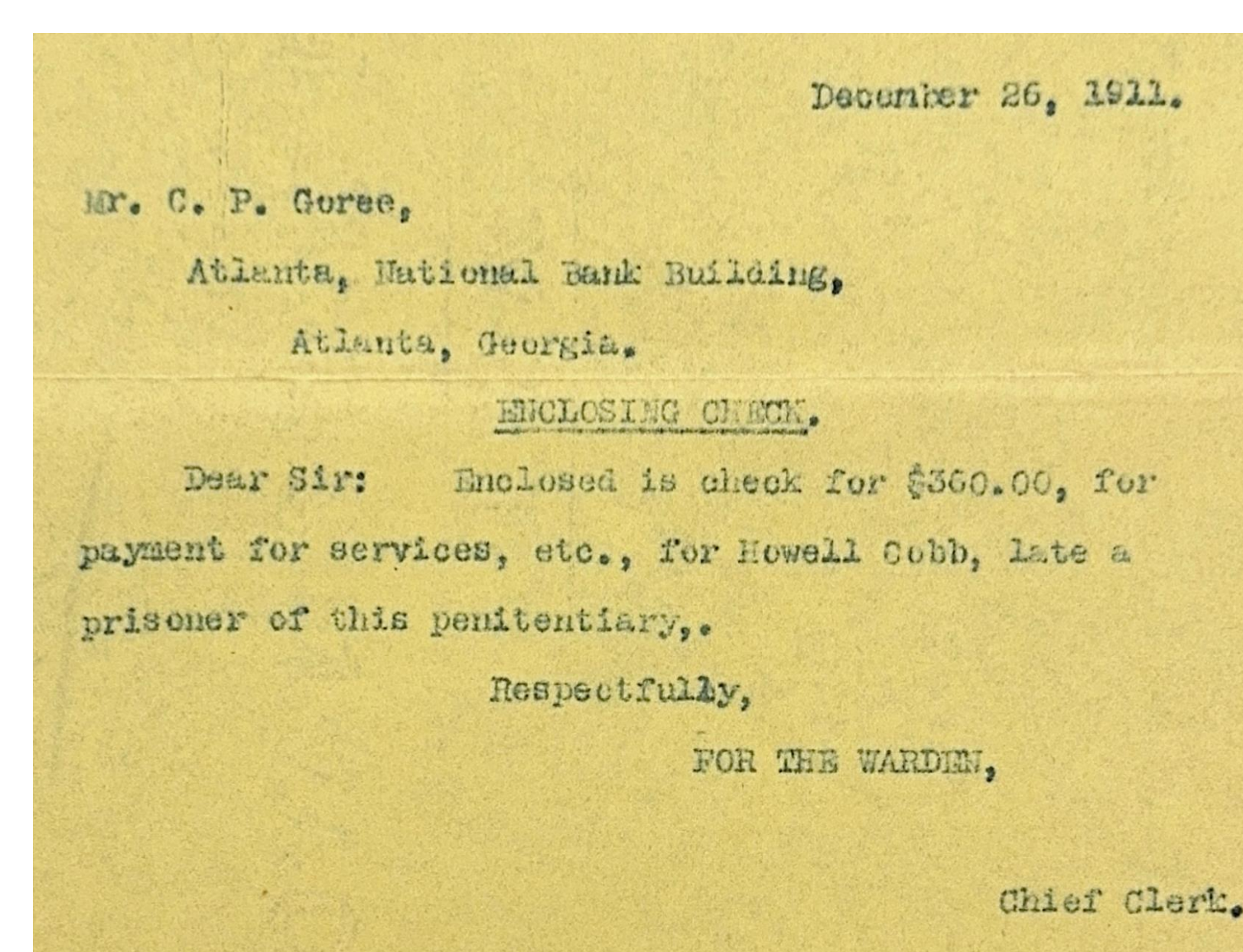
Consequences varied from revocation of writing privileges, violations on their record, and even to more severe punishments.



Fig. 1: Bertillon Photograph of Inmate #951, Roscoe Hamilton, 14-year-old Native American

"Inmate Case File for Roscoe Hamilton, Inmate #951;" Inmate Case Files, 1902–1922; Records of the Bureau of Prisons, Record Group 129; National Archives at Atlanta, Morrow, GA.

Fig. 2: Letter from Prison Clerk to Atlanta Attorney for payment from a Native American inmate who sold their land for \$500, of which \$360 went to the attorney.



In the Grand Scheme of the Carceral State

Historian Sara Benson (2019) argued that Native Americans in the early federal prison system were confined through the reservation system and that their resistance to that system required a tougher confinement system. In this context, the carceral state is designed, and Atlanta’s federal prison plays this role both in fact and in law.

Conclusion

The carceral state, as Benson argues, was crafted in the context of Native American removal in a way that designed it to hinder or punish indigenous resistance. In Atlanta, these prisoners faced *de jure* consequences (federal imprisonment) and *de facto* ones (land sale) for their resistance. These origins of the carceral state better allow us to understand its contemporary existence.

Other Topics Studied in this Project (Ask Me!)

These topics were explored but did not make the final cut for this poster:

- Control of letter privileges in the Atlanta Penitentiary
- Prisoners on criminal justice reform, “Good Words”



Bibliography, Further Reading, and other Information

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