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# The Drug War Comes to the Rez

When Alex White Plume planted a field full of industrial-grade hemp, he hoped that his crop might lift his family and community out of poverty. Then the DEA came to Pine Ridge.

**Leora Broydo**

February 13 , 2001

Alex White Plume called it his "field of dreams": an acre and a half of plants so tall and strong they seemed to touch the sky; a crop representing hope for a new and self-sufficient life for his family, residents of the desperately impoverished Pine Ridge Indian Reservation in South Dakota.

But on Aug. 24, 2000 at sunrise, just four days before White Plume and his neighbors planned to harvest their bounty, White Plume awoke to the sounds of helicopters. He looked out the window and saw a convoy of vehicles heading for his field.

He raced down to investigate, and was met by a slew of black-clad and heavily armed figures -- 36 agents from the Drug Enforcement Administration, the FBI, the Bureau of Indian Affairs, and the US Marshal's office.

When White Plume rolled down the window of his pick-up to ask what was going on, he says, one US marshal pointed a gun in his face. Meanwhile, the other agents chopped down each plant near the roots and hauled them away. You see, White Plume was growing Alex White Plume's field after the raid. industrial hemp, a botanical cousin of marijuana. According to tests conducted later by the BIA, White Plume's hemp contained only trace amounts of the psychoactive element THC. But US drug laws do not distinguish between marijuana, which has a higher THC content, and other kinds of hemp; growing either is illegal. (Federal law does permit the possession or sale of mature stalks, fiber, and products made from hemp fiber and hemp seed oil.)

Still, the raid at Pine Ridge wasn't your typical drug bust. The Oglala Sioux tribal government, which passed a resolution allowing White Plume to plant his crop, argues that the Fort Laramie Treaty of 1868 gave Pine Ridge absolute sovereign status as an independent nation. The BIA, however, says Pine Ridge enjoys only "limited" sovereignty: While the tribe has its own government, constitution, and laws, it is subject to some federal oversight.

White Plume and the tribe knew that they'd be walking a thin line between sovereignty and US

drug law. Pine Ridge's ordinance makes a distinction between industrial hemp and its psychoactive cousin and sets a threshold for distinguishing between the two at 1 percent THC. The US government makes no such distinction; any THC is too much, according to US law.

Robert Ecoffey, superintendent of the BIA on Pine Ridge, gave the tribe some hefty warnings before the seeds were planted. Ecoffey says, "I told them, if you're going to plant, I want to be upfront with you, you may be subjecting yourself to arrest and penalties." No arrests were made in connection with the raid, but the South Dakota US attorney's office says it may still prosecute.

In the tribe's view, the decision to grow industrial hemp is well within its right to self-determination. The tribal council based its approval of the hemp ordinance on the Fort Laramie Treaty, which sets apart land for the "absolute and undisturbed use and occupation" of the Lakota.

The gray zone between the Oglala Lakota people's right to self-determination and federal drug laws is where Alex White Plume now finds himself trapped.

"They're treating us like second-class citizens, like wards of the state," says White Plume, who is considering suing the government for compensation and has started soliciting donations to a legal fund. "To me, it's like the US going into Canada and raiding a hemp field over there."

"The US position is [that] the general drug laws apply equally on Indian reservations as they do anywhere else in the US," says Ted McBride, US Attorney for the district of South Dakota, who is handling the case. He says that federal law supersedes tribal law.

That sentiment infuriates some members of the tribe, whose resentments go back more than 200 years of treaties made with -- and broken by -- the US. The bloody history of US-Lakota relations includes the 1890 massacre of 180 Lakota at Wounded Knee, and the 1973 siege at the same site.

Like many American Indian tribes, the Lakota were once a self-sufficient nation. Today the reservation is known for high rates of poverty, disease, alcoholism, and suicide. Poor living conditions are exacerbated by overcrowding because of a shortage of as many as 2,000 housing units on Pine Ridge -- one family of 23 lives in a single trailer.

The Slim Butte Land Association encourages sustainable agriculture, including hemp, on the reservation.

Members of a Pine Ridge group called the Slim Butte Land Use Association want to change that. Five years ago, they decided to pursue a hemp project to create jobs and housing. They began by purchasing industrial hemp from Canada -- where it's been legally grown since 1998 -- to build a "demonstration house." The house, which is nearing completion, is built from "hemcrete" -- durable, concrete-like blocks that are made from hemp, cement, lime, and sand.

But if the hemp project is to succeed long-term, supporters say, the Oglala Lakota will have to grow their own instead of relying on expensive imports. That's why the tribe passed the ordinance, and Alex White Plume became a farmer.

Ironically, industrial-grade hemp was already growing wild on Pine Ridge, thanks to the federal government's "Hemp for Victory" campaign during World War II. White Plume used seeds from plants growing locally and from the Nebraska wetlands for his field.

"I can't describe the beauty of those plants," says White Plume. "Other than the pulling of the weeds, you don't have to add anything; no pesticides or fertilizers. They just grow. People came from all the country to see them—they were in awe."

To White Plume and his allies, the timing of the seizure seemed suspicious. First, the DEA waited until the plants were fully-grown to confiscate them. In addition, the agency chose to conduct the raid on the day the tribe's legal counsel, attorney Tom Ballanco, was in Kentucky defending actor Woody Harrelson in a separate hemp case. (Harrelson, coincidentally, had agreed to purchase White Plume's crop for use on the demonstration house.)

"They knew I was the attorney up there and that was the one day they could be sure I wasn't going to be at Pine Ridge," says Ballanco, a West Point grad who authored the tribe's hemp ordinance. "It certainly seems like a rather convenient choice of days given they had the entire summer to come get it."

In October, the DEA got authorization from a district court in South Dakota to burn the plants. Now the entire crop is, as they say, up in smoke.

In the activists' view, the DEA raid contrasts sharply with other messages the federal government has been sending to Pine Ridge. Just one year before the raid, President Clinton visited the reservation to celebrate its designation as a federal "empowerment zone."

"You have suffered from neglect, and you know that doesn't work," Clinton said at the time. "You have also suffered from the tyranny of patronizing inadequately funded government programs, and you know that doesn't work. We have tried to have a more respectful, more proper relationship with the tribal governments of this country to promote more genuine independence, but also to give more genuine support."

Winona LaDuke, an Ojibwe activist from the White Earth Reservation in northern Minnesota and Ralph Nader's running mate in the past two presidential elections, says, "I think it's federal double-speak or forked tongues. The federal government likes to support the sovereignty of Indian tribes when we talk about nuclear-waste dumps and casinos and toxic-waste dumps, but doesn't support their sovereignty when they try to do something which is absolutely healthy, sustainable development with grassroots initiatives."

In late November, a trailer full of Canadian hemp arrived on Pine Ridge. The shipment, donated by the Kentucky Hemp Growers Cooperative Association and the Madison Hemp & Flax Company, replaced the hemp lost in the raid so the tribe can finish its demonstration house.

But the tribe isn't settling for charity. On April 26, hemp seeds will once again be sown somewhere on the Pine Ridge reservation, although not on White Plume's land. The tribe's new

president, John Yellow Bird Steele, has endorsed what is sure to be another bumper crop.

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