

Pine Ridge farmer struggles to grow hemp

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AP Photo/Chet Brokaw -- Alex White Plume sat on the back steps of his house near Manderson, S.D., June 26, near some hemp plants that grew from seeds knocked off plants confiscated by federal drug agents. White Plume sought to grow hemp, a cousin of marijuana with only a trace of marijuana's drug, on his ranch on the Pine Ridge Reservation.

By Chet Brokaw -- Associated Press

MANDERSON, S.D. (AP) - Alex White Plume hoped his extended family could make a good living growing hemp when he first planted seeds on the Pine Ridge Indian Reservation in southwest South Dakota, but years of fighting with federal drug officials have left him in financial trouble.

The White Plume family planted hemp for three years from 2000 through 2002, but they never harvested a crop. Federal agents conducted raids and cut down the plants each year because U.S. law considers hemp, a cousin of marijuana, to be a drug even though it contains only a trace of the drug in marijuana.

"We had all these plans of grandeur and independence, to lead the way with industrial hemp," White Plume said. "None of it worked out."

White Plume plans to sell much of his ranching operation this fall. He said he probably can keep his house and at least some of his buffalo that graze among the pine-dotted ridges that give the reservation its name. His horses, a truck with license plates reading "HEMP" and other equipment likely will be sold to pay off some of his debts.

But even though White Plume, a former Oglala Sioux Tribe vice president, lost a court case last year, he is ready to resume the cultivation of hemp if the federal government ever allows it. The plant could help boost the economy of the OST's poverty-stricken reservation, where unemployment is estimated to be as high as

85 percent, he said.

"I could never climb back up to where I was, but I still believe in hemp, so we're going to continue to struggle," White Plume said.

The family's attempt to grow hemp, which is used to make rope, oils, skin lotion, cloth and a variety of other products, is featured in a "Point of View" documentary that aired July 3 on Public Broadcasting Service stations nationwide. The film started as a look at hemp growing, but it grew to include a look at Indian treaties and the Lakota culture and tradition, according to filmmakers Suree Towfighnia and Courtney Hermann.

An important part of the story, filmed periodically over a five-year period, deals with the emphasis on extended family among the Lakota, Towfighnia said during a recent visit to White Plume's home.

White Plume said he used to run a successful trail ride business that faltered after the Sept. 11, 2001, terrorist attacks because fewer European tourists visited the United States.

He said he became interested in growing hemp in 1998 after seeing country star Willie Nelson promote it. The OST also passed a measure legalizing the growing of hemp on the reservation.

The tribal law should have been enough to allow hemp farming because of the sovereignty granted to the Lakota by treaties, White Plume said.

White Plume planted hemp on his land in 2000, planning to make money by selling the seed to others, but U.S. Drug Enforcement Administration agents cut down his plants a few days before he intended to harvest them. The DEA also seized similar plantings by his brother and sister in the next two years.

"All that left us in debt and demoralized, trying to figure out what to do because our sovereignty was directly attacked," White Plume said.

But he laughs when he talks about the hemp plants that still grow on his land, even right outside the back door of his house. The plants spread from seeds knocked off during the DEA raid, he said.

White Plume never was charged with a crime, but the DEA sued him and got a court order to bar him from growing hemp. He argued that the Fort Laramie Treaty of 1868 gave the Sioux the right to grow hemp.

The 8th Circuit Court of Appeals last year ruled against White Plume, saying the treaty did not give tribal members the right to grow

the plant. Hemp is also subject to federal drug laws, which require a DEA permit to grow the plant in both its marijuana and hemp forms, the appeals judges said.

"We are not unmindful of the challenges faced by members of the Tribe to engage in sustainable farming on federal trust lands. It may be that the growing of hemp for industrial uses is the most viable agricultural commodity for that region," the appeals judges wrote.

The appeals court also noted that hemp is used to make many useful products, and the DEA registration process imposes a burden on anyone seeking to grow hemp legally.

"But these are policy arguments better suited for the congressional hearing room than the courtroom," the appeals judges wrote.

White Plume's lawyer, Bruce Ellison of Rapid City, said courts have consistently declined to give much consideration to Indian treaties. And the hemp law should be struck down because it is not rational, he said.

"The only argument against it is fears based upon misleading information or misinformation that it can somehow be used as a drug or to hide drugs or something like that, which it can't," Ellison said.

Those who oppose legalizing hemp have argued that law officers could have difficulty determining whether plants are drug-laden marijuana or hemp that has only a trace of the drug.

The best hopes for the White Plume family and other farmers who want to grow hemp are measures in Congress and North Dakota's effort to get the DEA to issue licenses for the production of hemp, Ellison said.

White Plume said he and his family have gone through some tough times, particularly when they were uncertain whether federal officials would charge them with drug crimes for growing hemp.

White Plume now intends to spend time working on environmental protection and treaty issues, such as an effort to regain the Black Hills that were taken from the Lakota more than 125 years ago.

And if farmers ever are allowed to grow hemp, he's ready to plant another crop.

"We didn't give up our struggle. We still want to grow hemp and we still got all our plans in shape," White Plume said.

"It's not a drug plant," he said.

