

Tribe sues over drug raid

Suit seeks ruling on cannabis crop

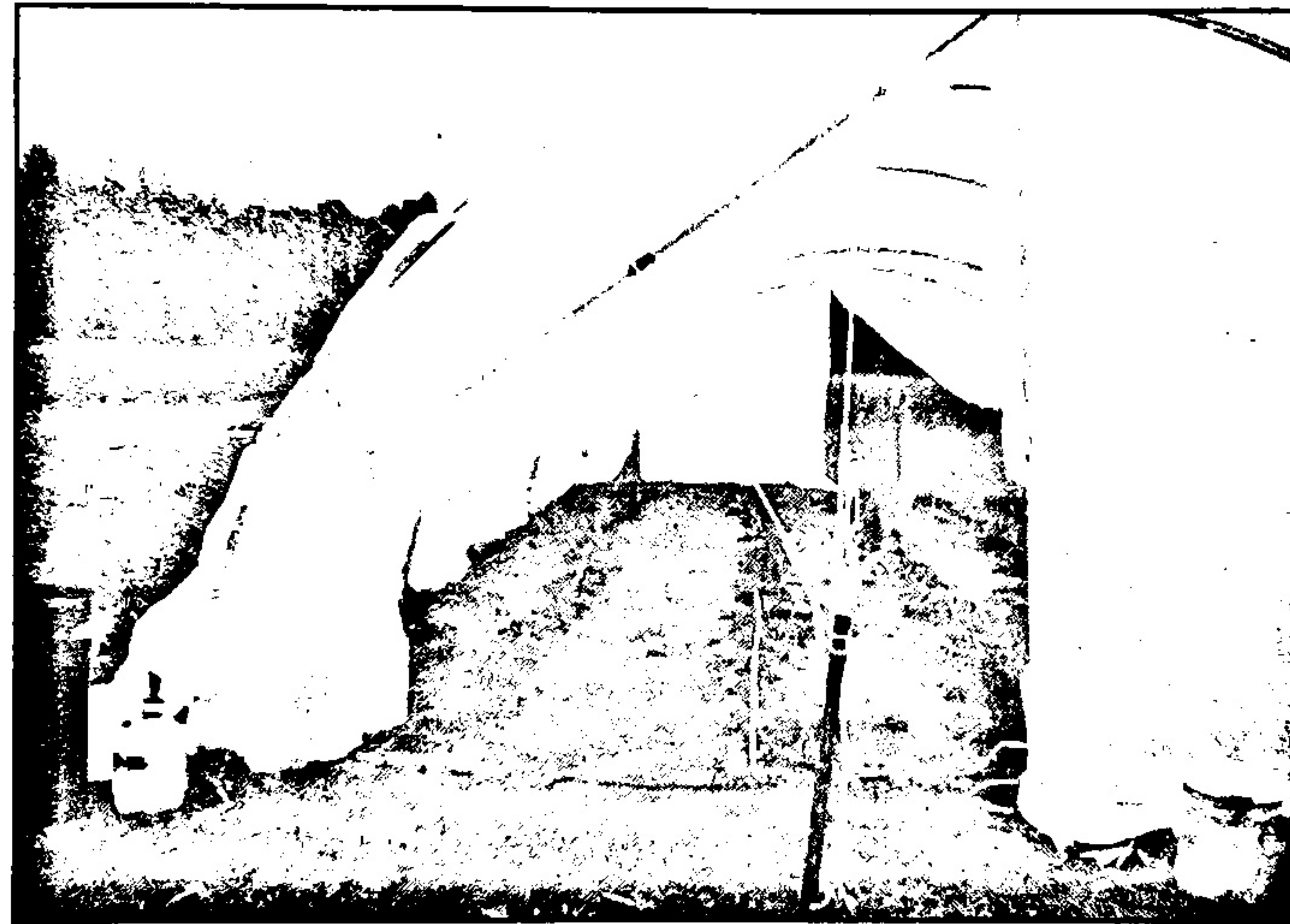
By Scott Williams

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The Menominee Indian Tribe filed a lawsuit Wednesday challenging the federal government over a drug raid on the tribe's reservation north of Shawano.

Federal drug agents said they uncovered a large marijuana crop in the Oct. 23 raid, but tribe officials maintain that they were growing industrial hemp, a different plant with legal product applications and typically no psychoactive effects.

The civil suit filed Wednesday in Green Bay federal court seeks a judge's declaration that the Menominee tribe can legally grow industrial hemp



LEADER PHOTO BY SCOTT WILLIAMS

A large tent is shown in the farm field where drug agents Oct. 23 reported seizing about 30,000 marijuana plants, some up to 6 feet tall.

as a possible new business Native American tribe. While acknowledging that

some of its crop could have been more potent than hemp, the tribe also seeks a declaration that the reservation is exempt from Wisconsin state laws covering the cannabis plant, which in different forms includes both hemp and marijuana.

"The Menominee Indian Reservation is not subject to the jurisdiction or laws of the state of Wisconsin, including those that prohibit cannabis," the suit states.

Named as co-defendants in the case are the U.S. Drug Enforcement Administration and the U.S. Department of Justice.

A spokesman for the DEA in Chicago declined to comment on the lawsuit, and officials at the U.S. attorney's office in Milwaukee could not be reached for comment. Both defendants will have an opportunity to file written re-

sponses before the case moves toward hearings and a possible trial.

In a statement announcing the suit, Menominee Tribal Chairman Gary Besaw said the federal government is trying to deprive tribes of the same rights extended to states, under 2014 farm legislation, to pursue industrial hemp as a new cash crop. Menominee officials are still reviewing other options in response to the raid that destroyed their crop, Besaw said.

"This is the first step in a longer process," he said, adding that the suit is intended "to first make clear to the federal government that tribes must be treated fairly and equally."

The dispute stems from a raid carried out the morning of Oct. 23 on a remote tribal location

SEE SUIT, A2