



NAVAJO NATION DEPARTMENT OF JUSTICE

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FOR IMMEDIATE RELEASE

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“OPERATION NAVAJO GOLD” CONDUCTED BY JOINT LAW ENFORCEMENT AGENCIES TO STOP THE POTENTIAL ILLEGAL MARIJUANA GROWING OPERATIONS NEAR SHIPROCK, NEW MEXICO

SHIPROCK, NAVAJO NATION—On Monday, November 9, the Navajo Police Department assisted federal and supporting law enforcement entities in conducting “Operation Navajo Gold,” a unified effort to execute search warrants relating to suspected illegal marijuana farming near Shiprock, New Mexico. This action was the result of months of coordination between the Navajo Nation and local, state, and federal agencies to enforce both Navajo and federal laws.

These farming operations first came to the attention of the Navajo Police Department and Navajo Nation Department of Justice after community members raised concerns about rapidly growing “hemp” farming operations lead by outgoing President of the San Juan River Farm Board, Dineh Benally. Benally was defeated last week in his reelection bid for the San Juan River Farm Board.

Hemp cultivation has never been authorized by the Navajo Nation Council and it remains an illegal crop to grow on the reservation. Since March, the Navajo Nation has been challenged by the COVID-19 pandemic that continues to require the attention and resources of the Nation and law enforcement. During this period, Dineh Benally rapidly expanded his “hemp” farming operations while the Nation dealt with a public health crisis.

To uphold Navajo laws regarding hemp cultivation, the Navajo Nation Department of Justice brought a civil lawsuit in the Navajo Nation’s Shiprock District Court on June 12, 2020 seeking to stop Benally’s “hemp” farming operations on the Navajo Nation. Benally moved to dismiss the Nation’s case against him on technical grounds, which were rejected by the Court. After a hearing in September and based on overwhelming testimony from community members and Navajo Nation officials, the Court granted the Nation’s motion for a Temporary Restraining Order and Preliminary Injunction (TRO/PI), which prohibited Benally, his companies and investors from continuing their “hemp” operations.

“Dineh Benally and his investors sought to take advantage of what they believed to be a jurisdictional gap on the Navajo Nation that would allow them to operate outside the law,” said Navajo Nation President Jonathan Nez. “They did not count on the diligence or effectiveness of the Navajo Nation Department of Justice to be able to enforce our own laws through our own Courts. I commend the Navajo Nation Department of Justice, the Navajo Police Department, and

the Navajo Nation Environmental Protection Agency, as well as the citizens of Shiprock, Hogback, and Gadii'ahi for their tireless work to protect our people and lands. We thank the local residents for their patience as law enforcement coordinated their efforts to ensure a thorough investigation," President Nez stated.

Following, the issuance of the TRO/PI on September 18, 2020, the Navajo Nation was able to gain access to the "hemp" farms and discovered that a significant portion of the crop being grown appeared to be marijuana. It became apparent that a significant number of foreign workers had been employed by these operations with significant financial investment. The Navajo Police Department, the Navajo Nation Environmental Protection Agency, and the Navajo Nation Office of the Prosecutor continue to work tirelessly to enforce the Court's order and ongoing violations of tribal law, while also coordinating with the federal government on the potential violations of federal law.

"The Navajo Nation has long enjoyed a strong and collaborative working relationship with its federal partners on matters affecting both tribal and federal interests," said Attorney General Doreen N. McPaul. "Here, both governments have substantial interests and responsibilities that must be addressed and the Navajo Nation is committed to continuing to work in close coordination with our federal partners while aggressively pursuing justice in the Courts of the Navajo Nation," McPaul continued. Accordingly, the Navajo Nation recently sued 33 additional farmers who are alleged to have been illegally growing hemp and/or marijuana in the Shiprock area.

Based on an extensive inspection and review of the farming operations, the Navajo Nation EPA estimates that operations grew to include over 1,000 greenhouses on more than 400 acres of land, and in many instances may have violated both Navajo and federal environmental protection laws.

"The lands of the Navajo Nation belong to the Navajo people who depend on it for survival. The Navajo Nation EPA will continue to work to ensure the lands are safely and properly restored to their proper state following the abuse of these farming operations," said Navajo Nation EPA Director Oliver Whaley.

The Navajo Nation remains committed to working with federal agencies and officials to ensure a complete and thorough investigation is completed.

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