

Pinoleville tribe files claim against Mendocino County for marijuana raid



A representative from the Mendocino County Sheriff's Office pulls a marijuana plant during a raid of the Pinoleville Pomo Nation on Sept. 22, 2015. Chris Pugh-Ukiah Daily Journal

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The Pinoleville Pomo Nation has filed a [claim](#) against the county of Mendocino alleging unlawful search and seizure related to the Sheriff's Office raid of a marijuana operation on the tribe's property in September 2015.

The county received notice of the claim March 4, and the Board of Supervisors is expected to deny the claim at its Monday meeting.

Filing claims against the county, which are almost always denied, is typically for procedural purposes before a lawsuit.

Mendocino County District Attorney's Office Spokesman Mike Geniella said Thursday the investigation remains in the hands of the Sheriff's Office.

"Nothing has been turned over to the district attorney for review," he said.

Sheriff's Capt. Greg Van Patten Friday said the lengthy investigation has been due to "the review of hundreds of hours of security camera footage seized during the search warrant service."

Unspecified damages are being sought by the tribe, relating to what it says was removed, confiscated and destroyed property, including the "cost of the plants, costs associated with damage to the agricultural infrastructure and materials, labor costs associated with the seized plants, expectation damages related to the medical-grade cannabis to be derived from the plants, and receipts and paperwork related to the operation."

The tribe said it was growing the approximately 400 marijuana plants on its Pinoleville Road property for medicinal purposes, which it says it can do on sovereign Indian lands. The Sheriff's Office maintains it can enforce law on tribal lands under California Law, PL-280.

The tribe said the Sheriff's Office overstepped its jurisdiction during the three-day raid that began on



Sept. 22, 2015, when it served the tribe with two search warrants, one for its property on Pinoleville Road, and one for a former automotive dealership on North State Street in Ukiah, which is now owned by the tribe.

Nearly 400 marijuana plants were seized from the Pinoleville Road property, and the Sheriff's Office alleges it discovered a "sophisticated honey oil chemical extraction laboratory" at the dealership location, along with an additional 100 pounds of processed marijuana.

After the raid, the Sheriff's Office said it had begun receiving information about a marijuana cultivation operation at the tribe several months earlier.

Both the Pinoleville tribe and the Sheriff's Office acknowledge face-to-face meetings in the past regarding the cultivation of medical marijuana at the reservation.

The Sheriff's Office said aerial flights were conducted over the tribe's property at least two months before the September 2015 raid, confirming a large amount of marijuana.

Also, according to the Sheriff's Office, when it was investigating a burglary alarm call at the former automotive dealership days before the raid in September, deputies spoke with several individuals who were allegedly transporting cut marijuana plants from the Pinoleville Road property to the dealership on North State Street. The individuals allegedly also identified themselves to deputies as being employed by the tribe.

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"We believe the sheriff has overstepped his authority, violated tribal sovereignty and acted outside of his legal jurisdiction," Angela James, tribal vice-chairwoman, said in a news release shortly after the raid in September 2015.

James, via the news release, also disputed that PL-280 allows for the sheriff to enforce state law on federally recognized Indian land.

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