

State of Minnesota
County of Ramsey

District Court
2nd Judicial District

Prosecutor File No. 0620429260
Court File No. 62-CR-20-5111

State of Minnesota,

Plaintiff,

vs.

MICHAEL ANTHONY FORCIA DOB: 09/27/1963

2377 West County Road H
New Brighton, MN 55112

Defendant.

COMPLAINT

Summons

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Damage to Property - 1st Degree - Value Reduced Over \$1000

Minnesota Statute: 609.595.1(4)

Maximum Sentence: 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 06/10/2020

Control #(ICR#): 20020371

Charge Description: On or about June 10, 2020, in the County of Ramsey, Minnesota, Michael Anthony Forcia did intentionally, and without the consent of the owner or person in lawful possession, cause damage to physical property and the damage reduced the value of the property by more than \$1,000 measured by the cost of repair and replacement.

STATEMENT OF PROBABLE CAUSE

On June 10, 2020, at 11:28 a.m, Captain Eric Roeske of the Minnesota State Patrol received information regarding a Facebook event planned for 5:00 p.m. on June 10, 2020, purportedly by American Indian Movement (herein after A.I.M.) of the Twin Cities, A.I.M. patrol of Minneapolis and Native Lives Matter, titled "AIM rally against racism! Today!" The event page read, "Today's the day we remove this POS from the State Capitol! Bring your drums!" and pictured the Christopher Columbus statue on the State Capitol upper mall in St. Paul, Ramsey County, Minnesota. Upon observing the event page, the State Patrol planned for additional troopers to be at the Capitol for the event.

At approximately 4:00 p.m., troopers observed two people standing in front of the statue holding a flag. Roeske approached them to open a dialogue. He identified **Michael Anthony Forcia, DOB 09/27/1963**, as the organizer of the event. The person with Mr. Forcia was later identified by Facebook tags and comments as SG. A cover photograph on her Facebook page showed SG pulling on a rope prior to the statue falling to the ground.

Mr. Forcia stated that he was there to pull the Columbus statue down. He said that Native people's requests to have it removed have been ignored for 20 years and today that would end. Roeske informed Mr. Forcia that there is a process for removing or changing monuments on the Capitol complex and he offered Mr. Forcia a copy of Minnesota Statute 15B, which outlines the process. Mr. Forcia said that they have been through the process countless times without any action and they were taking it down today. Roeske informed Mr. Forcia of the potential criminal consequences for that act. Roeske urged Mr. Forcia to take the issue to the Capitol Area Architectural and Planning Board (CAAPB), which is the body with the authority to make changes to monuments on the Capitol grounds (see Minnesota Statute 15B.08, subd. 3). Mr. Forcia insisted that the statue would come down that day.

By 4:52 p.m., a large group was gathered around the statue. Roeske stepped away from the group and phoned his superiors to inform them that his efforts to dissuade Mr. Forcia and others from toppling the statue were unsuccessful. At 4:59 p.m., Roeske saw Mr. Forcia and another individual climb up on the statue to put ropes around its neck. The crowd pulled the ropes and the statue fell at 5:01 p.m.

Roeske returned to the area and spoke to Mr. Forcia who stated that now that the statue was down, they were done, and would remain peaceful. A crowd gathered around the statue, kicked and spat at it and became raucous. Due to the crowd becoming more agitated and the risk of violence, Roeske told Mr. Forcia that if he would help restore the peace, Roeske would arrange for the statue to be removed. Mr. Forcia agreed that he would help troopers move the crowd away from the statue while it was being removed. Roeske informed Mr. Forcia that nobody would be arrested that day so long as Mr. Forcia assisted in keeping the peace.

Tow trucks arrived and removed the statue and broken base. Troopers formed a perimeter around the statue during this process.

Roeske informed Mr. Forcia that there would be a follow-up investigation and potential criminal charges. Mr. Forcia stated that he understood.

In a post-*Miranda* interview with Mr. Forcia on June 10, 2020, at 10:05 p.m., Mr. Forcia identified himself as the A.I.M. of the Twin Cities & A.I.M. Patrol Minneapolis Chairman. He said he has attempted to remove the statue for the last two years without success. He said in the last few months he did a lot of planning to remove the statue. He said he spoke to government officials about it, and following that discussion, he decided to “go through the processes” to have it taken down. He planned to organize a large celebration around removing the statue and having it placed in a special area with other racist symbols as a teaching tool. He said that he spoke to a leader of his community in the early morning hours of June 10, 2020. This leader told him to stop being so Minnesota nice. Mr. Forcia admitted that he created and authored the Facebook event to remove the statue without working through the authorized process. He declined to name anybody else involved in the planning and removal of the statue.

On June 15, 2020, investigators interviewed Nigel Perrote, Tribal Liaison for the Minnesota Department of Public Safety. He stated that he was called in by members of the State Patrol on June 10, 2020, for guidance concerning the planned rally on the Capitol grounds on June 10, 2020. When he arrived, he learned that that A.I.M. was not the actual organizer of the event and that the organizer was Mr. Forcia. Mr. Perrote spoke to the National A.I.M. President Frank Paro who was adamant that the rally was not sanctioned by A.I.M. or associated with the organization. Mr. Paro told Mr. Perrote that they were actively trying to keep people from attending the event. Mr. Perrote confirmed that Mr. Forcia received warnings from Captain Roeske about the consequences of pulling the statue down. Mr. Forcia said that the statue is coming down that day and he did not care about the potential consequences.

In a phone interview on June 15, 2020, President Paro confirmed that Mr. Forcia is not affiliated with the National AIM organization.

On June 18, 2020, investigators received an estimate to repair the statue and surrounding area at the Minnesota State Capitol. The estimated cost of repair totaled \$154, 553. The estimate includes the cost of repairing \$61,000.00 of collateral damage done to the base, benches, sidewalk, steps, and an adjacent granite figure caused by the uncontrolled toppling of the statue.

On June 26, 2020, investigators interviewed SG at her home in Minneapolis. She identified herself, along with Mr. Forcia, as “basically” the founding members for A.I.M. Twin Cities Patrol. She said her group has asked for the removal of the statue for 20 years. She said, “We filed processes, processes and processes and nothing was ever done.” She said she never personally filed papers requesting the removal of the statue. She said the last time her group asked for removal of the statue was three years ago. She said recently she learned that there really is no process. She added that on June 10, 2020, Mr. Forcia picked her up. They drove together to the State Capitol. She acknowledged that a “highway patrolman” told them about the process for removal of the statue. She and Mr. Forcia were the only people doing all the talking. They told the highway patrolman, “We’ve done the process, we’ve tried the process. He’s still here. It’s time for him to come down.” She admitted that the highway patrolman warned them about the potential consequences of pulling the statue down. She admitted that she handed one of the bundles of rope to Mr. Forcia. An unidentified “lanky male” climbed the statue, caught the rope from Mr. Forcia and secured it around the statue’s neck. When both ropes were secured in the same fashion it took only 15-20 seconds to pull the statue down. She said that she and Mr. Forcia were the only active planners for the event.

A spokesperson from the Lieutenant Governor’s Office told investigators that the Lieutenant Governor has not personally spoken to Mr. Forcia about the statue in over a year.

On July 21, 2020, investigators spoke to executive secretary of the CAAPB for an update concerning the status of the Christopher Columbus statue. He said the CAAPB started a commission to review artwork and statues at the State Capitol. This review will include the Christopher Columbus statue. The commission is set to expire in six months but can be extended. The findings from the commission will be presented to the CAAPB. The CAAPB will review the findings and vote to remove or replace the Christopher Columbus statue. If removal of the statue is approved the Minnesota Historical Society will take possession and determine the statue's future.

NOTICE: Pursuant to Minnesota Statute 609.49, subd. 1 (a) A person charged with or convicted of a felony and released from custody, with or without bail or recognizance, who intentionally fails to appear when required after having been notified that a failure to appear for a court appearance is a criminal offense, or after having been released on an order or condition that the release personally appear when required with respect to the charge or conviction, is guilty of a crime for failure to appear and may be sentenced to not more than one-half of the maximum term of imprisonment or fine, or both, provided for the underlying crime for which the person failed to appear, but this maximum sentence shall, in no case, be less than a term of imprisonment of one year and one day or a fine of \$1,500, or both.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant

Lucas Munkelwitz
Special Agent
1430 Maryland Avenue E
St. Paul, MN 55106
Badge: 1351

Electronically Signed:
08/13/2020 12:01 PM
Ramsey County, Minnesota

Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney

Steven Pfaffe
345 Wabasha Street N
Suite 120
St Paul, MN 55102
(651) 266-3222

Electronically Signed:
08/13/2020 11:43 AM

FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on _____, _____ at _____ AM/PM before the above-named court at 15 W Kellogg Blvd, St Paul, MN 55102 to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

Execute in MN Only

Execute Nationwide

Execute in Border States

ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$
Conditions of Release:

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: August 13, 2020.

Judicial Officer

Sara Grewing
Judge

Electronically Signed: 08/13/2020 12:39 PM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF RAMSEY
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Michael Anthony Forcia

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
*I hereby Certify and Return that I have served a copy of this
Summons upon the Defendant herein named.*

Signature of Authorized Service Agent:

DEFENDANT FACT SHEET

Name: Michael Anthony Forcia
DOB: 09/27/1963
Address: 2377 West County Road H
New Brighton, MN 55112

Alias Names/DOB:

SID: MN07535946

Height:

Weight: 0lbs.

Eye Color:

Hair Color:

Gender:

Race:

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: No

Driver's License #:

Alcohol Concentration:

STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	6/10/2020	609.595.1(4) Damage to Property - 1st Degree - Value Reduced Over \$1000	Felony	P112H		MNBCA0000	20020371