

State of Minnesota

County of

Ramsey

District Court

CT	LIST CHARGE STATUTE ONLY	M.O.C.	GOC	CITY. ATTY. FILE NO.	CONTROLLING AGENCY	CONTROL NO.
1	609 ADMINISTRATIVE INFORMATION	N2019	N		MN0620900	08151093
				COURT CASE NO.	DATE FILED	
<input type="checkbox"/> If more than 6 counts (see attached)		<input type="checkbox"/> If domestic assault		<input type="checkbox"/> Amended	<input type="checkbox"/> Tab Charge Previously Filed	

State of Minnesota

VS.

PLAINTIFF,

NAME: first, middle, last **Zachary James SWIFT**

Date of Birth

DEFENDANT.

<input type="checkbox"/> SERIOUS FELONY	<input type="checkbox"/> SUMMONS
<input type="checkbox"/> FELONY	<input type="checkbox"/> WARRANT
<input type="checkbox"/> GROSS MISDM DWI	<input checked="" type="checkbox"/> ORDER OF DETENTION
<input checked="" type="checkbox"/> GROSS MISDM	

4/27/1983

RAMSEY

CITY

COMPLAINT

The Complainant, being duly sworn, makes complaint to the above-named Court and states that there is probable cause to believe that the Defendant committed the following offense (s). The complainant states that the following facts establish PROBABLE CAUSE:

That on or about September 1, 2008, law enforcement officers designated as the Mobile Field Force, "MFF", were on duty in downtown St. Paul, Ramsey County, State of Minnesota, during the daytime hours. Police officers comprising the "MFF" were trained and assigned duty for security and law enforcement during the week of the Republican National Convention, being held in St. Paul, Ramsey County over the dates from September 1 to September 5, 2008.

On September 1, 2008, there was a large public march and demonstration that began at the State Capitol ground and ended at a location near the Excel Center, the venue for the Republican National Convention. This march and demonstration was scheduled and had a permit issued by the City of St. Paul and the St. Paul police department and was generally peaceful and organized. The march began at around 11:00 hours. Estimates of the size of the demonstration was 10,000. The route for the march had been predetermined and was well marked and designated. Members of the MFF were assigned along and nearby the parade route.

At approximately 4:30 p.m., a MFF platoon of 21 officers was deployed to the area of Shepard Road and Ontario, in the City of St. Paul, Ramsey County, where hundreds of people were walking eastbound on Shepard Road. This location was not near the permitted march route and the time was well after the march had ended. Officers observed a tight knit group of approximately 40 to 50 people who were wearing bandanas of various colors and carrying two large signs while walking side-by-side. The signs were approximately 4 feet by 8 feet and the back of the signs appeared to be made from a corrugated metal type of material. Officers who were positioned on Jackson Street at Shepard Road ordered the group to stay on Shepard Road. The group failed to comply and began to advance northbound on Jackson towards the officers. Some police again yelled at the group to stop and not approach. Other officers stepped forward and aimed less-lethal weapons at the group. The group stepped back, lowered the signs, and ducked behind them. The officers saw several members of the group putting on gas masks. The group stood up and then rapidly advanced toward the officers.

At that time the officers began seeing objects being launched or hurled at them by the advancing group and by members of a group standing on the south side of Shepard Road. It was later determined that some of these flying objects included a white plastic bag.

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

COPY

pls initial after verifying complaint is filed with ct

COMPLAINANT'S NAME: Sgt Ken Jensen COMPLAINAN

Being duly authorized to prosecute the offense(s) charged, I hereby approve this Complaint.

DATE: September 3, 2008 PROSECUTING ATTORNEY'S SIGNATURE:

PROSECUTING ATTORNEY: Stephen Christie ADDRESS/TELEPHONE:

NAME/TITLE: Stephen Christie, Asst. City Attorney, 500 City Hall, St. Paul, MN 55102

filled with a substance that smelled and appeared to be fecal matter, rocks, chunks of blacktop, exploding fireworks, plastic bottles filled with an unknown light colored liquid, and a mason jar filled with an unknown green liquid. Officers yelled that some of the individuals had wrist rockets and were launching pieces of cement at them. Several of the items at the scene were eventually collected as evidence, including wrist rockets and the two large signs. One officer's uniform was contaminated by being struck with the suspected feces.

The MFF officers with the assistance of a SWAT team responded to the attack by deploying smoke, stinger ball grenades, and other less-lethal munitions. As a result the opposing group began to disperse and headed westbound on Shepard Road with the larger crowd. The crowd overtook the street and also blocked eastbound traffic. As the officers continued their pursuit, some members of the crowd hit and kicked at cars that were forced to stop. Some of the citizens in the vehicles surrounded by the violent group appeared terrified and visibly shaken.

Eventually the police were able to contain the large group and begin arrests. Members of the MFF platoon who had been under attack assisted arrest teams by pointing out specific individuals who were recognized as being directly involved in the attack. These individuals were arrested and booked on a charge of felony riot. The remaining persons (over 100) were cited for the misdemeanor offense of remaining at an unlawful assembly.

The 18 individuals booked on felony riot charges were subsequently identified as:

Arne, Nicole Lahoz (dob/03-27-84);
Asplen, Dylan Grafton (dob/04/11/88), a.k.a., Aspen, Dylan G. (Dob/04/11/88);
Bogema, Dominique Elise (dob/05/22/86);
Chavez, Benjamin Nefi (dob/06/30/90);
Chubak, Skyler John (dob/09/19/89);
Dickey, Meredith Ann (dob/08/26/90);
Dutoit, Nathan Daniel (dob/09/09/85);
Guzman, Christian Aldrich (dob/01/19/90);
Hayes, Adriyn Oliver (dob/04/10/86);
Keefe, Rheanna NMN (dob/02/23/85);
Lanetot, Jared Paul (dob/01/04/78), a.k.a. Lanetot, Joel Paul (dob/01/04/78);
Moore, Danitha Jane (dob/07/21/87);
Rudawski, Tovah Virginia (dob/01/21/87);
Strandquist, Mark Aloysious (dob/06/20/85);
Swift, Zachary James (dob/04/27/83);
Szubinski, Elizabeth Ann (dob/06/16/90);
Taylor, Nicholas Sylvan (11/15/84); and
Ward, Michael James (dob/08/04/86).

The Office of the Ramsey County Attorney has reviewed the investigative reports and declined to prosecute the above persons on felony riot charges upon a determination that there was insufficient evidence regarding the use of an obvious dangerous weapon.

Based upon the foregoing, your complainant believes the following: that on the 1st day of September, 2008, within the city limits of Saint Paul, Ramsey County, Minnesota, Nicole Lahoz ARNE, Defendant herein, did wrongfully and unlawfully...

COUNT I: RIOT, 3RD DEGREE - GROSS MISDEMEANOR.

§609.71, Subd. 3. PENALTY: 0-1 year and/or \$3,000 fine.

disturb the public peace by an intentional act or threat of unlawful force or violence to person or property.

Court Case #: _____

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This COMPLAINT was subscribed and sworn to before the undersigned this _____ day of _____

NAME: _____

SIGNATURE: _____

TITLE: _____

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. The Defendant (s) is/are thereof charged with the above-stated offense.

SUMMONS

THEFORE You, THE ABOVE-NAMED DEFENDANT(S), ARE HEREBY SUMMONED to appear on the

day of _____ at _____ before the above-named court at _____

to answer this complaint.

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

WARRANT

EXECUTE IN MINNESOTA ONLY

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

ORDER OF DETENTION

X Since the above-named Defendant (s) is/are already in custody: I hereby order; subject to bail or conditions of release, that the above-named Defendant (s) continue to be detained pending further proceedings.

Bail: \$6,000

Conditions of Release: _____

This COMPLAINT - SUMMONS/WARRANT/ORDER OF DETENTION, duly subscribed and sworn to, is issued by the undersigned Judicial Officer this _____ day of _____

NAME: _____

SIGNATURE: _____

TITLE: _____

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

STATE OF MINNESOTA COUNTY of

RAMSEY

State of Minnesota

Plaintiff,

vs.

Zachary James SWIFT,

Defendant (s)

Clerk's Signature or File Stamp:

RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this COMPLAINT - SUMMONS/WARRANT/ORDER OF DETENTION upon the Defendant (s) herein-named.

Signature of Authorized Service Agent:

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

State of Minnesota

VS.

Zachary James SWIFT

NOTICE BY PROSECUTING ATTORNEY OF
EVIDENCE AND IDENTIFICATION
PROCEDURES PURSUANT TO RULE 7.01, DISCLOSURE
BY PROSECUTOR
PURSUANT TO RULE 9.01 AND DEFENSE
FOR DISCLOSURE PURSUANT TO RULE 9.02


TO: The above-named defendant or their attorney:

A. Pursuant to Rule 7.01 Minn. Rules of Criminal Procedure, you are advised that in the above-named case the prosecution has: evidence against the defendant obtained as a result of a search, search and seizure. confessions, admissions or statements in the nature of confessions made by the defendant. evidence against the defendant discovered as a result of confessions, admissions or statements in the nature of confessions made by defendant. Evidence of the following identifications procedures: lineups, the exhibition of photographs of the defendant or any other person, other observations of the defendant.

B. Disclosure pursuant to Rule 9, Minn. Rules of Criminal Procedures:

- 1) Names and addresses of prospective witnesses for the State are contained in the attachments hereto or to the complaint: and you are hereby notified that St. Paul Criminalists and Minnesota BCA Laboratory analysts may be called as State's witnesses in DUI cases.
- 2) The relevant written or recorded statements if any, and the substance of any oral statements made either by the defendant or by any accomplices, if any, are attached to the complaint or to this notice.
- 3) At trial, the State may offer any of the items of physical evidence described in the attachments to the complaint or to this disclosure. The State may also offer diagrams or maps of the crime or arrest scenes, medical records, driver's license or motor vehicle records, business records, photographs of the victim, the defendant and others, or of the arrest or crime scene, and photographs of lineups and photo displays used by the police.
- 4) Any results or reports of physical or mental examinations, scientific tests, experiments or comparisons are attached hereto or to the complaint.
- 5) Defendants prior convictions known to the State will be disclosed upon disclosure by defense of prior convictions known to defendant.
- 6) The State is not aware of information negating or reducing the guilty of the accused except as has been disclosed.
- 7) If the defense has been served with notice of other offenses pursuant to Minn. Rules of Criminal Procedure 7.02, and if such other offenses are separately charged, disclosures made to the defense in connection with such charges are incorporated herein by reference.

FURTHER, DEMAND IS HEREBY MADE PURSUANT TO THE RULE 9.02 OF THE MINN. RULES OF CRIMINAL PROCEDURE THAT YOU MAKE THE DISCLOSURES REQUIRED BY THAT RULE BEFORE THE DATE OF THE OMNIBUS HEARING.


Stephen J. Christie
Asst. City Attorney
651-266-9748
500 City Hall
15 W. Kellogg Blvd
St Paul, MN 55102
Attorney Reg #: 187215