

# *United States Attorney's Office*

## *Northern District of Iowa*



**United States Attorney Kevin W. Techau**

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### **PRESS RELEASE**

FOR IMMEDIATE RELEASE

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Cedar Rapids, Iowa

### **Former Effigy Mounds National Monument Superintendent Sentenced to Serve Federal Jail Time**

CEDAR RAPIDS, IA - Kevin W. Techau, United States Attorney for the Northern District of Iowa, announced that the former Superintendent at the Effigy Mounds National Monument who stole human remains and hid them in his garage for twenty years was sentenced today in federal court to serve federal jail time.

Thomas A. Munson, age 76, from Prairie du Chien, Wisconsin, received the sentence after a January 4, 2016, guilty plea. Munson was an employee of the National Park Service from July of 1964 to May 1994. He served as Superintendent of the Effigy Mounds National Monument from February 1971, until his retirement in 1994. At all times during his employment, Munson was entrusted with preserving and protecting the sacred site. He failed this trust.

Evidence presented at the plea and sentencing hearings revealed that sometime in July of 1990, Munson decided to illegitimately take possession of items in the museum collections in an effort to avert the mandates of the then pending Native American Graves Protection and Repatriation Act, which he thought was "bad law". The law allowed—in Munson's opinion—modern day Native American Tribes to inaccurately and unscientifically affiliate themselves with prehistoric human remains and funerary objects. To thwart the law and to save him personally the effort of complying with it, Munson decided to remove skeletal prehistoric human remains from the museum collection in an attempt to maintain possession of any associated funerary objects that might otherwise follow the human remains back to a tribe.

Sometime in July of 1990, Munson directed a seasonal National Park Service employee to remove the skeletal prehistoric human remains of 41 Native Americans (i.e., approximately 2,135 whole and fragmentary human remains) from the museum

collection. The majority of these skeletal remains was originally removed from archeological sites within Effigy Mounds National Monument and organized by catalog and accession numbers within the collection drawers of the museum curatorial storage facility.

On or about July 16, 1990, Munson and the seasonal employee each carried a box of human remains from the museum's curatorial facility to his car. Munson then drove the items to his Prairie du Chien, Wisconsin home where he concealed them for more than twenty years. During the time period of the crime, Munson repeatedly misled the National Park Service employees about what became of the missing human remains.

As part of his plea agreement, defendant wrote a public acknowledgment expressing his guilt and apologized for his actions. A copy of that document is attached.

Munson was sentenced in Cedar Rapids by United States District Court Chief Magistrate Judge Jon S. Scoles. Munson was sentenced to 10 consecutive weekends in jail, 12 months' supervised probation, home detention for 12 months' with appropriate monitoring to ensure compliance, \$3000 fine and a \$25 special assessment. He was also ordered to perform 100 hours of community service and pay restitution in the sum of \$108,905.

United States Attorney Kevin W. Techau said following sentencing, "It is a very sad day when a public official betrays the public's trust. This was a serious crime and the betrayal was compounded by a violation of the most sacred trust placed in Mr. Munson as the Superintendent of Effigy Mounds National Monument."

Current Effigy Mounds Superintendent James Nepstad stated, "Mr. Munson's crime violated the trust of the American Indians in particular, the public, and the National Park Service, and the agency he served." Nepstad continued noting, "Munson's illegal actions prevented us from repatriating these human remains for over twenty years. Despite his obstruction of our investigation, we found and recovered these human remains and are committed to working with our tribal partners to repatriate them as quickly and respectfully as possible. Additionally, we are continuing to establish safeguards at Effigy Mounds to protect sacred remains in accord with the Native American Graves Protection and Repatriation Act. We thank the Department of Justice for investigating this case with us, and bringing resolution to it."

The Effigy Mounds National Monument located in Allamakee County, Iowa and operated by the National Park Service was established by a Presidential Proclamation by Harry S. Truman on October 25, 1949 under the Antiquities Act of 1906. The monument was established primarily to protect over 200 known prehistoric earthen burial mounds, some in the shape of animals, constructed between 700 and 2,500 years ago. The monument land is held in fee simple by the National Park Service, United States Department of the Interior. The monument is an area of concurrent federal jurisdiction.

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The following Tribes affiliate themselves with Effigy Mounds National Monument:

Crow Creek Sioux Tribe  
Flandeau Santee Sioux  
Ho-Chunk Nation  
Iowa Tribe of Kansas & Nebraska  
Iowa Tribe of Oklahoma  
Lower Sioux Indian Community  
Omaha Nation  
Otoe-Missouria Tribe  
Ponca Tribe of Nebraska  
Prairie Island Indian Community  
Sac and Fox Nation of Missouri in Kansas and Nebraska  
Sac and Fox Nation of Oklahoma  
Sac and Fox Tribe of the Mississippi in Iowa  
Santee Sioux Nation  
Shakopee Mdewakanton Sioux Community of Minnesota  
Sisseton Wahpeton Oyate Tribe  
Standing Rock Sioux Tribe  
Upper Sioux Indian Community  
Winnebago Tribe of Nebraska and  
Yankton Sioux Tribe

The case was investigated by the National Park Service and prosecuted by Assistant United States Attorney Forde Fairchild.

Court file information at <https://ecf.iand.uscourts.gov/cgi-bin/login.pl>.  
The case file number is CR15-1030.

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*To all Native Americans, particularly to the tribes associated with Effigy Mounds National Monument, and to the National Park Service, and all Americans:*

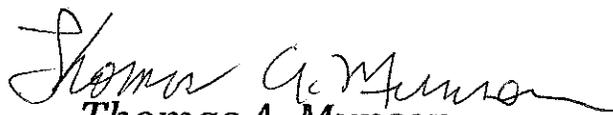
*I deeply regret and I am unilaterally sorry for the events surrounding the misappropriation of Native American human remains by me. I apologize wholeheartedly.*

*While I inappropriately stored these human remains in my garage, in garbage bags inside cardboard boxes without temperature, humidity, or other environmental controls, for years, please understand that I did nothing else to deliberately harm them.*

*These human remains came primarily from the collections of Effigy Mounds National Monument. Despite being employed to protect the Monument and having a responsibility to guard these remains, I knowingly removed these items from the Monument and hid them for over twenty years. By doing so I delayed the repatriation and internment of these people.*

*I did what I did in a mistaken effort to avoid the obligations imposed by NAGPRA. I am now profoundly sorry for doing so. I apologize also to my many Native American friends with whom I went to school, played with, competed in sports with, attended school events with from day 1 through college and graduate school. Please remember me as you know me and not for what I have done.*

*Regards to all of you, Go with God,*

  
Thomas A. Munson