

A REPORT FOR THE PEOPLE OF MISSOURI

# ATTORNEY GENERAL SUNSHINE

**RESPONSES TO PUBLIC  
RECORDS REQUESTS SHOW  
NO POLICING OF DARK MONEY**

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PREPARED BY  
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# SUNSHINE REQUESTS

Two sets of Sunshine Requests were sent to Missouri Attorney General Josh Hawley as part of an investigation into the influence of dark money – large anonymous political donations – in Missouri. The investigation is ongoing, and results are being published online at [www.NoMODarkMoney.org](http://www.NoMODarkMoney.org). This report is based in large part on the responses to these Sunshine Requests.

The requests are reproduced and compiled with the Attorney General's responses for ease of reading online at <http://bit.ly/MOSunshine>.

The original Sunshine Requests, Sunshine Responses, and related correspondence are available upon request. This request can be made through [www.NoMODarkMoney.org](http://www.NoMODarkMoney.org), by email to [elad.j.gross@gmail.com](mailto:elad.j.gross@gmail.com), or by phone at 314-753-9033.

# MISSOURI ATTORNEY GENERAL NOT POLICING DARK MONEY

Missouri Attorney General Josh Hawley is not fulfilling his responsibility under Missouri's consumer protection laws (RSMo. Chapter 407) to police deceptive nonprofits circumventing Missouri campaign finance laws.

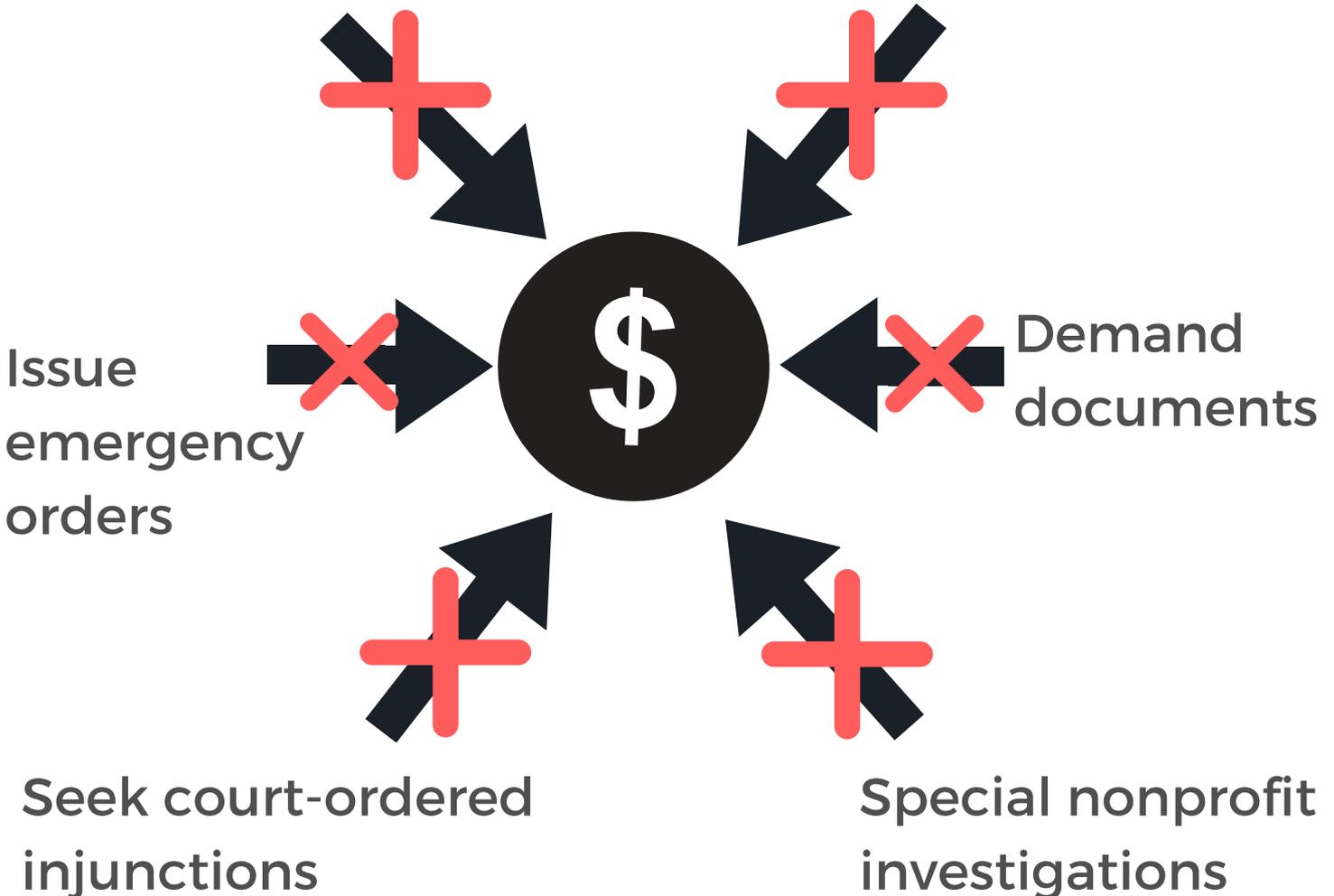


Referrals to other agencies



Civil investigations

Criminal investigations



# MISSOURI ATTORNEY GENERAL TAKING DARK MONEY

Attorney General Josh Hawley is a candidate for U.S. Senate. He has taken political donations from dark money organizations, including at least three with ties to the dark money scheme in Missouri he is not investigating.

**\$135,851.50 from  
Senate Conservatives Fund**



**\$10,000 from  
Great America Committee**



**\$252,560.33 from  
Club For Growth**

The Great America Committee is Vice President Mike Pence's PAC. It is run by his chief of staff, Nick Ayers, and Michael Adams, both of whom organized the Missouri dark money scheme.

The Senate Conservatives Fund and the Club For Growth both took significant donations from a Chicago billionaire involved in Missouri dark money.

These amounts may not account for related fundraising events.

# MISSOURI ATTORNEY GENERAL'S EXCUSES

**#1: A New Missouri, Inc., and other dark money organizations are political, not charitable.**

## **They are charitable organizations.**

A New Missouri, Inc., and many other dark money organizations are legally organized as charities. Attorney General Hawley accepted A New Missouri, Inc.'s registration as a charity and told the organization to follow Missouri's charity laws.

**#2: It's the Missouri Ethics Commission's job.**

## **It's not. The buck stops with the Attorney General.**

The Missouri Attorney General has the responsibility under Missouri consumer protection laws to police dark money nonprofit organizations.

The Missouri Ethics Commission does not have that authority. In a recent advisory opinion, the MEC stated that organizations only have to report to it if they accept money earmarked for elections, but not if they accept "general" donations like many other nonprofits. Policing those latter activities is the Attorney General's job.

# MISSOURI ATTORNEY GENERAL SUNSHINE LAW CHALLENGES

As part of this investigation, two Sunshine Requests were sent to the Attorney General. Responses were only provided after the threat of a lawsuit. The Attorney General appears to interpret the Sunshine Law differently from how it is written.

In the event government entities need more than three days to respond to a request and “access to the public record is not granted immediately, the custodian shall give a detailed explanation of the cause for further delay and the place and earliest time and date that the record will be available for inspection.” RSMo. 610.023.3.

The Attorney General, however, appears to treat "earliest date" as a best guess rather than a deadline and does not follow-up as these dates are missed.

The purpose of Missouri's Sunshine Law is to ensure transparency in government. Any Missourian has the power to ask their government to produce records. But most Missourians do not have the legal training to know when their government is denying them their legal rights.

The Attorney General's actions in this instance are concerning for anyone seeking transparency in their government, especially since the Attorney General is charged with enforcing Missouri's Sunshine Law.

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## WHAT DOES THIS **MEAN FOR MISSOURI?**

The Missouri Attorney General is not doing his job. He is not investigating dark money nonprofit organizations. He is not investigating a particularly egregious organization that a leader in the Missouri House called a "criminal enterprise." He says another agency is supposed to do his job - an agency that does not have his authority and that has not received any referrals from the Attorney General.

And while the Attorney General does not police dark money, he takes money from the same dark money operatives he should be investigating.

Today, despite our laws and despite the terrible damage dark money does to our state, Missouri is open for dark money business.

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**THE USE OF DARK MONEY HAS  
COMPROMISED MISSOURI. IT'S UP TO  
MISSOURIANS TO FIX IT.**

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# WHAT YOU CAN DO

Dark money avoids transparency, and it is most effective when no one pays attention. You can help just by getting involved and making your voice heard. There is nothing more powerful than a united, determined people.

You can demand change from our elected officials.

Find your elected representatives at:

[http://www.senate.mo.gov/LegisLookup/default.aspx/leg\\_lookup.aspx](http://www.senate.mo.gov/LegisLookup/default.aspx/leg_lookup.aspx)

Ask Attorney General Josh Hawley to investigate A New Missouri, Inc. at 573-751-3321.

And if you want to get involved in reforming Missouri government, sign up at [www.NoMODarkMoney.org](http://www.NoMODarkMoney.org).

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# ABOUT THIS REPORT

This report was written by Elad Gross, a constitutional attorney and former Assistant Attorney General of Missouri. He began investigating dark money in Missouri in 2017.

Several volunteers helped design and edit the final report. These volunteers, from different backgrounds and with different perspectives, gave many hours to help Missourians see the impact dark money is having on their state. No one was paid for any of the time they spent on this report.

Their work stands as a testament to what Missourians can do when they work together.

We hope that our work inspires others to get even more involved in making Missouri better.