

JULY 2018

REPORT 4

A REPORT FOR THE PEOPLE OF MISSOURI

MISSOURI COMPROMISED:

WHY IS NO ONE WATCHING?

PREPARED BY
ELAD GROSS

SYSTEMS FOR SECURITY

NO ONE IS WATCHING DARK MONEY

Dark money flows unchecked in Missouri despite Missouri laws designed to promote transparency in elections and from nonprofits.

When government officials had an opportunity to investigate one of these 501(c)(4) organizations - A New Missouri, Inc. - they dropped their investigations.



MISSOURI HOUSE OF REPRESENTATIVES

The Missouri House of Representatives determined it lost jurisdiction after Governor Greitens resigned.



TWO MISSOURI PROSECUTORS

Two Missouri prosecutors dropped investigations into Governor Greitens related to campaign violations.



MISSOURI ATTORNEY GENERAL

The Missouri Attorney General has not investigated A New Missouri, Inc.



MISSOURI ETHICS COMMISSION

A New Missouri, Inc. has not registered with the Missouri Ethics Commission, and no other government agency has sent the MEC a complaint about the organization.

"[D]ocuments also tend to show that those in charge of the Greitens' campaign had a scheme to hide donor identities and attempt to funnel donors to a [501](c)(4) if a potential donor's identity would either be politically troublesome or they were otherwise prohibited by federal or state law from contributing to the campaign."

State Representative Jay Barnes, Chair of investigation

THE MISSOURI HOUSE OF REPRESENTATIVES



The Missouri House of Representatives convened a Special Investigative Committee on Oversight to investigate wrongdoing by Governor Greitens while he was still in office. During that investigation, the Missouri House of Representatives subpoenaed A New Missouri, Inc.'s records. Hours after a judge granted the subpoena, the governor resigned.

On June 7, the Missouri House dropped its subpoena and, days later, its investigation into A New Missouri, Inc. The Committee determine it no longer had jurisdiction to investigate due to the governor's resignation.

In a letter to his colleagues, State Representative Jay Barnes, the chair of the investigative committee, wrote that the committee had significant evidence of wrongdoing, including acts involving A New Missouri, Inc.

"Make no mistake. Missourians deserve a full accounting of A New Missouri, Inc., which I have come to believe was a criminal enterprise from its inception – designed to illegally skirt donation limits and conceal the identities of major donors to Eric Greitens and ballot initiatives relating to right-to-work that were supported by the former governor."

State Representative Jay Barnes, Chair of investigation

TWO MISSOURI PROSECUTORS



Two investigations by Missouri prosecutors touching on the Greitens dark money operation were dropped.

CIRCUIT ATTORNEY KIM GARDNER



St. Louis prosecutor Kim Gardner charged former Governor Eric Greitens with computer tampering for misappropriating a donor list from The Mission Continues, a nonprofit organization. That charge was dismissed as part of an agreement between the Circuit Attorney and Governor Greitens; Greitens resigned his position and agreed not to sue Gardner for how she handled his prosecution, and Gardner dropped charges against him.

PROSECUTOR MARK RICHARDSON



Cole County Prosecutor Mark Richardson declined to charge Governor Greitens with filing a false campaign report with the Missouri Ethics Commission. The report involved the donor list taken from The Mission Continues. The Missouri Attorney General had referred the case to the prosecutor for potential charges. But when the charge was not filed, the Attorney General did not pursue further action.

THE MISSOURI ATTORNEY GENERAL



The primary official in charge of investigating A New Missouri, Inc. and dark money organizations is Missouri Attorney General Josh Hawley, but, despite multiple inquiries, he has yet to investigate. His office has repeatedly told media outlets that it does not have jurisdiction (the responsibility to investigate) when it comes to "political" rather than "charitable" organizations.

A New Missouri, Inc. is a charitable organization, and the Attorney General is responsible to investigate.

On March 2, 2017, Attorney General Hawley received a Charitable Organization Initial Registration Statement from A New Missouri, Inc.

On March 13, 2017, Attorney General Hawley accepted A New Missouri, Inc., as a charitable organization and told it to abide by Missouri's Merchandising Practices Act, which governs nonprofit organizations soliciting donations in Missouri.

March 13, 2017

A New Missouri, Inc.
Attention: Michael Adams
105 E High Street Suite 100
Jefferson City, MO 65101

RE: Charitable Organization & Solicitations Law;
Section 407.450 RSMo thru 407.478 RSMo, 2000
Registration No.: **CO-154-17**
Registration of: **A New Missouri, Inc.**

Dear Sir / Madam:

Your completed registration statement has been reviewed and filed on March 13, 2017. Please make note of your registration number; you should include this number in any further correspondence or in amended submissions to this office.

As a reminder, any Professional Fundraising Organization your organization hires to solicit funds must register with this office per § 407.466 RSMo, 2000. If the services of a professional fundraiser are used, a copy of the contract signed by the organization and that fundraiser must be submitted to us. Exact copies of all solicitation materials used to solicit funds must accompany the contract. Each amendment to your annual registration must be accompanied by a \$25.00 amendment filing fee made payable to the **Merchandising Practices Revolving Fund**.

As a further reminder, in future years an annual report must be filed within 75 days of the close of the fiscal year end. Failure to submit an annual report within the allotted time period will cause the charitable organization registration to become delinquent and penalties issued. A blank annual report form came be downloaded from our website which is listed below. Please complete and submit this form at the closing of the organization's fiscal year end.

We appreciate your cooperation. Please contact me with any questions or visit us at www.ago.mo.gov.

Sincerely,

JOSHUA D. HAWLEY
Attorney General
Donna Rodenbaugh
Donna Rodenbaugh
Registration Specialist
Consumer Protection Section

	Charitable Organization Initial Registration Statement		Missouri Attorney General Josh Hawley		1280 ago.mo.gov 573-751-3321	
	ENCLOSE \$16 FEE					
Most charitable organizations are required to register before soliciting for donations. Mail this completed form to: Missouri Attorney General's Office • Attention: Registration Specialist • P.O. Box 899 • Jefferson City, MO 65102						
Charitable Organization Information						
OFFICIAL NAME A New Missouri, Inc.						
OTHER NAMES USED (DBAs)						
PRINCIPLE PLACE OF BUSINESS	105 E High Street Suite 100	Jefferson City	MO	65101	3144023303	
Street	City	State	Zip	Phone		

SUPPORT FOR ATTORNEY GENERAL'S JURISDICTION



A New Missouri, Inc. registered with the Attorney General as a charity

And the Attorney General told the organization to follow laws regulating charities in Missouri.



Under Missouri case law, 501(c)(4) organizations can be charitable

In a case in 2000 involving a 501(c)(4) organization, the court found the organization to be charitable. The Attorney General at the time argued that all 501(c)(4) organizations are charitable.



A New Missouri, Inc. registered as a public benefit corporation

According to Missouri courts and Missouri law, a public benefit corporation like A New Missouri, Inc. is charitable.



Previous Attorney General opinions found that organizations like A New Missouri, Inc. can be charitable

In 1987, the Attorney General found a Chamber of Commerce could be charitable.

In 1988, the Attorney General came to the same conclusion for 501(c)(7) and 501(c)(8) organizations.

WHAT IS NOT HAPPENING IN MISSOURI

Multiple requests for public records were sent to the Missouri Attorney General and to the Missouri Ethics Commission. The responses indicated that investigations into 501(c)(4)s are not happening in Missouri.

The Attorney General is not investigating 501(c)(4) organizations.

The Attorney General has no records of investigations into 501(c)(4) organizations. Oddly, the Attorney General also closed records of investigations into A New Missouri, Inc., a 501(c)(4). These two answers appear contradictory.

The Attorney General has not referred A New Missouri, Inc. to the MEC for investigation.

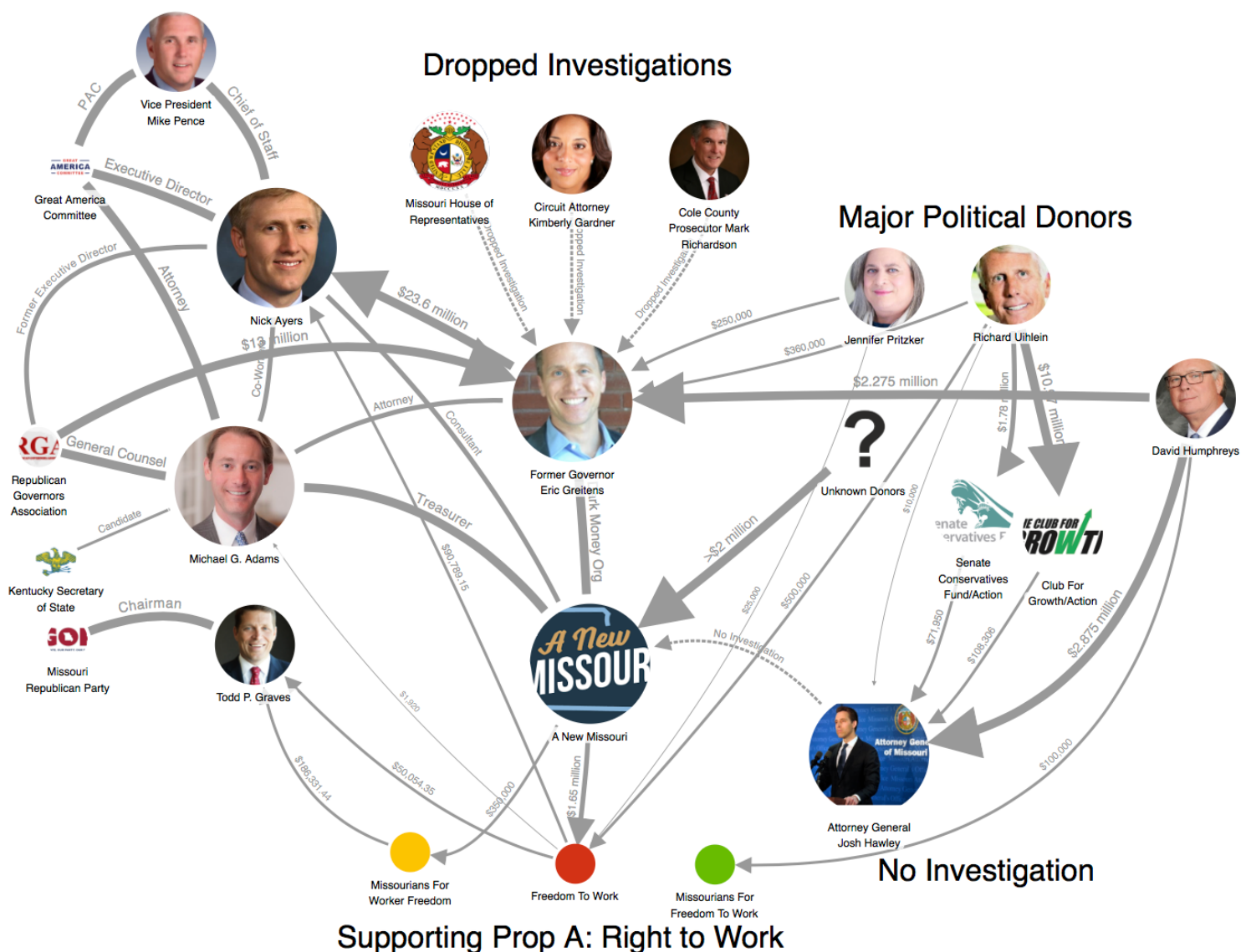
The Missouri Ethics Commission has no records of a referral from the Attorney General's Office. The Attorney General said he needed more time to find those records.

The Attorney General is not maintaining a readily-producible list of registered 501(c)(4) organizations.

The Attorney General is so far unable to produce a list of 501(c)(4) charitable organizations he is required to maintain under Missouri's consumer protection laws.

MISSOURI COMPROMISED

Dark money has left Missourians with a web of political donations, millions of hidden dollars invading the state, and no accountability.



The connections between political donors, dark money operations, and elected officials indicate a potential national scheme to pass a Right to Work law in Missouri and avoid a disruptive investigation.

WHY IS

NO ONE WATCHING?

Missouri has been compromised by dark money.

Millions of dollars have flowed into Missouri to influence statewide labor policy. Millions more have gone to support the elected officials in the best position to regulate dark money. Attorney General Hawley's largest political donors are connected to the dark money laundering scheme he is not policing. Whether or not their donations have influenced him, the appearance of corruption damages Missouri government.

Elected officials are not enforcing Missouri laws requiring some transparency, and government reform does not appear to be a priority.

No one is watching because Missouri is compromised.

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



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

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.

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.