



April 12, 2023

Dear Governor Parson:

This is the third letter we have sent you to ask you to act on behalf of St. Louis City residents to issue an Executive Order to implement Missouri Statutes 27.030 and/or 106.250 to allow the Attorney General, or one of his prosecutors, to assist the circuit attorney in the discharge of their respective duties in the trial courts and in examinations before grand juries. It's been more than 11 months and we still haven't even received a response from your office.

The people of St. Louis and surrounding communities are suffering and are frustrated by the incompetence and corruption of St. Louis Circuit Attorney Kim Gardner to effectively prosecute criminals. Additionally, they are tired of having a Governor who doesn't seem to care about their safety. They are tired of having to walk in fear every day wondering if their homes, their cars, or their businesses will be robbed or stolen. **It is time to step up and take productive action.**

The latest example of the St. Louis Circuit Attorney's incompetence occurred last week when St. Louis Judge Theresa Counts Burke sanctioned the Circuit Attorney's Office for withholding evidence in a double homicide case and allowing the suspect on bond.

Judge Counts-Burke ruled in favor of the accused because Assistant Circuit Attorney Alex Polta apparently violated discovery rules that required prosecutors to turn over evidence including DNA reports and a recording of a 911 call. Judge Counts-Burke stated in her ruling, "The Court finds that there have been repeated delays by the State in obtaining discovery and providing it to the defense." Judge Burke further stated, "There has been a lack of diligence on the part of the state in following up and providing discovery to the defendant in a timely fashion."

This is not only grounds for you to invoke these statutes but also for her to be arrested and prosecuted for Prosecutorial Misconduct.

Furthermore, it was reported on Thursday, April 7th by KSDK reporter Christine Byers that no one from the St. Louis Circuit Attorney's Office was present in the Daniel Riley arraignment and has yet to receive a copy of his indictment. Daniel Riley was the person who ran over the 16-year-old girl from Nashville, TN in St. Louis and caused life-altering damage to her. This means it is likely this criminal, who has violated his bond over 100 times, will go free again.

Freedom Principle MO
PO Box 15095 - St. Louis, MO 63110
freedomprinciplestl@protonmail.com

The Freedom Principle MO has been actively collaborating with legislators to pass HB 301 which would give the governor the authority to appoint a special prosecutor. However, until the Senate acts and passes this bill, we are demanding you take immediate steps to invoke Missouri Statute 27.030 and /or Missouri Statute 106.250 to allow Attorney General Andrew Bailey, or one of his prosecutors, to assist the circuit attorney in the discharge of their respective duties.

The Freedom Principle MO is doing everything we can to support our police and to hold St. Louis politicians accountable for their actions. We need your help in this fight and we are tired of waiting. We need you to act immediately and sign these Executive Orders.

Please contact me if you have any questions or concerns. I can be contacted by phone at 314-402-0655 or by e-mail at freedomprinciplestl@protonmail.com.

Respectfully,

Byron Keelin,
President
Freedom Principle MO

CC: Attorney General Andrew Bailey

The following news stories are further evidence of why we need you to take immediate action to help St. Louis City. Given what we already know about Kim Gardner's unethical and unprofessional conduct with the Greitens's case, failing to disclose evidence, misrepresenting evidence, and other ethical violations, we would like to call attention these additional instances of Circuit Attorney Gardner's conduct since her "reprimand."

- Fox 2 News in St. Louis reported earlier this month that St. Louis Circuit Attorney Kim Gardner dismissed more than 24,000 low-level cases. Many of these low-level cases are NOT victimless crimes. Some of these include hit and run cases where an innocent citizen was either hit or killed by these criminals. Here is the link to the news story <https://fox2now.com/news/missouri/st-louis-municipal-court-dismisses-24000-low-level-cases-amid-backlog/>
- The St. Louis Post-Dispatch published a story that stated St. Louis City is on pace to exceed the number of homicides from last year. Here is the link to the news story https://www.stltoday.com/news/local/crime-and-courts/surge-in-st-louis-homicides-threatens-to-reverse-progress-made-last-year/article_a6263d7a-41b4-58e6-bec3-a73b02915010.html
- May 5, 2022 – Seven people who served on the special grand jury for the Eric Greitens's case has issued a letter to the Missouri Supreme Court to take "stronger" action against Ms. Gardner. Specifically, these grand jurists state, **"Our work exposed us to activity and behaviors in the St. Louis Circuit Attorney's office that we considered disturbing and unethical. What we observed was not inadvertent nor inconsequential but was calculated deceit and/or outright incompetence; neither of which is acceptable behavior for a person holding this public office."** https://www.stltoday.com/news/local/crime-and-courts/grand-jurors-call-st-louis-circuit-attorneys-conduct-reprehensible/article_8753aa18-b665-5386-92e7-c8d53f2cbb4c.html#tracking-source=most-popular-homepage
- April 20, 2022 – KMOX Radio issues a report stating, **"Kim Gardner's office has a pattern of withholding discovery in criminal cases including murder."** The story also reports in a murder trial for a Soulard bar owner ended in a mistrial because Ms. Gardner had a second-year law student from SLU sitting second chair at the prosecutor's table. <https://www.audacy.com/kmox/news/local/pattern-circuit-attorney-kim-gardner-withholding-evidence>
- April 13, 2022 – A judge dismisses murder and robbery charges against two women because the St. Louis Circuit Attorney's office had not turned over records in the case despite court orders to do so. <https://www.usnews.com/news/best-states/missouri/articles/2022-04-13/murder-charges-dismissed-against-2-women-in-st-louis>
- April 12, 2022 – Three murder suspects were acquitted of charges connected to the killings of two St. Louis teens. St. Louis Circuit Attorney Kim Gardner's office failed to disclose evidence to the defense attorney. According to the St. Louis Post Dispatch, **"St. Louis Circuit Judge Jason Sengheiser ruled that investigators did not examine the phones of three people, including Clanton and Scales, and a 'potentially exculpatory' Facebook message that could have helped the defense."** https://www.stltoday.com/news/local/crime-and-courts/three-acquitted-of-charges-connected-to-killings-of-two-st-louis-teens/article_a60a95b5-78ea-5511-91a3-97f9e2a18767.html

- July 25, 2021 – Multiple murder cases were dropped after the St. Louis Circuit Attorney’s office fails to appear in court. According to Fox 2 News, the prosecutor never showed up for court hearings in May, June, and again on July 14 because the assigned prosecutor was on maternity leave and the Circuit Attorney’s office failed to replace her. <https://fox2now.com/news/you-paid-for-it/judge-drops-murder-charges-after-no-show-of-prosecutor-from-st-louis-circuit-attorneys-office/>
- January 25, 2020 – **A judge ruled St. Louis Circuit Attorney Kim Gardner, “Purposely violated the Sunshine Law,”** and ordered the Circuit Attorney to search and produce open public records responsive to *Just The News Editor* John Solomon within 30 days. **In addition, the judge fined Ms. Gardner \$5,000 for violating the open records law and criticized her office for “reckless, dilatory and intentional refusal to timely file a responsive pleading.”** <https://www.ksdk.com/article/news/local/missouri-court-st-louis-circuit-attorney-handling-open-records-lawsuit/63-fd61ea94-df5d-4035-961a-2e774e3e566e>

Additional evidence of Ms. Gardner’s incompetence, since she took office in 2017, over 90 prosecutors have left the office, which is a turnover rate that exceeds 100 percent. Furthermore, from 2019 – 2021 an average of 34 percent of felony cases have been dismissed by Ms. Gardner. This is troubling considering from 2008 through 2016, the yearly share of dismissed cases ranged from 10 to 15 percent.