



JOHN R. ASHCROFT
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STATE OF MISSOURI

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December 10, 2018

VIA HAND DELIVERY

The Honorable Nicole Galloway
Missouri State Auditor
State Capitol, Room 121
Jefferson City, MO 65101

Re: Closeout Audit of Missouri Attorney General's Office

Dear Auditor Galloway:

This office received a complaint from the American Democracy Legal Fund alleging that Missouri Attorney General Josh "Hawley used public funds as Attorney General to support his candidacy for the U.S. Senate." A copy of the complaint is enclosed.

We have commenced an investigation of the allegations in the complaint. We request you investigate these allegations as part of your audit of the Missouri Attorney General's Office that will take place due to the change in officeholder ("closeout audit"). We do not have the same tools that the Auditor's Office has to conduct an investigation. For example, under section 115.642, RSMo, we have no subpoena power over documents or persons. It is unknown at this time whether relevant documents cited in the news article were from the Attorney General's Office, or from a person or entity not subject to the Sunshine Law. Additionally, it is not clear whether some part of the allegations are based upon oral statements.

As Auditor, you have free access to the Attorney General's Office for this audit, as well as subpoena power over persons and documents. § 29.235, RSMo. Your office's experience in this area is demonstrated by your audit of the Missouri Governor's Office in 2017, in which you found that Governor Nixon used state resources for political and personal purposes.

In addition to requesting that you investigate these specific allegations as part of the closeout audit, we also request that you give us access to the parts of the audit that relate to the allegations of improper use of state resources. Specifically, we request access to or copies of any records (of the agency or third parties) obtained that are relevant to the allegations in the complaint. If you plan to interview employees about the allegations, we request to at least sit in on such interviews.

The Honorable Nicole Galloway

December 10, 2018

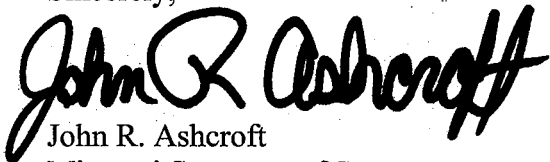
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If you issue subpoenas for non-employees and will take their deposition under oath, we request the same access.

As we continue our investigation, if we obtain information or records that would be beneficial to your audit, we will share them with you.

If you have any questions, please contact my General Counsel, Frank Jung, at 573/751-4875.

Sincerely,

A handwritten signature in black ink that reads "John R. Ashcroft". The signature is written in a cursive, flowing style.

John R. Ashcroft
Missouri Secretary of State

Enclosure