Secret, Dangerous, and Unaccountable:
Exploring Patterns of Misconduct in Missouri’s Drug Task Forces

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Introduction

Missouri’s multi-jurisdictional enforcement groups and multi-jurisdictional drug task forces wield tremendous power enforcing the state’s drug laws. In 2013, they spent a combined $5.2 million enforcing drug laws across the state and made nearly 40 percent of the state’s more than 20,000 arrests for cannabis offenses. This funding is largely available as a result of Governor Nixon’s 2013 initiative to boost task force funding by three million dollars. These drug task forces operate with little to no supervision or transparency and routinely ignore legal open records requests for public documents.

When my research began in October 2013, there were twenty-seven active drug task forces. Today there are twenty-five, as the Bootheel and Mineral Area drug task forces no longer receive funding. Missouri’s drug task forces are sustained by a combination of funding allocated by the state legislature and Byrne Justice Assistance Grant (JAG) funding from the Department of Justice, which began with the Anti-Drug Abuse Act of 1988. Each year, the Department of Justice grants Missouri (and most other states) a lump sum of money as part of the JAG program. In Missouri, this money is largely allocated to highly militarized, multi-jurisdictional drug task forces. Alternatively, Missouri could choose to allocate the JAG and legislative funding to drug treatment, prevention, and education, as many other states already do.

The Missouri Department of Public Safety (DPS) controls federally allocated (JAG) and state appropriated task force funding. Since these task forces are state-sanctioned government entities receiving state funding, they are subject to Missouri’s

Sunshine Law, which requires the state’s agencies to make their records open to the public, with limited exceptions.\(^4\) RSMo 610 provides guidelines for the preparation and distribution of documents that are open records. It explicitly states any member of the public can submit a formal request for information considered “public record.”

Throughout my research, I found that Missouri’s drug task forces exhibit a consistent pattern of noncompliance with the Sunshine Law. More than half of Missouri’s drug task forces have completely ignored open records requests at some point, in clear violation of Missouri’s Sunshine Law. In multiple cases, the task force only responded to inform me that they do not have the records I requested, despite, in some cases, a legal obligation to keep the requested records. Missouri’s multi-jurisdictional drug task forces operate with unprecedented power and a clear lack of oversight, which makes the refusal to follow the state’s open records law particularly troubling.

Drug task forces’ frequent disregard for the law, persistent lack of oversight and accountability, and regularly inappropriate conduct lead to the conclusion that these drug task forces should be de-funded and disbanded immediately. This report utilizes a multitude of examples to underscore the urgent need to do so.
Pretending Not to Exist

If there is a theme among Missouri’s drug task forces, it is that they consistently fight to preserve secrecy. Perhaps the most incredible example of this opacity comes from the city of Saint Louis. The Missouri State Highway Patrol (MSHP) published a map and listing of the twenty-seven different multi-jurisdictional drug task forces on their website. One is listed as the “St. Louis Metro DTF.” (Law enforcement uses ‘DTF’ regularly in emails and official documents to refer to Drug Task Forces.)

In the course of my research into Missouri’s drug task forces, I filed a Sunshine Law request with the Saint Louis Metropolitan Police Department (SLMPD). Mark Lawson, the department’s records custodian and Attorney Manager at the City of Saint Louis Law Department, replied, “The St. Louis Metropolitan Police Department, whose jurisdiction extends over the City of St. Louis, does not have a ‘St. Louis Metro Drug Task Force.’ Therefore, we have no records responsive to your request. It is possible that St. Louis County Police, which is a separate geographic jurisdiction, may have a Drug Task Force.” I replied to Lawson’s email, requesting further clarification, as I had already obtained documents from the Saint Louis County Drug Task Force through a different records request.

Lawson never replied.

After a month, I submitted a formal Sunshine Law request containing five variations of the name “St. Louis Metro Drug Task Force” in an attempt to provide SLMPD every opportunity to understand what was being requested. Due to the

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6 Appendix A
7 Appendix B
8 Appendix C
9 Appendix D
10 Appendix E
specific response from Lawson, I was concerned SLMPD simply called their task force by a different name. My original request asked for certain documents pertaining to the “St. Louis Metro Drug Task Force,” which is the exact phrasing used on the map published by the Highway Patrol. If the SLMPD called their task force something else, they would technically be correct in stating they don’t have records on the “St. Louis Metro Drug Task Force,” though they would certainly be undermining the spirit and intent of Missouri’s Sunshine Law.

Lawson responded a week and a half later to indicate a search for the phrase “drug task force” had been fruitless. He claimed no one he talked to was aware of the existence of a drug task force and promised to ask another senior employee. He closed by saying he wasn’t sure how he could “produce records of the non-existence of something.”

Two weeks later, Lawson responded once more, saying he “brought this up to the Chief of Police” who “doesn’t know what the Missouri Highway Patrol could be referencing.” This seemed odd, considering the ‘non-existent’ task force Lawson personally oversees spent $200,000 fighting the War on Drugs in 2013. In fact, through additional Sunshine Law requests to the Missouri Department of Public Safety (DPS), I obtained documents confirming the existence of the task force, as well as their receipt of hundreds of thousands of dollars of taxpayer funding. The 2013 Grant Details Report on the SLMPD Drug Task Force lists the Chief of Police as the Project Director of the task force, which gives him “direct oversight over the proposed project.” Furthermore, the first page of the 2012 Grant Details Report lists the “authorized official” legally responsible for accepting over $200,000 a year in funding for the task force as Mark Lawson himself. After receiving these documents from DPS, I emailed Lawson one

11 Appendix F
12 Appendix G
13 Appendix H
14 Appendix I
15 Appendix J
last time, asking him to explain this contradiction, but he never replied.\textsuperscript{16}

The lengths to which the Saint Louis Metropolitan Police Department went to avoid providing public records are troubling. Drug Task Forces in Missouri are entrusted with more power and are subject to less accountability than traditional law enforcement agencies, which suggests a need for greater transparency. The actions of the SLMPD fly in the face of Missouri’s Sunshine Law, and unfortunately antics like this are not limited to a single drug task force. Another task force in Missouri colloquially referred to as “MUSTANG” has come up with their own method to make it difficult to file and obtain lawful Sunshine Law requests.

\textsuperscript{16} Appendix K
Unjustified Costs and Redactions

I filed a lawful Sunshine Law request on Monday, July 24, 2014, to explore the general activities of the Mid-Missouri Unified Strike Team/Narcotics Group (MUSTANG), which is administered by the Cole County Sheriff's Department. The request included standard language requiring advanced notice of any records fees in excess of $10, in accordance with the Sunshine Law. The individual handling the records request informed me their hourly rate to process requests was $25.89 but did not state how many hours the request would require. The request needed a very limited response: three documents, totaling 28 pages, which could be accessed readily from an online records program kept through DPS. As such, I did not expect the request to take more than fifteen minutes to fulfill. To my surprise, I received an email several days later informing me that I owed $70.03 to cover two and half hours of research fees plus copying expenses. Since I explicitly asked MUSTANG to alert me of fees in excess of $10, I objected to the bill and asked why I was charged for two and half hours of research time. The officer said the charges covered locating the data, printing the reports, and redacting information that could jeopardize criminal investigations.

Once I was able to access the documents, I realized the redacted details were actually part of public record and that the redactions were not justified by RSMo 610.100.3. One of the documents MUSTANG provided overlapped with a document I had already received from DPS. MUSTANG chose to redact basic information about the function of the task force, including the number of agencies participating in the task force and their source of funding. MUSTANG further claimed they took advice on what to redact in the documents from DPS despite the same information appearing

18 Appendix N
19 Appendix O
20 Appendix P
21 Appendix Q
without redactions on a document DPS themselves had provided.

Even the process of viewing the documents raised concerns about MUSTANG’s lack of transparency and general relations with the public. Because I believed the $70.03 charge for the documents was unnecessary, I chose to view the documents for free in person at the Cole County Sheriff’s Department, a legal right provided by the Sunshine Law. Given the hostility exhibited by representatives of the MUSTANG Drug Task Force in their previous emails, I carried an audio recorder into the inspection. Three representatives of the department, including an armed officer, greeted me in the conference room. When I began to photograph the records, the officer interrupted and called out, “Hey, you can’t take pictures!” However, the Sunshine Law states: “Each public governmental body shall make available for inspection and copying by the public of that body’s public records,” so I continued taking pictures of each page of the reports presented to me.22

As I flipped through the reports, I quickly realized the redactions did not comply with the Sunshine Law. When I asked about them, the Cole County Sheriff’s Department representatives immediately became hostile. It was then that one individual said they took advice on what to redact from an individual at the Department of Public Safety — someone who is not a lawyer and unqualified to give legal advice. The situation became even more heated when I pointed this out, and the representatives continued behaving in an aggressive manner. Their conduct suggested a hostility toward basic transparency, and their actions had a clear chilling effect on the First Amendment rights of myself and anyone else wanting to ask questions about the MUSTANG Drug Task Force.

These incidents are not isolated; drug task forces routinely charge unjustified fees for documents they would prefer to keep private. Even more troubling, many task forces turn to other, more furtive tactics in an attempt to keep their records a secret.

22 RSMo 610.023.02
Refusing to Identify\(^\text{23}\) 

The Northwest Missouri Interagency Team Response Operation (NITRO), based out of Grundy County, found a solution to avoiding Sunshine Law requests for open records: they deny being a state agency at all. On November 26, 2013, I filed a written request for some basic records about the structure and operation of the task force. After two months passed without a response, I called the phone number designated as the NITRO Task Force contact number on the Missouri State Highway Patrol website. This phone call was confusing and left me with more questions than answers.\(^\text{24}\)

First, I asked if I had reached the NITRO Task Force. The person on the other end immediately asked me to identify myself and who I was with rather than responding to my question. When I indicated I was trying to reach NITRO, he laughed and said, “Nope, this isn’t it.” He refused to identify himself or the building where he was located. After he referred me to another agency, I asked once again for the man to identify himself so I could tell the other agency who had given me their contact information. To my surprise, the man finally admitted I had indeed reached the NITRO Task Force.

The easy manner in which the officer had bluntly lied to a stranger on the phone about something as simple as the organization’s name immediately drew red flags. I decided that a follow up would be necessary in order to try to make sense of what occurred when I first attempted to contact the drug task force.

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Claiming Exemption from State Law\textsuperscript{25} 

My follow-up requests to the NITRO drug task force once again left me with more questions than answers. When I called their listed number again, the answering officer indicated he sent my previous Sunshine Law request to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). He then specified that NITRO was not a state agency overseen by the state government, but confirmed that it is funded through a “grant situation.” However, quarterly status reports submitted by NITRO to DPS and obtained from DPS for this research verified NITRO receives a series of narcotics grants annually from the Department of Public Safety.\textsuperscript{26} The federal government does provide some additional funding for state drug task forces, but it comes in the form of block grants that are distributed by DPS. This means the State of Missouri is the ultimate source of NITRO’s funding.

NITRO claims to be exempt from state Sunshine laws because they are actually a federal agency.\textsuperscript{27} However, RSMo 610.010 is very clear what entities are subject to the Sunshine Law:

\begin{itemize}
  \item[(f)] Any quasi-public governmental body. The term “quasi-public governmental body” means any person, corporation or partnership organized or authorized to do business in this state pursuant to the provisions of chapter 352, 353, or 355, or unincorporated association which either:
\end{itemize}


\textsuperscript{26} Appendix L

a) Has as its primary purpose to enter into contracts with public governmental bodies, or to engage primarily in activities carried out pursuant to an agreement or agreements with public governmental bodies; or

b) Performs a public function as evidenced by a statutorily based capacity to confer or otherwise advance, through approval, recommendation or other means, the allocation or issuance of tax credits, tax abatement, public debt, tax-exempt debt, rights of eminent domain, or the contracting of leaseback agreements on structures whose annualized payments commit public tax revenues; or any association that directly accepts the appropriation of money from a public governmental body, but only to the extent that a meeting, record, or vote relates to such appropriation.\(^{28}\)

Despite their assertions to the contrary, agencies like NITRO are subject to Missouri’s Sunshine Law because they are state-sanctioned and state-funded through the Department of Public Safety. When I contacted the Sunshine Complaint Unit within the Office of the Attorney General of Missouri, Sunshine Complaint Coordinator Casey Lawrence recommended I file a Sunshine Law request with the Grundy County Sheriff’s Office instead, but the sheriff’s office claimed to not have access to the records.\(^{29}\)

I also submitted two Freedom of Information Act (FOIA) requests through the ATF on April 30 and June 21, 2014. As of this publication, I have not received a response to either. Unfortunately, these problems with Sunshine Law compliance are not the only issues I have run into with the NITRO drug task force.

\(^{28}\) RSMo 610.010

\(^{29}\) Appendix M
Unchecked Authority

Missouri’s drug task forces, due in large part to their lack of oversight, operate with unchecked authority. The multi-jurisdictional nature of the task forces divides responsibility in such a way that no one is responsible for the consequences of the actions of the task force. Even though basic principles of accountability demand compliance with the state’s open records law, thus far Missouri’s drug task forces have shown a consistent disregard for the Sunshine Law.

Some of the documents I obtained from DPS revealed that NITRO applied for twenty-one search warrants in 2012.30 A judge and prosecutor signed only seventeen of the warrants, with four effectively denied. Most task forces have no problem getting their search warrants rubber-stamped by a judge. In fact, in 2012, Missouri’s twenty-seven drug task forces applied for a combined 1,231 warrants and all but eight were authorized. This suggests the judicial branch is not checking executive power in these cases. It also raises questions as to the cause of the rejection of the warrants requested by NITRO.

In 2013, all twenty-seven active task forces were denied a combined seven search warrants, and NITRO accounted for three of them. This high denial rate made me even more curious about what set the denied warrants apart from the rest. Statewide, 99.35 percent of task force search warrants were authorized, but less than 81 percent of NITRO’s seventeen warrants received authorization. So far, NITRO has refused to provide any details or explanation as to why their warrants were rejected. NITRO is not the only task force with a questionable history of misleading the public and subverting state law.

Crying Terrorism\textsuperscript{31}

I filed a request with the Combined Ozarks Multi-jurisdictional Enforcement Team (COMET) for their quarterly status reports, which drug task forces are required by law to file quarterly with DPS. After submitting my request to the Administrative Officer for the task force, I waited two months with no response. I followed up with the Greene County Sheriff’s department, who administers COMET, and received a letter saying the “nature and complexity” of my request authorized a delay.\textsuperscript{32} Although RSMo 610.023(3) allows delays beyond three days when “reasonable cause” exists, it also requires “a detailed explanation of the cause for further delay.” Since the quarterly reports are available through an online portal and could have been recovered in a matter of minutes, I requested an explanation for the delay.\textsuperscript{33}

COMET used a variety of tactics to avoid sending me these documents. First, they accidentally sent me an email in which they discussed the best way to avoid fulfilling my request. It also indicated that the individual I was emailing with was also unable to contact the COMET task force, which suggests that despite being legally responsible for the task force, the Greene County Sheriff’s office has no means of even communicating with them. Two days later, I received one of the requested documents from COMET with much of the information illegally redacted and a note that the other document would not be produced due to the public safety exception of the Missouri Sunshine Law.

Specifically, COMET invoked RSMo 610.021(18) as the reason the “closed” records wouldn’t be provided. This particular statutory exception allows records to be closed if they contain policies or procedures “for use in responding to or preventing any critical incident which is or appears to be terrorist in nature.” Claiming that the


\textsuperscript{32} Appendix R

\textsuperscript{33} Appendix S
content of these drug task force records dealt with terrorism is an obvious attempt by COMET to evade the state’s open records laws, but it demonstrates the degree to which many drug task forces evade public transparency.

That may be because the documents used in this research also reveal that Missouri’s drug task forces disproportionately target cannabis, use taxpayer dollars to lobby for policies that benefit them, and use asset forfeiture laws to police for profit. The larger story told by these records should be troubling to all Missourians.
Prioritizing Cannabis Arrests

Missouri's population uses methamphetamine, heroin, and cocaine at higher rates than the national average. Nevertheless, the state's narcotics officers continue to allocate a massive share of their time and resources to cannabis offenses. In 2013, eight of Missouri's drug task forces brought more charges for cannabis than for any other drug including methamphetamine, heroin, LSD, cocaine, or crack. The Platte County Multi-jurisdictional Enforcement Group made more arrests for cannabis than all other drugs combined. The St. Louis Metro Undercover Task Force brought 142 charges for the possession of marijuana. Excluding charges for possession of paraphernalia, the next highest number of charges was for the possession of heroin, at 121.

Despite the fact that cannabis is demonstrably safer than these other illicit substances and a far lower priority to Missouri taxpayers, the War on Drugs waged by Missouri's drug task forces is largely a war on cannabis.

Missouri’s drug task forces also appear to use public money to preserve the state’s criminal justice approach to drug policy. Each year, hundreds of narcotics officers gather at the Lake of the Ozarks for a training conference hosted by the Missouri Narcotics Officers Association (MNOA). Most, if not all, of Missouri’s multi-jurisdictional drug task forces send their officers to this conference, with some referring to it as the only training the organizations receive all year. Missouri’s task forces spend tens of thousands of dollars of tax money on this event each year, yet it appears there is little to no oversight of the event. According to the Clay County Drug Task Force, Missouri’s narcotics officers were taught the latest anti-legalization talking points in classes such as “Marijuana Legalization - Why NOT?” Officers who attend this course received state mandated training credit hours (Peace Officer Standards and Training, a.k.a. POST Certification) for their attendance at the class.

In order to discern more information about MNOA and its annual conference, I filed several Sunshine Law requests with attending task forces and reviewed reports from task forces I had already received. I found that the name of the conference is redacted in a few of the later documents, yet it was not redacted in dozens of other documents obtained earlier via open records requests. DPS only began redacting the name of this conference from documents after I began asking questions about conference expenditures. Taxpayers should be troubled by the fact that their money, allocated for the training of our law enforcement officers, is secretly being used to fund political propaganda. They should be even more concerned that there is an organized effort to conceal the practice.

Civil Asset Forfeiture

Article IX § 7 of the Missouri Constitution requires funds and property seized by government entities to be deposited in a school fund, which is to be distributed among the state’s public schools. Missouri’s drug task forces engage in a significant amount of seizure activity but fail to abide by the state constitution, instead utilizing federal “equitable sharing” loopholes in an attempt to circumvent the laws of Missouri and retain seized funds for their own equipment, salaries, and overtime.

The State Auditor’s Office released their comprehensive annual report on the federal asset forfeiture activity of Missouri law enforcement agencies in June 2014.36 This report demonstrates the extent to which dozens of Missouri police departments rely on asset forfeiture proceeds to fund their budgets. It indicates that multiple agencies received federal asset forfeiture proceeds without filling out paperwork or keeping the records legally required to do so. As a result, money and property are being seized from Missourians without accountability or transparency. Combine that with the incentive structure created by current federal asset forfeiture laws, which allow local law enforcement agencies to keep 80 percent of the money seized, and you have a recipe for abuse.

State law requires forfeiture reports to be submitted by “law enforcement agencies involved in using the federal forfeiture system under federal law.”37 Seven law enforcement agencies reported holding a balance of funds in their federal forfeiture accounts on December 31, 2012, but failed to disclose any activity in 2013. Holding federal forfeiture dollars in an agency’s bank account constitutes being “involved in the federal forfeiture system,” yet seven law enforcement agencies in Missouri did not supply the required documentation to the Missouri State Auditor’s office for their annual report. This lack of compliance is a class A misdemeanor under state law, and

37 RSMo 513.653.1
DPS is legally prohibited from issuing funds to agencies who have not complied.

Although Missouri state law makes “knowing failure” to comply with forfeiture reporting requirement a class A misdemeanor, there is no evidence to suggest this law has been recently enforced. The 2013 audit report referenced above notes that “[t]he DPS compiled a list of law enforcement agencies using information from the POST program and the JAG distribution lists, and notified the law enforcement agencies of the requirement to submit reports if the agencies participated in the federal forfeiture system.” The agencies have been notified by DPS of their requirement to comply, which means they are guilty of a “knowing failure to comply with the reporting requirement” and should therefore be charged with a class A misdemeanor and denied funds from DPS as prescribed by RSMo section 513.651.1.

Of these seven non-complying agencies, one stands out as having the most to lose by being cut off from DPS funding: the Jefferson County Multi-jurisdictional Enforcement Group (JCMEG), which received over $336,000 in funding allocated through DPS in the last two years. JCMEG has flouted reporting requirements for asset forfeiture not only from the State Auditor but from DPS as well.

A look into documents obtained from DPS via open records requests shed light on how this important responsibility could have been cast aside. To maintain eligibility for state grants from DPS, state law requires each multi-jurisdictional enforcement group (like JCMEG) to:

(2) Establish a MEG policy board composed of an elected official, or his designee, and the chief law enforcement officer from each participating unit of local government and a representative of a hazardous materials response team or, if such team is not formed, then a representative of the local fire response agency, to oversee the operations of the MEG and make such reports to the department of public safety as the department may require...
These policy boards provide some of the only oversight of drug task forces, so the law requiring them to establish a policy board serves a compelling public interest. Despite this importance, documents from a site monitoring visit/compliance check conducted by DPS in March 2014 indicate JCMEG did not have an established policy board. This means there was no supervision of the actions and policies of this task force. Without a proper organizational structure, JCMEG appears unable to comply with Sunshine Law requests.

When I filed Sunshine Law requests with JCMEG in November 2013, Corporal Chris Hoffman, the commander of the task force, was extremely hostile in his response. Upon receiving the requests, Corporal Hoffman began his response by mocking the open records request and sarcastically thanking me for my “official-sounding email,” then pointedly answered each question I had presented in my Sunshine Law request. I responded with requests for clarification to his answers, but never heard back. After two months with no word from Corporal Hoffman, I decided to follow up, indicating that, pursuant to RSMo 610.023.3, a response to a Sunshine Law request was required within three business days. Corporal Hoffman finally replied, saying he planned to have answers to the request “forwarded to [me] at our convenience.”

The Sunshine Law exists because legislators decided Missourians have a right to basic information about how their government agencies enforce laws and spend their tax money. When state officials openly mock the Sunshine Law, they are disrespecting one of the tenets of good governance in a republican society while simultaneously proving its necessity. The Sunshine Law lays out guidelines to ensure transparency, including provisions of law that require timely responses to requests for information.

I informed Corporal Hoffman of this provision and requested a response within three business days, as required by state law. After almost six weeks of back and
forth conversations about the original request, Corporal Hoffman told me to contact the Jefferson County Sheriff’s Office instead. Had JCMEG observed the state law requiring it to organize a policy board for oversight, it might be more likely, or more able, to comply with the state open records law.

Another drug task force taking advantage of its lack of accountability by skirting transparency is MUSTANG. Preliminary documents indicated this task force seized more than $60,000 in 2013. Under the federal equitable sharing program, MUSTANG sends the cash to the federal government, which then returns up to 80 percent of the funds to the task force.

Missouri’s Constitution requires all asset forfeiture proceeds to go into a shared fund for Missouri’s schools. However, Missouri law enforcement agencies circumvent the state constitution by partnering with federal law enforcement agencies, such as the DEA or ATF, and forfeiting the property under the less stringent federal statutes. The 80 percent share these groups receive back from the federal government should be used to improve our state’s education system, but instead pays drug task force officers’ salaries and overtime. This practice is hardly limited to these cases; Missouri’s drug task forces divert hundreds of thousands of dollars from Missouri’s schools each year by using the federal equitable sharing loophole.
Call to Action

More than half of Missouri’s drug task forces openly violate Missouri law. Statewide multi-jurisdictional drug task forces have almost no actual oversight and regularly act as if they are above the law. Of the task forces who responded to my lawful Sunshine Law requests for their quarterly reports in 2013, only three could provide the documents in less than one week. Twelve task forces eventually complied willingly, but three resisted strongly or did not respond in the time period required by law. (A full breakdown of responses by each task force can be found in Appendix T.) This kind of wanton disregard for the laws of Missouri should not be tolerated among the very individuals we trust to enforce them. Law enforcement should be held to high standards and should be held accountable when they violate the law themselves.

It is time to de-fund drug task forces in Missouri and use that state and federally allocated funding elsewhere. Drug task forces have succeeded at reducing neither the supply nor the demand for various illegal drugs, and their actions come at a terrible cost to the areas in which they operate. We must prioritize our spending so that organizations that blatantly lie to the public and break the law are unable to access these funds. Despite millions spent on these drug task forces in the past decade, Missouri’s communities are no safer as a result. To the contrary, communities across Missouri will be safer and freer if these reckless, unaccountable agencies are no longer in operation.
Appendix A

Task Force Map

Click image to enlarge.
Appendix B

Aaron Malin
42 N Cedar Lake Dr E #102
Columbia, MO 65203

November 26 2013

St. Louis Metro Drug Task Force Custodian of Records:

Pursuant to Missouri’s Sunshine Law as outlined by section 610.023 of rSMO, I hereby request the following information:

1. The number of narcotics raids carried out by the St. Louis Metro Drug Task Force between January 1 2013 and October 31 2013; and

2. The quantity of weapons and narcotics found during each narcotics raid carried out by the St. Louis Metro Drug Task Force between January 1 2013 and October 31 2013; and

3. The number of shots fired by members of the St. Louis Metro Drug Task Force during narcotics raids carried out between January 1 2013 and October 31 2013; and

4. Determinations of the success or failure of each narcotics raid carried out by the St. Louis Metro Drug Task Force between January 1 2013 and October 31 2013; and

5. Any and all audio or video records of narcotics raids carried out by the St. Louis Metro Drug Task Force between January 1 2013 and October 31 2013; and

6. The most recent available yearlong budget of the St. Louis Metro Drug Task Force; and

7. The number of seizures by the St. Louis Metro Drug Task Force, via cases of civil and/or criminal asset forfeiture, between January 1 2013 and October 31 2013, as well as information on what was seized in each case.

Thank you very much for your assistance. As per rSMO 610.023(3), I look forward to hearing from you within three business days. With any questions, please feel free to email me at aaronmalin9@gmail.com or call me at 314-238-4949.

Respectfully submitted,

Aaron Malin
Appendix C

Legal Mailbox
To: aaronmain9@gmail.com
Sunshine Law Request -- St. Louis Metro Drug Task Force

December 2, 2013 5:59 PM

Dear Mr. Main:

This will acknowledge your Sunshine Law request sent on 11/26/13. The St. Louis Metropolitan Police Department, whose jurisdiction extends over the City of St. Louis, does not have a "St. Louis Metro Drug Task Force." Therefore, we have no records responsive to your request.

It is possible that St. Louis County Police, which is a separate geographic and political jurisdiction, may have a Drug Task Force.

Mark Lawson
Attorney Manager
Police Unit
City of St. Louis Law Department
(314) 444-5609
Appendix D

To: Legal Mailbox
Re: Sunshine Law Request -- St. Louis Metro Drug Task Force

Mr. Lawson,

The website of the Missouri State Highway Patrol contains a list of Task Forces in Missouri (http://www.mshp.dps.mo.gov/MSP/WEB/PATROL_DIVISIONS/DCC2/Units/NarcoticsViceUnit/taskForceMap.htm). The St. Louis Metro Drug Task Force is contained on this list, and a phone number (314-444-2975) is provided.

The St. Louis County Drug Task Force is listed separately on that same list, along with a different phone number (314-427-4146).

When I called the number listed for the Metro Drug Task Force, I asked for a fax number, which I used to submit my Sunshine Law request. In spite of this, is it your position that the St. Louis Metro Drug Task Force doesn’t exist?

Any additional information would be greatly appreciated.

Aaron Malin
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Appendix E

Aaron Malin
To: Legal Mailbox
Re: Sunshine Law Request -- St. Louis Metro Drug Task Force

Mr. Lawson,

25 days have passed since I requested further clarification of your last email. Please consider the following to be a Sunshine Law request:

Background
The website of the Missouri State Highway Patrol contains a list of Task Forces in Missouri (http://www.mshp.dps.mo.gov/MSHP/WEB/PoliceDivisions/DDCO/Units/NarcoticsViceUnits/TaskForceMap.html). The St. Louis Metro Drug Task Force is contained on this list, and a phone number (314-444-2975) is provided. The St. Louis County Drug Task Force is listed separately on that same list, along with a different phone number (314-427-4146).
When I called the number listed for the Metro Drug Task Force, I asked for a fax number, which I used to submit my Sunshine Law request.

Additional Sunshine Law Requests (2)
1. I request documentation justifying or establishing as fact the claim that:
   "The St. Louis Metropolitan Police Department, whose jurisdiction extends over the City of St. Louis, does not have a "St. Louis Metro Drug Task Force."
2. I request all documents and records subject to Missouri’s Sunshine Law that contain mention of or reference to any or all of the following:
   St. Louis Metro Drug Task Force
   STL Metro Drug Task Force
   STL Metro DTF
   St. Louis Metro Drug Task Force
   St. Louis Metro DTF

Thank you for your assistance.

Aaron Malin
Lawson, Mark
To: Aaron Malin
Cc: Legal Mailbox
RE: Sunshine Law Request -- St. Louis Metro Drug Task Force

January 7, 2014, 5:57 PM
Hide Details
Inbox - Google

Mr. Malin:

I wanted to acknowledge your request. I apologize for the slowness, as I was out of the office between Christmas and New Year's, and I guess no one acknowledged the request in my absence.

The phone number you got belonged to the person who used to head up the Department's Narcotics Unit; however, the Department no longer has a separate Narcotics Unit, as the work formerly done by that Unit has now been tasked to either detectives at the respective regional substations, or the Intelligence Unit. Therefore, I suspect the phone number was just reassigned to someone else. The person who now occupies the office at the fax number you sent the request to, who has nothing to do with a drug task force, is the one who notified me that our Department does not have a drug task force. I have looked at the Department's Special Orders for the term "drug task force," and have found no such verbiage.

Nevertheless, I will attempt one more inquiry through a senior employee. But if that's not fruitful, I'm not sure how I can produce records of the non-existence of something.

Mark Lawson
Attorney Manager
Police Unit
City of St. Louis Law Department
(314) 444-5609
Appendix G

Lawson, Mark
To: Aaron Melin
RE: Sunshine Law Request — St. Louis Metro Drug Task Force

January 24, 2014

Aaron, I brought this up to the Chief of Police, which is about as high as I can go, and he has no knowledge of something called the St. Louis Metro DTF ever being in existence, and doesn’t know what the Missouri Highway Patrol could be referencing.

Mark Lawson
Attorney Manager
Police Unit
City of St. Louis Law Department
(314) 444-5609
# Appendix H

<table>
<thead>
<tr>
<th>Description</th>
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<tbody>
<tr>
<td>Total Federal/State Share</td>
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<tr>
<td>Total Local Match Share</td>
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<tr>
<td>Total Project Cost</td>
<td>$200,323.03</td>
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Appendix I

Fax: 314-444-5414
Project Director
The Project Director is the individual that will have direct oversight of the proposed project. If the project agency is a law enforcement agency, the Project Director must be the Chief, Sheriff, or Director of Public Safety.

Name: Chief Sam Dotson
Title First Name Last Name


WebGrants - Missouri Department of Public Safety

Job Title: Chief of Police
Agency: Saint Louis Metropolitan Police Department
Mailing Address: 1200 Clark Avenue
Street Address 1: Saint Louis
Street Address 2: Missouri 63103
City/State/Zip: chief@slmpd.org
Email: 314-444-5624
Phone:
## Appendix J

**Authorized Official**
The Authorized Official is the individual that has the ability to legally bind the applicant agency in a contract (e.g., Presiding Commissioner, Mayor, City Administrator, University President, State Department Director).

<table>
<thead>
<tr>
<th>Name:*</th>
<th>Mr.</th>
<th>Mark</th>
<th>Lawson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First Name</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Last Name</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Job Title:*</th>
<th>Secretary &amp; General Counsel to Board of Police Com</th>
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</thead>
<tbody>
<tr>
<td>Agency:*</td>
<td>St. Louis Metropolitan Police Department</td>
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## Appendix K

<table>
<thead>
<tr>
<th>Aaron Malin</th>
</tr>
</thead>
<tbody>
<tr>
<td>To: Lawson, Mark</td>
</tr>
<tr>
<td>Re: Sunshine Law Request -- St. Louis Metro Drug Task Force</td>
</tr>
</tbody>
</table>

Mr. Lawson,

In the past, we discussed the existence of a drug task force involving STLPD. When I filed a sunshine request, you advised me that the task force didn’t exist, or at least that you were unaware of its existence. However, through the Department of Public Safety, I was able to acquire records relevant to the “nonexistent” task force, and on the very first page (see below), you are personally named as the authorized official for a grant for the “Metro Multi-Jurisdictional Undercover Drug Program” which was quite clearly the task force referenced by the Missouri Highway Patrol website (they even had the same listed phone number).

How were you possibly unaware of its existence?

Aaron Malin
Appendix L

Status Report

2012-JAG-009-NITRO Task Force
Edward Byrne Memorial Justice Assistance Grant (JAG)

Award Year: 2013
Contract Number: 2012-JAG-009
Report Period: 10/01/2013 - 12/31/2013
Status Report Number: 02
Submitted By: Greg Coon
Submitted Date: 01/03/2014
Status Report Type: Quarterly Report
Status: Approved
Approved By: Heather Haslag
Approved Date: 01/07/2014
Due Date:

Status Report

2012-JAG-009-NITRO Task Force
Edward Byrne Memorial Justice Assistance Grant (JAG)

Award Year: 2013
Contract Number: 2012-JAG-009
Report Period: 01/01/2014 - 03/31/2014
Status Report Number: 03
Submitted By: Greg Coon
Submitted Date: 04/02/2014
Status Report Type: Quarterly Report
Status: Approved
Approved By: Michelle Branson
Approved Date: 04/04/2014
Due Date:
October 15, 2014

Aaron Malin
3604 Churchill Dr.
Columbia, MO 65201

Dear Mr. Malin,

I am in receipt of your attached request dated October 11, 2014 which I received via certified mail here at the Grundy County Sheriff’s Office located at 610 Main Street Trenton, Missouri on Tuesday October 14, 2014.

First and foremost, I am not the Custodian of Records for NITRO. The Custodian of Records for NITRO is the Bureau of Alcohol, Tobacco, Firearms and Explosives; their address is Bureau of ATF – KC Division, 2600 Grand Street Kansas City, Missouri 64108.

Secondly, I have no idea what reports you are referring to in request no. 1 and no. 2. I have not completed any such reports for NITRO or the Missouri Department of Public Safety, nor do I have any such reports in my possession.

I urge you to contact the Bureau of ATF or the Missouri Department of Public Safety and ask them to fulfill your request.

Respectfully,

Rodney W. Herring
Sheriff, Grundy County
Appendix N

Mr. Malin,

We have received your Sunshine Request. I have forwarded your emails to Sheriff Crane, who is out of the office. I will be working on your request and will be in contact with you when your request is completed. The fees for the information requested are an hourly rate of $25.89 and $0.10 per copy.
Appendix O

Mr. Malin,

I have your copies of the information you requested at the Cole County Sheriff's Department.

I have the Status Reports and Grant Details for January 1, 2014 through July 14, 2014.

Total pages: 53
$0.10 per page totals $5.30

Research hours: 2.5
$25.89 per hour totals $64.73

Grand total $70.03

I will need to collect payment at the time of pick up or before I mail the information. Please make check or money order payable to Cole County Sheriff. You can either bring the money to the Sheriff’s department and pick up the information at the same time, or you can mail the check to Cole County Sheriff’s Department, Attn: Betsy Rackers, PO Box 426, Jefferson City, MO 65102 and then I will mail you the information once I receive the payment. Please let me know which option you choose.
Appendix P

My original request contained the following sentence:

Please inform me in advance of any search or copying if the fees will exceed $10.

Regrettfully, you did not do so. I’m unwilling to pay more than $10 for the documents without approving fees in advance, which is why that sentence was included in my request. While I have no problem paying the $5.30 for copy fees, I did ask that the records be provided by email.

I am unwilling to pay $64.73 for research time; this is an unreasonable amount of money for the amount of research that was required and is likely not in compliance with RSMo 610.026. Additionally, I must ask- what “research” was required that took two and a half hours? Other task forces have been able to provide these (very basic) documents for free, and none have asked for $70 in fees.

Seeing as the research has already been completed, please consider this an additional and separate Sunshine Law request, pursuant to RSMo Chapter 610.

I respectfully request the following records:

1. Any documents in your possession, that have been prepared by the Callaway County Sheriff’s Office, or the MUSTANG Drug Task Force, for Aaron Malin in response to a Sunshine Request filed 7-14-14.

Please provide records via email to Aaron@ShowMeCannabis.com. If that is not possible, records can be mailed to:

Aaron Malin
3604 Churchill Dr
Columbia, MO 65201
Appendix Q

The research is my hourly rate that we charge when I have to do any Sunshine request. I had to get the appropriate data that you requested, print reports, and redact all information that had to do with undercover officer information and any information that could jeopardize a criminal investigation (which I had to research information in narratives to see if they would or would not jeopardize a criminal investigation) pursuant to RSMo 610.100.3.

As you can see from the above details we did inform you and you had the email with the information. We will have the documents for you once we have received payment in the amount of $70.03.

In regards to your additional and separate request, are you saying you want a second copy of the information? If so the copy fee will be $5.30 and 15 minutes of the hourly rate of $25.89 for a total of $11.77.

If you want to make one payment for both requests, the total will be $81.80.
Appendix R

September 12, 2014

VIA: Email transmission to: Aaron@showmecannabis.com

Aaron Malin
3604 Churchill Drive
Columbia, MO 65201

RE: Sunshine Law Request received by email September 11, 2014 re: COMET

Dear Mr. Malin,

We have received the Sunshine Law request you sent by email yesterday, September 11, 2014, for the status reports and grant details submitted to the Missouri Department of Public Safety by the Combined Ozarks Multijurisdictional Enforcement Team from January 2014 to July 2014. We will begin our research immediately but because of the nature and complexity of your request, we may not have the information ready for you within 72 hours (RSMo 610.023.3).

Once we have determined what documentation, if any, we retain or can provide to fulfill your request, I will contact you with any fees due for copies and/or research time. I anticipate that we will have the records you have requested available to you on or before October 3, 2014.

Should we have any questions or encounter any problems during our research, I will contact you as soon as possible. If you have any questions, please contact me by email at vpetersen@greenecountymo.org or by phone at 417-829-6684.

Sincerely,

Valerie Petersen
Paralegal, Greene County Sheriff’s Office
Appendix S

On Sep 12, 2014, at 3:49 PM, Aaron Malin <aaron@showmecannabis.com> wrote:

Ms. Peterson,

Pursuant to RSMo 610.023(3) I request a "detailed explanation of the cause for further delay" if the records are not available within three (3) business days of the request. Grant Details and Quarterly Status Reports are not of a complex nature; they are routine documents filed online with the Department of Public Safety and should be made available immediately.

Thank you.

--

Aaron Malin
Director of Research
Show-Me Cannabis
## Appendix T

<table>
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Appendix U

Section 195.509.2(2): Does the MEG have an established policy board composed of 1) an elected official (or his/her designee), 2) the chief law enforcement officer from each participating unit of local gov’t, and 3) a representative of a hazardous materials response team or a representative of the local fire response agency?

No
Appendix V

Choffman@jaflcorno.org <Choffman@jaflcorno.org>
To Aaron Main <aaronmain2@gmail.com>

Mr. Malin

Thank you for your official looking and sounding e-mail. I appreciate your interest in the JCMEG’s activity. I will attempt to answer your questions to the best of my abilities. However, I will not violate any HIPPA standards or other RSNO’s. So, here you go:

1. The JCMEG does not conduct “raids” as you so elegantly put it. We do conduct search warrants and the total number from 1-1-13 to 10-31-13 is 20.

2. The quantity of weapons seized from 1-1-13 to 10-31-13 is 16. The narcotics totals are gathered on an individual basis and then added together on a monthly basis for statistical reporting. Your request is to broad and, if narrowed, I could provide you this information. May I suggest requesting the total number of meth labs seized for the date range you requested? The verbiage “meth lab” can be replaced with any narcotic you wish. These statistics can be provided as a total for the date range of 1-1-13 to 10-31-13.

3. The number of shots fired by JCMEG is 6.

4. The determination of the success of these search warrants is open to interpretation. I have found the search warrants to be successful because nobody was injured or killed. Also, each search warrant has been conducted on known narcotics traffic locations and subjects. The measure of success can also be related to the ongoing “war on drugs.” There does not seem to be a shortage of narcotics related offenders or investigations.