

**IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI**

STATE OF MISSOURI, EX INF.)	
ANDREW BAILEY,)	
ATTORNEY GENERAL,)	
)	
Relator,)	
)	
v.)	Case No.
)	
ALFRED MONTGOMERY,)	
)	
Respondent.)	

Petition in Quo Warranto

The State of Missouri, on the personal information of the Attorney General, brings this suit to remove Respondent Alfred Montgomery from the office of Sheriff of the City of St. Louis.

Introduction

1. A sheriff “is a county officer” whose failure to perform his duties may lead to “untold confusion and injustice” *State ex inf. McKittrick v. Williams*, 144 S.W.2d 98, 103 (Mo. banc 1940).

2. Respondent is a law enforcement officer who holds a position of trust and must strive to scrupulously abide by the law.

3. Respondent is a failed sheriff.

4. Respondent’s failure spans at least six counts that individually and collectively justify his removal from office:

- I. Respondent has violated Missouri's constitutional prohibition against nepotism.
- II. Respondent unlawfully detained Tammy Ross, Deputy Commissioner of the St. Louis City Justice Center.
- III. Respondent unlawfully detained and unlawfully disarmed Darryl Wilson.
- IV. Respondent has knowingly, willfully, or negligently failed to transport prisoners from the City Justice Center for medical treatment.
- V. Respondent has personally, unlawfully or fraudulently, benefited from the misuse of the public resources of his office by having his employee pick up Respondent's children from school on multiple occasions in an office vehicle.
- VI. Respondent has knowingly, willfully, or negligently failed to responsibly manage the finances of his office.

5. For all of these reasons, Respondent has forfeited his office. The writ should issue.

Parties

6. Upon his personal information, Relator Andrew Bailey, Attorney General of Missouri, prosecutes this cause for and on behalf of the State of Missouri and its citizens.

7. Respondent is the Sheriff of the City of St. Louis, Missouri, and has held that office continuously since January 1, 2025. The position of Sheriff of the City of St. Louis, Missouri, is an elective office.

Jurisdiction and Authority

8. Circuit courts have plenary subject matter jurisdiction over all cases and matters, civil and criminal. Mo. Const. art. V, § 14.

9. Circuit courts “may issue and determine original remedial writs[.]” Mo. Const. art. V, § 14.

10. A writ of quo warranto is an original remedial writ. *See Gall v. Steele*, 547 S.W.3d 564, 571–72 (Mo. 2018) (Draper, J., concurring).

11. Quo warranto proceedings before a circuit court are governed by Rule 98, the rules of civil procedure, and Chapter 531 of the Missouri Revised Statutes.

12. Relator is authorized to bring this action under § 531.010, which provides that “in case any person shall . . . unlawfully hold or execute any office . . . the attorney general of the state . . . shall exhibit to the circuit court, or other court having concurrent jurisdiction therewith in civil cases, an information in the nature of a quo warranto”

13. Relator is authorized to bring such action under Rule 98.02(b)(1), which provides, “The attorney general of this state, upon personal information” may proceed as Relator in quo warranto.

14. Because the Attorney General is the relator in this action, this Court is required to issue a preliminary writ and to order Respondent to answer the allegations contained in the petition. Rule 98.04 (“If the relator is the attorney general or the prosecuting attorney, filing upon personal information, the court shall issue a preliminary order in *quo warranto*.”); Rule

98.05 (“The preliminary order in *quo warranto* shall require the respondent to file an answer within the time fixed by the order.”).

15. Respondent is subject to § 106.220, which provides:

Any person elected or appointed to any county, city, town or township office in this state, except such officers as may be subject to removal by impeachment, who shall fail personally to devote his time to the performance of the duties of such office, or who shall be guilty of any willful or fraudulent violation or neglect of any official duty, or who shall knowingly or willfully fail or refuse to do or perform any official act or duty which by law it is his duty to do or perform with respect to the execution or enforcement of the criminal laws of the state, shall thereby forfeit his office

16. This Court has personal jurisdiction over the parties.

17. This Court has subject matter jurisdiction over this *quo warranto* proceeding.

18. This Court has the authority to grant a permanent writ of *quo warranto* removing Respondent from office.

Venue

19. Respondent resides within the territorial limits the City of St. Louis, and may be found within the territorial limits of the City of St. Louis.

20. Venue for this action is properly laid in the City of St. Louis Circuit Court. § 508.010.2(1).

Statement of Facts Common to All Counts

21. The City of St. Louis is both a city and a county. Mo. Const. art. VI, § 31.

22. Therefore, the office of Sheriff of the City of St. Louis is a county office.

23. The Sheriff of the City of St. Louis has many legal duties and official acts that are required by law and custom.

24. “The statutes of Missouri set forth certain duties and responsibilities of county sheriffs.” *State ex rel. Nixon v. Russell*, 45 S.W.3d 487, 493 (Mo. App. 2001).

25. In addition to those duties specifically set out in the statutes, our Missouri Supreme Court has recognized that the “official dut[ies]” of a sheriff encompass “those duties lying fairly within its scope, those essential to the accomplishment of the main purpose for which the office was created, and those which . . . serve to promote the accomplishment of the principal purposes.” *Russell*, 45 S.W.3d at 493–94 (quoting *State ex inf. Fuchs v. Foote*, 903 S.W.2d 535, 539 (Mo. 1995)).

26. Missouri law gives the Sheriff of the City of St. Louis the same duties and responsibilities as other sheriffs, “except that the sheriff of the City of St. Louis shall not enforce the general criminal laws of the state of Missouri unless such enforcement shall be incidental to the duties customarily performed by the sheriff of the City of St. Louis.” § 57.450.

27. The Sheriff of the City of St. Louis is elected every four years. § 57.010.

28. Respondent began his first term on January 1, 2025, and he was sworn into office on that date.

29. Respondent is not subject to impeachment under Article VII, § 1 of the Missouri Constitution because he is not one of the “elective executive officials of the state” or a judge. Mo. Const. art. VII, § 1.

30. Upon information and belief, upon taking office, Respondent swore to “support and defend the Constitution of the United States and the Constitution of the State of Missouri, and faithfully demean [himself] in the Office of Sheriff of the City of St. Louis.” Charles Abdul-Wali Muhammad, *Alfred Montgomery for Sheriff 2024 Inauguration with Jamilah Nasheed Whitfield Montgomery Blake Lawrence*, Facebook (Jan. 1, 2025), <https://www.facebook.com/Charles.2X.Walker/videos/alfred-montgomery-for-sheriff-2024-inauguration-with-jamilah-nasheed-whitfield-m/894805892814435/>.

31. Respondent is aware that Missouri law prohibits him from enforcing the general criminal law.

32. For instance, on June 11, 2025, Respondent stated, “Well, the Sheriff [of the City of St. Louis] does not enforce the general criminal laws.” @montgomery4sheriff2028, TikTok (Jun. 11, 2025), <https://www.tiktok.com/t/ZP8r57weQ>.

33. Respondent does not have authority over the St. Louis City Justice

Center.

34. Nearly a century ago, our Missouri Supreme Court recognized that the Sheriff of the City of St. Louis had no authority over the St. Louis City jail. *Lefman v. Schuler*, 296 S.W. 808, 811 (Mo. banc 1927).

35. Respondent has a duty to transport inmates between the City Justice Center and the courtrooms of the Twenty-Second Judicial Circuit.

36. It is Respondent's duty to transport inmates between the City Justice Center and hospitals as necessary for the inmates to receive medical treatment.

37. For years, previous St. Louis City sheriffs and the office of Sheriff of the City of St. Louis have carried out the sheriff's duty to transport inmates between the City Justice Center and hospitals, as necessary for the inmates to receive medical treatment.

38. To carry out his duties, "The sheriff of the city of St. Louis shall, with the approval of a majority of the circuit judges of the circuit court of said city, appoint as many deputies and assistants as may be necessary to perform the duties of his office." § 57.530.

39. To carry out his duties during emergencies, Respondent is authorized to "appoint sworn deputies, who are residents of the county, possessing all the qualifications of sheriff" § 57.119.

40. Emergency deputies "shall serve not exceeding thirty days, and

shall possess all the powers and perform all the duties of deputy sheriffs”
§ 57.119.

41. All acts or omissions by a deputy sheriff in his or her official capacity as a deputy sheriff are regarded as if Respondent acted, or did not act, himself. *See, e.g., Curtis v. Christian Cnty., Mo.*, 963 F.3d 777, 788 (8th Cir. 2020) (emphasis omitted); *see also* § 57.270 (“Every deputy sheriff shall possess all the powers and may perform any of the duties prescribed by law to be performed by the sheriff.”).

42. As affirmed in *Curtis*, “. . . [T]he sheriff is liable for all acts done by his deputy, as such; for all abuses, for every perversion of the authority with which he is entrusted, he is liable, though they may be committed by his deputies. He is responsible for all trespasses done by a deputy, by color of his office. This is a well-established principle.” 963 F.3d at 788.

43. The duties of Respondent’s public office includes “those [duties] lying fairly within its scope, those essential to the accomplishment of the main purpose for which the office was created, and those which, although incidental and collateral, serve to promote the accomplishment of the principal purposes.” *Foote*, 903 S.W.2d 535, 538 (Mo. 1995) (quoting *State ex inf. McKittrick v. Wymore*, 132 S.W.2d 979, 987 (Mo. banc. 1939)).

44. As set forth in greater detail below, Respondent has violated the constitutional prohibition against nepotism; he has violated the constitutional

rights of other individuals and engaged in criminal conduct against them; he has knowingly, willfully, or negligently failed to carry out the duties of his office; and he has personally, unlawfully or fraudulently, benefited from the misuse of official resources.

45. Individually, and when viewed in their totality, Respondent's failures require removal from office.

46. "When a sheriff commits an act of official misconduct, the result is 'automatic forfeiture of his office.'" *Russell*, 45 S.W.3d at 493 (quoting *State ex inf. Ashcroft v. Riley*, 590 S.W.2d 903, 907 (Mo. 1979)).

47. During his term of office, Respondent has also engaged in general negligence that has reflected poorly on the office and demonstrated a lack of care in handling the day-to-day operations of the office.

48. For instance, upon information and belief, upon taking office, Respondent instituted a motto of "Honesty. Integrity. Respect."

49. Upon information and belief, Respondent had a sign installed above his office door, and that sign included the new motto.

50. However, that sign misspelled the motto as "Honesty. Integrity. Repsect."

51. During his term of office, Respondent has also engaged in violations of Missouri statute.

52. For instance, Respondent maintains a TikTok account bearing his name (@montgomery4sherriff2028), and he has posted videos on that account including a video on June 11, 2025, and a video on June 12, 2025.

53. In both videos, Respondent has filmed himself while driving a motor vehicle on the highways of the State. @montgomery4sherriff2028, TikTok (Jun. 11, 2025), <https://www.tiktok.com/t/ZP8r57weQ>; @montgomery4sherriff2028, TikTok (Jun. 12, 2025) <https://www.tiktok.com/t/ZP8rxwkgR>.

54. Such behavior is a violation of § 304.822, which is the Siddens Benning Hands Free Law. § 304.822.

55. The Siddens Benning Hands Free Law is named for Randall Siddens and Michael Benning, who were each killed by distracted drivers in separate motor vehicle accidents. Charles Dunlap, *Columbia man killed by distracted driving in 2019 has name honored in new law passed by Missouri Legislature*, Columbia Daily Tribune (May 20, 2023), <https://www.columbiatribune.com/story/news/2023/05/20/siddens-benning-hands-free-law-partially-named-after-columbia-man/70227797007/>

56. The Siddens Benning Hands Free Law prohibits “record[ing], post[ing], send[ing], or broadcast[ing] video, including a video conference, on an electronic communication device” while operating a motor vehicle on the highways of the State. § 304.822.3(7).

57. Because Respondent has engaged in actions causing the forfeiture of his office, this Court should issue a preliminary writ in quo warranto and, after any necessary proceedings, make that preliminary writ permanent and oust Respondent from the office of Sheriff of the City of St. Louis.

Reasons Why a Writ of Quo Warranto Should Issue

Count I

I. Respondent has violated Missouri's constitutional prohibition against nepotism and has thus forfeited his office.

58. Relator re-alleges all previous allegations as if set forth herein.

59. The Missouri Constitution explicitly prohibits any public officer from appointing or employing any relative “within the fourth degree, by consanguinity or affinity[.]” Mo. Const. art. VII, § 6.

60. The consequence of a violation of the anti-nepotism clause of the Missouri constitution by a public officer is the forfeiture of the office. *Id.*

61. Specifically, Missouri's constitution provides:

Penalty for nepotism – Any public officer or employee in this state who by virtue of his office or employment names or appoints to public office or employment any relative within the fourth degree, by consanguinity or affinity, shall thereby forfeit his office or employment.

Mo. Const. art. VII, § 6.

62. The Missouri Supreme has previously ordered a county sheriff ousted from office for a violation of the anti-nepotism clause of Missouri's

constitution. *See State ex inf. Roberts v. Buckley*, 533 S.W.2d 551, 555 (Mo. banc 1976).

63. On or about December 26, 2024, Malik Taylor applied for employment with the office of Sheriff of the City of St. Louis for the position of Probationary Deputy Sheriff.

64. Respondent assumed elective office as the St. Louis City Sheriff on January 1, 2025.

65. That same day, Respondent swore to uphold the Missouri Constitution.

66. Also on January 1, 2025, Mr. Taylor was hired as a sheriff's deputy.

67. Mr. Taylor is currently employed by Respondent as a Senior Deputy.

68. Upon information and belief, Respondent and Mr. Taylor are related by blood, in that they share the same father.

69. As his half-brother, Mr. Taylor is within the second degree of consanguinity with Respondent.

70. Respondent has directed individuals to hide the fact that he and Mr. Taylor are related.

71. Respondent violated the anti-nepotism provision of Missouri's constitution when he hired his half-brother as a Deputy with the St. Louis City Sheriff's Office.

72. Thus, Respondent has forfeited his office.

Conclusion

73. In light of the foregoing, Respondent has violated Article VII, § 6 of Missouri's constitution and he has thus forfeited his office. Consequently, Respondent is a usurper who must be removed.

Count II

II. Respondent willfully violated or neglected, or knowingly or willfully failed or refused to perform, his duties by unlawfully detaining Tammy Ross, the Deputy Commissioner of the St. Louis City Justice Center.

74. Relator re-alleges all previous allegations as if set forth herein.

75. In the words of Respondent, the job of “the sheriff of the City of St. Louis is to do everything according to the state statute [sic] and the Constitution,”¹ and “[i]f you're against the law, [if] you do anything against the law, you have to get the consequences that come with it.”²

¹ KSDK News, Interview: St. Louis Sheriff says he had right to handcuff jail director amid jurisdictional dispute, Youtube (Feb. 14, 2025), <https://www.youtube.com/watch?v=Ln-sAxtZsSs&t=86s> (7:00–7:04).

² KSDK News, Interview: St. Louis Sheriff says he had right to handcuff jail director amid jurisdictional dispute, Youtube (Feb. 14, 2025), <https://www.youtube.com/watch?v=Ln-sAxtZsSs&t=86s> (6:14–6:19).

A. Under § 57.450, Respondent is prohibited from enforcing the general criminal law of the State unless such enforcement is incidental to the performance of his customary duties.

1. On February 14, 2025, Respondent ordered his deputies to handcuff the Deputy Commissioner of the St. Louis City Justice Center, Tammy Ross.

76. Respondent describes himself as “a man of law and order” who “can’t save the world, but [] definitely can save the City” of St. Louis.³

77. Respondent has publically expressed his belief that the St. Louis City Justice Center should be under Respondent’s control.

78. Specifically, and when running for the office of Sheriff of the City of St. Louis, Respondent said, “I’m the future sheriff that will take on the jail.”

79. Respondent has said, “My plan is to take over the city jail.”

80. Since taking office, Respondent has expressed frustration regarding the lack of control his office has over the St. Louis City Justice Center.

81. Upon information and belief, Respondent’s frustration regarding the lack of control his office has over the St. Louis City Justice Center boiled over during the morning hours of February 14, 2025.

³ KSDK News, Interview: St. Louis Sheriff says he had right to handcuff jail director amid jurisdictional dispute, Youtube (Feb. 14, 2025), <https://www.youtube.com/watch?v=Ln-sAxtZsSs&t=86s> (6:54–7:00).

82. On the morning of February 14, 2025, St. Louis City Sheriff's Deputies Ronald Jones and Norbert Thompson went to the St. Louis City Justice Center for the stated purpose of serving a "time sensitive" order of protection on a detainee in custody there.

83. This stated purpose was a pretext for Respondent to secure entry into the corrections side of the St. Louis City Justice Center or to manufacture a dispute to further Respondent's attempts to supplant the Department of Public Safety's control over the St. Louis City Justice Center.

84. Upon information and belief, the need to serve the order of protection was not "time sensitive," as the detainee was not going to be released soon after the time the detainee was to be served.

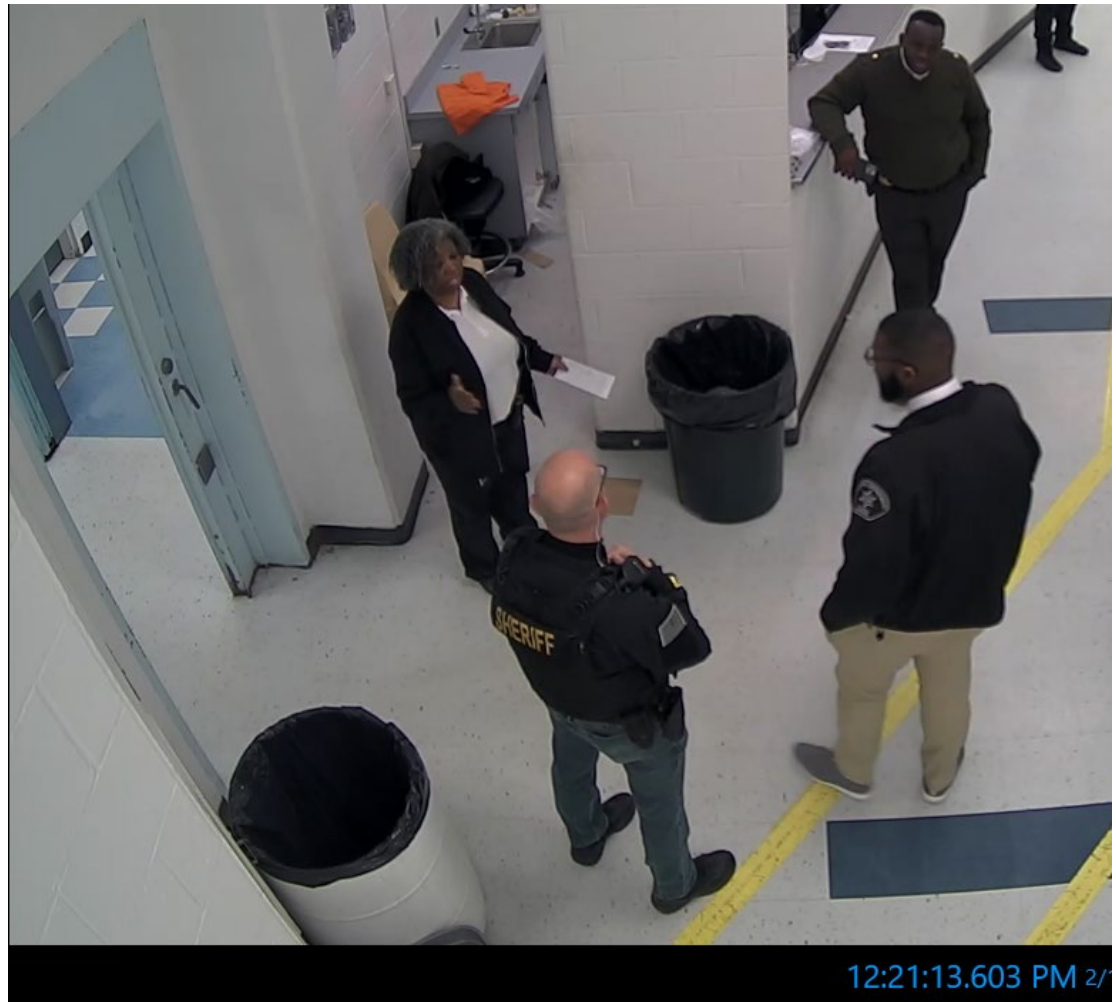
85. The detainee was made available for service, and the deputies served the detainee at approximately 10:10 AM.

86. At approximately 12:00 PM, on February 14, 2025, Respondent and two of his deputies, Lieutenant Wayne Honer and Sergeant Bryan Robins, went to the St. Louis City Justice Center.

87. Approximately twenty minutes after Respondent arrived, he made contact with the Deputy Commissioner of the St. Louis City Justice Center, Tammy Ross.

88. The following events were captured on surveillance video maintained by the St. Louis City Justice Center.

89. Within forty-five seconds, a confrontation ensued between Deputy Commissioner Ross, Respondent, and some of Respondent's deputies.



90.

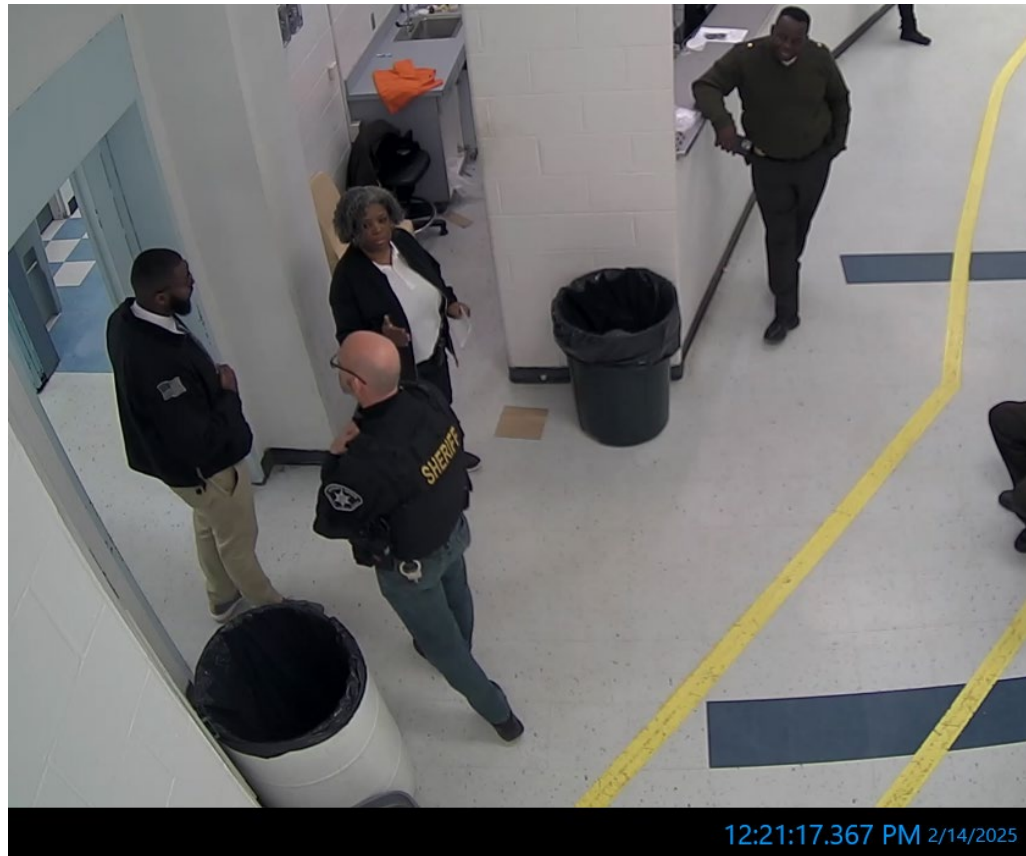
91. During this confrontation, Respondent moved to block Deputy Commissioner Ross from moving further inside the St. Louis City Justice Center and towards the corrections side of the building.



92.

93. Respondent positioned himself in the doorway to prevent Deputy Commissioner Ross from moving away.

94. Lieutenant Honer also stepped next to Respondent to block Deputy Commissioner Ross's path.



95.

96. Respondent told Lieutenant Honer and Sergeant Robins to “handcuff her.”



97.



98.

99. Respondent directed Deputy Commissioner Ross to move to the desk of the Sheriff's holding area.

100. While walking over to the desk, Respondent put his hand on Deputy Commissioner Ross's back.



101.

102. On Respondent's order, Deputy Commissioner Ross was instructed to place her hands behind her back.

103. Respondent ordered the arrest and seizure of Deputy Commissioner Ross by his deputies.

104. Deputies grabbed Deputy Commissioner Ross's arms, and Sergeant Robins handcuffed Deputy Commissioner Ross.



105.

106. Respondent has identified Sergeant Robins as one of his “key contacts” within the Sheriff’s Office.

107. When Sergeant Robins handcuffed Deputy Commissioner Ross, he was not a licensed Missouri peace officer.

108. On information and belief, when Sergeant Robins handcuffed Deputy Commissioner Ross, Respondent knew that Sergeant Robins was not a licensed Missouri peace officer.

109. Yet, in a statement later to a reporter, Respondent stated that “a P.O.S.T-certified deputy briefly detained” Deputy Commissioner Ross.

110. Respondent also is not a licensed Missouri peace officer.

111. Further, Respondent has never been a licensed Missouri peace officer, even though Missouri law permits him to be one. *See* § 57.450 (“The sheriff and sworn deputies of the office of sheriff of the City of St. Louis may be eligible for training and licensure by the peace officer standards and training [P.O.S.T.] commission under chapter 590, and such office shall be considered a law enforcement agency with the sheriff and sworn deputies considered law enforcement officers.”).

112. Respondent, Deputy Commissioner Ross, and his deputies began walking from the Sheriff’s side of the City Justice Center and onto the bridge way to the courthouse.

113. Major Lee Stokes stated to Colonel Yosef Yasharahla over the radio “that [Respondent] detained Deputy Commissioner Tammy Ross.”

114. Respondent has identified Colonel Yasharahla as another of his key contacts within the St. Louis City Sheriff’s Office.

115. After making his way to the bridgeway, Colonel Yasharahla noticed Respondent, Lieutenant Honer, and Sergeant Robins escorting Deputy Commissioner Ross with her hands behind her back.

116. Colonel Yasharahla made contact with Respondent, his deputies, and Deputy Commissioner Ross in the bridgeway.



117.

118. When Respondent, his deputies, and Deputy Commissioner Ross were leaving the bridgeway, Colonel Yasharahla leaned against the handrails, looked to the ceiling, looked to the ground, and shook his head left and right.



119.

12:22:45.403 PM 2/14/2025



120.

121. Upon information and belief, this was an expression of discomfort about Respondent's conduct.

122. During that time, Respondent continued to have his hand on Deputy Commissioner Ross's back.



123.



124.



125.

126. Respondent and his deputies took Deputy Commissioner Ross to Major Lammert's office in the St. Louis City Sheriff's Office.

127. Once they were in Major Lammert's office, Respondent contacted Public Safety Director Charles Coyle to discuss Respondent's arrest of Deputy Commissioner Ross.

128. During the conversation between Director Coyle and Respondent, Director Coyle asked Respondent to identify which laws Respondent was asserting Deputy Commissioner Ross had violated.

129. Respondent declined to provide Director Coyle with specific details to support the arrest of Deputy Commissioner Ross. Respondent asserted that Director Coyle should be aware of Missouri's constitution.

130. Sometime during this meeting, Captain Blake Lawrence of the St. Louis City Sheriff's Office whispered something in Respondent's ear.

131. In addition to being a captain with the sheriff's office, Lawrence holds himself out as Respondent's "Chief Counsel."

132. Section 57.540 permits "[t]he sheriff of the City of St. Louis [to] employ an attorney at law to aid and advise him in the discharge of his duties and to represent him in court, which said attorney shall be known as 'sheriff's attorney'"

133. But, on information and belief, on February 14, 2025, Lawrence was not acting in the capacity of "sheriff's attorney" under § 57.540.

134. After Lawrence had whispered in Respondent's ear, Deputy Commissioner Ross was eventually allowed to leave Major Lammert's office.

135. After February 14, 2025, Respondent has provided at least two different explanations for his attempted invasion of the corrections side of the

St. Louis City Justice Center and the unlawful arrest of Deputy Commissioner Ross.

136. First, Respondent falsely asserted that the arrest of Deputy Commissioner Ross was connected to her obstructing an authorized internal affairs investigation into a deputy whose resignation became effective a day before Deputy Commissioner Ross was arrested.

137. Respondent gave this explanation to the press, stating: “Um, on February 13th, 2025, the victim’s mother called the CJC reporting that her daughter had been involved in sexual misconduct with a former, uh, sheriff deputy.”

138. Respondent continued, stating, “Acting Commissioner Tammy Ross informed Saint Louis Metropolitan Police Department, which arrived at CJC and interviewed the victim, however Acting Commissioner Ross failed to notify the courts in that ca-, in that case, sorry.”

139. Respondent also stated, “Uh, following the interview Acting Commissioner Ross summoned myself, uh, onto the jail and she refused to disclose the reason over the phone, so, I didn’t really know what was going on when she called. I just was told to get over to the jail.”

140. Respondent continued, “Upon arrival, uh, I was briefed by Saint Louis City Police detectives and Acting Commissioner Ross. Saint Louis City,

uh, Police detectives then instructed Ross to allow the sheriff's office to interview the victim."

141. After learning of these statements, a spokesman for the St. Louis Metropolitan Police Department (SLMPD) rejected Respondent's allegations that the SLMPD gave him permission to speak with any witness.

142. To the contrary, SLMPD ordered Respondent not to interview the victim of a crime that the SLMPD was actively investigating.

143. Respondent was not given permission by the SLMPD to speak to any witness held in the St. Louis City Justice Center.

144. Later, during a conversation with a member of the press, Respondent stated, "The director of public safety, Charles Coyle I believe, gave authorization for the Sheriff's office to interview the victim."

145. But, after learning of this statement, Director Coyle denied Respondent's assertion, stating that Respondent lied repeatedly, and that Director Coyle, at no time and under no circumstances, gave Respondent permission to interview a detainee.

146. Respondent has repeatedly lied about his conversations with Director Coyle.

147. At no time and under no circumstances was Respondent given permission by Director Coyle to interview a detainee in the St. Louis City Justice Center.

148. In public statements made on or about February 14, 2025, Respondent has also represented that, before Respondent ordered Deputy Commissioner Ross to be handcuffed, Deputy Commissioner Ross “started making the deputies uncomfortable on the floor, started being kind of aggressive.”

149. Upon information and belief, on February 14, 2025, Deputy Commissioner Ross did not make Respondent’s deputies “uncomfortable.”

150. Upon information and belief, on February 14, 2025, Deputy Commissioner Ross was not “aggressive.”

151. In addition to the foregoing, Respondent, with the assistance of Lawrence, created another story to attempt to explain the unlawful arrest.

152. That story asserted that Deputy Commissioner Ross was arrested because she interfered with the service effectuated by Respondent’s deputies earlier in the day on February 14, 2025.

153. Respondent and Lawrence’s fabrication started immediately after Respondent allowed Deputy Commissioner Ross to leave Major Lammert’s office.

154. After Deputy Commissioner Ross left, Respondent, Major Lammert, Lawrence, and Colonel Yasharahla remained in Major Lammert’s office, and Lt. Colonel Steve Chalmers and Sergeant Robins then entered the office.

155. Upon information and belief, soon thereafter, Lawrence conspired with Respondent to fabricate a story concerning the events of February 14, 2025, that would allow Respondent to argue that Respondent's unlawful arrest of Deputy Commissioner Ross was actually lawful.

156. Upon information and belief, the details fabricated by Respondent and Lawrence concerning the events of February 14, 2025 were not entirely true.

157. Upon information and belief, Lawrence directed Major Lammert, Colonel Yasharahla, Chalmers, and Sergeant Robins how to describe the events of February 14, 2025, so that their accounts would support the details fabricated by Respondent and Lawrence.

158. Upon information and belief, the details fabricated by Lawrence for Respondent, Major Lammert, Colonel Yasharahla, Chalmers, and Sergeant Robins regarding the events of February 14, 2025 were not entirely true.

159. Respondent and Lawrence directed deputies to create reports in an attempt to connect the unlawful arrest of Deputy Commissioner Ross to the service that was effectuated by Deputies Jones and Thompson earlier in the day on February 14, 2025.

160. Nearly two months after the events of February 14, 2025, reports attributed to Lieutenant Honer, Colonel Yasharahla, Major Lammert, and Sergeant Robins purported to describe the events of February 14, 2025.

161. In a report attributed to Lieutenant Honer, which was dated April 9, 2024, it was asserted that Respondent's trip was for a meeting with Deputy Commissioner Ross concerning issues related to the service of a restraining order.

162. In a report attributed to Colonel Yasharahla, which was dated April 4, 2025, it was asserted that Deputy Commissioner Ross refused "to allow Sheriff Deputies into the jail to carry out their duties"

163. Also in a report attributed to Colonel Yasharahla, it was asserted that "Director Coyle instructed . . . Ross to allow the Sheriff's deputies [a]ccess to the City Justice Center [to carry] out their lawful [d]uties"

164. A report attributed to Major Lammert, which was dated April 4, 2025, asserted that, after Deputy Commissioner Ross sat in his office, Respondent "began talking to . . . Ross about now allowing deputies to complete [l]awful duties inside of the City Justice Center."

165. Also in the report attributed to Major Lammert, it was asserted that Director Coyle "instructed . . . Ross on the phone to allow the sheriffs access to the City Justice Center."

166. Upon information and belief, the details included in the reports purportedly created by Lieutenant Honer, Sergeant Robins, Colonel Yasharahla, and Major Lammert were not entirely true. Further, these reports

were written to fit Respondent and Lawrence's post-hoc rationalization for Respondent's unlawful detention and arrest of Deputy Commissioner Ross.

2. Respondent violated § 57.450, which prohibits him from enforcing the general criminal laws.

167. By ordering his deputies to handcuff Deputy Commissioner Ross, Respondent exceeded his statutory authority by unlawfully seeking to "enforce the general criminal laws of the state of Missouri." § 57.450, RSMo.

168. Such attempted enforcement was not "incidental to the duties customarily performed by the sheriff of the City of St. Louis. § 57.450, RSMo.

169. Therefore, Respondent is guilty of knowingly or willfully violating his duty to not enforce the general criminal laws of the state of Missouri. §§ 106.220, 57.450, RSMo.

170. Alternatively, Respondent is guilty of neglecting his official duty to not enforce the general criminal laws of the state of Missouri. §§ 106.220, 57.450, RSMo.

B. Even apart from § 57.450, Respondent's arrest of Deputy Commissioner Ross was illegal.

1. Respondent did not have the power to arrest Deputy Commissioner Ross, and the arrest did not comport with the law governing arrests.

171. "An arrest is made by an actual restraint of the person of the defendant, or by his submission to the custody of the officer, under authority of a warrant or otherwise." § 544.180, RSMo.

172. Respondent's deputies actually restrained the person of Deputy Commissioner Ross by handcuffing her.

173. By ordering his deputies to handcuff Deputy Commissioner Ross, Respondent knowingly caused her to be arrested.

174. When an arrest is made, "[t]he officer must inform the defendant by what authority he acts" § 544.180.

175. But, on information and belief, neither Respondent nor his deputies informed Deputy Commissioner Ross by what authority he or they acted in arresting her.

176. Additionally, an officer can arrest someone only if the officer has the "power of arrest."

177. "The authority to arrest should not be vested by inference." *Forste v. Benton*, 792 S.W.2d 910, 915 (Mo. App. 1990).

178. Generally-speaking, "any sheriff or deputy sheriff . . . and any county . . . law enforcement officer in this state . . . may arrest on view, and without a warrant, any person the officer sees violating or who such officer has reasonable grounds to believe has violated any ordinance or law of this state, including a misdemeanor or infraction, over which such officer has jurisdiction." § 544.216, RSMo.

179. However, “Section 544.216, which enumerates the types of officers authorized to make arrests, does not mention” the sheriff of the City of St. Louis. *Forste*, 792 S.W.2d at 914.

180. “In the absence of a provision in the statute conferring the authority to arrest, officers other than regular police officers have no greater authority to make an arrest without a warrant than is possessed by a private person.” *Forste*, 792 S.W.2d at 915.

181. As Missouri’s Court of Appeals has reiterated, “Historically the statutory provisions circumscribing the duties and responsibilities of police have been interpreted as ‘limiting the duty to arrest offenders as well as the power to do so[.]’ The express provision in the act defining the duties of the officers must be treated as excluding any authority to perform other functions not embraced in the act’ These statutes authorizing warrantless arrests, being in derogation of liberty, are to be strictly construed.” *Settle*, 679 S.W.2d at 317.

2. Respondent did not have the power of arrest as a private citizen.

182. When Respondent acted outside of the boundaries set by §§ 57.450 and 544.216, “his status transformed into that of a private citizen.” *Settle*, 679 S.W.2d at 317.

183. Similarly, when Respondent's deputies acted outside of the boundaries set by §§ 57.450 and 544.216, their "status transformed into that of . . . private citizen[s]." *Settle*, 679 S.W.2d at 317 (quoting *State, Fritz*, 490 S.W.2d 30, 32 (Mo. 1973)).

184. "In Missouri, a private citizen may make an arrest on a showing of commission of a felony and reasonable grounds to suspect the arrested party." *Settle*, 679 S.W.2d at 317.

185. But Deputy Commissioner Ross did not commit a felony.

186. "There is no evidence that" Respondent "had any suspicion that" Ross had committed a felony. *State v. Cuezze*, 249 S.W.2d 373, 375 (Mo. 1952).

187. No grounds existed to suspect that Deputy Commissioner Ross had committed a felony.

188. Indeed, no grounds existed to suspect that Deputy Commissioner Ross had committed any offense of any kind, or that Deputy Commissioner Ross presented any threat to public safety.

189. "Under these circumstances, the arrest of" Deputy Commissioner Ross "was illegal." *Cuezze*, 249 S.W.2d at 375.

190. Therefore, Respondent knowingly or willfully violated his duty to uphold the law, and he forfeited his office. § 106.220.

191. Alternatively, Respondent is guilty of neglecting his duty to uphold the law. § 106.220.

C. Respondent violated Deputy Commissioner Ross’s rights afforded her by the constitutions of the United States and Missouri.

192. “[V]iolations of statutory provisions are not *per se* violations of constitutionally protected rights” *Settle*, 679 S.W.2d at 319.

193. But, here, Respondent violated Deputy Commissioner Ross’s constitutionally protected rights.

194. “The right of the people to be secure in their persons . . . against unreasonable . . . seizures, shall not be violated” U.S. Const. amend. IV.

195. “[T]he people shall be secure in their persons . . . from unreasonable . . . seizures” Mo. Const. art. I, § 15.

196. “Article I, section 15 of the Missouri Constitution . . . is coextensive with the Fourth Amendment.” *State v. Smith*, 595 S.W.3d 143, 145 n.5 (Mo. 2020).

1. Respondent caused Deputy Commissioner Ross to be seized.

197. A “seizure” occurs “whenever a police officer accosts an individual and restrains his freedom to walk away.” *State v. Norfolk*, 366 S.W.3d 528, 533 (Mo. 2012).

198. “Only when the officer, by means of physical force or show of authority, has in some way restrained the liberty of a citizen may we conclude that a ‘seizure’ has occurred.” *Norfolk*, 366 S.W.3d at 533.

199. In other words, “[a] seizure occurs when the totality of the circumstances surrounding the incident indicates that ‘a reasonable person would have believed that he was not free to leave.’” *Norfolk*, 366 S.W.3d at 533 (citation omitted).

200. “An arrest is a seizure” *State v. Buckmaster*, 15 S.W.3d 774, 778 (Mo. App. 2000) (brackets omitted) (quoting *State v. Childress*, 828 S.W.2d 935, 945 (Mo. App. 1992)).

201. Respondent knowingly caused Deputy Commissioner Ross to be seized by stepping in front of the doorway through which she sought to leave.

202. Respondent knowingly caused Deputy Commissioner Ross to be seized by placing his hand on her and guiding her to a different part of the room to be handcuffed.

203. Respondent knowingly caused Deputy Commissioner Ross to be seized by ordering his deputies to handcuff Ross and causing her to be handcuffed.

2. Presumptively, Deputy Commissioner Ross’s seizure was unreasonable because it was warrantless.

204. Respondent did not have a warrant for Deputy Commissioner Ross’s arrest.

205. And “[a]s a general rule, warrantless seizures are unreasonable and unconstitutional.” *Norfolk*, 366 S.W.3d at 533.

206. Respondent knowingly or willfully violated his duty to uphold the law and to not violate Deputy Commissioner Ross's constitutional rights. Thus, he forfeited his office. § 106.220.

207. Alternatively, Respondent is guilty of neglecting his official duty to not violate Ross's constitutional rights. § 106.220.

3. Respondent engaged in willful and malicious oppression and misconduct against Deputy Commissioner Ross.

208. By unlawfully detaining Deputy Commissioner Ross, and inasmuch as Respondent was not acting within his duties as sheriff, Respondent engaged in conduct that constituted a criminal offense against Deputy Commissioner Ross, namely, first-degree kidnapping.

209. "A person commits the offense of kidnapping in the first degree if he or she unlawfully removes another person without his or her consent from the place where he or she is found or unlawfully confines another person without his or her consent for a substantial period, for the purpose of . . . [i]nterfering with the performance of any governmental or political function[.]" § 565.110.1(3), RSMo. First-degree kidnapping under that subdivision is a class A felony.

210. Alternatively, by unlawfully detaining Deputy Commissioner Ross, and inasmuch as Respondent was not acting within his duties as sheriff,

Respondent engaged in conduct that constituted a criminal offense against Deputy Commissioner Ross, namely, third-degree kidnapping.

211. “A person commits the offense of kidnapping in the third degree if he or she knowingly restrains another unlawfully and without consent so as to interfere substantially with his or her liberty.” § 565.130, RSMo. Third-degree kidnapping is a class A misdemeanor.

Conclusion

212. In light of the foregoing, during his term in office, Respondent knowingly or willfully violated or neglected, or knowingly or willfully failed or refused to perform his duty as Sheriff of the City of St. Louis.

213. In light of the foregoing, during his term in office, Respondent has knowingly and willfully failed to faithfully demean himself in office and uphold the law.

214. Respondent has therefore forfeited his office under the provisions of § 106.020. Consequently, Respondent is a usurper who must be removed.

Count III

III. Respondent has knowingly or willfully violated or neglected, or knowingly or willfully failed or refused to perform, his duties by unlawfully detaining and unlawfully disarming Darryl Wilson, who was working to protect the public safety as a duly licensed, private security guard.

215. Relator re-alleges all previous allegations as if set forth herein.

216. Under § 57.450, RSMo, all general laws relating and applicable to sheriffs apply to the sheriff of the City of St. Louis “except that the sheriff of the City of St. Louis shall not enforce the general criminal laws of the state of Missouri unless such enforcement shall be incidental to the duties customarily performed by the sheriff of the City of St. Louis.”

217. Contrary to the statutory provision that he “shall not enforce the general criminal laws,” Respondent unlawfully attempted to enforce the general criminal laws against Darryl Wilson, a former sheriff’s deputy.

218. During his employment as a St. Louis City Sheriff’s Deputy, Wilson started providing security during off-duty hours at a gas station located at or near 5008 S. Grand Boulevard, St. Louis, Missouri.

219. During the time that Wilson was providing security at the gas station, Wilson resigned from his employment as a St. Louis City Sheriff’s Deputy.

220. Wilson’s resignation from the St. Louis City Sheriff’s Office was effective January 8, 2025.

221. Approximately two days after resigning from the office of Sheriff of the City of St. Louis, Wilson started working for Gateway Security Services, where he was employed to protect the public safety as a licensed armed security guard.

222. On January 17, 2025, while Wilson was working at the gas station at 5008 S. Grand Boulevard, Respondent and some of Respondent's deputies arrived and immediately asked for Wilson's badge and gun.

223. Wilson informed Respondent and his deputies that he had already turned in all of those items.

224. Upon information and belief, Respondent was aware that Wilson had already turned in those items.

225. Respondent then demanded that Wilson give Respondent his personal firearm.

226. Captain Anthony Anderson, a sheriff's deputy who had arrived at the gas station with Respondent, knew that neither he nor Respondent had any authority to take Wilson's weapon, and, upon information and belief, he told Wilson during the incident (while they were in a back room at the gas station) that "Montgomery is on some bullshit."

227. Upon information and belief, Respondent knew that he did not have the authority to take Wilson's weapon.

228. Respondent then unlawfully seized Wilson's personal firearm and security license.

229. Respondent then detained Wilson and would not let him leave, on the basis that Wilson was impersonating a sheriff's deputy.

230. Wilson was not wearing a uniform from the St. Louis City Sheriff's Office and was instead wearing a black, hooded sweatshirt, black pants, and a black skullcap that displayed the word "security."

231. Respondent made a 911 call and reported that there was an individual working at a gas station who was impersonating a sheriff's deputy, and Respondent asked emergency services to send an officer.

232. During the 911 call, Respondent stated that they had detained the individual who was impersonating a sheriff's deputy.

233. Officers with the St. Louis Metropolitan Police Department (SLMPD) responded to the 911 call placed by Respondent.

234. Respondent told the responding SLMPD officers that he had arrived at the gas station located at 5008 S. Grand Boulevard and that he had observed Wilson "working secondary" and impersonating a sheriff's deputy.

235. Upon information and belief, Respondent's reference to "working secondary" was a reference to the practice of a sheriff's deputy working a second job during off-duty hours, i.e., Respondent meant that Wilson was providing private security in his off-duty hours as a deputy.

236. Upon information and belief, Respondent knew that Wilson was not "working secondary," as Wilson had previously resigned from the office of Sheriff of the City of St. Louis.

237. The responding SLMPD officers spoke to Wilson at the scene, and Wilson stated that he was forced to resign from the St. Louis City Sheriff's Office on January 8, 2025, and that he was currently working for Gateway Security Services as an armed security guard.

238. Wilson informed the SLMPD officers that Respondent had been harassing him since before Respondent had been elected.

239. Respondent had harassed Wilson since the beginning of Respondent's campaign.

240. Respondent specifically told Wilson that he was going to "get rid" of him once he took office.

241. Wilson and his mother, Cheryl Owens, who was on speakerphone with Wilson at the time, reported to responding officers that Respondent took Wilson's personal weapon.

242. Respondent told an SLMPD officer that there was an ongoing internal affairs investigation into allegations that Wilson had been working at multiple places as a deputy.

243. Respondent did not explain why he was continuing to conduct an internal affairs investigation into Wilson, who had resigned more than one week earlier.

244. Respondent did not explain what legal authority allowed him to conduct an internal affairs investigation into Wilson, who had resigned more than one week earlier.

245. Upon information and belief, Respondent had no authority to support such an investigation.

246. The SLMPD officers observed that Wilson did not have any clothing that would indicate he was impersonating a sheriff's deputy.

247. Respondent informed the SLMPD officers, "I took that firearm off him and confiscated the firearm."

248. Respondent incorrectly told the SLMPD officers that Wilson had a security license that stated he has to wear a uniform and that Wilson's security license stated "sheriff's office."

249. Wilson's security license identified "Gateway Security Service" as his employer.

250. The SLMPD officers informed Respondent that he had no right to take Wilson's gun because Wilson's possession of a firearm had nothing to do with being a sheriff's deputy.

251. The SLMPD officers informed Respondent that he should make sure someone is actually in a sheriff's uniform or is not licensed before confronting them if the person no longer works for him.

252. Despite telling the SLMPD officers that he “confiscated” Wilson’s firearm, Respondent later told news reporters after the incident, “As a law enforcement agency, we didn’t take anyone’s firearm.”

253. When asked by reporters if Respondent and his deputies had the authority to take Wilson’s weapon, Captain Anderson replied, “No, we did not.”

254. Upon information and belief, Captain Anderson called Wilson and apologized for the incident at the gas station.

255. Respondent’s seizure and continued detention of Wilson was not incidental to any duties customarily performed by the Sheriff of the City of St. Louis.

256. The confiscation of Wilson’s personal firearm was not incidental to any duties customarily performed by the Sheriff of the City of St. Louis.

257. By seizing and detaining Wilson and confiscating Wilson’s firearm, Respondent attempted to enforce the general criminal laws in the state of Missouri. § 57.540, RSMo.

258. Additionally, by unlawfully detaining Wilson, and inasmuch as Respondent was not acting within his duties as sheriff, Respondent engaged in conduct that constituted a criminal offense against Wilson, namely, third-degree kidnapping.

259. “A person commits the offense of kidnapping in the third degree if he or she knowingly restrains another unlawfully and without consent so as to

interfere substantially with his or her liberty.” § 565.130, RSMo. Third-degree kidnapping is a class A misdemeanor.

260. Additionally, by unlawfully taking Wilson’s personal firearm, and inasmuch as Respondent was not acting within his duties as Sheriff of the City of St. Louis, Respondent engaged in conduct that constituted a criminal offense against Wilson, namely, stealing.

261. “A person commits the offense of stealing if he or she . . . [a]ppropriates property . . . of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion[.]” § 570.030.1(1), RSMo. The offense of stealing is a class D felony if “[t]he property appropriated consists of . . . [a]ny firearms[.]” § 570.030.5(3)(d), RSMo.

262. Moreover, by seizing Wilson’s personal firearm, Respondent infringed on Wilson’s constitutional right to bear arms under both the Missouri and United States Constitutions.

263. Article I, Section 23 of the Missouri Constitution states, “That the right of every citizen to keep and bear arms, ammunition, and accessories typical to the normal function of such arms, in defense of his home, person, family and property, or when lawfully summoned in aid of the civil power, shall not be questioned.” Mo. Const. art. I, § 23.

264. The Second Amendment of the United States Constitution states that “the right of the people to keep and bear Arms, shall not be infringed.” U.S. Const. amend. II.

265. The confiscation of Wilson’s personal firearm violated Missouri’s Constitution when Respondent had no legal authority to confiscate the firearm.

266. The confiscation of Wilson’s personal firearm violated the United States Constitution when Respondent had no legal authority to confiscate the firearm.

267. Wilson was a licensed armed security guard at his place of employment and was observed by police wearing a black, hooded sweatshirt, black pants, and a black skullcap that displayed the word “security.”

268. Respondent was not authorized to confiscate Wilson’s personal weapon.

269. As stated above, under § 57.640, RSMo, Respondent has no authority to enforce general criminal laws and did not have the authority to confiscate Wilson’s firearm therefore violating Wilson’s rights under the Missouri and United States Constitutions.

270. Further, Article I, Section 15 of the Missouri Constitution states, “That the people shall be secure in their persons, papers, homes, effects, and electronic communications and data, from unreasonable searches and seizures. . . .” Mo. Const. art. I, § 15.

271. The Fourth Amendment of the United States Constitution states that “[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated” U.S. Const. Amend. IV.

272. The seizure and continued detention of Wilson and the confiscation of his personal firearm violated these provisions of the Missouri Constitution and the United States Constitution.

Conclusion

273. Based on the foregoing, Respondent detaining Wilson and confiscating his personal firearm constituted an unlawful seizure of Wilson’s person and Wilson’s property under both the Missouri Constitution and the United States Constitution.

274. Based on the foregoing, Respondent never had a valid reason to detain Wilson on January 17, 2025, or to confiscate Wilson’s personal firearm on the same day. In doing so, Respondent violated Wilson’s rights under the Missouri and United States Constitution, and he engaged in conduct that constituted criminal offenses against Wilson.

275. Contrary to Respondent’s claims, Wilson was not impersonating a sheriff’s deputy; rather, Wilson was legitimately employed as a licensed security guard, working to protect public.

276. In light of the foregoing, during his term in office, Respondent knowingly or willfully violated or neglected, or knowingly or willfully failed or refused to perform his duty as Sheriff of the City of St. Louis.

277. In light of the foregoing, during his term in office, Respondent has knowingly and willfully failed to faithfully demean himself in office and uphold the law.

278. Respondent has therefore forfeited his office under the provisions of § 106.020. Consequently, Respondent is a usurper who must be removed.

Count IV

IV. Respondent has willfully violated or neglected, or knowingly failed or refused to perform his duty to transport and supervise hospitalized detainees while acting as Sheriff of the City of St. Louis.

279. Relator re-alleges all previous allegations as if set forth herein.

280. Respondent is obligated to follow “[a]ll general laws relating and applicable to the sheriffs of the several counties.” RSMo § 57.450.

281. Respondent has a statutory duty to “receive, from constables and other officers, all persons who shall be apprehended by such constable or other officers, for offenses against this state, or who shall be committed to such jail by any competent authority[.]” RSMo § 221.040.1.

282. Respondent’s duty to transport prisoners is referenced in the Revised Code of the City of St. Louis, which requires hospital administrators

to “issue permits to deputy sheriffs assigned to guard prisoners at City hospitals and provide for the movement of prisoners to and from the hospitals as is provided other emergency vehicles.” § 12.04.070, https://library.municode.com/mo/st._louis/codes/code_of_ordinances?nodeId=IT12HOPH_CH12.04MIHOPR_12.04.070PAERSS.

283. Upon information and belief, the Sheriff of the City of St. Louis’s duty to transport and supervise prisoners has been recognized since at least 1977. *See e.g., State v. Jones*, 556 S.W.2d 736 (Mo. App. 1977).

284. Between 1977 and when Respondent took office on January 1, 2025, the office of Sheriff of the City of St. Louis has recognized and accepted the duty to transport and guard hospitalized detainees.

285. On April 23, 1999, former St. Louis City Sheriff James Murphy wrote a letter confirming that he “will transport all city jail residents no matter where the residents are including: MSI facility, County facility, Hospital, Court, Etc., if we get 4 staff City Jailers, 4 of our Sheriffs staff restored, 3 vans restored and 3 more vans to the sheriffs department.”

286. In a March 18, 2004 memorandum, the City Counselor’s Office stated that “it is the Sheriff’s responsibility to guard a prisoner, including a prisoner in a hospital, and that this responsibility to ‘guard’ also implies that the Sheriff has the duty to transport.”

287. The same 2004 memorandum concludes by noting that the Sheriff of the City of St. Louis has “the clear duty” to guard and transport hospitalized detainees and that the office was “given the tools (vans & personnel)” to fulfill that duty in 1999.

288. Respondent’s predecessor, former St. Louis City Sheriff Vernon Betts, confirmed that transporting hospitalized detainees “is the sheriff’s job” and not the duty of “jail guards [because they] don’t have the training to do it.” Austin Huguelet, *St. Louis sheriff blames budget woes on others. But firings he ordered cost \$500K*, STLtoday, (June 2, 2025), https://www.stltoday.com/news/local/government-politics/article_0906a85c-8fc8-4d68-a09c-5ab71f07b3a6.html.

289. As the Sheriff of the City of St. Louis, Respondent has a fundamental duty to transport and supervise hospitalized detainees.

290. Respondent has willfully violated or neglected this duty or knowingly failed or refused to perform this fundamental duty.

291. Respondent has a pattern or practice of failing to transport and supervise hospitalized detainees.

292. Since assuming his role as Sheriff of the City of St. Louis on January 1, 2025, Respondent has failed repeatedly to fulfill his fundamental duty to transport and supervise hospitalized detainees.

293. When Respondent took office, he fired “more than a dozen staffers,” leading to “nearly a half-million dollars in benefit payouts,” which has threatened “his office’s ability to transport inmates, a key duty of the city sheriff.” Austin Huguelet, *St. Louis sheriff blames budget woes on others. But firings he ordered cost \$500K*, STLtoday, (June 2, 2025), https://www.stltoday.com/news/local/government-politics/article_0906a85c-8fc8-4d68-a09c-5ab71f07b3a6.html.

294. Between January 1, 2025, and June 12, 2025, Respondent failed to transport and supervise a total of fifty-nine inmates for medical treatment.

295. Between January 1, 2025, and January 31, 2025, Respondent failed eleven times to transport and supervise inmates for medical treatment, including:

- a. On January 1, 2025, Respondent failed to transport and supervise inmate #10913 for medical treatment.
- b. On January 1, 2025, Respondent failed to transport and supervise inmate #180360 for medical treatment.
- c. On January 1, 2025, Respondent failed to transport and supervise inmate #23729 for medical treatment.
- d. On January 3, 2025, Respondent failed to transport and supervise inmate #181048 for medical treatment.

e. On January 15, 2025, Respondent failed to transport and supervise inmate #181564 for medical treatment.

f. On January 19, 2025, Respondent failed to transport and supervise inmate #133683 for medical treatment.

g. On January 20, 2025, Respondent failed to transport and supervise inmate #181753 for medical treatment.

h. On January 20, 2025, Respondent failed to transport and supervise inmate #181336 for medical treatment.

i. On January 27, 2025, Respondent failed to transport and supervise inmate #173698 for medical treatment.

j. On January 29, 2025, Respondent failed to transport and supervise inmate #94305 for medical treatment.

k. On January 31, 2025, Respondent failed to transport and supervise inmate #180421 for medical treatment.

296. Between February 4, 2025, and February 25, 2025, Respondent failed six times to transport and supervise inmates for medical treatment, including:

a. On February 4, 2025, Respondent failed to transport and supervise inmate #181454 for medical treatment.

b. On February 4, 2025, Respondent failed to transport and supervise inmate #181180 for medical treatment.

c. On February 10, 2025, Respondent failed to transport and supervise inmate #176587 for medical treatment.

d. On February 13, 2025, Respondent failed to transport and supervise inmate #129873 for medical treatment.

e. On February 17, 2025, Respondent failed to transport and supervise inmate #129616 for medical treatment.

f. On February 25, 2025, Respondent failed to transport and supervise inmate #168392 for medical treatment.

297. Between March 6, 2025, and March 15, 2025, Respondent failed six times to transport and supervise inmates for medical treatment, including:

a. On March 6, 2025, Respondent failed to transport and supervise inmate #48396 for medical treatment.

b. On March 9, 2025, Respondent failed to transport and supervise inmate #164920 for medical treatment.

c. On March 9, 2025, Respondent failed to transport and supervise inmate #6713 for medical treatment.

d. On March 12, 2025, Respondent failed to transport and supervise inmate #108569 for medical treatment.

e. On March 14, 2025, Respondent failed to transport and supervise inmate #181753 for medical treatment.

f. On March 15, 2025, Respondent failed to transport and supervise inmate #171422 for medical treatment.

298. Between April 4, 2025, and April 27, 2025, Respondent failed eight times to transport and supervise inmates for medical treatment, including:

a. On April 4, 2025, Respondent failed to transport and supervise inmate #176252 for medical treatment.

b. On April 4, 2025, Respondent failed to transport and supervise inmate #22769 for medical treatment.

c. On April 5, 2025, Respondent failed to transport and supervise inmate #158963 for medical treatment.

d. On April 16, 2025, Respondent failed to transport and supervise inmate #51644 for medical treatment.

e. On April 17, 2025, Respondent failed to transport and supervise inmate #177571 for medical treatment.

f. On April 18, 2025, Respondent failed to transport and supervise inmate #139938 for medical treatment.

g. On April 19, 2025, Respondent failed to transport and supervise inmate #170876 for medical treatment.

h. On April 27, 2025, Respondent failed to transport and supervise inmate #181753 for medical treatment.

299. On May 13, 2025, during a Board of Aldermen meeting, Respondent claimed that “without more resources, we will not be able to continue our hospital detail on these same terms.”

300. Respondent stated during the May 13, 2025, board meeting that “hospital transfer is no longer sustainable.”

301. During the May 13, 2025, board meeting, Respondent, represented by Blake Lawrence, stated that “we’re not all that excited to continue [transporting hospital detainees] on the same terms.”

302. On May 27, 2025, Respondent sent Mayor Spencer a letter asserting that the Sheriff’s Department will no longer transport nor supervise hospitalized detainees unless an increase to the Sheriff’s Office’s budget is approved.

303. Between May 1, 2025, and May 28, 2025, Respondent failed sixteen times to transport and supervise inmates for medical treatment, including:

a. On May 1, 2025, Respondent failed to transport and supervise inmate #181610 for medical treatment.

b. On May 1, 2025, Respondent failed to transport and supervise inmate #25812 for medical treatment.

c. On May 2, 2025, Respondent failed to transport and supervise inmate #109409 for medical treatment.

- d. On May 2, 2025, Respondent failed to transport and supervise inmate #146936 for medical treatment.
- e. On May 4, 2025, Respondent failed to transport and supervise inmate #181610 for medical treatment.
- f. On May 9, 2025, Respondent failed to transport and supervise inmate #174655 for medical treatment.
- g. On May 12, 2025, Respondent failed to transport and supervise inmate #181694 for medical treatment.
- h. On May 12, 2025, Respondent failed to transport and supervise inmate #181610 for medical treatment.
- i. On May 15, 2025, Respondent failed to transport and supervise inmate #68021 for medical treatment.
- j. On May 16, 2025, Respondent failed to transport and supervise inmate #26725 for medical treatment.
- k. On May 20, 2025, Respondent failed to transport and supervise inmate #181610 for medical treatment.
- l. On May 22, 2025, Respondent failed to transport and supervise inmate #181037 for medical treatment.
- m. On May 22, 2025, Respondent failed to transport and supervise inmate #181651 for medical treatment.

n. On May 24, 2025, Respondent failed to transport and supervise inmate #182228 for medical treatment.

o. On May 27, 2025, Respondent failed to transport and supervise inmate #164920 for medical treatment.

p. On May 28, 2025, Respondent failed to transport and supervise inmate #69054 for medical treatment.

304. On June 2, 2025, Respondent stated during a Board of Aldermen meeting that “we have decided to continue transporting and watching detainees needing medical care on a temporary basis.”

305. During the June 2, 2025, meeting, Respondent stated that the letter he sent to the Mayor on May 27, 2025, was retracted.

306. During the same meeting on June 2, 2025, Respondent stated, “I think I’ve made it very clear that that letter is withdrawn. It’s null. It’s void. It does not exist anymore. It’s done.”

307. During the same Board of Aldermen meeting on June 2, 2025, Respondent omitted the duty of transporting hospitalized detainees from the list of statutory “core duties” placed on the Sheriff’s Department.

308. When Respondent was asked whether his office would continue to transport hospital detainees, Respondent replied “if we are able to do it. While securing the courts, then we’re going to do it.”

309. Despite retracting the letter during the Board of Aldermen meeting on June 2, 2025, Respondent failed to transport hospitalized detainees a day after the meeting occurred on June 3, 2025. Austin Huguelet, *City says St. Louis sheriff is refusing a key duty*, STLtoday (June 11, 2025), https://www.stltoday.com/news/local/government-politics/article_a529d77f-d11c-4bce-afd5-722b756a0a95.html.

310. The Department of Public Safety reported that Respondent refused five medical transport requests on June 3, June 5, June 6, and June 7, 2025. David Amelotti, *St. Louis Mayor has 'lost confidence in the sheriff,' First Alert 4* (June 9, 2025), <https://www.firstalert4.com/2025/06/09/st-louis-mayor-has-lost-confidence-sheriff/>.

311. During the June 2, 2025, Board of Aldermen meeting, Respondent asserted that he understood that transporting and guarding hospitalized detainees was a long-established duty of the sheriff's department by stating, "I understand that this has happened in the past. I understand that this is something that's ongoing. I've heard this a lot, that this is something that we've been doing and we just continue it."

312. In the same meeting, Respondent said "I can't stress this enough, we all care about the safety and security of, not only the deputies but those detainees."

313. Between June 2, 2025, and June 20, 2025, Respondent failed twelve times to transport and supervise inmates for medical treatment, including:

a. On June 2, 2025, Respondent failed to transport and supervise inmate #103907 for medical treatment.

b. On June 3, 2025, Respondent failed to transport and supervise inmate #67698 for medical treatment.

c. On June 5, 2025, Respondent failed to transport and supervise inmate #67331 for medical treatment.

d. On June 5, 2025, Respondent failed to transport and supervise inmate #167926 for medical treatment.

e. On June 6, 2025, Respondent failed to transport and supervise inmate #12529 for medical treatment.

f. On June 6, 2025, Respondent failed to transport and supervise inmate #180882 for medical treatment.

g. On June 9, 2025, Respondent failed to transport and supervise inmate #42310 for medical treatment.

h. On June 9, 2025, Respondent failed to transport and supervise inmate #182236 for medical treatment.

i. On June 9, 2025, Respondent failed to transport and supervise inmate #182259 for medical treatment.

j. On June 10, 2025, Respondent failed to transport and supervise inmate #180360 for medical treatment.

k. On June 12, 2025, Respondent failed to transport and supervise inmate #180281 for medical treatment.

l. On June 20, 2025, Respondent failed transport and supervise inmate #178621 for medical treatment.

314. Hours after Respondent failed to transport and supervise inmate #178621 for medical treatment on June 20, 2025, Respondent went skydiving.

@montgomery4sheriff2028, TikTok (Jun. 22, 2025), https://www.tiktok.com/t/ZP8rQKXS4_.



315.

316. One member of the public commented “Probably used the sheriff budget for this too 😏😏.”

317. Respondent replied “🙄🙄🙄.”

318. Respondent’s failure to transport and supervise inmates for medical treatment on approximately fifty-nine separate occasions between January 1 and June 23 was a willful violation, willful neglect, or knowing or willful failure or violation of his duty.

Conclusion

319. In light of the foregoing, during his term in office, Respondent willfully violated or neglected, or knowingly or willfully failed or refused to perform his duty as the Sheriff of the City of St. Louis to transport and supervise hospitalized detainees.

320. Respondent’s failure to uphold one of his fundamental duties as Sheriff of the City of St. Louis has placed an onerous burden on other departments and has threatened the safety of the City of St. Louis.

321. Respondent has therefore forfeited his office under the provisions of § 106.020. Consequently, Respondent is a usurper who must be removed.

Count V

V. Respondent has used Sheriff of the City of St. Louis’s resources for personal gain by having an on-duty deputy transport Respondent’s children to and from school.

322. Relator re-alleges all previous allegations as if set forth herein.

323. Section 105.452 prohibits acts by elected or appointed public officials that are designed to provide the public official, or their family, with a financial gain. *See* § 105.452; *see also Russell*, 45 S.W.3d at 487.

324. In *Russell*, the Missouri Court of Appeals found that using an inmate to perform labor for the sheriff's personal benefit, including having the inmate mow the sheriff's grass, "work on" the sheriff's car, lay carpet in the sheriff's rental property, and remodel the sheriff's restaurant, violated § 105.452. *See Russell*, 45 S.W.3d at 498–99.

325. The Court found that this improper personal gain, *inter alia*, warranted ouster from the office of sheriff. *Id.* at 501.

326. Similarly, Respondent has used the labor of Sergeant Barbara Chavers, an employee of the Sheriff of the City of St. Louis, to personally benefit himself.

327. Upon information and belief, Respondent has ordered Sergeant Chavers to transport his children from school to Respondent's office multiple times. Chris Hayes, "*You're O-U-T, out!*" says legal expert in FOX 2's findings on St. Louis Sheriff, Fox2Now (Apr. 30, 2025), <https://fox2now.com/news/fox-files/youre-o-u-t-out-says-legal-expert-in-fox-2s-findings-on-st-louis-sheriff/>

328. Upon information and belief, Sergeant Chavers was on-duty each time she transported Respondent's children. Chris Hayes, "*You're O-U-T, out!*" says legal expert in FOX 2's findings on St. Louis Sheriff, Fox2Now (Apr. 30,

2025), <https://fox2now.com/news/fox-files/youre-o-u-t-out-says-legal-expert-in-fox-2s-findings-on-st-louis-sheriff/>

329. Upon information and belief, Sergeant Chavers, on at least one occasion, took Respondent's children to a fast-food restaurant before transporting them to the Sheriff's Office. Chris Hayes, *"You're O-U-T, out!" says legal expert in FOX 2's findings on St. Louis Sheriff*, Fox2Now (Apr. 30, 2025), <https://fox2now.com/news/fox-files/youre-o-u-t-out-says-legal-expert-in-fox-2s-findings-on-st-louis-sheriff/>

330. Upon information and belief, Sergeant Chavers used a marked Sheriff's Office vehicle each time she transported Respondent's children. Chris Hayes, *"You're O-U-T, out!" says legal expert in FOX 2's findings on St. Louis Sheriff*, Fox2Now (Apr. 30, 2025), <https://fox2now.com/news/fox-files/youre-o-u-t-out-says-legal-expert-in-fox-2s-findings-on-st-louis-sheriff/>

331. Upon information and belief, Sergeant Chavers has, on a regular basis, transported Respondent's children to Respondent's Office after school. Chris Hayes, *"You're O-U-T, out!" says legal expert in FOX 2's findings on St. Louis Sheriff*, Fox2Now (Apr. 30, 2025), <https://fox2now.com/news/fox-files/youre-o-u-t-out-says-legal-expert-in-fox-2s-findings-on-st-louis-sheriff/>

332. Upon information and belief, Respondent's children, on the days they are transported by Sergeant Chavers, come to Respondent's Office after being released from school.

333. The following images depict Sergeant Chavers bringing Respondent's children to his office. The images have been redacted to protect the privacy of members of the public and Respondent's children.



334.



335.

336. Upon information and belief, Respondent's children are picked up from Respondent's Office by their mother later in the day.

337. Upon information and belief, Sergeant Chavers has, therefore, provided Respondent with childcare services for his children.

338. By delegating the task of transporting his children after school to a deputy, Respondent has acted in a way designed to provide himself a personal pecuniary benefit.

339. By using a deputy and an office vehicle to transport his children, Respondent has used governmental resources and taxpayer money to obtain an improper, personal financial gain.

340. When he needed childcare services, Respondent turned to a deputy who is getting paid through taxpayer money, instead of relying on acceptable

means to complete that work, which included the transporting and supervision of his children after school. *See Nixon*, 45 S.W.3d at 498.

341. Respondent used governmental resources and taxpayer money when he allowed his children to come to the Sheriff's Office after school, instead of seeking outside childcare.

342. Upon information and belief, Respondent does not provide childcare services to any other deputy or employee of the Sheriff for the City of St. Louis.

343. The childcare services provided by Sergeant Chavers personally benefits Respondent and his family.

Conclusion

344. In light of the allegations in Count V, Respondent has violated § 105.452 and he has therefore forfeited his office under the provisions of § 106.220. Consequently, Respondent is a usurper who must be removed.

Count VI

VI. Respondent has willfully or fraudulently violated an official duty by mismanaging the finances and creating an increasing monetary deficit for Respondent's office.

345. Relator re-alleges all previous allegations as if set forth herein.

346. Respondent's duty to manage the finances of his office is a duty lying fairly within the scope of Respondent's office. *Foote*, 903 S.W.2d at 538, *abrogated on other grounds by State v. Olvera*, 969 S.W.2d 715 (Mo. 1998).

347. Respondent's duty to manage the finances of his office, although incidental and collateral to his primary duties, serves to promote the accomplishment of such primary duties. *See id.*

348. Generally, a sheriff's office in Missouri obtains funding from several different sources. *See, e.g.,* § 57.280 (allowing sheriffs to receive monetary funding through the charges for process serving legal documents in connection with civil cases); *see also* § 50.535 (creating the "County Sheriff's Revolving Fund").

349. Missouri law provides a specific funding mechanism for necessary expenses incurred by Respondent in the commission of the duties of his office. § 57.520.

350. Section 57.520 provides that "[a]ll the necessary expenses incurred by the sheriff of the city of St. Louis in the conduct of the duties of his office, shall, upon his requisition, approved by the comptroller, be paid out of the treasury of the City of St. Louis." § 57.520.

351. Section 57.280 authorizes the office of Sheriff of the City of St. Louis to "receive a charge" for the service of certain forms of process in St. Louis City. § 57.280.1. Section 57.280 also authorizes the office of Sheriff of the City of St. Louis to receive certain payments and reimbursements for obligations related to the executions of judgments or seizures made pursuant to legal process. § 57.280.2. Section 57.280.6 separately authorizes the office of Sheriff

of the City of St. Louis to receive a charge for the service of process related to any eviction proceeding. § 57.280.6.

352. Although § 57.280 provides Respondent with discretion as to the usage of the funds collected under § 57.280.1, § 57.280.2, § 57.280.6, such funds can only be used “for the furtherance of the sheriff’s set duties.” § 57.280. Furthermore, these funds can only be used “for the procurement of services and equipment to support the operation of the sheriff’s office.” *Id.*

353. Section 571.101 authorizes Respondent to charge, and receive, certain fees for processing an application for a concealed carry permit or the renewal of a concealed carry permit. § 571.101.11; § 571.101.12. These fees are deposited into a separate interest-bearing fund known as the “County Sheriff’s Revolving Fund.” § 50.535.

354. Section 50.535.2 provides that the County Sheriff’s Revolving Fund can only be used “for the purchase of equipment, to provide training, and to make necessary expenditures to process applications for concealed carry permits or renewals, including but not limited to the purchase of equipment, information and data exchange, training, fingerprinting and background checks, employment of additional personnel, and any expenditure necessitated by an action under section 571.114 or 571.117.” § 50.535.2.

355. Section 50.535.3 further states, in pertinent part, that, “the sheriff of every county, regardless of classification, is authorized to pay, from the

sheriff's revolving fund, all reasonable and necessary costs and expenses for activities or services occasioned by compliance with sections 571.101 to 571.121." § 50.535.3.

356. Respondent abused his discretion when using the funds available to his office, in that the expenses incurred by Respondent, and his office, were not necessary, did not procure the services and equipment to support the department, and such expenditures were not for the purchase of equipment, to provide training, and to make necessary expenditures to process applications for concealed carry permits or renewals.

A. Purchase of Golf Carts

357. Prior to attending the May 13, 2025 St. Louis City Aldermanic budget meeting, Respondent purchased four golf carts to be used by his office. Austin Huguelet, *St. Louis sheriff already bought golf carts. 'Oh my God,' alderman says*, St. Louis Post-Dispatch (May 15, 2025), https://www.stltoday.com/news/local/government-politics/article_63675d25-4b59-4b35-93e5-586187a88890.html

358. During the May 13, 2025 St. Louis City Aldermanic budget meeting, the Sheriff's Office requested additional funding for the purchase of the already purchased golf carts.

359. At no point in the May 13, 2025 meeting did Respondent, or any person acting on his behalf, explain that the golf carts had been already purchased.

360. Instead, Captain Blake Lawrence, St. Louis City Sheriff's Office General Counsel, discussed the purchase of golf carts as something the office was striving to achieve in the future, if the St. Louis City Board of Alderman agreed to provide more funding to the office.

361. Captain Lawrence explained that buying golf carts would help with transportation between the buildings at, in, and around which Respondent's office provides security.

362. During the meeting, Alderman Matt Devoti asked Captain Lawrence whether the St. Louis City Sheriff's Office currently owned golf carts.

363. Captain Lawrence answered, "In the past . . . In the past, I don't believe so."

364. Captain Lawrence avoided answering whether or not the office of the Sheriff of the City of St. Louis, at the time of the meeting, owned golf carts.

365. Alderman Devoti then asked, "Why would a golf cart be necessary to cross Market Street?"

366. Captain Lawrence said that the golf carts would help transport equipment or make a run to the hospital.

367. Captain Lawrence stated that the golf carts would help provide security to the Cardinals and Blues games.

368. Chief Deputy Tyshon Sykes stated that the golf carts would help with the downtown presence of the Sheriff of the City of St. Louis.

369. On or about May 14, 2025, the media discovered that Respondent had already purchased the golf carts prior to requesting funding from the St. Louis City Board of Alderman. Austin Huguelet, *St. Louis sheriff already bought golf carts. 'Oh my God,' alderman says*, St. Louis Post-Dispatch (May 15, 2025), https://www.stltoday.com/news/local/government-politics/article_63675d25-4b59-4b35-93e5-586187a88890.html

370. Captain Lawrence stated that the purchase of the golf carts was not a big deal, as the police department also has more expensive golf carts. Austin Huguelet, *St. Louis sheriff already bought golf carts. 'Oh my God,' alderman says*, St. Louis Post-Dispatch (May 15, 2025), https://www.stltoday.com/news/local/government-politics/article_63675d25-4b59-4b35-93e5-586187a88890.html

371. According to Captain Lawrence, the total cost of the golf carts was \$10,000.00. Austin Huguelet, *St. Louis sheriff already bought golf carts. 'Oh my God,' alderman says*, St. Louis Post-Dispatch (May 15, 2025), https://www.stltoday.com/news/local/government-politics/article_63675d25-4b59-4b35-93e5-586187a88890.html

372. Respondent's purchase of the golf carts was not a necessary expense under § 57.520.

373. Respondent's purchase of the golf carts was not for the furtherance of Respondent's set duties under § 57.280.

374. Respondent's purchase of the golf carts was not for the furtherance of Respondent's set duties under § 50.535 as it was not a necessary expenditure to process applications for, or renewals of, concealed carry permits.

B. Purchase of New Uniforms and Badges

375. Respondent mismanaged the finances of his office by spending thousands of dollars to purchase new uniforms and badges. David Amelotti, *Almost \$50K in badges, uniforms raises questions about St. Louis sheriff's spending*, First Alert 4 (Jun. 12, 2025), <https://www.firstalert4.com/2025/06/12/almost-50k-badges-uniforms-raises-questions-about-st-louis-sheriffs-spending/>

376. Upon information and belief, Respondent purchased 250 badges in the month of March. David Amelotti, *Almost \$50K in badges, uniforms raises questions about St. Louis sheriff's spending*, First Alert 4 (Jun. 12, 2025), <https://www.firstalert4.com/2025/06/12/almost-50k-badges-uniforms-raises-questions-about-st-louis-sheriffs-spending/>

377. Upon information and belief, the cost of the badges totaled about \$28,125.00. David Amelotti, *Almost \$50K in badges, uniforms raises questions*

about St. Louis sheriff's spending, First Alert 4 (Jun. 12, 2025), <https://www.firstalert4.com/2025/06/12/almost-50k-badges-uniforms-raises-questions-about-st-louis-sheriffs-spending/>

378. Upon information and belief, Respondent's office still owes about \$19,000.00 for the purchase of new uniforms. David Amelotti, *Almost \$50K in badges, uniforms raises questions about St. Louis sheriff's spending*, First Alert 4 (Jun. 12, 2025), <https://www.firstalert4.com/2025/06/12/almost-50k-badges-uniforms-raises-questions-about-st-louis-sheriffs-spending/>

379. Upon information and belief, the office of the Sheriff of the City of St. Louis has a payment arrangement between itself and Leon Uniform, the company that sold the uniforms to the office. David Amelotti, *Almost \$50K in badges, uniforms raises questions about St. Louis sheriff's spending*, First Alert 4 (Jun. 12, 2025), <https://www.firstalert4.com/2025/06/12/almost-50k-badges-uniforms-raises-questions-about-st-louis-sheriffs-spending/>

380. Upon information and belief, payments to Leon Uniform will start after the new fiscal year. David Amelotti, *Almost \$50K in badges, uniforms raises questions about St. Louis sheriff's spending*, First Alert 4 (Jun. 12, 2025), <https://www.firstalert4.com/2025/06/12/almost-50k-badges-uniforms-raises-questions-about-st-louis-sheriffs-spending/>

381. Upon information and belief, the new badges are similar to the previous badges, but now possess a new metal ring around the stars engraved

with the words “Integrity, Honor, and Respect.” David Amelotti, *Almost \$50K in badges, uniforms raises questions about St. Louis sheriff’s spending*, First Alert 4 (Jun. 12, 2025), <https://www.firstalert4.com/2025/06/12/almost-50k-badges-uniforms-raises-questions-about-st-louis-sheriffs-spending/>

382. Upon information and belief, most of the new badges are gold electroplated. Austin Huguelet, *St. Louis sheriff ordered \$28,000 in new badges. ‘Ridiculous,’ alderman says*, St. Louis Post-Dispatch (Jun. 12, 2025), https://www.stltoday.com/news/local/government-politics/article_2767e6b6-ceed-4ee5-9dee-b69e88abfaf9.html

383. Respondent’s purchase of new uniforms and badges was not a necessary expense under § 57.520.

384. Respondent’s purchase of new uniforms and badges did not aid in the furtherance of the sheriff’s duties under § 57.280.

385. Respondent’s purchase of new uniforms and badges was not for the furtherance of Respondent’s set duties under § 50.535, as it was not a necessary expenditure to process applications for, or renewals of, concealed carry permits.

C. Purchase of Chevrolet Tahoe

386. On June 2, 2025, Respondent attended the St. Louis City Board of Alderman meeting, where he again requested more funding for the Sheriff’s Office.

387. Upon information and belief, a few days after the June 2, 2025 meeting, Respondent wrote a check for the purchase of a new Chevrolet Tahoe. Chris Hayes, *Sheriff's luxury vehicle now paid in full, office says, despite returned check*, Fox2Now (Jun. 17, 2025): <https://fox2now.com/news/fox-files/sheriffs-luxury-vehicle-now-paid-in-full-office-says-despite-returned-check/>

388. Upon information and belief, the check was in the amount of \$56,191.00. Chris Hayes, *Sheriff's luxury vehicle now paid in full, office says, despite returned check*, Fox2Now (Jun. 17, 2025), <https://fox2now.com/news/fox-files/sheriffs-luxury-vehicle-now-paid-in-full-office-says-despite-returned-check/>

389. Upon information and belief, on or about June 9, 2025, the Treasurer's Office learned that the check had been returned. Chris Hayes, *Sheriff's luxury vehicle now paid in full, office says, despite returned check*, Fox2Now (Jun. 17, 2025), <https://fox2now.com/news/fox-files/sheriffs-luxury-vehicle-now-paid-in-full-office-says-despite-returned-check/>

390. On or about June 11, 2025, the Sheriff's office provided a new check, and fully paid for the Tahoe. Chris Hayes, *Sheriff's luxury vehicle now paid in full, office says, despite returned check*, Fox2Now (Jun. 17, 2025), <https://fox2now.com/news/fox-files/sheriffs-luxury-vehicle-now-paid-in-full-office-says-despite-returned-check/>

391. Upon information and belief, the Tahoe is Respondent's take-home car. Chris Hayes, *Sheriff's luxury vehicle now paid in full, office says, despite returned check*, Fox2Now (Jun. 17, 2025), <https://fox2now.com/news/fox-files/sheriffs-luxury-vehicle-now-paid-in-full-office-says-despite-returned-check/>

392. Upon information and belief, the money to pay for the Tahoe was taken from funds the department obtains from tasks like process serving.

393. Respondent's purchase of the new Tahoe was not a necessary expense under § 57.520.

394. Respondent's purchase of the new Tahoe did not aid in the furtherance of the sheriff's duties under § 57.280.

D. Purchase of Surveillance Robots

395. Upon information and belief, Respondent purchased two surveillance robots for approximately \$10,000.00. Chris Hayes, *\$10K tactical robot purchase discovery leads to answers from Sheriff's Office*, Fox2Now (Jun. 6, 2025, 6:19 PM), <https://fox2now.com/news/fox-files/10k-tactical-robot-purchase-discovery-leads-to-answers-from-sheriffs-office/>

396. David Mason, a former circuit judge now acting as St. Louis City Sheriff's attorney, told the media that the department purchased the surveillance robots in an effort to increase courtroom security. Chris Hayes, *\$10K tactical robot purchase discovery leads to answers from Sheriff's Office*,

Fox2Now (Jun. 6, 2025, 6:19 PM), <https://fox2now.com/news/fox-files/10k-tactical-robot-purchase-discovery-leads-to-answers-from-sheriffs-office/>

397. Upon information and belief, Respondent purchased the surveillance robots amidst the department being in a budget deficit.

398. Respondent's purchase of the robots was not a necessary expense under § 57.520.

399. Respondent's purchase of the surveillance robots did not aid in the furtherance of the sheriff's duties under § 57.280.

400. Respondent's purchase of the surveillance robots is not for the furtherance of the sheriff's set duties under § 50.535, as it was not a necessary expenditure to process applications for, or renewals of, concealed carry permits.

E. Sheriff's Attorney Salary

401. Section 57.540 allows the Sheriff to retain counsel to aid him and advise him in the discharge of his duties. § 57.540.

402. Section 57.540 provides:

The sheriff of the City of St. Louis may employ an attorney at law to aid and advise him in the discharge of his duties and to represent him in court, which said attorney shall be known as "sheriff's attorney", and who shall receive as compensation for his services as such sheriff's attorney a sum of not less than three thousand dollars and not more than fifteen thousand dollars per annum, payable in semimonthly

installments out of the same funds and revenue as the sheriff of such city is paid.

403. Section 57.540 allows for the hiring of one attorney to aid and advise the Sheriff.

404. Respondent currently employs two attorneys that aid and advise him in the discharge of his duties.

405. Captain Blake Lawrence has the title of “general counsel” for the Sheriff’s Office, and has provided legal services to Respondent during the course of his employment as the St. Louis City Sheriff.

406. David Mason is employed in a part-time position as the Sheriff’s Attorney.

407. Upon information and belief, Respondent has paid these two attorneys more than \$15,000.

408. Respondent is improperly using funds to obtain further legal representation, in violation of § 57.540, RSMo. and St. Louis, Missouri Code § 4.36.140.

F. So-Called Unpredicted Payouts

409. In December of 2024, prior to taking office, Respondent sent at least 13 termination letters to deputies who were employed by the Sheriff’s Office. Joey Schneider, *St. Louis Sheriff-elect to overhaul staff, terminate ‘most’ of current administration*, Fox2Now (Dec. 5, 2024, 3:48 PM),

<https://fox2now.com/news/missouri/st-louis-sheriff-elect-to-overhaul-staff-terminate-most-of-current-administration/>

410. Respondent told the media that he sent the letters to let the deputies know ahead of time, so that they could take their vacation time, and so that they could gather retirement documents or any other necessary documentation. Melanie Johnson, *'This is business': Incoming St. Louis Sheriff terminates a dozen deputies in Betts administration*, First Alert 4 (Dec. 4, 2024, 10:18 PM), <https://www.firstalert4.com/2024/12/05/this-is-business-incoming-st-louis-sheriff-terminates-dozen-deputies-betts-administration/>

411. During the May 13, 2025 Board of Alderman meeting, Respondent explained that the department had to make “unpredicted payouts.”

412. During the May 13, 2025 Board of Alderman meeting, Respondent explained that the previous Sheriff of the City of St. Louis had fired multiple people right before leaving office.

413. During the June 2, 2025 Board of Alderman meeting, Respondent stated that part of the reason that the department was in a budget deficit was due to the “unpredicted payouts.”

414. Respondent knew that terminating at least thirteen deputies would require him to payout each person their benefits.

415. Respondent knew that terminating at least thirteen deputies would negatively affect the department’s budget.

416. Respondent has increased the budget deficit by terminating a large amount of the personnel, and having to payout their benefits.

Conclusion

417. Respondent has knowingly and willfully wasted, and continues to waste, taxpayer money by making unnecessary purchases and expenditures.

418. Respondent committed willful or fraudulent violation of his official duties by mismanaging the department's budget through unnecessary spending and by misrepresenting facts to the Board of Aldermen.

419. In light of the allegations in Count VI, Respondent has forfeited his office under the provisions of § 106.220. Consequently, Respondent is a usurper who must be removed.

Prayer for Relief

420. For the reasons set forth above, Respondent has forfeited his office.

421. Under Missouri Supreme Court Rule 98, when the Attorney General files a writ of quo warranto, he is entitled to a preliminary writ as a matter of course. Rule 98.04.

422. As our Missouri Supreme Court noted more than eighty years ago, a sheriff who is unwilling or unable to fulfill his duties may cause “untold confusion and injustice” *Williams*, 144 S.W.2d at 103.

423. Upon information and belief, that is what has happened in the City of St. Louis under Respondent.

424. Therefore, and consistent with Relator's past practices, Relator requests that the Court, as part of its preliminary order in quo warranto, prohibit Respondent from exercising any authority as an elected official. *See, e.g.,* Preliminary Order in Quo Warranto, *State ex rel. Hawley v. Hutcheson*, 17MI-CV00263 (Miss. Cnty. Cir. Ct. May 9, 2017) (preliminary order granting immediate ouster of Mississippi County Sheriff); Preliminary Order in Quo Warranto, *State ex inf. Bailey v. Burkett*, 23IR-CC00010 (Iron Cnty. Cir. Ct. Jun. 8, 2023) (preliminary order granting immediate ouster of Iron County Sheriff); Preliminary Order in Quo Warranto, *State ex inf. Bailey v. Jordan*, 24CG-CC00039 (Cape Girardeau Cnty. Cir. Ct. Feb. 8, 2024) (preliminary order granting immediate ouster of Cape Girardeau County Coroner); Preliminary Order in Quo Warranto, *State ex inf. Bailey v. Childers*, 24RY-CV00208 (Ray Cnty. Cir. Ct. Mar. 6, 2024) (preliminary order in quo warranto granting immediate ouster of Ray County Sheriff).

425. In each of the forgoing cases, the respondent's property rights to their salary was protected, even though they were not allowed to act as an elected official. Therefore, the respondent's due process rights were preserved.

426. In addition, this Court's preliminary order in quo warranto should direct that Respondent surrender his badge, service weapon, department take-home vehicle, keys, and all other departmental property, given than the

petition raises serious claims that Respondent has committed willful or fraudulent violation of his official duties.

427. In addition, because there is no coroner for the City of St. Louis, this Court should appoint the St. Louis Metropolitan Police Department to serve its preliminary order, together with the other pleadings, upon Respondent. Rule 98.05; § 58.200.

428. Likewise, because there is no coroner for the City of St. Louis, this Court should enter a separate order designating a contact person for the Twenty-Second Judicial Circuit and the office of Sheriff of the City of St. Louis until the proper appointing authority makes an appointment to fill the vacancy. § 58.200.

429. At the conclusion of the case, the Court should issue a permanent writ of quo warranto against Respondent removing him from office, for all taxable costs, and for such other relief as this Court deems proper. § 531.050.

Conclusion

WHEREFORE, Relator prays for an order of quo warranto immediately removing Respondent from office, for a permanent writ of quo warranto against Respondent removing him from office, for all taxable court costs, and for such other relief as this Court deems just and proper.

Respectfully submitted,

ANDREW BAILEY

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