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**From:** Gardner, Kimberly [REDACTED]  
**Sent:** Friday, October 5, 2018 9:18 AM  
**To:** [REDACTED]  
**Subject:** RE: Schedule an Interview

Good morning Sergeant [REDACTED]

I am in receipt of your request to interview in regard to an investigation of a William Tisaby regarding a perjury allegation.

Because I do not like to assume any facts, and because I am the elected Circuit Attorney for the City of St. Louis, responsible for review of any case submitted to the Circuit Attorney's office for charges, please provide additional background and identifying information as to Mr. William Tisaby to whom you are referring. Please forward to me the actual allegation(s) of wrongdoing you are investigating and why you think I am a witness. Also please provide me with any reports you or the Department has generated in regard to this investigation, any evidence that has been sought or recovered, as well as anyone who has been interviewed by you others in regard to the allegation(s).

I would also offer the following as guidance in submitting a case for a charge for perjury to my office:

575.040. Perjury — penalties. — 1. A person commits the offense of perjury if, with the purpose to deceive, he or she knowingly testifies falsely to any material fact upon oath or affirmation legally administered, in any official proceeding before any court, public body, notary public or other officer authorized to administer oaths.

2. A fact is material, regardless of its admissibility under rules of evidence, if it could substantially affect, or did substantially affect, the course or outcome of the cause, matter or proceeding.

3. Knowledge of the materiality of the statement is not an element of this crime, and it is no defense that



- (1) The person mistakenly believed the fact to be immaterial; or
  - (2) The person was not competent, for reasons other than mental disability or immaturity, to make the statement.
4. It is a defense to a prosecution under subsection 1 of this section that the person retracted the false statement in the course of the official proceeding in which it was made provided he or she did so before the falsity of the statement was exposed. Statements made in separate hearings at separate stages of the same proceeding, including but not limited to statements made before a grand jury, at a preliminary hearing, at a deposition or at previous trial, are made in the course of the same proceeding.

Once I have been provided that information, we can discuss whether an interview of me is necessary.

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**From:** [REDACTED]  
**Sent:** Wednesday, October 03, 2018 1:34 PM  
**To:** Gardner, Kimberly [REDACTED]  
**Subject:** Fw: Schedule an Interview

Good Afternoon Circuit Attorney Kimberly Gardner,

I'm am following up on the email (see below) that I previously sent on Monday, to see when you will be available for an interview? I look forward to hearing from you soon. Have a great day!

Respectfully,

Sergeant [REDACTED]

[REDACTED]

*St. Louis Metropolitan Police Department*

1915 Olive Blvd.

St. Louis, MO. 63103

[REDACTED]

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Monday, October 1, 2018 3:52 PM  
**To:** [REDACTED]  
**Subject:** Schedule an Interview

Good Afternoon Circuit Attorney Kimberly Gardner,

The St. Louis Metropolitan Police Department is conducting an investigation of William Tisaby, regarding a perjury allegation. Because you are a witness, we would like to interview you as soon as possible. Please provide your availability for the week of October 1, 2018.

Respectfully,

Sergeant [REDACTED]

[REDACTED]

*St. Louis Metropolitan Police Department*

1915 Olive Blvd.

St. Louis, MO. 63103

[REDACTED]

[REDACTED]

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