





Jeremiah W. Nixon

Attorney General

Elected November 7, 2000

Term expires January 2005

JAY NIXON (Democrat) is serving his third term as Attorney General of Missouri. Nixon was first elected Attorney General on Nov. 3, 1992, on a platform of fighting crime, cleaning up government corruption, and protecting consumers and the environment. Nixon is Missouri's 40th Attorney General.

As Attorney General, Nixon serves as the state's chief legal officer, working with law enforcement daily to fight crime and prosecute criminals. He has been a leader nationally in criminal law and victims' rights issues and successfully worked for the reform of Missouri juvenile laws to protect society and to instill more accountability in the juvenile justice system.

One of the most popular and successful programs instituted by Attorney General Nixon has been the state's No Call program. More than 2.9 million Missourians are a part of the No Call list, which reduces unwanted telemarketing calls. Nixon also has recovered more than \$1 million from telemarketers who violated the No Call law. The Missouri No Call program has been held up as a model for other states starting their own programs.

Nixon's landmark victory in the United States Supreme Court in *Nixon v. Shrink* reinstated Missouri's campaign contribution limits and cleared the way nationally for campaign finance reform. In two other cases of significance, Nixon's work in the Blue Cross and Blue Shield and the Health Midwest cases have resulted in the formation of the state's two largest health-care foundations, which will use more than \$1.5 billion to help provide health-care services to underserved populations of the state. Litigation by Nixon against tobacco companies for illegally marketing cigarettes to young people resulted in the largest settlement in the history of the state.

Nixon has been a national leader in fighting crime on the Internet, obtaining convictions and restitution from those who have defrauded Mis-

sourians through Internet scams and establishing through court rulings that Missouri laws can be enforced on the Internet.

As Attorney General, Nixon obtained \$12 million for Missourians in 2001-2002 from companies and individuals accused of fraudulent activities, including \$5 million returned to consumers by the Consumer Protection Division through out-of-court mediation. Nixon's actions to protect the elderly have put telemarketers in prison and fraudulent sweepstakes companies out of business.

As Attorney General, Nixon created the Environmental Protection Division to enforce Missouri's environmental laws. Successful litigation by the division has resulted in the cleanup of polluted sites and millions of dollars awarded to the state. Nixon also has led the fight to protect the state's interests in the management of the Missouri River as well as to preserve some of the state's most valuable natural resources, such as Church Mountain and the waterways of the White River basin.

Nixon's aggressive actions in the Attorney General's Office have earned him national recognition. *Barrister* magazine named him one of the 20 outstanding young lawyers in the nation, and the Missouri Jaycees selected him one of Ten Outstanding Young Missourians.

Prior to becoming Attorney General, Nixon served as a state senator for six years where he was recognized by the Conservation Federation of Missouri for his environmental work.

Attorney General Nixon is a native of De Soto, Missouri. He earned his political science and law degrees from the University of Missouri-Columbia in 1978 and 1981, respectively. He was in private practice when he was elected to the Senate in 1986. He is married to Georganne Wheeler Nixon; they have two children, Jeremiah and Will.



Office of Attorney General

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www.moago.org

The attorney general is the attorney for the state, representing the legal interests of Missouri and its state agencies.

As the state's chief legal officer, the attorney general must prosecute or defend all appeals to which the state is a party, including every felony criminal case appealed to the Missouri Supreme Court and courts of appeal. The attorney general also is required to institute, in the name and on behalf of the state, all civil suits and other proceedings that are necessary to protect the state's rights, interests or claims. The attorney general may appear, interplead, answer or defend any proceedings that involve the state's interests, or appear on behalf of the state in declaratory judgment proceedings when the constitutionality of a statute is challenged.

The attorney general also renders official opinions to the executive and legislative branch and the county prosecuting attorneys on questions of law relating to their duties. The attorney general may institute quo warranto proceedings against anyone unlawfully holding office or move to oust any public official for malfeasance in office.

The attorney general's office was created in 1806 when Missouri was part of the Louisiana Territory. Missouri's first Constitution in 1820 provided for an appointed attorney general, but since the 1865 Constitution, the attorney general has been elected.

By law, the attorney general is a member of the Board of Fund Commissioners, the Board of Public Buildings, the Governor's Committee on Interstate Cooperation, the Missouri Highway Reciprocity Commission and the Missouri Housing Development Commission.

To fulfill these and other responsibilities, the attorney general's office is organized into eight divisions.



KAREN KING MITCHELL
Deputy Attorney General



CHUCK HATFIELD
Counsel to Attorney General



SCOTT HOLSTE
Press Secretary



JOHN WATSON
Chief of Staff

Consumer Protection Division

The attorney general has the responsibility of protecting the public's interests in an open and honest marketplace. The Consumer Protection Division enforces Missouri's Consumer Protection Act and antitrust laws, and has the responsibility of representing the commissioner of securities of the secretary of state's office.

Missouri's consumer protection statutes prohibit deception, fraud, unfair practices and misrepresentation or concealment of material facts in the sale or advertisement of goods or services. These laws authorize the attorney general to take action against Internet fraud, stop the promotion of pyramid sales schemes, prevent the altering of vehicle odometers and ensure that consumers' rights are protected under laws dealing with home solicitations. The division also has an active consumer education program.

Consumers who wish to file complaints or obtain information may call the attorney general's Consumer Hotline at (800) 392-8222 or go online to www.moago.org. The division receives more than 30,000 consumer complaints a year. Under the Missouri Antitrust Law, the attorney general has the authority to represent the state or any of its political subdivisions, public agencies, school districts or municipalities in actions to prohibit monopolies and trade restraints. The attorney general also may act under federal



DOUG NELSON
Deputy Chief of Staff
Director of Administration



PAUL WILSON
Deputy Chief of Staff
Litigation



JIM LAYTON
State Solicitor



JOHN M. MORRIS
Chief Counsel
Criminal Division



JANE RACKERS
Chief Counsel
Governmental Affairs Division



LEE SCHAEFER
Chief Counsel
Labor Division



JAMES R. McADAMS
Chief Counsel
Litigation Division



EDWARD R. ARDINI
Chief Counsel
Public Safety Division

antitrust statutes to bring civil actions in the name of the state and on behalf of Missouri residents to recover damages for injuries caused by certain antitrust violations.

The attorney general is the state's chief prosecutor for securities fraud, and may initiate legal actions for civil injunctive relief, penalties and restitution under the Missouri Merchandising Practices Law.

The No Call program to reduce telemarketing calls also is under the Consumer Protection Division. Missourians may register for No Call by calling 1-866 NO CALL 1 or by going online to www.moago.org.

Criminal Division

The attorney general represents the state in every felony case appealed to the Supreme Court of Missouri and Missouri Court of Appeals and also defends the state in all habeas corpus actions filed by prison inmates in state and federal courts. Each year, attorneys in the Criminal Division brief and argue more than 700 cases in the Missouri Court of Appeals, and the Supreme Court of Missouri and litigate some 500 federal habeas corpus actions in the federal district courts, the Eighth Circuit Court of Appeals, and the U.S. Supreme Court. Division attorneys also



JOSEPH BINDBEUTEL
Chief Counsel, Environmental
Protection Division



ALANA BARRAGAN-SCOTT
Chief Counsel
Governmental Entities and
Financial Services Division

assist with extraditions to and from Missouri of those charged in criminal cases.

Public Safety Division

The Public Safety Division is involved in a wide range of criminal prosecutions at the trial level. The division's special prosecution unit prosecutes or assists in the prosecution of cases throughout Missouri, many of them homicide cases. The meth prosecution unit specializes in handling criminal cases involving the manufacture, sale or possession of methamphetamine.

The workers' compensation fraud unit prosecutes fraud or misconduct involving workers' compensation, and the Medicaid fraud control unit prosecutes cases involving fraud of the state Medicaid program by health professionals, or abuse or neglect of Medicaid recipients by caregivers.

The division's high technology and computer crime unit assists local law enforcement with investigations and prosecutions of computer and Internet crime cases.

The sexually violent predator unit seeks the civil commitment of sexual predators who suffer from a mental abnormality making them more likely than not to commit additional predatory acts of sexual violence.

Attorneys in the division also serve as legal counsel for the Department of Public Safety, Highway Patrol, Water Patrol and other state law enforcement agencies, and represent those agencies in all civil litigation in which they are a party.

Environmental Protection Division

The Environmental Protection Division takes legal action to stop pollution of the state's air, water and soil and penalize polluters through fines, penalties and, in the most serious cases, incarceration. The Attorney General has taken action in recent years to protect the state's interests in management of the Missouri River and to protect some of the state's most valuable resources, such as the waterways of the White River basin and Church Mountain.

Division attorneys represent the Department of Natural Resources and its constituent boards and commissions. The division is responsible for hundreds of active enforcement cases, including administrative appeals before civil commissions. Enforcement litigation is filed primarily in state courts to seek preliminary and permanent injunctions to assure compliance with Missouri's environmental laws. The division also obtains civil penalties and recovers costs and damages for the state. Division attorneys cooperate with the U.S. Attorney's office in the Environmental Crimes Task Force to enforce state and federal laws with civil and criminal penalties.

Governmental Affairs Division

The Governmental Affairs Division protects the safety and well-being of Missourians by ensuring that regulated professionals adhere to state laws and disciplinary rules, by enforcing state ethics and campaign finance laws, and by

removing caregivers who abuse or neglect vulnerable citizens.

Division attorneys provide legal advice to the Department of Mental Health, the Department of Health and Senior Services, the Health Facilities Review Committee and more than 30 professional licensing boards including the Board of Registration for the Healing Arts, which regulates the practice of medicine. Attorneys in the division also address questions about Missouri's open meetings and records law, commonly known as the Sunshine Law.

Governmental Entities and Financial Services Division

The division represents or provides legal advice to state officers, including the governor, secretary of state, treasurer and auditor, as well as several state departments and agencies, such as Agriculture, Revenue and Social Services. Division attorneys also defend constitutional challenges to state laws and ballot issues.

Attorneys in this division protect Missourians by recouping money owed to the state, state officers or state agencies and by enforcing compliance with state laws by trusts, foundations and nonprofit corporations.

Labor Division

The Labor Division provides general counsel and litigation services for the Missouri Department of Labor and Industrial Relations and its officers and agencies. The division also represents the state in prevailing wage disputes, crime victims' claims and workers' compensation cases of state employees, including claims involving the Second Injury Fund. Labor Division attorneys represent individuals before the Missouri Human Rights Commission when they have discrimination claims involving employment, housing or public accommodations.

Litigation Division

Litigation Division attorneys handle major and complex litigation for Missouri, providing legal defense to state agencies and their employees. Cases in the division include damage claims, contract actions, class action lawsuits, employment issues, constitutional challenges and other types of civil litigation. The division also defends the state in lawsuits brought by inmates of Missouri's correctional facilities.

Personnel, Office of Attorney General: Page 931

Historical Listing, Attorneys General

Name and (party)	Term	County	Born	Died
1. Edward Bates (D)	1820–21	St. Louis	9/ 4/1793	3/25/1869
2. Rufus Easton (D)	1821–26	St. Louis	3/ 4/1774	7/ 5/1834
3. Robert William Wells (D)	1826–36	St. Charles	11/29/1795	9/22/1861
4. William Barclay Napton (D)	1836–39	Howard	1808	1/ 8/1883
5. Samuel Mansfield Bay (D)	1839–45	Cole	1810	7/1849
6. Benjamin F. Stringfellow (D)	1845–49	Chariton	9/ 3/1816	4/25/1891
7. William A. Robards (D)	1849–51	Boone	5/ 3/1817	9/ 3/1851
8. James B. Gardenhire (Whig)	1851–57	Buchanan	1821	2/20/1862
9. Ephraim B. Ewing (D)	1857–58	Ray	5/1819	6/ 2/1873
10. J. Proctor Knott (D)	1858–61	Scotland	8/29/1830	6/18/1911
11. Aikman Welch (D) ¹	1861–64	Johnson	5/25/1827	7/28/1864
12. Thomas Theodore Crittenden (D)	1864	Johnson	1/22/1832	5/29/1909
13. Robert Franklin Wingate (D)	1865–69	St. Louis	1/24/1822	11/12/1897
14. Horace B. Johnson (R)	1869–71	Cole	8/14/1842	3/30/1904
15. Andrew Jackson Baker (R) ²	1871–72	Schuyler	6/ 6/1832	4/23/1911
16. Henry Clay Ewing (D)	1873–75	Cole	8/15/1828	3/22/1907
17. John A. Hockaday (D)	1875–77	Callaway	1837	11/20/1903
18. Jackson Leonidas Smith (D)	1877–81	Cole	1/31/1837	11/13/1908
19. Daniel Harrison McIntyre (D)	1881–85	Audrain	5/ 5/1833	1/ 1/1910
20. Banton Gallitin Boone (D)	1885–89	Henry	10/23/1838	2/11/1900
21. John M. Wood (D)	1889–93	Clark	1850	1/25/1926
22. Robert Franklin Walker (D)	1893–97	Morgan	11/29/1850	11/19/1930
23. Edward Coke Crow (D)	1897–1905	Jasper	12/19/1861	5/ 9/1945
24. Herbert Spencer Hadley (R)	1905–09	Jackson	2/20/1872	12/ 1/1927
25. Elliott Woolfolk Major (D)	1909–13	Pike	10/20/1864	7/ 9/1949
26. John Tull Barker (D)	1913–17	Macon	8/ 2/1877	12/ 7/1958
27. Frank Winton McAllister (D)	1917–21	Monroe	1/26/1873	6/11/1948
28. Jesse W. Barrett (R)	1921–25	Lewis	3/17/1884	11/12/1953
29. Robert William Otto (R)	1925	Franklin	12/25/1892	5/ 5/1977
30. North Todd Gentry (R)	1925–28	Boone	3/ 2/1866	9/18/1944
31. Stratton Shartel (R)	1928–33	Newton	12/25/1895	2/ 2/1956
32. Roy M. McKittrick (D)	1933–45	Chariton	8/24/1888	1/22/1961
33. Jonathan E. (Buck) Taylor (D)	1945–53	Livingston	11/26/1906	12/27/1981
34. John M. Dalton (D)	1953–61	Dunklin	11/ 9/1900	7/ 7/1972
35. Thomas F. Eagleton (D)	1961–65	St. Louis City	9/ 4/1929	
36. Norman H. Anderson (D)	1965–69	St. Louis	3/24/1924	6/16/1997
37. John C. Danforth (R)	1969–73	St. Louis	9/ 5/1936	
John C. Danforth (R)	1973–77	Cole	9/ 5/1936	
38. John D. Ashcroft (R)	1977–85	Greene	5/ 9/1942	
39. William L. Webster (R)	1985–93	Jasper	9/17/1953	
40. Jeremiah W. (Jay) Nixon (D)	1993	Jefferson	2/13/1956	

¹Welch was appointed attorney general by provisional Governor Gamble when Knott refused to take loyalty oath.

²Liberal.



Taum Sauk Mountain.
(Missouri State Archives, Tourism Collection)