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# 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 changing laws to reduce the number of repetitive appeals in capital cases.

During his first term in office, Nixon successfully cleaned up the state's Second Injury Fund, saving the state more than \$13 million in legal fees and eliminating the Second Injury Fund tax for several years, saving taxpayers an additional \$100 million. Nixon introduced new aggressive defenses to frivolous inmate lawsuits and has reduced the lawsuits by almost 90 percent at a savings to the state of \$19 million in legal fees.

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 serves as the co-chairman of the National Association of Attorneys General Environment Committee.

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 another case of significance, Nixon's work on the settlement with Blue Cross and Blue Shield resulted in the formation of the Missouri Foundation for Health, the state's largest health care foundation, to help provide health care services to underserved areas of the state. In addition, Nixon sued tobacco companies for illegally marketing cigarettes to young people. The

litigation resulted in the largest settlement in the history of the state.

Nixon has been a national leader in fighting crime on the Internet. He obtained the first criminal conviction in the country of an Internet gaming Web site operator and has obtained guilty pleas from those who have defrauded Missourians through Internet scams. Nixon has worked with other Attorneys General and local law enforcement to stop child porn trafficking and other crimes on the Internet.

As Attorney General, Nixon obtained \$17 million for Missourians in 1998-2000 from companies and individuals accused of fraudulent activities, including \$7.2 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 sweepstakes companies out of business.

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 Jefferson County, 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.

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# Office of Attorney General

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*Supreme Court Building  
PO Box 899, Jefferson City 65102  
Telephone: (573) 751-3321*

The attorney general is the attorney for the state. He represents the legal interests of Missouri and its state agencies but does not represent individual citizens in private legal actions.

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 to oust any corporation doing business in Missouri if it has abused its franchise or has violated state laws. 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.



KAREN KING MITCHELL  
Deputy Attorney General



CHUCK HATFIELD  
Counsel to Attorney General



MARY STILL  
Director of Policy and  
Communications



JOHN WATSON  
Chief of Staff

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

## 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 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. Missourians who are hearing- or speech-impaired and have the proper equipment may call (800) 729-8668. The division receives more than 30,000 consumer complaints a year. Under the



DOUG NELSON  
Deputy Chief of Staff  
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 SCHAEFFER  
Chief Counsel  
Labor Division



JAMES R. McADAMS  
Chief Counsel  
Litigation Division



EDWARD R. ARDINI  
Chief Counsel  
Public Safety Division

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 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.

## Criminal Division

The attorney general has overall responsibility for criminal prosecution, including the appeal of every federal criminal case in state and federal courts. Each year, attorneys in the Criminal Division brief and argue more than 800 cases in the Missouri Court of Appeals, 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.



JOSEPH BINDBEUTEL  
Chief Counsel, Environmental  
Protection Division, Acting  
Chief Counsel, Consumer  
Protection Division

## 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 cases throughout Missouri, many of them homicide cases, either alone or in conjunction with a local prosecutor. 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 represents the Department of Natural Resources and its constituent boards and commissions that regulate the use of the state's air, land and waters.

The division is responsible for hundreds of active enforcement cases, including administrative appeals before the DNR's 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 DNR.

The division has civil as well as criminal attorneys who participate in the Environmental Crimes Task Force with the U.S. attorney's office. In 1993, the division obtained Missouri's first criminal conviction under the state's hazardous waste laws.

### **Governmental Affairs Division**

The Governmental Affairs Division provides legal advice and services to a wide variety of state officials and offices, including the governor, the secretary of state and other statewide elected officials.

The division also represents many of the state's regulatory and licensing agencies, including the Board of Registration for Healing Arts, the Missouri Gaming Commission and the Lottery Commission. Attorneys in the division represent the public in the administration of charitable trusts and in matters concerning utilities regulation before the Public Service Commission.

### **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 defends the state in hundreds of lawsuits brought each year by inmates of Missouri's correctional facilities.

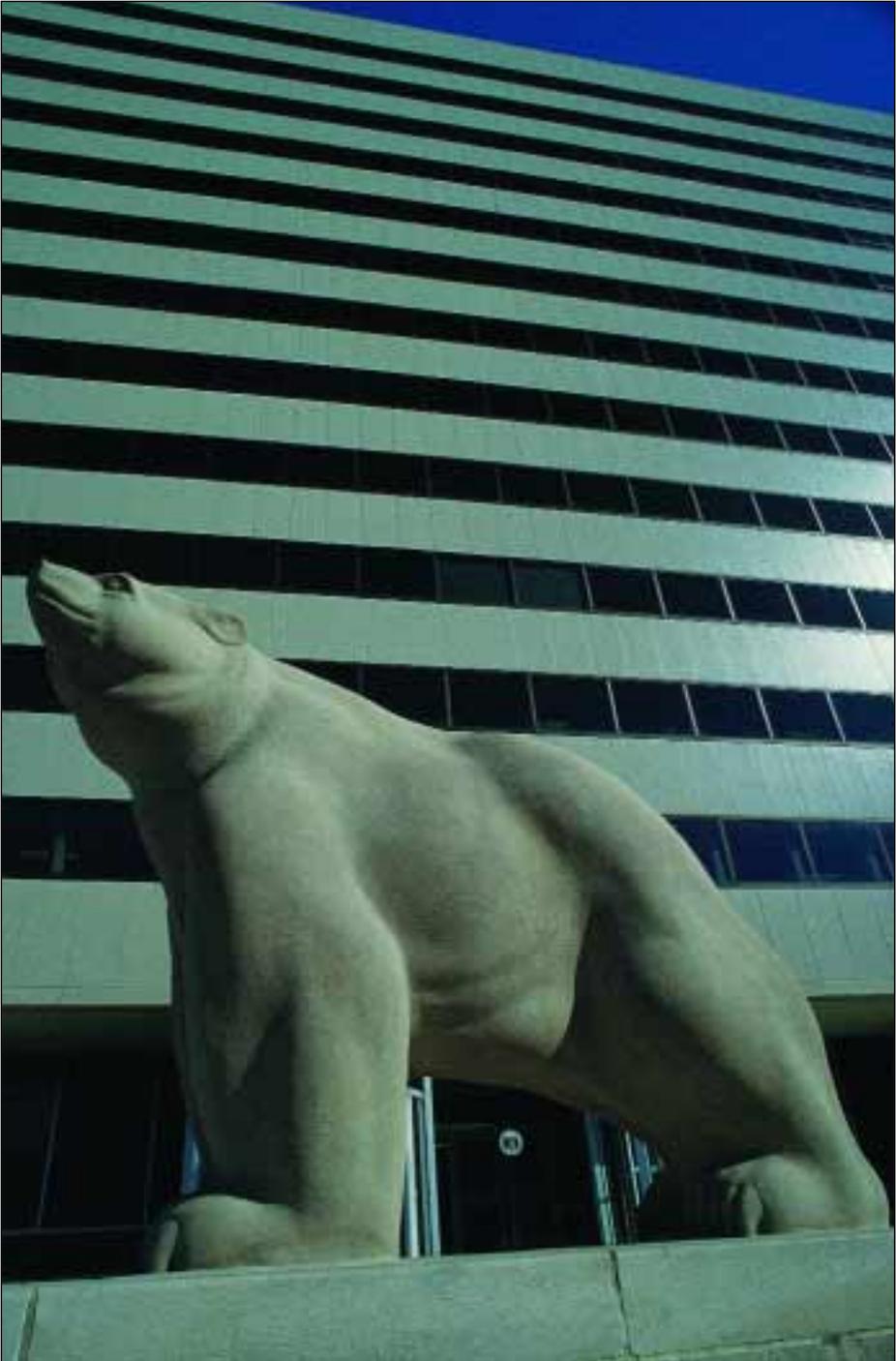
*Personnel, Office of Attorney General: Page 984*

## 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) <sup>1</sup>	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) <sup>2</sup>	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	

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

<sup>2</sup>Liberal.



**Jefferson State Office Building, Jefferson City**  
(Missouri Division of Tourism)