

# [***Auditors can't locate former St. Louis circuit attorney to complete state audit***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BYR-XTG1-DYMD-618M-00000-00&context=1516831)

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**Body**

ST. LOUIS — A state examination of the office that handles criminal prosecutions in St. Louis is being delayed because auditors can’t find former Circuit Attorney Kim Gardner, Missouri Auditor Scott Fitzpatrick said Monday.

Fitzpatrick said in a news release that auditors have tried for several months to contact Gardner, including trying to serve her with a subpoena. Her whereabouts remain unknown, he said.

“This is a pattern of behavior with Kim Gardner, who hasn’t shown a willingness to be transparent or accountable,” Fitzpatrick, a Republican, said in a news release. “Without question, she knows our audit is ongoing and that we want to speak with her about her time in office, but she has made no effort to comply with our requests or respond to our inquiries.”

Gardner, a Democrat first elected in 2016 to become the city’s first Black circuit attorney, [*resigned in May 2023.*](https://apnews.com/article/st-louis-prosecutor-kim-gardner-6a1051eec47bf7c2e423c8def86e23e5) She was part of a movement of progressive prosecutors who sought diversion to mental health treatment or drug abuse treatment for low-level crimes, pledged to hold police more accountable, and sought to free inmates who were wrongfully convicted.

She was frequently criticized by Republican leaders who cited low rates of convictions in homicide cases, high office turnover and other concerns. At the time of her resignation, Gardner was the [*subject of an ouster effort*](https://apnews.com/article/gardner-st-louis-prosecutor-ouster-attorney-general-20d98ef80b9a8a25d917b98597e6d802) by Republican Missouri Attorney General Andrew Bailey. GOP lawmakers were considering a bill allowing Republican Gov. Mike Parson to appoint a special prosecutor to handle violent crimes, effectively removing the bulk of Gardner’s responsibilities.

Fitzpatrick said his predecessor, Democrat Nicole Galloway, first sought records from Gardner’s office in 2021 as part of a citywide audit requested by the St. Louis Board of Aldermen. Fitzpatrick served a subpoena on Gardner last year that resulted in some requested documents, but not others, he said.

State auditors have reached out to Gardner’s lawyers, made daily calls to phone numbers believed to be associated with her, contacted former co-workers and made several attempts to serve her with a subpoena — all unsuccessfully, Fitzpatrick said.

Phone calls from The Associated Press to cell numbers believed to be associated with Gardner were unanswered on Monday.

Gardner frequently butted heads with police and conservatives during her time in office. In 2018, she charged [*former Gov. Eric Greitens*](https://apnews.com/article/legislature-campaigns-missouri-jefferson-city-criminal-investigations-2457c44f0ef44394895af26cb0857814), then a rising star in GOP ***politics***, with felony invasion of privacy, accusing him of taking a compromising photo of a woman during an affair. The charge was eventually dropped. Greitens resigned in June 2018.

Scrutiny of the case led to the [*conviction of Gardner’s investigator*](https://apnews.com/article/business-crime-eric-greitens-st-louis-missouri-088601db469fe81fcf63aa2e646dcf7f), and Gardner received a [*written reprimand*](https://apnews.com/article/eric-greitens-legislature-st-louis-missouri-congress-3dd29bdc288417234d6194919938590c) for issues with how documents in the case were handled.

In 2019, she [*prohibited nearly 60 officers*](https://apnews.com/article/f31560afcbbb4f9e86ede7b3835576fe) from bringing cases to her office after they were accused of posting racist and anti-Muslim comments on social media.

In February 2023, a series of events culminated with her departure.

Bailey filed a lawsuit seeking Gardner's ouster, accusing her of failing to prosecute cases, file charges in cases brought by police and confer with and inform victims and their families about the status of cases. Gardner said Bailey’s attack on her was [*politically and racially motivated*](https://apnews.com/article/st-louis-circuit-attorney-kim-gardner-ouster-6aae0cdddf686648e3ef7e97b29407bd).

Then, [*17-year-old Janae Edmondson*](https://apnews.com/article/sports-automotive-accidents-st-louis-missouri-54d28a588f8b6e5792947075e7521b75), a volleyball player from Tennessee, was struck by a speeding car after a tournament game in downtown St. Louis. She lost both legs.

The driver, 21-year-old Daniel Riley, was out on bond despite nearly 100 previous bond violations. Critics questioned why Riley was free at the time of the crash.

Riley, in April, was [*sentenced to 19 years in prison*](https://apnews.com/article/sentence-st-louis-crash-volleyball-player-a5dbb03811d5c4c415ac3d5ab00f2cb8) for causing the accident.

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