



ATTORNEY GENERAL OF MISSOURI  
ERIC SCHMITT

September 23, 2021

Governor Michael Parson  
State Capitol  
201 West Capitol Avenue  
Room 216  
Jefferson City, Missouri 65101

RE: Agape Boarding School Investigation and Prosecution

Governor Parson:

On March 18, 2021, Cedar County Prosecuting Attorney Ty Gaither sent a letter to you, requesting the assistance of the Attorney General's Office in the investigation and any subsequent prosecution involving the Agape Boarding School. At that time, it appeared that the case would require substantial expertise and resources beyond those that were available to Mr. Gaither. Mr. Gaither stated, "as a single prosecutor office, I cannot devote the hundreds of hours necessary to review, prepare and prosecute a case involving multiple victims, witnesses, and defendants."

On March 22, 2021, you directed the Attorney General's Office to assist in the investigation and prosecution of possible charges arising from incidents at the Agape Boarding School. Pursuant to that directive, the Attorney General's Office devoted a team of prosecutors, investigators, and victim advocates who spent "the hundreds of hours necessary to review, prepare and prosecute" the alleged offenses at the Agape Boarding School. After a months-long review of the Missouri State Highway Patrol investigation, the Attorney General's Office identified 65 criminal counts against 22 codefendants, and prepared a criminal complaint and probable cause statement. Those charges involved 36 victims and included multiple counts of:

Abuse of a Child (class B Felonies)  
Abuse of a Child (class D Felonies)  
Endangering the Welfare of a Child (class A Misdemeanors)  
Failure to Report Child Abuse (class A Misdemeanors)  
Tampering with a Victim (class D Felonies)  
Assault in the Fourth Degree (class A Misdemeanors)

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On August 16, 2021, the Attorney General's Office sent a letter to Mr. Gaither outlining the various criminal charges, along with the criminal complaint and probable cause statement.

On August 30, 2021, during a meeting with the Missouri State Highway Patrol, Children's Division, and the Attorney General's Office, Mr. Gaither announced that he is only willing to file charges against seven of the 22 defendants and that the only charge he would issue is Assault in the Third Degree (class E felony).

On September 1, 2021, pursuant to the Attorney General's duties as appointed special prosecutor, the Attorney General's Office submitted a motion to the Cedar County Circuit Court requesting to empanel a special grand jury to hear evidence regarding the abuse of these 36 children at the hands of the 22 identified suspects and to sign any resulting indictments.

On September 13, 2021, Mr. Gaither wrote a letter to Judge Munton, Circuit Judge for Cedar County, stating in pertinent part:

All matters in this investigation will require my signature and must come from my office. For your information we are preparing what we consider to be the proper charges in this matter and expect an Associate filing around September 22, 2021. The highest charge level will be assault in the 3<sup>rd</sup> degree.

Mr. Gaither further stated that he "expects to have the continued assistance of the Office of the Attorney General with coordination and transport of witnesses."

On September 17, 2021, Judge Munton's clerk sent an email to the Attorney General's Office, stating that the request to empanel a grand jury was denied.

In light of the foregoing, the Attorney General respectfully requests to be relieved of the appointment as Special Prosecutor for Cedar County in the Agape Boarding School Investigation and Prosecution. Mr. Gaither's decision to pursue a relatively small number of minor felony offenses reveals that he has no real need of the expertise and resources of the Attorney General's Office. More importantly, however, in deciding not to charge a number of other offenses, Mr. Gaither has expressly rejected the assistance and expertise of the Attorney General's office, and he has indicated that he does not intend to seek justice for all of the thirty-six children who were allegedly victimized by twenty-two members of the Agape Boarding School staff.

Please understand that the Attorney General's Office stands ready to provide services to assist local prosecutors in the prosecution of crimes. However, inasmuch as Mr. Gaither has made plain that he does not desire the Attorney General's expertise in this matter, and inasmuch as he has made plain that he will not prosecute a number of serious offenses uncovered during this investigation, the Attorney General must seek to be removed as a Special Prosecutor in this impending criminal case. For these reasons, the Attorney General



respectfully requests to be removed as Special Prosecutor for Cedar County in the Agape Boarding School matter.

Respectfully,

**ERIC S. SCHMITT**  
Attorney General



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Deputy Attorney General, Criminal

CC: Ty Gaither, Cedar County Prosecuting Attorney