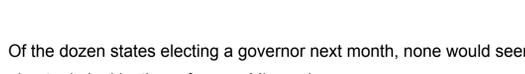




The Big Winner in the Missouri Governor's Race: Cops

By Eli Hager
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Of the dozen states electing a governor next month, none would seem as ripe for a debate about criminal justice reform as Missouri.

The state is home to Ferguson, the city that became shorthand for racial conflicts in policing after the 2014 fatal police shooting of Michael Brown and its violent aftermath. Missouri is also **topped the nation in executions per capita** in 2015 and is **near the bottom in spending on public defenders**. St. Louis is a new **violent-crime capital** of the country, and both Ferguson and St. Louis were admonished after Justice Department probes last year for racial bias in their court systems.

But not much talk of change has emerged in the tight race to replace term-limited Democratic Governor Jay Nixon.

"What people want to hear is how they would have responded to Ferguson," said David Drebes, the author of a widely followed blog on state politics called *"Missouri Scout."*

Instead of spurring discussion about reform, the events of Ferguson have led the candidates to shore up their law-and-order bona fides in a state that is still sharply divided over the incident.

Voter turnout is higher in the state's mostly white suburban and rural areas, where many feel a lingering sense of anger and embarrassment about images of lawlessness seen over the world. Many of these voters believe the lesson was not that police are too aggressive, but that state officeholders did not respond aggressively enough.

The same dynamic seems to be at work to a smaller extent in North Carolina, where upheaval following the fatal police shooting of Keith Lamont Scott in Charlotte last month may play to the advantage of incumbent Republican Governor Pat McCrory. And again in a close governor's race in West Virginia, where an opioid epidemic has fueled campaign talk of cracking down on dealers, not treatment for addicts.

"There's still a real political opening for criminal justice reform, but in these big races the issue of policing in particular has become politicized and polarizing again—a resurrection of law and order," said Nimai Chettiar, director of the Justice Program at the Brennan Center for Justice.

Missouri's candidates also find themselves responding to surging crime rates. In St. Louis, homicides jumped 33 percent in 2014 and another 18 percent in 2015.

"They just have to use their bully pulpit to address this kind of violent crime," said Richard Rosenfeld, a criminologist at the University of Missouri-St. Louis.

Republican Eric Greitens repeatedly accuses his opponent, Democratic Attorney General Chris Koster, of privately pushing for the firing of Darren Wilson, the officer who shot Brown, which Koster denies. Greitens said Koster "abandoned police" by failing to show up during the protests, although Koster was seen interacting with both police and protesters at the time.

Greitens, a former Navy Seal and Purple Heart recipient, has said that if he were governor, he would have established a command presence in Ferguson and achieved "peace by the second night."

"I don't know why he didn't raise his magic wand and walk on water to calm everything," Koster **has said** in response to those claims.

Greitens, a first-time candidate, has suggested little change to policing beyond "the harshest penalties in the country for assaulting a law enforcement officer," adding that police need to be led by people who know what it is like to put on body armor and carry a firearm. In a recent **TV ad**, he fired more than 100 rounds from a machine gun. His campaign did not respond to requests for comment.

Koster, a longtime officeholder, has also relied on his tough-on-crime record and rhetoric in the campaign.

As attorney general, he aggressively pursued the death penalty and fought to protect the secrecy of Missouri's **unlicensed** supplier of lethal injection drugs. His **first TV ad** of the general election spotlighted his career as a prosecutor, and he has received endorsements from both the National Rifle Association and the Fraternal Order of Police—rare for a Democrat.

Koster has **said** that law enforcement will have his "unquestioned" support, and unlike Greitens, he opposes the idea of having an independent prosecutor for police shootings. He has laid out some crime proposals and has been visiting majority African-American schools to recruit a more diverse police force.

For many advocates of criminal justice reform, the race feels like a missed opportunity.

"We know that the eyes of the nation are on us because of Ferguson," said Jeanette Mott Oxford, executive director of Empower Missouri, a social justice advocacy group. "But we don't talk about issues in Missouri, we just talk about fear."

A state measure that would bring increased scrutiny of and penalties for racial profiling has not been significantly debated on the campaign trail. Neither has the public defender crisis. Nixon has **declined to allocate** funding for indigent defense that the legislature has already approved. In a bit of desperate political theater, the state's chief public defender, Michael Barrett, **appointed** Nixon to a case in August. The attempt was eventually **nixed** by a judge.

The next governor not only will have to decide whether to approve the funding but also must appoint a commission that oversees how that money is allocated.

"This is actually one of the few real obligations of the governor's office when it comes to criminal justice," Barrett said.

David Turner, a spokesman for Koster, told The Marshall Project the campaign is aware that Missouri is 49th in the nation in public defender spending. "But there are a lot of things in the budget that need to be figured out. Education, for example, is a top priority," Turner said.

Missouri's next governor would have other opportunities for reform: putting a moratorium on the death penalty, granting commutations or pardons and boosting pay and accountability for state police.

The office also has the unique responsibility of appointing judges in some counties as well as the top officials of Kansas City's police department, which is under state control.

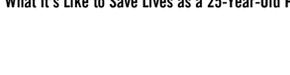
"A governor of this state must confront that there's an ongoing moral crisis here when it comes to criminal justice," said Jeffrey Mittman, executive director of the ACLU of Missouri. But post-Ferguson, "that conversation has focused on the frightening once again."

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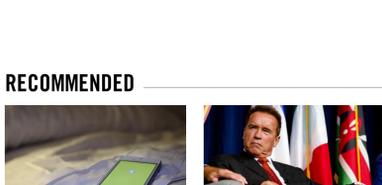


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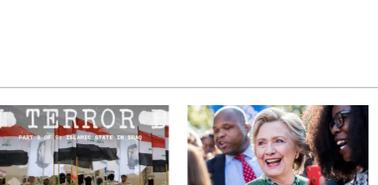
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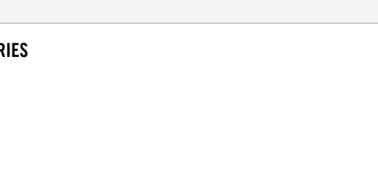
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