

September 20, 2016

THE UNITED STATES SENATE
Office of Public Records (OPR)
232 Hart Senate Office Building
Washington, D.C. 20510 - 7116

FEDERAL ELECTION COMMISSION
999 E. Street, NW
Washington, D.C. 20463

MISSOURI ETHICS COMMISSION
3411 Knipp Dr.
Jefferson City, MO 65109

HON. TAMMY DICKINSON,
U.S. ATTORNEY (W.D.MO.)
Charles Evans Whittaker Courthouse
U.S. Attorney's Office
Room 5510
400 East 9th Street
Kansas City, MO 64106

FEDERAL TRADE COMMISSION
600 Pennsylvania Ave., N.W.
Washington, D.C. 20580

SUPREME COURT OF MISSOURI
Hon. Bill L. Thompson, Clerk
207 West High Street
Jefferson City, MO 65101

THE INTERNAL REVENUE SERVICE
(CI-\$5M Abuse of Tax-Exempt Status)
1111 Constitution Avenue, NW
Washington, D.C. 20224

RE: *Jason David Kander (Mo.Atty. Bar.No. 57916) — U.S. Senate Nominee (D-Mo.)**
Diana (Kagan) Kander (Mo.Atty.Bar.No. 57905) — Wife of Jason David Kander

**Missouri Citizens Petition For An Investigation Of Jason David Kander And Diana (Kagan) Kander
And A Request That Those Government Agencies Addressed Above Exercise Their Statutory
Authority, Oversight And Law-Enforcement Duties Should It Be Determined The Kanders Did In Fact
Violate Federal And/Or State Laws**

Dear Distinguished Public Servants:

We are Missouri Citizens. We are submitting this letter and attached memo ("The Kander Memo") to those government authorities with statutory oversight, and statutory duties of law enforcement, over those ostensibly unlawful acts, practices and schemes perpetrated by Jason David Kander and Diana (Kagan) Kander and accomplices. The Kander schemes include public fundraising fraud and theft of more than \$2 million in public donations by deceit, and numerous other violations of federal and state criminal law, as detailed in The Kander Memo attached.

Highly summarized, since 2014, the Kanders have perpetrated at least two ostensibly criminal schemes. First, in Spring 2014, compelling evidence shows that the Kanders operated a fraudulent Internet "crowdfunding" scheme to raise and collect online public charitable donations, money which the Kanders then used in an insider scheme to help buy new-author Diana Kander's way onto The New York Times bestseller list — so future U.S. Senate candidate Jason Kander would look good if his wife was (supposedly) "a New York Times Bestselling Author."

Secondly, since at least November 2014, compelling evidence suggests that Jason Kander has exercised actual and demonstrable behind-the-scenes control of a Missouri nonprofit "public benefit" (charitable) corporation, called "Raise Your Hand For Kids" ("RYH4K"). Kander and close accomplices then directed this charitable "Kids" corporation to serve as an advocacy group to promote a ballot initiative campaign in Missouri called "Raise Your Hands For Kids" ("RYH4K"). Then, U.S. Senate candidate Jason Kander and close accomplices collected, on behalf of RYH4K, more than \$5 million in corporate and individual contributions — including \$2 million-plus in individual public donations from Missourians who were solicited to donate money to help the "Kids." Then, because RYH4K is in fact a "candidate controlled" ballot measure committee ("CCBMC"), controlled by U.S. Senate candidate Jason Kander, this allowed U.S. Senate candidate Jason Kander, and accomplices, to treat RYH4K's \$5 million-plus in corporate contributions and individual donations as candidate Kander's \$5 million political "slush fund" to use as Kander deems best to further his political candidacy, and personal ambition, to win election and capture a U.S. Senate seat.

By controlling RYH4K, candidate Kander has contrived a scheme to solicit and collect corporate and individual donations for RYH4K, a Missouri "public service" organization. Kander then converts those charitable RYH4K donations into money used to help him win a U.S. Senate election — in essence, transforming those charitable RYH4K donations into political donations to help candidate Kander capture a U.S. Senate seat. This confirms the worst fears of several nonprofit experts who have, for two decades now, warned that political candidates have increasingly used, abused, and exploited nonprofit and charitable organizations for their own personal and political benefits.

This letter and memo are being submitted to the Secretary of the U.S. Senate for filing in the U.S. Senate's Office of Public Records (OPR). This is because, certain activities by U.S. Senate candidate Jason Kander (D-Mo.), described in The Kander Memo, directly implicate the Federal Election Campaign Act.

U.S. Senate candidate Jason Kander's use of a public benefit organization, and its advocacy of a Missouri ballot measure, contrived for the purpose of raising and collecting unlimited corporate contributions and public donations, **has now emasculated and effectively gutted the Federal Election Campaign Act, 52 U.S.C., Sections 30101 et seq. (amended 1974 and 1976).**

Since at least December of 2015, ***U.S. Senate candidate Jason Kander (D-Mo.) has used unlimited corporate contributions, strictly prohibited by federal law***, to fund political activities and "field operations" for his political campaign to win election to the U.S. Senate.

Compelling evidence suggests that Kander's associates are funneling donations made to RYH4K into another nonprofit charitable corporation called "Alliance for Childhood Education" ("ACE"). ACE is a 501(c)(3) tax-exempt nonprofit corporation in Missouri. RYH4K is a 501(c)(4) tax-exempt nonprofit corporation in Missouri. An ACE graphic makes it appear that RYH4K is a "fund raising arm" of ACE.

It makes no sense for Missourians to make their donation checks payable to "RYH4K" — but then, their donated money ends up in some other nonprofit corporation's coffers (ACE). It appears to be money laundering, so as to enable Kander's political operatives to solicit and collect RYH4K donations; then funnel them into an ACE account; then use that RYH4K charitable donation money as a *de facto* political donation for candidate Kander's political campaign needs; while hiding from other RYH4K staffers the fact that RYH4K donations are in fact being used to help candidate Kander's political campaign.

It also appears that ACE misappropriated more than \$5 million in contributions and public donations that legally belong to RYH4K. As stated, an ACE graphic makes it appear that RYH4K is a "fund raising arm" for ACE. That's claptrap. If you're funding a nonprofit with public donations, that is not a proper use of a ballot measure "coalition." ***Even a Missouri assistant attorney general has publicly stated that donors have a right to expect that their donations will be collected and used by the organization that solicited and received the donations.***

Missourians did not donate \$2 million-plus to "RYH4K" to have those donations seized by ACE, a separate corporation controlled by a Kander friend in Johnson County, Kansas. Also, Missourians (Republicans and Democrats) agreed to donate \$2 million-plus to RYH4K to help Missouri's "Kids." Those Republican and Democratic charitable donors did not agree that their \$2 million in donations for Missouri's "Kids" could then become, in effect, part of Democratic candidate Jason Kander's political "slush fund" and political "war chest" that could then be used to help candidate Kander (D-Mo.) win election to the U.S. Senate.

We have little doubt that Republican donors in Missouri did not intend for their donations to RYH4K to be used to help and support a Democratic candidate's political campaign to win a U.S. Senate election.

Imagine all those Republicans in Missouri who donated their charitable dollars to RYH4K, only to later find out that their donations were transmogrified into political support for candidate Jason Kander's political campaign and efforts to defeat the Republican candidate for the U.S. Senate. That would make for an interesting headline: *Evidence Reveals Missouri Republicans Who Donated To RYH4K Were, In Effect, Making A Political Donation To Democrat Jason Kander To Help Him Defeat His Republican Opponent In U.S. Senate Race.* Or this headline: *U.S. Senate Candidate Jason Kander (D-Mo.) Tricked Republican RYH4K Donors Into Contributing To Ballot Measure 'Slush Fund' That Kander Could Use For Personal - Political Purposes.*

In December 2014, one of Kander's associates directed a Kansas City attorney to incorporate "Raise Your Hand For Kids" (RYH4K) as a nonprofit "public benefit" corporation in Missouri. This nonprofit corporation was the vehicle Kander and accomplices used to launch a ballot initiative campaign for the purported purpose of helping Missouri "Kids." In truth, this ballot initiative campaign would be a veritable Trojan Horse, strategically used by Jason Kander and accomplices to trick and deceive Missourians into supporting RYH4K with their donations, endorsements and volunteer work in the name of the "Kids."

Compelling evidence confirms: RYH4K's real purpose was not to serve Missouri's "Kids." Serving the "Kids" is the mere **pretense** Jason Kander used to create RYH4K's ostensible existence as a "ballot measure" campaign. U.S. Senate candidate Jason Kander operates RYH4K as his "second" or "parallel" political campaign to serve and support Kander's principal U.S. Senate campaign committee, Missourians For Kander.

In the past decade, ballot measure experts have warned that a candidate for federal office could contrive and operate such a scheme to evade, nullify and effectively gut federal campaign finance laws. These schemes enable a federal candidate, running in a statewide election, to receive, unlawfully, unlimited corporate contributions for use in funding expensive statewide political campaign "field operations," which include statewide build-outs of political-candidate networks and bases of political operation — all crucial to the candidate's statewide campaign to win election to federal office.

Such a scheme empowers a federal political candidate to use unlimited corporate contributions, **strictly barred by federal law**, to fund hugely expensive statewide political campaign field operations and grass root build-outs, thereby sparing the candidate's principal campaign from having to spend a huge portion of its limited campaign contributions for statewide political campaign field operations and build-outs.

To the candidate and his political campaign, their stratagem is this: *"Why should we spend our limited candidate/campaign contributions on expensive statewide field operations and statewide candidate build-outs, when we can direct our "corporate friends" to make unlimited contributions to our 'Trojan Horse' ballot measure campaign, and then we'll use those unlimited corporate contributions (as well as any public donations we can raise from the sucker-public) to finance our statewide field operations and political network build-outs, all under the guise of a do-good ballot measure campaign.*

If the F.E.C. allows this kind of political, campaign-finance stratagem to be used by a U.S. candidate running in a statewide election, the F.E.C. might as well make a public announcement that Congress's Federal Election Campaign Act has been effectively gutted, and nullified, and now unenforceable. Why use American taxpayer's money to fund the F.E.C., if U.S. political candidates can effectively gut, and nullify, U.S. election and campaign finance laws that the F.E.C. was entrusted to enforce?

And, if the U.S. government doesn't stop this Kander scheme dead in its track, then the U.S. government might as well endorse U.S. political candidates, such as Kander, who are now adding to these CCBMC schemes the ability to also fund their ballot measure committees and campaign with public donations from citizens who think their donations are being used to support an ostensibly good ballot measure cause, when in fact the donations are being collected to help a political candidate win election to public office.

**Jason Kander Has Already Made A Pre-Confession That Describes Precisely
What He Is Doing Right Now In Perpetrating His "Raise Your Hand For Kids" Scheme**

For decades, nonprofit and charitable experts have observed that the two favorite words of nonprofit and charitable fraudsters and con men are "Kids" and "Children." Public fundraising fraud and nonprofit and charitable scams are big business in the United States.

Scammers, schemers, con men and fraudsters know that the easiest way to disarm kind-hearted Americans, and to get those Americans to open up their purses, wallets and checkbooks, is to use these two words: "Kids" and "Children."

In fact, in the past few years, out of more than 100 charity frauds exposed, **the No. 1 charitable fraud in the USA is the “Kids Wish Network” fraud.** Decades ago, con men and charitable fraudsters would joke when hatching their next fundraising scheme and say, “Hey, let’s do this one ‘for the Kids.’”

* * * * *

Notably, several years ago, Jason Kander described to a small group in Missouri the ultimate “criminal” and “felony” and “money laundering” campaign-finance scheme — the very same scheme that Jason Kander is now operating under the name “Raise Your Hand For Kids” (RYH4K).

We call this “Jason Kander’s pre-confession.” In effect, in 2012 Jason Kander confessed to what he’s doing right now, some two years before Kander conceptualized, contrived and embarked on his audacious “Raise Your Hand For Kids” scheme.

In 2012, Kander described how a corrupt politician could create a separate nonprofit or committee that no one could connect to the corrupt politician, and then give this nonprofit or committee some feel-good name like “Missourians For Really Good Things.” (“Raise Your Hands For Kids” is Jason Kander’s ultimate fell-good scheme.)

In 2012, Kander described how this corrupt and “criminal” politician could then use that do-good nonprofit entity as a vehicle to receive unlimited corporate contributions that could then be funneled to the politician for use in his political campaign, and for his personal benefit. A politician’s “slush fund” – so to speak.

Remarkable as it may seem, the hypothetical scheme Kander described in 2012 is precisely the same corrupt and “criminal” and “money laundering” scheme that Jason Kander is operating now — the “Raise Your Hand For Kids” scheme and statewide scam.

Except, Kander’s RYH4K scheme is worse, and clearly more criminal, because Kander and accomplices have also used the “Raise Your Hand For Kids” charade to solicit and collect public charitable donations from private Missouri citizens who were misled into believing their donations were being used to help Missouri’s “Kids,” when in fact these donations would be used to help Jason Kander, the political candidate. Simply put, Kander and RYH4K have engaged in a statewide fundraising fraud – to the tune of about \$2 million in deceptive RYH4K fundraising, prosecutable in Missouri under Section 507.031.1, RSMo., a criminal statute that prohibits taking another person’s property by deceit.

Missouri donors were duped and deceived into believing that “RYH4K” meant “Raise Your Hand For Kids.” These Missouri donors were never told that, in effect, what “RYH4K” really means is “Raise Your Hand For Kander.”

Evidence detailed in The Kander Memo clearly suggests that U.S. Senate candidate Jason Kander funneled RYH4K’s \$5 million-plus in unlimited corporate contributions, and public donations, into what is now a giant ‘slush fund’ that Kander and accomplices can use to help candidate Kander get elected to the U.S. Senate.

* * * * *

Since March 2016, more Missourians are beginning to realize that the “Raise Your Hand For Kids” campaign has perpetrated a huge deception on the Missouri public. Many Missourians have made substantial donations to RYH4K, including bank checks that good-hearted Missourians made “payable to RYH4K.” Those checks were not made payable to “Jason Kander for U.S. Senate.”

On April 24, 2016, the *St. Louis Post-Dispatch* published an “Editorial” rescinding its prior support of RYH4K and its proposed ballot measure. The newspaper’s editorial board wrote, “[W]e cannot advocate a **clear attempt to deceive voters** with what now appears to be a Trojan horse measure.” This editorial then explained that careful scrutiny revealed that RYH4K’s proposed constitutional amendment was designed to bestow a huge cache and benefit to Big Tobacco’s profits and sales of cigarettes in Missouri.

This *St. Louis Post-Dispatch* editorial also reported that Missouri State Sen. Jill Schupp, D-Creve Coeur, was a prior supporter of RYH4K. When Schupp, a Democratic member of the Missouri Senate, realized that RYH4K was a ruse and deceived Missourians, and that RYH4K’s real purpose was to pass a constitutional amendment beneficial to Big Tobacco, Rep. Schupp “bolted” from RYH4K immediately.

Democrat Schupp did something else revealing — and it’s a testament to her integrity. Having previously solicited and raised public donations for the RYH4K campaign, Senator Schupp wrote to RYH4K donor-friends, explained her decision to withdraw support from RYH4K, and asked those donors to withdraw their support for RYH4K, too. Apparently, Schupp suggested that those donors should not give any more money to RYH4K.

Senator Schupp is not the only Missourian or RYH4K donor who now feels used and abused, and deceived and duped by RYH4K.

As we write this letter, more Missourians, and more members of the media, are starting to realize that RYH4K is not really about the “Kids.” It’s about Kander helping Big Tobacco mislead Missouri voters into approving a proposed constitutional amendment which, reading the fine-print, would be highly beneficial to Big Tobacco — a constitutional amendment that would ensure that Big Tobacco cigarette sales will remain robust and even stronger in Missouri, especially *vis-a-vis* cheap cigarette discount brands. The Kander Memo details the “Corrupt Bargain” that Jason Kander and RJ Reynolds (Big Tobacco) made in 2014, to make all this happen.

Another milestone in unraveling the RYH4K scheme occurred in July 2016. A Missouri Court of Appeals declared that RYH4K’s proposed ballot petition summary was “misleading” and “unfair” and could not be used as the official ballot title and summary.

So, it is now a Missouri court, a leading Missouri newspaper, and a Democratic State Senator who are all suggesting in unison: RYH4K is being operated in ways that deceive Missouri voters, donors, volunteers and other supporters. RYH4K (which includes Jason Kander hiding in the background) can’t even write a fair and honest summary of their initiative proposal. Because if they did, Missouri voters wouldn’t approve it.

The number of Missourians who now feel deceived by the RYH4K campaign will skyrocket when they learn that Missouri Secretary of State Jason Kander, now a U.S. Senate candidate, is the “man behind the RYH4K plan” — the sinister, devious and nefarious politician behind the RYH4K curtain. *And worse: that Jason Kander has been using \$5 million-plus raised in the name of “Raise Your Hand For Kids” as his own political slush fund to help him win a U.S. Senate election.*

The 2014 “Corrupt Bargain” Between Jason Kander And Big Tobacco

Compelling evidence now confirms: U.S. Senate Jason Kander is the man behind the RYH4K scheme. In 2014, Jason Kander and Big Tobacco made a “Corrupt Bargain.” Big Tobacco would pay more than \$3 million to Missouri Secretary of Jason Kander (who in February 2015 would announce himself a candidate for the U.S. Senate in 2016).

In exchange for Big Tobacco's \$3 million payoff to Kander, Missouri Secretary of State Jason Kander agreed that he would use his official government position, and best efforts, to obtain for Big Tobacco — via a ballot initiative campaign — an amendment to the Missouri constitution that would be highly beneficial to Big Tobacco. After all, \$3 million from Big Tobacco doesn't just come falling from the sky. Jason Kander would have to do some “dirty” government work to get that mountain of Big Tobacco cash.

There was only one slight glitch. Big Tobacco could not simply write a \$3 million check directly payable to “Missouri Secretary of State Jason Kander.” So Jason Kander and Big Tobacco agreed that Kander associates would create a nonprofit corporation called “Raise Your Hand For Kids” and then use that nonprofit entity as a get-away vehicle, a vehicle that would receive (in installments) the \$3 million-plus that Big Tobacco agreed to pay Missouri Secretary of State Jason Kander. Big Tobacco would send the \$3 million in installments disguised as “contributions” to the benevolent-sounding “Raise Your Hand For Kids” nonprofit “*public benefit*” corporation.

In turn, Missouri Secretary of State Jason Kander would then direct that his \$3 million pay off from Big Tobacco would be funneled through RYH4K and to a slush fund for the political and personal use of U.S. Senate candidate Jason Kander and his close accomplices. A primary purpose of this slush fund would be to help Kander win the 2016 election and capture a U.S. Senate seat.

Simply put, Jason Kander is a corrupt political merchant who agreed that if Big Tobacco gave Kander more than \$3 million in unlimited corporate contributions, Missouri Secretary of State Jason Kander who do his utmost to obtain Missouri voter passage of a constitutional amendment highly beneficial to Big Tobacco.

If you're a big U.S. corporation, and you want to buy a constitutional amendment in Missouri that would fatten up your corporation's bottom line, we highly recommend that you go see Missouri Secretary of State Jason Kander. He'll fix you right up. He'll make you a deal, and it won't cost your corporation more than, say, \$3 million to \$5 million. But of course, your corporation can't pay Jason directly; you'll have to send the payoff money to some nonprofit, charitable-looking entity that is controlled by Jason Kander. That's how it works. If you don't believe us, just go ask Jason Kander. He's been describing this scheme to people since at least 2012.

Compelling evidence reveals: in 2014, Missouri Secretary State Jason Kander agreed to a “Corrupt Bargain” with RJ Reynolds (“Big Tobacco”). Kander knew he was going to run for the U.S. Senate in 2016, and Kander wanted to start lining up his unlimited corporate contributions as early as possible. Thus, the “RYH4K” Kander-inspired scheme — a scheme that has also deceived countless Missourians into donating more than \$2 million in charitable contributions to “Raise Your Hand For Kids.”

As previously stated, campaign finance experts have warned that a candidate-controlled ballot measure committee (“CCBMC”) has the potential to become one of the most corrupt political schemes envisioned or perpetrated in U.S. electoral politics. A clever CCBMC scheme can effectively gut federal election and campaign finance laws, rendering those laws useless and ineffectual.

A clever CCBMC can also serve as a corrupt and criminal vehicle for a politicians to sell his government office and political influence to the highest corporate or special interest bidder. *That's exactly what's going on here.*

RYHFK is also the scheme Jason Kander is currently using to circumvent, evade, and violate the Federal Election Campaign Act of 1971 (amended 1974). Kander's RYH4K's ostensible "ballot measure" campaign *has now enabled U.S. Senate candidate Jason Kander to exempt his political candidacy from U.S. campaign-finance laws.*

An investigation by the FEC will confirm that candidate Kander is also operating RYH4K in violation of those federal laws that govern Section 501(c)(3) and Section 501(c)(4) tax-exempt organizations. Candidate Kander is operating RYH4K for his own private inurement and political benefit, thereby also rendering RYH4K and ACE ineligible for any further U.S. tax-exempt status.

For all of the reasons stated above, we are also submitting this letter and memo to the Federal Election Commission and the Missouri Ethics Commission. The F.E.C. is vested with jurisdiction over U.S. Senate candidate Jason Kander, because as a candidate for U.S. office, he and his campaign are subject to all U.S. election and campaign finance laws and regulations. The Kander Memo, attached, identifies compelling evidence that Kander and accomplices have violated federal campaign finance laws. We would respectfully submit that it is the F.E.C.'s statutory duty, and Congressional mandate, to investigate U.S. Senate candidate Jason Kander and to enforce all U.S. laws and regulations.

Political candidate Kander's use and control of a Missouri ballot measure committee also triggers the statutory authority of the Missouri Ethics Commission, the state agency with statutory oversight of ballot measure committees and those persons who control or operate them. Section 130.026.2(5)(a), RSMo. Candidate Kander's use and *de facto* control of RYH4K, a ballot measure committee, appears to have violated several statutory provisions of Missouri's Campaign Finance Disclosure Law.

To be sure, the Missouri Ethics Commission will need to review the evidence described and detailed in The Kander Memo. In operating RYH4K, candidate Kander and certain associates may have violated several statutory provisions of Missouri's Campaign Finance Disclosure Law — including, but not limited to, Sections 130.021.4(1); 130.021.5(7); 130.031.1(3); and 130.034.1, RSMo. The Kander Memo identifies and describes certain evidence that the Missouri Ethics Commission will need to review, and analyze, to determine whether operation of RYH4K by Kander and close associates violated any other Missouri election or campaign laws.

Notably, Missouri Secretary of State Jason Kander wrote a "2016 POLICY AGENDA" and letter to his "Fellow Missourians." It can be found online (www/sos.mo.gov). Missouri Secretary of State Jason Kander states, in pertinent part, that "Missouri has the most broken campaign finance and ethics system in the country." Kander clearly lays some blame on The Missouri Ethics Commission. The Missouri Secretary of State's website also claims that Missouri "[p]oliticians can lie to the Missouri Ethics Commission with no consequences."

Missouri Secretary of State Jason Kander's message is clear: the Missouri Ethics Commission is a major cause of Missouri having "the most broken campaign finance and ethics system in the country." Since 2010, Jason Kander — trying to sell himself as the political version of Proctor & Gambles 1950s "Mr. Clean" — has publicly railed that Missouri has more corrupt politicians than any other state in the union.

The Kander Memo reveals, in detail, compelling evidence that clearly shows: *politician Jason Kander could teach other corrupt politicians a thing or two.*

The Kander Memo, attached to this letter, offers powerful and compelling evidence that Missouri Secretary of State Jason Kander's grandstanding against "corrupt" Missouri politicians in general, and the Missouri Ethics Commission in particular, is the height of hypocrisy. If the evidence identified in The Kander Memo leads us to the truth, then *Jason Kander will go down in Missouri political history as one of the most corrupt Missouri politicians ever to disgrace the State of Missouri and its state government. Political historians will say that when it came to political corruption, Jason Kander was in a league of his own.*

This letter and attached memo are also being submitted to the U.S. Department of Justice, represented by the U.S. Attorney for the Western District of Missouri. Substantial and compelling evidence, identified in The Kander Memo, plainly suggests that in 2014, the Kanders repeatedly violated the federal wire fraud statute — all as part of a charitable-fraud Internet "crowdfunding" scheme in which the Kanders targeted charitable donors in all fifty (50) states and the District of Columbia.

If so, the Kanders could be subject to federal prosecution under 18 U.S.C., Section 1343. (In 2014, the Kanders scammed 348 charitable donors throughout the U.S. and nine foreign countries out of nearly \$32,000 in charitable public donations.)

Similarly, Jason Kander's RYH4K scheme, including the scheme to deceive Missourians to donate some \$2 million to RYH4K (the Missouri nonprofit "public benefit" corporation), has ostensibly violated the U.S. wire fraud statute, 18 U.S.C., Section 1343, and the U.S. mail fraud statute, 18 U.S.C., Section 1341.

Likewise, U.S. Senate candidate Jason Kander's "Raise Your Hand For Kids" public fundraising program clearly deceived Missourians who donated some \$2 million to RYH4K. In April 2016, an editorial in the *St. Louis Post-Dispatch* observed that RYH4K had misled and deceived Missourians.

In July 2016, the Missouri court of appeals ruled that RYH4K had written a "misleading" and "unfair" initiative ballot proposal summary. From A-to-Z, Jason Kander's control of RYH4K has misled and deceived Missourians and Missouri donors who gave their hard-earned money to RYH4K.

In addition, compelling evidence detailed in The Kander Memo plainly suggests that Jason Kander used his government office, as Missouri Secretary of State, to execute his RYH4K scheme and "Corrupt Bargain" with RJ Reynolds, also known as "Big Tobacco." If so, Jason Kander may have violated (and almost certainly did violate) the U.S. "Honest Government Services" statute, 18 U.S.C., Section 1346.

Compelling evidence suggests: this case fits squarely within the "Honest Government Services" statute. This case involves political corruption and corporate payoffs that Congress, and the federal courts, agree are highly appropriate for prosecution under the "Honest Government Services" statute. Indeed, as far as we can tell, this Kander-Big Tobacco scheme appears to be a textbook example of a scheme perpetrated in direct violation of 18 U.S.C., Section 1346.

The Kander Memo also explains that Missouri Secretary of State Jason Kander's operation of his government office could subject Kander and accomplices to prosecution under the Racketeer Influenced and Corrupt Organizations (RICO) act. 18 U.S.C., Sections 1961-1968.

United States federal and appellate courts have long recognized that, depending on the evidence and predicate acts, a government office can be treated as a "RICO Enterprise" as defined in 18 U.S.C., Section 1961, and subject to RICO prosecution.

The case against Missouri Secretary of State Jason Kander appears to be a textbook example of a state government office being operated, in fact, as a RICO-defined criminal "enterprise."

This letter, and The Kander Memo attached, are also being submitted to the Federal Trade Commission (F.T.C.). Compelling evidence confirms: U.S. Senate candidate Jason Kander's behind-the-scene operation of Raise Your Hand For Kids has operated as a deceptive ruse and fraud on the Missouri public. Missourians were misled and deceived into donating \$2 million to Kander-controlled RYH4K. This constitutes stealing public donations by deceit. In May 2015, the F.T.C. filed charges against four charities that allegedly stole \$200 million by deceiving donors. Kander and accomplices should face similar F.T.C. charges.

The Kanders' crowdfunding fraud in 2014 also falls within the jurisdiction of the Federal Trade Commission. 15 U.S.C., Sections 41-58, as amended.

This letter, and The Kander Memo attached, are also being submitted to the Supreme Court of Missouri. Jason and Diana Kander are both licensed attorneys in Missouri. As Missouri attorneys, the Kanders are subject to the oversight and disciplinary authority vested in the Supreme Court of Missouri. The Kander Memo sets forth substantial evidence which suggests that from 2006 to the present, the Kanders have engaged in multiple and repeated acts of dishonesty; deception; public fundraising fraud; garden-variety frauds; countless acts of theft of property by deceit; numerous counts of "stealing" property by deceit in Missouri; and finally, countless violations of federal and state laws.

Finally, a copy of this letter and The Kander Memo is being submitted to the Internal Revenue Service. Compelling evidence clearly shows that U.S. Senate candidate Jason Kander and his close accomplices have been operating a Section 501(c)(3) corporation (*i.e.*, Missouri corporation "Alliance for Childhood Education - "ACE"), as well as a Section 501(c)(4) corporation (*i.e.*, Missouri corporation "Raise Your Hand For Kids" - "RYH4K"), for the private inurement and political benefit of U.S. Senate candidate Jason Kander.

This assertion is confirmed by the clear evidence that FYHK and ACE are actually controlled and coordinated by Jason Kander and accomplices and used to directly, and indirectly, benefit political candidate Jason Kander. According to ballot measure tax experts, it is the view of the I.R.S. that if "a 501(c)(3) is involved in a ballot measure coalition [which ACE is *vis-a-vis* RYH4K's ballot measure campaign], it is not possible to collaborate with a candidate on ballot measure work." The IRS would view this as **"a partisan campaign intervention which is not permissible for 501(c)(3) organizations."**

In this case, the candidate, Jason Kander, did more than collaborate; the candidate has actually exercised control over the ballot measure and both the 501(c)(3) corporation ("ACE") and the 501(c)(4) corporation ("RYH4K") and its ballot measure campaign. Evidence suggests that both nonprofit corporations have been operated, by Kander associates, in violation of federal tax law and I.R.S. regulations.

The evidence will show that RYH4K is not being operated as a "public benefit" corporation solely for the general welfare of the public. U.S. Senate candidate Jason Kander, and his close associates, are operating RYH4K for the "private and political benefit" of Jason Kander, in furtherance of his political objective to win election and capture a U.S. Senate seat.

RYH4K purports to operate as a Section 501(c)(4) tax-exempt "social welfare" corporation. In reality, RYH4K is being operated as a "Kander welfare" corporation for political purposes.

In a similar way, Jason Kander and accomplices have abused and exploited the tax-exempt status of ACE, a 501(c)(3) organization. We respectfully submit that the I.R.S. should investigate, and determine, whether these two tax-exempt organizations, ACE and RYH4K, should continue to enjoy those U.S. privileges that derive from tax-free status.

Tax-exempt status is a privilege granted by the I.R.S. to those organizations that comply with U.S. tax laws and regulations. ACE and RYH4K have not only failed to comply with U.S. tax laws and regulations, these two corporations have disregarded and run roughshod over those U.S. tax laws and regulations. The evidence clearly suggests that our assertions are correct.

**Missouri Citizens Hereby Exercise Their Constitutional First Amendment Right
To Petition Our Federal And State Governments And Agencies**

For the reasons stated in this letter, including those reasons more fully detailed in The Kander Memo (attached), we hereby exercise our constitutional rights, as granted to us and guaranteed by the First Amendment of the Constitution of the United States. In the exercise of those First Amendment constitutional rights, we hereby *petition* the government bodies identified above to order a full investigation of the Kanders and their conduct, acts, schemes and practices, from 2006 to the present.

Upon completion of those government investigations, we also *petition* the government bodies addressed above to exercise their constitutional and statutory law-enforcement duties, and to take any and all necessary or appropriate action against Jason David Kander and Diana (Kagan) Kander, as required or contemplated by governing U.S. or Missouri law.

Respectfully submitted,



/s/ MISSOURI CITIZENS

Attachment: The Kander Memo

September 20, 2016

THE UNITED STATES SENATE
Office of Public Records (OPR)
232 Hart Senate Office Building
Washington, D.C. 20510 - 7116

FEDERAL ELECTION COMMISSION
999 E. Street, NW
Washington, D.C. 20463

MISSOURI ETHICS COMMISSION
3411 Knipp Dr.
Jefferson City, MO 65109

HON. TAMMY DICKINSON,
U.S. ATTORNEY (W.D.MO.)
Charles Evans Whittaker Courthouse
U.S. Attorney's Office
Room 5510
400 East 9th Street
Kansas City, MO 64106

FEDERAL TRADE COMMISSION
600 Pennsylvania Ave., N.W.
Washington, D.C. 20580

SUPREME COURT OF MISSOURI
Hon. Bill L. Thompson, Clerk
207 West High Street
Jefferson City, MO 65101

THE INTERNAL REVENUE SERVICE
(CI-\$5M Abuse of Tax-Exempt Status)
1111 Constitution Avenue, NW
Washington, D.C. 20224

RE: *Jason David Kander (Mo.Atty. Bar.No. 57916) — U.S. Senate Nominee (D-Mo.)**
Diana (Kagan) Kander (Mo.Atty.Bar.No. 57905) — Wife of Jason David Kander

**Missouri Citizens Petition For An Investigation Of Jason David Kander And Diana (Kagan) Kander
And A Request That Those Government Agencies Addressed Above Exercise Their Statutory
Authority, Oversight And Law-Enforcement Duties Should It Be Determined The Kanders Did In Fact
Violate Federal And/Or State Laws**

Dear Distinguished Public Servants:

We are Missouri Citizens. We are submitting this letter and attached memo ("The Kander Memo") to those government authorities with statutory oversight, and statutory duties of law enforcement, over those ostensibly unlawful acts, practices and schemes perpetrated by Jason David Kander and Diana (Kagan) Kander and accomplices. The Kander schemes include public fundraising fraud and theft of more than \$2 million in public donations by deceit, and numerous other violations of federal and state criminal law, as detailed in The Kander Memo attached.

Highly summarized, since 2014, the Kanders have perpetrated at least two ostensibly criminal schemes. First, in Spring 2014, compelling evidence shows that the Kanders operated a fraudulent Internet "crowdfunding" scheme to raise and collect online public charitable donations, money which the Kanders then used in an insider scheme to help buy new-author Diana Kander's way onto The New York Times bestseller list — so future U.S. Senate candidate Jason Kander would look good if his wife was (supposedly) "a New York Times Bestselling Author."

Secondly, since at least November 2014, compelling evidence suggests that Jason Kander has exercised actual and demonstrable behind-the-scenes control of a Missouri nonprofit "public benefit" (charitable) corporation, called "Raise Your Hand For Kids" ("RYH4K"). Kander and close accomplices then directed this charitable "Kids" corporation to serve as an advocacy group to promote a ballot initiative campaign in Missouri called "Raise Your Hands For Kids" ("RYH4K"). Then, U.S. Senate candidate Jason Kander and close accomplices collected, on behalf of RYH4K, more than \$5 million in corporate and individual contributions — including \$2 million-plus in individual public donations from Missourians who were solicited to donate money to help the "Kids." Then, because RYH4K is in fact a "candidate controlled" ballot measure committee ("CCBMC"), controlled by U.S. Senate candidate Jason Kander, this allowed U.S. Senate candidate Jason Kander, and accomplices, to treat RYH4K's \$5 million-plus in corporate contributions and individual donations as candidate Kander's \$5 million political "slush fund" to use as Kander deems best to further his political candidacy, and personal ambition, to win election and capture a U.S. Senate seat.

By controlling RYH4K, candidate Kander has contrived a scheme to solicit and collect corporate and individual donations for RYH4K, a Missouri "public service" organization. Kander then converts those charitable RYH4K donations into money used to help him win a U.S. Senate election — in essence, transforming those charitable RYH4K donations into political donations to help candidate Kander capture a U.S. Senate seat. This confirms the worst fears of several nonprofit experts who have, for two decades now, warned that political candidates have increasingly used, abused, and exploited nonprofit and charitable organizations for their own personal and political benefits.

This letter and memo are being submitted to the Secretary of the U.S. Senate for filing in the U.S. Senate's Office of Public Records (OPR). This is because, certain activities by U.S. Senate candidate Jason Kander (D-Mo.), described in The Kander Memo, directly implicate the Federal Election Campaign Act.

U.S. Senate candidate Jason Kander's use of a public benefit organization, and its advocacy of a Missouri ballot measure, contrived for the purpose of raising and collecting unlimited corporate contributions and public donations, **has now emasculated and effectively gutted the Federal Election Campaign Act, 52 U.S.C., Sections 30101 et seq. (amended 1974 and 1976).**

Since at least December of 2015, ***U.S. Senate candidate Jason Kander (D-Mo.) has used unlimited corporate contributions, strictly prohibited by federal law***, to fund political activities and "field operations" for his political campaign to win election to the U.S. Senate.

Compelling evidence suggests that Kander's associates are funneling donations made to RYH4K into another nonprofit charitable corporation called "Alliance for Childhood Education" ("ACE"). ACE is a 501(c)(3) tax-exempt nonprofit corporation in Missouri. RYH4K is a 501(c)(4) tax-exempt nonprofit corporation in Missouri. An ACE graphic makes it appear that RYH4K is a "fund raising arm" of ACE.

It makes no sense for Missourians to make their donation checks payable to "RYH4K" — but then, their donated money ends up in some other nonprofit corporation's coffers (ACE). It appears to be money laundering, so as to enable Kander's political operatives to solicit and collect RYH4K donations; then funnel them into an ACE account; then use that RYH4K charitable donation money as a *de facto* political donation for candidate Kander's political campaign needs; while hiding from other RYH4K staffers the fact that RYH4K donations are in fact being used to help candidate Kander's political campaign.

It also appears that ACE misappropriated more than \$5 million in contributions and public donations that legally belong to RYH4K. As stated, an ACE graphic makes it appear that RYH4K is a "fund raising arm" for ACE. That's claptrap. If you're funding a nonprofit with public donations, that is not a proper use of a ballot measure "coalition." ***Even a Missouri assistant attorney general has publicly stated that donors have a right to expect that their donations will be collected and used by the organization that solicited and received the donations.***

Missourians did not donate \$2 million-plus to "RYH4K" to have those donations seized by ACE, a separate corporation controlled by a Kander friend in Johnson County, Kansas. Also, Missourians (Republicans and Democrats) agreed to donate \$2 million-plus to RYH4K to help Missouri's "Kids." Those Republican and Democratic charitable donors did not agree that their \$2 million in donations for Missouri's "Kids" could then become, in effect, part of Democratic candidate Jason Kander's political "slush fund" and political "war chest" that could then be used to help candidate Kander (D-Mo.) win election to the U.S. Senate.

We have little doubt that Republican donors in Missouri did not intend for their donations to RYH4K to be used to help and support a Democratic candidate's political campaign to win a U.S. Senate election.

Imagine all those Republicans in Missouri who donated their charitable dollars to RYH4K, only to later find out that their donations were transmogrified into political support for candidate Jason Kander's political campaign and efforts to defeat the Republican candidate for the U.S. Senate. That would make for an interesting headline: *Evidence Reveals Missouri Republicans Who Donated To RYH4K Were, In Effect, Making A Political Donation To Democrat Jason Kander To Help Him Defeat His Republican Opponent In U.S. Senate Race.* Or this headline: *U.S. Senate Candidate Jason Kander (D-Mo.) Tricked Republican RYH4K Donors Into Contributing To Ballot Measure 'Slush Fund' That Kander Could Use For Personal - Political Purposes.*

In December 2014, one of Kander's associates directed a Kansas City attorney to incorporate "Raise Your Hand For Kids" (RYH4K) as a nonprofit "public benefit" corporation in Missouri. This nonprofit corporation was the vehicle Kander and accomplices used to launch a ballot initiative campaign for the purported purpose of helping Missouri "Kids." In truth, this ballot initiative campaign would be a veritable Trojan Horse, strategically used by Jason Kander and accomplices to trick and deceive Missourians into supporting RYH4K with their donations, endorsements and volunteer work in the name of the "Kids."

Compelling evidence confirms: RYH4K's real purpose was not to serve Missouri's "Kids." Serving the "Kids" is the mere **pretense** Jason Kander used to create RYH4K's ostensible existence as a "ballot measure" campaign. U.S. Senate candidate Jason Kander operates RYH4K as his "second" or "parallel" political campaign to serve and support Kander's principal U.S. Senate campaign committee, Missourians For Kander.

In the past decade, ballot measure experts have warned that a candidate for federal office could contrive and operate such a scheme to evade, nullify and effectively gut federal campaign finance laws. These schemes enable a federal candidate, running in a statewide election, to receive, unlawfully, unlimited corporate contributions for use in funding expensive statewide political campaign "field operations," which include statewide build-outs of political-candidate networks and bases of political operation — all crucial to the candidate's statewide campaign to win election to federal office.

Such a scheme empowers a federal political candidate to use unlimited corporate contributions, **strictly barred by federal law**, to fund hugely expensive statewide political campaign field operations and grass root build-outs, thereby sparing the candidate's principal campaign from having to spend a huge portion of its limited campaign contributions for statewide political campaign field operations and build-outs.

To the candidate and his political campaign, their stratagem is this: *"Why should we spend our limited candidate/campaign contributions on expensive statewide field operations and statewide candidate build-outs, when we can direct our "corporate friends" to make unlimited contributions to our 'Trojan Horse' ballot measure campaign, and then we'll use those unlimited corporate contributions (as well as any public donations we can raise from the sucker-public) to finance our statewide field operations and political network build-outs, all under the guise of a do-good ballot measure campaign.*

If the F.E.C. allows this kind of political, campaign-finance stratagem to be used by a U.S. candidate running in a statewide election, the F.E.C. might as well make a public announcement that Congress's Federal Election Campaign Act has been effectively gutted, and nullified, and now unenforceable. Why use American taxpayer's money to fund the F.E.C., if U.S. political candidates can effectively gut, and nullify, U.S. election and campaign finance laws that the F.E.C. was entrusted to enforce?

And, if the U.S. government doesn't stop this Kander scheme dead in its track, then the U.S. government might as well endorse U.S. political candidates, such as Kander, who are now adding to these CCBMC schemes the ability to also fund their ballot measure committees and campaign with public donations from citizens who think their donations are being used to support an ostensibly good ballot measure cause, when in fact the donations are being collected to help a political candidate win election to public office.

**Jason Kander Has Already Made A Pre-Confession That Describes Precisely
What He Is Doing Right Now In Perpetrating His "Raise Your Hand For Kids" Scheme**

For decades, nonprofit and charitable experts have observed that the two favorite words of nonprofit and charitable fraudsters and con men are "Kids" and "Children." Public fundraising fraud and nonprofit and charitable scams are big business in the United States.

Scammers, schemers, con men and fraudsters know that the easiest way to disarm kind-hearted Americans, and to get those Americans to open up their purses, wallets and checkbooks, is to use these two words: "Kids" and "Children."

In fact, in the past few years, out of more than 100 charity frauds exposed, **the No. 1 charitable fraud in the USA is the “Kids Wish Network” fraud.** Decades ago, con men and charitable fraudsters would joke when hatching their next fundraising scheme and say, “Hey, let’s do this one ‘for the Kids.’”

* * * * *

Notably, several years ago, Jason Kander described to a small group in Missouri the ultimate “criminal” and “felony” and “money laundering” campaign-finance scheme — the very same scheme that Jason Kander is now operating under the name “Raise Your Hand For Kids” (RYH4K).

We call this “Jason Kander’s pre-confession.” In effect, in 2012 Jason Kander confessed to what he’s doing right now, some two years before Kander conceptualized, contrived and embarked on his audacious “Raise Your Hand For Kids” scheme.

In 2012, Kander described how a corrupt politician could create a separate nonprofit or committee that no one could connect to the corrupt politician, and then give this nonprofit or committee some feel-good name like “Missourians For Really Good Things.” (“Raise Your Hands For Kids” is Jason Kander’s ultimate fell-good scheme.)

In 2012, Kander described how this corrupt and “criminal” politician could then use that do-good nonprofit entity as a vehicle to receive unlimited corporate contributions that could then be funneled to the politician for use in his political campaign, and for his personal benefit. A politician’s “slush fund” – so to speak.

Remarkable as it may seem, the hypothetical scheme Kander described in 2012 is precisely the same corrupt and “criminal” and “money laundering” scheme that Jason Kander is operating now — the “Raise Your Hand For Kids” scheme and statewide scam.

Except, Kander’s RYH4K scheme is worse, and clearly more criminal, because Kander and accomplices have also used the “Raise Your Hand For Kids” charade to solicit and collect public charitable donations from private Missouri citizens who were misled into believing their donations were being used to help Missouri’s “Kids,” when in fact these donations would be used to help Jason Kander, the political candidate. Simply put, Kander and RYH4K have engaged in a statewide fundraising fraud – to the tune of about \$2 million in deceptive RYH4K fundraising, prosecutable in Missouri under Section 507.031.1, RSMo., a criminal statute that prohibits taking another person’s property by deceit.

Missouri donors were duped and deceived into believing that “RYH4K” meant “Raise Your Hand For Kids.” These Missouri donors were never told that, in effect, what “RYH4K” really means is “Raise Your Hand For Kander.”

Evidence detailed in The Kander Memo clearly suggests that U.S. Senate candidate Jason Kander funneled RYH4K’s \$5 million-plus in unlimited corporate contributions, and public donations, into what is now a giant ‘slush fund’ that Kander and accomplices can use to help candidate Kander get elected to the U.S. Senate.

* * * * *

Since March 2016, more Missourians are beginning to realize that the “Raise Your Hand For Kids” campaign has perpetrated a huge deception on the Missouri public. Many Missourians have made substantial donations to RYH4K, including bank checks that good-hearted Missourians made “payable to RYH4K.” Those checks were not made payable to “Jason Kander for U.S. Senate.”

On April 24, 2016, the *St. Louis Post-Dispatch* published an “Editorial” rescinding its prior support of RYH4K and its proposed ballot measure. The newspaper’s editorial board wrote, “[W]e cannot advocate a **clear attempt to deceive voters** with what now appears to be a Trojan horse measure.” This editorial then explained that careful scrutiny revealed that RYH4K’s proposed constitutional amendment was designed to bestow a huge cache and benefit to Big Tobacco’s profits and sales of cigarettes in Missouri.

This *St. Louis Post-Dispatch* editorial also reported that Missouri State Sen. Jill Schupp, D-Creve Coeur, was a prior supporter of RYH4K. When Schupp, a Democratic member of the Missouri Senate, realized that RYH4K was a ruse and deceived Missourians, and that RYH4K’s real purpose was to pass a constitutional amendment beneficial to Big Tobacco, Rep. Schupp “bolted” from RYH4K immediately.

Democrat Schupp did something else revealing — and it’s a testament to her integrity. Having previously solicited and raised public donations for the RYH4K campaign, Senator Schupp wrote to RYH4K donor-friends, explained her decision to withdraw support from RYH4K, and asked those donors to withdraw their support for RYH4K, too. Apparently, Schupp suggested that those donors should not give any more money to RYH4K.

Senator Schupp is not the only Missourian or RYH4K donor who now feels used and abused, and deceived and duped by RYH4K.

As we write this letter, more Missourians, and more members of the media, are starting to realize that RYH4K is not really about the “Kids.” It’s about Kander helping Big Tobacco mislead Missouri voters into approving a proposed constitutional amendment which, reading the fine-print, would be highly beneficial to Big Tobacco — a constitutional amendment that would ensure that Big Tobacco cigarette sales will remain robust and even stronger in Missouri, especially *vis-a-vis* cheap cigarette discount brands. The Kander Memo details the “Corrupt Bargain” that Jason Kander and RJ Reynolds (Big Tobacco) made in 2014, to make all this happen.

Another milestone in unraveling the RYH4K scheme occurred in July 2016. A Missouri Court of Appeals declared that RYH4K’s proposed ballot petition summary was “misleading” and “unfair” and could not be used as the official ballot title and summary.

So, it is now a Missouri court, a leading Missouri newspaper, and a Democratic State Senator who are all suggesting in unison: RYH4K is being operated in ways that deceive Missouri voters, donors, volunteers and other supporters. RYH4K (which includes Jason Kander hiding in the background) can’t even write a fair and honest summary of their initiative proposal. Because if they did, Missouri voters wouldn’t approve it.

The number of Missourians who now feel deceived by the RYH4K campaign will skyrocket when they learn that Missouri Secretary of State Jason Kander, now a U.S. Senate candidate, is the “man behind the RYH4K plan” — the sinister, devious and nefarious politician behind the RYH4K curtain. *And worse: that Jason Kander has been using \$5 million-plus raised in the name of “Raise Your Hand For Kids” as his own political slush fund to help him win a U.S. Senate election.*

The 2014 “Corrupt Bargain” Between Jason Kander And Big Tobacco

Compelling evidence now confirms: U.S. Senate Jason Kander is the man behind the RYH4K scheme. In 2014, Jason Kander and Big Tobacco made a “Corrupt Bargain.” Big Tobacco would pay more than \$3 million to Missouri Secretary of State Jason Kander (who in February 2015 would announce himself a candidate for the U.S. Senate in 2016).

In exchange for Big Tobacco's \$3 million payoff to Kander, Missouri Secretary of State Jason Kander agreed that he would use his official government position, and best efforts, to obtain for Big Tobacco — via a ballot initiative campaign — an amendment to the Missouri constitution that would be highly beneficial to Big Tobacco. After all, \$3 million from Big Tobacco doesn't just come falling from the sky. Jason Kander would have to do some “dirty” government work to get that mountain of Big Tobacco cash.

There was only one slight glitch. Big Tobacco could not simply write a \$3 million check directly payable to “Missouri Secretary of State Jason Kander.” So Jason Kander and Big Tobacco agreed that Kander associates would create a nonprofit corporation called “Raise Your Hand For Kids” and then use that nonprofit entity as a get-away vehicle, a vehicle that would receive (in installments) the \$3 million-plus that Big Tobacco agreed to pay Missouri Secretary of State Jason Kander. Big Tobacco would send the \$3 million in installments disguised as “contributions” to the benevolent-sounding “Raise Your Hand For Kids” nonprofit “*public benefit*” corporation.

In turn, Missouri Secretary of State Jason Kander would then direct that his \$3 million pay off from Big Tobacco would be funneled through RYH4K and to a slush fund for the political and personal use of U.S. Senate candidate Jason Kander and his close accomplices. A primary purpose of this slush fund would be to help Kander win the 2016 election and capture a U.S. Senate seat.

Simply put, Jason Kander is a corrupt political merchant who agreed that if Big Tobacco gave Kander more than \$3 million in unlimited corporate contributions, Missouri Secretary of State Jason Kander would do his utmost to obtain Missouri voter passage of a constitutional amendment highly beneficial to Big Tobacco.

If you're a big U.S. corporation, and you want to buy a constitutional amendment in Missouri that would fatten up your corporation's bottom line, we highly recommend that you go see Missouri Secretary of State Jason Kander. He'll fix you right up. He'll make you a deal, and it won't cost your corporation more than, say, \$3 million to \$5 million. But of course, your corporation can't pay Jason directly; you'll have to send the payoff money to some nonprofit, charitable-looking entity that is controlled by Jason Kander. That's how it works. If you don't believe us, just go ask Jason Kander. He's been describing this scheme to people since at least 2012.

Compelling evidence reveals: in 2014, Missouri Secretary of State Jason Kander agreed to a “Corrupt Bargain” with RJ Reynolds (“Big Tobacco”). Kander knew he was going to run for the U.S. Senate in 2016, and Kander wanted to start lining up his unlimited corporate contributions as early as possible. Thus, the “RYH4K” Kander-inspired scheme — a scheme that has also deceived countless Missourians into donating more than \$2 million in charitable contributions to “Raise Your Hand For Kids.”

As previously stated, campaign finance experts have warned that a candidate-controlled ballot measure committee (“CCBMC”) has the potential to become one of the most corrupt political schemes envisioned or perpetrated in U.S. electoral politics. A clever CCBMC scheme can effectively gut federal election and campaign finance laws, rendering those laws useless and ineffectual.

A clever CCBMC can also serve as a corrupt and criminal vehicle for a politicians to sell his government office and political influence to the highest corporate or special interest bidder. *That's exactly what's going on here.*

RYHFK is also the scheme Jason Kander is currently using to circumvent, evade, and violate the Federal Election Campaign Act of 1971 (amended 1974). Kander's RYH4K's ostensible "ballot measure" campaign *has now enabled U.S. Senate candidate Jason Kander to exempt his political candidacy from U.S. campaign-finance laws.*

An investigation by the FEC will confirm that candidate Kander is also operating RYH4K in violation of those federal laws that govern Section 501(c)(3) and Section 501(c)(4) tax-exempt organizations. Candidate Kander is operating RYH4K for his own private inurement and political benefit, thereby also rendering RYH4K and ACE ineligible for any further U.S. tax-exempt status.

For all of the reasons stated above, we are also submitting this letter and memo to the Federal Election Commission and the Missouri Ethics Commission. The F.E.C. is vested with jurisdiction over U.S. Senate candidate Jason Kander, because as a candidate for U.S. office, he and his campaign are subject to all U.S. election and campaign finance laws and regulations. The Kander Memo, attached, identifies compelling evidence that Kander and accomplices have violated federal campaign finance laws. We would respectfully submit that it is the F.E.C.'s statutory duty, and Congressional mandate, to investigate U.S. Senate candidate Jason Kander and to enforce all U.S. laws and regulations.

Political candidate Kander's use and control of a Missouri ballot measure committee also triggers the statutory authority of the Missouri Ethics Commission, the state agency with statutory oversight of ballot measure committees and those persons who control or operate them. Section 130.026.2(5)(a), RSMo. Candidate Kander's use and *de facto* control of RYH4K, a ballot measure committee, appears to have violated several statutory provisions of Missouri's Campaign Finance Disclosure Law.

To be sure, the Missouri Ethics Commission will need to review the evidence described and detailed in The Kander Memo. In operating RYH4K, candidate Kander and certain associates may have violated several statutory provisions of Missouri's Campaign Finance Disclosure Law — including, but not limited to, Sections 130.021.4(1); 130.021.5(7); 130.031.1(3); and 130.034.1, RSMo. The Kander Memo identifies and describes certain evidence that the Missouri Ethics Commission will need to review, and analyze, to determine whether operation of RYH4K by Kander and close associates violated any other Missouri election or campaign laws.

Notably, Missouri Secretary of State Jason Kander wrote a "2016 POLICY AGENDA" and letter to his "Fellow Missourians." It can be found online (www/sos.mo.gov). Missouri Secretary of State Jason Kander states, in pertinent part, that "Missouri has the most broken campaign finance and ethics system in the country." Kander clearly lays some blame on The Missouri Ethics Commission. The Missouri Secretary of State's website also claims that Missouri "[p]oliticians can lie to the Missouri Ethics Commission with no consequences."

Missouri Secretary of State Jason Kander's message is clear: the Missouri Ethics Commission is a major cause of Missouri having "the most broken campaign finance and ethics system in the country." Since 2010, Jason Kander — trying to sell himself as the political version of Proctor & Gambles 1950s "Mr. Clean" — has publicly railed that Missouri has more corrupt politicians than any other state in the union.

The Kander Memo reveals, in detail, compelling evidence that clearly shows: *politician Jason Kander could teach other corrupt politicians a thing or two.*

The Kander Memo, attached to this letter, offers powerful and compelling evidence that Missouri Secretary of State Jason Kander's grandstanding against "corrupt" Missouri politicians in general, and the Missouri Ethics Commission in particular, is the height of hypocrisy. If the evidence identified in The Kander Memo leads us to the truth, then *Jason Kander will go down in Missouri political history as one of the most corrupt Missouri politicians ever to disgrace the State of Missouri and its state government. Political historians will say that when it came to political corruption, Jason Kander was in a league of his own.*

This letter and attached memo are also being submitted to the U.S. Department of Justice, represented by the U.S. Attorney for the Western District of Missouri. Substantial and compelling evidence, identified in The Kander Memo, plainly suggests that in 2014, the Kanders repeatedly violated the federal wire fraud statute — all as part of a charitable-fraud Internet "crowdfunding" scheme in which the Kanders targeted charitable donors in all fifty (50) states and the District of Columbia.

If so, the Kanders could be subject to federal prosecution under 18 U.S.C., Section 1343. (In 2014, the Kanders scammed 348 charitable donors throughout the U.S. and nine foreign countries out of nearly \$32,000 in charitable public donations.)

Similarly, Jason Kander's RYH4K scheme, including the scheme to deceive Missourians to donate some \$2 million to RYH4K (the Missouri nonprofit "public benefit" corporation), has ostensibly violated the U.S. wire fraud statute, 18 U.S.C., Section 1343, and the U.S. mail fraud statute, 18 U.S.C., Section 1341.

Likewise, U.S. Senate candidate Jason Kander's "Raise Your Hand For Kids" public fundraising program clearly deceived Missourians who donated some \$2 million to RYH4K. In April 2016, an editorial in the *St. Louis Post-Dispatch* observed that RYH4K had misled and deceived Missourians.

In July 2016, the Missouri court of appeals ruled that RYH4K had written a "misleading" and "unfair" initiative ballot proposal summary. From A-to-Z, Jason Kander's control of RYH4K has misled and deceived Missourians and Missouri donors who gave their hard-earned money to RYH4K.

In addition, compelling evidence detailed in The Kander Memo plainly suggests that Jason Kander used his government office, as Missouri Secretary of State, to execute his RYH4K scheme and "Corrupt Bargain" with RJ Reynolds, also known as "Big Tobacco." If so, Jason Kander may have violated (and almost certainly did violate) the U.S. "Honest Government Services" statute, 18 U.S.C., Section 1346.

Compelling evidence suggests: this case fits squarely within the "Honest Government Services" statute. This case involves political corruption and corporate payoffs that Congress, and the federal courts, agree are highly appropriate for prosecution under the "Honest Government Services" statute. Indeed, as far as we can tell, this Kander-Big Tobacco scheme appears to be a textbook example of a scheme perpetrated in direct violation of 18 U.S.C., Section 1346.

The Kander Memo also explains that Missouri Secretary of State Jason Kander's operation of his government office could subject Kander and accomplices to prosecution under the Racketeer Influenced and Corrupt Organizations (RICO) act. 18 U.S.C., Sections 1961-1968.

United States federal and appellate courts have long recognized that, depending on the evidence and predicate acts, a government office can be treated as a "RICO Enterprise" as defined in 18 U.S.C., Section 1961, and subject to RICO prosecution.

The case against Missouri Secretary of State Jason Kander appears to be a textbook example of a state government office being operated, in fact, as a RICO-defined criminal "enterprise."

This letter, and The Kander Memo attached, are also being submitted to the Federal Trade Commission (F.T.C.). Compelling evidence confirms: U.S. Senate candidate Jason Kander's behind-the-scene operation of Raise Your Hand For Kids has operated as a deceptive ruse and fraud on the Missouri public. Missourians were misled and deceived into donating \$2 million to Kander-controlled RYH4K. This constitutes stealing public donations by deceit. In May 2015, the F.T.C. filed charges against four charities that allegedly stole \$200 million by deceiving donors. Kander and accomplices should face similar F.T.C. charges.

The Kanders' crowdfunding fraud in 2014 also falls within the jurisdiction of the Federal Trade Commission. 15 U.S.C., Sections 41-58, as amended.

This letter, and The Kander Memo attached, are also being submitted to the Supreme Court of Missouri. Jason and Diana Kander are both licensed attorneys in Missouri. As Missouri attorneys, the Kanders are subject to the oversight and disciplinary authority vested in the Supreme Court of Missouri. The Kander Memo sets forth substantial evidence which suggests that from 2006 to the present, the Kanders have engaged in multiple and repeated acts of dishonesty; deception; public fundraising fraud; garden-variety frauds; countless acts of theft of property by deceit; numerous counts of "stealing" property by deceit in Missouri; and finally, countless violations of federal and state laws.

Finally, a copy of this letter and The Kander Memo is being submitted to the Internal Revenue Service. Compelling evidence clearly shows that U.S. Senate candidate Jason Kander and his close accomplices have been operating a Section 501(c)(3) corporation (*i.e.*, Missouri corporation "Alliance for Childhood Education - "ACE"), as well as a Section 501(c)(4) corporation (*i.e.*, Missouri corporation "Raise Your Hand For Kids" - "RYH4K"), for the private inurement and political benefit of U.S. Senate candidate Jason Kander.

This assertion is confirmed by the clear evidence that FYHK and ACE are actually controlled and coordinated by Jason Kander and accomplices and used to directly, and indirectly, benefit political candidate Jason Kander. According to ballot measure tax experts, it is the view of the I.R.S. that if "a 501(c)(3) is involved in a ballot measure coalition [which ACE is *vis-a-vis* RYH4K's ballot measure campaign], it is not possible to collaborate with a candidate on ballot measure work." The IRS would view this as "**a partisan campaign intervention which is not permissible for 501(c)(3) organizations.**"

In this case, the candidate, Jason Kander, did more than collaborate; the candidate has actually exercised control over the ballot measure and both the 501(c)(3) corporation ("ACE") and the 501(c)(4) corporation ("RYH4K") and its ballot measure campaign. Evidence suggests that both nonprofit corporations have been operated, by Kander associates, in violation of federal tax law and I.R.S. regulations.

The evidence will show that RYH4K is not being operated as a "public benefit" corporation solely for the general welfare of the public. U.S. Senate candidate Jason Kander, and his close associates, are operating RYH4K for the "private and political benefit" of Jason Kander, in furtherance of his political objective to win election and capture a U.S. Senate seat.

RYH4K purports to operate as a Section 501(c)(4) tax-exempt "social welfare" corporation. In reality, RYH4K is being operated as a "Kander welfare" corporation for political purposes.

In a similar way, Jason Kander and accomplices have abused and exploited the tax-exempt status of ACE, a 501(c)(3) organization. We respectfully submit that the I.R.S. should investigate, and determine, whether these two tax-exempt organizations, ACE and RYH4K, should continue to enjoy those U.S. privileges that derive from tax-free status.

Tax-exempt status is a privilege granted by the I.R.S. to those organizations that comply with U.S. tax laws and regulations. ACE and RYH4K have not only failed to comply with U.S. tax laws and regulations, these two corporations have disregarded and run roughshod over those U.S. tax laws and regulations. The evidence clearly suggests that our assertions are correct.

**Missouri Citizens Hereby Exercise Their Constitutional First Amendment Right
To Petition Our Federal And State Governments And Agencies**

For the reasons stated in this letter, including those reasons more fully detailed in The Kander Memo (attached), we hereby exercise our constitutional rights, as granted to us and guaranteed by the First Amendment of the Constitution of the United States. In the exercise of those First Amendment constitutional rights, we hereby *petition* the government bodies identified above to order a full investigation of the Kanders and their conduct, acts, schemes and practices, from 2006 to the present.

Upon completion of those government investigations, we also *petition* the government bodies addressed above to exercise their constitutional and statutory law-enforcement duties, and to take any and all necessary or appropriate action against Jason David Kander and Diana (Kagan) Kander, as required or contemplated by governing U.S. or Missouri law.

Respectfully submitted,



/s/ MISSOURI CITIZENS

Attachment: The Kander Memo