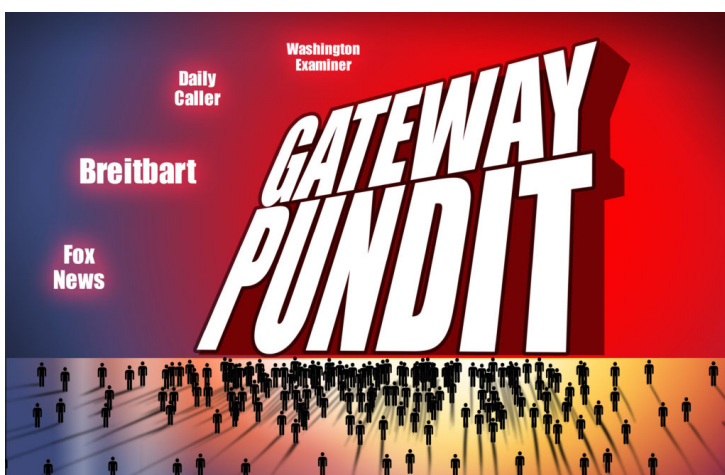


# Missouri attorney general aligns with St. Louis far-right disinformation site ahead of election

After Attorney General Eric Schmitt won the Republican primary August 2 for the open U.S. Senate seat in Missouri, the St. Louis Post-Dispatch [expressed the hope](#) that he would pivot to the center for the general election.

But Schmitt continued his embrace of "[toxic radicalism,](#)" as the Post has commented. And an indication that that might be the case – an indication that no one in St. Louis noticed at the time – came on the very day Schmitt won the primary.

On August 2, Jim Hoft, a St. Louisan otherwise known as the Gateway Pundit, was added as another plaintiff in a suit the Missouri Attorney General had filed months earlier, along with four other new individual plaintiffs. The joint pleading came in the form of an [amended version](#) of a complaint Schmitt had [originally filed in May](#) with just one other plaintiff, Attorney General Jeffrey Landry of Louisiana, in the U. S. District Court of the Western District of Louisiana.



(Illustration by Steve Edwards)

In both its original and amended versions, the suit alleged that President Biden, Dr. Anthony Fauci, and other prominent members of the executive branch had sought to suppress free speech by pressuring social media companies like Facebook and Twitter to restrict or censor what users could say . The argument that Big Government and Big Tech are allied in such an effort is a widespread contention on the political right. The suit specifically focused on free expression about the issues of Covid, election integrity, and Hunter Biden's laptop.

"I will not stand idly by," Schmitt announced in a press release the day the suit was initially filed, "while the Biden Administration attempts to trample on the First Amendment rights of Missourians and Americans." He deplored what he called the Biden Administration's "Orwellian campaign against 'misinformation.'"

Critics immediately ridiculed the initial filing as little more than a disguised press release – another example of Republican Attorneys General tossing red meat to their bases. Liz Dye, a writer for the legal publication "Above the Law," noted that Trump had filed his own censorship case against Twitter, but that another federal judge, James Donato in the Northern District of California, had dismissed it, in part on the ground that government officials had a right to express their opinions.

"It takes a lot to file something dumber than Trump's tech lawsuits," Dye commented. "But by God these AGs have left no corner of 4chan unscoured in their effort to do it."

But the suit may fare better than many liberals would like, in part because the venue was clearly carefully targeted. U.S. District Judge Terry A. Doughty is an appointee of President Trump who has already overturned the Biden Administration on [mandatory Covid vaccines for federal healthcare workers](#) and [restrictions on drilling for oil and gas on federal lands](#). In

July, he ruled against the Biden Administration and for the plaintiffs in ordering commencement of the discovery process.

Regardless, rhetorical haymakers like the kind thrown by Dye are nothing new for Schmitt, whose critics have long lambasted his legal attacks against school districts over mask-wearing to thwart Covid, against China in connection with Covid, and more – all, of course, with no evident impact on the man who seems destined to be Missouri's next U.S. Senator.

So it's not the suit, per se, or the criticism, that makes this particular case stand out. It is, rather, the entry of the individuals into the case – and in particular, Hoft – that makes it noteworthy

Adding any individuals to a suit brought by the state is unusual, said James Layton, who served as Missouri's Solicitor General for about 20 years under Attorneys General Jay Nixon and Chris Koster, both Democrats. Layton noted that the [docket](#) in the case says that it was the current Missouri Solicitor General, D. John Sauer, who added Hoft and the other four individuals to it. Layton is now with the Clayton law firm of Tueth Keeney.

"I just think it's unusual for an Attorney General to affirmatively have private parties (enter a case)," he said. "And the only time I can recall that ever having happened with any public entity, frankly, is where there's a question of standing and they need the private party in order to ensure that the case can go forward. And I've seen that most commonly in Hancock cases."

"Hancock cases" are ones referring to challenges to tax increases under Missouri's Hancock Amendment, which limits tax increases.

Agreeing to add individual plaintiffs also strikes the American Civil Liberties Union of Missouri (ACLU) as contrary

to Schmitt's and Sauer's posture in a recent case, a spokesman said. The situation is not entirely analogous, but in September, 2021 the ACLU represented some students with disabilities who asked to intervene against the state in a case in which the Attorney General was seeking to stop a school district from requiring universal masking. Sauer argued against the intervention, saying, "... the party that's already in the case, doesn't have to raise every single argument that you want to raise on behalf of the representative as long as they're very vigorously defending the ultimate position and relief that you would like to see."

Schmitt's spokesman declined to comment for this story, so it's impossible to know, but it may be that he and Landry believed they did need to add the individuals to gain standing, said one local attorney who asked not to be identified. Both attorneys generals asserted in their original filing that they have grounds to file, in part because they have "a quasi-sovereign interest in protecting the free speech rights of the vast majority of their citizens" and because they rely on a free flow of information on social media to make good decisions. But they may nonetheless have felt vulnerable on this point, the lawyer said. So adding Hoft enabled Schmitt to claim he was protecting the rights of a Missourian, while adding Hines did the same for Landry.

But what's especially noteworthy, of course, is who Hoft is.

The website he founded and publishes, The Gateway Pundit, is among the most notorious purveyors of disinformation in the country. As [this GJR profile](#) from 2021 reported, he has been a champion of right-wing conspiracy theories for nearly 20 years, and, like some others in the field, appears to have made a very good living out of it.

For the state's top law enforcement officer to partner with him, therefore, doesn't sit well with some legal experts.

“By adding Hoft to the case and giving him the state’s imprimatur, Schmitt has essentially normalized him,” commented Michael Wolff, a former chief justice of the Missouri Supreme Court and Dean Emeritus of the Saint Louis University Law School.

“Eric Schmitt has chosen to partner with a man who has made a career out of purveying lies and misinformation,” said Alan Hoffman, a retired Husch Blackwell attorney who leads a group that has filed an ethics challenge against Sen. Josh Hawley for his statements concerning the integrity of the 2020 election. “That is beyond inappropriate and enormously distressing.”

Hoft did not respond to a request for comment.

A 2017 study out of Harvard University reported: “Gateway Pundit is in a class of its own, known for publishing falsehoods and spreading hoaxes.” In 2021, The German Marshall Fund of the United States, a nonpartisan think tank based in Washington, D.C., singled him out as a responsible for a disproportionate share of the chatter about the election from “False Content Producers” in the fourth quarter of 2020. He has been contradicted by one fact-checking organization after another.

And more recently, he has been sued for defamation.

One case is in the state District Court in Denver, where Hoft, along with Rudolf Giuliani, Sidney Powell, the Trump campaign, Newsmax and others have been sued by Eric Coomer, the former security chief for Dominion Voting Systems. Hoft wrote that Coomer had personally guaranteed Antifa members that Dominion election machines had been rigged to elect Biden. He called Coomer “an unhinged sociopath,” a “lunatic,” “mentally ill” and “an unhinged Trump hater and Antifa supporter.” Coomer received death threats and was forced to go into hiding.

Hoft and the other defendants responded with motions to have

the charges dismissed, but in a development that seems to have escaped notice outside Colorado, Judge Marie Avery Moses ruled against them all. She made her ruling last May 13 – about three months *before* Hoft was added to Schmitt and Landry’s case.

[Here](#) is what Judge Moses, a recent appointee of Colorado’s Democratic governor, said about Hoft in turning down his request for dismissal. (She referred to him in the plural as “Hoft-TGP” (The Gateway Pundit):

“To date, Hoft-TGP have not put forward any evidence in support of their statements about Coomer. Hoft-TGP never attempted to contact Coomer, asked to see the notes Oltmann [Hoft’s source for his report] claims he took during the call, or asked about the identities of the other alleged participants. ... Hoft-TGP financially benefitted from this conduct as their post-election coverage resulted in increased subscriptions, increased advertising revenue, and notoriety as a pro-Trump grassroots leader. Hoft-TGP have not retracted any of their publications about Coomer, and they remain publicly available to this day.”

Hoft, she continued, “did not consult with experts on election systems to confirm the allegations made. Instead, there is evidence that Hoft-TGP disregarded credible sources of information that refuted their allegations, including statements by ... former U.S. Attorney General Barr that there was no evidence of widespread fraud. There is evidence the allegations against Coomer were inherently improbable. Yet Hoft-TGP 93 republished and embellished these allegations. There is evidence that Hoft-TGP allegations against Coomer conformed to a preconceived storyline of fraud given their allegations of fraud leading up and after the election. ... This evidence is sufficient to support a finding of actual malice as well as overcome Hoft-TGP’s professions of good faith.”

Hoft is now appealing the judge’s dismissal. Meanwhile,

however, he also faces charges of defamation in St. Louis Circuit Court. Here the plaintiffs are two Georgia poll workers who said they, like Coomer, had also received death threats and been harassed online and in-person after Hoft falsely accused them – in their case of cheating for Biden in counting the votes in Atlanta. That case made national news when the two women, Ruby Freeman and Wandrea Moss, testified before the Special House Committee Investigating the Jan. 6 Attack on the Capitol. That case isn't expected to go to trial here – if it does – until roughly the beginning of 2024.

Nothing of this nature is presented in the filings that Schmitt and Hoft have made with the court in Louisiana. Instead, the first amended complaint describes Hoft as follows:

“The Gateway Pundit is one of the most popular conservative news sites in the country, with over 2.5 million web searches per day. Mr. Hoft maintains and operates The Gateway Pundit's social-media accounts, including a Facebook account with over 650,000 followers, an Instagram account with over 205,000 followers, and (until its recent permanent suspension) a Twitter account with over 400,000 followers.” He is part of a group, the complaint continues, a “social-media titan(s) ... one of the most influential online voices in the country, with over a million social-media followers.”

A second amended complaint, which was filed just Oct. 6 and added 47 more defendants to the case – there are now 67 in all – contains the same language.

The complaint goes on to say that Hoft and the other individual plaintiffs “have suffered and are suffering grave and ongoing injuries” from the alleged suppression. It cites the “demonetization of Plaintiff Hoft from Google” as one of those injuries. It does not, however, ask for monetary damages. It simply asks for a finding that the government has overstepped and must stop it.

Money, however, is at stake for Hoft in all of these issues, as the demonetization from Google reference makes clear. Hoft has been complaining for years about being suppressed on social media, and in February of 2021, started fundraising off of it. This post is still running on his website:

“Behind the scenes, there’s a battle for survival of The Gateway Pundit. For 15 years, we’ve been fighting Big Tech and Leftists who want to shut us down. They’ve censored us on social media. They’ve defamed us in the media. They’ve restricted the advertising that pays our bills. And yet, we soldier on. We’re putting up more articles than ever. We’re digging deeper into corruption and fraud. We’re continuing to fight.

“Many of you have asked how to help, and we finally have a way: You can now subscribe to The Gateway Pundit.”

You can also buy Gateway Pundit merch.

Schmitt did not issue a press release in August when Hoft and the other individuals joined his suit.

But Hoft has not been shy about the state’s embrace. Some sample headlines:

- June 22, 2022 – [Missouri Attorney General Files Landmark Lawsuit Against Biden for Colluding with Big Tech – Evidence from The Gateway Pundit Plays Major Role in Case](#)
- Aug. 3, 2022 – [HUGE BREAKING UPDATE: Gateway Pundit’s Jim Hoft Officially Joins Missouri and Louisiana National Lawsuit – SUES Joe Biden and Administration for Violation of First Amendment, Internet Censorship](#)

And by August 11, he was writing that he had no longer just joined the case, he was leading it:

- [Announcement: The Gateway Pundit’s Jim Hoft Elevated to](#)



[Lead Plaintiff in State of Missouri and State of Louisiana Lawsuit vs. Joseph R. Biden, Jr. et al](#)

Hoft is likely not the only winner, however. Schmitt has reason to be happy too.

During the primary season, when he was facing off against former Mo. Gov. Eric Greitens and other rivals, the Gateway Pundit did not have a kind word to spare for Schmitt. He was a “career politician,” and what’s worse, a “RINO” (Republican in Name Only). He drew headlines like this one, from Sept. 16, 2021:

[Breaking: General Flynn Endorses MAGA Navy SEAL Eric Greitens, Blasts RINO Eric Schmitt for Ties to Chinese Communist Party.](#)

And here is what Hoft wrote on his website this past Sept. 1:

“If this were a Star Wars spinoff, we’d call it “Free-Speech Wars II: The Good Guys Strike Back.”

(Note: Hoft’s joining the case, it should be noted, does not mean he is represented by the state; he has his own lawyer, St. Louis attorney John C. Burns. So do the other individual plaintiffs, who are: Jill Hines, a Louisianan who has supported giving the state’s residents the right to accept or reject vaccines or any form of health care; Dr. Aaron Kheriaty, a medical ethicist and former psychiatry professor at the University of California Irvine who was fired in late 2021 for refusing to be vaccinated after claiming [natural immunity](#) from a prior COVID-19 infection; Martin Kulldorff, a former Harvard University professor of medicine; and Jayanta Bhattacharya, a professor of health policy at Stanford University School of Medicine. Kulldorff and Bhattacharya were two of the three authors of the so-called [Great Barrington Declaration](#), an open letter, published in October 2020, which advocated against lockdowns and for letting Covid sweep through most of the population, creating herd immunity, while only the most vulnerable were protected.)

*Paul Wagman is a former Post-Dispatch reporter and FleishmanHillard executive who is now an independent reporter, editor and communications consultant. He wrote an investigative [report](#) earlier this year for GJR on the involvement of St. Louis Republican officials in the election denial myth.*