

GOVERNMENT & POLITICS

Behind the scenes of Eric Greitens' decision to resign. 'No one saw it coming.'

BY JASON HANCOCK AND
LINDSAY WISE

JUNE 10, 2018 05:30 AM

in p reddit print

ORDER REPRINT →



NEIL NAKAHODO

JEFFERSON CITY — Missouri state lawmakers investigating Gov. Eric Greitens had just finished another marathon public hearing on May 29 when House Speaker Todd Richardson unexpectedly summoned them to his office.

Richardson sat in the window sill of his third-floor Capitol office, backlit in the mid-afternoon light as smoke wafted from his cigarette.

The group of Republican and Democratic legislators gathered round. Richardson asked if everyone was there. An aide shut the door.

“The governor is resigning,” the speaker said.

A wave of shocked relief washed over the room. Richardson shook each legislator’s hand, one by one, and thanked them for their work.

“It was a surreal moment,” said Rep. Greg Razer, D-Kansas City, a member of the investigative committee. “There were no cheers, no celebrating. ... No one saw it coming.”

A little more than a week before, it had been Greitens celebrating.

On Monday, May 14, a prosecutor in St. Louis dropped felony invasion-of-privacy charges against the Republican governor. At the end of that week, on Friday, May 18, another prosecutor in Cole County announced he wouldn’t file charges over allega

Two of the governor's allies also had managed to snag seats on the House committee that was set to consider impeachment.

Even Greitens' opponents began to doubt whether they had the votes to impeach.

As it turns out, each of those victories set the stage for Greitens' downfall, forcing out a governor who built his entire political brand on a refusal to surrender.

This account of Greitens' final days in office is based on interviews with people close to the governor, the investigative committee in Jefferson City and the criminal prosecution he faced in St. Louis.

The story they tell shows how a week of triumph for the governor devolved within days into the realization that his path to survival had virtually vanished.

Victories for Greitens

Greitens arrived at the St. Louis courtroom on May 14 expecting another long day of jury selection in his felony invasion of privacy case.

He'd been indicted by a grand jury on charges that stemmed from allegations he took a nude photo of a woman in 2015 without her consent, and threatened to release it if she ever revealed their relationship.

That morning, after months of wrangling with St. Louis Circuit Attorney Kim Gardner, Greitens' defense team won a key victory: Circuit Judge Rex Burlison had decided Gardner would have to answer questions from defense attorneys, and could end up being called to the stand as a witness.

[By 4:45 p.m. that afternoon](#), Gardner announced she'd dropped the charges. She said she couldn't both prosecute the case and be questioned as a witness.

Gardner reserved the right to ask for a special prosecutor to pick the case back up and consider filing new charges. But Greitens' team was confident no other prosecutor would take the case.

Greitens told reporters outside the courthouse that he'd been vindicated.

"Today the prosecutor has dropped the false charges against me," Greitens said. "It is a great victory and it was a long time coming."

Back in the capitol, lawmakers put on a brave face, arguing that Gardner had so bungled the prosecution that they expected an acquittal anyway.

Behind the scenes, panic began to set in. Many feared the governor they had demanded resign was going to survive.

Then Greitens scored another victory.

The Cole County prosecutor announced on May 18 that he would not file [any criminal charges against the governor](#) over alleged campaign finance violations.

Attorney General Josh Hawley had [turned over evidence to the prosecutor](#) that he believed was proof that Greitens knowingly filed false campaign-finance disclosure reports to the Missouri Ethics Commission, a Class A misdemeanor.

Now the prosecutor was dropping the matter after "due consideration."

His announcement came just hours before lawmakers were set to convene a special session to consider impeachment, and it boosted the spirits of Greitens' legislative allies, who felt the tide was turning after months of ugly headlines.

X

Greitens' attorneys had been pressing for the House to adopt rules of procedure during the special session th

Learn to question your news, called to testify and issue statements to bring witnesses of their own

By continuing to use this site, you give your consent to our use of cookies for analytics, personalization and ads. [Read more](#)

The House pushed back. But discord within the Republican caucus — bolstered by Greitens' recent legal victories — had weakened GOP leadership's hand.

The governor's team felt they had enough support in the House to stave off impeachment. They also were confident they could at the very least block the passage of any rules for the special session that didn't include key concessions to the governor.

By the time the special session was officially convened at 6:30 p.m. on Friday, May 18, Greitens had scored what was believed to be another win: Two lawmakers considered staunch allies of the governor were given spots on the House investigative committee.

Greitens finished the week riding high, confident that the effort to impeach him was losing steam.

"I know there were people in our caucus who were beginning to waver," said Rep. Jean Evans, R-St. Louis County. "And there was concern that the longer it dragged out, the more divided the caucus might become."

Still, Evans said she remained confident in the judgment of legislative leadership.

"And I didn't get a sense that they had changed direction," she said.

Changing fortunes

Greitens' fortunes started to take a turn for the worse the following Monday, May 21.

By 5 p.m. that day, the news broke that well-respected Jackson County Prosecutor Jean Peters Baker had agreed to serve as a special prosecutor to investigate alleged criminal activity by Greitens during his extra-marital affair.

Gardner's decision a week earlier to drop charges related to the nude photo had made it impossible for Greitens to win a decisive "not guilty" verdict before any impeachment vote, while leaving open the possibility that charges could be re-filed by Baker.

Baker would eventually decline to prosecute Greitens, a decision she'd announce a week after his resignation. At the time, however, the governor could no longer claim exoneration. And since he once again faced the possibility of criminal charges for his alleged mistreatment of the woman in the photo, he couldn't speak publicly or to the House investigative committee to defend himself.

His legal woes — which also included a separate felony charge in St. Louis for computer tampering — looked like they were going to drag on for months.

On Tuesday, May 22, the House investigative committee adopted rules for the impeachment proceedings that largely ignored the governor's demands. They were approved by the committee unanimously, with even lawmakers considered loyal to Greitens speaking in favor.

Adding two legislators to the committee with sympathy for Greitens, while originally seen as a concession to the governor, had ended up quelling concerns among some Republican lawmakers about the fairness of the impeachment process.

The next day Greitens was faced with another setback.

The House had issued a subpoena demanding Greitens' secretive dark money nonprofit, A New Missouri Inc., turn over records that lawmakers believed could demonstrate efforts to illegally circumvent the state's campaign disclosure laws.

Cole County Circuit Court Judge Jon Beetem heard arguments for and against the subpoena on Wednesday, May 23, and it didn't go well for the governor.

Beetem gave both sides until May 25 to submit additional arguments, but it was widely assumed he was going to order A New Missouri to comply with the subpoena after the upcoming holiday weekend.

A New Missouri's donors were anxious that the House investigation might expose who was bankrolling the nonprofit and set a precedent for revealing anonymous political contributions.

By continuing to use this site, you give your consent to our use of cookies for analytics, personalization and ads. [Read more](#)

On Thursday, May 24, the chairman of the House investigative committee — Republican Rep. Jay Barnes of Jefferson City — announced he'd spoken with the FBI regarding Greitens' campaign activities.

Specifically, Barnes said he discussed with law enforcement allegations that [the governor had solicited donations from foreign donors](#), which would be a violation of federal law.

Barnes also publicly accused the governor's attorneys that day of stonewalling the committee by refusing to provide requested evidence.

So the next day, when one of Greitens' allies on the investigative committee surprised his fellow members by trying to introduce evidence he'd received directly from the governor's legal team, Barnes exploded.

Barnes demanded to know why evidence was being withheld from the committee while cherry-picked pieces were leaked to friendly legislators.

The move backfired on Greitens' attorneys, cementing the committee's resolve in the face of what they believed were games played by Greitens' defense team in an attempt to upend the legislative inquiry.

"At the time that we made a personal decision to perform this public service, I don't believe any member of this committee ever thought they would be involved in the shenanigans that we're being thrust upon right now," Rep. Gina Mitten, D-St. Louis County, said during the hearing.

To close out what had become a very bad week for Greitens, the House announced on Friday, May 25, that it had issued a subpoena compelling Greitens to testify before the investigative committee. The following day, his accuser, known publicly only as K.S., was set to tell her story, which included accusations that Greitens engaged in coercive and sexually violent misconduct during their 2015 affair.

Legislative leaders made it clear to Greitens that they would consider failure to comply with their subpoena as grounds for impeachment in and of itself.

But most damning to Greitens was the fact that House leaders were now confident they had more than 100 votes to impeach. Only 82 votes were needed.

Making the decision

Momentum had shifted back toward impeachment, and Greitens knew it.

"At the end of that week, he knew there were enough Republican votes with a unanimous Democrat caucus to move forward with impeachment, regardless of the facts," said Jeff Roe, a GOP operative who spoke with Greitens by phone on Saturday, May 26. "We didn't believe that for quite some time."

Greitens called Roe at 10:30 a.m. and left a voicemail. The two finally connected around 5 p.m.

Greitens told Roe he had decided to quit.





Missouri Governor Eric Greitens on May 29 announced his resignation just as abruptly as he had arrived on Missouri's political scene, his career buried under an avalanche of scandal and felony charges.

By [Jason Hancock](#) | [Keith Myers](#) | [Monty Davis](#)

He already was on the hook for a couple million dollars to his personal attorneys. With impeachment inevitable, he now knew that number would more than double.

“He had millions of dollars in legal bills and was now going to have to fight both impeachment and a potential legal battle concurrently,” Roe said. “That would cost another two or three million and could last all the way to October.”

After talking it over with his family, Greitens told Roe, he’d decided that the personal and financial toll was going to be too great, for too long.

“His tone was matter-of-fact,” Roe said. “He had a lot of fight left in him.”

While Greitens was reaching out to Roe, his defense attorneys began working to settle the governor’s legal troubles.

Greitens’ lawyers told Gardner on Saturday, May 26, that he would resign if she would drop the computer tampering charge. They also made overtures to the House to assess interest in winding down its investigation.

On Tuesday, May 29, Greitens attorneys were still working to reach an agreement with Gardner to drop criminal prosecution of the computer-tampering charge in exchange for his resignation. Greitens’ team also asked an intermediary to reach out to Hawley on Tuesday around noon to gauge the status of the investigations his office was leading .

Hawley has been looking into Greitens’ use of a charity’s donor list to raise money for his 2016 campaign and whether his social media use violated Missouri’s open records laws. Those investigations remain ongoing.

Greitens’ attorneys ended up striking a deal with Gardner in which the governor agreed not only to resign but to release Gardner, her office and any of her consultants from civil liability moving forward.

Greitens confirmed to legislative leaders around 3 p.m. that he was resigning later that day.

Shortly afterward, he began telling members of his cabinet. Word of his impending resignation began leaking out.

Razer was still in the public hearing of the House investigative committee. As the Democrat with the least seniority on the committee, he was always the last member that got to question witnesses.

He got a text from his legislative assistant saying there was a rumor going around that the governor was going to resign. But that sort of rumor had percolated through the Capitol before, so he didn’t take it particularly seriously.

It was finally his turn to ask questions of the witness, but Barnes asked him to beg off.

“He kind of mouthed to me, ‘Don’t ask any questions,’ “ Razer said. “He said, ‘Just trust me.’ Then he went to each committee member and told them to find their way to the speaker’s office.”

Barnes adjourned the hearing by announcing that it would reconvene as scheduled the next morning. It was a ruse. He had been told earlier in the day about Greitens' resignation, but didn't want to tip off the public.

At 3:32 p.m., a press release went out announcing Greitens would be making a public statement in his office at 4:15.

During that window of time, Richardson told the committee Greitens was going to be announcing his resignation shortly.

As dozens of reporters filed in to the governor's office awaiting his announcement, Greitens staff lined the walls, fighting back tears.

Greitens arrived at the podium late, around 4:30 p.m. His wife Sheena stood, arms folded, behind a closed door to his adjoining office, waiting for him to make his historic announcement.

"It's clear that for the forces that oppose us there is no end in sight," Greitens said. "I cannot allow those forces to continue to cause pain and difficulty for the people that I love."

Mitten was watching the governor's speech in the second-floor Capitol office of the House Democratic leader, Rep. Gail McCann Beatty of Kansas City.

Despite being told by the speaker that Greitens was set to resign, "I didn't really believe it until I heard him say it."

"We'd been hearing the man was going to resign since January," she said.

As the reality set in, Mitten said the only way to describe the mood in the room was sad.

"It was a sad moment in history," she said, "regardless of your political beliefs."



After declining to file charges against Eric Greitens, Jackson County Prosecutor Jean Peters Baker read a statement Friday from attorney Scott Simpson on behalf of the woman at the center of the Greitens case.

By [Tammy Ljungblad](#)