



U.S Attorney Michael Stuart Used Taxpayer Money to Fund Anti-Criminal Justice Reform Ads

Americans for Prosperity Foundation submitted a [FOIA request](#) over the potential use of taxpayer dollars to advance the policy interests of United States Attorney for the Southern District of West Virginia Mike Stuart. Stuart [ran advertisements](#) in February opposing criminal justice reforms in West Virginia while the state legislature was considering several critical bills.

Findings

- The records [produced in response](#) to our FOIA request **confirms** our suspicion that taxpayers paid for them, as the invoices were addressed to and stamped by the U.S. Attorney's Office.
 - Stuart [had a contract](#) worth at least \$86,730 with MetroNews to run ads and PSAs, but it's not clear how much of that was spent on the criminal justice PSAs.
 - [One invoice](#) dated February 23, 2020 shows \$8,110 worth of charges for airing two PSAs throughout the week of February 17-21. The PSA opposing criminal justice reform efforts which was listed to run 23 times.
- Records indicate that the Department of Justice Office of Public Affairs seemed bothered that Stuart was running PSAs without their prior approval, and told him not to run any more until after the election (see [here](#) and [here](#)).
 - [E-mail](#) from Deanna Eder to Stuart: "Please remember – we told Wyn that you weren't planning to place any new PSAS until after the election and we would run scripts by him before placement."
- [One e-mail](#) shows Stuart forwarding records to a redacted address, raising concerns that he is using a personal e-mail account for government business.

Background

- **2/15/2020:** United States Attorney Mike Stuart [publishes a press release](#) touting the launch of his Public Service Announcements regarding "elder fraud and maintaining 'tough on crime' efforts."
 - The PSA opposing criminal justice reform can be downloaded [here](#).
- **4/1/2020:** Americans for Prosperity Foundation submits [FOIA request](#) with the Executive Office for United States Attorneys seeking records related to ads opposing criminal justice reform in West Virginia.
- **7/9/2020:** Americans for Prosperity Foundation [files lawsuit](#) in the U.S. District Court for the District of Columbia against United States Attorney for the Southern District of West Virginia, Mike Stuart for failure to respond to FOIA request.
 - Read the press release [here](#).
- **7/24/2020:** Executive Office for United States Attorneys produces [90 pages of documents](#).
 - Despite the production, the case is still in litigation because we have concerns about the completeness of the production, including adequacy of the search, missing attachments, and misapplied redactions.