IN THE CIRCUIT COURT OF COLE COUNTY
NINETEENTH JUDICIAL CIRCUIT
STATE OF MISSOURI

ROXIE MURPHY, WARDEN PUBLISHING COMPANY, INCORPORATED, THE MISSOURI PRESS ASSOCIATION, MISSOURI BROADCASTERS ASSOCIATION, and GRAY LOCAL MEDIA, INC., Plaintiffs, v. MISSOURI STATE HIGHWAY PATROL, Serve: Michael A. Turner Superintendent Missouri State Highway Patrol 1510 East Elm Street Jefferson City, Missouri 65101 Defendant.	)	Case No. Division No.

PETITION FOR VIOLATIONS OF MISSOURI SUNSHINE LAW

This is the Petition of Plaintiffs Roxie Murphy ("Murphy"), Warden Publishing Company, Incorporated ("Warden"), The Missouri Press Association ("MPA"), Missouri Broadcasters Association ("MBA"), and Gray Local Media, Inc. ("Gray"), against Defendant Missouri State Highway Patrol ("MSHP") for MSHP's violations of the Missouri Sunshine Law, RSMo § 610.010 *et seq.*

1. Murphy is a Missouri citizen and a Missouri taxpayer. She is employed by Warden as a news reporter and managing editor.

2. Warden is a Missouri corporation and a Missouri taxpayer. It operates newspapers in Missouri.

3. The MPA is a nonprofit corporation incorporated under Missouri law. Its purposes are to further efficiency and morality in the newspaper field and to promote, strengthen, and enhance the journalism profession in Missouri. It is a Missouri taxpayer.

4. MBA is a nonprofit corporation incorporated under Missouri law. Its objects and purposes include promoting the interests and welfare of its broadcaster members, many of which engage in news reporting. It is a Missouri taxpayer.

5. Gray is a Delaware corporation with its principal place of business in Georgia. It owns and operates five full-power television stations in Missouri: KMOV in St. Louis, KCTV in Kansas City, KYTV in Springfield, KFVS in Cape Girardeau, and KPOB in Poplar Bluff, along with several other low-power stations. It is a Missouri taxpayer.

6. MSHP is a division of the Missouri Department of Public Safety. MSHP is a "public governmental body" under the Missouri Sunshine Law.

7. This Court has jurisdiction and is the proper venue to consider the Petition as Plaintiffs seek injunctive relief, a declaration of rights, status, and other legal relations, fines, attorney's fees and costs, and all other available relief. *See, e.g.,* RSMo §§ 526.030, 527.010, 610.027.

8. MSHP maintains an online database of incident reports of vehicle (traffic) and boating accidents ("Crash Reports").

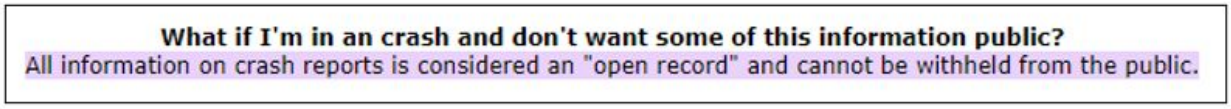
9. These Crash Reports are open public records under the Sunshine Law.

10. These Crash Reports are "incident reports" under RSMo § 610.100.1(4).

11. Under RSMo § 610.100.2(1), these Crash Reports, as "incident reports," "shall be open records."

12. For nearly 30 years, the MSHP provided public online access to unredacted Crash Reports.

13. MSHP's website previously stated (emphasis added):


What if I'm in an crash and don't want some of this information public?
All information on crash reports is considered an "open record" and cannot be withheld from the public.

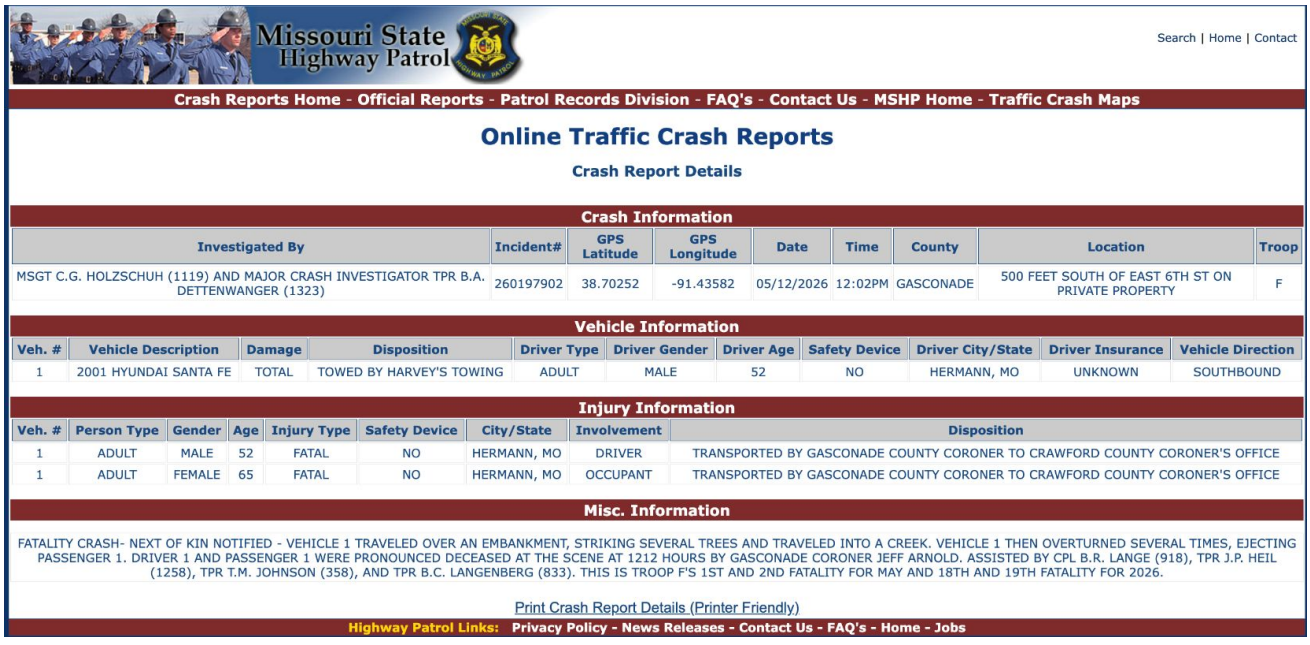
14. The media used such unredacted Crash Reports to report on matters concerning public safety and vehicular safety, including the verification of individuals who died in car accidents on Missouri roads.

15. Since sometime in 2024, MSHP has redacted names, addresses, telephone numbers, and other information of persons identified in Crash Reports (the "Redacted Information") from the version of Crash Reports that it makes available in response to Sunshine Law requests. In addition, MSHP has provided public online access to only a portion of the information in Crash Reports instead of the full information contained in the Crash Reports, including the Redacted Information.

16. These redactions to the Crash Reports produced by MSHP, and such limits to the information in Crash Reports available via public online access, are unauthorized under the Sunshine Law or any other law and are not required by any law.

17. Within the year preceding the filing of this petition, each Plaintiff has accessed MSHP's online database of Crash Reports seeking the full information contained in the Crash Reports. However, MSHP has made available only a portion of the information in the Crash Reports and has not made the Redacted Information available. Thus, all Plaintiffs are aggrieved persons under the Sunshine Law.

18. For example, on May 14, 2026, Murphy, while acting within the scope of her employment with Warden, attempted to view the online incident report concerning a May 12, 2026 Gasconade County fatality crash assigned Incident #260197902. But she could only locate online records with the names of the 52-year-old male and 65-year-old female decedents redacted:



Missouri State Highway Patrol

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Online Traffic Crash Reports

Crash Report Details

Crash Information

Investigated By	Incident#	GPS Latitude	GPS Longitude	Date	Time	County	Location	Troop
MSGT C.G. HOLZSCHUH (1119) AND MAJOR CRASH INVESTIGATOR TPR B.A. DETTENWANGER (1323)	260197902	38.70252	-91.43582	05/12/2026	12:02PM	GASCONADE	500 FEET SOUTH OF EAST 6TH ST ON PRIVATE PROPERTY	F

Vehicle Information

Veh. #	Vehicle Description	Damage	Disposition	Driver Type	Driver Gender	Driver Age	Safety Device	Driver City/State	Driver Insurance	Vehicle Direction
1	2001 HYUNDAI SANTA FE	TOTAL	TOWED BY HARVEY'S TOWING	ADULT	MALE	52	NO	HERMANN, MO	UNKNOWN	SOUTHBOUND

Injury Information

Veh. #	Person Type	Gender	Age	Injury Type	Safety Device	City/State	Involvement	Disposition
1	ADULT	MALE	52	FATAL	NO	HERMANN, MO	DRIVER	TRANSPORTED BY GASCONADE COUNTY CORONER TO CRAWFORD COUNTY CORONER'S OFFICE
1	ADULT	FEMALE	65	FATAL	NO	HERMANN, MO	OCCUPANT	TRANSPORTED BY GASCONADE COUNTY CORONER TO CRAWFORD COUNTY CORONER'S OFFICE

Misc. Information

FATALITY CRASH- NEXT OF KIN NOTIFIED - VEHICLE 1 TRAVELED OVER AN EMBANKMENT, STRIKING SEVERAL TREES AND TRAVELED INTO A CREEK. VEHICLE 1 THEN OVERTURNED SEVERAL TIMES, EJECTING PASSENGER 1. DRIVER 1 AND PASSENGER 1 WERE PRONOUNCED DECEASED AT THE SCENE AT 1212 HOURS BY GASCONADE CORONER JEFF ARNOLD. ASSISTED BY CPL B.R. LANGE (918), TPR J.P. HEIL (1258), TPR T.M. JOHNSON (358), AND TPR B.C. LANGENBERG (833). THIS IS TROOP F'S 1ST AND 2ND FATALITY FOR MAY AND 18TH AND 19TH FATALITY FOR 2026.

Print Crash Report Details (Printer Friendly)

Highway Patrol Links: Privacy Policy - News Releases - Contact Us - FAQ's - Home - Jobs

19. The other Plaintiffs have had the same experience as Murphy and Warden.

20. Within the year preceding the filing of this petition, each Plaintiff submitted one or more Sunshine Law requests to the MSHP's records custodian for one or more unredacted Crash Reports. MSHP's record custodian received each of these Sunshine Law requests. MSHP responded to each such Sunshine Law request by refusing to provide unredacted Crash Reports or versions of Crash Reports that disclosed names or any other Redacted Information.

21. On May 18, 2026, Murphy, while acting within the scope of her employment with Warden, submitted a Sunshine Law request to MSHP's records custodian for MSHP's records related to Incident #260197902:

Warden Publishing Company Inc.

PUBLISHERS OF:
Unterrified Democrat
Steelville Star-Crawford Mirror
Gasconade County Republican
Cuba Free Press
The Saint James Press
Maries County Advocate

106 E. WASHINGTON AVE • PO BOX 540 • OWENSVILLE, MO 65066
Phone: 573-437-2323 Fax: 573-437-3033 E-mail: dwarden@wardpub.com

Custodian of Records Office
Missouri State Highway Patrol
General Headquarters
1510 East Elm St.
Jefferson City, MO 65102

SUNSHINE RECORDS REQUEST FOR INCIDENT NO. 260197902

Dear Recorder of Record:

Pursuant to Missouri's Sunshine Law (§610.010–610.200 RSMo), I am requesting access to and copies of any information, including crash and accident reports, investigations, and records related to the two fatalities in a single car accident on May 12, 2026, in Hermann. The incident number is 260197902. Please include the names of any individuals involved in the crash.

This request includes:

Any incident reports, investigative summaries, or supplemental reports generated after the initial investigation began;

Any determinations, conclusions, or status updates regarding the investigation;

Any documents, communications, or records reflecting whether the case has been closed, remains open, or has changed status;

Any related correspondence between the Highway Patrol and the Gasconade County Sheriff's Office regarding this investigation.

As the online crash reports do not contain the names of the crash victims, which should be disclosed under the Missouri Sunshine Law, we are requesting that MSHP provide the names of the individuals involved in the crash that is listed in the Online Traffic Crash Report. We have enclosed a copy of the Online Traffic Crash Report that does not contain the individuals' names.

The *Gasconade County Republican* is a Missouri newspaper and a member of the Missouri Press Association, and we cover public safety. The request is for information related to the operation of a motor vehicle or public safety. The Drivers Privacy Protection Act (DPPA) does not apply to this request via its 14th exemption. The request is also specifically authorized by RSMo Section 32.091.6, which provides that confidentiality provisions on DMV information should not "limit media access to any personal information when such access is provided by agencies or entities in the interest of public safety and is otherwise authorized by law."

If any portion of this request is denied, please cite the specific statutory exemption relied upon as required by §610.023(4) RSMo. If the records exist but cannot be released due to an ongoing investigation, please confirm the current status of the investigation under §610.100.

I am requesting these records in digital format, if possible, and sent to rmurphy@wardpub.com. The Republican requests MSHP waive any fees, as this information will be used to inform the public. Please inform me of any estimated costs before fulfilling the request, in accordance with §610.026.

Thank you for your time and attention to this matter. I appreciate your assistance and look forward to your response within the required timeframe.

Sincerely,

ROXIE MURPHY
ASSISTANT EDITOR
THE GASCONADE COUNTY REPUBLICAN
rmurphy@wardpub.com
573-437-2323

22. Murphy and Warden specifically requested that MSHP produce Crash Reports with the crash victims' names unredacted. Murphy and Warden also submitted requests for this incident's investigative documents and the crash report through MSHP's online portal.

23. On May 19, 2026, MSHP responded via email that "the traffic crash report will be redacted due to not meeting on [*sic*] of the listed criteria options."

24. On May 27, 2026, MSHP provided Murphy and Warden with a copy of a Missouri Uniform Crash Report ("Initial Crash Report") with the names redacted. The Initial Crash Report also did not appear to concern the records that Plaintiff Murphy requested – it appeared to address an entirely different collision and a different time and location.

25. Beginning on May 29, 2026, Murphy faxed a letter to alert MSHP that she had not received a response to her May 19, 2026 correspondence; that the crash report she had received from MSHP appeared to be the wrong one; that she was specifically asking for unredacted documents; and that her requests squarely fit within the newsgathering exceptions to the DPPA's protections provided by federal and state law. MSHP received this fax by no later than June 3, 2026.

26. On June 30, 2026, MSHP confirmed that it had received Murphy and Warden's initial request on May 18, 2026, that records would be made available for download, but that "[c]ertain personal data has been redacted (removed or obscured) from report. The redaction of the information is to protect the personal information and to comply with the Federal Driver's Privacy Protection Act, 18 U.S.C. 2721."

27. On May 28, 2026, Gray, via a reporter at KFVS, submitted a Sunshine Law request to MSHP's records custodian for a Crash Report from a vehicle accident on May 22, 2026. MSHP's records custodian received this request.

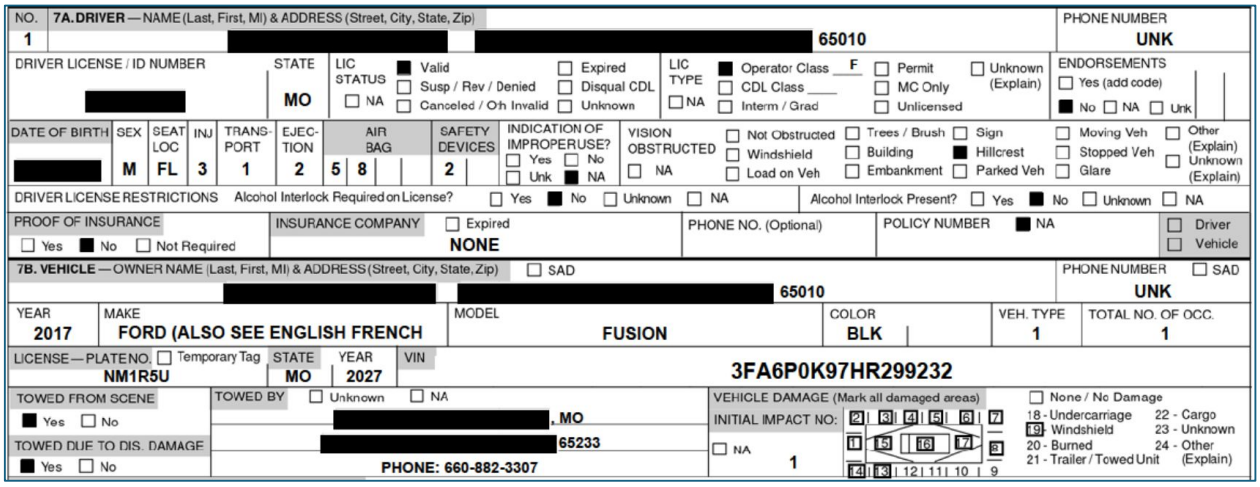
28. MSHP responded by producing a version of the Crash Report that redacted the names and addresses of the persons involved. A copy is attached as Exhibit 1 and incorporated herein.

29. On May 29, 2026, Gray, via a reporter at KY-3, submitted a Sunshine Law request to MSHP's records custodian for a Crash Report from a boating accident at the Lake of the Ozarks on May 27, 2026, that involved a drowning of the victim. MSHP's records custodian received this request.

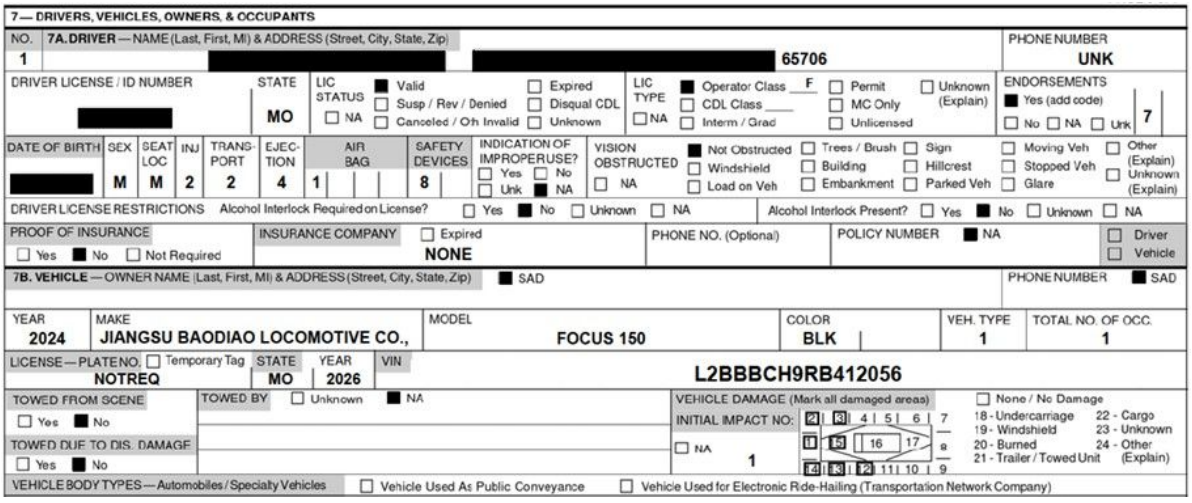
30. MSHP responded by producing a version of the Crash Report that redacted the names, addresses, telephone numbers, and dates of birth of the victim and the persons involved. A copy is attached as Exhibit 2 and incorporated herein.

31. On September 29, 2026, MBA submitted a Sunshine Law request to MSHP's records custodian for an unredacted Crash Report from a vehicle accident on February 4, 2026. MSHP's records custodian received this request. A copy is attached as Exhibit 3 and incorporated herein.

32. MSHP responded by producing a version of the Crash Report that redacted the names, dates of birth, and addresses of the persons involved, including driver and witness. An exemplar portion is shown below:



| NO. | 7A. DRIVER — NAME (Last, First, MI) & ADDRESS (Street, City, State, Zip) | | |



7— DRIVERS, VEHICLES, OWNERS, & OCCUPANTS

NO. 1 | 7A. DRIVER — NAME (Last, First, MI) & ADDRESS (Street, City, State, Zip) [redacted] 65706 | PHONE NUMBER UNK

DRIVER LICENSE / ID NUMBER [redacted] | STATE MO | LIC STATUS ■ Valid ☐ Expired ☐ Susp / Rev / Denied ☐ Disqual CDL ☐ Canceled / Oth Invalid ☐ Unknown ☐ NA | LIC TYPE ■ Operator Class F ☐ Permit ☐ Unknown (Explain) ☐ CDL Class ☐ MC Only ☐ Interm / Grad ☐ Unlicensed ☐ NA | ENDORSEMENTS ■ Yes (add code) ☐ No ☐ NA ☐ Unk 7

DATE OF BIRTH	SEX	SEAT LOC	INJ	TRANSPORT	EJECTION	AIR BAG	SAFETY DEVICES	INDICATION OF IMPROPER USE?	VISION OBSTRUCTED
[redacted]	M	M	2	2	4	1	8	☐ Yes ☐ No ☐ Unk ■ NA	☐ NA ■ Not Obstructed ☐ Windshield ☐ Load on Veh ☐ Trees / Brush ☐ Building ☐ Embankment ☐ Sign ☐ Hillcrest ☐ Parked Veh ☐ Moving Veh ☐ Stopped Veh ☐ Glare ☐ Other (Explain) ☐ Unknown (Explain)

DRIVER LICENSE RESTRICTIONS | Alcohol Interlock Required on License? ☐ Yes ■ No ☐ Unknown ☐ NA | Alcohol Interlock Present? ☐ Yes ■ No ☐ Unknown ☐ NA

PROOF OF INSURANCE ☐ Yes ■ No ☐ Not Required | INSURANCE COMPANY ☐ Expired NONE | PHONE NO. (Optional) | POLICY NUMBER ■ NA | ☐ Driver ☐ Vehicle

7B. VEHICLE — OWNER NAME (Last, First, MI) & ADDRESS (Street, City, State, Zip) ■ SAD | PHONE NUMBER ■ SAD

YEAR	MAKE	MODEL	COLOR	VEH. TYPE	TOTAL NO. OF OCC.
2024	JIANGSU BAODIAO LOCOMOTIVE CO.,	FOCUS 150	BLK	1	1

LICENSE — PLATE NO. NOTREQ ☐ Temporary Tag | STATE MO | YEAR 2026 | VIN L2BBBCH9RB412056

TOWED FROM SCENE ☐ Yes ■ No | TOWED BY ☐ Unknown ■ NA | TOWED DUE TO DIS. DAMAGE ☐ Yes ■ No

VEHICLE DAMAGE (Mark all damaged areas) ☐ None / No Damage | INITIAL IMPACT NO: ☐ NA 1 | 18 - Undercarriage 19 - Windshield 20 - Burned 21 - Trailer / Towed Unit 22 - Cargo 23 - Unknown 24 - Other (Explain)

VEHICLE BODY TYPES — Automobiles / Specialty Vehicles ☐ Vehicle Used As Public Conveyance ☐ Vehicle Used for Electronic Ride-Hailing (Transportation Network Company)

37. MSHP separately responded to MPA's requests with a second Crash Report that redacted the name and full address of a driver who had activated "lights and sirens" while going to a call for service before colliding with a deer.

38. In its response to each of these Sunshine Law requests, MSHP violated the Sunshine Law by providing redacted versions of the requested Crash Reports. Under the Sunshine Law, MSHP was required to provide Plaintiffs with the requested Crash Reports without redactions, and to make Crash Reports with full information available online.

39. MSHP has also violated the Sunshine Law by providing Plaintiffs (and the public) with access to only a portion of the information in MSHP's online database of Crash Reports instead of the full information in the Crash Reports.

40. MSHP knowingly violated the Sunshine Law in that it had actual knowledge that its conduct violated the Sunshine Law. Indeed, before 2024, it acknowledged on its website that "[a]ll information on crash reports is considered an 'open record' and cannot be withheld from the public."

41. Accordingly, under Section 610.027.3, MSHP is subject to each Plaintiff for a civil penalty up to $1,000, and is liable to Plaintiffs for their reasonable attorney's fees.

42. In addition, MSHP purposely violated the Sunshine Law in that it exhibited a conscious design, intent, or plan to violate the Sunshine Law and did so with awareness of the probable consequences.

43. Accordingly, under Section 610.027.4, MSHP is subject to each Plaintiff for a civil penalty up to $5,000, and is liable to Plaintiffs for their reasonable attorney's fees.

44. Under Section 610.030, Plaintiffs are also entitled to injunctive relief requiring MSHP to: (a) provide Plaintiffs with full, unredacted copies of the Crash Reports that they requested; and (b) provide Plaintiffs and the public with access in MSHP's online database of Crash Reports to all of the information in the Crash Reports without any exclusions.

ACCORDINGLY, Plaintiffs request that the Court enter judgment in their favor and against MSHP:

A. For injunctive relief requiring MSHP to: (a) provide Plaintiffs with full, unredacted copies of the Crash Reports that they requested; and (b) provide Plaintiffs and the public with access in MSHP's online database of Crash Reports to all of the information in the Crash Reports without any exclusions;

B. For a civil penalty of $1,000 or $5,000 for each Plaintiff;

C. For Plaintiffs' attorney's fees, costs, and expenses; and

D. All other relief to which Plaintiffs are entitled.

Respectfully Submitted,

BROWN, CURRY & DUGGAN, LLC

By */s/ Dan Curry*

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